

Tab 1 CS/SB 70 by IS, Book (CO-INTRODUCERS) Berman, Stewart, Torres; (Compare to CS/CS/H 00023) Panic Alarms in Public Schools

889996	D	S	WD	AED, Book	Delete everything after	02/25 04:39 PM
326096	SD	S	WD	AED, Book	Delete everything after	02/25 04:39 PM
163156	D	S	RCS	AED, Stargel	Delete everything after	02/25 04:39 PM

Tab 2 CS/SB 1220 by ED, Diaz; (Compare to CS/H 07067) Education

181396	D	S	RCS	AED, Diaz	Delete everything after	02/26 02:45 PM
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Tab 3 CS/SB 1568 by ED, Hutson; (Compare to CS/CS/H 01203) Education

299800	D	S	RCS	AED, Hutson	Delete everything after	02/26 01:42 PM
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Tab 4 SB 1644 by Book (CO-INTRODUCERS) Flores; (Identical to H 01231) Students With Disabilities in Public Schools

745298	A	S	RCS	AED, Book	Delete L.295 - 301:	02/26 01:24 PM
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Tab 5 SB 1688 by Harrell; (Compare to CS/CS/CS/H 01013) Early Learning and Early Grade Success

324350	D	S	RCS	AED, Harrell	Delete everything after	02/26 06:58 PM
330202	AA	S	RCS	AED, Harrell	Delete L.4290 - 4334.	02/26 06:58 PM
155320	AA	S L	RCS	AED, Harrell	Delete L.2552:	02/26 06:58 PM

The Florida Senate
COMMITTEE MEETING EXPANDED AGENDA

APPROPRIATIONS SUBCOMMITTEE ON EDUCATION

Senator Stargel, Chair
Senator Diaz, Vice Chair

MEETING DATE: Tuesday, February 25, 2020
TIME: 9:00 a.m.—12:00 noon
PLACE: Pat Thomas Committee Room, 412 Knott Building

MEMBERS: Senator Stargel, Chair; Senator Diaz, Vice Chair; Senators Baxley, Book, Flores, Montford, Pizzo, and Simmons

TAB	BILL NO. and INTRODUCER	BILL DESCRIPTION and SENATE COMMITTEE ACTIONS	COMMITTEE ACTION
1	CS/SB 70 Infrastructure and Security / Book (Compare CS/CS/H 23)	Panic Alarms in Public Schools; Citing this act as "Alyssa's Law"; requiring each public school to be equipped with a panic alarm system, etc. IS 01/13/2020 Fav/CS AED 02/18/2020 Temporarily Postponed AED 02/25/2020 Fav/CS AP	Fav/CS Yeas 8 Nays 0
2	CS/SB 1220 Education / Diaz (Compare H 7067, S 1250, S 1400)	Education; Revising initial scholarship eligibility criteria for the Family Empowerment Scholarship Program, beginning with a specified school year; revising eligibility criteria for the Florida Tax Credit Scholarship Program and applying the criteria only to initial eligibility; requiring that the rules to establish uniform core curricula for each state-approved teacher preparation program include evidence-based reading instructional strategies and mental health strategies and support; expanding requirements for the certification program of a postsecondary educator preparation institute to be approved by the Department of Education, etc. ED 01/21/2020 Fav/CS AED 02/25/2020 Fav/CS AP	Fav/CS Yeas 5 Nays 3
3	CS/SB 1568 Education / Hutson (Compare CS/CS/H 1203)	Education; Providing that individuals enrolled in certain preapprenticeship programs are deemed to be employees of the state for purposes of receiving certain medical care under workers' compensation coverage; revising the general duties of the Department of Education with regard to registered apprenticeship and registered preapprenticeship programs; providing that registered apprenticeship or registered preapprenticeship program sponsors are responsible for the selection and training of certain personnel, as approved by the department; revising criteria for apprenticeship occupations, etc. ED 01/27/2020 Fav/CS AED 02/25/2020 Fav/CS AP	Fav/CS Yeas 8 Nays 0

COMMITTEE MEETING EXPANDED AGENDA

Appropriations Subcommittee on Education

Tuesday, February 25, 2020, 9:00 a.m.—12:00 noon

TAB	BILL NO. and INTRODUCER	BILL DESCRIPTION and SENATE COMMITTEE ACTIONS	COMMITTEE ACTION
4	SB 1644 Book (Identical H 1231)	Students With Disabilities in Public Schools; Requiring school districts to prohibit the use of seclusion on students with disabilities in public schools; prohibiting specified restraint techniques; requiring a video camera to be placed in specified classrooms upon the request of a parent; requiring schools to provide written notice to certain individuals of the placement of a video camera; requiring continuing education and inservice training for instructional personnel teaching students with emotional or behavioral disabilities, etc. ED 02/10/2020 Favorable AED 02/25/2020 Fav/CS AP	Fav/CS Yeas 8 Nays 0
5	SB 1688 Harrell (Similar S 1616, Compare CS/CS/CS/H 1013, CS/H 7039, CS/S 1636)	Early Learning and Early Grade Success; Adding the Division of Early Learning to the divisions of the Department of Education; revising the duties of the Early Learning Programs Estimating Conference; providing requirements for minimum child care licensing standards; requiring students enrolled in the Voluntary Prekindergarten Education Program to participate in a specified screening and progress-monitoring program; revising the performance standards for the Voluntary Prekindergarten Education Program; authorizing certain child development programs operating on military installations to participate in the school readiness program, etc. ED 01/27/2020 Favorable AED 02/25/2020 Fav/CS AP	Fav/CS Yeas 8 Nays 0

Other Related Meeting Documents

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Appropriations Subcommittee on Education

BILL: PCS/CS/SB 70 (108536)

INTRODUCER: Appropriations Subcommittee on Education; Infrastructure and Security Committee; and Senators Book, Berman, Stewart, and others

SUBJECT: Panic Alarms in Public Schools

DATE: February 25, 2020

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	<u>Proctor</u>	<u>Miller</u>	<u>IS</u>	<u>Fav/CS</u>
2.	<u>Underhill</u>	<u>Elwell</u>	<u>AED</u>	<u>Recommend: Fav/CS</u>
3.	<u> </u>	<u> </u>	<u>AP</u>	<u> </u>

Please see Section IX. for Additional Information:

COMMITTEE SUBSTITUTE - Substantial Changes

I. Summary:

PCS/CS/SB 70 creates “Alyssa’s Law.”

The bill modifies statute to:

- Require each public school, beginning with the 2021-2022 school year, to implement an interoperable mobile panic alert system, known as “Alyssa’s Alert”, capable of connecting diverse emergency services technologies to ensure real-time coordination between multiple first responders.
- For the 2020-2021 fiscal year, subject to legislative appropriation, require the Department of Education, in consultation with the Marjory Stoneman Douglas High School Public Safety Commission and the Florida Department of Law Enforcement, to develop a competitive solicitation for a statewide mobile panic alert system.

The bill may have a significant, negative fiscal impact to school districts.

The bill has an effective date of July 1, 2020

II. Present Situation:

Alyssa Alhadeff

Alyssa Alhadeff, a former student at Marjory Stoneman Douglas High School in Parkland, Florida, was among the 17 killed during a school shooting in February 2018.¹

School Shootings

There have been over 234 shootings at primary and secondary schools since the shooting at Columbine High in April 1999, resulting in the loss of 144 lives.² In 2018 alone, there were 25 shootings - the highest number during any year since at least 1999, and a Washington Post database of school shootings indicates that over 236,000 students have been exposed to gun violence.³

Life-Threatening Emergencies

Florida law requires district school boards to provide for the health, safety, and welfare of students at school. School districts must establish model emergency management and preparedness procedures that include notification procedures for life-threatening emergencies. The procedures must include commonly used alarm system responses for specific emergencies. Life-threatening emergencies are defined as weapon-use; hostage and active shooter situations; hazardous materials or toxic chemical spills; severe weather (hurricanes, tornadoes, and severe storms); and exposure as a result of a manmade emergency.⁴

9-1-1 Wireless Calls

Although wireless phones can be an important public safety tool, they also create unique challenges for emergency response personnel. Because wireless phones are not associated with one fixed physical location, authorities will not know the nature of the threat or the exact location unless the 9-1-1 caller is able to stay on the call and relay that information. Due to this limitation, police and paramedics may not know how many personnel should respond, where to set up a safe location or rally point, where to relocate students (in the case of a school shooting incident), and where an active shooter may be located.

Marjory Stoneman Douglas High School Public Safety Commission

The Marjory Stoneman Douglas High School Public Safety Commission is entrusted with investigating system failures in the Marjory Stoneman Douglas High School shooting and prior

¹ Marjory Stoneman Douglas High School Public Safety Commission, *Second Report* (November 1, 2019), available at <http://www.fdle.state.fl.us/MSDHS/MSD-Report-2-Public-Version.pdf> (last visited December 27, 2019).

² Maya Rossin-Slater ET AL.(2019), Local Exposure to School Shootings and Youth Antidepressant Use (Working Paper 26563), available at <http://www.nber.org/papers/w26563> (last visited December 27, 2019).

³ John Woodrow Cox ET AL., *More than 236,000 students have experienced gun violence at school since Columbine*, available at <https://www.washingtonpost.com/graphics/2018/local/school-shootings-database/> (last visited December 27, 2019).

⁴ See ss. 1006.07(4)(a) and (b), F.S.

mass violence incidents, and developing recommendations for system improvements.⁵ The commission submitted its initial report to the Governor and the Legislature on January 2, 2019, and its second report to the Governor and Legislature on November 1, 2019.⁶ The commission is authorized to issue a report annually, by January 1, and is scheduled to sunset July 1, 2023.⁷

The commission's second report includes school safety and security recommendations, which includes language directing that, "some emergency drills should require movement and exercise all necessary aspects of the drill and emergency operations plan, including panic buttons ...", and "the timeliest way to communicate an on-campus emergency is direct reporting from a school staff member to everyone on campus and the 911 center simultaneously."⁸

Panic Buttons

The U.S. Department of Homeland Security has identified a variety of technologies school districts can use to enhance school safety, including mass notification systems such as panic alarms.⁹ Panic buttons can be set up at a school and monitored by the school administration, local law enforcement. They can be hard wired, wireless, or application-based devices that send a signal notifying first responders of a school security emergency.¹⁰

Some mobile phone applications, "act as panic buttons, which a teacher can press to send an alert to the phone of police officers within a certain radius of a school." Other mobile phone applications focus on locking down or activating other protective measures such as locking doors, deploying smoke cannons, activating strobe lights, and monitoring closed-circuit video.¹¹

III. Effect of Proposed Changes:

The bill names the act "Alyssa's Law."

The bill modifies s. 1006.07, F.S., to:

- Require each public school, beginning with the 2021-2022 school year, to implement an interoperable mobile panic alert system, known as "Alyssa's Alert", capable of connecting diverse emergency services technologies to ensure real-time coordination between multiple first responders.
- For the 2020-2021 fiscal year, subject to legislative appropriation, require the Department of Education, in consultation with the Marjory Stoneman Douglas High School Public Safety Commission and the Florida Department of Law Enforcement, to develop a competitive solicitation for a statewide mobile panic alert system.

⁵ Section 943.687(3), F.S.

⁶ Marjory Stoneman Douglas High School Public Safety Commission, *Initial Report* (Jan. 2, 2019), available at <http://www.fdle.state.fl.us/MSDHS/CommissionReport.pdf> (last visited December 27, 2019).

⁷ Section 943.687(9), F.S.

⁸ *Supra*, note 2.

⁹ U.S. Department of Homeland Security, *K-12 School Security: A Guide for Preventing and Protecting Against Gun Violence* (2nd Edition: 2018), available at <https://www.cisa.gov/publication/k-12-school-security-guide>.

¹⁰ SECURAlert, *Security Systems for Schools*, <https://www.securalert.net/blog/duress-system/security-systems-for-schools/> (last visited January 17, 2020).

¹¹ U.S. Department of Homeland Security, *supra* note 17.

The bill has an effective date of July 1, 2020.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

This bill does not require counties or municipalities to spend funds or limit their authority to raise revenue or receive state-shared revenues as specified in Article VII, s. 18 of the Florida Constitution.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

D. State Tax or Fee Increases:

None.

E. Other Constitutional Issues:

None.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

Panic alert systems for a public school would be sold by private sector vendors, and would therefore have a positive impact on vendors selling a panic alert system.

C. Government Sector Impact:

The bill requires each public school to implement a mobile panic alert system. The extent to which mobile panic alert systems are currently implemented in public and charter school buildings is unknown. The bill may have a significant, negative fiscal impact to school districts.

For the 2020-2021 fiscal year, the competitive solicitation conducted by the department in consultation with the Marjory Stoneman Douglas High School Public Safety Commission and the Florida Department of Law Enforcement is predicated on a legislative appropriation for the system.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends section 1006.07 of the Florida Statutes.

IX. Additional Information:**A. Committee Substitute – Statement of Changes:**

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

Recommended CS by Appropriation Subcommittee on Education on February 25, 2020:

The committee substitute makes the following changes to the bill:

- Requires each public school, beginning with the 2021-2022 school year, to implement an interoperable mobile panic alert system, known as “Alyssa’s Alert”, capable of connecting diverse emergency services technologies to ensure real-time coordination between multiple first responders.
- Requires the Department of Education, in consultation with the Marjory Stoneman Douglas High School Public Safety Commission and the Florida Department of Law Enforcement, to develop a competitive solicitation for a statewide mobile panic alert system.

CS by Infrastructure and Security on January 13, 2020:

- Modified the definition of “panic alarm system” to remove the portion stating the security system signal be silent;
- Adds the panic alarm system must be accessible to administrators, teachers, staff, and other designated personnel;
- Expands installation locations from just buildings to all locations on the school grounds;
- Provides the panic alarm system must provide permanently installed alert indicators located at indoor and outdoor locations; and
- Adds that the panic alarm system must be directly linked to the main office at the school, in addition to local law enforcement agencies that are designated as first responders to the school’s campus, and the system must immediately transmit a signal or message to those authorities upon activation.

B. Amendments:

None.



889996

LEGISLATIVE ACTION

Senate	.	House
Comm: WD	.	
02/25/2020	.	
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Appropriations Subcommittee on Education (Book) recommended the following:

Senate Amendment (with title amendment)

Delete everything after the enacting clause
and insert:

Section 1. This act may be cited as "Alyssa's Law."

Section 2. Present paragraph (c) of subsection (4) of
section 1006.07, Florida Statutes, is redesignated as paragraph
(d), and a new paragraph (c) is added to that subsection, to
read:

1006.07 District school board duties relating to student



889996

11 discipline and school safety.—The district school board shall
12 provide for the proper accounting for all students, for the
13 attendance and control of students at school, and for proper
14 attention to health, safety, and other matters relating to the
15 welfare of students, including:

16 (4) EMERGENCY DRILLS; EMERGENCY PROCEDURES.—

17 (c) Beginning with the 2021-2022 school year, each public
18 elementary, middle, and high school, including charter schools,
19 shall implement an interoperable panic alarm system, as defined
20 in s. 1013.373, that is capable of connecting diverse emergency
21 services technologies to ensure real-time coordination between
22 multiple first responders. Such system, which must be known as
23 “Alyssa’s Alert,” must be integrated with local public safety
24 answering point infrastructure to transmit 911 calls and device
25 application activations.

26 Section 3. Section 1013.373, Florida Statutes, is created
27 to read:

28 1013.373 Panic alarms in public schools.—

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

30 (a) “Panic alarm system” means a security system signal
31 generated by the manual activation of a school device intended
32 to communicate a life-threatening or emergency situation that
33 requires an immediate response from law enforcement.

34 (b) “Public school building” includes all buildings on a
35 public elementary, middle, or high school campus where
36 instruction takes place or where students are present during the
37 school day.

38 (2) Beginning with the 2021-2022 school year, each public
39 elementary, middle, and high school, including charter schools,



889996

40 must implement a panic alarm system known as "Alyssa's Alert"
41 which complies with s. 1006.07(4)(c). Each school must be
42 equipped with such a system for use in a school security
43 emergency, including, but not limited to, a nonfire evacuation,
44 a lockdown, or an active shooter event The panic alarm system
45 must:

46 (a) In order to notice all campus occupants during an
47 active shooter event, be accessible to administrators, teachers,
48 staff, and other designated personnel at all locations on the
49 school grounds.

50 (b) Be directly linked to the main office at the school and
51 to local law enforcement agencies that are designated as first
52 responders to the school's campus.

53 (c) Immediately transmit a signal or message to local law
54 enforcement agencies upon activation.

55 (3) The Department of Education shall issue a competitive
56 solicitation to identify panic alarm system options that may be
57 used by school districts. In identifying the options available
58 to school districts, the Department of Education shall consider
59 the ability of a system to provide audible and visual
60 notifications to protect persons who are hearing or visually
61 impaired; the interoperability of the system with other
62 emergency management tools, such as surveillance cameras; and
63 compliance with the Americans with Disabilities Act. School
64 districts may select a vendor from those identified by the
65 Department of Education as qualified vendors and may apply to
66 the Department of Education for funding through a competitive
67 grant process.

68 Section 4. This act shall take effect July 1, 2020.



889996

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===== T I T L E A M E N D M E N T =====

And the title is amended as follows:

Delete everything before the enacting clause
and insert:

A bill to be entitled
An act relating to panic alarms in public schools;
providing a short title; amending s. 1006.07, F.S.;
beginning in a specified school year, requiring each
public school, including charter schools, to implement
a panic alarm system for specified purposes; providing
requirements for such system; creating s. 1013.373,
F.S.; defining terms; requiring each public school to
be equipped with a panic alarm system; providing
requirements for such systems; requiring the
Department of Education to issue a competitive
solicitation to identify panic alarm options to be
used by school districts; requiring the department to
consider certain options available to school districts
during the process; authorizing school districts may
select a vendor from those identified by the
department as qualified vendors; authorizing school
districts to apply for funding from the department
through a competitive grant process; providing an
effective date.



326096

LEGISLATIVE ACTION

Senate	.	House
Comm: WD	.	
02/25/2020	.	
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Appropriations Subcommittee on Education (Book) recommended the following:

1 **Senate Substitute for Amendment (889996) (with title**
2 **amendment)**

3
4 Delete everything after the enacting clause
5 and insert:

6 Section 1. This act may be cited as "Alyssa's Law."

7 Section 2. Present paragraph (c) of subsection (4) of
8 section 1006.07, Florida Statutes, is redesignated as paragraph
9 (e), and new paragraphs (c) and (d) are added to that
10 subsection, to read:



326096

11 1006.07 District school board duties relating to student
12 discipline and school safety.—The district school board shall
13 provide for the proper accounting for all students, for the
14 attendance and control of students at school, and for proper
15 attention to health, safety, and other matters relating to the
16 welfare of students, including:

17 (4) EMERGENCY DRILLS; EMERGENCY PROCEDURES.—

18 (c) Beginning with the 2021-2022 school year, each public
19 elementary, middle, and high school campus, including charter
20 schools, must implement a mobile panic alarm system or a panic
21 button system with interoperability capability to connect
22 diverse emergency services technologies to ensure real-time
23 coordination between multiple first responders. Such system,
24 which shall be referred to as “Alyssa’s Alert,” shall integrate
25 with local public safety answering point infrastructure to
26 transmit 911 calls and mobile device application activations.
27 Each school must be equipped with such a system for use in a
28 school security emergency, including, but not limited to, a
29 nonfire evacuation, a lockdown, or an active shooter event, and
30 the system must effectively notify everyone on campus of the
31 emergency. The panic alarm system must:

32 1. Be accessible to administrators, teachers, staff, and
33 other designated personnel at all locations on the school
34 grounds.

35 2. Be directly linked to the main office at the school and
36 to local law enforcement agencies that are designated as first
37 responders to the school’s campus.

38 3. Immediately transmit a signal or message to local law
39 enforcement agencies upon activation.



326096

40 (d) The department shall issue a competitive solicitation
41 to identify panic alarm system options that may be used by
42 school districts. In identifying the options available to school
43 districts, the department shall consider the ability of a system
44 to provide audible and visual notifications to protect persons
45 who are hearing or visually impaired and the interoperability of
46 the system.

47 Section 3. This act shall take effect July 1, 2020.

48
49 ===== T I T L E A M E N D M E N T =====

50 And the title is amended as follows:

51 Delete everything before the enacting clause
52 and insert:

53 A bill to be entitled
54 An act relating to panic alarms in public schools;
55 providing a short title; amending s. 1006.07, F.S.;
56 requiring each public school campus, including charter
57 schools, to implement a panic alarm system for
58 specified purposes, beginning in a specified school
59 year; providing requirements for such system;
60 authorizing the Department of Education to issue a
61 competitive solicitation to identify panic alarm
62 system options to be used by school districts;
63 requiring the department to consider certain factors
64 during review of responses to the solicitation;
65 providing an effective date.



163156

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
02/25/2020	.	
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Appropriations Subcommittee on Education (Stargel) recommended the following:

Senate Amendment (with title amendment)

Delete everything after the enacting clause and insert:

Section 1. This act may be cited as "Alyssa's Law."

Section 2. Paragraph (c) of subsection (4) of section 1006.07, Florida Statutes, is redesignated as paragraph (f), and a new paragraph (c) and paragraphs (d) and (e) are added to that subsection, to read:

1006.07 District school board duties relating to student



163156

11 discipline and school safety.—The district school board shall
12 provide for the proper accounting for all students, for the
13 attendance and control of students at school, and for proper
14 attention to health, safety, and other matters relating to the
15 welfare of students, including:

16 (4) EMERGENCY DRILLS; EMERGENCY PROCEDURES.—

17 (c) Beginning with the 2021-2022 school year, each public
18 school, including charter schools, shall implement an
19 interoperable mobile panic alert system capable of connecting
20 diverse emergency services technologies to ensure real-time
21 coordination between multiple first responders. Such system,
22 known as "Alyssa's Alert," must integrate with local public
23 safety answering point infrastructure to transmit 911 calls and
24 mobile device application activations.

25 (d) In addition to the requirements of subsection (c), a
26 public school district may implement additional strategies or
27 systems to ensure real-time coordination between multiple first
28 responders in a school security emergency.

29 (e) For the 2020-2021 fiscal year, subject to the
30 appropriation of funds in the General Appropriations Act for
31 this purpose, the department shall issue a competitive
32 solicitation to contract for a mobile panic alert system for all
33 public schools statewide as provided in subsection (c). The
34 department shall consult with the Marjory Stoneman Douglas High
35 School Public Safety Commission and the Florida Department of
36 Law Enforcement in the development of the competitive
37 solicitation for the statewide mobile panic alert system.

38 Section 4. This act shall take effect July 1, 2020.
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163156

40 ===== T I T L E A M E N D M E N T =====

41 And the title is amended as follows:

42 Delete everything before the enacting clause

43 and insert:

44 A bill to be entitled

45 An act relating to alert systems in public schools;
46 providing a short title; amending s. 1006.07, F.S.;
47 requiring each public school to implement a mobile
48 panic alert system for specified purposes beginning in
49 a specified school year; providing requirements for
50 such system; requiring the Department of Education to
51 issue a competitive solicitation to contract for a
52 mobile panic alert system for all public schools
53 statewide; requiring the department to consult with
54 the Marjory Stoneman Douglas High School Public Safety
55 Commission and the Florida Department of Law
56 Enforcement in the development of the competitive
57 solicitation; providing an effective date.

By the Committee on Infrastructure and Security; and Senators
Book and Berman

596-02230-20

202070c1

1 A bill to be entitled
2 An act relating to panic alarms in public schools;
3 providing a short title; creating s. 1013.373, F.S.;
4 defining terms; requiring each public school to be
5 equipped with a panic alarm system; providing
6 requirements for such systems; providing an effective
7 date.
8
9 Be It Enacted by the Legislature of the State of Florida:
10
11 Section 1. This act may be cited as "Alyssa's Law."
12 Section 2. Section 1013.373, Florida Statutes, is created
13 to read:
14 1013.373 Panic alarms in public schools.-
15 (1) As used in this section, the term:
16 (a) "Panic alarm system" means a security system signal
17 generated by the manual activation of a device or an alternative
18 mechanism intended to communicate a life-threatening or
19 emergency situation that requires a response from law
20 enforcement.
21 (b) "Public school building" includes all buildings on a
22 public elementary, middle, or high school campus where
23 instruction takes place or where students are present during the
24 school day.
25 (2) Each public school must be equipped with a panic alarm
26 system for use in a school security emergency, including, but
27 not limited to, a non-fire evacuation, a lockdown, or an active
28 shooter situation. The panic alarm system must be accessible to
29 administrators, teachers, staff, and other designated personnel

Page 1 of 2

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

596-02230-20

202070c1

30 at all locations on the school grounds. The panic alarm system
31 must provide permanently installed alert indicators located at
32 indoor and outdoor locations. The panic alarm system must be
33 directly linked to the main office at the school and to local
34 law enforcement agencies that are designated as first responders
35 to the school's campus, and the system must immediately transmit
36 a signal or message to those authorities upon activation.
37 Section 3. This act shall take effect July 1, 2020.

Page 2 of 2

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

2/25/20

Meeting Date

70

Bill Number (if applicable)

Topic Panic Button

Amendment Barcode (if applicable)

Name Andrew Goren

Job Title Volunteer for make our schools safe

Address _____
Street

Phone 850-559-2903

City

State

Zip

Email _____

Speaking: For Against Information

Waive Speaking: In Support Against
(The Chair will read this information into the record.)

Representing make our schools safe

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.

S-001 (10/14/14)

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

2/25
Meeting Date

70
Bill Number (if applicable)

163156
Amendment Barcode (if applicable)

Topic SB 70 - PAUSE Button

Name JUAN CARDENA

Job Title RSM

Address 8101 SW 124th STREET

Phone _____

PINECREST, FL 33156
City State Zip

Email _____

Speaking: For Against Information

Waive Speaking: In Support Against
(The Chair will read this information into the record.)

Representing ALERT POINT SECURITY

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

2/25

Meeting Date

70

Bill Number (if applicable)

163156

Amendment Barcode (if applicable)

Topic SB 70 - Panic Alarms

Name Sam Wagoner

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New Port Richey FL 34655

City

State

Zip

Email WAGONER@50group.com

Speaking: For Against Information

Waive Speaking: In Support Against
(The Chair will read this information into the record.)

Representing Volusia County School District

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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S-001 (10/14/14)

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

2/25/2020

Meeting Date

CS/SB 70

Bill Number (if applicable)

Topic PANIC ALARMS IN PUBLIC SCHOOLS

Amendment Barcode (if applicable)

Name MICK McHALE

Job Title LOBBYIST

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Phone 800-733-3722

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Tallahassee FL 32301

Email _____

City

State

Zip

Speaking: For Against Information

Waive Speaking: In Support Against
(The Chair will read this information into the record.)

Representing FLORIDA POLICE BENEVOLENT ASSOC.

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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S-001 (10/14/14)

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

25 Feb 20

Meeting Date

70

Bill Number (if applicable)

Topic Panic larams in Public Schools

Amendment Barcode (if applicable)

Name Barney Bishop III

Job Title CEO

Address 2215 Thomasville Road

Phone 850.510.9922

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Tallahassee

FL

32308

Email barney@barneybishop.com

City

State

Zip

Speaking: For Against Information

Waive Speaking: In Support Against
(The Chair will read this information into the record.)

Representing Florida Smart Justice Alliance

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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S-001 (10/14/14)

THE FLORIDA SENATE
APPEARANCE RECORD

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2/25/20

Meeting Date

70

Bill Number (if applicable)

163156

Amendment Barcode (if applicable)

Topic Paula Aburto

Name Scott Jenkins

Job Title 215 S. Monroe St. Ste 500

Address _____

Street

TCL

City

FL 32301

State

Zip

Phone 850 661 0822

Email _____

Speaking: For Against Information

Waive Speaking: In Support Against
(The Chair will read this information into the record.)

Representing School Check In

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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THE FLORIDA SENATE
APPEARANCE RECORD

2/25/20
Meeting Date

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

SB 70
Bill Number (if applicable)

Topic Panic Buttons - Alyssa's Law

Amendment Barcode (if applicable)

Name Lori Alhadef

Job Title School Board Member

Address 8675 Watercrest Circle West Phone 609-335-8226

Parikland, FL 33076
City State Zip

Email playforalyssa@gmail.com

Speaking: For Against Information

Waive Speaking: In Support Against
(The Chair will read this information into the record.)

Representing Self

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

2-25-20

Meeting Date

70

Bill Number (if applicable)

Topic PANIC ALARMS IN PUBLIC SCHOOLS

Amendment Barcode (if applicable)

Name Wayne "Bernie" BERNOSKA

Job Title President

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Street

Phone 321-231-9116

Tallahassee FL 32301
City State Zip

Email BERNIE@FPFP.ORG

Speaking: For Against Information

Waive Speaking: In Support Against
(The Chair will read this information into the record.)

Representing FLORIDA PROFESSIONAL FIREFIGHTERS

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

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S-001 (10/14/14)

THE FLORIDA SENATE
APPEARANCE RECORD

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2-25-2020

Meeting Date

SB 70

Bill Number (if applicable)

Topic PAXIC ALARMS

Amendment Barcode (if applicable)

Name Eric Stern

Job Title Legislative Committee member

Address 1747 Orlando Central Pkwy

Phone 800-373-5782

Street

Orlando FL 32809

City

State

Zip

Email _____

Speaking: For Against Information

Waive Speaking: In Support Against
(The Chair will read this information into the record.)

Representing Florida PTA

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

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S-001 (10/14/14)

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

2/25

Meeting Date

SB 70

Bill Number (if applicable)

Topic Panic Alarms in Schools

Amendment Barcode (if applicable)

Name Megan Turetsky

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Email MTuretsky@csc Broward.org

City FL State 33319 Zip

Speaking: For Against Information

Waive Speaking: In Support Against
(The Chair will read this information into the record.)

Representing Children's Services Council of Broward County

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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S-001 (10/14/14)

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

2/25/20

Meeting Date

SB 70

Bill Number (if applicable)

Topic Panic Alarms in Schools

Amendment Barcode (if applicable)

Name Heather Davidson

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Address 1300 S. Andrews Ave.

Phone 954 308 9277

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33316

Zip

Email hdavidson@unitedwaybroward.org

Speaking: For Against Information

Waive Speaking: In Support Against
(The Chair will read this information into the record.)

Representing United Way of Broward County

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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S-001 (10/14/14)

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

2-25-20

Meeting Date

CB 70

Bill Number (if applicable)

Topic Panic

Amendment Barcode (if applicable)

Name Greg Pound

Job Title _____

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Phone _____

Street

Largo

City

FL.

State

33773

Zip

Email _____

Speaking: For Against Information

Waive Speaking: In Support Against
(The Chair will read this information into the record.)

Representing Saving Families

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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S-001 (10/14/14)

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

1/25/20

Meeting Date

SB 70

Bill Number (if applicable)

Topic Panic Alarm

Amendment Barcode (if applicable)

Name LINDA EDSON

Job Title Legislative Chair

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Tallahassee FL 32303

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State

Zip

Email edsonl@nettally.com

Speaking: For Against Information

Waive Speaking: In Support Against
(The Chair will read this information into the record.)

Representing Florida Retired Educators Association

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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S-001 (10/14/14)

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

2/25

Meeting Date

0670

Bill Number (if applicable)

Topic Panic school buttons

Amendment Barcode (if applicable)

Name Nicolette Owens

Job Title high school educator

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Ft Pierce

City

Fla.

State

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Zip

Email menicko@yahoo.com

Speaking: For Against Information

Waive Speaking: In Support Against
(The Chair will read this information into the record.)

Representing St. Lucie EASL #3614 (Teacher union)

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Appropriations Subcommittee on Education

BILL: PCS/CS/SB 1220 (888996)

INTRODUCER: Appropriations Subcommittee on Education; Education Committee and Senator Diaz

SUBJECT: Education

DATE: February 26, 2020

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	<u>Bouck</u>	<u>Sikes</u>	<u>ED</u>	<u>Fav/CS</u>
2.	<u>Underhill</u>	<u>Elwell</u>	<u>AED</u>	<u>Recommend: Fav/CS</u>
3.	_____	_____	<u>AP</u>	_____

Please see Section IX. for Additional Information:

COMMITTEE SUBSTITUTE - Substantial Changes

I. Summary:

PCS/CS/SB 1220 provides additional educational and professional growth opportunities for students and teachers. The bill modifies provisions relating to educator preparation programs, subject area mastery for and renewal of educator certificates, the Education Practices Commission (EPC), and teacher professional development. Specifically, the bill:

- Modifies admissions, core curricula, and instructional requirements for initial teacher preparation (ITP) and educator preparation institute (EPI) programs by:
 - Changing that the grade point average and General Knowledge Test requirements currently required for admission to the ITP program are to be completed during the student's time in the program.
 - Modifying ITP program core curricula relating to reading instructional strategies and adding a new requirement for mental health strategies and support.
 - Requiring ITP and EPI programs to include the opportunity for students to complete an endorsement, and to include specified instruction required for instructional personnel.
 - Modifying ITP and EPI continuing approval requirements to require that employer surveys include assessments of student proficiency.
- Modifies educator certification requirements to:
 - Authorize an additional option to demonstrate mastery of subject area competence to include a bachelor's degree in the subject area, with conditions.
 - Require that a teacher may earn inservice points only once during a certificate renewal period for training that is not related to student learning or professional growth.
- Modifies requirements relating to the EPC, including that:

- The Commissioner of Education may select and remove the EPC executive director, and may establish the duties of the executive director.
- Modifies school district professional development (PD) systems and creates new PD opportunities by:
 - Requiring a district to calculate a proportional share of PD funds for each teacher, and specifies that each teacher may use up to 25 percent of that share for specified PD.
 - Requiring the DOE and school districts to create an annual and five-year model calendar of state-mandated PD.
 - Requiring the DOE to maintain a statewide registry of approved professional development providers.
 - Creating the Professional Development Choice Pilot Program, subject to appropriation, to allow a teacher to receive a grant of up to \$500 for PD aligned to standards.
 - Creating the Professional Education Excellence Resources (PEER) Pilot Program in Clay, Palm Beach, Pinellas, and Walton counties to allow a teacher extended time for PD, teacher collaboration, and teacher leadership opportunities. This program shall be implemented to the extent specifically funded and authorized by law.
- Modifies the eligibility requirements of the Family Empowerment Scholarship (FES) and the Florida Tax Credit (FTC) scholarship, and maximum annual growth in student participation for the FES, by:
 - Expanding FES eligibility to a student who received an FTC scholarship in the prior year and was in a public school the year prior to initial receipt of the FTC scholarship.
 - Aligning FES and FTC scholarship eligibility by allowing an FES student to participate in up to two courses from a virtual school, correspondence school, or distance learning program that receives state funding; and by providing that the FES is not subject to the maximum of one FTE for funding.
 - Providing that a student eligible for an FTC scholarship remains eligible to participate until the student graduates from high school or attains the age of 21 years, whichever occurs first, regardless of the student's income level.
 - Modifying the maximum annual growth in student participation in the FES to 1.0 percent of the state public school enrollment (rather than 0.25 percent) starting in the 2020-2021 school year.
- Modifies the charter school application process and enrollment limitations by:
 - Requiring a sponsor to receive and consider a charter school application submitted at any time during the calendar year.
 - Modifying enrollment limitations to prioritize a developer and charitable foundation that perform specified actions.
- Requires school districts to provide for the administration of the SAT or ACT to all students in grade 11, beginning in the 2020-2021 school year; with funding as provided in the General Appropriations Act (GAA).
- Establishes a series of school district Full-Time Equivalent (FTE) student bonuses for completion of general education core courses with a grade of "B" or higher through dual enrollment, and completion of an associate degree through dual enrollment.
- Requires the Commissioner to submit a report by December 1, 2020, meeting specified requirements, to determine the feasibility of implementing a Pathways in Technology Early College High School (P-TECH), or similar program, in Florida.

The Department of Education may experience decreased revenue from the loss of subject area examination fees and may incur costs related to developing model professional development calendars and a statewide registry of approved professional development providers and activities.

Revising the increase for maximum student participation in the FES from .25% (roughly 7,000 students to 1.0% (roughly 28,000 students) annually may increase the FTE and state funding for the FEFP. In addition, expanding the Florida Empowerment Scholarship (FES) eligibility by including FTC students who were public school students before they took an FTC scholarship may increase FTE and state funding needed for the FEFP. In addition, exempting the FES scholarship amount from the 1.0 FTE requirement also has the potential to increase the FTE and funding needed for the FEFP.

Beginning in the 2021-2022 fiscal year, the bill may reallocate funds within the Florida Education Finance Program (FEFP) to those school districts with relatively more students successfully completing dual enrollment coursework; however, no appropriation is required.

See Section V.

The bill takes effect on July 1, 2020, unless otherwise specified.

II. Present Situation:

The present situation for the relevant portions of the bill is discussed under the Effect of Proposed Changes of this bill analysis.

III. Effect of Proposed Changes:

Educator Preparation Programs

Present Situation

Public and private universities and colleges throughout the state offer Initial Teacher Preparation (ITP) Programs. Many of the Florida colleges and universities have state-approved Educator Preparation Institutes (EPIs) through which they deliver alternative certification programs for baccalaureate degree holders. Also, the majority of Florida public school districts offer Professional Development Certification Programs.

Initial Teacher Preparation Programs

ITP programs prepare candidates to demonstrate mastery of subject area knowledge in one or more specific subject areas, mastery of general knowledge, and mastery of professional preparation and education competence. There are currently 53 state-approved¹ ITP programs at Florida College System institutions, state universities, and independent colleges and universities,

¹ Section 1004.04, F.S., and Rule 6A-5.066(2), F.A.C., detail criteria for state approval of ITP programs.

which typically culminate in a bachelor's or master's degree.² ITP program completers are eligible for a Florida Professional Educator's Certification upon program completion.³

In order to be admitted into an ITP program, a student must, at a minimum:⁴

- Have a grade point average of at least 2.5 on a 4.0 scale for the general education component of undergraduate studies or have completed the requirements for a baccalaureate degree with a minimum grade point average of 2.5 on a 4.0 scale from an approved college or university.⁵
- Demonstrate mastery of general knowledge sufficient for entry into the program, including the ability to read, write, and perform in mathematics, by passing the General Knowledge Test of the Florida Teacher Certification Examination or, for a graduate level program, obtain a baccalaureate degree from an approved institution.⁶

Each ITP program may waive these admissions requirements for up to 10 percent of the students admitted, subject to requirements related to student success and state-level reporting.⁷

The State Board of Education (SBE) must adopt rules to establish uniform core curricula for each state-approved teacher preparation program.⁸ These rules must include, at a minimum, the following:⁹

- The Florida Educator Accomplished Practices.¹⁰
- The use of state-adopted content standards to guide curricula and instruction.
- Scientifically researched and evidence-based reading instructional strategies that improve reading performance for all students, including explicit, systematic, and sequential approaches to teaching phonemic awareness, phonics, vocabulary, fluency, and text comprehension and multisensory intervention strategies.
- Content literacy and mathematics practices.
- Strategies appropriate for the instruction of English language learners.
- Strategies appropriate for the instruction of students with disabilities.
- Strategies to differentiate instruction based on student needs.
- The use of character-based classroom management.

² Florida Department of Education, *State-Approved Educator Preparation Programs*, <http://www.fldoe.org/teaching/preparation/initial-teacher-preparation-programs/approved-teacher-edu-programs.html> (last visited Jan. 15, 2020). Thirty-three ITP programs are at public colleges and universities, and 20 ITP programs are at independent colleges and universities. *Id.*

³ Florida Department of Education, *Teacher Preparation*, <http://www.fldoe.org/teaching/preparation/> (last visited Jan. 15, 2020), and Rule 6A-5.066(1)(p), F.A.C.

⁴ Section 1004.04(3)(b), F.S.

⁵ An approved institution is one that is accredited by a specified regional accrediting association or an accrediting agency approved by the United States Department of Education. A qualifying non-accredited institution is one that is identified as having a quality program resulting in a bachelor's degree or higher by criteria specified in SBE rule. Rule 6A-4.003, F.A.C.

⁶ Rule 6A-4.003, *supra* note 5.

⁷ *Id.*

⁸ Section 1004.04(2)(a), F.S.

⁹ Section 1004.04(2)(b)1.-7., F.S.

¹⁰ The Florida Educator Accomplished Practices are Florida's core standards for effective educators. The Accomplished Practices form the foundation for the state's teacher preparation programs, educator certification requirements and school district instructional personnel appraisal systems. The Accomplished Practices are based on three essential principles: (1) the effective educator creates a culture of high expectations for all students by promoting the importance of education and each student's capacity for academic achievement; (2) the effective educator demonstrates deep and comprehensive knowledge of the subject taught; and (3) the effective educator exemplifies the standards of the profession. Rule 6A-5.065, F.A.C.

Continued approval of a teacher preparation program is based upon evidence that the program continues to implement the requirements for initial approval and upon significant, objective, and quantifiable measures of the program and the performance of the program completers.¹¹

The criteria for continued approval must include evidence that the program candidate has met admission and core curricula requirements, evidence of performance in specified outcome measures, and:¹²

- Results of the program completers' survey measuring their satisfaction with preparation for the realities of the classroom.
- Results of the employers' survey measuring satisfaction with the program and the program's responsiveness to local school districts.

Educator Preparation Institutes

EPIs are offered by approved postsecondary institutions¹³ or qualified private providers to provide instruction for baccalaureate or higher degree holders who did not earn an education-related degree, resulting in qualification for a temporary teaching certificate.¹⁴ DOE approval of a certification program requires the institute to provide evidence of the institute's capacity to implement a competency-based program that includes:¹⁵

- The core curricula areas that are required for ITP programs.
- An educational plan for each participant to meet certification requirements and demonstrate his or her ability to teach the subject area for which the participant is seeking certification.
- Field experiences in specified settings appropriate to the certification subject area specified in the educational plan.

Each EPI must submit to the DOE annual performance evaluations that measure the effectiveness of the programs, including the pass rates of participants on all examinations required for teacher certification, employment rates, longitudinal retention rates, and satisfaction surveys of employers and candidates. The satisfaction surveys must be designed to measure the sufficient preparation of the educator for the realities of the classroom and the institute's responsiveness to local school districts.¹⁶

Effect of Proposed Changes

The bill modifies s. 1004.04, F.S., relating to prerequisites for admission to, and uniform core curricula of, each state-approved teacher preparation program. The bill:

- Changes the admission requirements to an ITP program to specify that the grade point average and General Knowledge Test requirements are not required for admission, but instead are required to be completed during the student's time in the program. Accordingly,

¹¹ Section 1004.04(4), F.S.

¹² Section 1004.04(4), F.S.

¹³ Rule 6A-4.003, *supra* note 5.

¹⁴ Section 1004.85, F.S. There are 23 public and private postsecondary institutions with state-approved EPI programs, and 1 private provider. Florida Department of Education, *State-Approved EPI Programs*, available at <http://www.fldoe.org/core/fileparse.php/7502/urlt/State-ApprovedEPIProgram.pdf>.

¹⁵ Section 1004.85(3), F.S.

¹⁶ Section 1004.085(5), F.S.

the bill removes provisions relating to waivers of admission requirements that are not necessary under the bill modifications.

- Modifies the requirement for SBE rules establishing uniform core curricula to require:
 - Reading instructional strategies be evidence based, and removes the requirement that such strategies be scientifically researched.
 - A new provision for mental health strategies and support.

Such changes may enable students who have not met the GPA or general knowledge requirement to be admitted into a program and meet the requirement while in the program. Completion of the General Knowledge Test has been a barrier to student admittance to ITP programs, and such changes may enable more students to be admitted into ITP programs and increase the supply of available teachers.

In addition, changes to the uniform core curricula are consistent with the current designation of reading strategies,¹⁷ and with the recent emphasis on school-based mental health supports for students and families.¹⁸

The bill modifies sections 1004.04, F.S., relating to ITP program initial state program approval, and 1004.85, F.S., relating to postsecondary EPIs, to require each program to include:

- The opportunity for the candidate to complete coursework toward obtaining an endorsement¹⁹ in the candidate's chosen teaching field.
- In addition to the core standards for effective education, instruction in the training required of certified instructional personnel, including, but not limited to:
 - Identification, intervention, and prevention of child abuse, abandonment, and neglect.
 - Integration of technology into classroom teaching.
 - Management, assessment, and monitoring of student learning and performance.
 - Skills in classroom management, violence prevention, conflict resolution, and related areas.
 - Developmental disabilities.
 - Youth suicide awareness and prevention.
 - Youth mental health awareness and assistance.

¹⁷ See s. 1001.215, F.S., and Rule 6A-6.053, F.A.C.

¹⁸ Examples of recent activity related to school-based mental health services include: (1) the requirement in s. 1012.584, F.A.C., for the DOE to, beginning in the 2018-2019 school years, establish an evidence-based youth mental health awareness and assistance training program for school personnel; (2) the establishment of a Mental Health Allocation, with specified application requirements, that has allocated over \$144 million to school districts in Specific Appropriation, s. 36, ch. 2018-3, L.O.F., and Specific Appropriation 93, s. 2, ch. 2019-115, L.O.F.; (3) the 2019 requirement in SBE Rule 6A-1.094121, F.A.C., that all school districts annually provide a minimum of five hours of specified instruction regarding youth mental health awareness and assistance; and (4) specifying the purpose for and adding duties to the multiagency network for students with emotional and behavioral disabilities in s. 23, ch. 2018-3, L.O.F.

¹⁹ Educators who hold a currently valid Florida Temporary or Professional Certificate may be eligible to add another subject coverage or endorsement. An endorsement is a rider on a Florida certificate with a full subject coverage and denotes a particular expertise in an instructional level or methodology. To earn an endorsement, an educator must complete the course requirements listed in State Board Rule for the endorsement, or complete a Florida school district's approved inservice add-on program for the endorsement. Florida Department of Education, *Certificate Additions*, <http://www.fldoe.org/teaching/certification/additions/> (last visited Jan. 21, 2020). Endorsements include, but are not limited to, American Sign Language, English for Speakers of Other Languages (ESOL), Gifted, Reading, and Severe or Profound Disabilities. Florida Department of Education, *Adding an Endorsement to a Professional Certificate*, <http://www.fldoe.org/teaching/certification/additions/adding-an-endorsement.stml> (last visited Jan. 21, 2020).

The bill also specifies that the survey required as a part of continued ITP program approval must include the employer's assessment of the student's proficiency in the use of state-adopted content standards and general preparation for the classroom. The survey required of the EPI performance evaluation satisfaction must measure student's proficiency in the use of state-adopted content standards.

The changes to ITP programs may help graduates be better prepared as instructional personnel and for the classroom.

Educator Certification Requirements

Present Situation

The Legislature has established certification requirements to assure that educational personnel in public schools possess appropriate skills in reading, writing, and mathematics; adequate pedagogical knowledge; and relevant subject matter competence so as to demonstrate an acceptable level of professional performance.²⁰

Types of Educator Certificates

In order to seek educator certification, a person must meet general eligibility requirements, which include receipt of a bachelor's or higher degree from an approved postsecondary institution.²¹ Individuals must also demonstrate mastery of general knowledge, if the person serves as a classroom teacher; mastery of subject area knowledge; and mastery of professional preparation and education competence.²²

The DOE issues two primary educator certificates:²³

- A professional certificate is the highest type of full-time certificate issued. The professional certificate is a 5-year renewable certificate.²⁴
- A temporary certificate is a 3-year nonrenewable certificate issued to an applicant who has met general eligibility criteria, but has not yet demonstrated mastery of general knowledge or professional preparation and education competence.²⁵

Mastery of General Knowledge

In order to seek professional certification as a classroom teacher,²⁶ a person must, among other requirements, demonstrate mastery of general knowledge.²⁷ Florida law provides options for a teacher to demonstrate mastery of general knowledge.²⁸ Such options include achieving passing

²⁰ Section 1012.54, F.S.

²¹ Section 1012.56(2)(c), F.S., and Rule 6A-4.003, *supra* note 5.

²² Section 1012.56(2)(g)-(i), F.S.

²³ Section 1012.56(7), F.S.

²⁴ Section 1012.56(1)-(3) and (5), (6)-(7), F.S.

²⁵ Section 1012.56(7)(b), F.S.; Rule 6A-4.004(1), F.A.C.

²⁶ Section 1012.01(2)(a), F.S.

²⁷ Section 1012.56(2), F.S.

²⁸ Section 1012.56(3), F.S.

scores on all sections of the general knowledge examination required by SBE rule,²⁹ holding a specified teaching certificate from another state, completing specified postsecondary teaching experience, or achieving passing scores on the Graduate Record Examination.

The General Knowledge Test is a component of the Florida Teacher Certification Examination³⁰ and includes subtests in English language skills, reading, writing, mathematics.³¹ In 2018, there were 87,457 first-time and retake attempts, with a pass rate of 52 percent.³² Among examinees in a state-approved teacher preparation program, there were 11,924 first-time and retake attempts, with a pass rate of 60 percent.³³

Mastery of Subject Area Knowledge

Acceptable means of demonstrating mastery of subject area knowledge are:³⁴

- For bachelor's degree level subjects:³⁵ achievement of a passing score on the appropriate subject area examination³⁶ earned no more than 10 years prior to the date of application.³⁷
- For master's degree level subjects:³⁸ completion of the required degree and content courses for the subject and achievement of a passing score on the appropriate Florida subject area examination earned no more than 10 years prior to the date of application.
- For all subject areas: hold a valid standard certificate in the subject area applied for from a state or territory, or hold a specified valid national certificate in the subject area.
- For select world languages: passage of a specified foreign language proficiency examination.

²⁹ In 2014, the general knowledge test was redeveloped to match the increased rigor of competencies and skills required for teacher certification. The SBE also approved new higher passing scores for the examination. These new passing scores for all subtests of the General Knowledge Test became effective January 1, 2015. State Board of Education, *Approval of Amendment to Rule 6A-4.0021, Florida Teacher Certification Examinations* (Nov. 18, 2014), available at <http://www.fldoe.org/core/fileparse.php/9931/urlt/0109031-40021.pdf>. The cut scores were set for a beginning effective teacher, one that is likely to have successful students in his or her classroom as opposed to the prior standard, which was minimum competency. State Board of Education, *Nov. 18, 2014 Meeting Minutes* (Jan. 14, 2015), available at <http://www.fldoe.org/core/fileparse.php/9971/urlt/minutes11415.pdf>, at 7.

³⁰ The purpose of the Florida Teacher Certification examinations (FTCE) is to ensure that all teacher candidates demonstrate the necessary content and pedagogical knowledge necessary to effectively instruct students in Florida. Florida Department of Education, *Florida Teacher Certification Examinations (FTCE)*, <http://fldoe.org/accountability/assessments/postsecondary-assessment/ftce/> (last visited Jan. 14, 2020). The written examinations includes subtests of English language skills, reading, writing, mathematics, professional skills, and subject area specialty. Rule 6A-4.0021(2), F.A.C.

³¹ Rule 6A-4.0021, F.A.C.

³² Florida Department of Education, *2018 Annual Administration and Technical Report* (June 2019), available at <http://www.fldoe.org/core/fileparse.php/5627/urlt/18FTCEFELEAATR.PDF>, at 33.

³³ *Id.* at 73.

³⁴ Florida Department of Education, *Subject Area Knowledge*, <http://www.fldoe.org/teaching/certification/general-cert-requirements/subject-area-knowledge.stml> (last visited Jan. 14, 2020). See also s. 1012.56(5), F.S.

³⁵ All elementary, middle, and secondary coverage areas, including world languages and exceptional student education require a bachelor's degree. Florida Department of Education, *Certificate Subjects*, <http://www.fldoe.org/teaching/certification/certificate-subjects> (last visited Jan. 14, 2020).

³⁶ The fee for a first time registration or retake of the full battery of subject area subtests is \$150. Retake fees are prorated based on the number of subtests required. Rule 6A-4.0021(4), F.A.C. For a subject without a subject area examination, the SBE may identify a passing score on a standardized examination or competency may be verified by a school district. Section 1012.56(5), F.S.

³⁷ Rule 6A-4.002(4)(a), F.A.C.

³⁸ Subject areas that require a master's degree include school counseling, psychologist, and social work; and administrative coverages. Florida Department of Education, *Certificate Subjects*, <http://www.fldoe.org/teaching/certification/certificate-subjects> (last visited Jan. 14, 2020).

Certificate Renewal

All professional certificates, except a nonrenewable professional certificate, must be renewed every five years.³⁹ In order to qualify for renewal, the applicant must earn at least six college credits⁴⁰ or 120 inservice (professional development) points⁴¹ during the 5-year cycle.⁴² For each area of specialization to be retained on a certificate, the applicant must earn at least three of the required credit hours or equivalent inservice points in the specialization area.⁴³

Instructional personnel are required to undergo training related to teaching students with developmental disabilities⁴⁴ and training in youth mental health awareness and assistance.⁴⁵ In order to renew a professional certificate, other appropriate training topics include:⁴⁶

- Youth suicide awareness and prevention.⁴⁷
- Content or methods specific to the subject area.
- Methods of teaching reading and literacy skills acquisition.
- Computer literacy, computer applications, or computer education.
- ESOL (English for Speakers of Other Languages).
- Drug abuse, child abuse and neglect, or student dropout prevention.
- Classroom strategies.

Effect of Proposed Changes

The bill modifies s. 1012.56, F.S., to add another acceptable method of demonstrating mastery of subject area knowledge. The bill authorizes that a person seeking an educator certificate in a subject requiring only a baccalaureate degree may demonstrate subject area knowledge with a baccalaureate degree with a major in the subject area, conferred within the last 10 years from an accredited or approved institution as defined in SBE rule.⁴⁸ The provision of an additional option to demonstrate mastery of subject area competence may allow more candidates for educator certification to meet the requirements. In 2018, there were 63,774 first time and retake subject area exams attempted,⁴⁹ but it is not clear how many such attempts were by individuals who could otherwise qualify with a specified bachelor's degree under the additional option authorized in the bill.

³⁹ Section 1012.585(2)(a), F.S.

⁴⁰ College credit earned at an accredited or approved institution or community or junior college as specified in rule 6A-4.003, F.A.C., may be used to renew the professional certificate. Rule 6A-4.0051, F.A.C.

⁴¹ Inservice points earned through inservice education activities developed by the school district in accordance with rule 6A-5.071, F.A.C., may be used to renew the professional certificate. One clock hour of participation equals one inservice point. Twenty inservice points equal one semester hour of college credit. Rule 6A-4.0051, F.A.C.

⁴² Section 1012.585(3)(a), F.S. Applicants may combine college credits and inservice points to meet this requirement. Rule 6A-4.0051(1)(a)2., F.A.C. Inservice points must be earned through participation in state board-approved school district inservice activities. Rule 6A-4.0051(1)(a), F.A.C.

⁴³ Section 1012.585(3)(a), F.S. A passing score on a subject area test in the certification area shown on the certificate may be used to renew the coverage on the professional certificate. Rule 6A-4.0051, F.A.C.

⁴⁴ Section 1012.582, F.S.

⁴⁵ Section 1012.584, F.S.

⁴⁶ Florida Department of Education, *Appropriate Topics for Renewal Credit*, <http://www.fldoe.org/teaching/certification/renewal-requirements/> (last visited Jan. 20, 2020).

⁴⁷ Section 1012.583, F.S.

⁴⁸ Rule 6A-4.003, F.A.C., *supra* note 5.

⁴⁹ Florida Department of Education, *2018 Annual Administration and Technical Report* (June 2019), available at <http://www.fldoe.org/core/fileparse.php/5627/urlt/18FTCFELEAATR.PDF>, at 40.

The bill modifies s. 1012.585, F.S., relating to the renewal of a professional certificate, to specify that a teacher may earn inservice points only once during each 5-year validity period for any mandatory training topic that is not linked to student learning or professional growth. Teachers and school districts may have to modify professional development programs in order for teachers to meet certificate renewal requirements.

The bill also modifies s. 1012.586, F.S., to provide a conforming cross-reference relating to completion of a subject area examination for addition of subject coverage or an endorsement to an educator certificate.

Education Practices Commission

Present Situation

Educator misconduct occurs in various forms and ranges in severity from allegations of direct harm to students (such as physical or sexual abuse) to an act detrimental to the education profession (such as falsifying documentation of continuing education courses or cheating on a professional exam).⁵⁰

The SBE has adopted standards for educator conduct, referred to as the Principles of Professional Conduct for the Education Profession.⁵¹ The Education Practices Commission (EPC or commission) interprets and applies the principles.⁵² If the Commissioner of Education (commissioner) determines the educator's conduct warrants disciplinary action, the EPC determines what penalty to issue against an educator's certificate. Penalties that can be issued against an educator's certificate include a letter of reprimand, fines, probation, suspension or revocation.⁵³

The EPC is composed of 25 members specified in law, who are appointed by the SBE based on nominations by the commissioner.⁵⁴ From among the commission members, the EPC elects a chair who presides over meetings and performs other duties as directed by the EPC or rules.⁵⁵ The EPC, by a vote of three-fourths of the membership, employs an executive director, who may be dismissed by a majority vote of the membership.⁵⁶

The EPC is assigned to the DOE only for administrative purposes, and is not subject to control, supervision, or direction by the DOE.⁵⁷

⁵⁰ Florida Department of Education, *What is Educator Misconduct?*, <http://www.fldoe.org/teaching/professional-practices/what-is-educator-misconducta.stml> (last visited Jan 14, 2020). Section 1012.795, F.S., specifies the offenses for which the EPC may suspend or revoke an educator certificate.

⁵¹ Section 1012.795(1)(j), F.S.; Rule 6A-10.081, F.A.C.

⁵² Section 1012.79(7)(a), F.S.

⁵³ Florida Department of Education, *What is Educator Misconduct?*, <http://www.fldoe.org/teaching/professional-practices/what-is-educator-misconducta.stml> (last visited Jan. 14, 2020), and s. 1012.79(7)(b), F.S.

⁵⁴ Section 1012.79(1), F.S.

⁵⁵ Section 1012.79(4), F.S.

⁵⁶ Section 1012.79(5), F.S.

⁵⁷ Section 1012.79(6)(a), F.S.

The EPC is financed from educator certification fees; fines, penalties, and costs collected pursuant to law;⁵⁸ and general revenue.⁵⁹ The EPC may make expenditures as necessary in exercising its authority and powers and carrying out its duties and responsibilities, including expenditures for personal services, general counsel or access to counsel, and rent at the seat of government and elsewhere; for books of reference, periodicals, furniture, equipment, and supplies; and for printing and binding.⁶⁰

Effect of Proposed Changes

The bill amends s. 1012.79, F.S., to revise the selection and duties of the executive director of the EPC and to modify EPC accountability and allowable expenditures, which may increase collaboration between the DOE and the EPC, and may strengthen financial accountability of the EPC. Specifically, the bill:

- Removes from the EPC the authority to select and remove an executive director, and authorizes the commissioner, with the advice and consent of the EPC chair, to appoint and remove an executive director.
- Specifies that the executive director has administrative duties, as specified by the commissioner, and may not impact or influence decisions of the EPC.
- Specifies that the EPC is assigned to the DOE for not only administrative purposes, but also for fiscal accountability purposes.
- Removes the authorization for the EPC to make expenditures for a general counsel or access to counsel, and authorizes expenditures for legal services.

Professional Development

Present Situation

The purpose of professional development (PD) is to increase student achievement, enhance classroom instructional strategies that promote rigor and relevance throughout the curriculum, and prepare students for continuing education and the workforce.⁶¹

Professional Development System

Florida law requires the DOE, public postsecondary education institutions public school districts, state education foundations, consortia, and professional organizations to work collaboratively to establish a coordinated system of PD.⁶² The PD system must align to the standards adopted by

⁵⁸ Section 1012.796(9), F.S.

⁵⁹ Section 1012.79(10), F.S.

⁶⁰ Section 1012.79(9), F.S.

⁶¹ Section 1012.98(1), F.S.

⁶² Section 1012.98(1), F.S. A developmental research school, an eligible state educational agency, an organization of private schools or a consortium of charter schools may also develop a PD system. Rule 6A-5.071(6), F.A.C. Florida law authorizes a network of PD academies that are operated in partnership with area business partners to develop and deliver high-quality training programs for school districts. Section 1012.985(1), F.S.

the state and support the framework for standards adopted by the National Staff Development Council.⁶³ The PD system must:⁶⁴

- Support and increase the success of educators through collaboratively developed school improvement plans.
- Assist the school community in providing stimulating, scientific research-based educational activities that encourage and motivate students to achieve at the highest levels, and that prepare students for success at subsequent educational levels and the workforce.
- Provide continuous support for all education professionals as well as temporary intervention for education professionals who need improvement in knowledge, skills, and performance.
- Provide training to teacher mentors as part of professional development certification and education competency programs.

Master Inservice Plans

District PD systems must include a master inservice plan (MIP) that identifies the educational training programs, called components of professional learning, that may generate inservice points toward recertification or add-on certification.⁶⁵ The MIP is also called the professional learning catalog.⁶⁶ Each district catalog must be updated annually by September 1, must be based on input from teachers and district and school instructional leaders, and must use the latest available student achievement data and research to enhance rigor and relevance in the classroom.⁶⁷

As a part of the MIPs, district school boards may develop add-on alternative teacher preparation programs to enable certified teachers to add an additional coverage to their certificates without having to take college courses. The program must be approved by the DOE.⁶⁸

In addition, MIPs may include Professional Education Competency (PEC) programs to assist teachers with a temporary certificate in demonstrating professional preparation and education competence required for a professional certificate. Such PEC programs may be offered through school districts or private organizations. Each PEC program must be based on classroom

⁶³ Section 1012.98(1), F.S. The system of professional development must align to the standards adopted by the SBE in Rule 6A-5.071, F.A.C., and support the framework for standards adopted by the National Staff Development Council, now known as "Learning Forward." Florida Department of Education, *District Professional Development Elements*, <http://www.fldoe.org/teaching/professional-dev/dis-professional-dev-elements.shtml> (last visited Jan. 11, 2020). The Standards for Professional Learning outline the characteristics of professional learning that leads to effective teaching practices, supportive leadership, and improved student results. Learning Forward, *Standards for Professional Learning*, <https://learningforward.org/standards-for-professional-learning/> (last visited Jan. 22, 2020).

⁶⁴ Section 1012.98(3), F.S.

⁶⁵ Florida Department of Education, *Master Inservice Plans (MIP)*, <http://www.fldoe.org/teaching/professional-dev/master-inservice-plans-mip.shtml> (last visited Jan. 22, 2020).

⁶⁶ Rule 6A-5.071(1), F.A.C. The professional learning catalog must be submitted to the department for initial approval by the Commissioner. Rule 6A-5.071 (6)(a), F.A.C.

⁶⁷ Section 1012.98(4)(b)5., F.S.

⁶⁸ Section 1012.575, F.S. The DOE has published a manual for development of district add-on certification programs. Florida Department of Education, *Manual for Development of District Add-on Certification Programs*, available at <http://www.fldoe.org/core/fileparse.php/5636/urlt/0072398-add-on-manual.pdf>. Approved district add-on program are located at <http://www.fldoe.org/teaching/preparation/initial-teacher-preparation-programs/approved-teacher-edu-programs.shtml> (last visited Jan. 20, 2020).

application of the Florida Educator Accomplished Practices⁶⁹ and instructional performance and, for public schools, must be aligned with the district or state teacher evaluation system.⁷⁰

Individual Professional Development Plans

Each school principal may establish an individual professional development plan (IPDP) for each instructional employee as a seamless component to the school improvement plan. An IPDP must be related to specific student performance data, define the inservice objectives and specific measurable improvements expected in student performance as a result of the inservice activity, and include an evaluation component that determines the effectiveness of the PD plan.⁷¹

DOE Responsibilities for Professional Development

In addition to approving school district PD systems,⁷² the DOE is required to disseminate:

- Research-based professional development methods and programs that have demonstrated success in meeting identified student needs, including a database of exemplary professional development activities, a listing of available professional development resources, training programs, and available assistance.⁷³
- Research-based best practice methods by which the state and district school boards may evaluate and improve the professional development system. The best practices must include data that indicate the progress of all students.⁷⁴
- PD in the use of integrated digital instruction at schools that include middle grades. The professional development must provide training and materials that districts can use to provide instructional personnel with the necessary knowledge, skills, and strategies to effectively blend digital instruction into subject-matter curricula.⁷⁵

Mentor Teacher Programs

Alongside ensuring the most effective teachers are eligible for teacher leadership roles, one important component of PD at the state level is to build both monetary and non-monetary incentives and supports into teacher leadership policies. Incentives (such as additional compensation) and supports (such as reduced course loads) can help ensure that teacher leadership roles are both attractive and sustainable.⁷⁶

In Florida, the DOE is required to create guidelines and identify best practices for the mentors of first-time teachers and for new teacher-support programs.⁷⁷ The DOE is required to disseminate to the school community proven model PD programs that have demonstrated success in

⁶⁹ Florida Educator Accomplished Practices, *supra* note 10.

⁷⁰ Section 1012.56(8)(b)1., F.S. Organizations approved to offer PEC programs are available at <http://www.fldoe.org/core/fileparse.php/5636/urlt/pecoci.pdf>.

⁷¹ For instructional personnel and administrative personnel who have been evaluated as less than effective, a district school board shall require participation in specific professional development programs as provided in subparagraph (4)(b)5. as part of the improvement prescription. Section 1012.98(10), F.S.

⁷² Section 1012.98(4)(b)1., F.S.

⁷³ Section 1012.98(4)(a)1., F.S.

⁷⁴ Section 1012.98(7)(a), F.S.

⁷⁵ Section 1012.98(7)(b), F.S.

⁷⁶ National Council on Teacher Quality, *NCTQ Databurst: Teacher Leadership Opportunities* (October 2019), available at https://www.nctq.org/dmsView/NCTQ_Databurst_Teacher_Leadership_Opportunities, at 1.

⁷⁷ Section 1012.05(2)(k), F.S.

increasing rigorous and relevant content, increasing student achievement and engagement, meeting identified student needs, and providing effective mentorship activities to new teachers and training to teacher mentors. The PD programs must include a database of exemplary PD activities, a listing of available PD resources, training programs, and available technical assistance.⁷⁸

Professional Development Funding

The Every Student Succeeds Act (ESSA) of 2015⁷⁹ provides grants to state educational agencies and subgrants to local educational agencies to increase student achievement and improve the quality of teachers and school leaders.⁸⁰ Allowable expenses include teacher and school leader training, induction and mentoring, PD, and retention.⁸¹

For 2019-2020, school districts received \$97,203,418 in ESSA funds.⁸² Amounts per district ranged from \$4,389 for the FAMU Developmental Research School and \$9,087 for Liberty County to \$8,954,195 for Broward County and \$12,911,792 for Miami-Dade County.⁸³

Current state funding⁸⁴ for administrator and teacher professional development includes:

- \$7,000,000 for administrator professional development provided by regional professional development academies.⁸⁵
- \$10,000,000 for computer science certification and teacher bonuses.⁸⁶
- \$5,500,000 for mental health awareness and assistance training.⁸⁷
- A percentage of the Florida Education Finance Program base student allocation per full-time equivalent student or other funds must be expended for educational training programs, as determined by the district school board.⁸⁸

Each district school board is required to fund its PD system, and must direct expenditures from other funding sources to continuously strengthen the system in order to increase student achievement and support instructional staff in enhancing rigor and relevance in the classroom.⁸⁹

⁷⁸ Section 1012.98(11), F.S.

⁷⁹ Pub. L. No. 114-95 s. 114 Stat. 1177 (2015-2016).

⁸⁰ United States Department of Education, *Title II — Preparing, Training, and Recruiting High Quality Teachers and Principals*, <https://www2.ed.gov/policy/elsec/leg/esea02/pg20.html> (last visited Jan. 21, 2020).

⁸¹ Florida Department of Education, *Authorized Use of Funds under ESSA – Title II, Part A*, available at <http://www.fldoe.org/core/fileparse.php/5636/urlt/1718TitleIIPartAESSA.pdf>.

⁸² Florida Department of Education, *Title II, Part A: Supporting Effective Instruction*, <http://www.fldoe.org/teaching/professional-dev/title-ii-a-teacher-principal-training-.stml> (last visited Jan. 20, 2020).

⁸³ Email from Mari Presley, Assistant Deputy Committee, Finance and Operations, Florida Department of Education (Aug. 6, 2019) (on file with the Senate Committee on Education).

⁸⁴ Specific Appropriation 108, s. 2, ch. 2019-115, L.O.F.

⁸⁵ *Id.*, see also 1012.985, F.S.

⁸⁶ Specific Appropriation 108, s. 2, ch. 2019-115, L.O.F. See also s. 1007.2616(4), F.S.

⁸⁷ Specific Appropriation 108, s. 2, ch. 2019-115, L.O.F. See also s. 1012.584, F.S.

⁸⁸ Section 1011.62(3), F.S.

⁸⁹ Section 1012.98(5), F.S.

Issues in Professional Development

Providing teachers with data-driven feedback, aligned professional development and opportunities for advancement may help limit attrition, contribute to more effective teaching and improve student learning. However, national research shows that much of the professional development teachers currently receive does not improve either teacher or student performance. A 2016 national survey found that even though district and school leaders are committed to professional learning, teachers lack decision-making authority over their own professional development and are not receiving adequate time for job-embedded professional development.⁹⁰ In a recent PD redesign study, the University of Florida Lastinger Center found that:⁹¹

- Sixty-four percent of Florida teachers reported having little to no influence in determining the content of their in-service professional development programs.
- Teachers describe a serious disconnect between professional learning experiences and the real work of teachers.
- Only 26 percent of Florida teachers strongly agreed that their training helps them to do a better job.
- School districts spend as much as five percent of their budget on professional development and teachers may spend more than 70 hours a year participating in it, yet professional learning opportunities often receive low teacher ratings because of poor design and execution.

Effect of Proposed Changes

The bill modifies the requirements for school district professional development in s. 1012.98, F.S.

Professional Development Funds

The bill requires each district school board to calculate a proportionate share of professional development funds for each classroom teacher and allow each classroom teacher to use up to 25 percent of the proportionate share on professional development that addresses the academic needs of students or an identified area of professional growth for the classroom teacher. The DOE must identify professional development opportunities that require the classroom teacher to demonstrate proficiency in a specific classroom practice.

Professional Development Calendar

The bill requires the DOE, by August 1, 2020, to develop a model annual and 5-year calendar that incorporates all state-required professional development. In addition, the bill requires each school district, no later than January 1, 2021, to develop an annual and a 5-year calendar of professional development for inclusion in the professional development system approved by the DOE.

⁹⁰ Education Commission of the States, *Teacher Development and Advancement—What is the Issue and Why Does it Matter?*, (Mar. 2018), available at https://www.ecs.org/wp-content/uploads/Teacher_Development_and_Advancement.pdf, at 1.

⁹¹ University of Florida, Lastinger Center, *An Evaluation of Florida's Education Professional Development System*, Presentation to the House of Representatives Education Committee (Oct. 22, 2019), at 4.

Teacher Choice in Professional Development

The bill requires the DOE to develop and maintain a statewide registry of approved PD providers and PD activities. The bill specifies that any PD provider seeking to be added to the registry must complete an application, which must describe the PD activities and instructor qualifications, require providers maintain specified information about the PD instruction, and ensure compliance with law and PD standards.

The bill stipulates that providers specified in law,⁹² as well as providers approved by authorized entities, are not required to be added to the registry. However, such providers that wish to offer statewide PD opportunities may seek department approval and be added to the registry.

The bill requires the DOE to review applications and inform the provider in writing within 90 days of the approval or denial of the provider. The approval is valid for a period not to exceed five years, after which the provider must reapply. In addition, the bill requires:

- Each school district accept an approved PD activity on the registry toward meeting the requirements for renewal of a professional certificate.
- The DOE to determine the number of inservice hours to be awarded for completion of each specified PD activity.

The bill creates a three-year Professional Development Choice Pilot Program (pilot program) in the DOE, subject to legislative appropriation. The purpose of the pilot program is to provide grants to eligible teachers to select professional learning opportunities that best meet each teacher's individual needs. The bill specifies pilot program requirements for teachers, as follows:

- An eligible teacher may use a pilot program grant for PD approved by a school district or by a DOE-approved provider that is aligned to PD standards and satisfies requirements for renewal of a professional certificate. An eligible teacher must:
 - Hold a professional certificate.
 - Be employed as a classroom teacher, as defined in law, excluding substitute teachers, by a district school board or by a charter school.
 - Apply for a grant in a format determined by the DOE. In addition, the application must require an applicant to describe how the professional development activity relates to and will improve instruction in the classroom.
- Pilot program activities may include, but are not limited to, in-person or online training; travel and registration for conferences or workshops; college credit courses; and district professional development certification and education competency programs.
- Each eligible teacher may receive a once-a-year reimbursement for training, not to exceed \$500 per school year. The pilot program grants must be awarded on a first-come, first-served basis.

The bill also establishes requirements for each school district and for the DOE, which specifies that:

- Each school district must review a proposed PD activity to determine alignment with district and individual professional development plans and determine the number of inservice credit hours to be awarded, and approve any PD opportunity included on the DOE's registry.

⁹² Providers not required to be registered are the DOE, public postsecondary educational institutions, public school districts, public schools, state education foundations, consortia, and professional organizations. Section 1012.98(1), F.S.

- The DOE must maintain a registry of approved providers and PD activities, and establish, no later than August 1, 2020, a grant application form.

The pilot program appears to be consistent with the President’s education budget for the 2020 fiscal year, which proposes eliminating the Supporting Effective Instruction State Grants program⁹³ that provides formula grants to states and local education agencies to increase student achievement, primarily through professional development for teachers and class-size reduction. According to the budget summary, the program is largely duplicative; virtually all other Elementary and Secondary Education Act formula grant funds (e.g., Title I, Title III) may be used for teacher or staff professional development.⁹⁴

The modifications to school district PD systems and the provision of additional resources may improve teacher access to additional high-quality PD opportunities.

Professional Education Excellence Resources (PEER) Pilot Program

The bill creates s. 1012.981, F.S., to establish the Professional Education Excellence Resources (PEER) Pilot Program in the DOE to provide school district flexibility to increase opportunities for professional learning, collaboration with teachers and leaders, and teacher leadership. The program is established only to the extent specifically funded and authorized by law, and participation in the PEER Pilot program is limited to Clay, Palm Beach, Pinellas, and Walton Counties.

The bill specifies that school districts that participate in the PEER Pilot Program may:

- Extend the contract day or the contract year, or both, for participating teachers for PD, collaboration with colleagues, or instructional coaching. The bill requires a district that chooses to extend the contract day or year must, before the start of the 2020-2021 school year, negotiate with the certified collective bargaining unit for instructional personnel a memorandum of understanding to address participation requirements.
- Use program funds to:
 - Compensate teachers who are assigned to an extended school day or school year.
 - Hire additional instructional personnel to provide teachers with additional planning periods or other release time to complete PD, collaborate with colleagues, or perform other appropriate activities.
 - Provide content area specialists to provide support for teachers’ individual needs and professional growth.
 - Provide instructional coaches for participating teachers.
 - Provide PD opportunities.

The bill requires participating school districts to collaborate with the DOE, postsecondary educational institutions, regional education consortia, the University of Florida Lastinger Center, or other appropriate organizations to develop high-quality online PD opportunities accessible to instructional personnel statewide.

⁹³ The program was appropriated approximately \$2 billion in the 2019 fiscal year.

⁹⁴ United States Department of Education, *Fiscal Year 2020 Budget Summary*, <https://www2.ed.gov/about/overview/budget/budget20/summary/20summary.pdf>, at 55.

The bill also authorizes participating school districts to use program funds to establish a master teacher program to provide accomplished teachers the opportunity to innovate and improve classroom practices, facilitate improved PD, and improve instructional quality through collaboration with teachers and leaders. The bill specifies that each master teacher program must include, but is not limited to:

- Providing release time for planning and meeting with teachers and leaders.
- Additional PD opportunities.
- Monetary compensation.

The bill specifies that school districts may select highly effective teachers for the master teacher academy and may determine other selection criteria, such as peer reviews, principal recommendation, candidate interviews, or content expertise.

Each participating school district must collaborate with the department and with the University of Florida Lastinger Center to develop a master teacher academy to support instructional personnel statewide. The master teacher academy must provide recommendations for master teacher programs, create a bank of online PD, and provide instructional coaching for school-based leaders.

The bill establishes reporting requirements for school districts participating in the PEER Pilot Program. Each participant must annually, by August 1, report to the Governor, the President of the Senate, the Speaker of the House of Representatives, and the DOE on the performance of the pilot program. Each report must include information about the use of program funds, the impact on student achievement and teacher evaluation, satisfaction survey results, and recommendations for continuation of the pilot program.

Teachers in school districts that establish a PEER program may have additional options for PD and may be provided opportunities to provide support for school district teachers and curricula as a teacher leader, without leaving the classroom.

Private Education Choice

Present Situation

Many states are expanding school choice options to include private schools in addition to public schools. In total, 27 states and the District of Columbia have enacted policies designed to broaden access to a private education. The three primary policies states have adopted that expand private school choices include:⁹⁵

- School vouchers.
- Scholarship tax credits.
- Education savings accounts.

⁹⁵ School vouchers are state-funded scholarships that pay for students to attend private school rather than public school. Scholarship tax credits allow individuals and corporations to allocate a portion of their owed state taxes to private nonprofit scholarship organizations that issue public and private school scholarships to K-12 students. Education Savings Accounts are state-funded grants deposited into special savings accounts from which parents can withdraw funds for certain educational expenses. National Conference of State Legislatures, *Private School Choice* <http://www.ncsl.org/research/education/private-school-choice635174504.aspx> (last visited Dec. 18, 2019).

Private Education Choice in Florida

A private school in Florida is an individual, association, co-partnership, or corporation, or department, division, or section of such organizations, that designates itself as an educational center that includes kindergarten or a higher grade and is below college level. A private school may be a parochial, religious, denominational, for-profit, or nonprofit school. A home education program is not considered a private school.⁹⁶

Florida offers multiple private education choice scholarship programs for students who meet the eligibility requirements. In order to participate in Florida's state school choice scholarship program, private schools must comply with specified requirements.⁹⁷

Two of Florida's scholarship programs are focused on students from low income families:

- Florida Tax Credit (FTC) Scholarship Program.
- Family Empowerment Scholarship (FES).⁹⁸

Florida Tax Credit Scholarship Program

The FTC Scholarship Program allows for private, voluntary contributions from corporate donors to non-profit scholarship funding organizations (SFOs) that award scholarships to eligible children from low-income families.⁹⁹ State law requires the SFO's to use the contributions received to provide scholarships to eligible students for the cost of private school tuition or transportation to public school in which the student is enrolled that is different from the school to which the student was assigned.

To be eligible for an FTC scholarship a student must meet one or more of the following criteria:

- The student is on the direct certification list or the student's household income level does not exceed 185 percent of the federal poverty level.
- The student is currently placed, or during the previous state fiscal year was placed, in foster care or in out-of-home care as defined in law.
- The student's household income level is greater than 185 percent of the federal poverty level but does not exceed 260 percent of the federal poverty level.

A student who initially receives a scholarship as a result of being placed in foster care or in out-of-home care remains eligible to participate until the student graduates from high school or attains the age of 21 years, whichever occurs first, regardless of the student's household income level. A student who initially received a scholarship based on income eligibility before the 2019-2020 school year remains eligible to participate until he or she graduates from high school, attains the age of 21 years, or the student's household income level exceeds 260 percent of the federal poverty level, whichever occurs first. A sibling of a student who is participating in the

⁹⁶ Section 1002.01(2), F.S.

⁹⁷ Section 1002.421(1), F.S.

⁹⁸ Section 1002.395(8)(a), F. S.

⁹⁹ The program include credits against the insurance premium tax for contributions to eligible non-profit SFOs, credits against severance taxes on oil and gas production, self-accrued sales tax liabilities of direct pay permit holders, and alcoholic beverage taxes on beer, wine, and spirits. Section 1002.395(6)(d), F.S.

scholarship program is eligible for a scholarship if the student resides in the same household as the sibling.¹⁰⁰

A student is not eligible for a scholarship while he or she is enrolled in a Department of Juvenile Justice program; receiving another state educational scholarship; or enrolled in a home education, private tutoring, virtual, correspondence, distance learning program; or enrolled in the Florida School for the Deaf and the Blind.¹⁰¹

During the 2018-19 school year, FTC scholarships in the amount of \$644.6 million were awarded to a total of 104,091 students enrolled in 1,825 participating Florida private schools.¹⁰² More than 109,000 FTC scholarships have been awarded for the 2019-2020 school year.¹⁰³

Family Empowerment Scholarship Program

Beginning in the 2019-20 school year, the FES Program provides educational options to eligible children of families with limited financial resources. A student who receives a scholarship remains eligible to participate until the student graduates from high school or attains the age of 21 years, whichever occurs first, regardless of the student's household income level.¹⁰⁴ Similar to the McKay Scholarship, the FES is funded through the Florida Education Finance Program (FEFP). The program is capped at 18,000 students for the 2019-2020 school year and can annually increase by 0.25 percent of the state's total public school student enrollment.¹⁰⁵

To be eligible for an FES, a student must meet the following criteria:¹⁰⁶

- The student is:
 - On the direct certification list pursuant to law or the student's household income level does not exceed 300 percent of the federal poverty level; or
 - Currently placed, or during the previous fiscal year was placed, in foster care or in out-of-home care as defined in law.
- The student is eligible to enroll in kindergarten or has spent the prior school year in attendance at a Florida public school. However, a dependent child of a member of the United States Armed Forces who transfers to a school in this state from out of state or from a foreign country due to a parent's permanent change of station orders or a foster child is exempt from the prior public school attendance requirement.
- The parent has obtained acceptance for admission of the student to a private school that is eligible for the program and the parent has requested a scholarship from the Department of Education at least 60 days before the date of the first scholarship payment.

¹⁰⁰ Section 1002.395(3), F.S.

¹⁰¹ Section 1002.395(4), F.S.

¹⁰² Florida Department of Education, *Fact Sheet, Florida Tax Credit Scholarship Program* (Dec. 18, 2019), available at <http://www.fldoe.org/core/fileparse.php/5606/urlt/FTC-Sept-2019.pdf>.

¹⁰³ Email from Amy Graham, Senior Policy Director, Step Up For Students, (Jan. 9, 2020) (on file with the Senate Committee on Education), Email from Patti Froebel, Controller, AAA Scholarship Foundation, (Dec. 18, 2019) (on file with Committee on Education).

¹⁰⁴ Section 1002.394(1), F.S.

¹⁰⁵ Section 1002.394(11)(b), F.S.

¹⁰⁶ Section 1002.394(3), F.S.

Priority is given to students whose household income levels do not exceed 185 percent of the federal poverty level or who are in foster care or out-of-home care. A sibling of a student who is participating in the scholarship program under this subsection is eligible for a scholarship if the student resides in the same household as the sibling.¹⁰⁷

A student is not eligible for an FES while he or she is:¹⁰⁸

- Enrolled in a public school including the Florida School for the Deaf and Blind, College-Prep Boarding Academy, a developmental research school, or a charter school;
- Enrolled in a school operating for the purpose of providing educational services to youth in a Department of Juvenile Justice commitment program;
- Receiving any other educational scholarship pursuant to Florida law;
- Participating in a home education program;
- Participating in a private tutoring program; or
- Participating in a virtual school, correspondence school, or distance learning program that receives state funding pursuant to the student's participation.

As of December, 2019, 17,795 FES scholarships were awarded to students for the 2019-2020 school year.¹⁰⁹

FTE Funding Limits in the FEFP

For purposes of the FEFP, all FTE student (course) enrollment is capped for funding at 1.0 FTE per student for the year except FTE reported by DJJ students beyond the 180-day school year. School districts report all FTE enrollment, and the department combines all FTE enrollment reported for the student by all school districts, including Florida Virtual School. The department then recalibrates all reported FTE student enrollment for each student to 1.0 FTE if the total reported FTE exceeds 1.0. This 1.0 FTE funding limit currently applies to the FES but not to the McKay Scholarship.¹¹⁰

Effect of Proposed Changes

The bill modifies the eligibility and funding requirements of the FES and the FTC scholarship programs.

Scholarship Eligibility and Alignment

The bill expands scholarship eligibility for the FES to include a student who received an FTC scholarship in the prior year and was in a public school the year prior to initial receipt of the FTC scholarship. The bill also aligns the FES and FTC scholarship eligibility in the following ways:

- Allows an FES scholarship student to participate in no more than two courses from a virtual school, correspondence school, or distance learning program that receives state funding. In

¹⁰⁷ Section 1002.394(3), F.S.

¹⁰⁸ Section 1002.394(5), F.S.

¹⁰⁹ Includes the school districts for 65 counties, four lab school districts, and the Florida School for the Deaf & the Blind. Email from Jared Ochs, Director of Legislative Affairs, Department of Education, (Jan. 2, 2020) (on file with the Senate Committee on Education).

¹¹⁰ Section 1011.61(4)(a), F.S.

addition to the FTC Scholarship Program¹¹¹, the John M. McKay Scholarship for Students with Disabilities Program (McKay scholarship)¹¹² and the Hope Scholarship Program¹¹³ have similar provisions. Allowing FES students to annually take up to two courses from a virtual school, correspondence school, or distance learning program that receives state funding, may provide more flexibility for students to meet their educational goals.

- Modifies the FTC so that a student who receives an FTC scholarship remains eligible to participate until the student graduates from high school or attains the age of 21 years, whichever occurs first, regardless of the student's income level.

Scholarship Funding

The bill specifies that, beginning in the 2020-2021 school year, the maximum number of students participating in the FES must annually increase by 1 percent, rather than 0.25 percent.

The bill also adds a provision that the FES is not subject to the maximum value of one FTE for funding a student which aligns the FES scholarship to the McKay scholarship, which is also funded through the FEFP.

Florida Standardized Statewide Assessments

Present Situation

Every Student Succeeds Act

The Every Student Succeeds Act (ESSA)¹¹⁴ is a federal law reauthorizing and substantially revising the Elementary and Secondary Education Act of 1965 (ESEA). The ESSA is the successor to the No Child Left Behind Act of 2001 (NCLB).¹¹⁵ Like its predecessors NCLB and ESEA, the goal of the ESSA is to improve elementary and secondary education in public schools by conditioning the receipt of federal funds on the implementation of federal requirements.

Each state is required to submit a plan that demonstrates that the state educational agency, in consultation with local educational agencies, has implemented a set of high-quality, yearly student academic assessments that include, at a minimum, academic assessments in mathematics, reading or language arts, and science,¹¹⁶ and must:¹¹⁷

- Be the same academic assessments used to measure the achievement of all children.
- Be aligned with a state's challenging academic content and student academic achievement standards, and provide coherent information about student attainment of such standards.

The assessments must be administered annually as follows:¹¹⁸

- Reading or language arts and mathematics must be administered:

¹¹¹ Section 1002.395(4)(f), F.S.

¹¹² Section 1002.39(3)(f), F.S.

¹¹³ Section 1002.40(4)(c), F.S.

¹¹⁴ Pub. L. No. 114-95, 129 Stat. 1802 (Dec. 10, 2015); 20 U.S.C. s. 6301 *et seq.*

¹¹⁵ Pub. L. No. 107-110, 115 Stat. 1425 (Jan. 8, 2002).

¹¹⁶ 20 U.S.C. 6311, s. 1111(b)(3)(A)

¹¹⁷ 20 U.S.C. 6311, s. 1111(b)(3)(C)

¹¹⁸ 34 C.F.R., s. 200.5. A state must administer an English language proficiency assessment to all English learners in schools served by the State in all grades in which there are English learners, kindergarten through grade 12. Any other subject area assessments are administrated at the state's discretion. *Id.*

- In each of grades 3 through 8; and
- At least once in grades 9 through 12.
- Science assessments must be administered in each of:
 - Grades 3 through 5;
 - Grades 6 through 9; and
 - Grades 10 through 12.

Exceptions¹¹⁹ to the requirement in the ESSA that state assessments be the same assessments used to measure the achievement of all students include:

- Advanced eighth grade mathematics assessments.¹²⁰
- Alternate assessments aligned with alternate academic standards.¹²¹
- Innovative assessments.¹²²
- Locally selected, nationally recognized high school academic assessments.¹²³

A local education agency is authorized under the ESSA to administer a locally selected assessment in lieu of the statewide, standardized high school ELA, math, or science assessments.¹²⁴ However, any such assessment must:¹²⁵

- Be approved by the state.
- Be nationally recognized.¹²⁶
- Be aligned to the state’s academic standards, and address the depth and breadth of such standards.
- Be equivalent in its content coverage, difficulty, and quality to the state assessments.
- Provide comparable, valid, and reliable data on academic achievement, as compared to the state assessment, for all students and for each subgroup of students, with results expressed in terms consistent with the state’s academic achievement standards.
- Meet the same technical requirements as the state assessments.
- Provide unbiased, rational, and consistent differentiation between schools within the state in order to meet the requirements of the state accountability system.

In 2019-20, eight states used the SAT to meet ESSA’s high school testing requirement in math and English language arts. Eleven states used the ACT as a federal accountability test at the high school level. Five states allowed districts to choose between the two exams.¹²⁷

¹¹⁹ 34 C.F.R., s. 200.2(b)(1)(i).

¹²⁰ 24 C.F.R., s. 200.5(b).

¹²¹ 34 C.F.R., s. 200.6(c).

¹²² Pub. L. No. 116-95, s. 1204, 129 Stat. 1808 (Dec. 10, 2015).

¹²³ 34 C.F.R., s. 200.3. “Nationally recognized high school academic assessment” means an assessment of high school students’ knowledge and skills that is administered in multiple states and is recognized by institutions of higher education in those or other states for the purposes of entrance or placement into courses in postsecondary education or training programs. 34 CFR 200.3(d)

¹²⁴ See 20 U.S.C. s. 6311(b)(2)(H).

¹²⁵ 20 U.S.C. s. 6311(b)(2)(H)(i)-(v).

¹²⁶ *Supra*, note 123.

¹²⁷ Olson, Lynn, FutureEd, *The New Testing Landscape: How State Assessments are Changing Under the Federal Every Student Succeeds Act* (Sept. 2019), available at <https://www.future-ed.org/wp-content/uploads/2019/09/FutureEdTestingLandscapeReport.pdf>, at 6.

Florida’s Statewide, Standardized Assessments

Florida’s statewide, standardized assessments measure the extent to which students have mastered the Next Generation Sunshine State Standards.¹²⁸ The requirements for students in Florida are as follows:¹²⁹

Standards	Assessment	Assessment Schedule
Florida Standards Assessments (FSA) ¹³⁰	English Language Arts (ELA)	Grades 3 through 10
	Mathematics	Grades 3 through 8
	Algebra I EOC	Upon completion of applicable course identified in the Course Code Directory (CCD)
	Geometry EOC	
Next Generation Sunshine State Standards	Science	Grades 5 and 8
	Biology I EOC	Upon completion of applicable course identified in the CCD
	Civics EOC	
	U.S. History EOC	

Effect of Proposed Changes

Beginning in the 2020-2021 school year, the bill requires each school district to provide for the administration of either the SAT or ACT for each public school student in grade 11 in the district, including students attending public high schools, alternative schools, and centers of the Department of Juvenile Justice. The bill specifies that funding for the provision of the SAT or ACT will be as provided in the General Appropriations Act (GAA).

Incentive Funding for Acceleration Programs

Present Situation

Florida Education Finance Program (FEFP)

The Florida Education Finance Program (FEFP) is the primary mechanism for funding the operating costs of Florida school districts. Under the FEFP, financial support for education is based on the full-time equivalent (FTE) student membership in public schools.¹³¹ The number of FTE students in each of the funded education programs is multiplied by cost factors¹³² relative to each program to obtain weighted FTE student values.¹³³ The base student allocation from state

¹²⁸ Section 1008.22(3), F.S.

¹²⁹ See s. 1008.22(3)(a) and (b), F.S. See also Florida Department of Education, *Florida Statewide Assessment Program, 2019-2020 Schedule*, available at <http://fldoe.org/core/fileparse.php/5663/urlt/Statewide-Assessment-Schedule-2019-20.pdf>.

¹³⁰ Beginning in 2014-15, assessments aligned to the Florida Standards replaced assessments aligned to the Next Generation Sunshine State Standards in mathematics and English language arts (formerly reading and writing). The NGSSS Algebra 1 and Geometry assessments were replaced by Florida Standards Assessments (FSA) in these subjects. Florida Department of Education, *End-of-Course Assessments*, <http://fldoe.org/accountability/assessments/k-12-student-assessment/end-of-course-ec-assessments/> (last visited Feb. 18, 2020)

¹³¹ Section 1011.62, F.S.

¹³² Program cost factors are based on desired relative cost differences between the following programs as established in the annual General Appropriations Act: grades K-3; 4-8; 9-12; two program cost factors for exceptional students; secondary career education programs; and English for Speakers of Other Languages. Section 1011.62(1)(c), F.S.

¹³³ Section 1011.62, F.S.; Department of Education, *2019-20 Funding for Florida School Districts* available at <http://www.fldoe.org/core/fileparse.php/7507/urlt/Fefpdist.pdf> at 1.

and local funds is determined annually by the Legislature in the GAA and is a component in the calculation of each school district’s base funding.¹³⁴ In addition to the base funding, the Legislature may appropriate categorical funding for specified programs, activities or purposes, such as for mental health assistance, and funding compression.¹³⁵

Dual Enrollment and Collegiate High School Programs

The dual enrollment program is the enrollment of an eligible secondary student or home education student in a postsecondary course creditable toward high school completion and a career certificate or an associate or baccalaureate degree. An eligible secondary student is a student who is enrolled in any of grades 6 through 12 in a Florida public school or in a Florida private school that is in compliance with s. 1002.42(2) and provides a secondary curriculum pursuant to s. 1003.4282.¹³⁶ The following table shows 2018-2019 academic year dual enrollment participation by public and private school and home education program students at Florida College System (FCS) institutions, state universities, and at eligible private colleges and universities.

	FCS Institutions ¹³⁷	State Universities ¹³⁸	Private Colleges and Universities ¹³⁹
Public School	73,408	9,250	6,908
Private School	2,607	688	
Home Education	3,818	113	

Collegiate high school programs are intended to provide an option for public school students in grade 11 or grade 12 participating in the program, for at least 1 full school year, to earn CAPE industry certifications and to successfully complete 30 credit hours through the dual enrollment program toward the first year of college for an associate degree or baccalaureate degree while enrolled in the program. Each Florida College System institution is required to work with each district school board in its designated service area to establish one or more collegiate high school programs.¹⁴⁰ In fall 2018, there were 11,146 students enrolled in a collegiate high school or collegiate high school program.¹⁴¹

¹³⁴ Department of Education, *2019-20 Funding for Florida School Districts available at <http://www.fldoe.org/core/fileparse.php/7507/urlt/Fefpdist.pdf>* at 17.

¹³⁵ Section 1011.62(6) F.S.

¹³⁶ Section 1007.271(1) and (2), F.S.

¹³⁷ Email from Elizabeth Moya, Director of Legislative Affairs, Florida Department of Education (Jan. 8, 2020) (on file with the Senate Committee on Education).

¹³⁸ Email from Jason Jones, Chief Data Officer, Florida Board of Governors (Jan. 3, 2020) (on file with the Senate Committee on Education).

¹³⁹ Email from Elizabeth Moya, Director of Legislative Affairs, Florida Department of Education (Jan. 8, 2020) (on file with the Senate Committee on Education).

¹⁴⁰ Section 1007.273(1) and (2), F.S.

¹⁴¹ Email from Elizabeth Moya, Director of Legislative Affairs, Florida Department of Education (Jan. 8, 2020) (on file with the Senate Committee on Education).

Incentive Funding for Acceleration Programs

Dual enrollment and collegiate high school program funding for public schools is included in the calculation of FTE students within the FEFP.¹⁴² There is no provision in law to allow for additional performance funding for students earning dual enrollment credit.

The FEFP provides a funding incentive for school districts with students in Advanced Placement (AP), International Baccalaureate (IB), and Advanced International Certificate of Education (AICE) courses who successfully complete AP, IB, and AICE examinations or earn an IB or AICE diploma.¹⁴³ The additional FTE is calculated as follows:

- A value of 0.16 FTE student membership is calculated for each student in each AP course who receives a score of 3 or higher on the College Board AP examination.¹⁴⁴
- A value of 0.16 FTE student membership is calculated for each student enrolled in an IB course who receives a score of 4 or higher on a subject examination. A value of 0.3 FTE student membership is calculated for each student who receives an IB diploma.¹⁴⁵
- A value of 0.16 FTE student membership is calculated for each student enrolled in a full-credit AICE course, and 0.08 FTE student membership for each student enrolled in a half-credit AICE course, for each student who receives a score of E or higher on a subject examination. A value of 0.3 FTE student membership is calculated for each student who receives an AICE diploma.¹⁴⁶

In addition, classroom teachers may receive bonus funds for the performance of their students on AP, IB, and AICE examinations. School districts must use the additional FTE funds for purposes specified in law.¹⁴⁷

Effect of Proposed Changes

The bill adds new provisions for FEFP funding for students enrolled in dual enrollment courses and collegiate high school programs that are similar to FTE student membership incentives districts earn for students who complete AP, IB, and AICE examinations. Specifically, for the 2020-2021 school year and thereafter, the bill:

- Provides bonus FTE funding to public school districts for any student who completes a general education core course through dual enrollment with an earned grade of “B” or better. Specifically:
 - Students enrolled in a collegiate high school program pursuant to s. 1007.273, F.S., generate a 0.16 FTE student membership bonus.
 - Students not enrolled in a collegiate high school program pursuant to s. 1007.273, F.S., generate a 0.08 FTE student membership bonus.

¹⁴² Department of Education, *2019-20 Funding for Florida School Districts*, available at <http://www.fldoe.org/core/fileparse.php/7507/urlt/Fefpdist.pdf> at 11.

¹⁴³ Section 1011.62, F.S. Accelerated mechanisms include, but are not limited to, dual enrollment and early admission, advanced placement, credit by examination, the International Baccalaureate Program, and the Advanced International Certificate of Education Program. Section 1007.27(1), F.S.

¹⁴⁴ Section 1011.62(1)(n), F.S.

¹⁴⁵ Section 1011.62(1)(l), F.S.

¹⁴⁶ Section 1011.62(1)(m), F.S.

¹⁴⁷ Section 1011.62(1)(l)-(n), F.S.

- Provides bonus FTE funding for each associate degree earned through the dual enrollment program with 3.0 GPA or better. Students earning an associate degree with the required GPA generate a 0.3 FTE student membership bonus. Courses taken prior to 2020-2021 may be included in the associate degree for purposes of the bonus.
- Specifies that bonus funding will be added to the total FTE student membership in basic programs for grades 9-12 in the subsequent fiscal year and requires school districts to allocate at least 50 percent of the bonus funds to the schools that generated the funds to support academic guidance and postsecondary readiness.

Florida Charter Schools

Present Situation

Charter schools are public schools that operate under a performance contract (charter),¹⁴⁸ which frees them from many regulations created for traditional public schools while holding them accountable for academic and financial results.¹⁴⁹ The charter between the charter school governing board and the charter school sponsor details the school's mission, program, goals, students served, methods of assessment, and ways to measure success.¹⁵⁰

A district school board may sponsor a charter school in the county in which the district school board has jurisdiction.¹⁵¹ Additionally, a state university may grant a charter to a developmental research (laboratory) school.¹⁵²

In the 2018-2019 school year, over 313,000 students were enrolled in 658 charter schools in 47 Florida school districts.¹⁵³

Charter School Applications

An application for a new charter school may be made by an individual, a teacher, a parent, a group of individuals, a municipality, or a legal entity organized under the laws of this state.¹⁵⁴

A sponsor receives and reviews all charter school applications¹⁵⁵ and must, within 90 calendar days of receipt, approve or deny the application by majority vote.¹⁵⁶ Charter applicants are required to prepare and submit an application on a standard form prepared by the Department of Education (DOE), which application contains information a sponsor may require and information specified in law.¹⁵⁷

¹⁴⁸ Section 1002.33(5)(a), F.S.

¹⁴⁹ Section 1002.33(7), F.S.

¹⁵⁰ Florida Department of Education, *FAQ, What are charter schools?* <http://fldoe.org/schools/school-choice/charter-schools/charter-school-faqs.stml> (last visited Jan. 14, 2020).

¹⁵¹ Section 1002.33(5)(a)1., F.S.

¹⁵² Section 1002.32, F.S. Such school must be considered a charter lab school. Section 1002.33(5)(a)2., F.S.

¹⁵³ Florida Department of Education, *Florida's Charter Schools* (Sept. 2019), available at <http://www.fldoe.org/core/fileparse.php/7696/urlt/Charter-Sept-2019.pdf>.

¹⁵⁴ Section 1002.33(3)(a), F.S.

¹⁵⁵ Section 1002.33(6)(b), F.S.

¹⁵⁶ Section 1002.33(6)(b)3.a., F.S.

¹⁵⁷ Section 1002.33(6)(a), F.S. Charter school applications are incorporated into State Board of Education Rule 6A-6.0786, F.A.C.

A sponsor must receive and consider charter school applications received on or before February 1 of each year in order for charter schools to be opened 18 months later at the beginning of the school district's school year, or to be opened at a time determined by the applicant. A sponsor may not charge an applicant for a charter any fee for the processing or consideration of an application, and a sponsor may not base its consideration or approval of a final application upon the promise of future payment.¹⁵⁸

Charter School Students

A charter school may be exempt from specific enrollment requirements if the school is open to any student covered in an inter-district agreement and any student residing in the school district in which the charter school is located.¹⁵⁹ A charter school may limit the enrollment process only to target the following student populations:¹⁶⁰

- Students within specific age groups or grade levels.
- Students considered at risk of dropping out of school or academic failure.
- Students enrolling in a charter school-in-the-workplace or charter school-in-a-municipality.¹⁶¹
- Students residing within a reasonable distance of the charter school.
- Students who meet established academic, artistic, or other eligibility standards.
- Students articulating from one charter school to another.
- Students living in a development in which a business entity provides the school facility and related property having an appraised value of at least \$5 million to be used as a charter school to mitigate the educational impact created by the development of new residential dwelling units. Students living in the development are entitled to no more than 50 percent of the student stations in the charter school.

Effect of Proposed Changes

Charter School Applications

The bill removes the specified date by which charter school applications must be submitted and received each calendar year in order for the school to be opened the next year and prohibits a sponsor from refusing to receive a charter school application submitted any time during the calendar year. The bill also allows a charter school to be opened at a time determined by the applicant, such that the agreement of the sponsor is no longer required.

Charter School Students

The bill expands criteria by which a charter school may target enrollment for students living in a specified development. The bill expands the contributing entities to include a developer, including any affiliated business entity or charitable foundation. In addition, the bill expands the contributions to development of a charter school to include, in addition to provision of a school facility, contributions to the formation, acquisition, construction, or operation of one or more

¹⁵⁸ Section 1002.33(6)(b), F.S. A sponsor may receive and consider applications after February 1, if it chooses. *Id.*

¹⁵⁹ Section 1002.33(10)(a), F.S.

¹⁶⁰ Section 1002.33(10)(e), F.S.

¹⁶¹ Section 1002.33(15), F.S.

charter schools or charter school facilities and related property in an amount equal to or having a total appraised value of at least \$5 million. The bill may expand the number of developments in which students living in such development may be entitled to 50 percent of the student stations in the charter school.

Pathways in Technology Early College High School (P-TECH)

Present Situation

P-TECH, co-developed by the IBM Corporation, is an approach to education that blends high school, community college and workplace skills.¹⁶² P-TECH schools are primarily public schools, governed and supported by the local school district, although there are some examples of similar charter schools. P-TECH is designed to help close the achievement gap among underserved youth. Within six years of enrolling in ninth grade, students graduate with their high school diplomas, no-cost associate degrees and applicable credentials, and participate in workplace learning opportunities.¹⁶³

P-TECH schools are defined by a set of six key tenets:¹⁶⁴

- Public-private partnership;
- Six year integrated program;
- Workplace learning including internships;
- Open enrollment with no grade or testing requirements;
- Cost-free; and
- First in-line for job openings with industry partners.

The P-TECH model has spread to 200 schools¹⁶⁵ in 23 countries and 8 states¹⁶⁶, serving 100,000 students¹⁶⁷ since its founding in 2011. The P-TECH programs currently in operation have developed 12 different pathways based on regional workforce demand, including:¹⁶⁸

- Construction technology;
- Process technology;
- Cybersecurity;
- Business;
- Mechanical engineering;
- Energy management;
- Healthcare;
- Advanced manufacturing;
- Machining;

¹⁶² P-TECH, *P-TECH About* <http://www.ptech.org/about/> (last visited Dec. 17, 2019).

¹⁶³ P-TECH, *P-TECH Mission* <http://www.ptech.org/about/mission/> (last visited Dec. 17, 2019).

¹⁶⁴ *Id.*

¹⁶⁵ IBM, *P-TECH: when skills meet opportunity, success happens* <https://www.ibm.com/thought-leadership/ptech/index.html> (last visited Jan. 8, 2020).

¹⁶⁶ P-TECH, *P-TECH Our Schools* <http://www.ptech.org/resources/schools-map/> (last visited Jan. 8, 2020).

¹⁶⁷ IBM, *P-TECH: when skills meet opportunity, success happens* <https://www.ibm.com/thought-leadership/ptech/index.html> (last visited Jan. 8, 2020).

¹⁶⁸ P-TECH, *P-TECH Network, Our Schools, USA* <http://www.ptech.org/p-tech-network/our-schools/usa/> (last visited Dec. 17, 2019).

- Early childhood education;
- Computer science; and
- Networking technology.

Effect of Proposed Changes

To determine the feasibility of implementing the P-TECH program, or a similar program, in Florida, the bill requires the Commissioner of Education to submit a report by December 1, 2020, to the Governor, Senate President, Speaker of the House, BOG, and the SBE, with recommendations addressing the feasibility of implementing in Florida.

The bill requires the P-TECH program, or a similar program, to achieve the following:

- Incorporate secondary and postsecondary education with workforce education and work experience in a flexible 6-year integrated model.
- Allow students to earn a high school diploma, an associate degree, and applicable industry certifications and gain work experience, within 6 years after enrolling in the 9th grade.
- Have an open enrollment policy that encourages a diverse student body, including students from low-income families and first-generation college students.
- Support student success through flexible class scheduling, advising and mentoring, and other wrap-around services.
- Provide seamless articulation to Florida's postsecondary institutions.

The commissioner's report must, at a minimum, include the following:

- Timelines for implementing a P-TECH program, or similar program, including courses of study which support completion in 4 to 6 years and which meet regional workforce demand.
- A funding model that provides the P-TECH program, or similar program, at no cost to students and may incorporate K-12, postsecondary, and workforce funding, grants, scholarships, and other funding options.
- Partnerships with industries and businesses, including private investment, work-based job training, internships, and priority placement for job opportunities after graduation.
- Recommendations for modifications, if any, to the school and school district accountability requirements.¹⁶⁹

The bill provides that this section relating to the P-TECH program and report will be effective upon becoming law and expire on December 1, 2020.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

¹⁶⁹ Section 1008.34, F.S.

C. Trust Funds Restrictions:

None.

D. State Tax or Fee Increases:

None.

E. Other Constitutional Issues:

None.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

Educator Certification

Persons seeking an educator certificate who demonstrate subject area knowledge by a specified baccalaureate degree from an approved institution may not have to take a subject area examination, and so would not have to pay the fee for such exam.

Private Education Choice

Expanding Family Empowerment Scholarship (FES) eligibility as provided for in the bill to a student who received a Florida Tax Credit (FTC) scholarship will provide more flexibility for families and increase eligibility for the programs, potentially reducing costs for students and families.

Allowing FES students to annually take up to two courses from a virtual school, correspondence school, or distance learning program that receives state funding, may provide more flexibility for students to meet their educational goals.

Dual Enrollment Incentives

The financial supports for the dual enrollment and early college programs may increase opportunities for Florida secondary students to take college-credit courses that will count toward an associate or baccalaureate degree while still in high school, which may reduce costs for students and families.

C. Government Sector Impact:

Educator Certification

If individuals demonstrate mastery of subject area competence through a specified bachelor's degree as authorized in the bill rather than by a subject area examination, the Department of Education may experience decreased revenue from the loss of subject area examination fees. Such fees are deposited into the Educational Certification and Services

Trust Fund and are used for the payment of expenses incurred by the Educational Practices Commission and in the printing of forms and bulletins and the issuing of certificates. The number of individuals who may demonstrate subject area competence under this additional option is not known.

Professional Development

The Department of Education (DOE) may incur costs related to developing model annual and 5-year calendars that incorporate all state-required professional development. In addition, the DOE may incur costs to develop and maintain a statewide registry of approved professional development providers and activities.

The implementation of the Professional Development Choice Pilot Program is subject to legislative appropriation and the Professional Education Excellence Resources (PEER) Pilot Program shall be implemented to the extent specifically funded and authorized by law.

Private Education Choice

Increasing the allowable annual growth for student participation in the FES from .25% of total public school enrollment to 1.0%, will increase the FTE and funding needed for the FEFP. The annual growth in maximum student participation will increase from approximately 7,000 to 28,000 students (over and above the current 18,000).

Expanding the FES eligibility to include a student who received a FTC scholarship after being enrolled in a public school the prior year may increase the need for additional state funds. Students who move from the FTC scholarship to the FES, would be added to the FTE count and funding for the FEFP. It is unknown at this time how many students would meet the requirements to be reclassified between the two scholarships.

Exempting the FES scholarship amount from the 1.0 FTE requirement has the potential to increase the FTE used in the FEFP funding calculation, thus having a state fiscal impact.

Dual Enrollment Incentive

Beginning in the 2021-2022 fiscal year, the bill may reallocate funds within the FEFP to those school districts with relatively more students successfully completing dual enrollment coursework; however, an additional appropriation is not required.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends the following sections of the Florida Statutes: 1002.33, 1002.394, 1002.395, 1004.04, 1004.85, 1008.22, 1011.61, 1012.56, 1012.585, 1012.586, 1012.79, and 1012.98.

This bill creates s. 1012.981 of the Florida Statutes.

IX. Additional Information:

- A. **Committee Substitute – Statement of Substantial Changes:**
(Summarizing differences between the Committee Substitute and the prior version of the bill.)

Recommended CS/CS by Appropriations Subcommittee on Education on February 25, 2020:

The committee substitute maintains the provisions in the bill relating to:

- Admissions, core curricula, and instructional requirements for initial teacher preparation (ITP) and educator preparation institute (EPI) programs.
- Modifications to educator certification requirements to demonstrate mastery of subject area competence and limit application of inservice points not related to student learning or professional growth.
- Authorization for the Commissioner of Education to select and remove the Education Practices Commission executive director, and establish the duties of the executive director.
- Modifications to school district professional development (PD) systems and the creation of new PD opportunities.
- Modifications to eligibility requirements for the Family Empowerment Scholarship (FES) and the Florida Tax Credit (FTC) scholarship.

The committee substitute also adds provisions relating to charter schools, annual growth of the Family Empowerment Scholarship (FES), national assessments, dual enrollment bonus funding, the PEER pilot program, and workforce education, which:

- Modifies the charter school application process and enrollment limitations by:
 - Requiring a sponsor to receive and consider a charter school application submitted at any time during the calendar year.
 - Modifying enrollment limitations to prioritize a developer and charitable foundation that perform specified actions.
- Modifies the growth of the FES to authorize an annual increase of 1.0 percent of the state public school enrollment (rather than 0.25 percent) starting in 2020-2021.
- Providing that a student eligible for an FTC scholarship remains eligible to participate until the student graduates from high school or attains the age of 21 years, whichever occurs first, regardless of the student's income level.
- Requires school districts to provide for the administration of the SAT or ACT to all students in grade 11, beginning in 2020-2021; with funding as provided in the GAA.
- Establishes a series of school district FTE bonus for completion of general education core courses with a grade of "B" or higher through dual enrollment, and completion of an associate degree through dual enrollment.

- Expands the Professional Education Excellence Resources (PEER) Pilot Program to include Palm Beach County.
- Requires the Commissioner to submit a report by December 1, 2020, meeting specified requirements, to determine the feasibility of implementing a Pathways in Technology Early College High School (P-TECH), or similar program, in Florida.

CS by Education on January 21, 2020:

The committee substitute maintains the provisions in the bill, which include

- Modifying initial teacher preparation (ITP) program core curricula relating to reading instructional strategies and adds a new requirement for mental health strategies and support.
- Changing ITP program provisions related to student grade point average and mastery of general knowledge from admission requirements to program requirements.
- Modifying educator certification requirements to authorize applicants to demonstrate mastery of subject area competence with a bachelor's degree in the subject area earned within the past 10 years.
- Modifying requirements relating to the Education Practices Commission (EPC) to specify that:
 - The Commissioner of Education may select and remove the EPC executive director, and may establish the duties of the executive director.
 - The assignment of the EPC to the Department of Education (DOE) includes fiscal accountability.
 - The EPC may expend funds for legal services, and removes the authority to expend funds for a general counsel or access to counsel.

The committee substitute adds additional provisions related to teacher preparation programs and educator certification, but also adds provisions related to teacher professional development and state scholarship programs. The committee substitute:

- Requires ITP and educator preparation institute (EPI) programs to include: the opportunity for student to complete an endorsement; instruction in mandatory training for instructional personnel; and in program performance evaluation employer surveys measures regarding student proficiency.
- Modifies the renewal requirement for an educator professional certificate by specifying that a teacher may only earn inservice points once in the five years certificate validity period for any mandatory training topic that is not linked to student learning or professional growth.
- Modifies requirements relating to professional development (PD) by:
 - Authorizing teachers to use up to 25 percent of their proportional share of a district calculation of PD funds for specified purposes, and requiring the DOE to identify PD that requires demonstration of proficiency.
 - Requiring the DOE to create an annual and 5-year model calendar of state-mandated PD, and the school district to create similar calendars as a part of the professional PD system.
 - Requiring the DOE to maintain a statewide registry of specified approved professional development providers.

- Creating the Professional Development Choice Pilot Program in the DOE, subject to appropriation, to allow a teacher to receive a grant up to \$500 for PD that is aligned to PD standards and satisfies professional certificate inservice requirements.
- Establishes the Professional Education Excellence Resources (PEER) Pilot Program (program), subject to legislative appropriation, and:
 - Establishes the PEER program in Clay, Pinellas, and Walton counties.
 - Authorizes PEER program participants to extend the teacher contract day or year for specified PD purposes, subject to salary considerations.
 - Specifies the use of program funds to include teacher compensation, instructional personnel, content area specialists, instructional coaches, and PD opportunities.
 - Requires PEER program participants to collaborate with specified entities to develop high-quality online PD.
 - Authorizes PEER program participants to establish a master teacher program subject to requirements, and requires participates to collaborate with the University of Florida Lastinger Center to develop a master teacher academy.
 - Establishes reporting requirements regarding the use of PEER program funds, the impact on teacher evaluations and student achievement, and recommendations for continuation of the program.
- Modifies the Family Empowerment Scholarship (FES), by:
 - Expanding scholarship eligibility to an FES student who received a Florida Tax Credit (FTC) scholarship in the prior year and was in a public school the year prior to initial receipt of the FTC scholarship.
 - Adding a provision that, similar to the McKay scholarship, the FES is not subject to the maximum value for funding a student.
- Aligns FES and FTC eligibility by:
 - Allowing an FES student to participate in up to two courses from a virtual school, correspondence school, or distance learning program that receives state funding.
 - Increasing the FTC scholarship income eligibility threshold for a student whose household income level does not exceed 300 percent of the federal poverty level with priority given to students whose household income levels do not exceed 185 percent of the federal poverty level.
 - Modifying that a student eligible for an FTC scholarship remains eligible to participate until the student graduates from high school or attains the age of 21 years, whichever occurs first, regardless of the student's income level.

B. Amendments:

None.



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LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
02/26/2020	.	
	.	
	.	
	.	

Appropriations Subcommittee on Education (Diaz) recommended the following:

Senate Amendment (with title amendment)

Delete everything after the enacting clause
and insert:

Section 1. Paragraph (b) of subsection (6) and paragraph
(e) of subsection (10) of section 1002.33, Florida Statutes, is
amended to read:

1002.33 Charter schools.—

(6) APPLICATION PROCESS AND REVIEW.—Charter school
applications are subject to the following requirements:



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11 (b) A sponsor shall receive and review all applications for
12 a charter school using the evaluation instrument developed by
13 the Department of Education. A sponsor shall receive and
14 consider charter school applications received during ~~on or~~
15 ~~before August 1~~ of each calendar year for charter schools to be
16 opened at the beginning of the school district's next school
17 year, or to be opened at a time determined ~~agreed to~~ by the
18 applicant ~~and the sponsor~~. A sponsor may not refuse to receive a
19 charter school application submitted by an applicant during the
20 calendar year. ~~before August 1 and may receive an application~~
21 ~~submitted later than August 1 if it chooses. Beginning in 2018~~
22 ~~and thereafter, a sponsor shall receive and consider charter~~
23 ~~school applications received on or before February 1 of each~~
24 ~~calendar year for charter schools to be opened 18 months later~~
25 ~~at the beginning of the school district's school year, or to be~~
26 ~~opened at a time determined by the applicant. A sponsor may not~~
27 ~~refuse to receive a charter school application submitted before~~
28 ~~February 1 and may receive an application submitted later than~~
29 ~~February 1 if it chooses.~~ A sponsor may not charge an applicant
30 for a charter any fee for the processing or consideration of an
31 application, and a sponsor may not base its consideration or
32 approval of a final application upon the promise of future
33 payment of any kind. Before approving or denying any
34 application, the sponsor shall allow the applicant, upon receipt
35 of written notification, at least 7 calendar days to make
36 technical or nonsubstantive corrections and clarifications,
37 including, but not limited to, corrections of grammatical,
38 typographical, and like errors or missing signatures, if such
39 errors are identified by the sponsor as cause to deny the final



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40 application.

41 1. In order to facilitate an accurate budget projection
42 process, a sponsor shall be held harmless for FTE students who
43 are not included in the FTE projection due to approval of
44 charter school applications after the FTE projection deadline.
45 In a further effort to facilitate an accurate budget projection,
46 within 15 calendar days after receipt of a charter school
47 application, a sponsor shall report to the Department of
48 Education the name of the applicant entity, the proposed charter
49 school location, and its projected FTE.

50 2. In order to ensure fiscal responsibility, an application
51 for a charter school shall include a full accounting of expected
52 assets, a projection of expected sources and amounts of income,
53 including income derived from projected student enrollments and
54 from community support, and an expense projection that includes
55 full accounting of the costs of operation, including start-up
56 costs.

57 3.a. A sponsor shall by a majority vote approve or deny an
58 application no later than 90 calendar days after the application
59 is received, unless the sponsor and the applicant mutually agree
60 in writing to temporarily postpone the vote to a specific date,
61 at which time the sponsor shall by a majority vote approve or
62 deny the application. If the sponsor fails to act on the
63 application, an applicant may appeal to the State Board of
64 Education as provided in paragraph (c). If an application is
65 denied, the sponsor shall, within 10 calendar days after such
66 denial, articulate in writing the specific reasons, based upon
67 good cause, supporting its denial of the application and shall
68 provide the letter of denial and supporting documentation to the



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69 applicant and to the Department of Education.

70 b. An application submitted by a high-performing charter
71 school identified pursuant to s. 1002.331 or a high-performing
72 charter school system identified pursuant to s. 1002.332 may be
73 denied by the sponsor only if the sponsor demonstrates by clear
74 and convincing evidence that:

75 (I) The application of a high-performing charter school
76 does not materially comply with the requirements in paragraph
77 (a) or, for a high-performing charter school system, the
78 application does not materially comply with s. 1002.332(2)(b);

79 (II) The charter school proposed in the application does
80 not materially comply with the requirements in paragraphs
81 (9)(a)-(f);

82 (III) The proposed charter school's educational program
83 does not substantially replicate that of the applicant or one of
84 the applicant's high-performing charter schools;

85 (IV) The applicant has made a material misrepresentation or
86 false statement or concealed an essential or material fact
87 during the application process; or

88 (V) The proposed charter school's educational program and
89 financial management practices do not materially comply with the
90 requirements of this section.

91
92 Material noncompliance is a failure to follow requirements or a
93 violation of prohibitions applicable to charter school
94 applications, which failure is quantitatively or qualitatively
95 significant either individually or when aggregated with other
96 noncompliance. An applicant is considered to be replicating a
97 high-performing charter school if the proposed school is



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98 substantially similar to at least one of the applicant's high-
99 performing charter schools and the organization or individuals
100 involved in the establishment and operation of the proposed
101 school are significantly involved in the operation of replicated
102 schools.

103 c. If the sponsor denies an application submitted by a
104 high-performing charter school or a high-performing charter
105 school system, the sponsor must, within 10 calendar days after
106 such denial, state in writing the specific reasons, based upon
107 the criteria in sub-subparagraph b., supporting its denial of
108 the application and must provide the letter of denial and
109 supporting documentation to the applicant and to the Department
110 of Education. The applicant may appeal the sponsor's denial of
111 the application in accordance with paragraph (c).

112 4. For budget projection purposes, the sponsor shall report
113 to the Department of Education the approval or denial of an
114 application within 10 calendar days after such approval or
115 denial. In the event of approval, the report to the Department
116 of Education shall include the final projected FTE for the
117 approved charter school.

118 5. Upon approval of an application, the initial startup
119 shall commence with the beginning of the public school calendar
120 for the district in which the charter is granted. A charter
121 school may defer the opening of the school's operations for up
122 to 3 years to provide time for adequate facility planning. The
123 charter school must provide written notice of such intent to the
124 sponsor and the parents of enrolled students at least 30
125 calendar days before the first day of school.

126 (10) ELIGIBLE STUDENTS.—



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- 127 (e) A charter school may limit the enrollment process only
128 to target the following student populations:
- 129 1. Students within specific age groups or grade levels.
 - 130 2. Students considered at risk of dropping out of school or
131 academic failure. Such students shall include exceptional
132 education students.
 - 133 3. Students enrolling in a charter school-in-the-workplace
134 or charter school-in-a-municipality established pursuant to
135 subsection (15).
 - 136 4. Students residing within a reasonable distance of the
137 charter school, as described in paragraph (20)(c). Such students
138 shall be subject to a random lottery and to the racial/ethnic
139 balance provisions described in subparagraph (7)(a)8. or any
140 federal provisions that require a school to achieve a
141 racial/ethnic balance reflective of the community it serves or
142 within the racial/ethnic range of other public schools in the
143 same school district.
 - 144 5. Students who meet reasonable academic, artistic, or
145 other eligibility standards established by the charter school
146 and included in the charter school application and charter or,
147 in the case of existing charter schools, standards that are
148 consistent with the school's mission and purpose. Such standards
149 shall be in accordance with current state law and practice in
150 public schools and may not discriminate against otherwise
151 qualified individuals.
 - 152 6. Students articulating from one charter school to another
153 pursuant to an articulation agreement between the charter
154 schools that has been approved by the sponsor.
 - 155 7. Students living in a development in which a developer,



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156 including any affiliated business entity or charitable
157 foundation, contributes to the formation, acquisition,
158 construction, or operation of one or more charter schools or
159 charter ~~provides the school facilities facility~~ and related
160 property in an amount equal to or having a total ~~an~~ appraised
161 value of at least \$5 million to be used as ~~a~~ charter schools
162 ~~school~~ to mitigate the educational impact created by the
163 development of new residential dwelling units. Students living
164 in the development are ~~shall be~~ entitled to ~~no more than~~ 50
165 percent of the student stations in the charter schools ~~school~~.
166 The students who are eligible for enrollment are subject to a
167 random lottery, the racial/ethnic balance provisions, or any
168 federal provisions, as described in subparagraph 4. The
169 remainder of the student stations must ~~shall~~ be filled in
170 accordance with subparagraph 4.

171 Section 2. Paragraph (b) of subsection (3), subsection (5),
172 and paragraph (a) of subsection (11) of section 1002.394,
173 Florida Statutes, are amended to read:

174 1002.394 The Family Empowerment Scholarship Program.—

175 (3) INITIAL SCHOLARSHIP ELIGIBILITY.—A student is eligible
176 for a Family Empowerment Scholarship under this section if the
177 student meets the following criteria:

178 (b)1. The student is eligible to enroll in kindergarten or
179 has spent the prior school year in attendance at a Florida
180 public school; or

181 2. Beginning with the 2020-2021 school year, the student
182 received a scholarship pursuant to s. 1002.395 during the
183 previous school year and, before initial receipt of such
184 scholarship, spent the prior school year in attendance at a



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185 Florida public school.

186

187 For purposes of this paragraph, the term "prior school year in
188 attendance" means that the student was enrolled and reported by
189 a school district for funding during the preceding October and
190 February Florida Education Finance Program surveys in
191 kindergarten through grade 12, which includes time spent in a
192 Department of Juvenile Justice commitment program if funded
193 under the Florida Education Finance Program. However, a
194 dependent child of a member of the United States Armed Forces
195 who transfers to a school in this state from out of state or
196 from a foreign country due to a parent's permanent change of
197 station orders or a foster child is exempt from the prior public
198 school attendance requirement under this paragraph, but must
199 meet the other eligibility requirements specified under this
200 section to participate in the program.

201 (5) SCHOLARSHIP PROHIBITIONS.—A student is not eligible for
202 a Family Empowerment Scholarship while he or she is:

203 (a) Enrolled in a public school, including, but not limited
204 to, the Florida School for the Deaf and the Blind, the College-
205 Preparatory Boarding Academy, a developmental research school
206 authorized under s. 1002.32, or a charter school authorized
207 under this chapter;

208 (b) Enrolled in a school operating for the purpose of
209 providing educational services to youth in a Department of
210 Juvenile Justice commitment program;

211 (c) Receiving any other educational scholarship pursuant to
212 this chapter;

213 (d) Participating in a home education program as defined in



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214 s. 1002.01(1);

215 (e) Participating in a private tutoring program pursuant to
216 s. 1002.43; or

217 (f) Participating in a virtual school, correspondence
218 school, or distance learning program that receives state funding
219 pursuant to the student's participation, unless the
220 participation is limited to no more than two courses per school
221 year.

222 (11) SCHOLARSHIP FUNDING AND PAYMENT.—

223 (a) The scholarship is established for up to 18,000
224 students annually on a first-come, first-served basis beginning
225 in with the 2019-2020 school year. Beginning in the 2020-2021
226 school year, the maximum number of students participating in the
227 scholarship program under this section shall ~~may~~ annually
228 increase by 1.0 ~~0.25~~ percent of the state's total public school
229 student enrollment.

230 Section 3. Subsection (3) and paragraph (e) of subsection
231 (6) of section 1002.395, Florida Statutes, are amended to read:

232 1002.395 Florida Tax Credit Scholarship Program.—

233 (3) PROGRAM; INITIAL SCHOLARSHIP ELIGIBILITY.—

234 (a) The Florida Tax Credit Scholarship Program is
235 established.

236 (b) A student is eligible for a Florida tax credit
237 scholarship under this section if the student meets one or more
238 of the following criteria:

239 1. The student is on the direct certification list or the
240 student's household income level does not exceed 260 ~~185~~ percent
241 of the federal poverty level; or

242 2. The student is currently placed, or during the previous



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243 state fiscal year was placed, in foster care or in out-of-home
244 care as defined in s. 39.01.

245 ~~3. The student's household income level is greater than 185~~
246 ~~percent of the federal poverty level but does not exceed 260~~
247 ~~percent of the federal poverty level.~~

248
249 Priority must be given to students whose household income levels
250 do not exceed 185 percent of the federal poverty level or who
251 are in foster care or out-of-home care. A student who initially
252 receives a scholarship based on eligibility under this paragraph
253 ~~subparagraph (b)2.~~ remains eligible to participate until he or
254 she ~~the student~~ graduates from high school or attains the age of
255 21 years, whichever occurs first, regardless of the student's
256 household income level. ~~A student who initially received a~~
257 ~~scholarship based on income eligibility before the 2019-2020~~
258 ~~school year remains eligible to participate until he or she~~
259 ~~graduates from high school, attains the age of 21 years, or the~~
260 ~~student's household income level exceeds 260 percent of the~~
261 ~~federal poverty level, whichever occurs first.~~ A sibling of a
262 student who is participating in the scholarship program under
263 this subsection is eligible for a scholarship if the student
264 resides in the same household as the sibling.

265 (6) OBLIGATIONS OF ELIGIBLE NONPROFIT SCHOLARSHIP-FUNDING
266 ORGANIZATIONS.—An eligible nonprofit scholarship-funding
267 organization:

268 (e) Must give first priority to eligible students who
269 received a scholarship from an eligible nonprofit scholarship-
270 funding organization or from the State of Florida during the
271 previous school year. ~~Beginning in the 2016-2017 school year, an~~



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272 ~~eligible nonprofit scholarship funding organization shall give~~
273 ~~priority to new applicants whose household income levels do not~~
274 ~~exceed 185 percent of the federal poverty level or who are in~~
275 ~~foster care or out-of-home care.~~

276

277 Information and documentation provided to the Department of
278 Education and the Auditor General relating to the identity of a
279 taxpayer that provides an eligible contribution under this
280 section shall remain confidential at all times in accordance
281 with s. 213.053.

282 Section 4. Paragraph (b) of subsection (2) of section
283 1004.04, Florida Statutes, is amended, paragraph (b) of
284 subsection (3) of that section is amended, paragraphs (d) and
285 (e) of subsection (3) of that section are added, and paragraph
286 (a) of subsection (4) of that section is amended, to read:

287 1004.04 Public accountability and state approval for
288 teacher preparation programs.—

289 (2) UNIFORM CORE CURRICULA AND CANDIDATE ASSESSMENT.—

290 (b) The rules to establish uniform core curricula for each
291 state-approved teacher preparation program must include, but are
292 not limited to, the following:

293 1. Candidate instruction and assessment in the Florida
294 Educator Accomplished Practices across content areas.

295 2. The use of state-adopted content standards to guide
296 curricula and instruction.

297 3. Evidence-based ~~Scientificallly researched and evidence-~~
298 ~~based~~ reading instructional strategies that improve reading
299 performance for all students, including explicit, systematic,
300 and sequential approaches to teaching phonemic awareness,



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301 phonics, vocabulary, fluency, and text comprehension and
302 multisensory intervention strategies.

303 4. Content literacy and mathematics practices.

304 5. Strategies appropriate for the instruction of English
305 language learners.

306 6. Strategies appropriate for the instruction of students
307 with disabilities.

308 7. Strategies to differentiate instruction based on student
309 needs.

310 8. The use of character-based classroom management.

311 9. Mental health strategies and support.

312 (3) INITIAL STATE PROGRAM APPROVAL.—

313 (b) Each teacher preparation program approved by the
314 Department of Education, as provided for by this section, shall
315 require students, at a minimum, ~~to meet, at a minimum, the~~
316 ~~following as prerequisites for admission into the program:~~

317 1. Have a grade point average of at least 2.5 on a 4.0
318 scale for the general education component of undergraduate
319 studies or have completed the requirements for a baccalaureate
320 degree with a minimum grade point average of 2.5 on a 4.0 scale
321 from any college or university accredited by a regional
322 accrediting association as defined by State Board of Education
323 rule or any college or university otherwise approved pursuant to
324 State Board of Education rule.

325 2. Demonstrate mastery of general knowledge ~~sufficient for~~
326 ~~entry into the program,~~ including the ability to read, write,
327 and perform in mathematics, by passing the General Knowledge
328 Test of the Florida Teacher Certification Examination or, for a
329 graduate level program, obtain a baccalaureate degree from an



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330 institution that is accredited or approved pursuant to the rules
331 of the State Board of Education.

332

333 ~~Each teacher preparation program may waive these admissions~~
334 ~~requirements for up to 10 percent of the students admitted.~~
335 ~~Programs shall implement strategies to ensure that students~~
336 ~~admitted under a waiver receive assistance to demonstrate~~
337 ~~competencies to successfully meet requirements for certification~~
338 ~~and shall annually report to the Department of Education the~~
339 ~~status of each candidate admitted under such a waiver.~~

340 (d) Each program must include the opportunity for the
341 candidate to complete coursework to obtain a required
342 endorsement in the candidate's chosen teaching field.

343 (e) Each program must include, in addition to the core
344 standards for effective education, instruction in the training
345 required of certified instructional personnel, including, but
346 not limited to:

347 1. Identification, intervention, and prevention of child
348 abuse, abandonment, and neglect;

349 2. Integration of technology into classroom teaching;

350 3. Management, assessment, and monitoring of student
351 learning and performance;

352 4. Skills in classroom management, violence prevention,
353 conflict resolution, and related areas;

354 5. Developmental disabilities pursuant to s. 1012.582;

355 6. Youth suicide awareness and prevention pursuant to s.
356 1012.583; and

357 7. Youth mental health awareness and assistance pursuant to
358 s. 1012.584.



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359 (4) CONTINUED PROGRAM APPROVAL.—Continued approval of a
360 teacher preparation program shall be based upon evidence that
361 the program continues to implement the requirements for initial
362 approval and upon significant, objective, and quantifiable
363 measures of the program and the performance of the program
364 completers.

365 (a) The criteria for continued approval must include each
366 of the following:

367 1. Documentation from the program that each program
368 candidate met the admission requirements provided in subsection
369 (3).

370 2. Documentation from the program that the program and each
371 program completer have met the requirements provided in
372 subsection (2).

373 3. Evidence of performance in each of the following areas:

374 a. Placement rate of program completers into instructional
375 positions in Florida public schools and private schools, if
376 available.

377 b. Rate of retention for employed program completers in
378 instructional positions in Florida public schools.

379 c. Performance of students in prekindergarten through grade
380 12 who are assigned to in-field program completers on statewide
381 assessments using the results of the student learning growth
382 formula adopted under s. 1012.34.

383 d. Performance of students in prekindergarten through grade
384 12 who are assigned to in-field program completers aggregated by
385 student subgroup, as defined in the federal Elementary and
386 Secondary Education Act (ESEA), 20 U.S.C. s.

387 6311(b)(2)(C)(v)(II), as a measure of how well the program



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388 prepares teachers to work with a diverse population of students
389 in a variety of settings in Florida public schools.

390 e. Results of program completers' annual evaluations in
391 accordance with the timeline as set forth in s. 1012.34.

392 f. Production of program completers in statewide critical
393 teacher shortage areas as identified in s. 1012.07.

394 4. Results of the program completers' survey measuring
395 their satisfaction with preparation for the realities of the
396 classroom.

397 5. Results of the employers' survey measuring satisfaction
398 with the program and the program's responsiveness to local
399 school districts. The survey must include the employer's
400 assessment of the student's proficiency in the use of state-
401 adopted content standards and general preparation for the
402 classroom.

403 Section 5. Paragraph (a) of subsection (3) and subsection
404 (5) of section 1004.85, Florida Statutes, are amended to read:

405 1004.85 Postsecondary educator preparation institutes.—

406 (3) Educator preparation institutes approved pursuant to
407 this section may offer competency-based certification programs
408 specifically designed for noneducation major baccalaureate
409 degree holders to enable program participants to meet the
410 educator certification requirements of s. 1012.56. An educator
411 preparation institute choosing to offer a competency-based
412 certification program pursuant to the provisions of this section
413 must implement a program previously approved by the Department
414 of Education for this purpose or a program developed by the
415 institute and approved by the department for this purpose.
416 Approved programs shall be available for use by other approved



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417 educator preparation institutes.

418 (a) Within 90 days after receipt of a request for approval,
419 the Department of Education shall approve a preparation program
420 pursuant to the requirements of this subsection or issue a
421 statement of the deficiencies in the request for approval. The
422 department shall approve a certification program if the
423 institute provides evidence of the institute's capacity to
424 implement a competency-based program that includes each of the
425 following:

426 1.a. Participant instruction and assessment in the Florida
427 Educator Accomplished Practices across content areas.

428 b. The use of state-adopted student content standards to
429 guide curriculum and instruction.

430 c. Scientifically researched and evidence-based reading
431 instructional strategies that improve reading performance for
432 all students, including explicit, systematic, and sequential
433 approaches to teaching phonemic awareness, phonics, vocabulary,
434 fluency, and text comprehension and multisensory intervention
435 strategies.

436 d. Content literacy and mathematical practices.

437 e. Strategies appropriate for instruction of English
438 language learners.

439 f. Strategies appropriate for instruction of students with
440 disabilities.

441 g. Strategies to differentiate instruction based on student
442 needs.

443 h. The use of character-based classroom management.

444 2. An educational plan for each participant to meet
445 certification requirements and demonstrate his or her ability to



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446 teach the subject area for which the participant is seeking
447 certification, which is based on an assessment of his or her
448 competency in the areas listed in subparagraph 1.

449 3. Field experiences appropriate to the certification
450 subject area specified in the educational plan with a diverse
451 population of students in a variety of challenging environments,
452 including, but not limited to, high-poverty schools, urban
453 schools, and rural schools, under the supervision of qualified
454 educators.

455 4. A certification ombudsman to facilitate the process and
456 procedures required for participants who complete the program to
457 meet any requirements related to the background screening
458 pursuant to s. 1012.32 and educator professional or temporary
459 certification pursuant to s. 1012.56.

460 5. The opportunity for a candidate to complete coursework
461 to obtain a required endorsement in the candidate's chosen
462 teaching field.

463 6. In addition to the core standards for effective
464 education, instruction in the training required of certified
465 instructional personnel, including, but not limited to:

466 a. Identification, intervention, and prevention of child
467 abuse, abandonment, and neglect;

468 b. Integration of technology into classroom teaching;

469 c. Management, assessment, and monitoring of student
470 learning and performance;

471 d. Skills in classroom management, violence prevention,
472 conflict resolution, and related areas;

473 e. Developmental disabilities pursuant to s. 1012.582;

474 f. Youth suicide awareness and prevention pursuant to s.



475 1012.583; and
476 g. Youth mental health awareness and assistance pursuant to
477 s. 1012.584.

478 (5) Each institute approved pursuant to this section shall
479 submit to the Department of Education annual performance
480 evaluations that measure the effectiveness of the programs,
481 including the pass rates of participants on all examinations
482 required for teacher certification, employment rates,
483 longitudinal retention rates, and satisfaction surveys of
484 employers and candidates. The satisfaction surveys must be
485 designed to measure the sufficient preparation of the educator
486 for the student's proficiency in the use of state-adopted
487 content standards, the realities of the classroom, and the
488 institute's responsiveness to local school districts. These
489 evaluations shall be used by the Department of Education for
490 purposes of continued approval of an educator preparation
491 institute's certification program.

492 Section 6. Paragraph (c) is added to subsection (3), and
493 paragraphs (c) through (g) of that subsection are redesignated
494 as paragraphs (d) through (h) of section 1008.22, to read:

495 1008.22 Student assessment program for public schools.—

496 (3) STATEWIDE, STANDARDIZED ASSESSMENT PROGRAM.—The
497 Commissioner of Education shall design and implement a
498 statewide, standardized assessment program aligned to the core
499 curricular content established in the Next Generation Sunshine
500 State Standards. The commissioner also must develop or select
501 and implement a common battery of assessment tools that will be
502 used in all juvenile justice education programs in the state.
503 These tools must accurately measure the core curricular content



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504 established in the Next Generation Sunshine State Standards.
505 Participation in the assessment program is mandatory for all
506 school districts and all students attending public schools,
507 including adult students seeking a standard high school diploma
508 under s. 1003.4282 and students in Department of Juvenile
509 Justice education programs, except as otherwise provided by law.
510 If a student does not participate in the assessment program, the
511 school district must notify the student's parent and provide the
512 parent with information regarding the implications of such
513 nonparticipation. The statewide, standardized assessment program
514 shall be designed and implemented as follows:

515 (c) Nationally recognized high school assessments.—

516 1. Beginning with the 2020-2021 school year, each school
517 district shall provide for the administration of the SAT or ACT
518 to each public school student in grade 11 in the district,
519 including students attending public high schools, alternative
520 schools, and centers of the Department of Juvenile Justice.

521 2. School districts must choose either the SAT or ACT for
522 districtwide administration.

523 3. Funding for the SAT and the ACT for all grade 11
524 students shall be as provided in the General Appropriations Act.

525 Section 7. Subsection (4) of section 1011.61, Florida
526 Statutes, is amended to read:

527 1011.61 Definitions.—Notwithstanding the provisions of s.
528 1000.21, the following terms are defined as follows for the
529 purposes of the Florida Education Finance Program:

530 (4) The maximum value for funding a student in kindergarten
531 through grade 12 or in a prekindergarten program for exceptional
532 children as provided in s. 1003.21(1)(e) shall be the sum of the



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533 calculations in paragraphs (a), (b), and (c) as calculated by
534 the department.

535 (a) The sum of the student's full-time equivalent student
536 membership value for the school year or the equivalent derived
537 from paragraphs (1)(a) and (b), subparagraph (1)(c)1., sub-
538 subparagraphs (1)(c)2.b. and c., subparagraph (1)(c)3., and
539 subsection (2). If the sum is greater than 1.0, the full-time
540 equivalent student membership value for each program or course
541 shall be reduced by an equal proportion so that the student's
542 total full-time equivalent student membership value is equal to
543 1.0.

544 (b) If the result in paragraph (a) is less than 1.0 full-
545 time equivalent student and the student has full-time equivalent
546 student enrollment pursuant to sub-sub-subparagraph
547 (1)(c)1.b.(VIII), calculate an amount that is the lesser of the
548 value in sub-sub-subparagraph (1)(c)1.b.(VIII) or the value of
549 1.0 less the value in paragraph (a).

550 (c) The full-time equivalent student enrollment value in
551 sub-subparagraph (1)(c)2.a.

552
553 A scholarship award provided to a student enrolled in the John
554 M. McKay Scholarships for Students with Disabilities Program
555 pursuant to s. 1002.39 or the Family Empowerment Scholarship
556 Program pursuant to s. 1002.394 is not subject to the maximum
557 value for funding a student under this subsection.

558 Section 8. Paragraph (i) of subsection (1) of section
559 1011.62, Florida Statutes, is amended to read:

560 1011.62 Funds for operation of schools.—If the annual
561 allocation from the Florida Education Finance Program to each



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562 district for operation of schools is not determined in the
563 annual appropriations act or the substantive bill implementing
564 the annual appropriations act, it shall be determined as
565 follows:

566 (1) COMPUTATION OF THE BASIC AMOUNT TO BE INCLUDED FOR
567 OPERATION.—The following procedure shall be followed in
568 determining the annual allocation to each district for
569 operation:

570 (i) *Calculation of full-time equivalent membership with*
571 *respect to dual enrollment instruction.—*

572 1. Full-time equivalent students.—Students enrolled in dual
573 enrollment instruction pursuant to s. 1007.271 may be included
574 in calculations of full-time equivalent student memberships for
575 basic programs for grades 9 through 12 by a district school
576 board. Instructional time for dual enrollment may vary from 900
577 hours; however, the full-time equivalent student membership
578 value shall be subject to the provisions in s. 1011.61(4). Dual
579 enrollment full-time equivalent student membership shall be
580 calculated in an amount equal to the hours of instruction that
581 would be necessary to earn the full-time equivalent student
582 membership for an equivalent course if it were taught in the
583 school district. Students in dual enrollment courses may also be
584 calculated as the proportional shares of full-time equivalent
585 enrollments they generate for a Florida College System
586 institution or university conducting the dual enrollment
587 instruction. Early admission students shall be considered dual
588 enrollments for funding purposes. Students may be enrolled in
589 dual enrollment instruction provided by an eligible independent
590 college or university and may be included in calculations of



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591 full-time equivalent student memberships for basic programs for
592 grades 9 through 12 by a district school board. However, those
593 provisions of law which exempt dual enrolled and early admission
594 students from payment of instructional materials and tuition and
595 fees, including laboratory fees, shall not apply to students who
596 select the option of enrolling in an eligible independent
597 institution. An independent college or university, which is not
598 for profit, is accredited by a regional or national accrediting
599 agency recognized by the United States Department of Education,
600 and confers degrees as defined in s. 1005.02 shall be eligible
601 for inclusion in the dual enrollment or early admission program.
602 Students enrolled in dual enrollment instruction shall be exempt
603 from the payment of tuition and fees, including laboratory fees.
604 No student enrolled in college credit mathematics or English
605 dual enrollment instruction shall be funded as a dual enrollment
606 unless the student has successfully completed the relevant
607 section of the entry-level examination required pursuant to s.
608 1008.30.

609 2. Additional full-time equivalent student membership.—For
610 students enrolled in a program pursuant to s. 1007.273, a value
611 of 0.16 full-time equivalent student membership shall be
612 calculated for each student who completes a general education
613 core course through the dual enrollment program with a grade of
614 “B” or better. For students who are not enrolled in a program
615 pursuant to s. 1007.273, a value of 0.08 full-time equivalent
616 student membership shall be calculated for each student who
617 completes a general education core course through the dual
618 enrollment program with a grade of “B” or better. In addition, a
619 value of 0.3 full-time equivalent student membership shall be



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620 calculated for any student who receives an associate degree
621 through the dual enrollment program with a 3.0 grade point
622 average or better. This value shall be added to the total full-
623 time equivalent student membership in basic programs for grades
624 9 through 12 in the subsequent fiscal year. This section shall
625 be effective for credit earned by dually enrolled students for
626 courses taken in the 2020-2021 school year and each school year
627 thereafter. If the associate degree pursuant to this paragraph
628 is earned in 2020-2021 following completion of courses taken in
629 the 2020-2021 school year, then courses taken towards the degree
630 as part of the dual enrollment program prior to 2020-2021 may
631 not preclude eligibility for the 0.3 additional full-time
632 equivalent student membership bonus. Each school district shall
633 allocate at least 50 percent of the funds received from the dual
634 enrollment bonus FTE funding, in accordance with this paragraph,
635 to the schools that generated the funds to support student
636 academic guidance and postsecondary readiness.

637 3. Qualifying courses.—For the purposes of this paragraph,
638 general education core courses are those that are identified in
639 rule by the State Board of Education and in regulation by the
640 Board of Governors pursuant to s. 1007.25(3).

641 Section 9. Subsection (5) of section 1012.56, Florida
642 Statutes, is amended to read:

643 1012.56 Educator certification requirements.—

644 (5) MASTERY OF SUBJECT AREA KNOWLEDGE.—Acceptable means of
645 demonstrating mastery of subject area knowledge are:

646 (a) For a subject requiring only a baccalaureate degree, a
647 baccalaureate degree with a major in the subject area, conferred
648 within the last 10 years from an accredited or approved



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649 institution as defined in rule 6A-4.003, Florida Administrative
650 Code;

651 (b)~~(a)~~ For a subject requiring only a baccalaureate degree
652 for which a Florida subject area examination has been developed,
653 achievement of a passing score on the Florida-developed subject
654 area examination specified in state board rule;

655 (c)~~(b)~~ For a subject for which a Florida subject area
656 examination has not been developed, achievement of a passing
657 score on a standardized examination specified in state board
658 rule, including, but not limited to, passing scores on both the
659 oral proficiency and written proficiency examinations
660 administered by the American Council on the Teaching of Foreign
661 Languages;

662 (d)~~(c)~~ For a subject for which a Florida subject area
663 examination has not been developed or a standardized examination
664 has not been specified in state board rule, completion of the
665 subject area specialization requirements specified in state
666 board rule and verification of the attainment of the essential
667 subject matter competencies by the district school
668 superintendent of the employing school district or chief
669 administrative officer of the employing state-supported or
670 private school;

671 (e)~~(d)~~ For a subject requiring a master's or higher degree,
672 completion of the subject area specialization requirements
673 specified in state board rule and achievement of a passing score
674 on the Florida-developed subject area examination or a
675 standardized examination specified in state board rule;

676 (f)~~(e)~~ Documentation of a valid professional standard
677 teaching certificate issued by another state;



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678 (g)~~(f)~~ Documentation of a valid certificate issued by the
679 National Board for Professional Teaching Standards or a national
680 educator credentialing board approved by the State Board of
681 Education;

682 (h)~~(g)~~ Documentation of successful completion of a United
683 States Defense Language Institute Foreign Language Center
684 program; or

685 (i)~~(h)~~ Documentation of a passing score on the Defense
686 Language Proficiency Test (DLPT).

687
688 School districts are encouraged to provide mechanisms for middle
689 grades teachers holding only a K-6 teaching certificate to
690 obtain a subject area coverage for middle grades through
691 postsecondary coursework or district add-on certification.

692 Section 10. Paragraph (g) is added to subsection (3) of
693 section 1012.585, Florida Statutes, to read:

694 1012.585 Process for renewal of professional certificates.-

695 (3) For the renewal of a professional certificate, the
696 following requirements must be met:

697 (g) A teacher may earn inservice points only once during
698 each 5-year validity period for any mandatory training topic
699 that is not linked to student learning or professional growth.

700 Section 11. Subsections (5), (6), and (9) of section
701 1012.79, Florida Statutes, are amended to read:

702 1012.79 Education Practices Commission; organization.-

703 (5) The Commissioner of Education, with the advice and
704 consent of the commission chair, is responsible for appointing,
705 and may remove, commission, by a vote of three-fourths of the
706 membership, shall employ an executive director, who shall be



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707 exempt from career service. The executive director shall have
708 administrative duties, as determined by the Commissioner of
709 Education. The executive director may not impact or influence
710 decisions of the commission. ~~The executive director may be~~
711 ~~dismissed by a majority vote of the membership.~~

712 (6) (a) The commission shall be assigned to the Department
713 of Education for administrative and fiscal accountability
714 purposes. The commission, in the performance of its powers and
715 duties, shall not be subject to control, supervision, or
716 direction by the Department of Education.

717 (b) The property, personnel, and appropriations related to
718 the specified authority, powers, duties, and responsibilities of
719 the commission shall be provided to the commission by the
720 Department of Education.

721 (9) The commission shall make such expenditures as may be
722 necessary in exercising its authority and powers and carrying
723 out its duties and responsibilities, including expenditures for
724 personal services, legal services ~~general counsel or access to~~
725 ~~counsel~~, and rent at the seat of government and elsewhere; for
726 books of reference, periodicals, furniture, equipment, and
727 supplies; and for printing and binding. The expenditures of the
728 commission shall be subject to the powers and duties of the
729 Department of Financial Services as provided in s. 17.03.

730 Section 12. Subsection (5) of section 1012.98, Florida
731 Statutes, is amended, and subsections (13), (14), and (15) are
732 added to that section, to read:

733 1012.98 School Community Professional Development Act.—

734 (5) Each district school board shall provide funding for
735 the professional development system as required by s. 1011.62



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736 and the General Appropriations Act, and shall direct
737 expenditures from other funding sources to continuously
738 strengthen the system in order to increase student achievement
739 and support instructional staff in enhancing rigor and relevance
740 in the classroom. Each district school board shall calculate a
741 proportionate share of professional development funds for each
742 classroom teacher and allow each classroom teacher to use up to
743 25 percent of the proportionate share on professional
744 development that addresses the academic needs of students or an
745 identified area of professional growth for the classroom
746 teacher. The department shall identify professional development
747 opportunities that require the classroom teacher to demonstrate
748 proficiency in a specific classroom practice. A school district
749 may coordinate its professional development program with that of
750 another district, with an educational consortium, or with a
751 Florida College System institution or university, especially in
752 preparing and educating personnel. Each district school board
753 shall make available inservice activities to instructional
754 personnel of nonpublic schools in the district and the state
755 certified teachers who are not employed by the district school
756 board on a fee basis not to exceed the cost of the activity per
757 all participants.

758 (13) To assist school district planning for required
759 teacher professional development, by August 1, 2020, the
760 department shall develop a model annual and 5-year calendar that
761 incorporates all state-required professional development. No
762 later than January 1, 2021, school districts shall develop an
763 annual and a 5-year calendar of professional development for
764 inclusion in the professional development system approved by the



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765 department pursuant to subsection (4).

766 (14) The department shall develop and maintain a statewide
767 registry of approved professional development providers and
768 professional development activities for use by teachers in this
769 state. The registry is intended to provide educators with high-
770 quality professional development opportunities in addition to
771 those offered by an entity specified in subsection (1).

772 (a) Any professional development provider seeking to be
773 added to the registry must complete an application developed by
774 the department. Approved providers are responsible for notifying
775 the department of any changes to the provider or approved
776 activities using an update form developed by the department. The
777 approval form must include, but is not limited to, requirements
778 that the provider specify:

779 1. Compliance with this section.

780 2. The alignment of professional development activities
781 with professional development standards adopted by the state
782 board in rule and standards adopted by the National Staff
783 Development Council.

784 3. Professional development activities offered by the
785 provider.

786 4. Qualifications of instructors for the professional
787 development activities to be approved.

788 (b) Providers specified in subsection (1), as well as
789 providers approved by such entities, are not required to seek
790 department approval to offer professional development activities
791 and are not required to be added to the registry. However, such
792 providers that wish to offer statewide professional development
793 opportunities may seek department approval and be added to the



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794 registry.

795 (c) Providers approved by the department must maintain
796 information that includes, but is not limited to, the
797 professional development activity, date of the activity, hours
798 of instruction, and instructor, if applicable. The approved
799 provider must provide such information to each participant.

800 (d) The department shall review the professional
801 development provider application for compliance with
802 requirements. The department must inform the provider in writing
803 within 90 days after submission of an application regarding the
804 approval or denial of the provider. The approval is valid for a
805 period not to exceed 5 years, after which the provider must
806 reapply.

807 1. Each school district shall accept an approved
808 professional development activity on the registry toward meeting
809 the requirements of s. 1012.585(3).

810 2. The department shall determine the number of inservice
811 hours to be awarded for completion of each specified
812 professional development activity.

813 (15) There is created the Professional Development Choice
814 Pilot Program to be administered by the department for a period
815 of 3 years, subject to legislative appropriation. The purpose of
816 the pilot program is to provide grants to eligible teachers to
817 select professional learning opportunities that best meet each
818 teacher's individual needs.

819 (a) A teacher may use a pilot program grant for
820 professional development approved by a school district or by a
821 provider approved by the department pursuant to subsection (14).

822 1. Professional development must be aligned with the



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823 standards adopted by the state board in rule and standards
824 adopted by the National Staff Development Council.

825 2. Training completed under this subsection must comply
826 with and satisfy the requirements of s. 1012.585(3).

827 3. Professional learning activities may include, but are
828 not limited to, in-person or online training; travel and
829 registration for conferences or workshops; college credit
830 courses; and district professional development certification and
831 education competency programs.

832 (b) To be eligible for a pilot program grant, an individual
833 must:

834 1. Hold a professional certificate issued pursuant to s.
835 1012.56(7)(a);

836 2. Be employed as a classroom teacher, as defined in s.
837 1012.01(2)(a), excluding substitute teachers, by a district
838 school board or by a charter school; and

839 3. Apply for a grant in a format determined by the
840 department. The application must require an applicant to
841 describe how the professional development activity relates to
842 and will improve instruction in the classroom.

843 (c) Each classroom teacher eligible under paragraph (b) may
844 receive a reimbursement for training pursuant to paragraph (a).
845 The reimbursement for each teacher participating in the pilot
846 program may not exceed \$500 per school year. Each classroom
847 teacher is eligible for one grant per school year. The pilot
848 program grants must be awarded on a first-come, first-served
849 basis.

850 (d) Each school district shall:

851 1. Review a proposed professional development activity to



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852 determine alignment with district and individual professional
853 development plans and determine the number of inservice credit
854 hours to be awarded; and

855 2. Approve any professional development opportunity
856 included on the department's registry pursuant to subsection
857 (13).

858 (e) The department shall:

859 1. Maintain a registry of approved providers and
860 professional development activities pursuant to subsection (14).

861 2. Establish, no later than August 1, 2020, a grant
862 application form.

863 Section 13. Section 1012.981, Florida Statutes, is created
864 to read:

865 1012.981 Professional Education Excellence Resources Pilot
866 Program.—

867 (1) There is established the Professional Education
868 Excellence Resources (PEER) Pilot Program, administered by the
869 department, to provide school district flexibility to increase
870 opportunities for professional learning, collaboration with
871 teachers and leaders, and teacher leadership.

872 (2) The PEER Pilot Program is established in Clay, Palm
873 Beach, Pinellas, and Walton Counties.

874 (3) Participating school districts implementing the PEER
875 Pilot Program may:

876 (a) Extend the contract day or the contract year, or both,
877 for participating teachers for professional development,
878 collaboration with colleagues, or instructional coaching. A
879 participating school district that chooses to extend the
880 contract day or year must, before the start of the 2020-2021



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881 school year, negotiate with the certified collective bargaining
882 unit for instructional personnel a memorandum of understanding
883 that addresses the additional duty hours in a week or duty days
884 in a school year and additional payments based on the salary
885 scale of the district to teachers who participate in the pilot
886 program.

887 (b) Use program funds to:

888 1. Compensate teachers who are assigned to an extended
889 school day or school year pursuant to paragraph (a).

890 2. Hire additional instructional personnel to provide
891 teachers with additional planning periods or other release time
892 to complete professional development, collaborate with
893 colleagues, or perform other appropriate activities.

894 3. Provide content area specialists to provide support for
895 teachers' individual needs and professional growth.

896 4. Provide instructional coaches for participating
897 teachers.

898 5. Provide professional development opportunities.

899 (4) School districts participating in the pilot program
900 must collaborate with the department, postsecondary educational
901 institutions, regional education consortia, the University of
902 Florida Lastinger Center, or other appropriate organizations to
903 develop high-quality online professional development

904 opportunities accessible to instructional personnel statewide.

905 Such online professional development must:

906 (a) Be self-paced and available to teachers at any time.

907 (b) Align with standards for professional development as
908 described in state board rule.

909 (c) Protect the private information of participants.



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910 (d) Satisfy requirements for renewal of an educator
911 certificate.

912 (e) Include online assessments with timely feedback to
913 evaluate participant learning measured against program goals.

914 (5) Participating school districts may use program funds to
915 establish a master teacher program. The master teacher program
916 provides accomplished teachers the opportunity to innovate and
917 improve classroom practices, facilitate improved professional
918 development, and improve instructional quality through
919 collaboration with teachers and leaders. School districts shall
920 determine the specific roles assigned to a master teacher.

921 (a) Each master teacher program must include, but is not
922 limited to:

923 1. Providing release time for planning and meeting with
924 teachers and leaders;

925 2. Additional professional development opportunities, to
926 include participation in local and national conferences or
927 payments for college credit courses to increase skills or obtain
928 a higher university degree; and

929 3. Monetary compensation.

930 (b) School districts may select for the master teacher
931 program teachers who were rated highly effective in the previous
932 school year and may determine other selection criteria, which
933 may include, but are not limited to, information in performance
934 evaluations, peer reviews, demonstration of content expertise,
935 principal recommendation, or candidate interviews.

936 (c) Each participating school district must collaborate
937 with the department and with the University of Florida Lastinger
938 Center to develop a master teacher academy to support



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939 instructional personnel statewide. The master teacher academy
940 must:

941 1. Provide recommendations for the selection, training, and
942 support of district master teachers.

943 2. Create a bank of online professional development tools
944 that serve as exemplars for instructional best practices. Such
945 content may include pedagogy, instructional delivery,
946 professional learning communities, collaboration, personalized
947 learning, teacher and student or parent conferencing, positive
948 behavior supports, and using data to improve instruction.

949 3. Provide instructional coaching for school-based leaders
950 and principal supervisors. The content must focus on providing
951 teachers with actionable feedback on performance.

952 (6) Each school district participating in the PEER Pilot
953 Program must annually, by August 1, report to the Governor, the
954 President of the Senate, the Speaker of the House of
955 Representatives, and the department on the performance of the
956 pilot program. Each report must include, but is not limited to:

957 (a) The use of the pilot program funds.

958 (b) The impact of the pilot program on student achievement.

959 (c) The impact of the pilot program on teacher annual
960 evaluations.

961 (d) The results of satisfaction surveys given to pilot
962 program participants.

963 (e) Recommendations for continuation of the pilot program
964 and for scaling the pilot program for statewide implementation.

965 (7) The State Board of Education shall adopt rules to
966 administer this section.

967 (8) This section shall be implemented only to the extent



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968 specifically funded and authorized by law.

969 Section 14. Pathways in Technology Early College High
970 School (P-TECH) program.—

971 (1) By December 1, 2020, the Commissioner of Education
972 shall submit to the Governor, the President of the Senate, the
973 Speaker of the House of Representatives, the Board of Governors,
974 and the State Board of Education a report with recommendations
975 that address the feasibility of implementing the Pathways in
976 Technology Early College High School (P-TECH) program, or a
977 similar program, in Florida. The P-TECH program must:

978 (a) Incorporate secondary and postsecondary education with
979 workforce education and work experience through a flexible 6-
980 year integrated model.

981 (b) Allow students to earn a high school diploma, an
982 associate degree, and applicable industry certifications and
983 gain work experience within 6 years after enrolling in the 9th
984 grade.

985 (c) Have an open enrollment policy that encourages a
986 diverse student body, including students from low-income
987 families and first-generation college students.

988 (d) Support student success through flexible class
989 scheduling, advising and mentoring components, and other wrap-
990 around services.

991 (e) Provide seamless articulation with Florida's
992 postsecondary institutions.

993 (2) The report must, at a minimum, include the following:

994 (a) Timelines for implementing a P-TECH program, or a
995 similar program, as described in subsection (1), including
996 courses of study which support program completion in 4 to 6



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997 years and which meet regional workforce demand.

998 (b) A funding model that provides the P-TECH program, or a
999 similar program, at no cost to students. The funding model may
1000 incorporate K-12, postsecondary, and workforce funding, grants,
1001 scholarships, and other funding options.

1002 (c) Partnerships with industries and businesses, which
1003 include private investment, work-based training, internships,
1004 and priority placement for job opportunities upon graduation.

1005 (d) Recommendations for modifications, if any, to the
1006 school and school district accountability requirements of s.
1007 1008.34, Florida Statutes.

1008 (3) This section shall take effect upon this act becoming a
1009 law and shall expire on December 1, 2020.

1010 Section 15. Subsection (1) of section 1012.586, Florida
1011 Statutes, is amended to read:

1012 1012.586 Additions or changes to certificates; duplicate
1013 certificates.—A school district may process via a Department of
1014 Education website certificates for the following applications of
1015 public school employees:

1016 (1) Addition of a subject coverage or endorsement to a
1017 valid Florida certificate on the basis of the completion of the
1018 appropriate subject area testing requirements of s.

1019 1012.56(5)(b) ~~s. 1012.56(5)(a)~~ or the completion of the
1020 requirements of an approved school district program or the
1021 inservice components for an endorsement.

1022 (a) To reduce duplication, the department may recommend the
1023 consolidation of endorsement areas and requirements to the State
1024 Board of Education.

1025 (b) By July 1, 2018, and at least once every 5 years



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1026 thereafter, the department shall conduct a review of existing
1027 subject coverage or endorsement requirements in the elementary,
1028 reading, and exceptional student educational areas. The review
1029 must include reciprocity requirements for out-of-state
1030 certificates and requirements for demonstrating competency in
1031 the reading instruction professional development topics listed
1032 in s. 1012.98(4)(b)11. The review must also consider the award
1033 of an endorsement to an individual who holds a certificate
1034 issued by an internationally recognized organization that
1035 establishes standards for providing evidence-based interventions
1036 to struggling readers or who completes a postsecondary program
1037 that is accredited by such organization. Any such certificate or
1038 program must require an individual who completes the certificate
1039 or program to demonstrate competence in reading intervention
1040 strategies through clinical experience. At the conclusion of
1041 each review, the department shall recommend to the state board
1042 changes to the subject coverage or endorsement requirements
1043 based upon any identified instruction or intervention strategies
1044 proven to improve student reading performance. This paragraph
1045 does not authorize the state board to establish any new
1046 certification subject coverage.

1047
1048 The employing school district shall charge the employee a
1049 fee not to exceed the amount charged by the Department of
1050 Education for such services. Each district school board shall
1051 retain a portion of the fee as defined in the rules of the State
1052 Board of Education. The portion sent to the department shall be
1053 used for maintenance of the technology system, the web
1054 application, and posting and mailing of the certificate.



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1055 Section 16. This act shall take effect July 1, 2020.

1056

1057 ===== T I T L E A M E N D M E N T =====

1058 And the title is amended as follows:

1059 Delete everything before the enacting clause
1060 and insert:

1061 A bill to be entitled
1062 An act relating to education; amending s. 1002.33,
1063 F.S.; prohibiting sponsors from refusing to receive a
1064 charter school application submitted during the
1065 calendar year; authorizing charter schools to limit
1066 the enrollment process to target certain additional
1067 student populations; amending s. 1002.394, F.S.;
1068 revising initial scholarship eligibility criteria for
1069 the Family Empowerment Scholarship Program, beginning
1070 with a specified school year; providing that
1071 participation in certain virtual schools,
1072 correspondence schools, or distance learning programs
1073 does not make a student ineligible for a scholarship
1074 under the program in certain circumstances; requiring,
1075 rather than authorizing, an annual specified increase
1076 in the maximum number of students participating in
1077 such program; amending s. 1002.395, F.S.; revising
1078 eligibility criteria for the Florida Tax Credit
1079 Scholarship Program and applying the criteria only to
1080 initial eligibility; requiring that priority be given
1081 to students whose household incomes do not exceed a
1082 specified amount; amending s. 1004.04, F.S.; requiring
1083 that the rules to establish uniform core curricula for



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1084 each state-approved teacher preparation program
1085 include evidence-based reading instructional
1086 strategies and mental health strategies and support;
1087 requiring state-approved teacher preparation programs
1088 include opportunities to complete endorsements and
1089 complete training required of instructional personnel;
1090 removing admission requirements, and deleting a
1091 provision allowing teacher preparation programs to
1092 waive admission requirements for up to 10 percent of
1093 the students admitted; requiring an assessment of
1094 student proficiency is employer surveys; amending s.
1095 1004.85, F.S.; expanding requirements for the
1096 certification program of a postsecondary educator
1097 preparation institute to be approved by the Department
1098 of Education; amending s. 1008.22, F.S.; requiring
1099 school districts to provide the SAT or ACT to grade 11
1100 students beginning in a specified school year;
1101 requiring school districts to choose which assessment
1102 to administer; amending s. 1011.61, F.S.; providing
1103 that a certain scholarship award is not subject to the
1104 maximum value for funding a student under the Florida
1105 Education Finance Program; amending s. 1011.62, F.S.;
1106 changing the calculation of full-time equivalent
1107 student membership for dual enrollment purposes;
1108 amending s. 1012.56, F.S.; providing that for a
1109 subject requiring only a baccalaureate degree, a
1110 baccalaureate degree with a major in the subject area,
1111 conferred within the last 10 years, is an acceptable
1112 means of demonstrating mastery of subject area



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1113 knowledge; amending s. 1012.585, F.S.; specifying that
1114 teachers may earn inservice points only once during a
1115 certain time period for any mandatory training topic
1116 not linked to student learning or professional growth;
1117 amending s. 1012.79, F.S.; directing the Commissioner
1118 of Education, with the advice and consent of the chair
1119 of the Education Practices Commission, to appoint an
1120 executive director who is exempt from career service
1121 and may be removed by the commissioner; specifying
1122 that the executive director will have administrative
1123 duties, as determined by the commissioner; making a
1124 technical change; amending s. 1012.98, F.S.; requiring
1125 district school boards to calculate a proportionate
1126 share of professional development funds for each
1127 classroom teacher; authorizing classroom teachers to
1128 use up to a certain amount of such funds for certain
1129 purposes; requiring the Department of Education to
1130 identify professional development opportunities for
1131 classroom teachers to demonstrate proficiency in a
1132 specific classroom practice; requiring the department
1133 to create and develop a model annual and 5-year
1134 calendar of professional development by a specified
1135 date; requiring school districts to develop annual and
1136 5-year calendars of professional development for
1137 inclusion in the department's professional development
1138 system by a specified date; requiring the department
1139 to maintain a statewide registry of approved
1140 professional development providers and professional
1141 development activities for use by teachers; requiring



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1142 professional development providers to be approved by
1143 the department; specifying requirements for
1144 professional development providers; requiring the
1145 department to review professional development provider
1146 applications for compliance and to approve or deny an
1147 application within a certain timeframe; providing for
1148 provider reapplication; requiring each school district
1149 to accept an approved professional development
1150 activity for a certain purpose; requiring the
1151 department to determine the number of inservice hours
1152 to be awarded for completion of an activity; creating
1153 the Professional Development Choice Pilot Program to
1154 be administered by the department for a specified
1155 period; providing the pilot program's purpose;
1156 authorizing the use of pilot program grants for
1157 specified purposes; providing requirements for the use
1158 of such grants; providing eligibility requirements for
1159 receiving pilot program grants; providing requirements
1160 and limits for grant disbursements; providing certain
1161 duties of each school district; requiring the
1162 department to maintain a registry of approved provider
1163 and professional development activities; requiring the
1164 department to establish an application form by a
1165 specified date; creating s. 1012.981, F.S.; creating
1166 the Professional Education Excellence Resources (PEER)
1167 Pilot Program in specified counties; authorizing
1168 school districts implementing the pilot program to
1169 engage in certain activities; authorizing school
1170 districts to use program funds for certain purposes;



1171 requiring school districts participating in the
1172 program to collaborate with the department and other
1173 entities to develop high-quality online professional
1174 development opportunities accessible to instructional
1175 personnel statewide; providing requirements for such
1176 professional online development opportunities;
1177 authorizing participating school districts to use
1178 program funds to establish a master teacher program;
1179 providing requirements for the master teacher program;
1180 requiring participating school districts to
1181 collaborate with the department and the University of
1182 Florida Lastinger Center to develop a master teacher
1183 academy; providing duties for the master teacher
1184 academy; requiring each school district participating
1185 in the PEER Pilot Program to report annually to the
1186 Governor, the Legislature, and the department on the
1187 performance of the pilot program; requiring the annual
1188 report to contain certain information; requiring the
1189 State Board of Education to adopt rules; specifying
1190 that the pilot program be implemented only to the
1191 extent specifically funded and authorized by law;
1192 requiring the Commissioner of Education to submit to
1193 certain entities by a specified date a report with
1194 recommendations relating to the implementation of the
1195 Pathways in Technology Early College High School
1196 program, or a similar program; providing requirements
1197 for such program and report; providing for expiration;
1198 amending s. 1012.586, F.S.; conforming a cross-
1199 reference; providing an effective date.

By the Committee on Education; and Senator Diaz

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1 A bill to be entitled
 2 An act relating to education; amending s. 1002.394,
 3 F.S.; revising initial scholarship eligibility
 4 criteria for the Family Empowerment Scholarship
 5 Program, beginning with a specified school year;
 6 providing that participation in certain virtual
 7 schools, correspondence schools, or distance learning
 8 programs does not make a student ineligible for a
 9 scholarship under the program in certain
 10 circumstances; amending s. 1002.395, F.S.; revising
 11 eligibility criteria for the Florida Tax Credit
 12 Scholarship Program and applying the criteria only to
 13 initial eligibility; requiring that priority be given
 14 to students whose household incomes do not exceed a
 15 specified amount; amending s. 1004.04, F.S.; requiring
 16 that the rules to establish uniform core curricula for
 17 each state-approved teacher preparation program
 18 include evidence-based reading instructional
 19 strategies and mental health strategies and support;
 20 requiring state-approved teacher preparation programs
 21 include opportunities to complete endorsements and
 22 complete training required of instructional personnel;
 23 removing admission requirements, and deleting a
 24 provision allowing teacher preparation programs to
 25 waive admission requirements for up to 10 percent of
 26 the students admitted; requiring an assessment of
 27 student proficiency is employer surveys; amending s.
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 29 certification program of a postsecondary educator

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30 preparation institute to be approved by the Department
 31 of Education; amending s. 1011.61, F.S.; providing
 32 that a certain scholarship award is not subject to the
 33 maximum value for funding a student under the Florida
 34 Education Finance Program; amending s. 1012.56, F.S.;
 35 providing that for a subject requiring only a
 36 baccalaureate degree, a baccalaureate degree with a
 37 major in the subject area, conferred within the last
 38 10 years, is an acceptable means of demonstrating
 39 mastery of subject area knowledge; amending s.
 40 1012.585, F.S.; specifying that teachers may earn
 41 inservice points only once during a certain time
 42 period for any mandatory training topic not linked to
 43 student learning or professional growth; amending s.
 44 1012.79, F.S.; directing the Commissioner of
 45 Education, with the advice and consent of the chair of
 46 the Education Practices Commission, to appoint an
 47 executive director who is exempt from career service
 48 and may be removed by the commissioner; specifying
 49 that the executive director will have administrative
 50 duties, as determined by the commissioner; making a
 51 technical change; amending s. 1012.98, F.S.; requiring
 52 district school boards to calculate a proportionate
 53 share of professional development funds for each
 54 classroom teacher; authorizing classroom teachers to
 55 use up to a certain amount of such funds for certain
 56 purposes; requiring the Department of Education to
 57 identify professional development opportunities for
 58 classroom teachers to demonstrate proficiency in a

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59 specific classroom practice; requiring the department
 60 to create and develop a model annual and 5-year
 61 calendar of professional development by a specified
 62 date; requiring school districts to develop annual and
 63 5-year calendars of professional development for
 64 inclusion in the department's professional development
 65 system by a specified date; requiring the department
 66 to maintain a statewide registry of approved
 67 professional development providers and professional
 68 development activities for use by teachers; requiring
 69 professional development providers to be approved by
 70 the department; specifying requirements for
 71 professional development providers; requiring the
 72 department to review professional development provider
 73 applications for compliance and to approve or deny an
 74 application within a certain timeframe; providing for
 75 provider reapplication; requiring each school district
 76 to accept an approved professional development
 77 activity for a certain purpose; requiring the
 78 department to determine the number of inservice hours
 79 to be awarded for completion of an activity; creating
 80 the Professional Development Choice Pilot Program to
 81 be administered by the department for a specified
 82 period; providing the pilot program's purpose;
 83 authorizing the use of pilot program grants for
 84 specified purposes; providing requirements for the use
 85 of such grants; providing eligibility requirements for
 86 receiving pilot program grants; providing requirements
 87 and limits for grant disbursements; providing certain

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88 duties of each school district; requiring the
 89 department to maintain a registry of approved provider
 90 and professional development activities; requiring the
 91 department to establish an application form by a
 92 specified date; creating s. 1012.981, F.S.; creating
 93 the Professional Education Excellence Resources (PEER)
 94 Pilot Program in specified counties; authorizing
 95 school districts implementing the pilot program to
 96 engage in certain activities; authorizing school
 97 districts to use program funds for certain purposes;
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 99 program to collaborate with the department and other
 100 entities to develop high-quality online professional
 101 development opportunities accessible to instructional
 102 personnel statewide; providing requirements for such
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 107 requiring participating school districts to
 108 collaborate with the department and the University of
 109 Florida Lastinger Center to develop a master teacher
 110 academy; providing duties for the master teacher
 111 academy; requiring each school district participating
 112 in the PEER Pilot Program to report annually to the
 113 Governor, the Legislature, and the department on the
 114 performance of the pilot program; requiring the annual
 115 report to contain certain information; requiring the
 116 State Board of Education to adopt rules; specifying

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117 that the pilot program be implemented only to the
 118 extent specifically funded and authorized by law;
 119 amending s. 1012.586, F.S.; conforming a cross-
 120 reference; providing an effective date.

121
 122 Be It Enacted by the Legislature of the State of Florida:

123
 124 Section 1. Paragraph (b) of subsection (3) and subsection
 125 (5) of section 1002.394, Florida Statutes, are amended to read:
 126 1002.394 The Family Empowerment Scholarship Program.—

127 (3) INITIAL SCHOLARSHIP ELIGIBILITY.—A student is eligible
 128 for a Family Empowerment Scholarship under this section if the
 129 student meets the following criteria:

130 (b)1. The student is eligible to enroll in kindergarten or
 131 has spent the prior school year in attendance at a Florida
 132 public school; or

133 2. Beginning with the 2020-2021 school year, the student
 134 received a scholarship pursuant to s. 1002.395 during the
 135 previous school year and, before initial receipt of such
 136 scholarship, spent the prior school year in attendance at a
 137 Florida public school.

138
 139 For purposes of this paragraph, the term "prior school year in
 140 attendance" means that the student was enrolled and reported by
 141 a school district for funding during the preceding October and
 142 February Florida Education Finance Program surveys in
 143 kindergarten through grade 12, which includes time spent in a
 144 Department of Juvenile Justice commitment program if funded
 145 under the Florida Education Finance Program. However, a

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146 dependent child of a member of the United States Armed Forces
 147 who transfers to a school in this state from out of state or
 148 from a foreign country due to a parent's permanent change of
 149 station orders or a foster child is exempt from the prior public
 150 school attendance requirement under this paragraph, but must
 151 meet the other eligibility requirements specified under this
 152 section to participate in the program.

153 (5) SCHOLARSHIP PROHIBITIONS.—A student is not eligible for
 154 a Family Empowerment Scholarship while he or she is:

155 (a) Enrolled in a public school, including, but not limited
 156 to, the Florida School for the Deaf and the Blind, the College-
 157 Preparatory Boarding Academy, a developmental research school
 158 authorized under s. 1002.32, or a charter school authorized
 159 under this chapter;

160 (b) Enrolled in a school operating for the purpose of
 161 providing educational services to youth in a Department of
 162 Juvenile Justice commitment program;

163 (c) Receiving any other educational scholarship pursuant to
 164 this chapter;

165 (d) Participating in a home education program as defined in
 166 s. 1002.01(1);

167 (e) Participating in a private tutoring program pursuant to
 168 s. 1002.43; or

169 (f) Participating in a virtual school, correspondence
 170 school, or distance learning program that receives state funding
 171 pursuant to the student's participation, unless the
 172 participation is limited to no more than two courses per school
 173 year.

174 Section 2. Subsection (3) and paragraph (e) of subsection

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175 (6) of section 1002.395, Florida Statutes, are amended to read:

176 1002.395 Florida Tax Credit Scholarship Program.—

177 (3) PROGRAM; INITIAL SCHOLARSHIP ELIGIBILITY.—

178 (a) The Florida Tax Credit Scholarship Program is
179 established.

180 (b) A student is eligible for a Florida tax credit
181 scholarship under this section if the student meets one or more
182 of the following criteria:

183 1. The student is on the direct certification list or the
184 student's household income level does not exceed 300 ~~185~~ percent
185 of the federal poverty level; or

186 2. The student is currently placed, or during the previous
187 state fiscal year was placed, in foster care or in out-of-home
188 care as defined in s. 39.01.

189 ~~3. The student's household income level is greater than 185~~
190 ~~percent of the federal poverty level but does not exceed 260~~
191 ~~percent of the federal poverty level.~~

192 Priority must be given to students whose household income levels
193 do not exceed 185 percent of the federal poverty level or who
194 are in foster care or out-of-home care. A student who initially
195 receives a scholarship based on eligibility under this paragraph
196 ~~subparagraph (b)2.~~ remains eligible to participate until he or
197 ~~she the student~~ graduates from high school or attains the age of
198 21 years, whichever occurs first, regardless of the student's
199 household income level. ~~A student who initially received a~~
200 ~~scholarship based on income eligibility before the 2019-2020~~
201 ~~school year remains eligible to participate until he or she~~
202 ~~graduates from high school, attains the age of 21 years, or the~~
203

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204 ~~student's household income level exceeds 260 percent of the~~
205 ~~federal poverty level, whichever occurs first.~~ A sibling of a
206 student who is participating in the scholarship program under
207 this subsection is eligible for a scholarship if the student
208 resides in the same household as the sibling.

209 (6) OBLIGATIONS OF ELIGIBLE NONPROFIT SCHOLARSHIP-FUNDING
210 ORGANIZATIONS.—An eligible nonprofit scholarship-funding
211 organization:

212 (e) Must give first priority to eligible students who
213 received a scholarship from an eligible nonprofit scholarship-
214 funding organization or from the State of Florida during the
215 previous school year. ~~Beginning in the 2016-2017 school year, an~~
216 ~~eligible nonprofit scholarship funding organization shall give~~
217 ~~priority to new applicants whose household income levels do not~~
218 ~~exceed 185 percent of the federal poverty level or who are in~~
219 ~~foster care or out-of-home care.~~

220
221 Information and documentation provided to the Department of
222 Education and the Auditor General relating to the identity of a
223 taxpayer that provides an eligible contribution under this
224 section shall remain confidential at all times in accordance
225 with s. 213.053.

226 Section 3. Paragraph (b) of subsection (2) of section
227 1004.04, Florida Statutes, is amended, paragraph (b) of
228 subsection (3) of that section is amended, paragraphs (d) and
229 (e) of subsection (3) of that section are added, and subsection
230 (4) of that section is amended, to read:

231 1004.04 Public accountability and state approval for
232 teacher preparation programs.—

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- 233 (2) UNIFORM CORE CURRICULA AND CANDIDATE ASSESSMENT.—
- 234 (b) The rules to establish uniform core curricula for each
- 235 state-approved teacher preparation program must include, but are
- 236 not limited to, the following:
- 237 1. Candidate instruction and assessment in the Florida
- 238 Educator Accomplished Practices across content areas.
- 239 2. The use of state-adopted content standards to guide
- 240 curricula and instruction.
- 241 3. Evidence-based ~~Scientificallly researched and evidence-~~
- 242 ~~based~~ reading instructional strategies that improve reading
- 243 performance for all students, including explicit, systematic,
- 244 and sequential approaches to teaching phonemic awareness,
- 245 phonics, vocabulary, fluency, and text comprehension and
- 246 multisensory intervention strategies.
- 247 4. Content literacy and mathematics practices.
- 248 5. Strategies appropriate for the instruction of English
- 249 language learners.
- 250 6. Strategies appropriate for the instruction of students
- 251 with disabilities.
- 252 7. Strategies to differentiate instruction based on student
- 253 needs.
- 254 8. The use of character-based classroom management.
- 255 9. Mental health strategies and support.
- 256 (3) INITIAL STATE PROGRAM APPROVAL.—
- 257 (b) Each teacher preparation program approved by the
- 258 Department of Education, as provided for by this section, shall
- 259 require students, at a minimum, to meet, ~~at a minimum, the~~
- 260 ~~following as prerequisites for admission into the program:~~
- 261 1. Have a grade point average of at least 2.5 on a 4.0

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- 262 scale for the general education component of undergraduate
- 263 studies or have completed the requirements for a baccalaureate
- 264 degree with a minimum grade point average of 2.5 on a 4.0 scale
- 265 from any college or university accredited by a regional
- 266 accrediting association as defined by State Board of Education
- 267 rule or any college or university otherwise approved pursuant to
- 268 State Board of Education rule.
- 269 2. Demonstrate mastery of general knowledge ~~sufficient for~~
- 270 ~~entry into the program,~~ including the ability to read, write,
- 271 and perform in mathematics, by passing the General Knowledge
- 272 Test of the Florida Teacher Certification Examination or, for a
- 273 graduate level program, obtain a baccalaureate degree from an
- 274 institution that is accredited or approved pursuant to the rules
- 275 of the State Board of Education.
- 276
- 277 ~~Each teacher preparation program may waive these admissions~~
- 278 ~~requirements for up to 10 perecent of the students admitted.~~
- 279 ~~Programs shall implement strategies to ensure that students~~
- 280 ~~admitted under a waiver receive assistance to demonstrate~~
- 281 ~~competencies to successfully meet requirements for certification~~
- 282 ~~and shall annually report to the Department of Education the~~
- 283 ~~status of each candidate admitted under such a waiver.~~
- 284 (d) Each program must include the opportunity for the
- 285 candidate to complete coursework to obtain a required
- 286 endorsement in the candidate's chosen teaching field.
- 287 (e) Each program must include, in addition to the core
- 288 standards for effective education, instruction in the training
- 289 required of certified instructional personnel, including, but
- 290 not limited to:

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291 1. Identification, intervention, and prevention of child
 292 abuse, abandonment, and neglect;
 293 2. Integration of technology into classroom teaching;
 294 3. Management, assessment, and monitoring of student
 295 learning and performance;
 296 4. Skills in classroom management, violence prevention,
 297 conflict resolution, and related areas;
 298 5. Developmental disabilities pursuant to s. 1012.582;
 299 6. Youth suicide awareness and prevention pursuant to s.
 300 1012.583; and
 301 7. Youth mental health awareness and assistance pursuant to
 302 s. 1012.584.

303 (4) CONTINUED PROGRAM APPROVAL.—Continued approval of a
 304 teacher preparation program shall be based upon evidence that
 305 the program continues to implement the requirements for initial
 306 approval and upon significant, objective, and quantifiable
 307 measures of the program and the performance of the program
 308 completers.

309 (a) The criteria for continued approval must include each
 310 of the following:

311 1. Documentation from the program that each program
 312 candidate met the admission requirements provided in subsection
 313 (3).

314 2. Documentation from the program that the program and each
 315 program completer have met the requirements provided in
 316 subsection (2).

317 3. Evidence of performance in each of the following areas:

318 a. Placement rate of program completers into instructional
 319 positions in Florida public schools and private schools, if

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320 available.

321 b. Rate of retention for employed program completers in
 322 instructional positions in Florida public schools.

323 c. Performance of students in prekindergarten through grade
 324 12 who are assigned to in-field program completers on statewide
 325 assessments using the results of the student learning growth
 326 formula adopted under s. 1012.34.

327 d. Performance of students in prekindergarten through grade
 328 12 who are assigned to in-field program completers aggregated by
 329 student subgroup, as defined in the federal Elementary and
 330 Secondary Education Act (ESEA), 20 U.S.C. s.
 331 6311(b)(2)(C)(v)(II), as a measure of how well the program
 332 prepares teachers to work with a diverse population of students
 333 in a variety of settings in Florida public schools.

334 e. Results of program completers' annual evaluations in
 335 accordance with the timeline as set forth in s. 1012.34.

336 f. Production of program completers in statewide critical
 337 teacher shortage areas as identified in s. 1012.07.

338 4. Results of the program completers' survey measuring
 339 their satisfaction with preparation for the realities of the
 340 classroom.

341 5. Results of the employers' survey measuring satisfaction
 342 with the program and the program's responsiveness to local
 343 school districts. The survey must include the employer's
 344 assessment of the student's proficiency in the use of state-
 345 adopted content standards and general preparation for the
 346 classroom.

347 Section 4. Paragraph (a) of subsection (3) and subsection
 348 (5) of section 1004.85, Florida Statutes, are amended to read:

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349 1004.85 Postsecondary educator preparation institutes.-
 350 (3) Educator preparation institutes approved pursuant to
 351 this section may offer competency-based certification programs
 352 specifically designed for noneducation major baccalaureate
 353 degree holders to enable program participants to meet the
 354 educator certification requirements of s. 1012.56. An educator
 355 preparation institute choosing to offer a competency-based
 356 certification program pursuant to the provisions of this section
 357 must implement a program previously approved by the Department
 358 of Education for this purpose or a program developed by the
 359 institute and approved by the department for this purpose.
 360 Approved programs shall be available for use by other approved
 361 educator preparation institutes.

362 (a) Within 90 days after receipt of a request for approval,
 363 the Department of Education shall approve a preparation program
 364 pursuant to the requirements of this subsection or issue a
 365 statement of the deficiencies in the request for approval. The
 366 department shall approve a certification program if the
 367 institute provides evidence of the institute's capacity to
 368 implement a competency-based program that includes each of the
 369 following:

370 1.a. Participant instruction and assessment in the Florida
 371 Educator Accomplished Practices across content areas.

372 b. The use of state-adopted student content standards to
 373 guide curriculum and instruction.

374 c. Scientifically researched and evidence-based reading
 375 instructional strategies that improve reading performance for
 376 all students, including explicit, systematic, and sequential
 377 approaches to teaching phonemic awareness, phonics, vocabulary,

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378 fluency, and text comprehension and multisensory intervention
 379 strategies.

380 d. Content literacy and mathematical practices.

381 e. Strategies appropriate for instruction of English
 382 language learners.

383 f. Strategies appropriate for instruction of students with
 384 disabilities.

385 g. Strategies to differentiate instruction based on student
 386 needs.

387 h. The use of character-based classroom management.

388 2. An educational plan for each participant to meet
 389 certification requirements and demonstrate his or her ability to
 390 teach the subject area for which the participant is seeking
 391 certification, which is based on an assessment of his or her
 392 competency in the areas listed in subparagraph 1.

393 3. Field experiences appropriate to the certification
 394 subject area specified in the educational plan with a diverse
 395 population of students in a variety of challenging environments,
 396 including, but not limited to, high-poverty schools, urban
 397 schools, and rural schools, under the supervision of qualified
 398 educators.

399 4. A certification ombudsman to facilitate the process and
 400 procedures required for participants who complete the program to
 401 meet any requirements related to the background screening
 402 pursuant to s. 1012.32 and educator professional or temporary
 403 certification pursuant to s. 1012.56.

404 5. The opportunity for a candidate to complete coursework
 405 to obtain a required endorsement in the candidate's chosen
 406 teaching field.

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407 6. In addition to the core standards for effective
 408 education, instruction in the training required of certified
 409 instructional personnel, including, but not limited to:
 410 a. Identification, intervention, and prevention of child
 411 abuse, abandonment, and neglect;
 412 b. Integration of technology into classroom teaching;
 413 c. Management, assessment, and monitoring of student
 414 learning and performance;
 415 d. Skills in classroom management, violence prevention,
 416 conflict resolution, and related areas;
 417 e. Developmental disabilities pursuant to s. 1012.582;
 418 f. Youth suicide awareness and prevention pursuant to s.
 419 1012.583; and
 420 g. Youth mental health awareness and assistance pursuant to
 421 s. 1012.584.
 422 (5) Each institute approved pursuant to this section shall
 423 submit to the Department of Education annual performance
 424 evaluations that measure the effectiveness of the programs,
 425 including the pass rates of participants on all examinations
 426 required for teacher certification, employment rates,
 427 longitudinal retention rates, and satisfaction surveys of
 428 employers and candidates. The satisfaction surveys must be
 429 designed to measure the sufficient preparation of the educator
 430 for the student's proficiency in the use of state-adopted
 431 content standards, the realities of the classroom, and the
 432 institute's responsiveness to local school districts. These
 433 evaluations shall be used by the Department of Education for
 434 purposes of continued approval of an educator preparation
 435 institute's certification program.

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436 Section 5. Subsection (4) of section 1011.61, Florida
 437 Statutes, is amended to read:
 438 1011.61 Definitions.—Notwithstanding the provisions of s.
 439 1000.21, the following terms are defined as follows for the
 440 purposes of the Florida Education Finance Program:
 441 (4) The maximum value for funding a student in kindergarten
 442 through grade 12 or in a prekindergarten program for exceptional
 443 children as provided in s. 1003.21(1)(e) shall be the sum of the
 444 calculations in paragraphs (a), (b), and (c) as calculated by
 445 the department.
 446 (a) The sum of the student's full-time equivalent student
 447 membership value for the school year or the equivalent derived
 448 from paragraphs (1)(a) and (b), subparagraph (1)(c)1., sub-
 449 subparagraphs (1)(c)2.b. and c., subparagraph (1)(c)3., and
 450 subsection (2). If the sum is greater than 1.0, the full-time
 451 equivalent student membership value for each program or course
 452 shall be reduced by an equal proportion so that the student's
 453 total full-time equivalent student membership value is equal to
 454 1.0.
 455 (b) If the result in paragraph (a) is less than 1.0 full-
 456 time equivalent student and the student has full-time equivalent
 457 student enrollment pursuant to sub-sub-subparagraph
 458 (1)(c)1.b.(VIII), calculate an amount that is the lesser of the
 459 value in sub-sub-subparagraph (1)(c)1.b.(VIII) or the value of
 460 1.0 less the value in paragraph (a).
 461 (c) The full-time equivalent student enrollment value in
 462 sub-subparagraph (1)(c)2.a.
 463
 464 A scholarship award provided to a student enrolled in the John

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465 M. McKay Scholarships for Students with Disabilities Program
 466 pursuant to s. 1002.39 or the Family Empowerment Scholarship
 467 Program pursuant to s. 1002.394 is not subject to the maximum
 468 value for funding a student under this subsection.

469 Section 6. Subsection (5) of section 1012.56, Florida
 470 Statutes, is amended to read:

471 1012.56 Educator certification requirements.—

472 (5) MASTERY OF SUBJECT AREA KNOWLEDGE.—Acceptable means of
 473 demonstrating mastery of subject area knowledge are:

474 (a) For a subject requiring only a baccalaureate degree, a
 475 baccalaureate degree with a major in the subject area, conferred
 476 within the last 10 years from an accredited or approved
 477 institution as defined in rule 6A-4.003, Florida Administrative
 478 Code;

479 (b)(a) For a subject requiring only a baccalaureate degree
 480 for which a Florida subject area examination has been developed,
 481 achievement of a passing score on the Florida-developed subject
 482 area examination specified in state board rule;

483 (c)(b) For a subject for which a Florida subject area
 484 examination has not been developed, achievement of a passing
 485 score on a standardized examination specified in state board
 486 rule, including, but not limited to, passing scores on both the
 487 oral proficiency and written proficiency examinations
 488 administered by the American Council on the Teaching of Foreign
 489 Languages;

490 (d)(e) For a subject for which a Florida subject area
 491 examination has not been developed or a standardized examination
 492 has not been specified in state board rule, completion of the
 493 subject area specialization requirements specified in state

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494 board rule and verification of the attainment of the essential
 495 subject matter competencies by the district school
 496 superintendent of the employing school district or chief
 497 administrative officer of the employing state-supported or
 498 private school;

499 (e)(d) For a subject requiring a master's or higher degree,
 500 completion of the subject area specialization requirements
 501 specified in state board rule and achievement of a passing score
 502 on the Florida-developed subject area examination or a
 503 standardized examination specified in state board rule;

504 (f)(e) Documentation of a valid professional standard
 505 teaching certificate issued by another state;

506 (g)(f) Documentation of a valid certificate issued by the
 507 National Board for Professional Teaching Standards or a national
 508 educator credentialing board approved by the State Board of
 509 Education;

510 (h)(g) Documentation of successful completion of a United
 511 States Defense Language Institute Foreign Language Center
 512 program; or

513 (i)(h) Documentation of a passing score on the Defense
 514 Language Proficiency Test (DLPT).

515
 516 School districts are encouraged to provide mechanisms for middle
 517 grades teachers holding only a K-6 teaching certificate to
 518 obtain a subject area coverage for middle grades through
 519 postsecondary coursework or district add-on certification.

520 Section 7. Paragraph (g) is added to subsection (3) of
 521 section 1012.585, Florida Statutes, to read:

522 1012.585 Process for renewal of professional certificates.—

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523 (3) For the renewal of a professional certificate, the
 524 following requirements must be met:
 525 (g) A teacher may earn inservice points only once during
 526 each 5-year validity period for any mandatory training topic
 527 that is not linked to student learning or professional growth.
 528 Section 8. Subsections (5), (6), and (9) of section
 529 1012.79, Florida Statutes, are amended to read:
 530 1012.79 Education Practices Commission; organization.—
 531 (5) The Commissioner of Education, with the advice and
 532 consent of the commission chair, is responsible for appointing,
 533 and may remove, commission, by a vote of three-fourths of the
 534 membership, shall employ an executive director, who shall be
 535 exempt from career service. The executive director shall have
 536 administrative duties, as determined by the Commissioner of
 537 Education. The executive director may not impact or influence
 538 decisions of the commission. The executive director may be
 539 dismissed by a majority vote of the membership.
 540 (6) (a) The commission shall be assigned to the Department
 541 of Education for administrative and fiscal accountability
 542 purposes. The commission, in the performance of its powers and
 543 duties, shall not be subject to control, supervision, or
 544 direction by the Department of Education.
 545 (b) The property, personnel, and appropriations related to
 546 the specified authority, powers, duties, and responsibilities of
 547 the commission shall be provided to the commission by the
 548 Department of Education.
 549 (9) The commission shall make such expenditures as may be
 550 necessary in exercising its authority and powers and carrying
 551 out its duties and responsibilities, including expenditures for

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552 personal services, legal services ~~general counsel or access to~~
 553 ~~counsel~~, and rent at the seat of government and elsewhere; for
 554 books of reference, periodicals, furniture, equipment, and
 555 supplies; and for printing and binding. The expenditures of the
 556 commission shall be subject to the powers and duties of the
 557 Department of Financial Services as provided in s. 17.03.
 558 Section 9. Subsection (5) of section 1012.98, Florida
 559 Statutes, is amended, and subsections (13), (14), and (15) are
 560 added to that section, to read:
 561 1012.98 School Community Professional Development Act.—
 562 (5) Each district school board shall provide funding for
 563 the professional development system as required by s. 1011.62
 564 and the General Appropriations Act, and shall direct
 565 expenditures from other funding sources to continuously
 566 strengthen the system in order to increase student achievement
 567 and support instructional staff in enhancing rigor and relevance
 568 in the classroom. Each district school board shall calculate a
 569 proportionate share of professional development funds for each
 570 classroom teacher and allow each classroom teacher to use up to
 571 25 percent of the proportionate share on professional
 572 development that addresses the academic needs of students or an
 573 identified area of professional growth for the classroom
 574 teacher. The department shall identify professional development
 575 opportunities that require the classroom teacher to demonstrate
 576 proficiency in a specific classroom practice. A school district
 577 may coordinate its professional development program with that of
 578 another district, with an educational consortium, or with a
 579 Florida College System institution or university, especially in
 580 preparing and educating personnel. Each district school board

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581 shall make available inservice activities to instructional
582 personnel of nonpublic schools in the district and the state
583 certified teachers who are not employed by the district school
584 board on a fee basis not to exceed the cost of the activity per
585 all participants.

586 (13) To assist school district planning for required
587 teacher professional development, by August 1, 2020, the
588 department shall develop a model annual and 5-year calendar that
589 incorporates all state-required professional development. No
590 later than January 1, 2021, school districts shall develop an
591 annual and a 5-year calendar of professional development for
592 inclusion in the professional development system approved by the
593 department pursuant to subsection (4).

594 (14) The department shall develop and maintain a statewide
595 registry of approved professional development providers and
596 professional development activities for use by teachers in this
597 state. The registry is intended to provide educators with high-
598 quality professional development opportunities in addition to
599 those offered by an entity specified in subsection (1).

600 (a) Any professional development provider seeking to be
601 added to the registry must complete an application developed by
602 the department. Approved providers are responsible for notifying
603 the department of any changes to the provider or approved
604 activities using an update form developed by the department. The
605 approval form must include, but is not limited to, requirements
606 that the provider specify:

607 1. Compliance with this section.

608 2. The alignment of professional development activities
609 with professional development standards adopted by the state

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610 board in rule and standards adopted by the National Staff
611 Development Council.

612 3. Professional development activities offered by the
613 provider.

614 4. Qualifications of instructors for the professional
615 development activities to be approved.

616 (b) Providers specified in subsection (1), as well as
617 providers approved by such entities, are not required to seek
618 department approval to offer professional development activities
619 and are not required to be added to the registry. However, such
620 providers that wish to offer statewide professional development
621 opportunities may seek department approval and be added to the
622 registry.

623 (c) Providers approved by the department must maintain
624 information that includes, but is not limited to, the
625 professional development activity, date of the activity, hours
626 of instruction, and instructor, if applicable. The approved
627 provider must provide such information to each participant.

628 (d) The department shall review the professional
629 development provider application for compliance with
630 requirements. The department must inform the provider in writing
631 within 90 days after submission of an application regarding the
632 approval or denial of the provider. The approval is valid for a
633 period not to exceed 5 years, after which the provider must
634 reapply.

635 1. Each school district shall accept an approved
636 professional development activity on the registry toward meeting
637 the requirements of s. 1002.385(3).

638 2. The department shall determine the number of inservice

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639 hours to be awarded for completion of each specified
 640 professional development activity.

641 (15) There is created the Professional Development Choice
 642 Pilot Program to be administered by the department for a period
 643 of 3 years, subject to legislative appropriation. The purpose of
 644 the pilot program is to provide grants to eligible teachers to
 645 select professional learning opportunities that best meet each
 646 teacher's individual needs.

647 (a) A teacher may use a pilot program grant for
 648 professional development approved by a school district or by a
 649 provider approved by the department pursuant to subsection (14).

650 1. Professional development must be aligned with the
 651 standards adopted by the state board in rule and standards
 652 adopted by the National Staff Development Council.

653 2. Training completed under this subsection must comply
 654 with and satisfy the requirements of s. 1012.585(3).

655 3. Professional learning activities may include, but are
 656 not limited to, in-person or online training; travel and
 657 registration for conferences or workshops; college credit
 658 courses; and district professional development certification and
 659 education competency programs.

660 (b) To be eligible for a pilot program grant, an individual
 661 must:

662 1. Hold a professional certificate issued pursuant to s.
 663 1012.56(7) (a);

664 2. Be employed as a classroom teacher, as defined in s.
 665 1012.01(2) (a), excluding substitute teachers, by a district
 666 school board or by a charter school; and

667 3. Apply for a grant in a format determined by the

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668 department. The application must require an applicant to
 669 describe how the professional development activity relates to
 670 and will improve instruction in the classroom.

671 (c) Each classroom teacher eligible under paragraph (b) may
 672 receive a reimbursement for training pursuant to paragraph (a).
 673 The reimbursement for each teacher participating in the pilot
 674 program may not exceed \$500 per school year. Each classroom
 675 teacher is eligible for one grant per school year. The pilot
 676 program grants must be awarded on a first-come, first-served
 677 basis.

678 (d) Each school district shall:

679 1. Review a proposed professional development activity to
 680 determine alignment with district and individual professional
 681 development plans and determine the number of inservice credit
 682 hours to be awarded; and

683 2. Approve any professional development opportunity
 684 included on the department's registry pursuant to subsection
 685 (13).

686 (e) The department shall:

687 1. Maintain a registry of approved providers and
 688 professional development activities pursuant to subsection (14).

689 2. Establish, no later than August 1, 2020, a grant
 690 application form.

691 Section 10. Section 1012.981, Florida Statutes, is created
 692 to read:

693 1012.981 Professional Education Excellence Resources Pilot
 694 Program.—

695 (1) There is established the Professional Education
 696 Excellence Resources (PEER) Pilot Program, administered by the

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697 department, to provide school district flexibility to increase
 698 opportunities for professional learning, collaboration with
 699 teachers and leaders, and teacher leadership.

700 (2) The PEER Pilot Program is established in Clay,
 701 Pinellas, and Walton Counties.

702 (3) Participating school districts implementing the PEER
 703 Pilot Program may:

704 (a) Extend the contract day or the contract year, or both,
 705 for participating teachers for professional development,
 706 collaboration with colleagues, or instructional coaching. A
 707 participating school district that chooses to extend the
 708 contract day or year must, before the start of the 2020-2021
 709 school year, negotiate with the certified collective bargaining
 710 unit for instructional personnel a memorandum of understanding
 711 that addresses the additional duty hours in a week or duty days
 712 in a school year and additional payments based on the salary
 713 scale of the district to teachers who participate in the pilot
 714 program.

715 (b) Use program funds to:

716 1. Compensate teachers who are assigned to an extended
 717 school day or school year pursuant to paragraph (a).

718 2. Hire additional instructional personnel to provide
 719 teachers with additional planning periods or other release time
 720 to complete professional development, collaborate with
 721 colleagues, or perform other appropriate activities.

722 3. Provide content area specialists to provide support for
 723 teachers' individual needs and professional growth.

724 4. Provide instructional coaches for participating
 725 teachers.

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726 5. Provide professional development opportunities.

727 (4) School districts participating in the pilot program
 728 must collaborate with the department, postsecondary educational
 729 institutions, regional education consortia, the University of
 730 Florida Lastinger Center, or other appropriate organizations to
 731 develop high-quality online professional development
 732 opportunities accessible to instructional personnel statewide.

733 Such online professional development must:

734 (a) Be self-paced and available to teachers at any time.

735 (b) Align with standards for professional development as
 736 described in state board rule.

737 (c) Protect the private information of participants.

738 (d) Satisfy requirements for renewal of an educator
 739 certificate.

740 (e) Include online assessments with timely feedback to
 741 evaluate participant learning measured against program goals.

742 (5) Participating school districts may use program funds to
 743 establish a master teacher program. The master teacher program
 744 provides accomplished teachers the opportunity to innovate and
 745 improve classroom practices, facilitate improved professional
 746 development, and improve instructional quality through
 747 collaboration with teachers and leaders. School districts shall
 748 determine the specific roles assigned to a master teacher.

749 (a) Each master teacher program must include, but is not
 750 limited to:

751 1. Providing release time for planning and meeting with
 752 teachers and leaders;

753 2. Additional professional development opportunities, to
 754 include participation in local and national conferences or

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755 payments for college credit courses to increase skills or obtain
 756 a higher university degree; and
 757 3. Monetary compensation.
 758 (b) School districts may select for the master teacher
 759 program teachers who were rated highly effective in the previous
 760 school year and may determine other selection criteria, which
 761 may include, but are not limited to, information in performance
 762 evaluations, peer reviews, demonstration of content expertise,
 763 principal recommendation, or candidate interviews.
 764 (c) Each participating school district must collaborate
 765 with the department and with the University of Florida Lastinger
 766 Center to develop a master teacher academy to support
 767 instructional personnel statewide. The master teacher academy
 768 must:
 769 1. Provide recommendations for the selection, training, and
 770 support of district master teachers.
 771 2. Create a bank of online professional development tools
 772 that serve as exemplars for instructional best practices. Such
 773 content may include pedagogy, instructional delivery,
 774 professional learning communities, collaboration, personalized
 775 learning, teacher and student or parent conferencing, positive
 776 behavior supports, and using data to improve instruction.
 777 3. Provide instructional coaching for school-based leaders
 778 and principal supervisors. The content must focus on providing
 779 teachers with actionable feedback on performance.
 780 (6) Each school district participating in the PEER Pilot
 781 Program must annually, by August 1, report to the Governor, the
 782 President of the Senate, the Speaker of the House of
 783 Representatives, and the department on the performance of the

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784 pilot program. Each report must include, but is not limited to:
 785 (a) The use of the pilot program funds.
 786 (b) The impact of the pilot program on student achievement.
 787 (c) The impact of the pilot program on teacher annual
 788 evaluations.
 789 (d) The results of satisfaction surveys given to pilot
 790 program participants.
 791 (e) Recommendations for continuation of the pilot program
 792 and for scaling the pilot program for statewide implementation.
 793 (7) The State Board of Education shall adopt rules to
 794 administer this section.
 795 (8) This section shall be implemented only to the extent
 796 specifically funded and authorized by law.
 797 Section 11. Subsection (1) of section 1012.586, Florida
 798 Statutes, is amended to read:
 799 1012.586 Additions or changes to certificates; duplicate
 800 certificates.—A school district may process via a Department of
 801 Education website certificates for the following applications of
 802 public school employees:
 803 (1) Addition of a subject coverage or endorsement to a
 804 valid Florida certificate on the basis of the completion of the
 805 appropriate subject area testing requirements of s.
 806 1012.56(5)(b) ~~e. 1012.56(5)(a)~~ or the completion of the
 807 requirements of an approved school district program or the
 808 inservice components for an endorsement.
 809 (a) To reduce duplication, the department may recommend the
 810 consolidation of endorsement areas and requirements to the State
 811 Board of Education.
 812 (b) By July 1, 2018, and at least once every 5 years

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813 thereafter, the department shall conduct a review of existing
814 subject coverage or endorsement requirements in the elementary,
815 reading, and exceptional student educational areas. The review
816 must include reciprocity requirements for out-of-state
817 certificates and requirements for demonstrating competency in
818 the reading instruction professional development topics listed
819 in s. 1012.98(4)(b)11. The review must also consider the award
820 of an endorsement to an individual who holds a certificate
821 issued by an internationally recognized organization that
822 establishes standards for providing evidence-based interventions
823 to struggling readers or who completes a postsecondary program
824 that is accredited by such organization. Any such certificate or
825 program must require an individual who completes the certificate
826 or program to demonstrate competence in reading intervention
827 strategies through clinical experience. At the conclusion of
828 each review, the department shall recommend to the state board
829 changes to the subject coverage or endorsement requirements
830 based upon any identified instruction or intervention strategies
831 proven to improve student reading performance. This paragraph
832 does not authorize the state board to establish any new
833 certification subject coverage.

834
835 The employing school district shall charge the employee a fee
836 not to exceed the amount charged by the Department of Education
837 for such services. Each district school board shall retain a
838 portion of the fee as defined in the rules of the State Board of
839 Education. The portion sent to the department shall be used for
840 maintenance of the technology system, the web application, and
841 posting and mailing of the certificate.

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842 Section 12. This act shall take effect July 1, 2020.

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THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

2/25/2020
Meeting Date

1220
Bill Number (if applicable)

Topic Education

181396
Amendment Barcode (if applicable)

Name James Herzog

Job Title Associate Director for Education

Address 201 West Park Ave
Street

Phone (850) 205-6827

Tallahassee FL 32301
City State Zip

Email jherzog@flaccb.org

Speaking: For Against Information

Waive Speaking: In Support Against
(The Chair will read this information into the record.)

Representing Florida conference of Catholic Bishops

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

Feb 25 2020
Meeting Date

SB 1220
Bill Number (if applicable)

delete all: 181396
Amendment Barcode (if applicable)

Topic Education

Name Marie-Claire Leman

Job Title Parent + Public school advocate

Address 1911 Wahalaw Ct
Street

Phone 850 728-7514

Tallahassee FL 32301
City State Zip

Email marieclaireleman@gmail.com

Speaking: For Against Information

Waive Speaking: In Support Against
(The Chair will read this information into the record.)

Representing Myself

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

2/25/20

Meeting Date

1220

Bill Number (if applicable)

Topic FAMILY EMPOWERMENT

Amendment Barcode (if applicable)

Name REV DR RUSSELL MEYER

Job Title EXEC DIR

Address 3838 W CYPRESS ST

Phone 813 435 5335

Street

TAMPA

City

FL

State

33607

Zip

Email _____

Speaking: For Against Information

Waive Speaking: In Support Against
(The Chair will read this information into the record.)

Representing FL COUNCIL OF CHURCHES

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.

S-001 (10/14/14)

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

ES

2/25/20
Meeting Date

1220
Bill Number (if applicable)

Amendment Barcode (if applicable)

Topic _____

Name Jared Ochs

Job Title Director of Legislative Affairs

Phone _____

Address 325 West Gaines Street

Email jared.ochs@fldoe.org

Tallahassee FL 32399
City State Zip

Waive Speaking: In Support Against
(The Chair will read this information into the record.)

Speaking: For Against Information

Representing Florida Department of Education

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

2/25/2020

Meeting Date

SB 1220

Bill Number (if applicable)

Topic SB 1220 Education

Name Mimi Jankovitz

Job Title Director

Phone 2133045038

Address 3100 N 29th Court

Street

Hollywood

City

FL

State

33020

Zip

Email mimij@ou.org

Speaking: For Against Information

Waive Speaking: In Support Against
(The Chair will read this information into the record.)

Representing Teach Florida

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.

S-001 (10/14/14)

THE FLORIDA SENATE

APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

2/25/2020
Meeting Date

SB 1220
Bill Number (if applicable)

Topic Education

Amendment Barcode (if applicable)

Name Matthew Choy

Job Title Policy Director

Address 136 S. Bronough St

Phone 561-386-3451

Street

Tallahassee

FL

32311

Email mchoy@flchamber.com

City

State

Zip

Speaking: For Against Information

Waive Speaking: In Support Against
(The Chair will read this information into the record.)

Representing The Florida Chamber of Commerce

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

2/25/20
Meeting Date

SR 1220
Bill Number (if applicable)

Topic Education

Amendment Barcode (if applicable)

Name Dawn Steward

Job Title _____

Address 2130 Blossom Lane
Street
Winter Park, FL 32789
City State Zip

Phone 407-645-0293

Email st42130@aol.com

Speaking: For Against Information

Waive Speaking: In Support Against
(The Chair will read this information into the record.)

Representing Florida PTA

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

2/25/2020

Meeting Date

SB 1220

Bill Number (if applicable)

Topic _____

Amendment Barcode (if applicable)

Name Jessica Evans

Job Title Teacher

Address 1104B Fenimore Ln

Phone 386-931-0402

Street

Palm Coast

FL

32137

Email jlibywe@yahoo.com

City

State

Zip

Speaking: For Against Information

Waive Speaking: In Support Against
(The Chair will read this information into the record.)

Representing Self

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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S-001 (10/14/14)

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

2-25-2020
Meeting Date

SB1220
Bill Number (if applicable)

Topic _____

Amendment Barcode (if applicable)

Name Susan J. Grego

Job Title Teacher

Address 230 Boulder Rock Dr

Phone _____

Street

Palm Coast FL 32137

City

State

Zip

Email pinkfloatsk@gmail.com

Speaking: For Against Information

Waive Speaking: In Support Against
(The Chair will read this information into the record.)

Representing self.

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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S-001 (10/14/14)

THE FLORIDA SENATE
APPEARANCE RECORD

2/25/2020

Meeting Date

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

SB1220

Bill Number (if applicable)

Topic SB1220 Education

Amendment Barcode (if applicable)

Name Linda Muir

Job Title Teacher

Address 19 Zorach Pl

Phone 386-627-6856

Street

Palm Coast, FL 32169

Email linda.muir@gmail.com

City

State

Zip

Speaking: For Against Information

Waive Speaking: In Support Against
(The Chair will read this information into the record.)

Representing Flagler County Teachers self

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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S-001 (10/14/14)

THE FLORIDA SENATE

APPEARANCE RECORD

2/25/20

Meeting Date

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

SB 1228

Bill Number (if applicable)

Topic Education

Amendment Barcode (if applicable)

Name David Morris

Job Title Teacher

Address 39 Pershing Ln

Phone 386-627-9249

Street

City

Palm Coast FL

State

32169

Zip

Email mrlannier13fin@yaho

Speaking: For Against Information

Waive Speaking: In Support Against
(The Chair will read this information into the record.)

Representing self

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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S-001 (10/14/14)

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

2-25-20

Meeting Date

SB 1220

Bill Number (if applicable)

Amendment Barcode (if applicable)

Topic _____

Name Stacey Smith

Job Title teacher

Address 27 Egan Drive

Street

Palm Coast FL 32164

City

State

Zip

Phone 386 313 6534

Email ndgirl71@gmail.com

Speaking: For Against Information

Waive Speaking: In Support Against
(The Chair will read this information into the record.)

Representing self

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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S-001 (10/14/14)

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

02/25/2020

Meeting Date

SB1220

Bill Number (if applicable)

Amendment Barcode (if applicable)

Topic _____

Name Katie Hansen

Job Title Teacher

Address 809 N. Anderson St

Phone 380-237-2636

Street

Bunnell, FL

State

32110

Zip

Email _____

Speaking: For Against Information

Waive Speaking: In Support Against
(The Chair will read this information into the record.)

Representing Self

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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S-001 (10/14/14)

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

2/25/20

Meeting Date

1220

Bill Number (if applicable)

Topic Education

Amendment Barcode (if applicable)

Name Phillip Suderman

Job Title Policy Director

Address _____
Street

Phone _____

Email _____

City

State

Zip

Speaking: For Against Information

Waive Speaking: In Support Against
(The Chair will read this information into the record.)

Representing Americans for Prosperity

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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S-001 (10/14/14)

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

02/24/2020
Meeting Date

SB 1220
Bill Number (if applicable)

Topic EDUCATION

Amendment Barcode (if applicable)

Name CESAR GRAJALES

Job Title COALITIONS DIRECTOR

Address 200 W. COLLEGE AVE.
Street
TALLAHASSEE FL.
City State Zip

Phone 786.260.9283

Email cgrajales@belibtc.org

Speaking: For Against Information

Waive Speaking: In Support Against
(The Chair will read this information into the record.)

Representing _____

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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S-001 (10/14/14)

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

2-25-20

Meeting Date

1220

Bill Number (if applicable)

Topic JB 1220

Amendment Barcode (if applicable)

Name Muerette Hyacinthe

Job Title parent

Address 2040 NE 16 AVE APT 212

Phone 786 380 16 28

Street

Miami FL 33161

City

State

Zip

Email angelica964@yahoo

Speaking: For Against Information

Waive Speaking: In Support Against
(The Chair will read this information into the record.)

Representing _____

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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S-001 (10/14/14)

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

2-25-20

Meeting Date

1220

Bill Number (if applicable)

Topic SB 1220

Amendment Barcode (if applicable)

Name Adriana Ortega

Job Title parent

Address 2420 WoodsEdge Cir

Phone 321-217-7765

Street

Orlando, FL

State

32817

Zip

Email atybas123@gmail.com

Speaking: For Against Information

Waive Speaking: In Support Against
(The Chair will read this information into the record.)

Representing _____

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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S-001 (10/14/14)

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

2-25-20

Meeting Date

1220

Bill Number (if applicable)

Topic SB 1220

Amendment Barcode (if applicable)

Name Hannah Plante

Job Title Manager of legislative Affairs

Address _____

Phone 813 361 1735

Street

Tallahassee

FL

32302

City

State

Zip

Email hplante@sufs.org

Speaking: For Against Information

Waive Speaking: In Support Against
(The Chair will read this information into the record.)

Representing _____

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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S-001 (10/14/14)

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

2-25-20

Meeting Date

1220

Bill Number (if applicable)

Topic SB 1220

Amendment Barcode (if applicable)

Name Michelle Porter

Job Title parent

Address 3000 NW 10th Ave

Phone 786-774-6494

Street

miami

City

State

Zip

Email Chela2480@gmail.com

Speaking: For Against Information

Waive Speaking: In Support Against
(The Chair will read this information into the record.)

Representing _____

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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S-001 (10/14/14)

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

2-25-20
Meeting Date

1220
Bill Number (if applicable)

Topic SB 1220

Amendment Barcode (if applicable)

Name Nadia Hionides

Job Title principal

Address 47 Eleventh st

Phone _____

Atlantic Bch FL 32233
City State Zip

Email _____

Speaking: For Against Information

Waive Speaking: In Support Against
(The Chair will read this information into the record.)

Representing _____

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

2-25-20
Meeting Date

1220
Bill Number (if applicable)

Topic SB 1220

Amendment Barcode (if applicable)

Name Elijah Robinson

Job Title student

Address ~~14156 Washburn Ct~~ 14156 Washburn Ct
Street
Jacksonville Florida 32250
City State Zip

Phone 904 318-1279

Email Erobinson19@foundationacademy

Speaking: For Against Information

Waive Speaking: In Support Against
(The Chair will read this information into the record.)

Representing _____

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

2/25/20

Meeting Date

1220

Bill Number (if applicable)

Topic School Choice

Amendment Barcode (if applicable)

Name Elaine Roberts

Job Title Parent

Address 7028 Sawley Ct

Phone 850-567-0538

Street

Tallahassee FL 32317

City

State

Zip

Email robertsfamily510@gmail.com

Speaking: For Against Information

Waive Speaking: In Support Against *com*
(The Chair will read this information into the record.)

Representing self

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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S-001 (10/14/14)

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

SB1220

Bill Number (if applicable)

Meeting Date

Topic Education

Amendment Barcode (if applicable)

Name Adam Campbell

Job Title

Address 3738 Kenyon Road

Phone 561-452-7748

Street

Lake Worth FL 33461

Email

City

State

Zip

Speaking: For Against Information

Waive Speaking: In Support Against
(The Chair will read this information into the record.)

Representing my self

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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S-001 (10/14/14)

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

2/25/20
Meeting Date

SR 1220
Bill Number (if applicable)

Topic Education

Amendment Barcode (if applicable)

Name Rev. James T. Golden

Job Title Pastor; AME Church Social Action

Address 4815 11th Ave Cir E.
Bradenton FL 34208
City State Zip

Phone 941-773-4031

Email jame.thegold@aol.com

Speaking: For Against Information

Waive Speaking: In Support Against
(The Chair will read this information into the record.)

Representing Pastors For Florida Children

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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S-001 (10/14/14)

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

SB 1220

Meeting Date

Bill Number (if applicable)

Topic

2-25-2020

Amendment Barcode (if applicable)

Name

JASON SORANSON

Job Title

ELECTRICIAN

Address

174 GARD AVF

Phone

386-215-5481

Street

OAK HILL FL 32759

Email

-

City

State

Zip

Speaking: For Against Information

Waive Speaking: In Support Against
(The Chair will read this information into the record.)

Representing

SELF

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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S-001 (10/14/14)

THE FLORIDA SENATE
APPEARANCE RECORD

2-25-2020

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting.)

SB 1220

Meeting Date

Bill Number (if applicable)

Topic Education

Amendment Barcode (if applicable)

Name Bryan Porter

Job Title Electrician

Address 24961 N.E 135th St.

Phone 386-682-8243

Salt Springs FL 32134
City State Zip

Email BP179@yahoo.com

Speaking: For Against Information

Waive Speaking: In Support Against
(The Chair will read this information into the record.)

Representing Self

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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S-001 (10/14/14)

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

2/25/18 2020
Meeting Date

SB 1220
Bill Number (if applicable)

Amendment Barcode (if applicable)

Topic _____

Name Chriz Rusnak

Job Title Teacher

Address 512 Cliff Drive
Street

Phone 813-943-3972

Temple Terrace FL 33617
City State Zip

Email crusnak97@gmail.com

Speaking: For Against Information

Waive Speaking: In Support Against
(The Chair will read this information into the record.)

Representing _____

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

S-001 (10/14/14)

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THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

2/25/20
Meeting Date

SB 1220
Bill Number (if applicable)

Topic Family Empowerment Scholarship

Amendment Barcode (if applicable)

Name Linda Edson

Job Title Legislative Chair - volunteer

Address 1841 Myrick Rd
Street

Phone 850-510-2729

Tallahassee FL 32303
City State Zip

Email edsonl@nettally.com

Speaking: For Against Information

Waive Speaking: In Support Against
(The Chair will read this information into the record.)

Representing Florida Retired Educators Association

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.

S-001 (10/14/14)

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

25 Feb. 2020
Meeting Date

SB 1220
Bill Number (if applicable)

Amendment Barcode (if applicable)

Topic _____

Name Johnny A. Green, Sr

Job Title Education

Address 10487 Avelar Ridge Dr.

Phone 813-767-8865

Street

Riverview

City

FL

State

33578

Zip

Email JohnnyAEGreen@Hillsborough.com

Speaking: For Against Information

Waive Speaking: In Support Against
(The Chair will read this information into the record.)

Representing Hillsborough Classroom Teacher Ass.

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

2/25/2020
Meeting Date

SB1220
Bill Number (if applicable)

Topic Voucher Expansion

Amendment Barcode (if applicable)

Name Samantha Mrozowski

Job Title Teacher

Address 4115 Grass Ave.

Phone 863-464-7356

Street

Sebring
City

FL
State

33875
Zip

Email spage1983@gmail.com

Speaking: For Against Information

Waive Speaking: In Support Against
(The Chair will read this information into the record.)

Representing myself

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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S-001 (10/14/14)

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

2-25-2020
Meeting Date

SB1220
Bill Number (if applicable)

Topic Voucher Expansion

Amendment Barcode (if applicable)

Name Nicholas Mozowski

Job Title Teacher

Address 4115 GRASS AVE
Street

Phone 386-747-6510

SEBRING FL 33875
City State Zip

Email nickmaz@gmail.com

Speaking: For Against Information

Waive Speaking: In Support Against
(The Chair will read this information into the record.)

Representing myself

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.

S-001 (10/14/14)

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

2/25/20

Meeting Date

SB 1220

Bill Number (if applicable)

Topic Education

Amendment Barcode (if applicable)

Name Michael Nelson

Job Title Heavy Equipment Operator

Address 1628 SW 4th Street

Phone 352 497 8041

Street

Ocala

FL

State

34471

Zip

Email _____

Speaking: For Against Information

Waive Speaking: In Support Against
(The Chair will read this information into the record.)

Representing Myself

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

S-001 (10/14/14)

This form is part of the public record for this meeting.

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

2/25/2020

Meeting Date

SB 1220

Bill Number (if applicable)

Topic _____

Amendment Barcode (if applicable)

Name Caitlin Gilte

Job Title Assoc. Professor

Address 3410 Riverview Dr

Phone 352-573-1776

Street

Tampa

City

FL

State

33604

Zip

Email cmgille@gmail.com

Speaking: For Against Information

Waive Speaking: In Support Against
(The Chair will read this information into the record.)

Representing _____

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.

S-001 (10/14/14)

THE FLORIDA SENATE
APPEARANCE RECORD

2/25/2020
Meeting Date

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

SB 1270
Bill Number (if applicable)

Topic Education

Amendment Barcode (if applicable)

Name Chonavia (sha-nay-v-ah) Smith

Job Title Organizer

Address 2718 Candlewood Ct

Phone 407-225-3731

Street
City Poplar FL 32703
State Zip

Email csmith@vrsr.org

Speaking: For Against Information

Waive Speaking: In Support Against
(The Chair will read this information into the record.)

Representing MYSELF

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

SB 1220
Bill Number (if applicable)

Meeting Date _____
Topic Education
Name Bob Finner
Job Title Partner
Address 1540 Club
Street
Georgetown A 32139
City State Zip

Amendment Barcode (if applicable) _____

Phone Private
Email _____

Speaking: For Against Information

Waive Speaking: In Support Against
(The Chair will read this information into the record.)

Representing The People of Florida

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

2-25-2020
Meeting Date

SB 1220
Bill Number (if applicable)

Topic Education

Amendment Barcode (if applicable)

Name Barbara Bridgett

Job Title ESE Teacher

Address 13706 41st Lane N.

Phone 561-436-9484

Kapil Palm Beach FL 33411
City State Zip

Email bridgettb117@gmail.com

Speaking: For Against Information

Waive Speaking: In Support Against
(The Chair will read this information into the record.)

Representing Palm Beach County CTA, AFT local 7451

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

2/25/2020
Meeting Date

SB 1220
Bill Number (if applicable)

Amendment Barcode (if applicable)

Topic Education

Name April D. Isaacs

Job Title Teacher

Address 1911 Kings Pt. Blvd.

Phone (417) 414-1670

Street Kissimmee, State FL Zip 34744

Email adisacsd039@hotmail.com

Speaking: For Against Information

Waive Speaking: In Support Against
(The Chair will read this information into the record.)

Representing Osceola County Educators Association

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

2/25/2020
Meeting Date

1220
Bill Number (if applicable)

Topic SB 1220 Education

Amendment Barcode (if applicable)

Name Paul Hamilton

Job Title Library Media Specialist

Address 176 SE 27th Way
Street
Brynton Beach FL 33435
City State Zip

Phone (561) 236-1534

Email Vade176@google.com

Speaking: For Against Information

Waive Speaking: In Support Against
(The Chair will read this information into the record.)

Representing Palm Beach County Classroom Teachers

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

2-25-2020

Meeting Date

1220

Bill Number (if applicable)

Topic Family Empowerment Scholarship

Amendment Barcode (if applicable)

Name Debbie Northam

Job Title Legislative Director

Address 215 S. Monroe St.

Phone _____

Street

Tallahassee FL 32311

Email _____

City

State

Zip

Speaking: For Against Information

Waive Speaking: In Support Against
(The Chair will read this information into the record.)

Representing Foundation for Florida's Future

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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S-001 (10/14/14)

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

2/25/2020
Meeting Date

SB1220
Bill Number (if applicable)

Topic Education

Amendment Barcode (if applicable)

Name Laura Lovett-Estima

Job Title District Records Clerk

Address 3610 Avenue Q

Phone 772-332-8229

Street

Ft. Pierce

FL

34947

City

State

Zip

Email maladilw68@gmail.com

Speaking: For Against Information

Waive Speaking: In Support Against
(The Chair will read this information into the record.)

Representing Self

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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S-001 (10/14/14)

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

2/25/2020
Meeting Date

8B1220
Bill Number (if applicable)

Topic Education

Amendment Barcode (if applicable)

Name LaShawn Floyd

Job Title Education Support Professional

Address 1583 SE Tiffany Club Pl

Phone 561-201-1214

Street

Port

City

State

Zip

Email laflo73@hotmail.com

Speaking: For Against Information

Waive Speaking: In Support Against
(The Chair will read this information into the record.)

Representing Concerned Citizens / Education Assoc. St. Lucie Co.

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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S-001 (10/14/14)

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

Feb. 25, 2020
Meeting Date

SB 1220
Bill Number (if applicable)

Topic Education

Amendment Barcode (if applicable)

Name Colleen Peterson

Job Title Teacher

Address 958 SW Whittier Terrace
Street

Phone 772-224-5545

Port St. Lucie FL. 34953-
City State Zip

Email Colleen.Peterson14@gmail.com

Speaking: For Against Information

Waive Speaking: In Support Against
(The Chair will read this information into the record.)

Representing Education Asso. of St. Lucie County - Teacher

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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S-001 (10/14/14)

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

2/25

Meeting Date

SB 1220

Bill Number (if applicable)

Topic Education

Amendment Barcode (if applicable)

Name Nicolette Owens

Job Title high school teacher

Address 5131 E POA Ajno Landings Blvd #204

Phone 772-267-0827

Street

Fort Pierce

City

Fla.

State

34947

Zip

Email menicko@yahoo.com

Speaking: For Against Information

Waive Speaking: In Support Against
(The Chair will read this information into the record.)

Representing St. Lucie EA SL #3616 (Teacher union)

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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S-001 (10/14/14)

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

2-25-2020

Meeting Date

SB 1220

Bill Number (if applicable)

Topic Voucher Expansion

Amendment Barcode (if applicable)

Name Roger Simmermaker

Job Title CEO/President

Address 13112 Arconomink Ln.

Phone 407-234-4626

Street

Orlando FL 32828

City

State

Zip

Email how2buyamerican@gmail

Speaking: For Against Information

Waive Speaking: In Support Against
(The Chair will read this information into the record.)

Representing Consumer Patriotism Corp.

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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S-001 (10/14/14)

THE FLORIDA SENATE

APPEARANCE RECORD

2/25/20

Meeting Date

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

SB 1220

Bill Number (if applicable)

Topic Education

Amendment Barcode (if applicable)

Name Lare Allen

Job Title Dean of Students

Address 618 Robin Ln

Phone 407 837 2243

City Kissimmee State FL Zip 34759

Email n8tivistuff@gmail

Speaking: For Against Information

Waive Speaking: In Support Against
(The Chair will lead this information into the record.)

Representing Oseola County Education Assoc

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

02/25/2020
Meeting Date

SB 1220
Bill Number (if applicable)

Topic Education

Amendment Barcode (if applicable)

Name Melissa Merriweather

Job Title Instructional Paraprofessional

Address 2416 NE 32nd St.
Street

Phone 352.299.6456

Ocala FL 34479
City State Zip

Email mmerriad@7@yahoo.com

Speaking: For Against Information

Waive Speaking: In Support Against
(The Chair will read this information into the record.)

Representing Marion Essential Support Personnel

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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S-001 (10/14/14)

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

02/25/2020
Meeting Date

SB 1220
Bill Number (if applicable)

Topic Education

Amendment Barcode (if applicable)

Name Charles S Fox

Job Title Teacher

Address 60027 Kestrel Cir
Street

Phone 239-940-5095

Fort Myers FL 33906
City State Zip

Email charlesfox@aol.com

Speaking: For Against Information

Waive Speaking: In Support Against
(The Chair will read this information into the record.)

Representing Self

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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S-001 (10/14/14)

THE FLORIDA SENATE
APPEARANCE RECORD

02-25-2020

Meeting Date

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

1220

Bill Number (if applicable)

Topic EDUCATION

Amendment Barcode (if applicable)

Name ROBERT CHAPMAN

Job Title STATE EMPLOYEE

Address 3622 WILLIAM RAY ROAD

Phone _____

Street

PLANT CITY FLORIDA 33765

Email _____

City

State

Zip

Speaking: For Against Information

Waive Speaking: In Support Against
(The Chair will read this information into the record.)

Representing _____

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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S-001 (10/14/14)

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

2/25/2020
Meeting Date

SB/220
Bill Number (if applicable)

Topic Education

Amendment Barcode (if applicable)

g the meeting) SBI
Bill Number (

Name Kimbra Hanshaw

Amendment Barcode

Job Title 6th Gr. Sci Teacher (36 yrs)

School

Address 1687 Steve Roberts Special
Zolfo Springs FL 33890
Street City State Zip

Phone 863-781-7931

863-445-6

Email kimhanshaw2@gmail.com

mitzip79@k

Speaking: For Against Information

Waive Speaking: In Support Against
(The Chair will read this information into the record.)

In Support A
his information into the r

Representing HEA-United-Wauchula, FL Hardee Co.

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

Legislature: Yes

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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S-001 (10/14/14)

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

2/26/2020
Meeting Date

SB 1220
Bill Number (if applicable)

Topic Education

Amendment Barcode (if applicable)

Name Natalie Hayes

Job Title _____

Address 7119 Pender Way
Street
Orlando FL
City State Zip

Phone _____

Email steezmon@gmail

Speaking: For Against Information

Waive Speaking: In Support Against
(The Chair will read this information into the record.)

Representing _____

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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S-001 (10/14/14)

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

02/26/2020
Meeting Date

SB 1220
Bill Number (if applicable)

Topic Education

Amendment Barcode (if applicable)

Name Shaquille Mackey

Job Title _____

Address _____
Street

Phone _____

City

State

Zip

Email _____

Speaking: For Against Information

Waive Speaking: In Support Against
(The Chair will read this information into the record.)

Representing _____

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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S-001 (10/14/14)

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

02/25/20
Meeting Date

SB1220
Bill Number (if applicable)

Topic Education

Amendment Barcode (if applicable)

Name Alexander H. Smith

Job Title Commissioner City of Apopka

Address 569 Strathclyde Court

Phone 407-721-4759

Apopka
City

FL
State

32712
Zip

Email Smith.congress@aol.com

Speaking: For Against Information

Waive Speaking: In Support Against
(The Chair will read this information into the record.)

Representing Pastor's for Florida Children

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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S-001 (10/14/14)

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

35

1220

Bill Number (if applicable)

Amendment Barcode (if applicable)

Meeting Date

Topic Public Education

Name Pam Bergsma "Joey's grandma"

Job Title _____

Address 619 South K St

Phone 561-586-2094

LW Beach FL 33460
City State Zip

Email lovejoey@bellsouth.net

Speaking: For Against Information

Waive Speaking: In Support Against
(The Chair will read this information into the record.)

Representing My grandchildren

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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S-001 (10/14/14)

THE FLORIDA SENATE
APPEARANCE RECORD

2-25-2020

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

~~2012~~ 1220

Meeting Date

Bill Number (if applicable)

Topic Public Education

Amendment Barcode (if applicable)

Name Nancy Smithem

Job Title Retired

Address 6398 Bombardil Drive
Street
Tallahassee City 32303 State Zip

Phone _____

Email _____

Speaking: For Against Information

Waive Speaking: In Support Against
(The Chair will read this information into the record.)

Representing Public Schools

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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S-001 (10/14/14)

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

2/25/20

Meeting Date

1220

Bill Number (if applicable)

Topic Family Empowerment Scholarship Program

Amendment Barcode (if applicable)

Name Angie Doherty

Job Title Teacher

Address 4410 NW 15th PL

Phone (352) 519-9005

Street

Gainesville, FL 32605

City

State

Zip

Email doherty1aj@aol.com

Speaking: For Against Information

Waive Speaking: In Support Against
(The Chair will read this information into the record.)

Representing self

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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S-001 (10/14/14)

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

2/25/2020
Meeting Date

1220
Bill Number (if applicable)

Topic Education

Amendment Barcode (if applicable)

Name James Herzog

Job Title Associate Director for Education

Address _____
Street

Phone (850) 205-6827

City

State

Zip

Email jherzog@flaccbi.org

Speaking: For Against Information

Waive Speaking: In Support Against
(The Chair will read this information into the record.)

Representing Florida conference of Catholic Bishops

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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S-001 (10/14/14)

THE FLORIDA SENATE
APPEARANCE RECORD

2-25-2020

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

SB 1220

Meeting Date

Bill Number (if applicable)

Topic EDUCATION

Amendment Barcode (if applicable)

Name FRANK ANGEL

Job Title _____

Address 21180 VIA EDEY
Street

Phone _____

BOCA RATON FL. 33433
City State Zip

Email _____

Speaking: For Against Information

Waive Speaking: In Support Against
(The Chair will read this information into the record.)

Representing SELF

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.

S-001 (10/14/14)

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Appropriations Subcommittee on Education

BILL: PCS/CS/SB 1568 (219554)

INTRODUCER: Appropriations Subcommittee on Education; Education Committee and Senator Hutson

SUBJECT: Education

DATE: February 26, 2020

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	<u>Bouck</u>	<u>Sikes</u>	<u>ED</u>	Fav/CS
2.	<u>Underhill</u>	<u>Elwell</u>	<u>AED</u>	Recommend: Fav/CS
3.	_____	_____	<u>AP</u>	_____

Please see Section IX. for Additional Information:

COMMITTEE SUBSTITUTE - Substantial Changes

I. Summary:

PCS/CS/SB 1568 modifies Florida's career and technical education program to provide supports for students in work-based learning programs, modify funding incentives for industry certifications, and establish a process to evaluate innovative delivery of career instruction. Specifically, the bill:

- Requires that certain individuals in a work-based learning experience are deemed to be employees of the state for purposes of workers' compensation, and:
 - Establishes a reporting requirement about students participating in specified programs or courses.
 - Specifies responsibilities for the costs of workers' compensation and payments to the Division of Risk Management of the Department of Financial Services.
- Changes provisions related to Career and Professional Education (CAPE) industry certifications by:
 - Clarifying Commissioner of Education authority regarding CAPE industry certifications and CAPE Digital Tool Certificates.
 - Modifying the award and use of CAPE industry certification bonus funds relating to credit awarded under statewide articulation agreements.
 - Providing bonus funds for aviation and aerospace industry certifications.
- Requires the Commissioner of Education to submit a report by December 1, 2020, meeting specified requirements, to determine the feasibility of implementing a Pathways in Technology Early College High School (P-TECH), or similar program, in Florida.

The revisions to the award of CAPE industry certification bonus funds and bonus funds for completion of Federal Aviation Administration industry certifications may affect the amount a school district annually earns in the FEFP or the amount a school district or college earns in Performance Based Incentive funding in the General Appropriations Act depending on the number of industry certifications completed by students; however, the revisions to the bonus awards do not require an additional appropriation.

The bill requires the Department of Education to pay the Division of Risk Management four equal payments of \$470,000 in the 2020-2021 fiscal year to cover the additional claim costs for participants in preapprenticeship and work-based learning programs.

The fiscal impact is discussed in section V.

The bill takes effect on July 1, 2020.

II. Present Situation:

Work-based Learning

Federal legislation defines work-based learning (WBL) as “sustained interactions with industry or community professionals in real workplace settings, to the extent practicable, or simulated environments at an educational institution that foster in depth, firsthand engagement with the tasks required in a given career field, that are aligned to curriculum and instruction.”¹ Learning set in the real-world context of work not only makes academic learning more accessible to many students but also increases their engagement in schooling. WBL can play a crucial role in improving outcomes for at-risk students by increasing their engagement in learning, whether in or out of school.²

WBL takes many forms, such as internships, job shadowing, service learning or preapprenticeships, and is defined by activities and experiences that occur when a student or worker:³

- Goes to a workplace or works with an employer.
- Does meaningful job tasks that develop his or her skills, knowledge, and readiness for work and support entry or advancement in a particular career field.

WBL is comprised of identified courses that involve on-the-job training which is an instructional method whereby students acquire knowledge and skills exclusively on-site with a business or industry partner instead of a traditional classroom setting. WBL may also be delivered through

¹ Perkins V (The Strengthening Career and Technical Education for the 21st Century Act) and other federal legislation reference and support work-based learning, including in the Every Student Succeeds Act of 2015 (ESSA), and the Workforce Innovation and Opportunity Act of 2014 (WIOA).

² Email from Jared Ochs, Director of Legislative Affairs, Florida Department of Education (Jan. 23, 2020) (on file with the Senate Committee on Education).

³ Jobs for the Future, Center for Apprenticeship & Work-Based Learning, *What is Work-Based Learning?*, <https://center4apprenticeship.jff.org/work-based-learning/> (last visited Jan. 23, 2020). See also Southern Regional Education Board, *Work-Based Learning*, <https://www.sreb.org/node/1923> (last visited Jan. 23, 2020).

utilization of the cooperative method of instruction which is delivered through formal classroom instruction and on-the-job learning, on-site, with a business or industry partner.⁴

Recent research, policy literature, and federal legislation suggest that comprehensive WBL programs contain three key components: the alignment of classroom and workplace learning; application of academic, technical, and employability skills in a work setting; and support from classroom or workplace mentors.⁵

In 2018-2019, there were 19,992 students enrolled in secondary on-the-job training, preapprenticeship, work experience, and other WBL courses.⁶

Workers' Compensation

Workers' compensation is a form of insurance designed to provide wage replacement and medical benefits for employees who are injured in the course of employment, in exchange for giving up the right to sue the employer for negligence. In Florida, workers' compensation is governed by ch. 440, F.S., the "Workers' Compensation Law." The law prescribes coverage requirements, medical and indemnity benefits, the rights and responsibilities of employers, injured employees, medical providers, and carriers, as well as procedures for dispute resolution.

In general, employers are required to provide medical and indemnity benefits to a worker who is injured due to an accident arising out of and during the course of employment.⁷ For such injuries, an employer is responsible for providing medical treatment,⁸ and compensation in the event of employee disability or death.⁹ Specific employer coverage requirements are based on the type of industry, number of employees, and entity organization.¹⁰

State Risk Management Program

The Division of Risk Management (DRM)¹¹ located within the DFS is responsible for ensuring that state agencies and universities participating in the state's self-insurance program receive quality coverage for workers' compensation, general liability, federal civil rights, auto liability, and property insurance at reasonable rates. The DRM's operations and the state's insurance coverage are funded by annual agency assessments, which are deposited into the State Risk Management Trust Fund (SRMTF). The SRMTF provides coverage that protects state property

⁴ Email from Jared Ochs, Director of Legislative Affairs, Florida Department of Education (Jan. 23, 2020) (on file with the Senate Committee on Education).

⁵ United States Department of Education, *Work-Based Learning Toolkit*, <https://cte.ed.gov/wbltoolkit/> (last visited Jan 23, 2020).

⁶ Email from Jared Ochs, Director of Legislative Affairs, Florida Department of Education (Jan. 23, 2020) (on file with the Senate Committee on Education).

⁷ Section 440.09(1), F.S.

⁸ Section 440.13, F.S.

⁹ See ss. 440.15 and 440.16, F.S.

¹⁰ Division of Workers' Compensation, *Coverage Requirements*, <https://www.myfloridacfo.com/division/wc/Employer/coverage.htm> (last visited on Jan. 2, 2018).

¹¹ Section 20.121(2)(h), F.S.

and workforce members that are exposed to the risk of financial losses through damage, injuries, and alleged negligent or improper acts.¹²

Career and Professional Education Industry Certifications

The purpose of career education is to enable students who complete career programs to attain and sustain employment and realize economic self-sufficiency.¹³

In 2007, the Legislature passed the Career and Professional Education (CAPE) Act,¹⁴ to provide a statewide planning partnership between the business and education communities in order to attract, expand, and retain targeted, high-value industry and to sustain a strong, knowledge-based economy.¹⁵

An industry certification is a voluntary process through which students are assessed by an independent, third-party certifying entity using predetermined standards for knowledge, skills, and competencies, resulting in the award of a credential that is nationally recognized.¹⁶ Industry certifications that generate bonus funds for school districts are included on the CAPE Industry Certification Funding List,¹⁷ which also contains the industry certifications on the career pathways list approved for the Florida Gold Seal Vocational Scholars award.¹⁸

The Department of Education (DOE) identifies career certificates, industry certifications, and career courses. At least annually, the DOE and the commissioner must identify additional career certificates, industry certifications, and career courses, which includes CAPE industry certifications identified on the CAPE Industry Certification Funding List that must be applied in the distribution of funding to school districts.¹⁹

The CAPE Act provides multiple options for students to attain digital skills through digital tools and industry certifications.²⁰ Digital tools are certificates reflecting core computer skills. The DOE is required to annually identify, and the commissioner may recommend, up to 15 CAPE Digital Tool certificates for inclusion on a CAPE Industry Certification Funding List.²¹

¹² Florida Department of Economic Opportunity, Economic and Demographic Research, *Risk Management Trust Fund* (Dec. 18, 2019), available at <http://edr.state.fl.us/Content/conferences/riskmanagement/riskmanagementexecsumm.pdf>.

¹³ Section 1004.92(1), F.S.

¹⁴ Chapter 2007-216, L.O.F.

¹⁵ Section 1003.491, F.S.

¹⁶ Rule 6A-6.0573(2)(e), F.A.C.

¹⁷ The “CAPE Industry Certification Funding List” means a list of industry certifications, certificates, and courses adopted by the State Board of Education for implementation of the Florida CAPE Act. Rule 6A-6.0573(2)(b), F.A.C.

¹⁸ Section 1008.44(1)(a), F.S. *See also* s. 1009.536, F.S., for the requirements of a Florida Gold Seal Vocational Scholars award.

¹⁹ Section 1008.44(1), F.S.

²⁰ Section 1003.4203, F.S.

²¹ Section 1008.44(1)(b), F.S. In 2018-2019, secondary students earned 61,873 digital tools. Florida Department of Education, *2018-2019 Career and Adult Education Quick Facts*, available at <http://www.fldoe.org/core/fileparse.php/9904/urlt/1819quickfacts.pdf>.

The commissioner may limit CAPE industry certifications and CAPE Digital Tool certificates to students in certain grades based on formal recommendations by providers of CAPE industry certifications and CAPE Digital Tool certificates.²²

Funding for Workforce Education Programs

Workforce education may be conducted by a Florida College System (FCS) institution or a school district, and includes:²³

- Adult general education programs designed to improve the employability skills of the state's workforce.
- Career certificate programs.
- Applied technology diploma programs.
- Continuing workforce education courses.
- Degree career education programs.
- Apprenticeship and preapprenticeship programs.

A school district or an FCS institution that provides workforce education programs receive funds in accordance with distributions for base and performance funding established by the Legislature in the General Appropriations Act (GAA).²⁴

Performance funding for industry certifications for school district workforce education programs²⁵ and FCS institutions²⁶ is contingent upon a specific appropriation in the GAA and is determined by criteria specified in law,²⁷ which specifies that each school district or FCS institution must be provided \$1,000 for each industry certification earned by a workforce education or FCS institution student. If funds are insufficient to fully fund the calculated total award, such funds are prorated.

Bonus Funds for CAPE Industry Certifications

School districts are eligible for bonus funds for student completion of specified career courses and industry certifications. In addition to full-time equivalent (FTE) bonus funding for CAPE Digital Tool Certificates, CAPE Innovation courses,²⁸ and CAPE Acceleration certifications,²⁹ the district may receive:

²² Section 1008.44(4)(b), F.S.

²³ Section 1011.80(1) and (2), F.S.

²⁴ Section 1011.80(7)(a), F.S.

²⁵ Section 1011.80(7), F.S.

²⁶ Section 1011.81(2), F.S.

²⁷ See ss. 1011.80(7) and 1011.81(2), F.S.

²⁸ CAPE Innovation courses are up to five courses annually approved by the commissioner that combine academic and career content, and performance outcome expectations that, if achieved by a student, shall articulate for college credit and be eligible for additional full-time equivalent membership. Section 1003.4203(5)(a), F.S.

²⁹ CAPE Acceleration are industry certifications, annually approved by the commissioner, that articulate for 15 or more college credit hours and, if successfully completed, are eligible for additional FTE bonus funds. Section 1003.4203(5)(b), F.S.

- A value of 0.1 or 0.2 FTE student membership³⁰ for each student who completes a career-themed course³¹ or courses with embedded CAPE industry certifications and who earns a CAPE industry certification.
- A value of 0.2 FTE for each student who is issued a CAPE industry certification that has a statewide articulation agreement for college credit approved by the SBE.
- A value of 0.1 FTE for each student who is issued a CAPE industry certifications that does not articulate for college credit.

Each district must allocate at least 80 percent of the bonus funds provided for CAPE industry certification to the program that generated the funds. This allocation may not be used to supplant funds provided for basic operation of the program.³²

In 2019-2020, the estimated value of the FTE bonus for career-themed courses and industry certifications in all school districts is approximately \$81.7 million.

Pathways in Technology Early College High School (P-TECH)

P-TECH, co-developed by the IBM Corporation, is an approach to education that blends high school, community college and workplace skills.³³ P-TECH schools are primarily public schools, governed and supported by the local school district, although there are some examples of similar charter schools. P-TECH is designed to help close the achievement gap among underserved youth. Within six years of enrolling in ninth grade, students graduate with their high school diplomas, no-cost associate degrees and applicable credentials, and participate in workplace learning opportunities.³⁴

P-TECH schools are defined by a set of six key tenets:³⁵

- Public-private partnership;
- Six year integrated program;
- Workplace learning including internships;
- Open enrollment with no grade or testing requirements;
- Cost-free; and
- First in-line for job openings with industry partners.

³⁰ A 0.1 FTE bonus would equal \$427.95, and a 0.2 FTE bonus would equal \$855.90; based on the base student allocation of \$4,279.49 in the Florida Education Finance Program, identified in Specific Appropriation 93, s. 2, ch. 2019-115, L.O.F.

³¹ A “career-themed course” is a course, or a course in a series of courses, that leads to an industry certification identified in the CAPE Industry Certification Funding List pursuant to rules adopted by the State Board of Education. Career-themed courses have industry-specific curriculum aligned directly to priority workforce needs established by the local workforce development board or the Department of Economic Opportunity. Section 1003.493(1)(b), F.S.

³² Section 1011.62(1)(o)2., F.S.

³³ P-TECH, *P-TECH About* <http://www.ptech.org/about/> (last visited Dec. 17, 2019).

³⁴ P-TECH, *P-TECH Mission* <http://www.ptech.org/about/mission/> (last visited Dec. 17, 2019).

³⁵ *Id.*

The P-TECH model has expanded to 200 schools³⁶ in 23 countries and eight states³⁷, serving 100,000 students³⁸ since its founding in 2011. The P-TECH programs currently in operation have developed 12 different pathways based on regional workforce demand, including:³⁹

- Construction technology;
- Process technology;
- Cybersecurity;
- Business;
- Mechanical engineering;
- Energy management;
- Healthcare;
- Advanced manufacturing;
- Machining;
- Early childhood education;
- Computer science; and
- Networking technology.

III. Effect of Proposed Changes:

The bill modifies Florida's career and technical education program to provide supports for students in work-based learning programs, modify funding incentives for industry certifications, and establish a process to evaluate innovative delivery of career instruction. Specifically, the bill:

- Requires that certain individuals in a work-based learning experience are deemed to be employees of the state for purposes of workers' compensation, and:
 - Establishes a reporting requirement about students participating in specified programs or courses.
 - Specifies responsibilities for the costs of workers' compensation and payments to the Division of Risk Management of the Department of Financial Services.
- Changes provisions related to Career and Professional Education (CAPE) industry certifications by:
 - Clarifying Commissioner of Education authority regarding CAPE industry certifications and CAPE Digital Tool Certificates.
 - Modifying the award and use of CAPE industry certification bonus funds relating to credit awarded under statewide articulation agreements.
 - Providing bonus funds for aviation and aerospace industry certifications.
- Requires the Commissioner of Education to submit a report by December 1, 2020, meeting specified requirements, to determine the feasibility of implementing a Pathways in Technology Early College High School (P-TECH), or similar program, in Florida.

³⁶IBM, *P-TECH: when skills meet opportunity, success happens* <https://www.ibm.com/thought-leadership/ptech/index.html> (last visited Jan. 8, 2020).

³⁷P-TECH, *P-TECH Our Schools* <http://www.ptech.org/resources/schools-map/> (last visited Jan. 8, 2020).

³⁸IBM, *P-TECH: when skills meet opportunity, success happens* <https://www.ibm.com/thought-leadership/ptech/index.html> (last visited Jan. 8, 2020).

³⁹ P-TECH, *P-TECH Network, Our Schools, USA* <http://www.ptech.org/p-tech-network/our-schools/usa/> (last visited Dec. 17, 2019).

Work-based Learning

The bill creates s. 446.541, F.S. to provide a definition of “work-based learning” as synonymous with “on-the-job training” and means interactions with industry or community professionals in off-campus workplaces which foster in-depth, firsthand engagement with the tasks required in a given career field and which are aligned to curriculum and instruction, through an apprenticeship program or a pre-apprenticeship program or as a student in a course identified in the Course Code Directory (CCD).⁴⁰

The bill provides that the following participants in work-based learning are deemed to be employees of the state for purposes of workers’ compensation, and insured in the manner provided pursuant to chapter 284, except as otherwise provided:

- Individuals 18 years of age or younger who are enrolled in a Florida-registered preapprenticeship program that requires work-based learning or a registered apprenticeship program administered under ss. 446.011 through 446.092, F.S.
- Any students in grades 6 through 12 who are enrolled in a course identified in the CCD which incorporates a work-based learning component or an activity that is unpaid.

The bill establishes a reporting requirement for program and course providers and the Department of Education (DOE), as follows:

- Each preapprenticeship program and apprenticeship program registered with the DOE, and each school board, community college, or career center offering courses identified in the CCD that incorporates a work-based learning component or an activity that is unpaid, must provide the following information to the DOE not later than 30 days after a participant begins his or her participation in work-based learning:
 - The name of each such participant;
 - The amount hourly compensation to be paid to such participant, if any; and
 - The number of hours per week that such participant will be receiving on-the job training as a participant in and required for the preapprenticeship program, apprenticeship program, or course which incorporates a work-based learning component or an activity that is unpaid.
- The DOE is required to provide such information to the Division of Risk Management of the Department of Financial Services (division), together with any additional information required by the division for the purposes of administering chapter 284, regarding state risk management.

The bill establishes the responsibility for payment of workers’ compensation costs, and a process for payments to the division. The bill specifies that workers’ compensation costs associated with participants must not be included or combined with the premiums otherwise due from the DOE relating to state risk management in chapter 284. Such costs must be billed separately to the DOE’s workforce education programs and are payable solely from appropriations provided to the DOE’s workforce education programs or specifically for the payment of such costs.

⁴⁰ The Course Code Directory (CCD) lists all public preK-12 and postsecondary career and technical education courses available for use by school districts. Programs and courses funded through the Florida Education Finance Program and courses or programs for which students may earn credit toward high school graduation must be listed in the CCD. The CCD maintains course listings for administration and service assignments, K-12 education, exceptional student education, career and technical education, and adult education. Rule 6A-1.09441, F.A.C.

The bill provides that, notwithstanding provisions in ss. 284.36 and 284.44, F.S., relating to premium payments and salary indemnification costs, the DOE is responsible for paying workers' compensation costs for such participants who are entitled to workers' compensation benefits, solely from funds appropriated to the DOE for such purpose. Coverage for such workers compensation benefits must be provided by the division. The bill specifies that, for the 2020-2021 fiscal year, the DOE must pay the division \$470,000 on August 15, 2020, on November 15, 2020, on February 1, 2021, and on May 15, 2021, for such costs. For subsequent fiscal years, the division must bill the DOE for such workers compensation costs quarterly, based on such costs from the preceding state fiscal year. The DOE must pay such quarterly bills on August 15, on October 15, on February 15, and on May 15, of each fiscal year.

Career and Professional Education Industry Certifications

The bill modifies s. 1008.44, F.S., to require that the DOE and the commissioner identify industry certifications for the CAPE industry certification list that are associated with aviation-related and aerospace-related occupations. The bill specifies that such industry certifications are eligible for additional full-time equivalent membership bonus funds. The bill also provides greater authority to the commissioner to limit CAPE industry certifications and digital tools to certain grades for the purposes of calculating additional FTE membership for the industry certification bonus funding. These limitations no longer require recommendations by CAPE providers.

The bill also changes a reference from the Florida Gold Seal Vocational Scholars award to the Florida Gold Seal CAPE Scholars award for the identification of CAPE industry certifications on the career pathways list. This corrects the reference to the appropriate Bright Futures Scholarship Program award. The Florida Gold Seal Vocational Scholars award does not require completion of CAPE industry certifications. The Florida Gold Seal CAPE Scholars award requires a student to earn a minimum of five postsecondary credit hours through approved CAPE industry certifications which articulate for college credit.⁴¹

Funding for Workforce Education Programs

The bill maintains in ss. 1011.80 and 1011.81, F.S., the \$1,000 bonus for school districts and FCS institutions for industry certifications earned by students. In addition, effective on July 1, 2021, for each professional-level, Federal Aviation Administration (FAA) industry certification earned by a student, each school district or FCS institution must be provided a total of \$6,000. If funds are insufficient to fully fund the calculated total award, such funds must be prorated.

Bonus Funds for CAPE Industry Certifications

The bill modifies, effective on July 1, 2021, the FTE bonus funding in s. 1011.62, F.S., for CAPE industry certifications with a statewide articulation agreement for college credit, and specifies that:

- A value of 0.2 FTE is calculated for a CAPE industry certification that has a statewide articulation agreement of 4 to 14 college credits.

⁴¹ Section 1009.536(2), F.S.

- A value of 0.2 FTE is calculated for a CAPE industry certification that has a statewide articulation agreement of 1 to 3 college credits and is deemed by the department to be of sufficient rigor and to be linked to a high-skill occupation.
- A value of 0.1 FTE is calculated for all other CAPE industry certifications with a statewide articulation agreement of 1 to 3 college credits.
- A supplemental value of 0.2 FTE is calculated for industry certifications identified on the CAPE Industry Certification Funding List as leading to employment in aviation-related or aerospace-related occupations and meeting specified criteria prescribed by the DOE.

The bill removes the prohibition that additional FTE calculations for an elementary or middle school student may not exceed 0.1 for certificates or industry certifications earned in the same fiscal year. The bill also provides flexibility to the school district by removing the requirement that the bonus funds must be provided to the teachers employed by the district in the year that the FTE bonus funds is included in the calculation.

According to information published on the DOE website, there are 115 industry certification articulation agreements that generate from 1 to 3 credits, and 25 articulation agreements that generate from 4 to 14 college credits.⁴² In addition to the three FAA Aviation programs, there is only one other articulation agreement that generates over 14 college credits;⁴³ the bonus funding level for that agreement is unclear.

This modification will provide a lower bonus (0.1 from 0.2 FTE) for those CAPE industry certifications that generate from 1 to 3 colleges credits in an articulation agreement, but have not been identified by the DOE as rigorous or linked to a high-skill occupation.

The bill also specifies that the 20 percent of bonus funds that are not required to be allocated to the program that generated the bonus may be used for other CAPE program expenses, such as administrative costs, which may not exceed five percent of the funds provided, and new industry certification programs. All such funds must be used for CAPE programs, and may not be used to supplant operations funds, such as teacher salaries and other costs that are funded with non-CAPE funds for other courses.

Pathways in Technology Early College High School (P-TECH)

The bill requires the P-TECH program, or a similar program, to achieve the following:

- Incorporate secondary and postsecondary education with workforce education and work experience in a flexible 6-year integrated model.
- Allow students to earn a high school diploma, an associate degree, and applicable industry certifications and gain work experience, within six years after enrolling in the 9th grade.
- Have an open enrollment policy that encourages a diverse student body, including students from low-income families and first-generation college students.
- Support student success through flexible class scheduling, advising and mentoring, and other wrap-around services.

⁴² Florida Department of Education, *Quick Reference Guide for Active Gold Standard Career Pathways Articulation Agreements* (May 2019), available at <http://www.fldoe.org/core/fileparse.php/7525/urlt/active-articulation-summary.xls>.

⁴³ The agreement is: MSSC Certified Production Technician (CPT) (15 credits). *Id.*

- Provide seamless articulation to Florida’s postsecondary institutions.

The commissioner’s report must, at a minimum, include the following:

- Timelines for implementing a P-TECH program, or similar program, including courses of study which support completion in four to six years and which meet regional workforce demand.
- A funding model that provides the P-TECH program, or similar program, at no cost to students and may incorporate K-12, postsecondary, and workforce funding, grants, scholarships, and other funding options.
- Partnerships with industries and businesses, including private investment, work-based job training, internships, and priority placement for job opportunities after graduation.
- Recommendations for modifications, if any, to the school and school district accountability requirements.⁴⁴

The bill provides that this section of law will be effective upon becoming law and expire on December 1, 2020.

The bill takes effect on July 1, 2020, unless otherwise specified.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

D. State Tax or Fee Increases:

None.

E. Other Constitutional Issues:

None.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

⁴⁴ Section 1008.34, F.S.

B. Private Sector Impact:

School districts that pay workers' compensation expenses for participants in work-based learning programs would likely see a reduction in workers' compensation costs. The reduction in workers' compensation costs is not known.⁴⁵

C. Government Sector Impact:

The Division of Risk Management (DRM) would incur additional claims costs for covering participants in preapprenticeship and work-based learning programs.⁴⁶

Using a two percent annual claim rate seen in similar programs, and assuming most of the estimated 46,606 participants were working on a part-time basis, a total of 23,303 FTE participants could be added to the count for workers' compensation coverage, with an additional 466 new claims per year. Such an increase in the number of claims would require a minimum of two additional FTE in order to handle the increased workload. The estimated recurring cost of this FTE is \$119,400.

Based on statistics for other programs, the DRM has paid an average of \$3,176 per year, per claim, for medical, legal, and expense costs. For 466 new claims each year, the DRM estimates annual medical claim costs, legal costs and expenses of approximately \$1,480,016 would be paid for the new participants.

The bill requires the Department of Education to pay the Division of Risk Management four equal payments of \$470,000 in the 2020-2021 fiscal year to cover the additional claim costs for covering participants in preapprenticeship and work-based learning programs. For subsequent years, the bill specifies further that these premium costs will be billed separately to the department's workforce education programs and are payable solely from appropriations provided for such programs or specifically for the payment of such costs.

The restructuring of the CAPE industry certification bonus awards in the FEFP will potentially affect the amount of bonus funding that each school district earns. In addition, the new \$6,000 bonus for Federal Aviation Administration industry certifications for the Performance Based Incentive funding in the GAA for school district workforce programs and colleges will also potentially increase the earned bonus funds for school districts and colleges. No additional appropriation is required.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

⁴⁵ Florida Department of Financial Services, *2020 Legislative Bill Analysis* (Feb. 17, 2020).

⁴⁶ *Id.*

VIII. Statutes Affected:

This bill substantially amends the following sections of the Florida Statutes: 1008.44, 1011.62, 1011.80 and 1011.81.

This bill creates section 446.541 of the Florida Statutes.

This bill creates an unnumbered section of law.

IX. Additional Information:

A. Committee Substitute – Statement of Substantial Changes:
(Summarizing differences between the Committee Substitute and the prior version of the bill.)

Recommended CS/CS by Appropriations Subcommittee on Education on February 25, 2020:

The committee substitute:

- Removes from the bill the provisions relating to:
 - Apprenticeship and preapprenticeship programs, the State Apprenticeship Advisory Council, and the Florida Pathways to Career Opportunities Grant Program.
 - The change from a required to an optional course the middle school course in career and education planning and the authorization for the Florida Virtual School to offer the course.
 - The authorization for school districts and regional consortia to recommend career-themed courses for approval.
 - The modifications to the use of computer science teacher incentive funds.
 - The requirement for the Articulation Coordinating Committee to identify specified mathematics pathways.
- Maintains the provision relating to the requirement that certain individuals in a work-based learning experience are deemed to be employees of the state for purposes of workers' compensation, with the following modifications:
 - Establishes a reporting requirement about students participating in specified programs or courses.
 - Specifies responsibilities for the costs of workers' compensation and payments to the Division of Risk Management of the Department of Financial Services.
- Maintains the provisions, related to Career and Professional Education (CAPE) industry certifications but establishes an effective date, which:
 - Clarify Commissioner of Education authority regarding CAPE industry certifications and CAPE Digital Tool Certificates.
 - Modify the award and use of CAPE industry certification bonus funds relating to credit awarded under statewide articulation agreements, effective July 1, 2021.
 - Provide CAPE industry certification, and workforce education and Florida College System bonus funds, for aviation and aerospace industry certifications, effective July 1, 2021.
- Adds to the bill a requirement that the Commissioner submit a report by December 1, 2020, meeting specified requirements, to determine the feasibility of implementing a

Pathways in Technology Early College High School (P-TECH), or similar program, in Florida.

CS by Education on January 27, 2020:

The committee substitute maintains the substance of the bill, which

- Broadens the scope of apprenticeship and preapprenticeship programs (programs) to additional apprenticeship program sponsors (sponsors) and occupations, and:
 - Clarifies that sponsors are responsible for program supervision, subject to uniform minimum standards developed by the Department of Education (DOE).
 - Clarifies the duties of the DOE regarding apprenticeship and preapprenticeship programs.
 - Revises the membership and scope of the State Apprenticeship Advisory Council.
 - Changes the selection criteria and use of funds for the Florida Pathways to Career Opportunities Grant Program.
- Specifies that students in a preapprenticeship program or courses with a work-based component are deemed to be employees of the state for workers' compensation purposes.
- Modifies provisions related to elementary and secondary career education to:
 - Make optional the middle school course in career and education planning.
 - Authorize school districts and regional consortia to work with national providers to submit career-themed courses for approval.
 - Modify the requirement for computer science instruction in elementary school, and expand the use of computer science teacher incentive funds.
- Changes provisions related to Career and Professional Education (CAPE) industry certifications to clarify Commissioner of Education authority, associated CAPE scholarship, and also modify the award and use of CAPE industry certification bonus funds.
- Requires the Articulation Coordinating Committee to identify mathematics pathways aligned to programs, meta-majors, and careers.

The committee substitute also:

- Makes technical changes to the section created in the bill regarding work-based learning (WBL) to clarify that the provision in the bill that students in WBL or preapprenticeship programs are employees of the state for workers' compensation coverage applies only to medical care as a result of injury.
- Includes state universities as partners to provide related technical instruction as a part of an apprenticeship program, and to ensure completers of a registered apprenticeship program is able to receive college credit.
- Reinstates the references to "registered" apprenticeship that was removed in the bill.
- Encourages school districts, Florida College System (FCS) institutions, and state universities to cooperate to ensure that apprenticeship completers can earn college credit.
- Provides flexibility to the Department of Education to determine the "need" for an apprenticeship program in the approval process.
- Specifies that the Florida Virtual School may offer the middle school course in career and education planning.

- Adds industry certifications associated with aviation and aerospace to the requirement for addition to the CAPE industry certification list, and:
 - Provides a 0.2 FTE bonus for CAPE industry certifications in aviation or aerospace, subject to repeal on July 1, 2023.
 - Clarifies that articulation agreements used to determine CAPE industry certification bonus funds are statewide articulation agreements.
 - Limits the use of bonus funds for administrative costs to 5 percent.
- Provides a \$6,000 bonus to a school district or FCS institution for each FAA industry certification earned by one of its students.

B. Amendments:

None.



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LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
02/26/2020	.	
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Appropriations Subcommittee on Education (Hutson) recommended the following:

Senate Amendment (with title amendment)

Delete everything after the enacting clause and insert:

Section 1. Section 446.541, Florida Statutes, is created to read:

446.541 Work-based learning.—

(1) It is the intent of the Legislature that, to the extent possible, school districts place students in paid work experiences for purposes of educational training and work-based



11 learning.

12 (2) For purposes of this section, the term "work-based
13 learning" is synonymous with the term "on-the-job training" and
14 means interactions with industry or community professionals in
15 off-campus workplaces which foster in-depth, firsthand
16 engagement with the tasks required in a given career field and
17 which are aligned to curriculum and instruction, through an
18 apprenticeship program or a pre-apprenticeship program or as a
19 student in a course identified in the Course Code Directory.

20 (3) (a) The following participants in work-based learning
21 are deemed to be employees of the state for purposes of workers'
22 compensation and shall be insured in the manner provided
23 pursuant to chapter 284, except as otherwise provided in this
24 section:

25 1. Individuals 18 years of age or younger who are enrolled
26 in a Florida-registered preapprenticeship program that requires
27 work-based learning or a registered apprenticeship program
28 administered under ss. 446.011-446.092.

29 2. Any students in grades 6 through 12 who are enrolled in
30 a course identified in the Course Code Directory which
31 incorporates a work-based learning component or an activity that
32 is unpaid.

33 (b) Workers' compensation costs associated with such
34 participants shall not be included or combined with the premiums
35 otherwise due from the department pursuant to chapter 284, but
36 shall be billed separately to the department's workforce
37 education programs and are payable solely from appropriations
38 provided to the department's workforce education programs or
39 specifically for the payment of such costs.



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40 (c) In order for the provisions of paragraph (a) to apply
41 to a participant, each preapprenticeship program and
42 apprenticeship program registered with the department and each
43 school board, community college, or career center offering
44 courses identified in the Course Code Directory which
45 incorporates a work-based learning component or an activity that
46 is unpaid, shall provide the following information to the
47 department not later than 30 days after a participant begins his
48 or her participation in work-based learning:

- 49 1. The name of each such participant;
50 2. The amount hourly compensation to be paid to such
51 participant, if any;
52 3. The number of hours per week that such participant will
53 be receiving on-the job training as a participant in and
54 required for the preapprenticeship program, apprenticeship
55 program, or course which incorporates a work-based learning
56 component or an activity that is unpaid.

57
58 The department shall provide such information to the Division of
59 Risk Management of the Department of Financial Services,
60 together with any additional information required by the
61 division for the purposes of administering chapter 284.

62 (d) Notwithstanding ss. 284.36 and 284.44, the department
63 shall be responsible for paying workers' compensation costs for
64 such participants who are entitled to workers' compensation
65 benefits pursuant to chapter 440, solely from funds appropriated
66 to the department for such purpose. Coverage for such workers
67 compensation benefits shall be provided by the Division of Risk
68 Management of the Department of Financial Services. The costs



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69 for such coverage shall be paid by the department to the
70 division. For Fiscal Year 2020-2021, the department shall pay
71 the division \$470,000 on August 15, 2020, on November 15, 2020,
72 on February 1, 2021, and on May 15, 2021, for such costs. For
73 subsequent fiscal years, the division shall bill the department
74 for such workers compensation costs quarterly, based on such
75 costs from the preceding state fiscal year. The department shall
76 pay such quarterly bills on August 15, on October 15, on
77 February 15, and on May 15, of each fiscal year.

78 Section 2. Paragraph (a) of subsection (1) and paragraph
79 (b) of subsection (4) of section 1008.44, Florida Statutes, are
80 amended, and paragraph (f) is added to subsection (1), to read:

81 1008.44 CAPE Industry Certification Funding List and CAPE
82 Postsecondary Industry Certification Funding List.—

83 (1) Pursuant to ss. 1003.4203 and 1003.492, the Department
84 of Education shall, at least annually, identify, under rules
85 adopted by the State Board of Education, and the Commissioner of
86 Education may at any time recommend adding the following
87 certificates, certifications, and courses:

88 (a) CAPE industry certifications identified on the CAPE
89 Industry Certification Funding List that must be applied in the
90 distribution of funding to school districts pursuant to s.
91 1011.62(1)(o). The CAPE Industry Certification Funding List
92 shall incorporate by reference the industry certifications on
93 the career pathways list approved for the Florida Gold Seal CAPE
94 ~~Vocational~~ Scholars award. In addition, by August 1 of each
95 year, the not-for-profit corporation established pursuant to s.
96 445.004 may annually select one industry certification, that
97 does not articulate for college credit, for inclusion on the



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98 CAPE Industry Certification Funding List for a period of 3 years
99 unless otherwise approved by the curriculum review committee
100 pursuant to s. 1003.491. Such industry certifications, if earned
101 by a student, shall be eligible for additional full-time
102 equivalent membership, pursuant to s. 1011.62(1)(o)1.

103 (f) Industry certifications associated with aviation-
104 related and aerospace-related occupations must be identified by
105 the Commissioner of Education and, if earned by a student, are
106 eligible for additional full-time equivalent membership pursuant
107 to s. 1011.62(1)(o)1.e. These industry certifications must be
108 identified on the CAPE Industry Certification Funding List.

109 (4)

110 (b) For the purpose of calculating additional full-time
111 equivalent membership pursuant to s. 1011.62(1)(o)1.e., the
112 Commissioner of Education may limit CAPE industry certifications
113 and CAPE Digital Tool certificates to students in certain grades
114 based on formal recommendations by providers of CAPE industry
115 certifications and CAPE Digital Tool certificates.

116 Section 3. Effective July 1, 2021, paragraph (o) of
117 subsection (1) of Section 1011.62, Florida Statutes, is amended
118 to read:

119 1011.62 Funds for operation of schools.—If the annual
120 allocation from the Florida Education Finance Program to each
121 district for operation of schools is not determined in the
122 annual appropriations act or the substantive bill implementing
123 the annual appropriations act, it shall be determined as
124 follows:

125 (1) COMPUTATION OF THE BASIC AMOUNT TO BE INCLUDED FOR
126 OPERATION.—The following procedure shall be followed in



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127 determining the annual allocation to each district for
128 operation:

129 (o) *Calculation of additional full-time equivalent*
130 *membership based on successful completion of a career-themed*
131 *course pursuant to ss. 1003.491, 1003.492, and 1003.493, or*
132 *courses with embedded CAPE industry certifications or CAPE*
133 *Digital Tool certificates, and issuance of industry*
134 *certification identified on the CAPE Industry Certification*
135 *Funding List pursuant to rules adopted by the State Board of*
136 *Education or CAPE Digital Tool certificates pursuant to s.*
137 *1003.4203.—*

138 1.a. A value of 0.025 full-time equivalent student
139 membership shall be calculated for CAPE Digital Tool
140 certificates earned by students in elementary and middle school
141 grades.

142 b. A value of 0.1 or 0.2 full-time equivalent student
143 membership shall be calculated for each student who completes a
144 course as defined in s. 1003.493(1)(b) or courses with embedded
145 CAPE industry certifications and who is issued an industry
146 certification identified annually on the CAPE Industry
147 Certification Funding List approved under rules adopted by the
148 State Board of Education. For a CAPE industry certification that
149 has a statewide articulation agreement of 4 to 14 college
150 credits, a value of 0.2 full-time equivalent membership shall be
151 calculated. For a CAPE industry certification that has a
152 statewide articulation agreement of 1 to 3 college credits and
153 is deemed by the department to be of sufficient rigor and to be
154 linked to a high-skill occupation, a value of 0.2 full-time
155 equivalent membership shall be calculated. For all other CAPE



156 industry certifications with a statewide articulation agreement
157 of 1 to 3 college credits, a value of 0.1 full-time equivalent
158 membership shall be calculated ~~A value of 0.2 full-time~~
159 ~~equivalent membership shall be calculated for each student who~~
160 ~~is issued a CAPE industry certification that has a statewide~~
161 ~~articulation agreement for college credit approved by the State~~
162 ~~Board of Education.~~ For CAPE industry certifications that do not
163 articulate for college credit, the Department of Education shall
164 calculate ~~assign~~ a full-time equivalent value of 0.1 for each
165 certification. Middle grades students who earn additional FTE
166 membership for a CAPE Digital Tool certificate pursuant to sub-
167 subparagraph a. may not use the previously funded examination to
168 satisfy the requirements for earning an industry certification
169 under this sub-subparagraph. ~~Additional FTE membership for an~~
170 ~~elementary or middle grades student may not exceed 0.1 for~~
171 ~~certificates or certifications earned within the same fiscal~~
172 ~~year.~~ The State Board of Education shall include the assigned
173 values on the CAPE Industry Certification Funding List under
174 rules adopted by the state board. Such value shall be added to
175 the total full-time equivalent student membership for grades 6
176 through 12 in the subsequent year. CAPE industry certifications
177 earned through dual enrollment must be reported and funded
178 pursuant to s. 1011.80. However, if a student earns a
179 certification through a dual enrollment course and the
180 certification is not a fundable certification on the
181 postsecondary certification funding list, or the dual enrollment
182 certification is earned as a result of an agreement between a
183 school district and a nonpublic postsecondary institution, the
184 bonus value shall be funded in the same manner as other nondual



185 enrollment course industry certifications. In such cases, the
186 school district may provide for an agreement between the high
187 school and the technical center, or the school district and the
188 postsecondary institution may enter into an agreement for
189 equitable distribution of the bonus funds.

190 c. A value of 0.3 full-time equivalent student membership
191 shall be calculated for student completion of the courses and
192 the embedded certifications identified on the CAPE Industry
193 Certification Funding List and approved by the commissioner
194 pursuant to ss. 1003.4203(5) (a) and 1008.44.

195 d. A value of 0.5 full-time equivalent student membership
196 shall be calculated for CAPE Acceleration Industry
197 Certifications that articulate for 15 to 29 college credit
198 hours, and 1.0 full-time equivalent student membership shall be
199 calculated for CAPE Acceleration Industry Certifications that
200 articulate for 30 or more college credit hours pursuant to CAPE
201 Acceleration Industry Certifications approved by the
202 commissioner pursuant to ss. 1003.4203(5) (b) and 1008.44.

203 e. In addition to the full-time equivalent student
204 membership calculated under paragraphs (a)-(d), a supplemental
205 value of 0.2 full-time equivalent student membership shall be
206 calculated for industry certifications identified on the CAPE
207 Industry Certification Funding List as leading to employment in
208 aviation-related or aerospace-related occupations and meeting
209 specified criteria prescribed by the department.

210 2. Each district must allocate at least 80 percent of the
211 funds provided for CAPE industry certification, in accordance
212 with this paragraph, to the program that generated the funds.
213 The remaining 20 percent may be used for other CAPE program



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214 expenses, such as administrative costs, which may not exceed 5
215 percent of the funds provided, and new industry certification
216 programs. All such funds must be used for CAPE programs. CAPE
217 funding ~~This allocation~~ may not be used to supplant funds
218 provided for basic operation of the program, such as teacher
219 salaries and other costs that are funded with non-CAPE funds for
220 other courses.

221 3. For CAPE industry certifications earned in the 2013-2014
222 school year and in subsequent years, the school district shall
223 distribute to each classroom teacher who provided direct
224 instruction toward the attainment of a CAPE industry
225 certification that qualified for additional full-time equivalent
226 membership under subparagraph 1.:

227 a. A bonus of \$25 for each student taught by a teacher who
228 provided instruction in a course that led to the attainment of a
229 CAPE industry certification on the CAPE Industry Certification
230 Funding List with a weight of 0.1.

231 b. A bonus of \$50 for each student taught by a teacher who
232 provided instruction in a course that led to the attainment of a
233 CAPE industry certification on the CAPE Industry Certification
234 Funding List with a weight of 0.2.

235 c. A bonus of \$75 for each student taught by a teacher who
236 provided instruction in a course that led to the attainment of a
237 CAPE industry certification on the CAPE Industry Certification
238 Funding List with a weight of 0.3.

239 d. A bonus of \$100 for each student taught by a teacher who
240 provided instruction in a course that led to the attainment of a
241 CAPE industry certification on the CAPE Industry Certification
242 Funding List with a weight of 0.5 or 1.0.



243
244 ~~Bonuses awarded pursuant to this paragraph shall be provided to~~
245 ~~teachers who are employed by the district in the year in which~~
246 ~~the additional FTE membership calculation is included in the~~
247 ~~calculation.~~ Bonuses awarded to teachers pursuant to this
248 paragraph must ~~shall~~ be calculated based upon the associated
249 weight of a CAPE industry certification on the CAPE Industry
250 Certification Funding List for the year in which the
251 certification is earned by the student. Any bonus awarded to a
252 teacher pursuant to this paragraph is in addition to any regular
253 wage or other bonus the teacher received or is scheduled to
254 receive. A bonus may not be awarded to a teacher who fails to
255 maintain the security of any CAPE industry certification
256 examination or who otherwise violates the security or
257 administration protocol of any assessment instrument that may
258 result in a bonus being awarded to the teacher under this
259 paragraph.

260 Section 4. Effective July 1, 2021, paragraph (b) of
261 subsection (7) of section 1011.80, Florida Statutes, is amended
262 to read:

263 1011.80 Funds for operation of workforce education
264 programs.—

265 (7)

266 (b) Performance funding for industry certifications for
267 school district workforce education programs is contingent upon
268 specific appropriation in the General Appropriations Act and
269 shall be determined as follows:

270 1. Occupational areas for which industry certifications may
271 be earned, as established in the General Appropriations Act, are



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272 eligible for performance funding. Priority shall be given to the
273 occupational areas emphasized in state, national, or corporate
274 grants provided to Florida educational institutions.

275 2. The Chancellor of Career and Adult Education shall
276 identify the industry certifications eligible for funding on the
277 CAPE Postsecondary Industry Certification Funding List approved
278 by the State Board of Education pursuant to s. 1008.44, based on
279 the occupational areas specified in the General Appropriations
280 Act.

281 3.a. Except as provided in sub-subparagraph b., each school
282 district shall be provided \$1,000 for each industry
283 certification earned by a workforce education student. If funds
284 are insufficient to fully fund the calculated total award, such
285 funds shall be prorated.

286 b. For each professional-level, Federal Aviation
287 Administration industry certification earned by a workforce
288 education student, each school district shall be provided a
289 total of \$6,000. If funds are insufficient to fully fund the
290 calculated total award, such funds shall be prorated.

291 Section 5. Effective July 1, 2021, paragraph (c) of
292 subsection (2) of section 1011.81, Florida Statutes, is amended
293 to read:

294 1011.81 Florida College System Program Fund.—

295 (2) Performance funding for industry certifications for
296 Florida College System institutions is contingent upon specific
297 appropriation in the General Appropriations Act and shall be
298 determined as follows:

299 (c) 1. Except as provided in subparagraph 2., each Florida
300 College System institution shall be provided \$1,000 for each



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301 industry certification earned by a student. If funds are
302 insufficient to fully fund the calculated total award, such
303 funds shall be prorated.

304 2. For each professional-level, Federal Aviation
305 Administration industry certification earned by a student, each
306 Florida College System institution shall be provided a total of
307 \$6,000. If funds are insufficient to fully fund the calculated
308 total award, such funds shall be prorated.

309 Section 6. Pathways in Technology Early College High School
310 (P-TECH) program.-

311 (1) By December 1, 2020, the Commissioner of Education
312 shall submit to the Governor, the President of the Senate, the
313 Speaker of the House of Representatives, the Board of Governors,
314 and the State Board of Education a report with recommendations
315 that address the feasibility of implementing the Pathways in
316 Technology Early College High School (P-TECH) program, or a
317 similar program, in Florida. The P-TECH program must:

318 (a) Incorporate secondary and postsecondary education with
319 workforce education and work experience through a flexible 6-
320 year integrated model.

321 (b) Allow students to earn a high school diploma, an
322 associate degree, and applicable industry certifications and
323 gain work experience within 6 years after enrolling in the 9th
324 grade.

325 (c) Have an open enrollment policy that encourages a
326 diverse student body, including students from low-income
327 families and first-generation college students.

328 (d) Support student success through flexible class
329 scheduling, advising and mentoring components, and other wrap-



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330 around services.

331 (e) Provide seamless articulation with Florida's
332 postsecondary institutions.

333 (2) The report must, at a minimum, include the following:

334 (a) Timelines for implementing a P-TECH program, or a
335 similar program, as described in subsection (1), including
336 courses of study which support program completion in 4 to 6
337 years and which meet regional workforce demand.

338 (b) A funding model that provides the P-TECH program, or a
339 similar program, at no cost to students. The funding model may
340 incorporate K-12, postsecondary, and workforce funding, grants,
341 scholarships, and other funding options.

342 (c) Partnerships with industries and businesses, which
343 include private investment, work-based training, internships,
344 and priority placement for job opportunities upon graduation.

345 (d) Recommendations for modifications, if any, to the
346 school and school district accountability requirements of s.
347 1008.34, Florida Statutes.

348 (3) This section shall take effect upon this act becoming a
349 law and shall expire on December 1, 2020.

350 Section 7. Except as otherwise expressly provided in this
351 act and except for this section, which shall take effect upon
352 this act becoming a law, this act shall take effect July 1,
353 2020.

354
355 ===== T I T L E A M E N D M E N T =====

356 And the title is amended as follows:

357 Delete everything before the enacting clause
358 and insert:



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359 A bill to be entitled
360 An act relating to education; creating s. 446.541,
361 F.S.; providing legislative intent; defining terms;
362 providing that individuals enrolled in certain
363 apprenticeship or preapprenticeship programs or work-
364 based learning courses are deemed to be employees of
365 the state for purposes of workers' compensation;
366 specifying responsibilities and payment for the costs
367 of workers' compensation benefits; requiring reporting
368 within a specified timeframe on participants in work-
369 based learning; amending s. 1008.44, F.S.; requiring
370 the CAPE Industry Certification Funding List to
371 incorporate by reference the industry certifications
372 on the career pathways list approved for the Florida
373 Gold Seal CAPE Scholars award; providing requirements
374 for industry certifications associated with aviation-
375 related and aerospace-related occupations; providing
376 that such certifications are eligible for additional
377 full-time equivalent membership; providing that the
378 Commissioner of Education may limit CAPE industry
379 certification and CAPE Digital Tool certificates to
380 students in certain grades for a specified purpose;
381 amending s. 1011.62, F.S.; revising the calculation of
382 certain additional full-time equivalent membership
383 relating to funding for the operation of schools;
384 deleting a provision related to full-time equivalent
385 membership calculation for elementary and middle
386 students; providing for a calculation of full-time
387 equivalent membership for aviation-related and



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388 aerospace-related occupations; authorizing the use of
389 a specified percentage of certain funds for CAPE
390 program expenses; limiting the amount of funds that
391 may be used for administrative costs; prohibiting the
392 use of CAPE funding to supplant funds provided for
393 basic operation of the CAPE program; providing an
394 effective date for changes to the calculation;
395 amending s. 1011.80, F.S.; revising performance
396 funding for industry certifications for school
397 district workforce education programs to provide for
398 Federal Aviation Administration (FAA) industry
399 certifications; amending s. 1011.81, F.S.; revising
400 performance funding for industry certifications for
401 Florida College System Institutions to provide for FAA
402 industry certifications; requiring the Commissioner of
403 Education to submit to certain entities by a specified
404 date a report with recommendations relating to the
405 implementation of the Pathways in Technology Early
406 College High School program, or a similar program;
407 providing requirements for such program and report;
408 providing for expiration; providing an effective date.

By the Committee on Education; and Senator Hutson

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20201568c1

1 A bill to be entitled
 2 An act relating to education; creating s. 446.541,
 3 F.S.; providing legislative intent; defining terms;
 4 providing that individuals enrolled in certain
 5 preapprenticeship programs are deemed to be employees
 6 of the state for purposes of receiving certain medical
 7 care under workers' compensation coverage; amending s.
 8 446.011, F.S.; revising legislative intent related to
 9 apprenticeship training; amending s. 446.021, F.S.;
 10 defining and redefining terms; amending s. 446.032,
 11 F.S.; revising the general duties of the Department of
 12 Education with regard to registered apprenticeship and
 13 registered preapprenticeship programs; amending s.
 14 446.041, F.S.; requiring the department to review and
 15 evaluate uniform minimum standards for registered
 16 apprenticeship and registered preapprenticeship
 17 programs; amending s. 446.045, F.S.; conforming
 18 provisions to changes made by the act; revising the
 19 membership of the State Apprenticeship Advisory
 20 Council; revising meeting requirements; amending s.
 21 446.051, F.S.; providing that registered
 22 apprenticeship or registered preapprenticeship program
 23 sponsors are responsible for the selection and
 24 training of certain personnel, as approved by the
 25 department; encouraging district school boards and
 26 Florida College System institution and state
 27 university boards of trustees to cooperate in
 28 providing certain equipment, supplies, and instructor
 29 salaries; amending s. 446.052, F.S.; encouraging

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30 certain boards of trustees to cooperate in developing
 31 and establishing registered apprenticeship and
 32 preapprenticeship programs that include career
 33 instruction; encouraging such boards and boards of
 34 trustees to cooperate with certain degree programs and
 35 certificate programs to ensure that certain
 36 individuals may be eligible to receive certain college
 37 credit; amending s. 446.071, F.S.; providing that
 38 certain organizations may be apprenticeship sponsors
 39 if they meet certain uniform minimum standards;
 40 updating terminology; removing the definition of the
 41 term "need"; amending s. 446.081, F.S.; revising the
 42 applicability of a certain limitation; repealing s.
 43 446.091, F.S., relating to the adaptation and
 44 applicability of certain provisions to on-the-job
 45 training programs; amending s. 446.092, F.S.; revising
 46 criteria for apprenticeship occupations; amending s.
 47 1003.4156, F.S.; providing that students are
 48 encouraged to complete one course in career and
 49 educational planning for promotion to high school from
 50 middle school; authorizing the Florida Virtual School
 51 to offer such courses; amending s. 1003.4282, F.S.;
 52 authorizing school districts and regional consortia to
 53 work with national providers to submit to the
 54 department for approval recommended career-themed
 55 courses that satisfy high school credit requirements;
 56 amending s. 1007.23, F.S.; requiring a statewide
 57 articulation agreement contain three mathematics
 58 pathways; requiring the Articulation Coordinating

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59 Committee to convene a representative workgroup
 60 composed of academic affairs administrators and
 61 faculty from state universities and Florida College
 62 System institutions; requiring the workgroup to report
 63 its recommendations to the committee, the Board of
 64 Governors, and the State Board of Education by a
 65 certain date; requiring the Articulation Coordinating
 66 Committee to approve the mathematics pathways by a
 67 specified date; amending s. 1007.2616, F.S.; requiring
 68 public schools to include computational thinking and
 69 foundational computer science skills in instruction to
 70 students; deleting obsolete language; authorizing
 71 school districts to apply to the department for
 72 funding for specified purposes; requiring the
 73 department to award funding to school districts or
 74 consortia using specified criteria; amending s.
 75 1008.44, F.S.; requiring CAPE Industry Certification
 76 Funding List to incorporate by reference the industry
 77 certifications on the career pathways list approved
 78 for the Florida Gold Seal CAPE Scholars award;
 79 providing requirements for industry certifications
 80 associated with aviation-related and aerospace-related
 81 occupations; providing that such certifications are
 82 eligible for additional full-time equivalent
 83 membership; providing that the Commissioner of
 84 Education may limit CAPE industry certification and
 85 CAPE Digital Tool certificates to students in certain
 86 grades for a specified purpose; amending s. 1011.62,
 87 F.S.; revising the calculation of certain additional

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88 full-time equivalent membership relating to funding
 89 for the operation of schools; deleting a provision
 90 related to full-time equivalent membership calculation
 91 for elementary and middle students; providing for a
 92 calculation of full-time equivalent membership for
 93 aviation-related and aerospace-related occupations;
 94 authorizing the use of a specified percentage of
 95 certain funds for CAPE program expenses; limiting the
 96 amount of funds that may be used for administrative
 97 costs; prohibiting the use of CAPE funding to supplant
 98 funds provided for basic operation of the CAPE
 99 program; amending s. 1011.80, F.S.; revising
 100 performance funding for industry certifications for
 101 school district workforce education programs to
 102 provide for Federal Aviation Administration (FAA)
 103 industry certifications; amending s. 1011.802, F.S.;
 104 conforming provisions to changes made by the act;
 105 specifying the maximum amount of funds that may be
 106 used by the department to administer the Florida
 107 Pathways to Career Opportunities Grant Program;
 108 amending s. 1011.81, F.S.; revising performance
 109 funding for industry certifications for Florida
 110 College System Institutions to provide for FAA
 111 industry certifications; reenacting s. 1009.25, F.S.,
 112 relating to fee exemptions; providing an effective
 113 date.

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

116

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117 Section 1. Section 446.541, Florida Statutes, is created to
118 read:

119 446.541 Work-based learning.-

120 (1) It is the intent of the Legislature that, to the extent
121 possible, school districts place students in paid work
122 experiences for purposes of educational training and work-based
123 learning.

124 (2) For purposes of this section, the term "work-based
125 learning" is synonymous with the term "on-the-job training" and
126 means interactions with industry or community professionals in
127 off-campus workplaces which foster in-depth, firsthand
128 engagement with the tasks required in a given career field and
129 which are aligned to curriculum and instruction.

130 (3) (a) Individuals 18 years of age or younger who are
131 enrolled in a Florida-registered preapprenticeship program that
132 requires work-based learning or a registered apprenticeship
133 program administered under ss. 446.011-446.092 and who are
134 injured as a result of participation in the program are deemed
135 to be employees of the state for purposes of workers'
136 compensation coverage only for medically necessary care rendered
137 as a direct result of that injury.

138 (b) Any students in grades 6 through 12 who are enrolled in
139 a course identified in the Course Code Directory which
140 incorporates a work-based learning component or an activity that
141 is unpaid and who are injured due to participation in such
142 component or activity are deemed to be employees of the state
143 for purposes of workers' compensation coverage only for
144 medically necessary care needed as a direct result of that
145 injury.

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146 Section 2. Section 446.011, Florida Statutes, is amended to
147 read:

148 446.011 Legislative intent regarding apprenticeship
149 training.-

150 (1) It is the intent of the State of Florida to provide
151 educational opportunities for its residents so that they can be
152 trained for trades, occupations, and professions suited to their
153 abilities. It is the intent of this act to promote the mode of
154 training known as apprenticeship in occupations throughout
155 industry in this the state that ~~require physical manipulative~~
156 skills. The Legislature further intends to broaden ~~By broadening~~
157 job training opportunities by increasing and providing for
158 increased coordination between secondary and postsecondary
159 educational institutions and business and industry participating
160 in registered apprenticeship programs so that ~~public school~~
161 academic programs, ~~career programs, and registered~~
162 apprenticeship programs, the residents of this state will
163 benefit from an additional on-ramp to a postsecondary credential
164 or degree when on-the-job training is combined with related
165 technical and theoretical instruction provided by a school
166 district, a Florida College System institution, or a state
167 university. ~~Therefore, this act encourages apprenticeship~~
168 programs that lead to college credit or a college degree.
169 ~~Moreover, the valuable training opportunities developed when on-~~
170 ~~the-job training is combined with academic-related classroom~~
171 ~~experiences-~~ this act is intended to develop the apparent
172 potentials in apprenticeship training by assisting in the
173 establishment of preapprenticeship programs in the public school
174 system and elsewhere and by expanding presently registered

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175 programs as well as promoting new registered programs in jobs
176 that lend themselves to apprenticeship training.

177 (2) It is the intent of the Legislature that the Department
178 of Education have responsibility for the development of the
179 registered apprenticeship and registered preapprenticeship
180 uniform minimum standards for ~~the~~ apprenticeable occupations
181 ~~trades~~ and that the department have responsibility for assisting
182 eligible program sponsors pursuant to s. 446.071 district school
183 ~~boards and Florida College System institution boards of trustees~~
184 in developing preapprenticeship programs.

185 (3) It is the further intent of ss. 446.011-446.092 that
186 the department ensure quality training through the adoption and
187 enforcement of uniform minimum standards and that the department
188 promote, register, monitor, and service apprenticeship and
189 preapprenticeship training programs and ensure that the programs
190 adhere to the standards.

191 (4) It is the intent of the Legislature that this act not
192 require the use of apprentices on construction projects financed
193 by the state or any county, municipality, town or township,
194 public authority, special district, municipal service taxing
195 unit, or other agency of state or local government.
196 Notwithstanding this intent, whenever any government or agency
197 of government employs, of its own choice, apprentices or employs
198 contractors who employ apprentices, the behavior of the
199 government and the contractors employed by the government shall
200 be governed by the provisions of this act.

201 Section 3. Section 446.021, Florida Statutes, is amended to
202 read:

203 (Substantial rewording of section. See

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204 s. 446.021, F.S., for present text.)

205 446.021 Definitions of terms used in ss. 446.011-446.092.-

206 As used in ss. 446.011-446.092, the term:

207 (1) "Apprentice" means a person at least 16 years of age
208 who has entered into an apprenticeship agreement with a
209 registered apprenticeship program sponsor, is engaged in
210 learning an apprenticeable occupation through actual work
211 experience under the supervision of journeyworkers, and is
212 enrolled in the apprenticeship program in which he or she
213 receives an organized and systematic form of instruction
214 designed to provide theoretical and technical knowledge related
215 to the occupation.

216 (2) "Apprenticeship program" means a program that is
217 registered with the department on the basis of submission to the
218 department of a plan that contains the terms and conditions for
219 the qualification, recruitment, selection, employment, and
220 training of apprentices, including requirements for a written
221 apprenticeship agreement.

222 (3) "Cancellation" means the termination or deregistration
223 of an apprenticeship program at the request of the program
224 sponsor, or the termination of an apprenticeship agreement at
225 the request of the apprentice.

226 (4) "Department" means the Department of Education.

227 (5) "Journeyworker" means a person working in an
228 apprenticeable occupation who has successfully completed a
229 registered apprenticeship program or who has worked the number
230 of years required by established industry practices for the
231 particular trade or occupation.

232 (6) "On-the-job training" means a structured system of work

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233 processes, under the supervision of a journeyworker, which
 234 provides the experience and knowledge necessary to meet the
 235 training objective of learning a specific skill, trade, or
 236 occupation.

237 (7) "Preapprentice" means a person at least 16 years of age
 238 who enters into a preapprenticeship agreement with a
 239 preapprenticeship program sponsor approved by the department and
 240 who is engaged in learning an apprenticeable occupation in any
 241 course of instruction in the public school system or elsewhere.

242 (8) "Preapprenticeship program" means a program sponsored
 243 by an apprenticeship program in the same occupation which is
 244 registered with the department on the basis of submission to the
 245 department of a plan that contains the terms and conditions of
 246 instruction in the public school system or elsewhere and is
 247 designed to prepare a registered preapprentice to become an
 248 apprentice in an apprenticeship program.

249 (9) "Related technical instruction" means an organized and
 250 systematic form of instruction designed to provide an apprentice
 251 or preapprentice with knowledge of the theoretical subjects
 252 related to a specific trade or occupation.

253 (10) "Uniform minimum standards" means the minimum
 254 requirements established for each occupation under which an
 255 apprenticeship or a preapprenticeship program is administered.
 256 The term includes standards of admission, training goals,
 257 training objectives, curriculum outlines, objective standards to
 258 measure successful completion of the apprenticeship or
 259 preapprenticeship program, and the percentage of credit which
 260 may be given to apprentices or preapprentices. Minimum
 261 requirements must be uniform across all occupations.

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262 Section 4. Section 446.032, Florida Statutes, is amended to
 263 read:

264 446.032 General duties of the department for apprenticeship
 265 training.—The department shall:

266 (1) Establish uniform minimum standards and policies
 267 governing registered apprenticeship ~~apprentice~~ programs and
 268 agreements. The standards and policies shall govern the terms
 269 and conditions of the apprentice's employment and training,
 270 including the quality training of the apprentice for, but not
 271 limited to, such matters as ratios of apprentices to
 272 journeyworkers, safety, related technical instruction, and on-
 273 the-job training; but these standards and policies may not
 274 include rules, standards, or guidelines that require the use of
 275 apprentices ~~and job trainees~~ on state, county, or municipal
 276 contracts. ~~The department may adopt rules necessary to~~
 277 ~~administer the standards and policies.~~

278 (2) By September 1 of each year, publish an annual report
 279 on registered apprenticeship and registered preapprenticeship
 280 programs. The report must be published on the department's
 281 website and, at a minimum, include all of the following:

282 (a) A list of registered apprenticeship and registered
 283 preapprenticeship programs, sorted by local educational agency,
 284 as defined in s. 1004.02(18), and apprenticeship sponsor, under
 285 s. 446.071.

286 (b) A detailed summary of each local educational agency's
 287 expenditure of funds for registered apprenticeship and
 288 registered preapprenticeship programs, including:

289 1. The total amount of funds received for registered
 290 apprenticeship and registered preapprenticeship programs;

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291 2. The total amount of funds allocated to each trade or
 292 apprenticeable occupation;
 293 3. The total amount of funds expended for administrative
 294 costs per apprenticeable ~~trade or~~ occupation; and
 295 4. The total amount of funds expended for instructional
 296 costs per apprenticeable ~~trade and~~ occupation.
 297 (c) The number of apprentices and preapprentices per
 298 apprenticeable ~~trade and~~ occupation.
 299 (d) The percentage of registered apprentices and
 300 preapprentices who complete their respective programs ~~in the~~
 301 ~~appropriate timeframe~~.
 302 (e) Information and resources related to ~~applications for~~
 303 new registered apprenticeship programs and technical assistance
 304 and requirements for potential registered apprenticeship
 305 programs applicants.
 306 (f) Documentation of activities conducted by the department
 307 to promote registered apprenticeship and registered
 308 preapprenticeship programs through public engagement, community-
 309 based partnerships, and other initiatives.
 310 (3) Provide assistance to district school boards, Florida
 311 College System institution boards of trustees, eligible program
 312 sponsors pursuant to s. 446.071, and local workforce development
 313 boards in notifying students, parents, and members of the
 314 community of the availability of apprenticeship and
 315 preapprenticeship opportunities, including data provided in the
 316 economic security report pursuant to s. 445.07.
 317 (4) Establish procedures to be used by the State
 318 Apprenticeship Advisory Council.
 319 Section 5. Section 446.041, Florida Statutes, is amended to

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320 read:
 321 446.041 Apprenticeship program, duties of the department.—
 322 The department shall:
 323 (1) Administer ss. 446.011-446.092.
 324 (2) Review and evaluate ~~Administer~~ the uniform minimum
 325 standards established by the department for registered
 326 apprenticeship and registered preapprenticeship programs.
 327 (3) Register, in accordance with this chapter, any
 328 apprenticeship or preapprenticeship program ~~that, regardless of~~
 329 ~~affiliation, which~~ meets the uniform minimum standards
 330 established by the department.
 331 (4) Investigate complaints concerning the failure of any
 332 registered program to meet the uniform minimum standards
 333 established by the department.
 334 (5) Cancel the registration of any program that fails to
 335 comply with the uniform minimum standards and policies of the
 336 department or that unreasonably fails or refuses to cooperate
 337 with the department in monitoring and enforcing compliance with
 338 the uniform minimum standards.
 339 (6) Encourage potential sponsors to develop and encourage
 340 apprenticeship or preapprenticeship programs.
 341 (7) Lead and coordinate outreach efforts to educate
 342 veterans about apprenticeship ~~programs and career opportunities~~.
 343 (8) Cooperate with and assist registered local
 344 apprenticeship sponsors in the development of their
 345 apprenticeship uniform minimum standards and their training
 346 requirements.
 347 (9) Encourage ~~registered~~ apprenticeship programs to grant
 348 consideration and credit to individuals completing ~~registered~~

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349 preapprenticeship programs.

350 (10) Monitor registered apprenticeship programs to ensure
351 that they are being operated in compliance with all applicable
352 uniform minimum standards.

353 ~~(11) Supervise all apprenticeship programs that are
354 registered with the department.~~

355 ~~(12)~~ Ensure that minority and gender diversity are
356 considered in apprenticeship and preapprenticeship programs
357 ~~administering this program.~~

358 ~~(12)~~ ~~(13)~~ Adopt rules required to administer ss. 446.011-
359 446.092.

360 Section 6. Section 446.045, Florida Statutes, is amended to
361 read:

362 446.045 State Apprenticeship Advisory Council.—

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

364 (a) "Joint organization" means an apprenticeship sponsor
365 who participates in a collective bargaining agreement.

366 (b) "Nonjoint organization" means an apprenticeship sponsor
367 who does not participate in a collective bargaining agreement.

368 (2) (a) There is created a State Apprenticeship Advisory
369 Council to be composed of 10 voting members appointed by the
370 Governor and two ex officio nonvoting members. The purpose of
371 the advisory council is to advise the department on matters
372 relating to registered apprenticeship and registered
373 preapprenticeship. The advisory council may not establish
374 policy, adopt rules, or consider whether particular registered
375 apprenticeship or registered preapprenticeship programs should
376 be approved by the department.

377 (b) The Commissioner of Education or the commissioner's

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378 designee shall serve ex officio as chair of the State
379 Apprenticeship Advisory Council, but may not vote. A
380 representative ~~The state director~~ of the Office of
381 Apprenticeship of the United States Department of Labor shall
382 serve ex officio as a nonvoting member of the council. The
383 Governor shall appoint to the council four members representing
384 employee organizations and four members representing employer
385 organizations. Each of these eight members shall represent
386 industries that have registered apprenticeship programs. The
387 Governor shall also appoint two public members who are
388 knowledgeable about registered apprenticeship and apprenticeable
389 occupations and who are independent of any joint or nonjoint
390 organization. Members shall be appointed for 4-year staggered
391 terms. A vacancy shall be filled for the remainder of the
392 unexpired term.

393 (c) The council shall meet at the call of the chair or the
394 chair's designee, or at the request of a majority of its voting
395 membership, but at least twice a year. A majority of the voting
396 members constitutes ~~shall constitute~~ a quorum, and the
397 affirmative vote of a majority of a quorum is necessary to take
398 action.

399 (d) The Governor may remove any member for cause.

400 (e) The council shall maintain minutes of each meeting. The
401 department shall keep on file the minutes of each meeting and
402 shall make the minutes available to any interested person.

403 (f) Members of the council shall serve without compensation
404 and are not entitled to receive reimbursement for per diem and
405 travel expenses under s. 112.061. Meetings may be held via
406 teleconference or other electronic means.

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407 Section 7. Section 446.051, Florida Statutes, is amended to
408 read:

409 446.051 Related instruction for apprentices.-

410 (1) The administration and supervision of related and
411 supplemental instruction for apprentices, the coordination of
412 such instruction with job experiences, and the selection and
413 training of teachers, instructors, and coordinators for such
414 instruction, all as approved by the department, are registered
415 program sponsor, ~~shall be~~ the responsibility of the registered
416 apprenticeship or registered preapprenticeship program sponsor
417 appropriate career education institution.

418 (2) District school boards and Florida College System
419 institution and state university boards of trustees are ~~The~~
420 appropriate career education institution shall be encouraged to
421 cooperate with and assist in providing to any registered program
422 sponsor facilities, equipment and supplies, and instructors'
423 salaries for the performance of related and supplemental
424 instruction associated with the registered apprenticeship or
425 preapprenticeship ~~registered~~ program.

426 Section 8. Section 446.052, Florida Statutes, is amended to
427 read:

428 446.052 Preapprenticeship program.-

429 (1) There is created and established a preapprenticeship
430 education program, as defined in s. 446.021.

431 (2) The department, under regulations established by the
432 State Board of Education, may administer the provisions of ss.
433 446.011-446.092 which relate to preapprenticeship programs ~~in~~
434 ~~cooperation with district school boards and Florida College~~
435 ~~System institution boards of trustees~~. District school boards,

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436 Florida College System institution and State University System
437 boards of trustees, and registered apprenticeship ~~registered~~
438 program sponsors are encouraged to ~~shall~~ cooperate in developing
439 and establishing preapprenticeship programs that include career
440 instruction ~~and general education courses required to obtain a~~
441 ~~high school diploma~~.

442 (3) The department, ~~the~~ district school boards, and ~~the~~
443 Florida College System and State University System institution
444 boards of trustees shall work together with existing registered
445 apprenticeship programs in order that individuals completing the
446 preapprenticeship programs may be able to receive credit toward
447 towards completing an a ~~registered~~ apprenticeship program. In
448 addition, such boards and boards of trustees are encouraged to
449 cooperate with established associate of science or associate of
450 applied science degree programs and career certificate programs
451 to ensure that individuals completing a registered
452 apprenticeship program may be able to receive college credit
453 toward a technical degree education program.

454 (4) If qualified, veterans who have received discharges
455 other than dishonorable discharges shall, ~~if qualified~~, receive
456 the same priorities given to registered preapprentices.

457 Section 9. Section 446.071, Florida Statutes, is amended
458 to read:

459 446.071 Apprenticeship sponsors.-

460 (1) One or more ~~local~~ apprenticeship sponsors must ~~shall~~ be
461 approved in any apprenticeable occupation ~~trade~~ or multiple
462 apprenticeable occupations ~~group of trades~~ by the department,
463 upon a determination of need, if the apprenticeship sponsor
464 meets all of the uniform minimum standards established by the

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465 department. The term "need" refers to the need of state
 466 residents for apprenticeship training. In the absence of proof
 467 to the contrary, it shall be presumed that there is need for
 468 apprenticeship and preapprenticeship training in each county in
 469 ~~this state.~~

470 (2) ~~An A local~~ apprenticeship sponsor may be a committee, a
 471 group of employers, an employer, ~~or~~ a group of employees, an
 472 educational institution, a local workforce board, a community or
 473 faith-based organization, an association, or any entity
 474 preapproved by the department as being in accordance with this
 475 chapter combination thereof.

476 (3) The department may grant a variance from the uniform
 477 minimum standards upon a showing of good cause for the variance
 478 by program sponsors in nonconstruction trades. The purpose of
 479 this subsection is to recognize the unique and varying training
 480 requirements in nontraditional apprenticeable occupations and to
 481 authorize the department to adapt the standards to the needs of
 482 the programs.

483 Section 10. Section 446.081, Florida Statutes, is amended
 484 to read:

485 446.081 Limitation.—

486 (1) Nothing in ss. 446.011-446.092 or in any apprentice
 487 agreement approved under those sections invalidates ~~may~~
 488 ~~invalidate:~~

489 ~~(a)~~ any apprenticeship provision in any collective
 490 agreement between employers and employees setting up higher
 491 apprenticeship standards.

492 ~~(b) Any special provision for veterans, minority persons,~~
 493 ~~or women in the standards, apprenticeship qualifications, or~~

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494 ~~operation of the program that is not otherwise prohibited by~~
 495 ~~law, executive order, or authorized regulation.~~

496 (2) ~~A~~ No person ~~may not~~ shall institute any action for the
 497 enforcement of any apprentice agreement, or for damages for the
 498 breach of any apprentice agreement, made under ss. 446.011-
 499 446.092, unless he or she has first exhausted all administrative
 500 remedies provided by this section.

501 (3) Any person aggrieved by any determination or act of the
 502 department has the right to an administrative hearing.

503 (4) Nothing in ss. 446.011-446.092 or in any rules adopted
 504 or contained in any approved apprentice agreement under such
 505 sections invalidates any special provision for veterans,
 506 minority persons, or women in the standards, qualifications, or
 507 operation of the apprenticeship program which is not otherwise
 508 prohibited by any applicable general law, executive order, rule,
 509 or regulation.

510 Section 11. Section 446.091, Florida Statutes, is repealed.

511 Section 12. Section 446.092, Florida Statutes, is amended
 512 to read:

513 446.092 Criteria for apprenticeship occupations.—At a
 514 minimum, an apprenticeable occupation must possess ~~is a skilled~~
 515 ~~trade which possesses~~ all of the following characteristics:

516 (1) It is customarily learned in a practical way through a
 517 structured, systematic program of on-the-job, supervised
 518 training.

519 (2) It is clearly identified and commonly recognized
 520 throughout an industry.

521 (3) It involves manual, mechanical, or technical skills and
 522 knowledge which, in accordance with the industry standards for

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523 the occupation, requires ~~would require~~ a minimum of 2,000 hours
 524 of on-the-job training, which hours are excluded from the time
 525 spent at related technical or supplementary related instruction.

526 (4) It requires related technical instruction to supplement
 527 on-the-job training. Such instruction may be given in a
 528 classroom, through occupational or industrial courses or
 529 correspondence courses of equivalent value, through electronic
 530 media, or through other forms of self-study approved by the
 531 department.

532 Section 13. Paragraph (e) of subsection (1) of section
 533 1003.4156, Florida Statutes, is redesignated as subsection (2)
 534 and amended, present subsection (2) of that section is
 535 redesignated as subsection (4), and a new subsection (3) is
 536 added to that section, to read:

537 1003.4156 General requirements for middle grades
 538 promotion.—

539 (1) In order for a student to be promoted to high school
 540 from a school that includes middle grades 6, 7, and 8, the
 541 student must successfully complete the following courses:

542 (2)(e) Students are encouraged to complete one course in
 543 career and education planning which may be offered ~~to be~~
 544 ~~completed~~ in grades 6, 7, or 8, and which may be taught by any
 545 member of the instructional staff. The course should ~~must~~ be
 546 Internet-based, customizable to each student, and include
 547 research-based assessments to assist students in determining
 548 educational and career options and goals. In addition, the
 549 course should ~~must~~ result in a completed personalized academic
 550 and career plan for the student that may be revised as the
 551 student progresses through middle school and high school; ~~must~~

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552 emphasize the importance of entrepreneurship and employability
 553 skills; and ~~must~~ include information from the Department of
 554 Economic Opportunity's economic security report under s. 445.07.
 555 The ~~required~~ personalized academic and career plan should ~~must~~
 556 inform students of high school graduation requirements,
 557 including a detailed explanation of the requirements for earning
 558 a high school diploma designation under s. 1003.4285; the
 559 requirements for each scholarship in the Florida Bright Futures
 560 Scholarship Program; state university and Florida College System
 561 institution admission requirements; available opportunities to
 562 earn college credit in high school, including Advanced Placement
 563 courses; the International Baccalaureate Program; the Advanced
 564 International Certificate of Education Program; dual enrollment,
 565 including career dual enrollment; and career education courses,
 566 including career-themed courses, preapprenticeship and
 567 apprenticeship programs, and course sequences that lead to
 568 industry certification pursuant to s. 1003.492 or s. 1008.44.
 569 The course may be implemented as a stand-alone course or
 570 integrated into another course or courses.

571 (3) The Florida Virtual School may offer a course that
 572 conforms to the guidelines established in subsection (2).

573 (4)(2) The State Board of Education shall adopt rules
 574 pursuant to ss. 120.536(1) and 120.54 to implement this section
 575 and may enforce this section pursuant to s. 1008.32.

576 Section 14. Paragraph (d) is added to subsection (8) of
 577 section 1003.4282, Florida Statutes, to read:

578 1003.4282 Requirements for a standard high school diploma.—

579 (8) CAREER EDUCATION COURSES THAT SATISFY HIGH SCHOOL
 580 CREDIT REQUIREMENTS.—

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581 (d) School districts or regional consortia may work with
 582 national providers to submit recommended career-themed courses
 583 to the department for state board approval. Recommended courses
 584 must meet the requirements set forth in s. 1003.493(2), (4), and
 585 (5) that students can take and earn required high school course
 586 credits.

587 Section 15. Present subsections (3) through (8) of section
 588 1007.23, Florida Statutes, are redesignated as subsections (4)
 589 through (9), respectively, and a new subsection (3) is added to
 590 that section, to read:

591 1007.23 Statewide articulation agreement.—

592 (3) To facilitate seamless transfer, reduce excess credit
 593 hours, and ensure that students are taking the relevant courses
 594 needed for their future careers, the articulation agreement must
 595 specify three mathematics pathways, which are aligned to
 596 programs, meta-majors, and careers, on which degree seeking
 597 students must be placed.

598 Section 16. By September 31, 2020, the Articulation
 599 Coordinating Committee shall convene a representative workgroup
 600 composed of academic affairs administrators and faculty from
 601 state universities and Florida College System institutions to
 602 identify the three pathways. The workgroup shall report its
 603 recommendations to the Articulation Coordinating Committee, the
 604 Board of Governors, and the State Board of Education by March
 605 31, 2021. The Articulation Coordinating Committee shall approve
 606 the mathematics pathways by May 31, 2021.

607 Section 17. Subsections (2) and (4) of section 1007.2616,
 608 Florida Statutes, is amended to read:

609 1007.2616 Computer science and technology instruction.—

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610 (2) (a) Public schools shall provide students in grades K-12
 611 opportunities for learning computer science, including, but not
 612 limited to, computer coding and computer programming. Such
 613 opportunities ~~must~~ may include computational thinking and
 614 foundational computer science skills ~~coding~~ instruction in
 615 elementary school ~~and middle school~~ and instruction to develop
 616 students' computer usage and digital literacy skills in middle
 617 school, and must include courses in computer science in middle
 618 school and high school, including earning-related industry
 619 certifications. Such courses must be integrated into each school
 620 district's middle and high schools, including combination
 621 schools in which any of grades 6 through 12 are taught.

622 (b) Computer science courses must be identified in the
 623 Course Code Directory and published on the Department of
 624 Education's website ~~no later than July 1, 2018. Additional~~
 625 ~~computer science courses may be subsequently identified and~~
 626 ~~posted on the department's website.~~

627 (4) (a) Subject to legislative appropriation, a school
 628 district or a consortium of school districts may apply to the
 629 department, in a format prescribed by the department, for
 630 funding to deliver or facilitate training for classroom teachers
 631 to earn an educator certificate in computer science pursuant to
 632 s. 1012.56, or training that leads to an industry certification
 633 associated with a course identified in the Course Code Directory
 634 pursuant to paragraph (2) (b), or for professional development
 635 for classroom teachers to provide instruction in computer
 636 science courses and content for grades K-12, or for the purchase
 637 of technology, including hardware and software, directly related
 638 to computer science instruction. Such funding shall only be used

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639 to provide training for classroom teachers, or to pay fees for
640 examinations that lead to a credential, or to provide
641 professional development, pursuant to this paragraph.

642 (b) The department shall award funding to school districts
643 or consortia using criteria developed by the department ~~Once the~~
644 ~~department has identified courses in the Course Code Directory~~
645 ~~pursuant to paragraph (2) (b), the department shall establish a~~
646 ~~deadline for submitting applications. The department shall award~~
647 ~~funding to school districts in a manner that allows for an~~
648 ~~equitable distribution of funding statewide based on student~~
649 ~~population.~~

650 Section 18. Paragraph (a) of subsection (1) and paragraph
651 (b) of subsection (4) of section 1008.44, Florida Statutes, are
652 amended, and paragraph (f) is added to subsection (1), to read:

653 1008.44 CAPE Industry Certification Funding List and CAPE
654 Postsecondary Industry Certification Funding List.—

655 (1) Pursuant to ss. 1003.4203 and 1003.492, the Department
656 of Education shall, at least annually, identify, under rules
657 adopted by the State Board of Education, and the Commissioner of
658 Education may at any time recommend adding the following
659 certificates, certifications, and courses:

660 (a) CAPE industry certifications identified on the CAPE
661 Industry Certification Funding List that must be applied in the
662 distribution of funding to school districts pursuant to s.
663 1011.62(1)(o). The CAPE Industry Certification Funding List
664 shall incorporate by reference the industry certifications on
665 the career pathways list approved for the Florida Gold Seal CAPE
666 ~~Vocational~~ Scholars award. In addition, by August 1 of each
667 year, the not-for-profit corporation established pursuant to s.

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668 445.004 may annually select one industry certification, that
669 does not articulate for college credit, for inclusion on the
670 CAPE Industry Certification Funding List for a period of 3 years
671 unless otherwise approved by the curriculum review committee
672 pursuant to s. 1003.491. Such industry certifications, if earned
673 by a student, shall be eligible for additional full-time
674 equivalent membership, pursuant to s. 1011.62(1)(o)1.

675 (f) Industry certifications associated with aviation-
676 related and aerospace-related occupations must be identified by
677 the Commissioner of Education and, if earned by a student, are
678 eligible for additional full-time equivalent membership pursuant
679 to s. 1011.62(1)(o)1.e. These industry certifications must be
680 identified on the CAPE Industry Certification Funding List.

681 (4)

682 (b) For the purpose of calculating additional full-time
683 equivalent membership pursuant to s. 1011.62(1)(o)1.e., the
684 Commissioner of Education may limit CAPE industry certifications
685 and CAPE Digital Tool certificates to students in certain grades
686 ~~based on formal recommendations by providers of CAPE industry~~
687 ~~certifications and CAPE Digital Tool certificates.~~

688 Section 19. Paragraph (o) of subsection (1) of Section
689 1011.62, Florida Statutes, is amended to read:

690 1011.62 Funds for operation of schools.—If the annual
691 allocation from the Florida Education Finance Program to each
692 district for operation of schools is not determined in the
693 annual appropriations act or the substantive bill implementing
694 the annual appropriations act, it shall be determined as
695 follows:

696 (1) COMPUTATION OF THE BASIC AMOUNT TO BE INCLUDED FOR

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697 OPERATION.—The following procedure shall be followed in
698 determining the annual allocation to each district for
699 operation:

700 (o) Calculation of additional full-time equivalent
701 membership based on successful completion of a career-themed
702 course pursuant to ss. 1003.491, 1003.492, and 1003.493, or
703 courses with embedded CAPE industry certifications or CAPE
704 Digital Tool certificates, and issuance of industry
705 certification identified on the CAPE Industry Certification
706 Funding List pursuant to rules adopted by the State Board of
707 Education or CAPE Digital Tool certificates pursuant to s.
708 1003.4203.—

709 1.a. A value of 0.025 full-time equivalent student
710 membership shall be calculated for CAPE Digital Tool
711 certificates earned by students in elementary and middle school
712 grades.

713 b. A value of 0.1 or 0.2 full-time equivalent student
714 membership shall be calculated for each student who completes a
715 course as defined in s. 1003.493(1)(b) or courses with embedded
716 CAPE industry certifications and who is issued an industry
717 certification identified annually on the CAPE Industry
718 Certification Funding List approved under rules adopted by the
719 State Board of Education. For a CAPE industry certification that
720 has a statewide articulation agreement of 4 to 14 college
721 credits, a value of 0.2 full-time equivalent membership shall be
722 calculated. For a CAPE industry certification that has a
723 statewide articulation agreement of 1 to 3 college credits and
724 is deemed by the department to be of sufficient rigor and to be
725 linked to a high-skill occupation, a value of 0.2 full-time

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726 equivalent membership shall be calculated. For all other CAPE
727 industry certifications with a statewide articulation agreement
728 of 1 to 3 college credits, a value of 0.1 full-time equivalent
729 membership shall be calculated. A value of 0.2 full-time
730 ~~equivalent membership shall be calculated for each student who~~
731 ~~is issued a CAPE industry certification that has a statewide~~
732 ~~articulation agreement for college credit approved by the State~~
733 ~~Board of Education.~~ For CAPE industry certifications that do not
734 articulate for college credit, the Department of Education shall
735 calculate ~~assign~~ a full-time equivalent value of 0.1 for each
736 certification. Middle grades students who earn additional FTE
737 membership for a CAPE Digital Tool certificate pursuant to sub-
738 subparagraph a. may not use the previously funded examination to
739 satisfy the requirements for earning an industry certification
740 under this sub-subparagraph. ~~Additional FTE membership for an~~
741 ~~elementary or middle grades student may not exceed 0.1 for~~
742 ~~certificates or certifications earned within the same fiscal~~
743 ~~year.~~ The State Board of Education shall include the assigned
744 values on the CAPE Industry Certification Funding List under
745 rules adopted by the state board. Such value shall be added to
746 the total full-time equivalent student membership for grades 6
747 through 12 in the subsequent year. CAPE industry certifications
748 earned through dual enrollment must be reported and funded
749 pursuant to s. 1011.80. However, if a student earns a
750 certification through a dual enrollment course and the
751 certification is not a fundable certification on the
752 postsecondary certification funding list, or the dual enrollment
753 certification is earned as a result of an agreement between a
754 school district and a nonpublic postsecondary institution, the

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755 bonus value shall be funded in the same manner as other nondual
756 enrollment course industry certifications. In such cases, the
757 school district may provide for an agreement between the high
758 school and the technical center, or the school district and the
759 postsecondary institution may enter into an agreement for
760 equitable distribution of the bonus funds.

761 c. A value of 0.3 full-time equivalent student membership
762 shall be calculated for student completion of the courses and
763 the embedded certifications identified on the CAPE Industry
764 Certification Funding List and approved by the commissioner
765 pursuant to ss. 1003.4203(5) (a) and 1008.44.

766 d. A value of 0.5 full-time equivalent student membership
767 shall be calculated for CAPE Acceleration Industry
768 Certifications that articulate for 15 to 29 college credit
769 hours, and 1.0 full-time equivalent student membership shall be
770 calculated for CAPE Acceleration Industry Certifications that
771 articulate for 30 or more college credit hours pursuant to CAPE
772 Acceleration Industry Certifications approved by the
773 commissioner pursuant to ss. 1003.4203(5) (b) and 1008.44.

774 e. In addition to the full-time equivalent student
775 membership calculated under paragraphs (a)-(d), a supplemental
776 value of 0.2 full-time equivalent student membership shall be
777 calculated for industry certifications identified on the CAPE
778 Industry Certification Funding List as leading to employment in
779 aviation-related or aerospace-related occupations and meeting
780 specified criteria prescribed by the department.

781 2. Each district must allocate at least 80 percent of the
782 funds provided for CAPE industry certification, in accordance
783 with this paragraph, to the program that generated the funds.

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784 The remaining 20 percent may be used for other CAPE program
785 expenses, such as administrative costs, which may not exceed 5
786 percent of the funds provided, and new industry certification
787 programs. All such funds must be used for CAPE programs. CAPE
788 funding ~~This allocation~~ may not be used to supplant funds
789 provided for basic operation of the program, such as teacher
790 salaries and other costs that are funded with non-CAPE funds for
791 other courses.

792 3. For CAPE industry certifications earned in the 2013-2014
793 school year and in subsequent years, the school district shall
794 distribute to each classroom teacher who provided direct
795 instruction toward the attainment of a CAPE industry
796 certification that qualified for additional full-time equivalent
797 membership under subparagraph 1.:

798 a. A bonus of \$25 for each student taught by a teacher who
799 provided instruction in a course that led to the attainment of a
800 CAPE industry certification on the CAPE Industry Certification
801 Funding List with a weight of 0.1.

802 b. A bonus of \$50 for each student taught by a teacher who
803 provided instruction in a course that led to the attainment of a
804 CAPE industry certification on the CAPE Industry Certification
805 Funding List with a weight of 0.2.

806 c. A bonus of \$75 for each student taught by a teacher who
807 provided instruction in a course that led to the attainment of a
808 CAPE industry certification on the CAPE Industry Certification
809 Funding List with a weight of 0.3.

810 d. A bonus of \$100 for each student taught by a teacher who
811 provided instruction in a course that led to the attainment of a
812 CAPE industry certification on the CAPE Industry Certification

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813 Funding List with a weight of 0.5 or 1.0.

814

815 ~~Bonuses awarded pursuant to this paragraph shall be provided to~~
 816 ~~teachers who are employed by the district in the year in which~~
 817 ~~the additional FTE membership calculation is included in the~~
 818 ~~calculation.~~ Bonuses awarded to teachers pursuant to this
 819 paragraph must shall be calculated based upon the associated
 820 weight of a CAPE industry certification on the CAPE Industry
 821 Certification Funding List for the year in which the
 822 certification is earned by the student. Any bonus awarded to a
 823 teacher pursuant to this paragraph is in addition to any regular
 824 wage or other bonus the teacher received or is scheduled to
 825 receive. A bonus may not be awarded to a teacher who fails to
 826 maintain the security of any CAPE industry certification
 827 examination or who otherwise violates the security or
 828 administration protocol of any assessment instrument that may
 829 result in a bonus being awarded to the teacher under this
 830 paragraph.

831 Section 20. Paragraph (b) of subsection (7) of section
 832 1011.80, Florida Statutes, is amended to read:

833 1011.80 Funds for operation of workforce education
 834 programs.—

835 (7)

836 (b) Performance funding for industry certifications for
 837 school district workforce education programs is contingent upon
 838 specific appropriation in the General Appropriations Act and
 839 shall be determined as follows:

840 1. Occupational areas for which industry certifications may
 841 be earned, as established in the General Appropriations Act, are

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842 eligible for performance funding. Priority shall be given to the
 843 occupational areas emphasized in state, national, or corporate
 844 grants provided to Florida educational institutions.

845 2. The Chancellor of Career and Adult Education shall
 846 identify the industry certifications eligible for funding on the
 847 CAPE Postsecondary Industry Certification Funding List approved
 848 by the State Board of Education pursuant to s. 1008.44, based on
 849 the occupational areas specified in the General Appropriations
 850 Act.

851 3.a. Except as provided in sub-subparagraph b., each school
 852 district shall be provided \$1,000 for each industry
 853 certification earned by a workforce education student. If funds
 854 are insufficient to fully fund the calculated total award, such
 855 funds shall be prorated.

856 b. For each professional-level, Federal Aviation
 857 Administration industry certification earned by a workforce
 858 education student, each school district shall be provided a
 859 total of \$6,000. If funds are insufficient to fully fund the
 860 calculated total award, such funds shall be prorated.

861 Section 21. Section 1011.802, Florida Statutes is amended
 862 to read:

863 1011.802 Florida Pathways to Career Opportunities Grant
 864 Program.—

865 (1) Subject to appropriations provided in the General
 866 Appropriations Act, the Florida Pathways to Career Opportunities
 867 Grant Program is created to provide grants to high schools,
 868 career centers, charter technical career centers, Florida
 869 College System institutions, and other entities authorized to
 870 sponsor a registered ~~an~~ apprenticeship or registered

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871 preapprenticeship program, as defined in s. 446.021, on a
872 competitive basis to establish new apprenticeship or
873 preapprenticeship programs and expand existing apprenticeship or
874 preapprenticeship programs. The Department of Education shall
875 administer the grant program.

876 (2) Applications must contain projected enrollment and
877 projected costs for the new or expanded apprenticeship program.

878 (3) The department shall give priority to apprenticeship
879 programs with demonstrated regional demand. Grant funds may be
880 used for instructional equipment, supplies, instructional
881 personnel, student services, and other expenses associated with
882 the creation or expansion of an apprenticeship program. Grant
883 funds may not be used for recurring instructional costs or for
884 indirect costs. Grant recipients must submit quarterly reports
885 in a format prescribed by the department.

886 (4) Up to \$200,000 of the total amount allocated may be
887 used by the department to administer the grant program.

888 ~~(5)~~(4) The State Board of Education may adopt rules to
889 administer this section.

890 Section 22. Paragraph (c) of subsection (2) of section
891 1011.81, Florida Statutes, is amended to read:

892 1011.81 Florida College System Program Fund.—

893 (2) Performance funding for industry certifications for
894 Florida College System institutions is contingent upon specific
895 appropriation in the General Appropriations Act and shall be
896 determined as follows:

897 (c) 1. Except as provided in subparagraph 2., each Florida
898 College System institution shall be provided \$1,000 for each
899 industry certification earned by a student. If funds are

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900 insufficient to fully fund the calculated total award, such
901 funds shall be prorated.

902 2. For each professional-level, Federal Aviation
903 Administration industry certification earned by a student, each
904 Florida College System institution shall be provided a total of
905 \$6,000. If funds are insufficient to fully fund the calculated
906 total award, such funds shall be prorated.

907 Section 23. Section 1009.25, Florida Statutes, is reenacted
908 to read:

909 1009.25 Fee exemptions.—

910 (1) The following students are exempt from the payment of
911 tuition and fees, including lab fees, at a school district that
912 provides workforce education programs, Florida College System
913 institution, or state university:

914 (a) A student enrolled in a dual enrollment or early
915 admission program pursuant to s. 1007.271.

916 (b) A student enrolled in an approved apprenticeship
917 program, as defined in s. 446.021.

918 (c) A student who is or was at the time he or she reached
919 18 years of age in the custody of the Department of Children and
920 Families or who, after spending at least 6 months in the custody
921 of the department after reaching 16 years of age, was placed in
922 a guardianship by the court. Such exemption includes fees
923 associated with enrollment in applied academics for adult
924 education instruction. The exemption remains valid until the
925 student reaches 28 years of age.

926 (d) A student who is or was at the time he or she reached
927 18 years of age in the custody of a relative or nonrelative
928 under s. 39.5085 or s. 39.6225 or who was adopted from the

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929 Department of Children and Families after May 5, 1997. Such
 930 exemption includes fees associated with enrollment in applied
 931 academics for adult education instruction. The exemption remains
 932 valid until the student reaches 28 years of age.

933 (e) A student enrolled in an employment and training
 934 program under the welfare transition program. The local
 935 workforce development board shall pay the state university,
 936 Florida College System institution, or school district for costs
 937 incurred for welfare transition program participants.

938 (f) A student who lacks a fixed, regular, and adequate
 939 nighttime residence or whose primary nighttime residence is a
 940 public or private shelter designed to provide temporary
 941 residence, a public or private transitional living program, or a
 942 public or private place not designed for, or ordinarily used as,
 943 a regular sleeping accommodation for human beings. This includes
 944 a student who would otherwise meet the requirements of this
 945 paragraph, as determined by a college or university, but for his
 946 or her residence in college or university dormitory housing.

947 (g) A student who is a proprietor, owner, or worker of a
 948 company whose business has been at least 50 percent negatively
 949 financially impacted by the buyout of property around Lake
 950 Apopka by the State of Florida. Such student may receive a fee
 951 exemption only if the student has not received compensation
 952 because of the buyout, the student is designated a Florida
 953 resident for tuition purposes, pursuant to s. 1009.21, and the
 954 student has applied for and been denied financial aid, pursuant
 955 to s. 1009.40, which would have provided, at a minimum, payment
 956 of all student fees. The student is responsible for providing
 957 evidence to the postsecondary education institution verifying

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958 that the conditions of this paragraph have been met, including
 959 supporting documentation provided by the Department of Revenue.
 960 The student must be currently enrolled in, or begin coursework
 961 within, a program area by fall semester 2000. The exemption is
 962 valid for a period of 4 years after the date that the
 963 postsecondary education institution confirms that the conditions
 964 of this paragraph have been met.

965 (h) Pursuant to s. 402.403, child protection and child
 966 welfare personnel as defined in s. 402.402 who are enrolled in
 967 an accredited bachelor's degree or master's degree in social
 968 work program, provided that the student attains at least a grade
 969 of "B" in all courses for which tuition and fees are exempted.

970 (2) Each Florida College System institution is authorized
 971 to grant student fee exemptions from all fees adopted by the
 972 State Board of Education and the Florida College System
 973 institution board of trustees for up to 54 full-time equivalent
 974 students or 1 percent of the institution's total full-time
 975 equivalent enrollment, whichever is greater, at each
 976 institution.

977 Section 24. This act shall take effect July 1, 2020

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

2/25/20

Meeting Date

1568

Bill Number (if applicable)

Topic _____

Amendment Barcode (if applicable)

Name Jared Ochs

Job Title Director of Legislative Affairs

Address 325 West Gaines Street

Phone _____

Street

Tallahassee

FL

32399

Email jared.ochs@fldoe.org

City

State

Zip

Speaking: For Against Information

Waive Speaking: In Support Against
(The Chair will read this information into the record.)

Representing Florida Department of Education

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.

S-001 (10/14/14)

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

2-25-20
Meeting Date

1569
Bill Number (if applicable)

Topic Apprenticeships

Amendment Barcode (if applicable)

Name Marti Coley

Job Title Lobbyist PinPoint Results

Address 150 S. Monroe Suite 303

Phone 950-209-0069

Tallahassee FL 32301
City State Zip

Email marti@pinpointresults.com

Speaking: For Against Information

Waive Speaking: In Support Against
(The Chair will read this information into the record.)

Representing Florida Workforce Development Assoc.

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.

S-001 (10/14/14)

THE FLORIDA SENATE
APPEARANCE RECORD

2/25/2020
Meeting Date

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

1560
Bill Number (if applicable)

Topic Approps Subcom on Education

Amendment Barcode (if applicable)

Name Marcia Beasley

Job Title Retired

Address 12009 Dawn Vista DR

Phone 813 431 9717

Street

Riverview

FL

33578

Email mbeasley54@gmail.com

City

State

Zip

Speaking: For Against Information

Waive Speaking: In Support Against
(The Chair will read this information into the record.)

Representing _____

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.

S-001 (10/14/14)

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

2/25/2020
Meeting Date

SB 1568
Bill Number (if applicable)

Topic Education

Amendment Barcode (if applicable)

Name Charles S Fox

Job Title Teacher

Address 6627 Kestrel Cir
Street

Phone 239-940-5095

Ft Myers FL 33966
City State Zip

Email charlesfox@aol.com

Speaking: For Against Information

Waive Speaking: In Support Against
(The Chair will read this information into the record.)

Representing Lee County Teachers Association

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.

S-001 (10/14/14)

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

2/25/20
Meeting Date

1568
Bill Number (if applicable)

Topic Education

Amendment Barcode (if applicable)

Name Nancy Stewart

Job Title _____

Address 1460 Village Square Blvd Ste 3-156
Street
Tallahassee FL 32312
City State Zip

Phone 850-385-7805

Email Nancy.Stewart@nancyblackstewart.com

Speaking: For Against Information

Waive Speaking: In Support Against
(The Chair will read this information into the record.)

Representing Manufacturers Association of Florida

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.

S-001 (10/14/14)

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Appropriations Subcommittee on Education

BILL: PCS/SB 1644 (522188)

INTRODUCER: Appropriations Subcommittee on Education; Senators Book and Flores

SUBJECT: Students With Disabilities in Public Schools

DATE: February 26, 2020 **REVISED:** _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	<u>Brick</u>	<u>Sikes</u>	<u>ED</u>	Favorable
2.	<u>Underhill</u>	<u>Elwell</u>	<u>AED</u>	Recommend: Fav/CS
3.	_____	_____	<u>AP</u>	_____

Please see Section IX. for Additional Information:
 COMMITTEE SUBSTITUTE - Substantial Changes

I. Summary:

PCS/SB 1644 revises the circumstances and procedures required for restraining students with a disability in public schools and prohibits the use of seclusion. The bill also provides enhanced mechanisms for monitoring specified classrooms. Specifically, the bill requires:

- School districts to:
 - Adopt positive behavior interventions and supports for students with a disability and identify all school personnel authorized to use the interventions and supports.
 - Provide training to all school personnel authorized to use positive behavior interventions and supports.
 - Publish the procedures for training in positive behavior interventions and supports in the district’s special policies and procedures manual.
- The development of a crisis intervention plan for a student who has been restrained twice during a semester.
- Schools within the Broward and Volusia school districts, as part of the Video Cameras in Public School Classrooms Pilot Program, to install a video camera, upon the request of a parent, in self-contained classrooms where students with a disability are enrolled and specifies the circumstances under which the video recording may be viewed.
- The Department of Education (DOE) to collect information relating to the installation and maintenance of video cameras in self-contained classrooms as part of the pilot program.
- Data maintained by the DOE on the use of restraint to be updated monthly and made available to the public through the DOE’s website by October 1, 2020.

- The Commissioner of Education to develop recommendations that incorporate instruction regarding emotional or behavioral disabilities into continuing education or inservice training requirements for instructional personnel.

The bill does not require a state appropriation. However, school districts may incur costs to provide training in the use of restraint or positive behavior interventions. The Broward and Volusia County school districts may incur costs related to the installation and maintenance of video surveillance equipment. See Section V.

The bill takes effect July 1, 2020.

II. Present Situation:

The Individuals with Disabilities Education Act (IDEA) was enacted to ensure that all children with a disability have available to them a free appropriate public education and related services designed to meet their unique needs and prepare them for further education, employment, and independent living; and ensuring that the rights of children with disabilities and parents of such children are protected.¹ Accordingly, Florida law specifies conditions regarding the use of restraint and seclusion on students with a disability.²

The Use of Restraint and Seclusion

The Florida Department of Education (DOE) requires that all documenting, reporting, and monitoring requirements related to the use of restraint in schools are based on the definitions issued by the Office for Civil Rights (OCR) within the United States Department of Education.³

Restraint

According to the DOE:⁴

- Physical restraint immobilizes or reduces the ability of a student to move his or her torso, arms, legs, or head freely.
- Mechanical restraint is the use of any device or equipment to restrict a student's freedom of movement. The term does not include devices implemented by trained school personnel or devices used by a student that have been prescribed by an appropriate medical or related service professional and are used for specific and approved purposes for which such devices were designed.

School personnel are prohibited from using a mechanical restraint or a physical or manual restraint that restricts a student's breathing.⁵

¹ U.S. Department of Education, *IDEA Purpose*, <https://sites.ed.gov/idea/about-idea> (last visited Feb. 4, 2020).

² Section 1003.573, F.S.

³ Florida Department of Education, Bureau of Exceptional Education and Student Services, *Guidelines for the Use, Documentation, Reporting, and Monitoring of Restraint and Seclusion with Students with Disabilities*, Technical Assistance Paper FY 2011-165 (Oct. 14, 2011), available at <https://info.fldoe.org/docushare/dsweb/Get/Document-6212/dps-2011-165.pdf>, at 2.

⁴ *Id.*

⁵ Section 1003.573(4), F.S.

Seclusion

The OCR defines seclusion as the involuntary confinement of a student alone in a room or area from which the student is physically prevented from leaving.⁶ Seclusion does not include a time out, which is a behavior management technique that is part of an approved program, involves the monitored separation of the student in a non-locked setting, and is implemented for the purpose of calming.⁷ School personnel may not close, lock, or physically block a student in a room that is unlit and does not meet the rules of the State Fire Marshall for seclusion time-out rooms.⁸

School District Responsibilities

Each school district must develop policies and procedures regarding the use of restraint and seclusion of students with a disability. School district policies and procedures must address:⁹

- Incident-reporting procedures.
- Data collection and monitoring, including when, where, and why students are restrained or secluded.
- Training programs relating to manual or physical restraint and seclusion.
- The district's plan for reducing the use of restraint and seclusion, particularly in settings in which it occurs frequently or with students who are restrained repeatedly,¹⁰ and for reducing the use of prone restraint and mechanical restraint.

Confidentiality of Student Records

With limited exceptions, school districts may not disclose personally identifiable information contained within student records to a third party without parental consent.¹¹ School districts may disclose personally identifiable information from an education record regarding threats of violence and other issues regarding a student's well-being without parental consent in connection with an emergency if knowledge of the information is necessary to protect the health or safety of the student or other individuals.¹²

School districts may also share student information with juvenile justice and criminal justice agencies if the disclosure concerns the juvenile justice system and the system's ability to effectively serve, prior to adjudication, the student whose records are released.¹³ If the juvenile

⁶ U.S. Department of Education, Office of Civil Rights, *Dear Colleague Letter: Restraint and Seclusion of Students with Disabilities* (Dec. 28, 2016), available at <https://www2.ed.gov/about/offices/list/ocr/letters/colleague-201612-504-restraint-seclusion-ps.pdf>, at 7.

⁷ *Id.*

⁸ Section 1003.573(5); Rule 69A-58.0084, F.A.C.

⁹ Section 1003.573(3)(a), F.S.

¹⁰ The recurrent use of seclusion or restraint for an individual student indicates the need for a functional behavioral assessment (FBA) and should trigger a review and possible revision of that student's IEP and Behavioral Intervention Plan (BIP). For example, students with limited communication skills may exhibit aggressive behaviors in an effort to communicate. The FBA should be used to identify such situations and a BIP should be developed to address the need(s) through appropriate instructional techniques. Florida Department of Education, Bureau of Exceptional Education and Student Services, *Guidelines for the Use, Documentation, Reporting, and Monitoring of Restraint and Seclusion with Students with Disabilities*, Technical Assistance Paper FY 2011-165 (Oct. 14, 2011), available at <https://info.fldoe.org/docushare/dsweb/Get/Document-6212/dps-2011-165.pdf>, at 15.

¹¹ Section 1002.22, F.S.; 20 U.S.C. s. 1232(g).

¹² 34 C.F.R. s. 99.36.

¹³ 34 C.F.R. s. 99.38.

justice system seeks the disclosure of information on a student in order to identify and intervene with a juvenile at risk of delinquency, rather than to obtain information solely related to supervision of an adjudicated delinquent, the juvenile could be classified as a preadjudicated delinquent, and the records may be shared.¹⁴

School Responsibilities

Florida law requires a school to prepare an incident report within 24 hours after a student is released from restraint or seclusion. The incident report must contain:¹⁵

- The name, age, grade, ethnicity, and disability of the student restrained or secluded.
- The date and time of the event and the duration of the restraint or seclusion.
- A description of the type of restraint.
- A description of the incident.

Before the end of the school day, a school must provide written notification to the parent or guardian of a student each time restraint or seclusion is used on the student. Reasonable efforts must also be taken to notify the parent or guardian by telephone or e-mail, or both, and these efforts must be documented. The school must obtain and keep in its records the parent's or guardian's signed acknowledgement that he or she was notified of his or her child's restraint or seclusion.¹⁶ A school must also provide the parent or guardian with the completed incident report in writing by mail within three school days after a student was manually or physically restrained or secluded.¹⁷

Monitoring of the use of restraint and seclusion on students is required at the classroom, building, district, and state levels. The incident report and the notification to the parent or guardian must be provided to the school principal, the school district director of Exceptional Student Education, and the bureau chief of the Bureau of Exceptional Education and Student Services within the DOE electronically each month that school is in session.¹⁸

Since the 2010-2011 school year, there have been 80,669 incidents of restraint and 20,932 incidents of seclusion reported. In the 2018-2019 school year, school districts reported 8,650 incidents of restraint and 744 incidents of seclusion.¹⁹

Florida Department of Education Responsibilities

The DOE is required to maintain aggregate data of incidents of manual or physical restraint and seclusion by county, school, student exceptionality, and other variables, including the type and method of restraint or seclusion used. This information must be updated monthly. The DOE is

¹⁴ See U.S. Dep't. of Justice and U.S. Dep't of Ed., *Sharing Information: A Guide to the Family Educational Rights and Privacy Act and Participation in Juvenile Justice Programs* (June 1997), available at <https://www.ncjrs.gov/pdffiles/163705.pdf> at 9.

¹⁵ Section 1003.573(1), F.S. If the student's release occurs on a day before the school closes for the weekend, a holiday or another reason, the incident report must be completed by the end of the school day on the day the school reopens. *Id.*

¹⁶ *Id.*

¹⁷ Section 1003.573(1)(d), F.S.

¹⁸ Section 1003.573(2)(a)-(b), F.S.

¹⁹ Florida Department of Education, *Senate Bill 1644 Analysis* (2020), at 5

also required to establish standards for documenting, reporting, and monitoring the use of manual or physical restraint or mechanical restraint, and occurrences of seclusion.²⁰

Commissioner of Education Responsibilities

The Commissioner of Education is required to develop recommendations to incorporate instruction regarding autism spectrum disorder, Down syndrome, and other developmental disabilities into continuing education or in-service training requirements for personnel. These recommendations must address:²¹

- Early identification and intervention methods.
- Curriculum planning and curricular and instructional modifications, adaptations, and specialized strategies and techniques.
- The use of available state and local resources.
- The use of positive behavioral supports to deescalate problem behaviors.
- Appropriate use of manual physical restraint and seclusion techniques.

III. Effect of Proposed Changes:

The bill revises the circumstances and procedures required for restraining students with a disability in public schools and prohibits the use of seclusion. The bill also provides enhanced mechanisms for monitoring specified classrooms. Specifically, the bill requires:

- School districts to:
 - Adopt positive behavior interventions and supports for students with a disability and identify all school personnel authorized to use the interventions and supports.
 - Provide training to all school personnel authorized to use positive behavior interventions and supports.
 - Publish the procedures for training in positive behavior interventions and supports in the district's special policies and procedures manual.
- The development of a crisis intervention plan for a student who has been restrained twice during a semester.
- Schools within the Broward and Volusia school districts, as part of the Video Cameras in Public School Classrooms Pilot Program, to install a video camera, upon the request of a parent, in self-contained classrooms where students with a disability are enrolled and specifies the circumstances under which the video recording may be viewed.
- The Department of Education (DOE) to collect information relating to the installation and maintenance of video cameras in self-contained classrooms as part of the pilot program.
- Data maintained by the DOE on the use of restraint to be updated monthly and made available to the public through the DOE's website by October 1, 2020.
- The Commissioner of Education to develop recommendations that incorporate instruction regarding emotional or behavioral disabilities into continuing education or inservice training requirements for instructional personnel.

²⁰ Section 1003.573(2)(c)-(d), F.S.

²¹ Section 1012.582(1), F.S.

The Use of Restraint and Seclusion

Restraint

The bill modifies s. 1003.573, F.S., to define terms related to restraint and ensure restraint is only used as a last resort to avoid imminent harm. Specifically, the bill defines:

- “Imminent risk of serious injury” means the threat posed by dangerous behavior that may cause serious physical harm to self or others.
- “Restraint” to mean the use of a mechanical or physical restraint.
- “Mechanical restraint” to mean the use of a device that restricts a student’s freedom of movement. The term does not include the use devices prescribed or recommended by physical or behavioral health professionals when used for indicated purposes.
- “Physical restraint” to mean the use of manual restraint techniques that involve significant physical force applied by a teacher or other staff member to restrict the movement of all or part of a student’s body but does not include briefly holding a student in order to calm or comfort the student or physically escorting a student to a safe location.
- “Positive behavior interventions and supports” means the use of behavioral interventions to prevent dangerous behaviors that may cause serious physical harm to the student or others.
- “Seclusion” means the involuntary confinement of a student in a room or area alone and preventing the student from leaving the room or area. The term does not include time-out used as a behavior management technique intended to calm a student.
- “Student”, as the term relates to the restraint of students with a disability, to mean a child with an individual education plan²² enrolled in grades kindergarten through 12. The term does not include students in prekindergarten, students who reside in residential care facilities, or students participating in a Department of Juvenile Justice education program.

The bill specifies that restraint may only be used to protect the safety of students, school personnel, or others, and only after all behavioral interventions to prevent the dangerous behavior posing a risk of serious physical harm to the student or others have been exhausted, and the threat of injury posed by the dangerous behavior remains. When restraining a student, a person may only apply the degree of force necessary to protect the student or others from imminent risk of serious injury. Restraint may not:

- Be used to induce compliance, for student discipline, or to correct student noncompliance.
- Involve the use of straightjackets, zip ties, handcuffs, or tie-downs to obstruct or restrict breathing or blood flow.

Seclusion

The bill prohibits the use of seclusion of students by school personnel. Seclusion is defined as the involuntary confinement of a student in a room or area alone. The term does not include time-out used as a behavior management technique to calm a student.

This prohibition may encourage school personnel to consider effective and appropriate intervention strategies to address student behavior in the school setting.

²² The individualized education plan is the primary vehicle for communicating the school district’s commitment to addressing the unique educational needs of a student with a disability. Florida Department of Education, *Developing Quality Individual Education Plans* (2015), available at <http://www.fldoe.org/core/fileparse.php/7690/urlt/0070122-qualityieps.pdf>, at 9.

School District Responsibilities

The bill requires school districts to adopt positive behavior interventions and supports for students with a disability and identify all school personnel authorized to use the interventions and supports. District policies and procedures on positive behavior interventions and supports must be publicly posted at the beginning of each school year, and any revisions must be filed with the bureau chief of the Bureau of Exceptional Education and Student Services within the DOE within 90 days after the revision.

Existing requirements governing policies and procedures for the seclusion and restraint of students with a disability are updated to align with the new definitions relating to restraint and the prohibition of the use of seclusion. The bill authorizes school districts to include in their required plans for achieving goals to reduce the use of restraint an analysis of data to determine trends related to the use of restraint.

Training

The bill requires school districts to provide training to all school personnel authorized to use positive behavior interventions and supports and publish the procedures for the training in the district's special policies and procedures manual. The bill adds the date an individual was last trained in the use of positive behavior interventions and supports to the required components of the incident report that is prepared within 24 hours after a student is released from restraint. Training must be provided annually and include:

- The use of positive behavior interventions and supports.
- Risk assessment procedures to identify when restraint may be used.
- Examples of when positive behavior interventions and support techniques have failed to reduce the imminent risk of serious injury.
- Examples of safe and appropriate restraint techniques and how to use these techniques with multiple staff members working as a team.
- Instruction in the district's documentation and reporting requirements.
- Procedures to identify and deal with possible medical emergencies arising during the use of restraint.
- Cardiopulmonary resuscitation.

The establishment of school district training protocol on the use of positive behavior interventions and supports may provide school personnel with additional resources and knowledge related to the techniques to deescalate disruptive student behavior.

Crisis Intervention Plan

The bill requires a team comprised of school personnel, applicable physical and behavioral health professionals, and a student's parent to develop a crisis intervention plan after the second time the student is restrained during a semester. A crisis intervention plan is an individualized action plan for school personnel to implement when a student exhibits dangerous behavior that may lead to imminent risk of serious injury. The bill adds the date the crisis intervention plan was last reviewed, and whether changes were recommended, to the required components to be included in an incident report prepared within 24 hours after a student is released from restraint. The crisis intervention plan must be provided to the student's parent and include:

- Specific positive behavior interventions and supports to use in response to dangerous behaviors that create a threat of imminent risk of serious injury.
- Known physical and behavioral health concerns that will limit the use of restraint for the student.
- A timetable for the review and, if necessary, revision of the crisis intervention plan.

Video Cameras in Self-Contained Classrooms

Operation of Video Cameras

The bill creates s. 1003.574, F.S., which requires school districts participating in the three-year Video Cameras in Public School Classrooms Pilot Program (Broward and Volusia) to provide a video camera to any school with a self-contained classroom upon the written request of a parent of a student in the classroom. A self-contained classroom is a classroom at a public school in which a majority of the students in regular attendance are provided special education services and are assigned to one or more such classrooms for at least 50 percent of the instructional day. Before the video camera is placed in any classroom, schools must provide written notification of the placement of the video camera to the parents of each student assigned to the self-contained classroom, the school district, and each employee assigned to work with any of the students in the self-contained classroom. The video camera must be operational in each classroom in which the student is in attendance within 30 days after receipt of the parent's written request. The bill does not apply to self-contained classrooms in which the only students receiving special education services are those who have been deemed gifted.

The video camera must be capable of recording, through both video and audio, all areas of the self-contained classroom and any room attached to that classroom but is not required to record when no students are present. Schools are prohibited from:

- Recording a restroom or any area where a student changes his or her clothes.
- Using videos for teacher evaluations or any purpose other than for ensuring the health, safety, and well-being of students receiving special education services in a self-contained classroom.
- Allowing regular or continuous monitoring of the video recording.

Any interruption in the operation of the video camera must be explained in writing to the school principal and the district school board. The explanation must include the duration of the interruption, and the district school board office is required to maintain the written explanation for at least one year.

If the parent withdraws the request or the student no longer attends the classroom, the school must notify the parents of the other students in the classroom at least five school days prior to ceasing operation of the video camera. The school must notify the parents that operation of the video camera will cease unless the continued use of the camera is requested by a parent. The school must also send the notification at least ten school days prior to the end of each school year.

Maintenance and Disclosure of Video Camera Recordings

The bill provides measures related to the maintenance and disclosure of recordings generated by video cameras in self-contained classrooms. The school principal is the custodian of video

cameras, video recordings, and access to video recordings and must protect the confidentiality of all student records contained in video camera recordings in accordance with Florida laws governing the disclosure of student records. When making video recordings available for viewing, the school principal must conceal the identity of any student who appears in a video camera recording but is not involved in the incident which formed the basis of the request for disclosure.

The school must make a recording available for viewing within seven days after receiving a request from:

- A school or school district employee who is involved in an alleged incident that is documented by the video recording as part of the investigative process.
- A parent of a student who is involved in an alleged incident that is documented by the video recording and has been reported to the school or school district.
- A school or school district employee as part of an investigation into an alleged incident that is documented by the video recording and has been reported to the school or school district.
- A law enforcement officer as part of an investigation into an alleged incident that is documented by the video recording and has been reported to the law enforcement agency.
- The Department of Children and Families (DCF) as part of a child abuse or neglect investigation.

An incident is defined as an event, circumstance, act, or omission that results in the abuse or neglect of a student by an employee of a public school, school district or another student. The person who requested to view the recording must view the recording within 30 days of receiving notice that his or her request for viewing has been granted and report any suspected child abuse to the DCF. The bill specifies that an incidental viewing by a school employee or contractor involved in the installation, operation, or maintenance of video equipment, or the retention of video recordings does not violate limitations on the disclosure of video recordings.

Schools must retain video footage for at least three months after the date the video was recorded or until the conclusion of any investigation or legal proceedings that result from the recording, including the exhaustion of all appeals.

State Board of Education Appeals

An individual may appeal to the State Board of Education (SBE) an action by a school or school district which the individual alleges violates requirements related to video cameras in self-contained classrooms, and the SBE must grant a hearing within 45 days of receiving the request for appeal. The bill specifies that statutory requirements related to video cameras in self-contained classrooms do not:

- Limit the access of the parent of a student, under the Family Educational Rights and Privacy Act (FERPA)²³ or any other law, to a video recording regarding his or her student.
- Waive any immunity from liability of a school district or an employee of a school district.
- Create any liability for a cause of action against a school or school district or an employee of a school or school district carrying out the duties and responsibilities related to video cameras in self-contained classrooms.

²³ 20 U.S.C. s. 1232g.

The bill provides rulemaking authority to the SBE to implement requirements related to video cameras in classrooms.

Florida Department of Education Responsibilities

The bill requires the DOE to collect various information. As part of the pilot program, DOE is required to collect information related to the installation and maintenance of video cameras. The DOE is required to make available to the public through DOE's website aggregate-level data on incidents of restraint by county, school, student exceptionality, and other variables by October 1, 2020.

The bill replaces the requirement for the DOE to establish standards for documenting, reporting, and monitoring the use of restraint with the requirement to establish standards for documenting, reporting, and monitoring the incident reports related to the use of restraint. This may assist school districts in documenting and reporting incidents related to the use of restraint.

Commissioner of Education Responsibilities

The bill requires the commissioner to develop recommendations that incorporate instruction regarding emotional or behavioral disabilities into continuing education or inservice training requirements for instructional personnel. The bill also modifies the information required to be addressed in such recommendations by requiring the recommendations to address the use of positive behavior interventions and support, and effective classroom behavior management strategies.

Accordingly, the bill may help instructional personnel to be better informed and trained in strategies to teach students with emotional or behavioral disabilities.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

D. State Tax or Fee Increases:

None.

E. Other Constitutional Issues:

None.

V. Fiscal Impact Statement:**A. Tax/Fee Issues:**

None.

B. Private Sector Impact:

The purchase and maintenance of video and audio recording devices will result in an increase in revenue for vendors of such devices.

C. Government Sector Impact:

School districts may incur costs to provide professional development in the use of restraint or positive behavior interventions. These costs are indeterminate.

In addition, the two school districts affected by the pilot program may incur costs associated with installing and maintaining video cameras and retaining recordings. The Department of Education estimates a cost of \$4,703 to install video cameras in a classroom.²⁴

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends sections 1003.573, 1003.574, and 1012.582 of the Florida Statutes.

IX. Additional Information:**A. Committee Substitute – Statement of Substantial Changes:**

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

None.

B. Amendments:**Recommended CS by Appropriation Subcommittee on Education on February 25, 2020:**

The committee substitute makes the following changes to the bill:

²⁴ Florida Department of Education, *Senate Bill 1644 Analysis* (2020), at 8

-
- Creates the Video Cameras in Public School Classrooms Pilot Program for a three year period beginning with the 2020-2021 school year.
 - Specifies that only the Broward and Volusia County School Districts are required to participate in the pilot program.

This Senate Bill Analysis does not reflect the intent or official position of the bill's introducer or the Florida Senate.



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LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
02/26/2020	.	
	.	
	.	
	.	

Appropriations Subcommittee on Education (Book) recommended the following:

Senate Amendment (with title amendment)

Delete lines 295 - 301

and insert:

1003.574 Video cameras in public school classrooms; pilot program.—Beginning with the 2020-2021 school year, the Video Cameras in Public School Classrooms Pilot Program is created for a period of 3 school years.

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

(a) "Incident" means an event, a circumstance, an act, or



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11 an omission that results in the abuse or neglect of a student
12 by:

- 13 1. An employee of a public school or school district; or
14 2. Another student.

15 (b) "School district" means the Broward County Public
16 Schools and the Volusia County Schools.

17 (c) "Self-contained classroom" means a classroom at a
18

19 ===== T I T L E A M E N D M E N T =====

20 And the title is amended as follows:

21 Delete line 26

22 and insert:

23 F.S.; creating the Video Cameras in Public School
24 Classrooms Pilot Program; defining terms; requiring a
25 video camera to be

By Senator Book

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1 A bill to be entitled
 2 An act relating to students with disabilities in
 3 public schools; amending s. 1003.573, F.S.; defining
 4 terms; requiring school districts to prohibit the use
 5 of seclusion on students with disabilities in public
 6 schools; providing requirements for the use of
 7 restraint; prohibiting specified restraint techniques;
 8 revising school district policies and procedures
 9 relating to restraint; requiring school districts to
 10 adopt positive behavior interventions and supports and
 11 certain policies and procedures; requiring each school
 12 district to publicly post specified policies and
 13 procedures; requiring school districts to provide
 14 training on certain interventions and supports to
 15 specified personnel; providing requirements for such
 16 training; requiring each school district to publish
 17 training procedures in its special policies and
 18 procedures manual; requiring schools to develop a
 19 crisis intervention plan for certain students;
 20 providing requirements for such plans; revising the
 21 requirements for documenting, reporting, and
 22 monitoring the use of restraint; requiring the
 23 department to make certain information available to
 24 the public by a specified date; conforming provisions
 25 to changes made by the act; creating s. 1003.574,
 26 F.S.; defining terms; requiring a video camera to be
 27 placed in specified classrooms upon the request of a
 28 parent; requiring video cameras to be operational
 29 within a specified time period; providing requirements

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30 for the discontinuation of such video cameras;
 31 providing requirements for such video cameras;
 32 providing an exception; requiring a written
 33 explanation if the operation of such cameras is
 34 interrupted; requiring district school boards to
 35 maintain such explanation for a specified time;
 36 requiring schools to provide written notice to certain
 37 individuals of the placement of a video camera;
 38 providing requirements for retaining and deleting
 39 video recordings; providing prohibitions for the use
 40 of such video cameras and recordings; providing that
 41 school principals are the custodians of such video
 42 cameras and recordings; providing requirements for
 43 school principals and video recordings; providing
 44 requirements relating to student privacy; providing
 45 requirements for the viewing of such video recordings;
 46 providing for an appeal process for actions of a
 47 school or school district; providing that incidental
 48 viewings of video recordings by specified individuals
 49 are not a violation of certain provisions; providing
 50 construction; requiring the Department of Education to
 51 collect specified information; authorizing the State
 52 Board of Education to adopt rules; amending s.
 53 1012.582, F.S.; requiring continuing education and
 54 inservice training for instructional personnel
 55 teaching students with emotional or behavioral
 56 disabilities; conforming provisions to changes made by
 57 the act; providing an effective date.
 58

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

60
61 Section 1. Section 1003.573, Florida Statutes, is amended
62 to read:

63 1003.573 ~~Seclusion and Use of restraint of and seclusion on~~
64 students with disabilities in public schools.-

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

66 (a) “Crisis intervention plan” means an individualized
67 action plan for school personnel to implement when a student
68 exhibits dangerous behavior that may lead to imminent risk of
69 serious injury.

70 (b) “Imminent risk of serious injury” means the threat
71 posed by dangerous behavior that may cause serious physical harm
72 to self or others.

73 (c) “Restraint” means the use of a mechanical or physical
74 restraint.

75 1. “Mechanical restraint” means the use of a device that
76 restricts a student’s freedom of movement. The term does not
77 include the use of devices prescribed or recommended by physical
78 or behavioral health professionals when used for indicated
79 purposes.

80 2. “Physical restraint” means the use of manual restraint
81 techniques that involve significant physical force applied by a
82 teacher or other staff member to restrict the movement of all or
83 part of a student’s body. The term does not include briefly
84 holding a student in order to calm or comfort the student or
85 physically escorting a student to a safe location.

86 (d) “Positive behavior interventions and supports” means
87 the use of behavioral interventions to prevent dangerous

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88 behaviors that may cause serious physical harm to the student or
89 others.

90 (e) “Seclusion” means the involuntary confinement of a
91 student in a room or area alone and preventing the student from
92 leaving the room or area. The term does not include time-out
93 used as a behavior management technique intended to calm a
94 student.

95 (f) “Student” means a child with an individual education
96 plan enrolled in grades kindergarten through 12 in a school, as
97 defined in s. 1003.01(2), or the Florida School for the Deaf and
98 Blind. The term does not include students in prekindergarten,
99 students who reside in residential care facilities under s.
100 1003.58, or students participating in a Department of Juvenile
101 Justice education program under s. 1003.53.

102 (2) SECLUSION.—Each school district shall prohibit school
103 personnel from using seclusion.

104 (3) RESTRAINT.—

105 (a) Authorized school personnel may use restraint only when
106 all positive behavior interventions and supports have been
107 exhausted. Restraint may be used only when there is an imminent
108 risk of serious injury and shall be discontinued as soon as the
109 threat posed by the dangerous behavior has dissipated.

110 Straightjackets, zip ties, handcuffs, or tie-downs may not be
111 used to obstruct or restrict breathing or blood flow. Restraint
112 techniques may not be used to inflict pain to induce compliance.

113 (b) Notwithstanding the authority provided in s. 1003.32,
114 restraint shall be used only to protect the safety of students,
115 school personnel, or others and may not be used for student
116 discipline or to correct student noncompliance.

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117 (c) The degree of force applied during physical restraint
 118 must be only that degree of force necessary to protect the
 119 student or others from imminent risk of serious injury.

120 ~~(4)(3) SCHOOL DISTRICT POLICIES AND PROCEDURES.-~~

121 (a) Each school district shall adopt positive behavior
 122 interventions and supports and identify all school personnel
 123 authorized to use the interventions and supports. Each school
 124 district shall develop policies and procedures ~~that are~~
 125 consistent with this section and that govern the following:

126 1. Incident-reporting procedures.

127 2. Data collection and monitoring, including when, where,
 128 and why students are restrained and ~~or secluded~~; the frequency
 129 of occurrences of such restraint ~~or seclusion~~; and the prone or
 130 ~~mechanical restraint that is most used.~~

131 3. Monitoring and reporting of data collected.

132 4. Training programs and procedures relating to ~~manual or~~
 133 ~~physical~~ restraint as described in subsection (3) and seclusion.

134 5. The district's plan for selecting personnel to be
 135 trained pursuant to this subsection.

136 6. The district's plan for reducing the use of restraint,
 137 ~~and seclusion~~ particularly in settings in which it occurs
 138 frequently or with students who are restrained repeatedly, ~~and~~
 139 ~~for reducing the use of prone restraint and mechanical~~
 140 ~~restraint.~~ The plan must include a goal for reducing the use of
 141 restraint ~~and seclusion~~ and must include activities, skills, and
 142 resources needed to achieve that goal. Activities may include,
 143 but are not limited to:

144 a. Additional training in positive behavior interventions
 145 and supports. ~~behavioral support and crisis management;~~

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146 b. Parental involvement.~~†~~

147 c. Data review.~~†~~

148 d. Updates of students' functional behavioral analysis and
 149 positive behavior intervention plans.~~†~~

150 e. Additional student evaluations.~~†~~

151 f. Debriefing with staff.~~†~~

152 g. Use of schoolwide positive behavior support.~~†~~ ~~and~~

153 h. Changes to the school environment.

154 i. Analysis of data to determine trends.

155 j. Ongoing reduction of the use of restraint.

156 (b) Any revisions a school district makes to its ~~to the~~
 157 ~~district's~~ policies and procedures pursuant to this section,
 158 which must be prepared as part of its special policies and
 159 procedures, must be filed with the bureau chief of the Bureau of
 160 Exceptional Education and Student Services within 90 days after
 161 the revision no later than January 31, 2012.

162 (c) At the beginning of each school year, each school
 163 district shall publicly post its policies and procedures on
 164 positive behavior interventions and supports as adopted by the
 165 school district.

166 (5) TRAINING.—Each school district shall provide training
 167 to all school personnel authorized to use positive behavior
 168 interventions and supports pursuant to school district policy.
 169 Training shall be provided annually and must include:

170 (a) The use of positive behavior interventions and
 171 supports.

172 (b) Risk assessment procedures to identify when restraint
 173 may be used.

174 (c) Examples of when positive behavior interventions and

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175 support techniques have failed to reduce the imminent risk of
 176 serious injury.

177 (d) Examples of safe and appropriate restraint techniques
 178 and how to use these techniques with multiple staff members
 179 working as a team.

180 (e) Instruction in the district's documentation and
 181 reporting requirements.

182 (f) Procedures to identify and deal with possible medical
 183 emergencies arising during the use of restraint.

184 (g) Cardiopulmonary resuscitation.

185 Each school district shall publish the procedures for the
 186 training required under this subsection in the district's
 187 special policies and procedures manual.

189 (6) CRISIS INTERVENTION PLAN.—

190 (a) Upon the second time a student is restrained during a
 191 semester, the school shall develop a crisis intervention plan
 192 for the student. The crisis intervention plan shall be developed
 193 by a team comprised of the student's parent, school personnel,
 194 and applicable physical and behavioral health professionals.

195 (b) The crisis intervention plan must include:

196 1. Specific positive behavior interventions and supports to
 197 use in response to dangerous behaviors that create a threat of
 198 imminent risk of serious injury.

199 2. Known physical and behavioral health concerns that will
 200 limit the use of restraint for the student.

201 3. A timetable for the review and, if necessary, revision
 202 of the crisis intervention plan.

203 (c) The school must provide a copy of the crisis

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204 intervention plan to the student's parent.

205 (7)(4) DOCUMENTATION AND REPORTING.—

206 (a) A school shall prepare an incident report within 24
 207 hours after a student is released from restraint ~~or seclusion~~.
 208 If the student's release occurs on a day before the school
 209 closes for the weekend, a holiday, or another reason, the
 210 incident report must be completed by the end of the school day
 211 on the day the school reopens.

212 (b) The following must be included in the incident report:

213 1. The name of the student restrained ~~or secluded~~.

214 2. The age, grade, ethnicity, and disability of the student
 215 restrained ~~or secluded~~.

216 3. The date and time of the event and the duration of the
 217 restraint ~~or seclusion~~.

218 4. The location at which the restraint ~~or seclusion~~
 219 occurred.

220 5. A description of the type of restraint used in terms
 221 established by the department ~~of Education~~.

222 6. The name of the person using or assisting in the
 223 restraint ~~or seclusion~~ of the student and the date the person
 224 was last trained in the use of positive behavior interventions
 225 and supports.

226 7. The name of any nonstudent who was present to witness
 227 the restraint ~~or seclusion~~.

228 8. A description of the incident, including all of the
 229 following:

230 a. The context in which the restraint ~~or seclusion~~
 231 occurred.

232 b. The student's behavior leading up to and precipitating

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233 the decision to use ~~manual or physical~~ restraint ~~or seclusion~~,
 234 including an indication as to why there was an imminent risk of
 235 serious injury ~~or death~~ to the student or others.

236 c. The ~~specific positive behavior interventions and~~
 237 ~~supports behavioral strategies~~ used to prevent and deescalate
 238 the behavior.

239 d. What occurred with the student immediately after the
 240 termination of the restraint ~~or seclusion~~.

241 e. Any injuries, visible marks, or possible medical
 242 emergencies that may have occurred during the restraint ~~or~~
 243 ~~seclusion~~, documented according to district policies.

244 f. Evidence of steps taken to notify the student's parent
 245 or guardian.

246 g. The date the crisis intervention plan was last reviewed
 247 and whether changes were recommended.

248 (c) A school shall notify the parent or guardian of a
 249 student each time ~~manual or physical~~ restraint ~~or seclusion~~ is
 250 used. Such notification must be in writing and provided before
 251 the end of the school day on which the restraint ~~or seclusion~~
 252 occurs. Reasonable efforts must also be taken to notify the
 253 parent or guardian by telephone or ~~computer~~ e-mail, or both, and
 254 these efforts must be documented. The school shall obtain, and
 255 keep in its records, the parent's or guardian's signed
 256 acknowledgment that he or she was notified of his or her child's
 257 restraint ~~or seclusion~~.

258 (d) A school shall also provide the parent or guardian with
 259 the completed incident report in writing by mail within 3 school
 260 days after a student was ~~manually or physically~~ restrained ~~or~~
 261 ~~secluded~~. The school shall obtain, and keep in its records, the

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262 parent's or guardian's signed acknowledgment that he or she
 263 received a copy of the incident report.

264 ~~(8)-(2)~~ MONITORING.—

265 (a) ~~Monitoring of~~ The use of ~~manual or physical~~ restraint
 266 ~~or seclusion~~ on students shall be monitored ~~occur~~ at the
 267 classroom, building, district, and state levels.

268 (b) Any documentation prepared by a school pursuant to ~~as~~
 269 ~~required in~~ subsection (7) (1) shall be provided to the school
 270 principal, the district director of Exceptional Student
 271 Education, and the bureau chief of the Bureau of Exceptional
 272 Education and Student Services electronically each month that
 273 the school is in session.

274 (c) The department shall maintain aggregate data of
 275 incidents of ~~manual or physical~~ restraint ~~and seclusion~~ and
 276 disaggregate the data for analysis by county, school, student
 277 exceptionality, and other variables, including the type and
 278 method of restraint ~~or seclusion~~ used. This information shall be
 279 updated monthly, de-identified, and made available to the public
 280 through the department's website no later than October 1, 2020.

281 (d) The department shall establish standards for
 282 documenting, reporting, and monitoring the incident reports
 283 related to the use of ~~manual or physical~~ restraint ~~or mechanical~~
 284 ~~restraint, and occurrences of seclusion~~. These standards shall
 285 be provided to school districts ~~by October 1, 2011.~~

286 ~~(4) PROHIBITED RESTRAINT. School personnel may not use a~~
 287 ~~mechanical restraint or a manual or physical restraint that~~
 288 ~~restricts a student's breathing.~~

289 ~~(5) SECLUSION. School personnel may not close, lock, or~~
 290 ~~physically block a student in a room that is unlit and does not~~

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291 ~~meet the rules of the State Fire Marshal for seclusion time-out~~
 292 ~~rooms-~~

293 Section 2. Section 1003.574, Florida Statutes, is created
 294 to read:

295 1003.574 Video cameras in public school classrooms.-

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

297 (a) "Incident" means an event, circumstance, act, or
 298 omission that results in the abuse or neglect of a student by:

- 299 1. An employee of a public school or school district; or
- 300 2. Another student.

301 (b) "Self-contained classroom" means a classroom at a
 302 public school in which a majority of the students in regular
 303 attendance are provided special education services and are
 304 assigned to one or more such classrooms for at least 50 percent
 305 of the instructional day.

306 (2) (a) A school district shall provide a video camera to
 307 any school with a self-contained classroom upon the written
 308 request of a parent of a student in the classroom.

309 (b) Within 30 days after receipt of the request from a
 310 parent, a video camera shall be operational in each self-
 311 contained classroom in which the parent's student is in regular
 312 attendance for the remainder of the school year, unless the
 313 parent withdraws his or her request in writing.

314 (3) If the student who is the subject of the initial
 315 request is no longer in attendance in the classroom and a school
 316 discontinues operation of a video camera during a school year,
 317 no later than the fifth school day before the date the operation
 318 of the video camera is discontinued, the school must notify the
 319 parents of each student in regular attendance in the classroom

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320 that operation of the video camera will cease unless the
 321 continued use of the camera is requested by a parent. No later
 322 than the 10th school day before the end of each school year, the
 323 school must notify the parents of each student in regular
 324 attendance in the classroom that operation of the video camera
 325 will not continue during the following school year unless a
 326 written request is submitted by a parent for the next school
 327 year.

328 (4) (a) A video camera placed in a self-contained classroom
 329 must be capable of all of the following:

330 1. Monitoring all areas of the self-contained classroom,
 331 including, without limitation, any room attached to the self-
 332 contained classroom which is used for other purposes.

333 2. Recording audio from all areas of the self-contained
 334 classroom, including, without limitation, any room attached to
 335 the self-contained classroom which is used for other purposes.

336 (b) A video camera placed in a self-contained classroom may
 337 not monitor a restroom or any other area in the self-contained
 338 classroom where a student changes his or her clothes, except for
 339 the entryway, exitway, or hallway outside a restroom or other
 340 area where a student changes his or her clothes because of the
 341 layout of the self-contained classroom.

342 (c) A video camera placed in a self-contained classroom is
 343 not required to be in operation when students are not present in
 344 the self-contained classroom.

345 (d) If there is an interruption in the operation of the
 346 video camera for any reason, an explanation must be submitted in
 347 writing to the school principal and the district school board
 348 which explains the reason for and duration of the interruption.

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349 The written explanation must be maintained at the district
 350 school board office for at least 1 year.

351 (5) Before a school initially places a video camera in a
 352 self-contained classroom pursuant to this section, the school
 353 shall provide written notice of the placement of such video
 354 camera to all of the following:

355 (a) The parent of each student who is assigned to the self-
 356 contained classroom.

357 (b) Each student who is assigned to the self-contained
 358 classroom.

359 (c) The school district.

360 (d) Each school employee who is assigned to work with one
 361 or more students in the self-contained classroom.

362 (6) A school shall:

363 (a) Retain video recorded from a video camera placed
 364 pursuant to this section for at least 3 months after the date
 365 the video was recorded, after which the recording shall be
 366 deleted or otherwise made unretrievable; or

367 (b) Retain the recording until the conclusion of any
 368 investigation or any administrative or legal proceedings that
 369 result from the recording have been completed, including,
 370 without limitation, the exhaustion of all appeals.

371 (7) A school or school district may not:

372 (a) Allow regular, continuous, or continual monitoring of
 373 videos recorded under this section; or

374 (b) Use videos recorded under this section for teacher
 375 evaluations or any purpose other than for ensuring the health,
 376 safety, and well-being of students receiving special education
 377 services in a self-contained classroom.

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378 (8) The principal of the school is the custodian of a video
 379 camera operated pursuant to this section, all recordings
 380 generated by that video camera, and access to such recordings.

381 (a) The release or viewing of any video recording under
 382 this section must comply with s. 1002.22.

383 (b) A school or school district shall:

384 1. Conceal the identity of any student who appears in a
 385 video recording, but is not involved in the alleged incident
 386 documented by the video recording, which the school allows to be
 387 viewed under subsection (9), including, without limitation,
 388 blurring the face of the uninvolved student.

389 2. Protect the confidentiality of all student records
 390 contained in a video recording in accordance with s. 1002.22.

391 (9) (a) Within 7 days after receiving a request to view a
 392 video recording, a school or school district shall allow the
 393 following individuals to view a video recording made under this
 394 section:

395 1. A school or school district employee who is involved in
 396 an alleged incident that is documented by the video recording as
 397 part of the investigative process;

398 2. A parent of a student who is involved in an alleged
 399 incident that is documented by the video recording and has been
 400 reported to the school or school district;

401 3. A school or school district employee as part of an
 402 investigation into an alleged incident that is documented by the
 403 video recording and has been reported to the school or school
 404 district;

405 4. A law enforcement officer as part of an investigation
 406 into an alleged incident that is documented by the video

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407 recording and has been reported to the law enforcement agency;
 408 or

409 5. The Department of Children and Families as part of a
 410 child abuse or neglect investigation.

411 (b) A person who requests to view a recording shall make
 412 himself or herself available for viewing the recording within 30
 413 days after being notified by the school or school district that
 414 the person's request has been granted.

415 (c) A person who views the recording and suspects that
 416 child abuse has occurred must report the suspected child abuse
 417 to the Department of Children and Families.

418 (10) (a) Any individual may appeal to the State Board of
 419 Education regarding an action by a school or school district
 420 which the individual alleges to be in violation of this section.

421 (b) The state board shall grant a hearing on an appeal
 422 under this subsection within 45 days after receiving the appeal.

423 (11) A school or school district does not violate
 424 subsection (8) if a contractor or other employee of the school
 425 or school district incidentally views a video recording made
 426 under this section in connection with the performance of his or
 427 her duties related to either of the following:

428 (a) The installation, operation, or maintenance of video
 429 equipment; or

430 (b) The retention of video recordings.

431 (12) This section does not:

432 (a) Limit the access of the parent of a student, under the
 433 Family Educational Rights and Privacy Act (FERPA), 20 U.S.C. s.
 434 1232g, or any other law, to a video recording regarding his or
 435 her student.

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436 (b) Waive any immunity from liability of a school district
 437 or an employee of a school district.

438 (c) Create any liability for a cause of action against a
 439 school or school district or an employee of a school or school
 440 district carrying out the duties and responsibilities required
 441 by this section.

442 (d) Apply to self-contained classrooms in which the only
 443 students receiving special education services are those who have
 444 been deemed gifted.

445 (13) The department shall collect information relating to
 446 the installation and maintenance of video cameras under this
 447 section.

448 (14) The State Board of Education may adopt rules to
 449 implement this section.

450 Section 3. Subsections (1) and (2) of section 1012.582,
 451 Florida Statutes, are amended to read:

452 1012.582 Continuing education and inservice training for
 453 teaching students with developmental and emotional or behavioral
 454 disabilities.—

455 (1) The Commissioner of Education shall develop
 456 recommendations to incorporate instruction regarding autism
 457 spectrum disorder, Down syndrome, ~~and~~ other developmental
 458 disabilities, and emotional or behavioral disabilities into
 459 continuing education or inservice training requirements for
 460 instructional personnel. These recommendations shall address:

461 (a) Early identification of, and intervention for, students
 462 who have autism spectrum disorder, Down syndrome, ~~or~~ other
 463 developmental disabilities, or emotional or behavioral
 464 disabilities.

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465 (b) Curriculum planning and curricular and instructional
466 modifications, adaptations, and specialized strategies and
467 techniques.

468 (c) The use of available state and local resources.

469 (d) The use of positive behavior interventions and
470 ~~behavioral~~ supports to deescalate problem behaviors.

471 (e) ~~The~~ Appropriate use of manual physical restraint and
472 ~~seclusion techniques, positive behavior interventions and~~
473 supports, and effective classroom behavior management
474 strategies.

475 (2) In developing the recommendations, the commissioner
476 shall consult with the State Surgeon General, the Director of
477 the Agency for Persons with Disabilities, representatives from
478 the education community in the state, and representatives from
479 entities that promote awareness about autism spectrum disorder,
480 Down syndrome, ~~and~~ other developmental disabilities, and
481 emotional or behavioral disabilities and provide programs and
482 services to persons with ~~developmental~~ disabilities, including,
483 but not limited to, regional autism centers pursuant to s.
484 1004.55.

485 Section 4. This act shall take effect July 1, 2020.

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

2-25-2020
Meeting Date

SB 1644
Bill Number (if applicable)

Topic Education - ESE

Amendment Barcode (if applicable)

Name Barbara Budgett

Job Title ESE Teacher

Address 13706 41st Lane N.

Phone 561 436-9484

Royal Palm Beach FL 33411
Street City State Zip

Email bridgettb117@gmail.com

Speaking: For Against Information

Waive Speaking: In Support Against
(The Chair will read this information into the record.)

Representing self

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

Feb. 25
Meeting Date

HB 1644
Bill Number (if applicable)

Topic HB 1644

Amendment Barcode (if applicable)

Name Jason Segelbaum

Job Title Youth Worker

Address 4104 N. 50 Ave
Street

Phone 305-772-0482

Hollywood FL 33021
City State Zip

Email _____

Speaking: For Against Information

Waive Speaking: In Support Against
(The Chair will read this information into the record.)

Representing _____

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

2/25/20
Meeting Date

1644
Bill Number (if applicable)

Topic STUDENTS W/ DISABILITIES

Amendment Barcode (if applicable)

Name Rev Dr Russel Meyer

Job Title Steering Comm

Address 3838 W CYPRESS ST

Phone 813 435-5335

Tampa FL 33607
City State Zip

Email _____

Speaking: For Against Information

Waive Speaking: In Support Against
(The Chair will read this information into the record.)

Representing REAL TALK COALITION FOR ED. EQUITY

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

2/25/2020

Meeting Date

SB 1644

Bill Number (if applicable)

Topic Students w/ Disabilities in Public Schools

Amendment Barcode (if applicable)

Name Olivia Babis

Job Title Public Policy Analyst

Address 2473 Care Dr. Ste 200

Phone 850-677-9718

Street

Tallahassee FL 32308

City

State

Zip

Email oliviab@disabilityrights
florida.org

Speaking: For Against Information

Waive Speaking: In Support Against
(The Chair will read this information into the record.)

Representing Disability Rights Florida

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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S-001 (10/14/14)

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

2/25/20
Meeting Date

SB 1644
Bill Number (if applicable)

Topic Students with Disabilities

Amendment Barcode (if applicable)

Name Eric Stern

Job Title Legislative Committee Member

Address 1747 Orlando Central Pkwy

Phone 800-373-5782

Street

Orlando
City

FL
State

32809
Zip

Email _____

Speaking: For Against Information

Waive Speaking: In Support Against
(The Chair will read this information into the record.)

Representing Florida PTA

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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S-001 (10/14/14)

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

2/25
Meeting Date

1694
Bill Number (if applicable)

Topic Students with Disabilities in Public Schools

Amendment Barcode (if applicable)

Name Megan Turetsky

Job Title Government Affairs Manager

Address 6600 W Commercial Blvd

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Street

Lauderhill

City

FL

State

33319

Zip

Email mturetsky@csc Broward.org

Speaking: For Against Information

Waive Speaking: In Support Against
(The Chair will read this information into the record.)

Representing Children's Services Council of Broward County

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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S-001 (10/14/14)

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

2/25/20

Meeting Date

SB 1644

Bill Number (if applicable)

Topic Students w/ Disabilities in Public Schools

Amendment Barcode (if applicable)

Name Heather Davidson

Job Title Director, Public Policy

Address 300 S. Andrews Ave

Phone 954 308 9077

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Ft. Lauderdale, FL 33316

City

State

Zip

Email hdavidson@unitedwaybroward.org

Speaking: For Against Information

Waive Speaking: In Support Against
(The Chair will read this information into the record.)

Representing United Way of Broward County

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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S-001 (10/14/14)

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

2/25/20

Meeting Date

1644

Bill Number (if applicable)

Topic Students With Disabilities

Amendment Barcode (if applicable)

Name Mary-Lynn Cullen

Job Title Legislative Liaison

Address 1674 University Pkwy.

Phone 941-928-0278

Street

Sarasota Fl. 34243

City

State

Zip

Email aichildren@aol.com

Speaking: For Against Information

Waive Speaking: In Support Against
(The Chair will read this information into the record.)

Representing Advocacy Institute For Children

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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S-001 (10/14/14)

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

2-25-2020

Meeting Date

1644

Bill Number (if applicable)

Topic Students w/ Disabilities

Amendment Barcode (if applicable)

Name Natalie King

Job Title VP/COO

Address 235 W Brandon Blvd 640

Phone 813 924 8218

Street

Brandon FL 33511

City

State

Zip

Email Natalie@arsaworthllc.com

Speaking: For Against Information

Waive Speaking: In Support Against
(The Chair will read this information into the record.)

Representing Pepin Academics Hillsborough & Pasco

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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S-001 (10/14/14)

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

Feb. 25, 2020

Meeting Date

1644

Bill Number (if applicable)

Topic Seclusion and Restraint use in public schools on Students with Developmental disabilities

Amendment Barcode (if applicable)

Name Dixie Sansom

Job Title Lobbyist

Address PO Box 98

Phone 321-543-7195

Street

Cocoa

FL

329230098

Email dixiesansom@aol.com

City

State

Zip

Speaking: For Against Information

Waive Speaking: In Support Against
(The Chair will read this information into the record.)

Representing The Arc of Florida

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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S-001 (10/14/14)

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

2/25/2020

Meeting Date

SB 1644

Bill Number (if applicable)

Topic Video cameras in schools

Amendment Barcode (if applicable)

Name Stephanie KunkelJob Title Legislative and Political SpecialistAddress 213 S Adams StPhone 850-224-2078

Street

TallahasseeFL32312Email stephanie.kunkel@floridaea.org

City

State

Zip

Speaking: For Against InformationWaive Speaking: In Support Against
*(The Chair will read this information into the record.)*Representing Florida Education AssociationAppearing at request of Chair: Yes NoLobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.

S-001 (10/14/14)

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

2-25-2020
Meeting Date

SB1644
Bill Number (if applicable)

Topic Students with Disabilities

Amendment Barcode (if applicable)

Name Margaret J. Hooper

Job Title Director Public Policy

Address 124 Marriod Drive #203

Phone 8504884180

Tallahassee FL 32301
City State Zip

Email _____

Speaking: For Against Information

Waive Speaking: In Support Against
(The Chair will read this information into the record.)

Representing Florida Developmental Disabilities Council

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.

S-001 (10/14/14)

THE FLORIDA SENATE
APPEARANCE RECORD

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(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

02-25-2020

Meeting Date

SB 1644

Bill Number (if applicable)

Topic Students With Disabilities in Public Schools

Amendment Barcode (if applicable)

Name Amy Datz

Job Title Retired Environmental Scientist - Parent of a disabled student

Address _____

Phone (850) 322-7599

Street

Tallahassee

FL

Email Amalie.datz@

Mac.com

City

State

Zip

Speaking: For Against Information

Waive Speaking: In Support Against
(The Chair will read this information into the record.)

Representing Self

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.

S-001 (10/14/14)

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Appropriations Subcommittee on Education

BILL: PCS/SB 1688 (244914)

INTRODUCER: Appropriations Subcommittee on Education; and Senator Harrell

SUBJECT: Early Learning and Early Grade Success

DATE: February 26, 2020

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	<u>Brick</u>	<u>Sikes</u>	<u>ED</u>	Favorable
2.	<u>Underhill</u>	<u>Elwell</u>	<u>AED</u>	Recommend: Fav/CS
3.	_____	_____	<u>AP</u>	_____

Please see Section IX. for Additional Information:

COMMITTEE SUBSTITUTE - Substantial Changes

I. Summary:

PCS/SB 1688 modifies the administration of the Voluntary Prekindergarten Education Program (VPK) and the school readiness program and reorganizes the regulatory structure of the Office of Early Learning (OEL) to consolidate authority and oversight within the State Board of Education (SBE).

The bill expands accountability and assessment requirements for VPK providers. Specifically, the bill requires:

- A coordinated screening and progress monitoring program (CSPM) for students in VPK through grade 3 to provide information on students' progress in mastering the appropriate grade-level standards to parents, teachers, and school and program administrators.
- A program assessment that measures the quality of teacher-child interactions, including emotional and behavioral support, engaged support for learning, classroom organization, and instructional support for children ages 3 to 5 years, in each VPK classroom.
- A performance metric that provides a score to each VPK provider based on performance.

The bill creates the Early Grade Success Advisory Committee within the Department of Education (DOE) to oversee the CSPM and requires the new screenings and assessments to be administered by individuals meeting SBE requirements.

The bill modifies the market rate schedule paid to school readiness providers to require a market rate schedule based on the prevailing market rate.

The Florida Department of Education estimates that it would cost approximately \$22 million to implement the revised assessment and screening requirements. See Section V.

The bill takes effect July 1, 2020.

II. Present Situation:

State Level Governance

State Board of Education

The State Board of Education (SBE)¹ is the chief implementing and coordinating body of public education in Florida and is authorized to adopt rules to implement the provisions of law conferring duties upon the SBE to improve the state system of K-20 public education, except for the state university system. The SBE has authority over the Department of Education (DOE) and is authorized to delegate the SBE's general powers to the Commissioner of Education (commissioner) or the directors of the divisions of the DOE.²

Department of Education

The DOE is the administrative and supervisory agency under the implementation direction of the SBE.³ The commissioner is appointed by the SBE and serves as the executive director of the DOE.⁴ The DOE includes the Office of Early Learning (OEL), which is administered by an executive director who is fully accountable to the commissioner.⁵

Office of Early Learning

The OEL oversees three programs—the school readiness program, the Voluntary Prekindergarten Education Program (VPK), and child care resource and referral services⁶—and an annual budget of \$1.3 billion.⁷ The OEL is the lead agency in Florida for administering the federal Child Care and Development Block Grant Trust Fund (CCDF).⁸ The OEL adopts rules as required for the establishment and operation of the school readiness program and the VPK program.⁹ The executive director of the OEL is responsible for administering early learning programs at the state level. The OEL administers statewide the child care resource and referral (CCR&R) network, which provides information about state-funded early learning programs, provides families with a customized listing of child care providers, and is used to document

¹ The State Board of Education is established as “a body corporate and [shall] have such supervision of the system of free public education as is provided by law.” Art. IX, s. 2, Fla. Const.

² Section 1001.02, F.S.

³ Section 1001.20(1), F.S.

⁴ Section 20.15(2), F.S.

⁵ Section 20.15(3)(i), F.S.

⁶ *Id.*

⁷ Early Learning Services Program Total, s. 2, ch. 2019-115, L.O.F.

⁸ Section 1002.82(1), F.S.

⁹ The OEL is required to submit the rules to the State Board of Education for approval or disapproval. If the state board does not act on a rule within 60 days after receipt, the rule shall be immediately filed with the Department of State. Section 1001.213, F.S.

requests for services and provide technical assistance to providers regarding initiating or expanding services and program and budget development.¹⁰

The OEL employs an inspector general, as required by law, to promote accountability, integrity, and efficiency in the administration of early learning programs.¹¹ Statutory duties of the inspector general include the duty to advise the OEL in the development of performance measures, standards, and procedures employed by the OEL.¹² The inspector general also maintains the duty to support the OEL by preventing and detecting fraud and abuse. The OEL annually processes approximately \$2 million in repayments from early learning coalitions (ELCs) or individuals who have committed fraud.¹³

Early Learning Coalitions

The OEL governs the day-to-day operations of statewide early learning programs and administers federal and state child care funds. Across the state, 30 regional early learning coalitions (ELCs) are responsible for delivering local services, including the VPK program and the school readiness program.¹⁴ Each ELC is governed by a board of directors comprised of various stakeholders and community representatives.¹⁵ The SBE does not have authority over ELCs, and early learning data is not collected in the K-20 student database as part of the management information databases governed by the SBE.¹⁶

The Voluntary Prekindergarten Education Program

The Florida Constitution requires the State to provide every four-year old child a high quality pre-kindergarten learning opportunity in the form of an early childhood development and education program which must be voluntary, high quality, free, and delivered according to professionally accepted standards.¹⁷ In 2004, the State established a free VPK program offered to eligible four-year-old children.¹⁸ Parents may choose either a school-year or summer program offered by either a public or private school.¹⁹ \$402.3 million was appropriated from General

¹⁰ See ss. 1001.213(5), 1002.82(2)(f)1.b., and 1002.92(1) and (3), F.S.; Florida Office of Early Learning, *Welcome to Florida's Early Learning Family Portal*, <https://familyservices.floridaearlylearning.com/> (last visited Feb. 26, 2020); see also Florida's Office of Early Learning, *Family Resources: Find Quality Child Care*, <http://www.floridaearlylearning.com/family-resources/find-quality-child-care/locate-a-child-care-resource-referral-service> (last visited Feb. 26, 2020).

¹¹ Section 20.055(1), F.S.

¹² Section 20.055(1), F.S.

¹³ Florida Department of Education, *Agency Legislative Bill Analysis for HB 1013* (2020), at 19.

¹⁴ The Office of Early Learning, *Coalitions*, <http://www.floridaearlylearning.com/coalitions.aspx> (last visited Jan. 22, 2020). See also 1002.83(1), F.S.

¹⁵ Section 1002.83(3), F.S.

¹⁶ Florida Department of Education, *Agency Legislative Bill Analysis for HB 1013* (2020), at 13.

¹⁷ Art. IX, s. 1(b), Fla. Const. An early childhood development and education program means an organized program designed to address and enhance each child's ability to make age appropriate progress in an appropriate range of settings in the development of language and cognitive capabilities and emotional, social, regulatory and moral capacities through education in basic skills and such other skills as the Legislature may determine to be appropriate.

¹⁸ Section 1, ch. 2004-484, L.O.F.; part V, ch. 1002, F.S.; see also Art. IX, s. 1(b)-(c), Fla. Const.

¹⁹ Section 1002.53(3), F.S.

Revenue for the VPK program in the 2019 General Appropriations Act.²⁰ During the 2017-2018 academic year, 6,378 VPK providers served 169,076 students enrolled in a VPK program.²¹

ELCs and school districts administer the VPK program at the county or regional level. Each ELC is the single point of entry for VPK program registration and enrollment in the coalition's county or multi-county service area.²² A local ELC must coordinate with the local school district in the ELC's service area to develop procedures for enrolling children in public school VPK programs.²³

The OEL adopts procedures governing the administration of the VPK program for ELCs and school districts, including procedures for:²⁴

- Enrolling children and documenting and certifying student enrollment and student attendance.
- Providing parents with profiles of VPK providers.
- Registering private prekindergarten providers and public schools to deliver the program.
- Determining the eligibility of private prekindergarten providers to deliver the program and streamlining the process of provider eligibility whenever possible.
- Verifying the compliance and removing VPK providers from eligibility to deliver the program due to noncompliance or misconduct.
- Placing schools on probation and requiring corrective actions.
- Paying VPK providers.
- Reconciling advance payments in accordance with the uniform attendance policy.
- Reenrolling students dismissed by a VPK provider for noncompliance with the VPK provider's attendance policy.
- Approving improvement plans.
- Approving and paying specialized instructional services providers.

The OEL consults with the DOE regarding procedures implemented by ELCs and school districts for administering corrective action to VPK providers and administering the VPK program for specialized instructional services for children with disabilities.²⁵

Early Learning Advisory Council

The Florida Early Learning Advisory Council (ELAC) is required to submit recommendations to the OEL on best practices, including recommendations relating to the most effective administration of the VPK program and the school readiness program. The ELAC must also periodically analyze and provide recommendations to the OEL on the effective and efficient use

²⁰ Specific Appropriation 89, s. 2, ch. 2019-115, L.O.F.

²¹ Florida Office of Early Learning, *Early Learning Programs Profile: Monthly State Report* (June 2018), https://factbook.floridaearlylearning.com/oel_1.aspx, (last visited Jan. 23, 2020).

²² Section 1002.53(4), F.S. There are currently 30 ELCs. Florida's Office of Early Learning, *Early Learning Coalitions*, <http://www.floridaearlylearning.com/family-resources/find-quality-child-care/locate-your-early-learning-coalition> (last visited Jan. 23, 2020).

²³ Section 1002.53(4), F.S.

²⁴ Section 1002.75(2), F.S.

²⁵ Section 1002.67(3), F.S.; *see also* s. 1002.66, F.S.

of local, state, and federal funds; the content of professional development training programs; and best practices for the development and implementation of coalition plans.²⁶

VPK Instructor Requirements

A VPK provider offering a school-year VPK program must have, for each class, at least one instructor with:²⁷

- A Child Development Associate (CDA) issued by the National Credentialing Program of the Council for Professional Recognition; or
- A credential approved by the Department of Children and Families (DCF) as being equivalent to or greater than the CDA; and
- Five clock hours of training in emergent literacy and successful completion of a student performance standards training course.

An instructor in a school-year VPK program implemented by a public school district must meet the same qualifications that are required of a private VPK program instructor, in addition to standard employment requirements for all instructional personnel in public schools.²⁸ A school-year VPK provider must have a second adult instructor for each class of 12 or more students; however, the second instructor is not required to meet the same qualifications as the lead instructor.²⁹

The OEL sets minimum standards for emergent literacy training courses for VPK instructors. Each course must be at least five clock hours long and provide strategies and techniques regarding the age-appropriate progress of prekindergarten students in developing emergent literacy skills. Each emergent literacy course must also provide strategies for helping students with disabilities and other special needs maximize their benefit from the VPK program.³⁰

Each course on performance standards must be at least three clock hours, provide instruction in strategies and techniques to address age-appropriate progress of each child in attaining the standards, and be available online.³¹

VPK Performance Standards

The OEL develops and adopts performance standards for students in VPK programs. The performance standards must address the age-appropriate progress of students in the development of:³²

²⁶ Section 1002.77, F.S.

²⁷ Sections 1002.55(3)(c)1.a. and 2., 1002.59, and 1002.63(4), F.S. An active Birth Through Five Child Care Credential awarded as a Florida Child Care Professional Credential, Florida Department of Education Child Care Apprenticeship Certificate, or Early Childhood Professional Certificate satisfies the staff credential requirement. Florida Department of Children and Families, *Child Care Facility Handbook* (2017), incorporated by reference in Rule 65C-22.001(7), F.A.C.

²⁸ Sections 1002.63(5)-(6), F.S.; see also Florida Department of Education, *Technical Assistance Paper: VPK Instructor Qualifications #07-01*, at 2 (Jan. 2007), available at <https://info.fldoe.org/docushare/dsweb/Get/Document-4196/07-02att1.pdf>.

²⁹ Sections 1002.55(3)(f) and 1002.63(7), F.S.

³⁰ Section 1002.59(1), F.S.

³¹ Section 1002.59(2), F.S.

³² Section 1002.67, F.S.; Art. IX, s. 1(b), Fla. Const.

- The capabilities, capacities, and skills required in the development of language and cognitive capabilities and emotional, social, regulatory and moral capacities.
 - Emergent literacy skills, including oral communication, knowledge of print and letters, phonemic and phonological awareness, and vocabulary and comprehension development.
- Each VPK provider's curriculum must be developmentally appropriate, designed to prepare a student for early literacy, enhance age-appropriate student progress in attaining state-adopted performance standards, and prepare students to be ready for kindergarten based on the statewide kindergarten screening. VPK providers may select or design the curriculum for their classrooms, unless they are on probation as a result of their kindergarten readiness rates falling below the minimum rate.³³

Statewide Kindergarten Readiness Screening

The DOE has adopted a statewide kindergarten readiness screening, the Florida Kindergarten Readiness Screener (FLKRS),³⁴ and requires each school district to administer the statewide kindergarten readiness screening within the first 30 days of each school year.³⁵ The screening must measure a child's readiness for kindergarten in eight domains: physical development; approaches to learning; social and emotional development; language and literacy; mathematical thinking; scientific inquiry; social studies; and creative expression through the arts.³⁶

Kindergarten student scores on the FLKRS administered during the first 30 days of the school year must demonstrate a score of at least 500 on the Star Early Literacy assessment to be considered "ready for kindergarten." The "Percent of Children Ready for Kindergarten" is calculated as the number of "Children Ready for Kindergarten" on the screening measure divided by the total number of "Children Screened."³⁷ For the fall 2018 administration of FLKRS, 97,652 out of 185,252 kindergarten students, or 53 percent, were designated as "ready for kindergarten".³⁸

Kindergarten Readiness Rate

The OEL annually calculates a kindergarten readiness rate for each VPK provider based on results of the annual screening.³⁹ The readiness rates are expressed as the percentage of children whose scores demonstrate readiness for kindergarten.⁴⁰ The methodology for calculating the readiness rate must include student learning gains, when available, based on a VPK pre- and

³³ Florida Department of Education, *Agency Legislative Bill Analysis for HB 1013 (2020)*; Section 1002.67, F.S.

³⁴ The DOE selected the Star Early Literacy Assessment, developed by Renaissance Learning, Inc., as the Florida Kindergarten Readiness Screener (FLKRS) in 2017. Florida Department of Education Contract No. 17-651 (2017). See rule 6M-8.602(3)(b)1., F.A.C. Rule 6M-8.601(3)(b)1., F.A.C.

³⁵ Sections 1002.69(1)-(3) and 1002.73, F.S.

³⁶ See s. 1002.67(1), F.S. See also Florida's Office of Early Learning, *Early Learning and Developmental Standards: 4 Years Old to Kindergarten* (2017) at 1, incorporated by reference in rule 6M-8.602, F.A.C.

³⁷ Florida Department of Education, *Agency Legislative Bill Analysis for HB 1013 (2020)*, at 15. Rule 6M-8.601, F.A.C.

³⁸ Florida Department of Education, *Fall 2018 FLKRS Results by District* (2019), available at <http://www.fldoe.org/core/fileparse.php/18494/urlt/Fall18FLKRSbyDistrict.xls>.

³⁹ Rule 6M-8.601(3)(b), F.A.C.

⁴⁰ Sections 1002.69(5)-(6), F.S.; To be considered "ready for kindergarten," a student must achieve a score of 500 or higher on the Star Early Literacy assessment. Rule 6M-8.601, F.A.C.

post-assessment, known as the “Florida VPK Assessment.”⁴¹ The OEL must determine learning gains using a value-added measure based on growth demonstrated by the results of the Florida VPK Assessment from at least two successive years of administration.⁴²

VPK Provider Readiness Rates are calculated based on the statewide kindergarten readiness screening in combination with learning gains from the Florida VPK Assessment counting ten percent toward a provider’s readiness rate.⁴³

VPK Provider Probation and Corrective Action

At least 60 percent of a VPK provider’s students must meet the “ready for kindergarten” score on the screening in order for the provider to avoid probationary status.⁴⁴ Providers that do not meet the minimum readiness rate are placed on probation.⁴⁵ An ELC or school district must require a VPK provider that falls below the minimum kindergarten readiness rate to:⁴⁶

- Submit for approval and implement an improvement plan;
- Place the provide or school on probation; and
- Take certain corrective actions, including the use of an OEL-approved curriculum or an OEL approved staff development plan to strengthen instruction in language development and phonological awareness.

Based on the fall 2017 administration of FLKRS, 2,615 of the 6,026 rated VPK providers failed to meet the minimum rate.⁴⁷

Good Cause Exemption

A VPK provider on probation and failing to meet the minimum readiness rate for two consecutive years must be removed from eligibility to provide the VPK program for 5 years; unless the provider receives a good cause exemption.⁴⁸ A VPK provider must submit a request for a good cause exemption to OEL for review and approval. The request must include:⁴⁹

- Data which documents student achievement and learning gains, as measured by a state-approved pre- and post-assessment.
- Data available from the respective ELC or district school board, the DCF, local licensing authority, or an accrediting association, as applicable, relating to the provider’s compliance with state and local health and safety standards.
- Data available to the OEL on the performance of the children served and the calculation of the provider’s kindergarten readiness rate.

⁴¹ Section 1002.69(5), F.S.; Rule 6A-1.09433(1)(b), F.A.C.

⁴² Section 1002.69(5), F.S. The current readiness rate determined by the OEL is calculated by the results of the kindergarten screening only. Rule 6M-8.601(3)(b), F.A.C.

⁴³ Rule 6M-8.601, F.A.C.; Florida Department of Education, *Agency Legislative Bill Analysis for HB 1013* (2020), at 14.

⁴⁴ Rule 6M-8.601(3)(b), F.A.C.

⁴⁵ Section 1002.67(4), F.S.

⁴⁶ Section 1002.67(4)(c)1., F.S.

⁴⁷ Email from Elizabeth Moya, Director of Legislative Affairs, Florida Department of Education (Mar. 29, 2019) (on file with the Senate Committee on Education).

⁴⁸ Section 1002.67(4)(c)3., F.S.

⁴⁹ Section 1002.69(7)(b)-(c), F.S.

A VPK provider that receives a good cause exemption must continue to implement its improvement plan and take corrective actions until the provider meets the minimum kindergarten readiness rate.⁵⁰ The OEL must notify the applicable ELC of the good cause exemption, which remains valid for one year, and may be renewed upon request by the VPK provider.⁵¹

A good cause exemption may not be granted to any VPK provider that has any class I violations or two or more class II violations within the two years preceding the provider's request for an exemption.⁵² Additionally, if a provider refuses to comply with program requirements or engages in misconduct, the OEL must require the ELC or district school board to remove the provider from eligibility to deliver the VPK program for a period of five years.⁵³

The School Readiness Program

The school readiness program provides subsidies for child care services and early childhood education for children of low-income families, children in protective services who are at risk of abuse, neglect, or abandonment, and children with disabilities.⁵⁴ The school readiness program offers financial assistance for child care to support working families and children to develop skills for success in school and provides developmental screening and referrals to health and education specialists where needed.⁵⁵ To participate in the school readiness program, a provider must execute a school readiness contract.⁵⁶ During the 2017-2018 academic year, 7,668 school readiness providers served 201,474 children enrolled in a school readiness program.⁵⁷

Program Assessment

The OEL is required to adopt a program assessment for school readiness program providers that measures the quality of teacher-child interactions, including emotional and behavioral support, engaged support for learning, classroom organization, and instructional support for children ages birth to 5 years.⁵⁸ The OEL budgeted \$6 million for the administration of the program assessment for the 2018-2019 fiscal year.⁵⁹ All school readiness providers must receive an annual program assessment and meet the required minimum program assessment composite score prior to executing a school readiness contract.⁶⁰ In the 2017-2018 academic year, 11, or 0.3

⁵⁰ Sections 1002.69(7)(e) and 1002.67(3)(c)2., F.S.

⁵¹ Section 1002.69(7), F.S.

⁵² Section 1002.69(7)(d), F.S. DCF classifies licensing violations as class I, II, and III violations. Class I violations consist of conduct posing an imminent threat to a child. Class II violations pose a threat to the health, safety or well-being of a child, although the threat is not imminent. Rule 65C-22.010(1)(d), F.A.C.

⁵³ Section 1002.67(4)(b), F.S.

⁵⁴ Section 1002.87, F.S.

⁵⁵ Section 1002.86, F.S.

⁵⁶ Rule 6M-4.610, F.A.C. Form OEL-SR 20, *Statewide School Readiness Provider Contract*, available at http://www.floridaearlylearning.com/Content/Uploads/floridaearlylearning.com/files/Form%20OEL-SR%2020-%20Statewide%20School%20Readiness%20Provider%20Contract_12-19-18_Fi...pdf.

⁵⁷ Florida Office of Early Learning, *Early Learning Programs Profile: Monthly State Report* (June 2018), https://factbook.floridaearlylearning.com/oel_1.aspx, (last visited Jan. 23, 2020).

⁵⁸ Section 1002.82(2)(n), F.S.

⁵⁹ Office of Early Learning, *OEL Annual Report: School Readiness Program – Financial Review* (2019); available at http://www.floridaearlylearning.com/Content/Uploads/floridaearlylearning.com/images/2018-19%20OEL%20Annual%20Report_FINAL_ADA.pdf, at 6.

⁶⁰ Rule 6M-4.741, F.A.C.

percent, of providers failed to attain the minimum program assessment composite score required for contracting.⁶¹

The OEL has adopted a differential payment program based on quality measures of school readiness providers.⁶² The differential payment may not exceed a total of 15 percent for each care level and unit of child care for a child care provider.⁶³ No more than five percent of the 15 percent total differential may be provided to providers who submit valid and reliable data to the statewide information system in the domains of language and executive functioning using a child assessment. Providers who fail to attain a minimum composite score on the program assessment are ineligible for a differential payment.⁶⁴

School Readiness Funding

Funding for the school readiness program is allocated among the ELCs according to law and the General Appropriations Act.⁶⁵ The school readiness program is funded primarily by the CCDF block grant.⁶⁶ State, federal, and local matching funds provided to an ELC for purposes of the school readiness program must be used for implementation of its approved school readiness program plan, including the hiring of staff to effectively operate the school readiness program.⁶⁷

For Fiscal Year 2019-2020, a total of \$760.8 million was appropriated for the school readiness program from state and federal funds.⁶⁸

Market Rate

The OEL is required to establish procedures for the adoption of a market rate schedule for the school readiness program. The schedule must include, at a minimum, county-by-county rates, differentiated by type of child care provider and the type of child care services provided. Rates must be differentiated for the types of providers by:⁶⁹

- The minimum and the maximum rates for child care providers that hold a Gold Seal Quality Care (GSQC) designation.
- Child care providers that do not hold a GSQC designation.
- Licensed child care facilities.
- Public or nonpublic schools exempt from licensure.
- Faith-based child care facilities exempt from licensure.
- Licensed large family child care homes.
- Licensed or registered family day care homes.

⁶¹ Florida Department of Education, *School Readiness Funding Model Allocation Methodology* (Oct. 1, 2019) (On file with staff of the Education Committee).

⁶² Rule 6M04.500, F.A.C.

⁶³ Section 1002.82(2)(o), F.S.

⁶⁴ *Id.*

⁶⁵ Section 1002.89(1), F.S.

⁶⁶ The Office of Early Learning, *2019-2021 Child Care Development Fund State Plan*, http://www.floridaearlylearning.com/oel_resources/ccdf_plan.aspx (last visited Jan. 22, 2020).

⁶⁷ Section 1002.89(5), F.S.

⁶⁸ Specific Appropriation 86, s. 2, ch. 2019-115, L.O.F.

⁶⁹ Section 1002.895, F.S.

The market rate schedule must also differentiate rate by the type of child care services provided, including services provided for:⁷⁰

- Children with special needs or risk categories.
- Infants, toddlers, preschool-age children, and school-age children.
- Full-time and part-time child care.

Reimbursement rates for school readiness providers are paid based on a child's care level and unit of care as defined by the ELC's approved provider rate schedule for the county in which the provider's facility is located.⁷¹ ELCs are required to consider the market rate schedule in the adoption of a payment schedule.

The payment schedule must consider the average market rate, include the projected number of children to be served, and be submitted for approval by the OEL. Informal child care arrangements may be reimbursed at no more than 50 percent of the rate adopted for a family day care home.⁷²

The 2017 market rate report, updated in 2019, includes a state summary that reflects market rates by provider type and service type. For example, the average market rate in the state for GSQC designated private child care facilities was \$195.72 for services provided to infants.⁷³ The 75th percentile rate for the same services was \$225.⁷⁴ The reimbursement rate for providers was \$156.76. For private child care facilities without a GSQC designation, the average market rate was \$169.02 for services provided to infants, and the 75th percentile rate was \$190, and the reimbursement rate was \$131.93.⁷⁵

Contracted Slots

The OEL is required to adopt a standard statewide provider contract to be used with each school readiness program provider. The standard statewide contract must include minimum statutory requirements, such as contracted slots and provisions for provider probation and termination.⁷⁶ A school readiness child care slot is the number of school readiness paid child care slots filled during a month of service.⁷⁷ The standard statewide provider contract provides an option for school readiness providers to participate in a Contracted Slots Program whereby a provider agrees to reserve a specified number of slots determined necessary by the ELC in return for a higher reimbursement rate.⁷⁸

⁷⁰ Section 1002.895, F.S.

⁷¹ Rule 6M-4.500, F.A.C.

⁷² Section 1002.895, F.S.

⁷³ Office of Early Learning, *2017 Market Rate Report* (2019), available at

http://www.floridaearlylearning.com/Content/Uploads/floridaearlylearning.com/files/Market_Rate_Report_2017_Full_Time_Final_web_04292019.pdf, at 3.

⁷⁴ *Id.*

⁷⁵ *Id.*

⁷⁶ Section 1002.82(2)(m), F.S.

⁷⁷ Rule 6M-4.740, F.A.C.

⁷⁸ Rule 6M-4.610, F.A.C., Form OEL-SR 20 (July 2019).

If an ELC participates in the Contracted Slots Program, and the ELC determines a provider is eligible for the program, then the coalition may reimburse the provider up to ten percent above the 75th percentile of the market rate.⁷⁹

Gold Seal Quality Care Program

The DCF is responsible for enforcing compliance with licensing standards by child care facilities, including large family child care homes and family day care homes.⁸⁰

The DCF also adopts rules to administer the GSQC Program.⁸¹ A GSQC designation entitles a school readiness provider to a rate differential at 20 percent above the ELC's approved reimbursement rate.⁸² The law disqualifies child care facilities from accreditation if they receive a specified maximum number of Class I, II, or III violations within the two-year period preceding the application for accreditation.⁸³

Educational materials, such as glue, paper, paints, crayons, unique craft items, scissors, books, and educational toys purchased by a licensed child care facility that meets minimum statutory standards, holds a current GSQC designation, and provides basic health insurance to all employees are exempt from sales, rental, use, consumption, distribution, and storage tax.⁸⁴ A licensed or legally exempt child care facility that achieves GSQC status is an educational institution exempt from ad valorem tax.⁸⁵

Currently, 1,852 child care facilities, large family child care homes, and family day care homes possess a GSQC designation.⁸⁶

Research-Based Reading Allocation

The Florida Education Finance Program (FEFP), which is used to provide equalized funding for all school districts across the state, includes a research-based reading allocation for districts to provide a K-12 comprehensive system of research-based reading instruction. Authorized uses of funds allocated under the research-based reading allocation include the following:⁸⁷

- An additional hour per day of intensive reading instruction to students in the 300 lowest performing elementary schools by teachers and reading specialists who have demonstrated effectiveness in teaching reading.

⁷⁹ Rule 6M-4.500, F.A.C.

⁸⁰ Section 402.305, F.S. Certain child care facilities which are an integral part of a church or specified parochial school are exempt from licensing standards. Section 402.316, F.S.

⁸¹ Section 402.281, F.S.

⁸² Rule 6M-4.500, F.A.C.

⁸³ Section 402.281, F.S. DCF rules governing child care facilities define Class I, II, and III violations, which are designated in ascending order of severity, for noncompliance with minimum licensing standards of child care facilities. Rule 65C-20.012, F.A.C.

⁸⁴ Section 212.08, F.S.

⁸⁵ Section 402.26, F.S.

⁸⁶ Florida Department of Children and Families, *Gold Seal Quality Care Summary and Detail Data* (Dec. 2019), available at <https://www.myflfamilies.com/service-programs/child-care/docs/gold-seal/December%202019%20Gold%20Seal%20Summary%20Website%20Report%201.6.20.pdf>.

⁸⁷ Section 1011.62(9), F.S.

- Kindergarten through grade 5 reading intervention teachers to provide intensive intervention during the school day and in the required extra hour for students identified as having a reading deficiency.
- Highly qualified reading coaches to specifically support teachers in making instructional decisions based on student data, and improve teacher delivery of effective reading instruction, intervention, and reading in the content areas based on student need.
- Professional development for school district teachers in scientifically based reading instruction, including strategies to teach reading in content areas and with an emphasis on technical and informational text, to help school district teachers earn a certification or an endorsement in reading.
- Summer reading camps, using only teachers or other district personnel who are certified or endorsed in reading, for all students in kindergarten through grade 2 who demonstrate a reading deficiency as determined by district and state assessments, and students in grades 3 through 5 who score at Level 1 on the statewide, standardized English Language Arts assessment.
- Supplemental instructional materials that are grounded in scientifically based reading research as identified by the Just Read, Florida! Office.
- Intensive interventions for students in kindergarten through grade 12 who have been identified as having a reading deficiency or who are reading below grade level as determined by the statewide, standardized English Language Arts assessment.

The Legislature appropriated \$130 million for research-based reading instruction for the 2019-2020 fiscal year.⁸⁸

III. Effect of Proposed Changes:

The bill modifies the administration of the Voluntary Prekindergarten Education Program (VPK) and the school readiness program and reorganizes the regulatory structure of the Office of Early Learning (OEL) to consolidate authority and oversight within the State Board of Education (SBE).

The bill expands accountability and assessment requirements for VPK providers. Specifically, the bill requires:

- A coordinated screening and progress monitoring program (CSPM) for students in VPK through grade 3 to provide information on students' progress in mastering the appropriate grade-level standards to parents, teachers, and school and program administrators.
- A program assessment that measures the quality of teacher-child interactions, including emotional and behavioral support, engaged support for learning, classroom organization, and instructional support for children ages 3 to 5 years, in each VPK classroom.
- A performance metric that provides a score to each VPK provider based on performance.

The bill creates the Early Grade Success Advisory Committee within the Department of Education (DOE) to oversee the CSPM and requires the new screenings and assessments to be administered by individuals meeting SBE requirements.

⁸⁸ Specific Appropriations 6 and 93, s. 2, ch. 2019-115, L.O.F.

The bill modifies the market rate schedule paid to school readiness providers to require a market rate schedule based on the prevailing market rate.

State Level Governance

The bill shifts regulatory authority over the early learning system from the OEL to the SBE and the DOE and repeals the Early Learning Advisory Council and the Child Care Executive Partnership Program. The bill makes conforming changes throughout Florida law and re-designates:

- The K-20 education system as the Early Learning-20 education system.
- The K-20 Education Code as the Early Learning-20 Education Code.
- The OEL as the Division of Early Learning.
- The K-20 data warehouse as the education data warehouse.

State Board of Education

The bill adds responsibilities for the SBE in the administration of early learning programs, including the responsibility to oversee the performance of ELCs. The conforming changes in the bill that transform the K-20 public education system into the Early Learning-20 public education system confer general rulemaking authority to the SBE for the improvement of the early learning system. The bill extends SBE oversight and enforcement authority to ELCs. The bill also transfers specific rulemaking authority to the SBE for various duties formerly assigned to the OEL.

The bill also requires early learning data, which is currently not part of the K-20 education data warehouse, to be included in the management information system databases overseen by the SBE in conjunction with the Florida Board of Governors.

Department of Education

The bill requires the DOE to assume responsibilities for executing processes governing the administration of early learning programs that were formerly assigned to the OEL, including the adoption of performance standards for students and instructors in early learning programs. The bill also requires the DOE to adopt performance standards and outcome measures for ELCs that, at a minimum, include the development of objective customer service surveys that must be deployed to:

- Customers who use the statewide child care resource and referral network.
- Parents at the time of eligibility determination.
- Child care providers that participate in the school readiness program or the VPK program at the time of execution of the statewide provider contract.
- Board members of ELCs.

The bill brings ELCs under SBE and DOE oversight authority. Specifically, the bill:

- Requires the results of the customer service surveys of ELCs to be based on a statistically significant sample size and calculated annually for each ELC and included in the DOE's annual report.
- Requires the DOE, beginning in 2022-2023 fiscal year, to place an ELC on a one-year corrective action plan if its customer satisfaction survey results fall below 60 percent, and

authorizes the DOE to remove the ELC's eligibility, contract out, or merge the ELC to administer early learning programs if the ELC does not improve through corrective action.

- Requires the DOE to adopt procedures for merging ELCs for failure to meet the requirements for delivering early learning programs, including procedures for the consolidation of merging coalitions that minimizes duplication of programs and services due to the merger, and for the early termination of the terms of the coalition members which are necessary to accomplish the mergers.
- Authorizes the SBE to impose sanctions against ELCs that the SBE may impose against district school boards under existing law.

The bill also modifies the membership requirements of ELCs. Specifically, the bill:

- Removes the requirement that ELCs appoint a central agency administrator, where applicable.
- Authorizes, in the absence of a governor-appointed chair, the COE to appoint an interim chair from the current ELC board membership.
- Adds to the requirement of existing law that each ELC include a children's services council or juvenile welfare board chair or executive director to additionally require that each ELC must include a children's services council or juvenile welfare board chair or executive director from each county within the ELC's jurisdiction.
- Clarifies that a DCF child care regulation representative may serve as an alternative to required member who also serves as an agency head.
- Authorizes an ELC to request an alternate ELC member who meets the same qualifications or membership requirements of a member who the ELC determines is not participating.
- Authorizes ELCs to appoint additional members who are independent private sector business members.
- Requires each ELC to complete an annual evaluation of the ELC's executive director or chief executive officer on forms adopted by the DOE. The annual evaluation must be submitted to the COE by June 30 of each year.

The bill also makes conforming changes to law regarding the reorganization of the OEL within the DOE and removes the authority for the OEL to access records of the DCF concerning reports of child abandonment, abuse, or neglect, including records of reports made to the central abuse hotline.

The bill provides additional transparency of VPK and School Readiness program providers by requiring the following additional information be accessible through the CCR&R:

- Whether the provider participates in the Child Care Food Program.
- A link to licensing inspection reports.
- A VPK provider's performance metric, including its program assessment composite score, learning gains score, achievement score, and its designations.
- A School Readiness provider's program assessment composite score, including care-level composite scores delineated by infant, toddler, and preschool classrooms.
- Whether a School Readiness program participates in child observation assessments.
- Whether the provider holds a GSQC designation.
- Whether the provider implements a DOE-approved curriculum and the name of the curriculum.

The Voluntary Prekindergarten Education Program

The bill transfers to the DOE the requirements for the OEL to adopt rules for VPK administration by ELCs and school districts. For example, the bill requires the DOE to adopt procedures for distributing funds to ELCs. The bill also modifies performance standards for VPK providers, instructors, and students.

The bill adds to the list of eligible VPK providers:

- A nationally accredited child development program operating on a certified military installation, which may also demonstrate required liability coverage by affirming that it is subject to jurisdiction under the federal Tort Claims Act.⁸⁹
- A private prekindergarten provider with a provisional child care facility license.

VPK Instructor Requirements

The bill also modifies requirements for VPK instructors and administrators by adding to the requirement that school districts give priority to teachers who have experience or coursework in early childhood education that the teachers must also have completed emergent literacy and performance standards courses. The bill also provides that:

- A VPK instructor in a class of 11 or less children must complete two additional emergent literacy training courses, for a total of three, and adds that they must include developmentally appropriate and experiential learning practices for children.
- The completion by a prekindergarten instructor of a student performance standards training course is not required until July 1, 2021, and the bill requires completion of the course to be recognized as part of the informal early learning career pathway and provided for free or at a low cost and available online or in person.
- A prekindergarten director credential must include training in the implementation of curriculum and usage of student level data to inform the delivery of instruction.
- The possession of a child care facility director credential completed before the later of the establishment of the prekindergarten director credential or July 1, 2006, no longer satisfies the requirement that a private VPK provider have a prekindergarten director who has a prekindergarten director credential.
- A certificate in educational leadership issued by the DOE to a private school administrator satisfies the requirement for a prekindergarten director credential.
- VPK curricula must support student learning gains through differentiated instruction as measured by the CSPM.

The bill modifies requirements for professional development training courses to require the DOE to make professional development courses available that train prekindergarten instructors and increase the competency of teacher-child interactions. Each course must be comprised of at least eight clock hours, provide instruction in strategies and techniques to address the age-appropriate progress of each child in attaining performance standards, and be available online.

⁸⁹ 28 U.S.C. s. 2671.

VPK Performance Standards

The bill modifies the performance standards for students in the VPK program and adds mathematical thinking and early math skills to the list of student skills required to be addressed in performance standards adopted by the DOE for the VPK program. The bill also:

- Adds early math skills to the required curricula of a VPK provider and the training courses that the DOE must adopt procedures for approving.
- Removes the requirement that performance standards be tied to the statewide kindergarten screening.
- Modifies the existing requirement that the OEL periodically review and revise the performance standards to require the DOE to review and revise the standards at least once every 3 years.

The bill repeals the existing statewide kindergarten readiness screening, but requires public schools to administer a statewide kindergarten screening in the 2020-2021 academic year within the first 30 school days and authorizes private schools to administer the statewide kindergarten screening.

Coordinated Screening and Progress Monitoring Program

The bill requires the Commissioner of Education (commissioner) to design a statewide, standardized coordinated screening and progress monitoring program (CSPM) to assess early literacy, dyslexia, and mathematics skills, and the English Language Arts and mathematics standards established in law.

Beginning in the 2021-2022 academic year, the bill requires all VPK and public school kindergarten students to participate in the CSPM within the first 30 days of enrollment, midyear, and within last 30 days of the school year. The bill requires each parent who enrolls a child in VPK to allow the child to participate in the CSPM.

The bill establishes the purposes of the CSPM. Specifically, the bill requires the CSPM to:

- Assess progress of students in VPK to grade 3 in meeting expectations in early literacy and math skills and English Language Arts and math.
- Provide data for VPK provider accountability.
- Provide baseline data to the DOE for each student's readiness for kindergarten, and requires the kindergarten readiness to be based on progress monitoring results within the first 30 days of enrollment.
- Identify strengths and needs of students in VPK to grade 3.
- Assess achievement of educational goals and curricular standards at the provider, school, district, and state levels.
- Provide information to aid in the development of educational programs and policies.
- Measure equivalent levels of growth and be a developmentally appropriate valid and reliable direct assessment.
- Accurately measure core content in the applicable grade level standards.
- Document learning gains for the achievement of grade level standards.
- Provide teachers with progress monitoring supports and materials that enhance differentiated instruction and parent communication.

- Be able to capture students performing below grade or developmental level.

The bill provides requirements for the use of data obtained from the administration of the CSPM. Specifically, the bill provides that the data from the CSPM must be used by VPK providers and school districts to improve instruction. The data must also be used by teachers to guide learning objectives and provide timely and appropriate supports and interventions to students not meeting grade level expectations.

The bill requires the results of the CSPM to be reported to the DOE for inclusion in the educational data warehouse and requires the DOE to use the data to:

- Identify student learning gains;
- Index development learning outcomes upon program completion relative to performance standards and representative norms; and
- Inform a provider's performance metric.

The bill requires each VPK provider and public school to provide parents with screening or progress monitoring results within seven days.

Research-Based Reading Allocation

The bill requires any VPK student with a substantial early literacy deficiency to be referred to the local school district. The local school district may provide the student intensive reading intervention using the research-based reading allocation before the student's participation in kindergarten. The bill also requires ELC and school district representatives to meet annually to develop strategies to transition students from VPK to kindergarten.

The bill modifies the research-based reading instruction allocation to require intensive reading instruction provided under the allocation to be evidence-based and supplemental instructional materials to be scientifically-researched and evidence-based. The bill defines "evidence-based" as demonstrating a statistically significant effect on improving student outcomes or other relevant outcomes.

Early Grade Success Advisory Committee

The bill creates the Early Grades Success Advisory Committee (Committee) and requires the commissioner to coordinate with the Committee to develop a plan for implementation of the CSPM in consideration of the timeline required for completion of the review of new early literacy and mathematics skills and English Language Arts and mathematics standards and the VPK program standards. The bill requires the commissioner to provide data, reports, and information as requested to the Committee. The bill also provides that the Committee be composed of 17 members, who must all be residents of the state, and include:

- Fifteen members appointed by the COE, to include one representative from each of the following:
 - An urban school district
 - A rural school district
 - An urban early learning coalition
 - A rural early learning coalition

- An early learning provider
- A faith-based early learning provider
- A kindergarten teacher with at least five years of teaching experience
- A second grade teacher with at least five years of teaching experience
- A school principal
- Four representatives with subject matter expertise in early learning, early grade success, or child assessments, who must not be direct stakeholders within the 67 early learning or public school systems or potential recipients of a contract resulting from the Committee's recommendations.
- One senator appointed by and serving at the pleasure of the President of the Senate.
- One representative of the Florida House of Representatives who is appointed by and serves at the pleasure of the Speaker of the House of Representatives.

The bill requires the Committee to elect a chair and vice chair. The chair must be one of the four members with subject matter expertise and the vice chair must be a member appointed by the President of the Senate and Speaker of the House. The bill requires the Committee to meet at least biennially in person or by teleconference to:

- Review the implementation of, training for, and outcomes of the CSPM and provide recommendations to the DOE to support grade-level reading by grade 3.
- Identify appropriate personnel, processes, and procedures for administration of the CSPM.
- Continually review data and inform the DOE on recommendations to achieve grade level proficiency by grade 3.
- Make recommendations to the DOE regarding the:
 - Methodology for calculating the performance metric and grading system for VPK providers.
 - Methodology for determining kindergarten readiness.
 - Age-appropriate learning gains by grade level required to demonstrate proficiency by grade 3.

The bill specifies that the Committee will sunset on July 1, 2023.

Performance Metric

The bill requires the DOE to adopt a performance metric to measure the effectiveness of a VPK provider. For the 2019-2020 academic year, the DOE must calculate the kindergarten readiness rate for each VPK provider based upon learning gains and the percentage of students who are assessed as ready for kindergarten.

The DOE must adopt a methodology for the performance metric beginning in the 2021-2022 academic year. The performance metric must include:

- Program assessment composite scores weighted at no less than 50 percent.
- Learning gains from the initial and final progress monitoring results. The learning gains must be determined using a value-added measure based on growth demonstrated by the results of the pre-and post-assessment in use before the 2020-2021 program year.
- Norm-referenced developmental learning outcomes.

The bill requires the methodology for calculating the performance metric to include only prekindergarten students who have attended at least 85 percent of a VPK provider's program as opposed to the current 75 percent attendance rate required for inclusion in the kindergarten readiness rate. Based on 2017-2018 data, the new methodology would result in an 11 percent decrease of children included in the performance metric.⁹⁰

The methodology must also include a statistical latent profile analysis that has been conducted by an expert. The bill requires the contracted expert to:

- Have experience in relevant quantitative analysis, early childhood assessment, and designing state-level accountability systems.
- Produce an analysis that includes a limited number of program performance metric profiles that summarize all programs' profiles that inform the assignment of a letter grading system to include designations of "unsatisfactory," "emerging proficiency," "proficient," "highly proficient," and "excellent" or comparable terminology determined by the SBE which may not include letter grades. The designation must be displayed as associated with delivery of the VPK program in the provider's performance profile and accessible through the CCR&R.
- Confer with the Committee in the development of the methodology.
- Also develop a methodology for determining a student's readiness for kindergarten that must be assessed by the CSPM.
- Not have had a stake or financial interest in the design or delivery of the VPK program or public school system within the last five years.

Beginning in the 2022-2023 academic year, the DOE must calculate each VPK provider's performance metric and designation within 45 days of the conclusion of the delivered school year or summer program.

The bill specifies that the grading system adopted by the DOE must provide for a differential payment to VPK providers based on program performance, and subject to appropriations. The maximum differential payment may not exceed 15 percent of the base student allocation per full-time equivalent student. A VPK provider may not receive a differential payment if it is assigned a designation of "proficient" or below.

The bill adds the performance metric of a VPK provider to the information that the DOE must publish and provide to each parent enrolling a child in the VPK program.

Probation

The bill specifies that a designation of "proficient" or better demonstrate satisfactory delivery of the VPK program. A provider who fails to meet the minimum kindergarten readiness rate to probation for failing to meet the minimum kindergarten readiness rate for the 2019-2020 program year may be placed on probation. Beginning in the 2020-2021 academic year, if a VPK provider fails to meet the minimum performance metric or designation or program assessment composite score, the bill requires the applicable ELC or school district to place the VPK provider on probation and requires the VPK provider to:

⁹⁰ Florida Department of Education, *Agency Legislative Bill Analysis for HB 1013 (2020)*, at 23.

- Submit an improvement plan for approval by the ELC or school district, as applicable, and implement the plan; and
- Implement a curriculum approved by the DOE; or
- Implement a staff development plan to strengthen instruction in in emotional and instructional support, engaged support for learning, classroom organization, language development, phonological awareness, alphabet knowledge, and mathematical thinking.

The probation lasts until the VPK provider attains the minimum required performance metric or grade. The bill requires an annual notification by the DOE to any providers who have been placed on probation and continue to fail to meet the minimum performance metric. The failure to comply with the probation or attain the minimum performance metric after two years of probation must result in the VPK provider's suspension from the program for a period of two to five years, as determined by the applicable ELC or school district.

The bill also prohibits a VPK provider from delivering a VPK program if the provider's program assessment composite score falls below the minimum threshold for contracting or the provider's license has been converted to a probation-status license by the Department of Children and Families (DCF).

Good Cause Exemption

The bill authorizes the DOE to grant a VPK provider a good cause exemption from being determined ineligible to deliver the VPK program and receive state funds for the program. The exemption is valid for one year and is renewable. A request for a good cause exemption must include data from:

- The VPK provider which documents the achievement and progress of the children served, as measured by any required screenings or assessments.
- Program assessments which demonstrates effective teaching practices as recognized by the tool developer.
- The ELC or district school board, the DCF, or the local licensing authority reflecting compliance with state and local health and safety standards.

The bill requires the DOE to adopt criteria to consider when determining whether to grant a request for an exemption. The criteria must include:

- Child demographic data that evidences a VPK provider serves a statistically significant population of children with special needs who have individual education plans and can demonstrate progress toward meeting the goals outlined in the student's individual education plans.
- Learning gains of children served in the VPK program on an alternative measure that has comparable validity and reliability of the screening and progress monitoring program.
- Program assessment data which demonstrates effective teaching practices as recognized by the contracted expert.
- Verification that local and state health and safety requirements are met.

The bill prohibits the DOE from granting a good cause exemption to any VPK provider that has any class I violations involving an imminent threat to the health, safety, or welfare of a student or

two or more class II⁹¹ violations involving an unreasonable risk to the health, safety, or welfare of a student within the two years preceding the provider's request for an exemption. The DOE is required to inform the applicable ELC if an exemption is granted to a VPK provider that remains on probation for 2 consecutive years.

The bill requires each ELC to verify VPK provider compliance with the statutory requirements for delivering the VPK. The DOE must require each applicable ELC to suspend a provider who refuses to comply with VPK requirements or commits misconduct. The ELC must suspend the provider's eligibility to provide VPK for a period of two to five years.

The bill incorporates the number of good cause exemptions and justifications into the annual reporting requirements of the DOE.

The School Readiness Program

The bill modifies requirements for regulating the school readiness program. Specifically, the bill:

- Requires the SBE to adopt rules for the implementation of the school readiness program assessment.
- Modifies the requirement that the OEL adopt rules for ELCs in the implementation of statewide procedures. The bill instead requires the DOE to provide technical support to ELCs in implementing the statewide procedures.
- Requires the commissioner to prepare, publish, and disseminate materials relating to the school readiness program.
- Requires the DOE to monitor the alignment and consistency of the standards and benchmarks that address the age-appropriate progress of children in the development of school readiness skills. This requirement modifies existing law which only requires the OEL to develop and adopt the standards and benchmarks.
- Requires the minimum program assessment composite score adopted by the DOE to align with the minimum program assessment composite score for VPK providers and requires the independent expert who conducted the statistical latent profile analysis for the methodology for calculation of the performance metric for VPK providers to review the minimum program assessment composite score.
- Requires the DOE to evaluate ELCs in the administration of school readiness programs at least biennially.

The bill modifies requirements for school readiness providers. Specifically, the bill:

- Exempts a qualified provider at a military installation from child care facility licensing requirements, health and safety and immunization requirements, and liability coverage requirements.
- Authorizes provisionally licensed child care facilities or homes to deliver the school readiness program.
- Prohibits a child care facility or home from delivering the school readiness program while its license is on a probation status.

⁹¹ Class I and Class II violations are defined in s. 402.281(4), F.S.

- Provides that the DOE and the ELCs may not require a school readiness provider to administer a VPK program assessment.
- Clarifies that a contract with a qualified entity to administer a regional school readiness program in the place of a noncompliant ELC lasts until the DOE reestablishes the ELC and a new school readiness plan is approved.
- Adds a parent's participation in an Early Head Start or Head Start Program to the list of circumstances that qualify for waiver of a school readiness program copayment.

Contracted Slots

The bill requires, by July 1, 2021, the DOE to develop and adopt requirements for the implementation of a program designed to make available contracted slots to serve children at the greatest risk of school failure as determined by being located in an area that has been designated as a poverty area tract according to the latest census data.

The bill also provides that the contracted slot program may be used to increase the availability of child care capacity based on the assessment of local priorities within the county or multicounty region based on the needs of families and provider capacity using available community data.

Market Rate

The bill modifies the market rate to be paid to school readiness providers by the DOE. Specifically, the bill:

- Redefines the average market rate as the “prevailing market rate” to mean the biennially determined 75th percentile of a reasonable frequency distribution of the market rate by program level and provider type in a geographical market at which child care providers charge a person for child care services.
- Modifies the requirement that the market rate include minimum and maximum rates for Gold Seal Quality Care (GSQC) providers to clarify that the GSQC providers included in the determination of rates must also adhere to the teacher to child ratios and group size requirements of their respective accrediting associations.
- Clarifies that the payment schedule must account for the prevailing market rate and the projected number of children served in each county.
- Removes the requirement for each ELC to consider the market rate schedule.
- Removes the requirement that informal child care arrangements be reimbursed at 50 percent or less than the rate adopted for a family day care home.

Gold Seal Quality Care Program

The bill provides for a type two transfer of the GSQC program from the DCF to the DOE and requires the SBE to adopt rules establishing GSQC accreditation standards using nationally recognized accrediting standards as well as input from accrediting associations. The bill requires the SBE to adopt rules to provide criteria for reviewing and approving accrediting associations and for conferring and revoking GSQC status.

The bill codifies and specifies standards for approval of accrediting associations by the DOE for participation in the GSQC Program. In order to be approved by the DOE, an accrediting association must apply to the DOE and demonstrate that it is operational and:

- Is a recognized accrediting association.⁹²
- Meets or exceeds SBE standards.⁹³
- Is a registered corporation with the Department of State.
- Accreditation requirements that include clearly defined accreditation prerequisites and procedures for:
 - Completion of a self-study and comprehensive onsite verification for each classroom that documents compliance with standards.
 - Training for accreditation verifiers to ensure inter-rater reliability.
 - Ongoing compliance to include the filing of an annual report with the accrediting association;
 - Renewal requiring onsite verification at least every five years.
 - Verifying compliance upon transfer of ownership.
 - Revoking accreditation.
 - Communicating issues to state agencies with oversight.

The bill requires the DOE to remove the approval of an accrediting association that fails to cure within 30 days any deficiencies noted by the DOE in the processes and procedures submitted to and approved by the DOE. The DOE must remove a noncompliant accrediting association for a period of two to five years. The bill provides one year for a child care provider that was accredited by a noncompliant accrediting association to obtain a new accreditation from an approved accrediting association.

The bill prohibits minimum child care licensing standards developed by the DCF between July 1, 2020, and June 30, 2022, must be ratified by the Legislature. The bill disqualifies child care providers from accreditation if they have received a specified number of Class I, II, or III violations of the minimum licensing standards for child care facilities. The bill disqualifies a child care provider from accreditation if, within the two-year period preceding its application, the accredited provider has received:

- Any class I violations.
- Three or more class II violations.
- Three or more class III violations that were not corrected within one year.

The bill authorizes the DOE to recommend to the SBE to maintain the GSQC designation of a provider who has been in business for 5 years with no other class I violations. The bill requires licensed or legally exempt child care facilities that participate in the school readiness program and achieve GSQC status to receive at least a 20 percent rate differential for each enrolled school readiness child by care level and unit of child care. An accrediting association is liable under the bill for the repayment of any rate differentials paid to a facility as a result of a GSQC designation if the accrediting association fraudulently granted the designation.

⁹² This is an existing statutory requirement of the DCF GSQC Program.

⁹³ This is an existing statutory requirement of the DCF GSQC Program.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

D. State Tax or Fee Increases:

None.

E. Other Constitutional Issues:

None.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

The revised assessment and screening requirements specified in the bill will likely result in additional state costs. Additional clarification may be needed to determine whether the required assessment must be custom-designed to fully align with new academic content standards in English language arts and mathematics. The Florida Department of Education estimates:⁹⁴

- \$6.9 million is required to implement the new program assessment required for Voluntary Prekindergarten Education Program providers.
- Annual expenditures of \$15 million associated with the coordinated screening and progress monitoring program.

VI. Technical Deficiencies:

None.

⁹⁴ Florida Department of Education, *Agency Legislative Bill Analysis for HB 1013 (2020)*.

VII. Related Issues:

None.

VIII. Statutes Affected:

The bill substantially amends ss. 20.055, 20.15, 39.202, 39.604, 212.08, 383.14, 391.308, 402.26, 402.281, 402.305, 402.315, 402.56, 411.226, 411.227, 414.295, 1000.01, 1000.02, 1000.03, 1000.04, 1000.21, 1001.02, 1001.03, 1001.10, 1001.11, 1001.215, 1001.23, 1001.70, 1001.706, 1002.22, 1002.32, 1002.34, 1002.36, 1002.53, 1002.55, 1002.57, 1002.59, 1002.61, 1002.63, 1002.67, 1002.71, 1002.72, 1002.73, 1002.79, 1002.81, 1002.82, 1002.83, 1002.84, 1002.85, 1002.88, 1002.89, 1002.895, 1002.91, 1002.92, 1002.93, 1002.945, 1002.95, 1002.96, 1002.97, 1002.995, 1003.575, 1007.01, 1008.25, 1008.31, 1008.32, 1008.33, and 1011.62 of the Florida Statutes.

The bill repeals the following sections of the Florida Statutes: 1001.213, 1002.69, 1002.75, 1002.77, and 1002.94.

The bill creates the following sections of the Florida Statutes: 1002.68, and 1008.2125.

The bill transfers and renumbers section 402.281 of the Florida Statutes as section 1002.945.

IX. Additional Information:

- A. **Committee Substitute – Statement of Substantial Changes:**
(Summarizing differences between the Committee Substitute and the prior version of the bill.)

Recommended CS by Appropriations Subcommittee on Education on February 25, 2020:

Specifically related to the Gold Seal Quality Care (GSQC) program, the amendment:

- Removes from the bill the sales tax exemption for curricula purchased by child care facilities with GSQC designations.
- Clarifies that the establishment in the bill of the GSQC program within the Department of Education (DOE) is a type two transfer of the program from the Department of Children and Families (DCF). The amendment also:
 - Removes from the bill a provision specifically prohibiting the DCF from adopting licensing standards that exceed statutory standards.
 - Modifies the requirement of the bill that the legislature ratify any licensing child care licensing standards adopted by the DCF on or after July 1, 2020, to require the legislature to ratify any licensing child care licensing standards adopted by the DCF between July 1, 2020, and June 30, 2022.
- Clarifies that an accrediting association may not grant a GSQC designation to a facility that is not yet operational. The amendment modifies the requirement of the bill for an accrediting association to demonstrate accreditation requirements that include the filing of an audit and annual report with the DOE accrediting association to only require the filing of an annual report with the accrediting association.

- Modifies accreditation renewal procedures in the bill to require onsite verifications at least every five years instead of every three years.
- Provides an accrediting association 30 days to cure deficiencies before the approval of the accrediting association is terminated.
- Provides that an accrediting association is liable for the repayment of any rate differentials paid to a facility as a result of a GSQC designation if the accrediting association fraudulently granted the designation.
- Authorizes the DOE to recommend to the SBE to maintain the GSQC designation of a provider who has been in business for five years with no other class I violations.

Specifically related to delivery of the Voluntary PreKindergarten (VPK) program, the amendment:

- Modifies the requirements for the VPK provider profiles that are provided to parents.
- Provides that the emergent literacy training courses required to be completed by prekindergarten instructors must include developmentally appropriate and experiential learning practices for children.
- Provides that a prekindergarten instructor is not required to complete the student performance standards training course until July 1, 2021, and that completion of the course is recognized as part of the informal early learning career pathway.
- Removes from the bill that the student performance standards training course be offered for free or at a low cost.
- Authorizes private school administrators who hold certificates in educational leadership issued by the DOE to satisfy the requirement for a PreK director credential.
- Removes from the bill requirements for school districts to monitor public school VPK compliance and requires Early Learning Coalitions (ELCs) to monitor public school VPK compliance.
- Modifies the requirement for the DOE to calculate each VPK provider's performance metric for the 2019-2020 program year, and instead requires the DOE to calculate each VPK provider's kindergarten readiness rate for the 2019-2020 program year.
- Corrects the program year to a reference to the preassessment and postassessment that is utilized to demonstrate learning gains for the 2019-2020 program year to clarify that the preassessment and postassessment in use before the 2020-2021 year must be utilized (instead of the pre- and post-assessment in use before the 2021-2022 program year).
- Subjects a provider who fails to meet the minimum kindergarten readiness rate to probation for failing to meet the minimum kindergarten readiness rate for the 2019-2020 program year.
- Clarifies that VPK providers are subject to probation for failing to meet the minimum program assessment composite score, as calculated by the DOE, for the 2020-2021 program year.
- Clarifies that program assessment scores required in the bill refer to program assessment composite scores.
- Modifies the requirement of the bill that the program assessment composite score consist of approximately 50 percent of the performance metric to require the composite score to consist of no less than 50 percent of the performance metric.

- Clarifies that program assessment composite scores and performance metrics in the bill are required to be calculated for each VPK provider beginning in the 2021-2022 school year.
- Modifies the requirement of the bill that the DOE contract with an independent expert to conduct the statistical latent profile analysis to be included in the methodology for the performance metric to require the DOE to include a statistical latent profile analysis that has been conducted by an independent expert.
- Modifies the requirement of the bill for the assignment of a letter grading system for VPK providers to require the designations of "unsatisfactory," "emerging proficiency," "proficient," "highly proficient," and "excellent" or comparable terminology determined by the State Board of Education which may not include letter grades, and requires the designation to be displayed as associated with delivery of the VPK program in the provider's performance profile.
- Subjects to an appropriation the differential payments required in the bill for VPK providers who achieve a determined minimum program designation.
- Modifies the requirement of the bill for VPK providers to meet a minimum threshold for contracting to deliver VPK to require VPK providers to meet a minimum program assessment composite score for contracting to deliver VPK.
- Modifies the requirement of the bill that the DOE adopt a minimum performance metric or grade to demonstrate satisfactory delivery of the VPK program and specifies that a designation of proficient or better demonstrates satisfactory delivery of the VPK program.
- Modifies the requirement that instructional practices in behavioral support be included in the staff development plan approved by the DOE for VPK providers who fail to meet the minimum or designation to require that the staff development plan instead strengthen instructional practices in instructional support.
- Modifies the requirement of the bill that a request for a good cause exemption demonstrate effective teaching practices as recognized by the contracted expert to require the good cause exemption to demonstrate effective teaching practices as recognized by the tool developer.
- Adds early math skills to the training courses for prekindergarten instructors that the DOE must adopt procedures for approval.
- Modifies the requirement of existing law that the DOE determine the minimum threshold of school readiness providers for contracting to deliver the school readiness program to require the DOE to determine the minimum program assessment composite score that school readiness providers must achieve for contracting to deliver the school readiness program.
- Requires the minimum program assessment composite score for school readiness providers to align with the minimum program assessment composite score for VPK providers and requires the calculation of the minimum program assessment composite score to be reviewed by the independent expert who has conducted the statistical latent profile analysis for the methodology for calculation of the performance metric for VPK providers.

Specifically related to requirements for ELCs, the amendment:

- Removes from the bill additional duties for the Early Learning Programs Estimating Conference related to the payment schedule and market rate for school readiness providers.
- Removes children in the custody of a homeless parent or in court-ordered, long term custody of a relative from the specific classes of children that the bill required to be served by the contracted slots program designed by the DOE to ensure capacity is available in the school readiness program.
- Specifies that the requirement of existing law that the DOE monitor and evaluate ELCs in the administration of the school readiness program be conducted at least biennially.
- Requires the DOE to adopt performance standards and outcome measures for ELCs that, at a minimum, include the development of objective customer service surveys that must be deployed to:
 - Customers who use the statewide child care resource and referral network.
 - Parents at the time of eligibility determination.
 - Child care providers that participate in the school readiness program or the VPK program at the time of execution of the statewide provider contract.
 - Board members of ELCs.
- Requires, beginning in 2022-2023 fiscal year, the results of the customer service surveys of ELCs to be based on a statistically significant sample size and calculated annually for each ELC and included in the DOE's annual report.
- Requires the DOE to place an ELC on a one-year corrective action plan if its customer satisfaction survey results fall below 60 percent, and authorizes the DOE to remove the ELC's eligibility, contract out, or merge the ELC to administer early learning programs if the ELC does not improve through corrective action.
- Requires the DOE to adopt procedures for merging ELCs for failure to meet the requirements for delivering early learning programs, including procedures for the consolidation of merging coalitions that minimizes duplication of programs and services due to the merger, and for the early termination of the terms of the coalition members which are necessary to accomplish the mergers.
- Removes requirement of existing law that the ELC school readiness plan include Child Care Executive Partnership Program funds in the required accounting of revenues and expenditures.
- Authorizes, in the absence of a governor-appointed chair, the Commissioner of Education (COE) to appoint an interim chair from the current ELC board membership.
- Adds to the requirement of existing law that each ELC include a children's services council or juvenile welfare board chair or executive director that each ELC must include a children's services council or juvenile welfare board chair or executive director from each county within the ELC's jurisdiction.
- Modifies requirements for ELC membership to clarify that a DCF child care regulation representative may serve as an alternative to the agency head required in existing law.
- Authorizes an ELC to request an alternate ELC member who meets the same qualifications or membership requirements of a member who the ELC determines is not participating.

- Modifies the requirement of existing law that more than one-third of the members of each ELC be independent private sector business members to authorize ELCs to appoint additional members who are independent private sector business members.
- Requires each ELC to complete an annual evaluation of the ELC's executive director or chief executive officer on forms adopted by the DOE. The annual evaluation must be submitted to the COE by June 30 of each year.
- Restores existing law requiring ELCs to adopt payment schedules for school readiness providers and modifies the requirement to include the shift provided in the bill from average market rates to prevailing market rates.
- Modifies the services required in existing law to be provided by child care resource and referral agencies to require child care resource and referral agencies to develop early learning provider performance profiles instead of resource files, and requires early learning provider performance profiles to include, in addition to the existing requirements for resource files:
 - Participation in the Child Care Food Program, if applicable.
 - A link to licensing inspection reports, if applicable.
 - The components of the VPK Program performance metric, which must consist of the program assessment composite score, the learning gains score, the achievement score, and its designations, if applicable.
 - The school readiness program assessment composite score and program assessment care level composite scores delineated by infant classroom, toddler classroom, and preschool classroom results.
 - GSQC designation, if applicable.
 - An indication as to whether the provider implements a curriculum approved by the DOE and the name of the curriculum, if applicable.
 - An indication as to whether the provider participates in the school readiness child assessment.
- Modifies the documentation required by existing law to be maintained by child care resource and referral networks for requests for service to additionally require maintenance of customer satisfaction surveys of ELCs and requests for assistance to families that connects them to parent education opportunities, the temporary cash assistance program, or social services programs that support families with children, and related child development support services.
- Removes requirements of existing law that child care resource and referral networks maintain documentation of requests for the names of employers and focuses of business for employer-based child care programs and provision of technical assistance to existing and potential providers of child care services, that may include:
 - Information on initiating new child care services, zoning, and program and budget development and assistance in finding such information from other sources.
 - Information and resources which help existing child care services providers to maximize their ability to serve children and parents in their community.
 - Information and incentives that may help existing or planned child care services offered by public or private employers seeking to maximize their ability to serve the children of their working parent employees in their community, through contractual or other funding arrangements with businesses.
- Repeals the Child Care Executive Partnership Program.

Specifically related to the CSPM, the amendment:

- Requires the independent expert who conducts the statistical latent profile analysis required for the performance metric methodology to also develop a methodology for determining a student’s readiness for kindergarten that must be assessed by the CSPM.
- Limits administration of the CSPM in the 2021-2022 school year to students in the VPK program and kindergarten.
- Updates a reference in the bill to the Next Generation Sunshine State Standards to instead reference new early literacy and mathematics skills and the English Language Arts and mathematics standards.
- Modifies the name of the Council for Early Grade Success created in the bill to the Early Grade Success Advisory Committee, requires the committee to work with the independent expert instead of the DOE to review the methodology for determining a child’s kindergarten readiness, requires biennial instead of biannual meetings, and sunsets the committee on July 1, 2023.
- Modifies the membership requirements of the Early Grade Success Advisory Committee to:
 - Add two members, for a total of 17 members.
 - Require the COE to appoint 15 of the members.
 - Remove the requirement for the President of the Senate and the Speaker of the House to jointly appoint 13 members.
 - Remove the requirement that the Governor appoint two members.
 - Include one senator appointed by and serving at the pleasure of the President of the Senate.
 - Include one representative who is appointed by and serves at the pleasure of the Speaker of the House.
- Modifies the research-based reading instruction allocation to require intensive reading instruction provided under the allocation to be evidence-based and supplemental instructional materials to be scientifically-researched and evidence-based, and defines “evidence-based” as demonstrating a statistically significant effect on improving student outcomes or other relevant outcomes.

B. Amendments:

None.



324350

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
02/26/2020	.	
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Appropriations Subcommittee on Education (Harrell) recommended the following:

Senate Amendment (with title amendment)

Delete everything after the enacting clause and insert:

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

20.055 Agency inspectors general.—

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

(a) "Agency head" means the Governor, a Cabinet officer, or a secretary or executive director as those terms are defined in



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11 s. 20.03, the chair of the Public Service Commission, the
12 Director of the Office of Insurance Regulation of the Financial
13 Services Commission, the Director of the Office of Financial
14 Regulation of the Financial Services Commission, the board of
15 directors of the Florida Housing Finance Corporation, ~~the~~
16 ~~executive director of the Office of Early Learning,~~ and the
17 Chief Justice of the State Supreme Court.

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

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

32 20.15 Department of Education.—There is created a
33 Department of Education.

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

36 (c) Division of Early Learning.

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

39 ~~1. The Office of Early Learning, which shall be~~



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40 ~~administered by an executive director who is fully accountable~~
41 ~~to the Commissioner of Education. The executive director shall,~~
42 ~~pursuant to s. 1001.213, administer the early learning programs,~~
43 ~~including the school readiness program and the Voluntary~~
44 ~~Prekindergarten Education Program at the state level.~~

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

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

55 Section 3. Paragraph (a) of subsection (2) of section
56 39.202, Florida Statutes, is amended to read:

57 39.202 Confidentiality of reports and records in cases of
58 child abuse or neglect.—

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

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

68 1. Child or adult protective investigations;



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69 2. Ongoing child or adult protective services;
70 3. Early intervention and prevention services;
71 4. Healthy Start services;
72 5. Licensure or approval of adoptive homes, foster homes,
73 child care facilities, facilities licensed under chapter 393,
74 family day care homes, providers who receive school readiness
75 funding under part VI of chapter 1002, or other homes used to
76 provide for the care and welfare of children;
77 6. Employment screening for caregivers in residential group
78 homes; or
79 7. Services for victims of domestic violence when provided
80 by certified domestic violence centers working at the
81 department's request as case consultants or with shared clients.
82
83 Also, employees or agents of the Department of Juvenile Justice
84 responsible for the provision of services to children, pursuant
85 to chapters 984 and 985.
86 Section 4. Paragraph (b) of subsection (5) of section
87 39.604, Florida Statutes, is amended to read:
88 39.604 Rilya Wilson Act; short title; legislative intent;
89 child care; early education; preschool.—
90 (5) EDUCATIONAL STABILITY.—Just as educational stability is
91 important for school-age children, it is also important to
92 minimize disruptions to secure attachments and stable
93 relationships with supportive caregivers of children from birth
94 to school age and to ensure that these attachments are not
95 disrupted due to placement in out-of-home care or subsequent
96 changes in out-of-home placement.
97 (b) If it is not in the best interest of the child for him



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98 or her to remain in his or her child care or early education
99 setting upon entry into out-of-home care, the caregiver must
100 work with the case manager, guardian ad litem, child care and
101 educational staff, and educational surrogate, if one has been
102 appointed, to determine the best setting for the child. Such
103 setting may be a child care provider that receives a Gold Seal
104 Quality Care designation pursuant to s. 1002.945 ~~s. 402.281~~, a
105 ~~provider participating in a quality rating system~~, a licensed
106 child care provider, a public school provider, or a license-
107 exempt child care provider, including religious-exempt and
108 registered providers, and nonpublic schools.

109 Section 5. Paragraph (m) of subsection (5) of section
110 212.08, Florida Statutes, is amended to read:

111 212.08 Sales, rental, use, consumption, distribution, and
112 storage tax; specified exemptions.—The sale at retail, the
113 rental, the use, the consumption, the distribution, and the
114 storage to be used or consumed in this state of the following
115 are hereby specifically exempt from the tax imposed by this
116 chapter.

117 (5) EXEMPTIONS; ACCOUNT OF USE.—

118 (m) *Educational materials purchased by certain child care*
119 *facilities.*—Educational materials, such as glue, paper, paints,
120 crayons, unique craft items, scissors, books, ~~and~~ educational
121 toys, purchased by a child care facility that meets the
122 standards delineated in s. 402.305, is licensed under s.
123 402.308, holds a current Gold Seal Quality Care designation
124 pursuant to s. 1002.945 ~~s. 402.281~~, and provides basic health
125 insurance to all employees are exempt from the taxes imposed by
126 this chapter. For purposes of this paragraph, the term "basic



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127 health insurance" shall be defined and promulgated in rules
128 developed jointly by the Department of Education Children and
129 Families, the Agency for Health Care Administration, and the
130 Financial Services Commission.

131 Section 6. Paragraph (b) of subsection (1) and paragraph
132 (b) of subsection (2) of section 383.14, Florida Statutes, are
133 amended to read:

134 383.14 Screening for metabolic disorders, other hereditary
135 and congenital disorders, and environmental risk factors.—

136 (1) SCREENING REQUIREMENTS.—To help ensure access to the
137 maternal and child health care system, the Department of Health
138 shall promote the screening of all newborns born in Florida for
139 metabolic, hereditary, and congenital disorders known to result
140 in significant impairment of health or intellect, as screening
141 programs accepted by current medical practice become available
142 and practical in the judgment of the department. The department
143 shall also promote the identification and screening of all
144 newborns in this state and their families for environmental risk
145 factors such as low income, poor education, maternal and family
146 stress, emotional instability, substance abuse, and other high-
147 risk conditions associated with increased risk of infant
148 mortality and morbidity to provide early intervention,
149 remediation, and prevention services, including, but not limited
150 to, parent support and training programs, home visitation, and
151 case management. Identification, perinatal screening, and
152 intervention efforts shall begin prior to and immediately
153 following the birth of the child by the attending health care
154 provider. Such efforts shall be conducted in hospitals,
155 perinatal centers, county health departments, school health



156 programs that provide prenatal care, and birthing centers, and
157 reported to the Office of Vital Statistics.

158 (b) *Postnatal screening.*—A risk factor analysis using the
159 department's designated risk assessment instrument shall also be
160 conducted as part of the medical screening process upon the
161 birth of a child and submitted to the department's Office of
162 Vital Statistics for recording and other purposes provided for
163 in this chapter. The department's screening process for risk
164 assessment shall include a scoring mechanism and procedures that
165 establish thresholds for notification, further assessment,
166 referral, and eligibility for services by professionals or
167 paraprofessionals consistent with the level of risk. Procedures
168 for developing and using the screening instrument, notification,
169 referral, and care coordination services, reporting
170 requirements, management information, and maintenance of a
171 computer-driven registry in the Office of Vital Statistics which
172 ensures privacy safeguards must be consistent with the
173 provisions and plans established under chapter 411, Pub. L. No.
174 99-457, and this chapter. Procedures established for reporting
175 information and maintaining a confidential registry must include
176 a mechanism for a centralized information depository at the
177 state and county levels. The department shall coordinate with
178 existing risk assessment systems and information registries. The
179 department must ensure, to the maximum extent possible, that the
180 screening information registry is integrated with the
181 department's automated data systems, including the Florida On-
182 line Recipient Integrated Data Access (FLORIDA) system. Tests
183 and screenings must be performed by the State Public Health
184 Laboratory, in coordination with Children's Medical Services, at



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185 such times and in such manner as is prescribed by the department
186 after consultation with the Genetics and Newborn Screening
187 Advisory Council and the Department of Education ~~Office of Early~~
188 ~~Learning~~.

189 (2) RULES.—

190 (b) After consultation with the Department of Education
191 ~~Office of Early Learning~~, the department shall adopt and enforce
192 rules requiring every newborn in this state to be screened for
193 environmental risk factors that place children and their
194 families at risk for increased morbidity, mortality, and other
195 negative outcomes.

196 Section 7. Paragraph (h) of subsection (2) of section
197 391.308, Florida Statutes, is amended to read:

198 391.308 Early Steps Program.—The department shall implement
199 and administer part C of the federal Individuals with
200 Disabilities Education Act (IDEA), which shall be known as the
201 “Early Steps Program.”

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

203 (h) Promote interagency cooperation and coordination, with
204 the Medicaid program, the Department of Education program
205 pursuant to part B of the federal Individuals with Disabilities
206 Education Act, and programs providing child screening such as
207 the Florida Diagnostic and Learning Resources System, ~~the Office~~
208 ~~of Early Learning~~, Healthy Start, and the Help Me Grow program.

209 1. Coordination with the Medicaid program shall be
210 developed and maintained through written agreements with the
211 Agency for Health Care Administration and Medicaid managed care
212 organizations as well as through active and ongoing
213 communication with these organizations. The department shall



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214 assist local program offices to negotiate agreements with
215 Medicaid managed care organizations in the service areas of the
216 local program offices. Such agreements may be formal or
217 informal.

218 2. Coordination with education programs pursuant to part B
219 of the federal Individuals with Disabilities Education Act shall
220 be developed and maintained through written agreements with the
221 Department of Education. The department shall assist local
222 program offices to negotiate agreements with school districts in
223 the service areas of the local program offices.

224 Section 8. Subsection (6) of section 402.26, Florida
225 Statutes, is amended to read:

226 402.26 Child care; legislative intent.—

227 ~~(6) It is the intent of the Legislature that a child care~~
228 ~~facility licensed pursuant to s. 402.305 or a child care~~
229 ~~facility exempt from licensing pursuant to s. 402.316, that~~
230 ~~achieves Gold Seal Quality status pursuant to s. 402.281, be~~
231 ~~considered an educational institution for the purpose of~~
232 ~~qualifying for exemption from ad valorem tax pursuant to s.~~
233 ~~196.198.~~

234 Section 9. Section 402.281, Florida Statutes, is
235 transferred, renumbered as section 1002.945, Florida Statutes,
236 and amended to read:

237 1002.945 ~~402.281~~ Gold Seal Quality Care program.—

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

240 (b) A child care facility, large family child care home, or
241 family day care home that is accredited by an accrediting
242 association approved by the department under subsection (3) and



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243 meets all other requirements shall, upon application to the
244 department, receive a separate "Gold Seal Quality Care"
245 designation.

246 (2) The State Board of Education ~~department~~ shall adopt
247 rules establishing Gold Seal Quality Care accreditation
248 standards using nationally recognized accrediting standards and
249 input from accrediting associations ~~based on the applicable~~
250 ~~accrediting standards of the National Association for the~~
251 ~~Education of Young Children (NAEYC), the National Association of~~
252 ~~Family Child Care, and the National Early Childhood Program~~
253 ~~Accreditation Commission.~~

254 (3) (a) In order to be approved by the department for
255 participation in the Gold Seal Quality Care program, an
256 accrediting association must apply to the department and
257 demonstrate that it:

258 1. Is a recognized accrediting association.
259 2. Has accrediting standards that substantially meet or
260 exceed the Gold Seal Quality Care standards adopted by the state
261 board ~~department~~ under subsection (2).

262 3. Is a registered corporation with the Department of
263 State.

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

266 a. Clearly defined prerequisites that a child care provider
267 must meet before beginning the accreditation process. However,
268 accreditation may not be granted to a child care facility, large
269 family child care home, or family day care home before the site
270 is operational and is attended by children.

271 b. Procedures for completion of a self-study and



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272 comprehensive onsite verification process for each classroom
273 that documents compliance with accrediting standards.

274 c. A training process for accreditation verifiers to ensure
275 inter-rater reliability.

276 d. Ongoing compliance procedures that include requiring
277 each accredited child care facility, large family child care
278 home, and family day care home to file an annual report with the
279 accrediting association and risk-based, on-site auditing
280 protocols for accredited child care facilities, large family
281 child care homes, and family day care homes.

282 e. Procedures for the revocation of accreditation due to
283 failure to maintain accrediting standards as evidenced by sub-
284 paragraph d. or any other relevant information received by
285 the accrediting association.

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

288 g. A process for verifying continued accreditation
289 compliance in the event of a transfer of ownership of
290 facilities.

291 h. A process to communicate issues that arise during the
292 accreditation period with governmental entities that have a
293 vested interest in the Gold Seal Quality Care Program, including
294 the department, the Department of Children and Families, the
295 Department of Health, local licensing entities, if applicable,
296 and the early learning coalition.

297 (b) The department shall establish a process that verifies
298 that the accrediting association meets the provisions of
299 paragraph (a), which must include an auditing program and any
300 other procedures that may reasonably determine an accrediting



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301 association's compliance with this section. If an accrediting
302 association is not in compliance and fails to cure its
303 deficiencies within 30 days, the department shall recommend to
304 the state board termination of the accrediting association's
305 participation as an accrediting association in the program for a
306 period of at least 2 years but no more than 5 years. If an
307 accrediting association is removed from being an approved
308 accrediting association, each child care provider accredited by
309 that association shall have up to 1 year to obtain a new
310 accreditation from a department approved accreditation
311 association.

312 (c) If an accrediting association has granted accreditation
313 to a child care facility, large family child care home, or
314 family day care under fraudulent terms or failed to conduct on-
315 site verifications, the accrediting association shall be liable
316 for the repayment of any rate differentials paid under
317 subsection (6).

318 ~~(b) In approving accrediting associations, the department~~
319 ~~shall consult with the Department of Education, the Florida Head~~
320 ~~Start Directors Association, the Florida Association of Child~~
321 ~~Care Management, the Florida Family Child Care Home Association,~~
322 ~~the Florida Children's Forum, the Florida Association for the~~
323 ~~Education of the Young, the Child Development Education~~
324 ~~Alliance, the Florida Association of Academic Nonpublic Schools,~~
325 ~~the Association of Early Learning Coalitions, providers~~
326 ~~receiving exemptions under s. 402.316, and parents.~~

327 (4) In order to obtain and maintain a designation as a Gold
328 Seal Quality Care provider, a child care facility, large family
329 child care home, or family day care home must meet the following



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330 additional criteria:

331 (a) The child care provider must not have had any class I
332 violations, as defined by rule of the Department of Children and
333 Families, within the 2 years preceding its application for
334 designation as a Gold Seal Quality Care provider. Commission of
335 a class I violation shall be grounds for termination of the
336 designation as a Gold Seal Quality Care provider until the
337 provider has no class I violations for a period of 2 years.

338 (b) The child care provider must not have had three or more
339 class II violations, as defined by rule of the Department of
340 Children and Families, within the 2 years preceding its
341 application for designation as a Gold Seal Quality Care
342 provider. Commission of three or more class II violations within
343 a 2-year period shall be grounds for termination of the
344 designation as a Gold Seal Quality Care provider until the
345 provider has no class II violations for a period of 1 year.

346 (c) The child care provider must not have been cited for
347 the same class III violation, as defined by rule of the
348 Department of Children and Families, three or more times and
349 failed to correct the violation within 1 year after the date of
350 each citation, within the 2 years preceding its application for
351 designation as a Gold Seal Quality Care provider. Commission of
352 the same class III violation three or more times and failure to
353 correct within the required time during a 2-year period may be
354 grounds for termination of the designation as a Gold Seal
355 Quality Care provider until the provider has no class III
356 violations for a period of 1 year.

357 (d) Notwithstanding paragraph (a), if the department
358 determines through a formal process that a provider has been in



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359 business for at least 5 years and has no other class I
360 violations recorded, the department may recommend to the state
361 board that the provider maintain its Gold Seal Quality Care
362 status. The state board's determination regarding such
363 provider's status is final.

364 (5) A child care facility licensed pursuant to s. 402.305
365 or a child care facility exempt from licensing pursuant to s.
366 402.316 which achieves Gold Seal Quality status under this
367 section shall be considered an educational institution for the
368 purpose of qualifying for exemption from ad valorem tax under s.
369 196.198.

370 (6) A child care facility licensed pursuant to s. 402.305
371 or a child care facility exempt from licensing pursuant to s.
372 402.316 which achieves Gold Seal Quality status under this
373 section and which participates in the school readiness program
374 shall receive a minimum of a 20 percent rate differential for
375 each enrolled school readiness child by care level and unit of
376 child care.

377 (7) ~~(5)~~ The state board ~~Department of Children and Families~~
378 shall adopt rules under ss. 120.536(1) and 120.54 which provide
379 criteria and procedures for reviewing and approving accrediting
380 associations for participation in the Gold Seal Quality Care
381 program ~~and~~ conferring and revoking designations of Gold Seal
382 Quality Care providers, ~~and classifying violations.~~

383 Section 10. Type two transfer from the Department of
384 Children and Families.-

385 (1) All powers, duties, functions, records, offices,
386 personnel, associated administrative support positions,
387 property, pending issues, existing contracts, administrative



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388 authority, administrative rules, and unexpended balances of
389 appropriations, allocations, and other funds relating to the
390 Gold Seal Quality Care program within the Department of Children
391 and Families are transferred by a type two transfer, as defined
392 in s. 20.06(2), Florida Statutes, to the Department of
393 Education.

394 (2) Any binding contract or interagency agreement existing
395 before July 1, 2020, between the Department of Children and
396 Families, or an entity or agent of the department, and any other
397 agency, entity, or person relating to the Gold Seal Quality Care
398 program shall continue as a binding contract or agreement for
399 the remainder of the term of such contract or agreement on the
400 successor entity responsible for the program, activity, or
401 functions relative to the contract or agreement.

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

405 402.305 Licensing standards; child care facilities.-

406 (1) LICENSING STANDARDS.-The department shall establish
407 licensing standards that each licensed child care facility must
408 meet regardless of the origin or source of the fees used to
409 operate the facility or the type of children served by the
410 facility.

411 (c) The minimum standards for child care facilities shall
412 be adopted in the rules of the department and shall address the
413 areas delineated in this section. The department, in adopting
414 rules to establish minimum standards for child care facilities,
415 shall recognize that different age groups of children may
416 require different standards. The department may adopt different



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417 minimum standards for facilities that serve children in
418 different age groups, including school-age children. The
419 department shall also adopt by rule a definition for child care
420 which distinguishes between child care programs that require
421 child care licensure and after-school programs that do not
422 require licensure. Notwithstanding any other provision of law to
423 the contrary, minimum child care licensing standards shall be
424 developed to provide for reasonable, affordable, and safe
425 before-school and after-school care. Licensing standards adopted
426 by the department between July 1, 2020, and June 30, 2022, must
427 be ratified by the Legislature. After-school programs that
428 otherwise meet the criteria for exclusion from licensure may
429 provide snacks and meals through the federal Afterschool Meal
430 Program (AMP) administered by the Department of Health in
431 accordance with federal regulations and standards. The
432 Department of Health shall consider meals to be provided through
433 the AMP only if the program is actively participating in the
434 AMP, is in good standing with the department, and the meals meet
435 AMP requirements. Standards, at a minimum, shall allow for a
436 credentialed director to supervise multiple before-school and
437 after-school sites.

438 (7) SANITATION AND SAFETY.—

439 (a) Minimum standards shall include requirements for
440 sanitary and safety conditions, first aid treatment, emergency
441 procedures, and pediatric cardiopulmonary resuscitation. The
442 minimum standards shall require that ~~at least~~ one staff person
443 trained in cardiopulmonary resuscitation, as evidenced by
444 current documentation of course completion, must be present at
445 all times that children are present.



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

448 402.315 Funding; license fees.—

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

454 Section 13. Paragraph (a) of subsection (4) of section
455 402.56, Florida Statutes, is amended to read:

456 402.56 Children's cabinet; organization; responsibilities;
457 annual report.—

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

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

461 2. The Secretary of Juvenile Justice;

462 3. The director of the Agency for Persons with
463 Disabilities;

464 4. A representative from the Division ~~The director of the~~
465 ~~Office~~ of Early Learning;

466 5. The State Surgeon General;

467 6. The Secretary of Health Care Administration;

468 7. The Commissioner of Education;

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

470 9. A representative of the Office of Adoption and Child
471 Protection;

472 10. A superintendent of schools, appointed by the Governor;
473 and

474 11. Five members who represent children and youth advocacy



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475 organizations and who are not service providers, appointed by
476 the Governor.

477 Section 14. Paragraph (e) of subsection (2) of section
478 411.226, Florida Statutes, is amended to read:

479 411.226 Learning Gateway.—

480 (2) LEARNING GATEWAY STEERING COMMITTEE.—

481 (e) To support and facilitate system improvements, the
482 steering committee must consult with representatives from the
483 Department of Education, the Department of Health, ~~the Office of~~
484 ~~Early Learning~~, the Department of Children and Families, the
485 Agency for Health Care Administration, the Department of
486 Juvenile Justice, and the Department of Corrections and with the
487 director of the Learning Development and Evaluation Center of
488 Florida Agricultural and Mechanical University.

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

492 411.227 Components of the Learning Gateway.—The Learning
493 Gateway system consists of the following components:

494 (1) COMMUNITY EDUCATION STRATEGIES AND FAMILY-ORIENTED
495 ACCESS.—

496 (d) In collaboration with other local resources, the
497 demonstration projects shall develop public awareness strategies
498 to disseminate information about developmental milestones,
499 precursors of learning problems and other developmental delays,
500 and the service system that is available. The information should
501 target parents of children from birth through age 9 and should
502 be distributed to parents, health care providers, and caregivers
503 of children from birth through age 9. A variety of media should



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504 be used as appropriate, such as print, television, radio, and a
505 community-based Internet website, as well as opportunities such
506 as those presented by parent visits to physicians for well-child
507 checkups. The Learning Gateway Steering Committee shall provide
508 technical assistance to the local demonstration projects in
509 developing and distributing educational materials and
510 information.

511 1. Public awareness strategies targeting parents of
512 children from birth through age 5 shall be designed to provide
513 information to public and private preschool programs, child care
514 providers, pediatricians, parents, and local businesses and
515 organizations. These strategies should include information on
516 the school readiness performance standards adopted by the
517 Department of Education ~~Office of Early Learning~~.

518 2. Public awareness strategies targeting parents of
519 children from ages 6 through 9 must be designed to disseminate
520 training materials and brochures to parents and public and
521 private school personnel, and must be coordinated with the local
522 school board and the appropriate school advisory committees in
523 the demonstration projects. The materials should contain
524 information on state and district proficiency levels for grades
525 K-3.

526 (2) SCREENING AND DEVELOPMENTAL MONITORING.—

527 (a) In coordination with ~~the Office of Early Learning~~, the
528 Department of Education, and the Florida Pediatric Society, and
529 using information learned from the local demonstration projects,
530 the Learning Gateway Steering Committee shall establish
531 guidelines for screening children from birth through age 9. The
532 guidelines should incorporate recent research on the indicators



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533 most likely to predict early learning problems, mild
534 developmental delays, child-specific precursors of school
535 failure, and other related developmental indicators in the
536 domains of cognition; communication; attention; perception;
537 behavior; and social, emotional, sensory, and motor functioning.

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

539 (c) The steering committee, in cooperation with the
540 Department of Children and Families ~~and~~ the Department of
541 Education, ~~and the Office of Early Learning~~, shall identify the
542 elements of an effective research-based curriculum for early
543 care and education programs.

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

546 414.295 Temporary cash assistance programs; public records
547 exemption.—

548 (1) Personal identifying information of a temporary cash
549 assistance program participant, a participant's family, or a
550 participant's family or household member, except for information
551 identifying a parent who does not live in the same home as the
552 child, which is held by the department, ~~the Office of Early~~
553 ~~Learning~~, CareerSource Florida, Inc., the Department of Health,
554 the Department of Revenue, the Department of Education, or a
555 local workforce development board or local committee created
556 pursuant to s. 445.007 is confidential and exempt from s.
557 119.07(1) and s. 24(a), Art. I of the State Constitution. Such
558 confidential and exempt information may be released for purposes
559 directly connected with:

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



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562 as amended, by the department, ~~the Office of Early Learning,~~
563 CareerSource Florida, Inc., the Department of Military Affairs,
564 the Department of Health, the Department of Revenue, the
565 Department of Education, a local workforce development board or
566 local committee created pursuant to s. 445.007, or a school
567 district.

568 (b) The administration of the state's plan or program
569 approved under Title IV-B, Title IV-D, or Title IV-E of the
570 Social Security Act, as amended, or under Title I, Title X,
571 Title XIV, Title XVI, Title XIX, Title XX, or Title XXI of the
572 Social Security Act, as amended.

573 (c) An investigation, prosecution, or criminal, civil, or
574 administrative proceeding conducted in connection with the
575 administration of any of the plans or programs specified in
576 paragraph (a) or paragraph (b) by a federal, state, or local
577 governmental entity, upon request by that entity, if such
578 request is made pursuant to the proper exercise of that entity's
579 duties and responsibilities.

580 (d) The administration of any other state, federal, or
581 federally assisted program that provides assistance or services
582 on the basis of need, in cash or in kind, directly to a
583 participant.

584 (e) An audit or similar activity, such as a review of
585 expenditure reports or financial review, conducted in connection
586 with the administration of plans or programs specified in
587 paragraph (a) or paragraph (b) by a governmental entity
588 authorized by law to conduct such audit or activity.

589 (f) The administration of the reemployment assistance
590 program.



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591 (g) The reporting to the appropriate agency or official of
592 information about known or suspected instances of physical or
593 mental injury, sexual abuse or exploitation, or negligent
594 treatment or maltreatment of a child or elderly person receiving
595 assistance, if circumstances indicate that the health or welfare
596 of the child or elderly person is threatened.

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

599 Section 17. Section 1000.01, Florida Statutes, is amended
600 to read:

601 1000.01 The Florida Early Learning-20 ~~K-20~~ education
602 system; technical provisions.—

603 (1) NAME.—Chapters 1000 through 1013 shall be known and
604 cited as the “Florida Early Learning-20 ~~K-20~~ Education Code.”

605 (2) LIBERAL CONSTRUCTION.—The provisions of the Florida
606 Early Learning-20 ~~K-20~~ Education Code shall be liberally
607 construed to the end that its objectives may be effected. It is
608 the legislative intent that if any section, subsection,
609 sentence, clause, or provision of the Florida Early Learning-20
610 ~~K-20~~ Education Code is held invalid, the remainder of the code
611 shall not be affected.

612 (3) PURPOSE.—The purpose of the Florida Early Learning-20
613 ~~K-20~~ Education Code is to provide by law for a state system of
614 schools, courses, classes, and educational institutions and
615 services adequate to allow, for all Florida’s students, the
616 opportunity to obtain a high quality education. The Florida
617 Early Learning-20 ~~K-20~~ education system is established to
618 accomplish this purpose; however, nothing in this code shall be
619 construed to require the provision of free public education



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620 beyond grade 12.

621 (4) UNIFORM SYSTEM OF PUBLIC K-12 SCHOOLS INCLUDED.—As
622 required by s. 1, Art. IX of the State Constitution, the Florida
623 Early Learning-20 ~~K-20~~ education system shall include the
624 uniform system of free public K-12 schools. These public K-12
625 schools shall provide 13 consecutive years of instruction,
626 beginning with kindergarten, and shall also provide such
627 instruction for students with disabilities, gifted students,
628 limited English proficient students, and students in Department
629 of Juvenile Justice programs as may be required by law. The
630 funds for support and maintenance of the uniform system of free
631 public K-12 schools shall be derived from state, district,
632 federal, and other lawful sources or combinations of sources,
633 including any fees charged nonresidents as provided by law.

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

636 1000.02 Policy and guiding principles for the Florida Early
637 Learning-20 ~~K-20~~ education system.—

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

640 (a) A coordinated, seamless system for early learning
641 ~~kindergarten~~ through graduate school education.

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

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

645 (d) A system that safeguards equity and supports academic
646 excellence.

647 (e) A system that provides for local operational
648 flexibility while promoting accountability for student



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649 achievement and improvement.

650 Section 19. Section 1000.03, Florida Statutes, is amended
651 to read:

652 1000.03 Function, mission, and goals of the Florida Early
653 Learning-20 ~~K-20~~ education system.—

654 (1) Florida's Early Learning-20 ~~K-20~~ education system shall
655 be a decentralized system without excess layers of bureaucracy.
656 Florida's Early Learning-20 ~~K-20~~ education system shall maintain
657 a systemwide technology plan based on a common set of data
658 definitions.

659 (2) (a) The Legislature shall establish education policy,
660 enact education laws, and appropriate and allocate education
661 resources.

662 (b) With the exception of matters relating to the State
663 University System, the State Board of Education shall oversee
664 the enforcement of all laws and rules, and the timely provision
665 of direction, resources, assistance, intervention when needed,
666 and strong incentives and disincentives to force accountability
667 for results.

668 (c) The Board of Governors shall oversee the enforcement of
669 all state university laws and rules and regulations and the
670 timely provision of direction, resources, assistance,
671 intervention when needed, and strong incentives and
672 disincentives to force accountability for results.

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



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678 adequate educational opportunities for all individuals. Local
679 educational authorities have a duty to fully and faithfully
680 comply with state laws, standards, and rules and to efficiently
681 use the resources available to them to assist the state in
682 allowing adequate educational opportunities.

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

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

691 (a) *Learning and completion at all levels, including*
692 *increased high school graduation rate and readiness for*
693 *postsecondary education without remediation.*—All students
694 demonstrate increased learning and completion at all levels,
695 graduate from high school, and are prepared to enter
696 postsecondary education without remediation.

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

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

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



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

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

711 (f) *Workforce education.*—Workforce education is
712 appropriately aligned with the skills required by the new global
713 economy.

714 (g) *Parental, student, family, educational institution, and*
715 *community involvement.*—Parents, students, families, educational
716 institutions, and communities are collaborative partners in
717 education, and each plays an important role in the success of
718 individual students. Therefore, the State of Florida cannot be
719 the guarantor of each individual student's success. The goals of
720 Florida's Early Learning-20 ~~K-20~~ education system are not
721 guarantees that each individual student will succeed or that
722 each individual school will perform at the level indicated in
723 the goals.

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

729 1. Career opportunities, educational requirements
730 associated with each career, educational institutions that
731 prepare students to enter each career, and student financial aid
732 available to pursue postsecondary instruction required to enter
733 each career.

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



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736 while preparing them to enter postsecondary education or the
737 workforce.

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

740

741 This information shall be provided to students and parents
742 through websites, handbooks, manuals, or other regularly
743 provided communications.

744 Section 20. Section 1000.04, Florida Statutes, is amended
745 to read:

746 1000.04 Components for the delivery of public education
747 within the Florida Early Learning-20 ~~K-20~~ education system.—
748 Florida's Early Learning-20 ~~K-20~~ education system provides for
749 the delivery of early learning and public education through
750 publicly supported and controlled K-12 schools, Florida College
751 System institutions, state universities and other postsecondary
752 educational institutions, other educational institutions, and
753 other educational services as provided or authorized by the
754 Constitution and laws of the state.

755 (1) EARLY LEARNING.—Early learning includes the Voluntary
756 Prekindergarten Education Program and the school readiness
757 program.

758 (2) ~~(1)~~ PUBLIC K-12 SCHOOLS.—The public K-12 schools include
759 charter schools and consist of kindergarten classes; elementary,
760 middle, and high school grades and special classes; virtual
761 instruction programs; workforce education; career centers;
762 adult, part-time, and evening schools, courses, or classes, as
763 authorized by law to be operated under the control of district
764 school boards; and lab schools operated under the control of



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765 state universities.

766 (3)~~(2)~~ PUBLIC POSTSECONDARY EDUCATIONAL INSTITUTIONS.—
767 Public postsecondary educational institutions include workforce
768 education; Florida College System institutions; state
769 universities; and all other state-supported postsecondary
770 educational institutions that are authorized and established by
771 law.

772 (4)~~(3)~~ FLORIDA SCHOOL FOR THE DEAF AND THE BLIND.—The
773 Florida School for the Deaf and the Blind is a component of the
774 delivery of public education within Florida's Early Learning-20
775 ~~K-20~~ education system.

776 (5)~~(4)~~ THE FLORIDA VIRTUAL SCHOOL.—The Florida Virtual
777 School is a component of the delivery of public education within
778 Florida's Early Learning-20 ~~K-20~~ education system.

779 Section 21. Section 1000.21, Florida Statutes, is amended
780 to read:

781 1000.21 Systemwide definitions.—As used in the Florida
782 Early Learning-20 ~~K-20~~ Education Code:

783 (1) "Articulation" is the systematic coordination that
784 provides the means by which students proceed toward their
785 educational objectives in as rapid and student-friendly manner
786 as their circumstances permit, from grade level to grade level,
787 from elementary to middle to high school, to and through
788 postsecondary education, and when transferring from one
789 educational institution or program to another.

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

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



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794 College System and any branch campuses, centers, or other
795 affiliates of the institution:
796 (a) Eastern Florida State College, which serves Brevard
797 County.
798 (b) Broward College, which serves Broward County.
799 (c) College of Central Florida, which serves Citrus, Levy,
800 and Marion Counties.
801 (d) Chipola College, which serves Calhoun, Holmes, Jackson,
802 Liberty, and Washington Counties.
803 (e) Daytona State College, which serves Flagler and Volusia
804 Counties.
805 (f) Florida SouthWestern State College, which serves
806 Charlotte, Collier, Glades, Hendry, and Lee Counties.
807 (g) Florida State College at Jacksonville, which serves
808 Duval and Nassau Counties.
809 (h) The College of the Florida Keys, which serves Monroe
810 County.
811 (i) Gulf Coast State College, which serves Bay, Franklin,
812 and Gulf Counties.
813 (j) Hillsborough Community College, which serves
814 Hillsborough County.
815 (k) Indian River State College, which serves Indian River,
816 Martin, Okeechobee, and St. Lucie Counties.
817 (l) Florida Gateway College, which serves Baker, Columbia,
818 Dixie, Gilchrist, and Union Counties.
819 (m) Lake-Sumter State College, which serves Lake and Sumter
820 Counties.
821 (n) State College of Florida, Manatee-Sarasota, which
822 serves Manatee and Sarasota Counties.



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- 823 (o) Miami Dade College, which serves Miami-Dade County.
824 (p) North Florida College, which serves Hamilton,
825 Jefferson, Lafayette, Madison, Suwannee, and Taylor Counties.
826 (q) Northwest Florida State College, which serves Okaloosa
827 and Walton Counties.
828 (r) Palm Beach State College, which serves Palm Beach
829 County.
830 (s) Pasco-Hernando State College, which serves Hernando and
831 Pasco Counties.
832 (t) Pensacola State College, which serves Escambia and
833 Santa Rosa Counties.
834 (u) Polk State College, which serves Polk County.
835 (v) St. Johns River State College, which serves Clay,
836 Putnam, and St. Johns Counties.
837 (w) St. Petersburg College, which serves Pinellas County.
838 (x) Santa Fe College, which serves Alachua and Bradford
839 Counties.
840 (y) Seminole State College of Florida, which serves
841 Seminole County.
842 (z) South Florida State College, which serves DeSoto,
843 Hardee, and Highlands Counties.
844 (aa) Tallahassee Community College, which serves Gadsden,
845 Leon, and Wakulla Counties.
846 (bb) Valencia College, which serves Orange and Osceola
847 Counties.
848 (4) "Department" is the Department of Education.
849 (5) "Parent" is either or both parents of a student, any
850 guardian of a student, any person in a parental relationship to
851 a student, or any person exercising supervisory authority over a



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852 student in place of the parent.

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

856 (a) The University of Florida.

857 (b) The Florida State University.

858 (c) The Florida Agricultural and Mechanical University.

859 (d) The University of South Florida.

860 (e) The Florida Atlantic University.

861 (f) The University of West Florida.

862 (g) The University of Central Florida.

863 (h) The University of North Florida.

864 (i) The Florida International University.

865 (j) The Florida Gulf Coast University.

866 (k) New College of Florida.

867 (l) The Florida Polytechnic University.

868 (7) "Next Generation Sunshine State Standards" means the
869 state's public K-12 curricular standards adopted under s.
870 1003.41.

871 (8) "Board of Governors" is the Board of Governors of the
872 State University System.

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

876 1001.02 General powers of State Board of Education.—

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



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881 ss. 120.536(1) and 120.54 to implement the provisions of law
882 conferring duties upon it for the improvement of the state
883 system of Early Learning-20 ~~K-20~~ public education except for the
884 State University System. Except as otherwise provided herein, it
885 may, as it finds appropriate, delegate its general powers to the
886 Commissioner of Education or the directors of the divisions of
887 the department.

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

889 (e) To adopt and submit to the Governor and Legislature, as
890 provided in s. 216.023, a coordinated Early Learning-20 ~~K-20~~
891 education budget that estimates the expenditure requirements for
892 the Board of Governors, as provided in s. 1001.706, the State
893 Board of Education, including the Department of Education and
894 the Commissioner of Education, and all of the boards,
895 institutions, agencies, and services under the general
896 supervision of the Board of Governors, as provided in s.
897 1001.706, or the State Board of Education for the ensuing fiscal
898 year. The State Board of Education may not amend the budget
899 request submitted by the Board of Governors. Any program
900 recommended by the Board of Governors or the State Board of
901 Education which will require increases in state funding for more
902 than 1 year must be presented in a multiyear budget plan.

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

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

908 1001.03 Specific powers of State Board of Education.—

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



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910 shall enforce compliance with law and state board rule by all
911 school districts, early learning coalitions, and public
912 postsecondary educational institutions, except for the State
913 University System, in accordance with the provisions of s.
914 1008.32.

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

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

925 1001.10 Commissioner of Education; general powers and
926 duties.—

927 (1) The Commissioner of Education is the chief educational
928 officer of the state and the sole custodian of the educational
929 ~~K-20~~ data warehouse, and is responsible for giving full
930 assistance to the State Board of Education in enforcing
931 compliance with the mission and goals of the Early Learning ~~K-20~~
932 education system, except for the State University System.

933 (6) Additionally, the commissioner has the following
934 general powers and duties:

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



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939 Education, including the Department of Education and the
940 Commissioner of Education, and all of the boards, institutions,
941 agencies, and services under the general supervision of the
942 Board of Governors or the State Board of Education for the
943 ensuing fiscal year. Any program recommended to the State Board
944 of Education that will require increases in state funding for
945 more than 1 year must be presented in a multiyear budget plan.

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

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

954 (8) In the event of an emergency situation, the
955 commissioner may coordinate through the most appropriate means
956 of communication with early learning coalitions, local school
957 districts, Florida College System institutions, and satellite
958 offices of the Division of Blind Services and the Division of
959 Vocational Rehabilitation to assess the need for resources and
960 assistance to enable each school, institution, or satellite
961 office the ability to reopen as soon as possible after
962 considering the health, safety, and welfare of students and
963 clients.

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

966 1001.11 Commissioner of Education; other duties.-

967 (1) The Commissioner of Education must independently



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968 perform the following duties:

969 (b) Serve as the primary source of information to the
970 Legislature, including the President of the Senate and the
971 Speaker of the House of Representatives, concerning the State
972 Board of Education, the Early Learning-20 ~~K-20~~ education system,
973 and early learning programs.

974 (4) The commissioner shall develop and implement an
975 integrated Early Learning-20 ~~K-20~~ information system for
976 educational management in accordance with the requirements of
977 chapter 1008.

978 Section 26. Section 1001.213, Florida Statutes, is
979 repealed.

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

982 1001.215 Just Read, Florida! Office.—There is created in
983 the Department of Education the Just Read, Florida! Office. The
984 office is fully accountable to the Commissioner of Education and
985 shall:

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

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

991 1001.23 Specific powers and duties of the Department of
992 Education.—In addition to all other duties assigned to it by law
993 or by rule of the State Board of Education, the department
994 shall:

995 ~~(1) Adopt the statewide kindergarten screening in~~
996 ~~accordance with s. 1002.69.~~



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

999 1001.70 Board of Governors of the State University System.—

1000 (3) The Board of Governors, in exercising its authority
1001 under the State Constitution and statutes, shall exercise its
1002 authority in a manner that supports, promotes, and enhances an
1003 Early Learning-20 ~~a K-20~~ education system that provides
1004 affordable access to postsecondary educational opportunities for
1005 residents of the state to the extent authorized by the State
1006 Constitution and state law.

1007 Section 30. Paragraph (b) of subsection (4) of section
1008 1001.706, Florida Statutes, is amended to read:

1009 1001.706 Powers and duties of the Board of Governors.—

1010 (4) POWERS AND DUTIES RELATING TO FINANCE.—

1011 (b) The Board of Governors shall prepare the legislative
1012 budget requests for the State University System, including a
1013 request for fixed capital outlay, and submit them to the State
1014 Board of Education for inclusion in the Early Learning-20 ~~K-20~~
1015 legislative budget request. The Board of Governors shall provide
1016 the state universities with fiscal policy guidelines, formats,
1017 and instruction for the development of individual university
1018 budget requests.

1019 Section 31. Paragraph (b) of subsection (1) of section
1020 1002.22, Florida Statutes, is amended to read:

1021 1002.22 Education records and reports of K-12 students;
1022 rights of parents and students; notification; penalty.—

1023 (1) DEFINITIONS.—As used in this section, the term:

1024 (b) "Institution" means any public school, center,
1025 institution, or other entity that is part of Florida's education



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1026 system under s. 1000.04(2), (4), and (5) ~~s. 1000.04(1), (3), and~~
1027 ~~(4)~~.

1028 Section 32. Subsections (3) and (10) of section 1002.32,
1029 Florida Statutes, are amended to read:

1030 1002.32 Developmental research (laboratory) schools.—

1031 (3) MISSION.—The mission of a lab school shall be the
1032 provision of a vehicle for the conduct of research,
1033 demonstration, and evaluation regarding management, teaching,
1034 and learning. Programs to achieve the mission of a lab school
1035 shall embody the goals and standards established pursuant to ss.
1036 1000.03(5) and 1001.23(1) ~~1001.23(2)~~ and shall ensure an
1037 appropriate education for its students.

1038 (a) Each lab school shall emphasize mathematics, science,
1039 computer science, and foreign languages. The primary goal of a
1040 lab school is to enhance instruction and research in such
1041 specialized subjects by using the resources available on a state
1042 university campus, while also providing an education in
1043 nonspecialized subjects. Each lab school shall provide
1044 sequential elementary and secondary instruction where
1045 appropriate. A lab school may not provide instruction at grade
1046 levels higher than grade 12 without authorization from the State
1047 Board of Education. Each lab school shall develop and implement
1048 a school improvement plan pursuant to s. 1003.02(3).

1049 (b) Research, demonstration, and evaluation conducted at a
1050 lab school may be generated by the college of education and
1051 other colleges within the university with which the school is
1052 affiliated.

1053 (c) Research, demonstration, and evaluation conducted at a
1054 lab school may be generated by the State Board of Education.



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1055 Such research shall respond to the needs of the education
1056 community at large, rather than the specific needs of the
1057 affiliated college.

1058 (d) Research, demonstration, and evaluation conducted at a
1059 lab school may consist of pilot projects to be generated by the
1060 affiliated college, the State Board of Education, or the
1061 Legislature.

1062 (e) The exceptional education programs offered at a lab
1063 school shall be determined by the research and evaluation goals
1064 and the availability of students for efficiently sized programs.
1065 The fact that a lab school offers an exceptional education
1066 program in no way lessens the general responsibility of the
1067 local school district to provide exceptional education programs.

1068 (10) EXCEPTIONS TO LAW.—To encourage innovative practices
1069 and facilitate the mission of the lab schools, in addition to
1070 the exceptions to law specified in s. 1001.23(1) ~~s. 1001.23(2)~~,
1071 the following exceptions shall be permitted for lab schools:

1072 (a) The methods and requirements of the following statutes
1073 shall be held in abeyance: ss. 316.75; 1001.30; 1001.31;
1074 1001.32; 1001.33; 1001.34; 1001.35; 1001.36; 1001.361; 1001.362;
1075 1001.363; 1001.37; 1001.371; 1001.372; 1001.38; 1001.39;
1076 1001.395; 1001.40; 1001.41; 1001.44; 1001.453; 1001.46;
1077 1001.461; 1001.462; 1001.463; 1001.464; 1001.47; 1001.48;
1078 1001.49; 1001.50; 1001.51; 1006.12(2); 1006.21(3), (4); 1006.23;
1079 1010.07(2); 1010.40; 1010.41; 1010.42; 1010.43; 1010.44;
1080 1010.45; 1010.46; 1010.47; 1010.48; 1010.49; 1010.50; 1010.51;
1081 1010.52; 1010.53; 1010.54; 1010.55; 1011.02(1)-(3), (5);
1082 1011.04; 1011.20; 1011.21; 1011.22; 1011.23; 1011.71; 1011.72;
1083 1011.73; and 1011.74.



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1084 (b) With the exception of s. 1001.42(18), s. 1001.42 shall
1085 be held in abeyance. Reference to district school boards in s.
1086 1001.42(18) shall mean the president of the university or the
1087 president's designee.

1088 Section 33. Paragraph (b) of subsection (10) of section
1089 1002.34, Florida Statutes, is amended to read:

1090 1002.34 Charter technical career centers.-

1091 (10) EXEMPTION FROM STATUTES.-

1092 (b) A center must comply with the Florida Early Learning-20
1093 ~~K-20~~ Education Code with respect to providing services to
1094 students with disabilities.

1095 Section 34. Subsection (1) of section 1002.36, Florida
1096 Statutes, is amended to read:

1097 1002.36 Florida School for the Deaf and the Blind.-

1098 (1) RESPONSIBILITIES.-The Florida School for the Deaf and
1099 the Blind, located in St. Johns County, is a state-supported
1100 residential public school for hearing-impaired and visually
1101 impaired students in preschool through 12th grade. The school is
1102 a component of the delivery of public education within Florida's
1103 Early Learning-20 ~~K-20~~ education system and shall be funded
1104 through the Department of Education. The school shall provide
1105 educational programs and support services appropriate to meet
1106 the education and related evaluation and counseling needs of
1107 hearing-impaired and visually impaired students in the state who
1108 meet enrollment criteria. Unless otherwise provided by law, the
1109 school shall comply with all laws and rules applicable to state
1110 agencies. Education services may be provided on an outreach
1111 basis for sensory-impaired children ages 0 through 5 years and
1112 to district school boards upon request. Graduates of the Florida



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1113 School for the Deaf and the Blind shall be eligible for the
1114 William L. Boyd, IV, Effective Access to Student Education Grant
1115 Program as provided in s. 1009.89.

1116 Section 35. Paragraph (b) of subsection (4) and subsection
1117 (5) of section 1002.53, Florida Statutes, are amended, and
1118 paragraph (d) is added to subsection (6), to read:

1119 1002.53 Voluntary Prekindergarten Education Program;
1120 eligibility and enrollment.—

1121 (4)

1122 (b) The application must be submitted on forms prescribed
1123 by the department ~~Office of Early Learning~~ and must be
1124 accompanied by a certified copy of the child's birth
1125 certificate. The forms must include a certification, in
1126 substantially the form provided in s. 1002.71(6)(b)2., that the
1127 parent chooses the private prekindergarten provider or public
1128 school in accordance with this section and directs that payments
1129 for the program be made to the provider or school. The
1130 department ~~Office of Early Learning~~ may authorize alternative
1131 methods for submitting proof of the child's age in lieu of a
1132 certified copy of the child's birth certificate.

1133 (5) The early learning coalition shall provide each parent
1134 enrolling a child in the Voluntary Prekindergarten Education
1135 Program with a profile of every private prekindergarten provider
1136 and public school delivering the program within the county where
1137 the child is being enrolled. The profiles shall be provided to
1138 parents in a format prescribed by the department in accordance
1139 with s. 1002.92(3) ~~Office of Early Learning~~. ~~The profiles must~~
1140 ~~include, at a minimum, the following information about each~~
1141 ~~provider and school:~~



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1142 ~~(a) The provider's or school's services, curriculum,~~
1143 ~~instructor credentials, and instructor-to-student ratio; and~~
1144 ~~(b) The provider's or school's kindergarten readiness rate~~
1145 ~~calculated in accordance with s. 1002.69, based upon the most~~
1146 ~~recent available results of the statewide kindergarten~~
1147 ~~screening.~~

1148 (6)

1149 (d) Each parent who enrolls his or her child in the
1150 Voluntary Prekindergarten Education Program must allow his or
1151 her child to participate in the coordinated screening and
1152 progress monitoring program under s. 1008.2125.

1153 Section 36. Paragraphs (a), (b), (c), (e), (g), (h), (i),
1154 (j), and (l) of subsection (3), subsection (4), and paragraph
1155 (b) of subsection (5) of section 1002.55, Florida Statutes, are
1156 amended, and subsection (6) is added to that section, to read:

1157 1002.55 School-year prekindergarten program delivered by
1158 private prekindergarten providers.—

1159 (3) To be eligible to deliver the prekindergarten program,
1160 a private prekindergarten provider must meet each of the
1161 following requirements:

1162 (a) The private prekindergarten provider must be a child
1163 care facility licensed under s. 402.305, family day care home
1164 licensed under s. 402.313, large family child care home licensed
1165 under s. 402.3131, nonpublic school exempt from licensure under
1166 s. 402.3025(2), ~~or~~ faith-based child care provider exempt from
1167 licensure under s. 402.316, child development program that is
1168 accredited by a national accrediting body and operates on a
1169 military installation that is certified by the United States
1170 Department of Defense, or private prekindergarten provider that



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1171 has been issued a provisional license under s. 402.309. A
1172 private prekindergarten provider may not deliver the program
1173 while holding a probation-status license under s. 402.310.

1174 (b) The private prekindergarten provider must:

1175 1. Be accredited by an accrediting association that is a
1176 member of the National Council for Private School Accreditation,
1177 or the Florida Association of Academic Nonpublic Schools, or be
1178 accredited by the Southern Association of Colleges and Schools,
1179 or Western Association of Colleges and Schools, or North Central
1180 Association of Colleges and Schools, or Middle States
1181 Association of Colleges and Schools, or New England Association
1182 of Colleges and Schools; and have written accreditation
1183 standards that meet or exceed the state's licensing requirements
1184 under s. 402.305, s. 402.313, or s. 402.3131 and require at
1185 least one onsite visit to the provider or school before
1186 accreditation is granted;

1187 2. Hold a current Gold Seal Quality Care designation under
1188 s. 1002.945 ~~s. 402.281~~; or

1189 3. Be licensed under s. 402.305, s. 402.313, or s. 402.3131
1190 and demonstrate, before delivering the Voluntary Prekindergarten
1191 Education Program, as verified by the early learning coalition,
1192 that the provider meets each of the requirements of the program
1193 under this part, including, but not limited to, the requirements
1194 for credentials and background screenings of prekindergarten
1195 instructors under paragraphs (c) and (d), minimum and maximum
1196 class sizes under paragraph (f), prekindergarten director
1197 credentials under paragraph (g), and a developmentally
1198 appropriate curriculum under s. 1002.67(2)(b).

1199 (c) The private prekindergarten provider must have, for



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1200 each prekindergarten class of 11 children or fewer, at least one
1201 prekindergarten instructor who meets each of the following
1202 requirements:

1203 1. The prekindergarten instructor must hold, at a minimum,
1204 one of the following credentials:

1205 a. A child development associate credential issued by the
1206 National Credentialing Program of the Council for Professional
1207 Recognition; or

1208 b. A credential approved by the Department of Children and
1209 Families as being equivalent to or greater than the credential
1210 described in sub-subparagraph a.

1211
1212 The Department of Children and Families may adopt rules under
1213 ss. 120.536(1) and 120.54 which provide criteria and procedures
1214 for approving equivalent credentials under sub-subparagraph b.

1215 2. The prekindergarten instructor must successfully
1216 complete at least three ~~an~~ emergent literacy training courses
1217 that include developmentally appropriate and experiential
1218 learning practices for children ~~course~~ and a student performance
1219 standards training course approved by the department ~~office~~ as
1220 meeting or exceeding the minimum standards adopted under s.
1221 1002.59. The requirement for completion of the standards
1222 training course shall take effect July 1, 2021 ~~2014~~, and be
1223 recognized as part of the informal early learning career pathway
1224 identified by the department under s. 1002.995(1)(b). ~~Such~~ ~~and~~
1225 ~~the~~ course shall be available online or in person.

1226 (e) A private prekindergarten provider may assign a
1227 substitute instructor to temporarily replace a credentialed
1228 instructor if the credentialed instructor assigned to a



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1229 prekindergarten class is absent, as long as the substitute
1230 instructor is of good moral character and has been screened
1231 before employment in accordance with level 2 background
1232 screening requirements in chapter 435. The department ~~Office of~~
1233 ~~Early Learning~~ shall adopt rules to implement this paragraph
1234 which shall include required qualifications of substitute
1235 instructors and the circumstances and time limits for which a
1236 private prekindergarten provider may assign a substitute
1237 instructor.

1238 (g) The private prekindergarten provider must have a
1239 prekindergarten director who has a prekindergarten director
1240 credential that is approved by the department ~~office~~ as meeting
1241 or exceeding the minimum standards adopted under s. 1002.57. A
1242 private school administrator who holds a valid certificate in
1243 educational leadership issued by the department satisfies the
1244 requirement for a prekindergarten director credential under s.
1245 1002.57 ~~Successful completion of a child care facility director~~
1246 ~~credential under s. 402.305(2)(g) before the establishment of~~
1247 ~~the prekindergarten director credential under s. 1002.57 or July~~
1248 ~~1, 2006, whichever occurs later, satisfies the requirement for a~~
1249 ~~prekindergarten director credential under this paragraph.~~

1250 (h) The private prekindergarten provider must register with
1251 the early learning coalition on forms prescribed by the
1252 department ~~Office of Early Learning~~.

1253 (i) The private prekindergarten provider must execute the
1254 statewide provider contract prescribed under s. 1002.73 ~~s.~~
1255 ~~1002.75~~, except that an individual who owns or operates multiple
1256 private prekindergarten sites ~~providers~~ within a coalition's
1257 service area may execute a single agreement with the coalition



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1258 on behalf of each site provider.

1259 (j) The private prekindergarten provider must maintain
1260 general liability insurance and provide the coalition with
1261 written evidence of general liability insurance coverage,
1262 including coverage for transportation of children if
1263 prekindergarten students are transported by the provider. A
1264 provider must obtain and retain an insurance policy that
1265 provides a minimum of \$100,000 of coverage per occurrence and a
1266 minimum of \$300,000 general aggregate coverage. The department
1267 ~~office~~ may authorize lower limits upon request, as appropriate.
1268 A provider must add the coalition as a named certificateholder
1269 and as an additional insured. A provider must provide the
1270 coalition with a minimum of 10 calendar days' advance written
1271 notice of cancellation of or changes to coverage. The general
1272 liability insurance required by this paragraph must remain in
1273 full force and effect for the entire period of the provider
1274 contract with the coalition.

1275 (l) Notwithstanding paragraph (j), for a private
1276 prekindergarten provider that is a state agency or a subdivision
1277 thereof, as defined in s. 768.28(2), the provider must agree to
1278 notify the coalition of any additional liability coverage
1279 maintained by the provider in addition to that otherwise
1280 established under s. 768.28. The provider shall indemnify the
1281 coalition to the extent permitted by s. 768.28. Notwithstanding
1282 paragraph (j), for a child development program that is
1283 accredited by a national accrediting body and operates on a
1284 military installation that is certified by the United States
1285 Department of Defense, the provider may demonstrate liability
1286 coverage by affirming that it is subject to the Federal Tort



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1287 Claims Act, 28 U.S.C. s. 2671 et seq.

1288 (4) A prekindergarten instructor, in lieu of the minimum
1289 credentials ~~and courses~~ required under paragraph (3)(c), may
1290 hold one of the following educational credentials:

1291 (a) A bachelor's or higher degree in early childhood
1292 education, prekindergarten or primary education, preschool
1293 education, or family and consumer science;

1294 (b) A bachelor's or higher degree in elementary education,
1295 if the prekindergarten instructor has been certified to teach
1296 children any age from birth through 6th grade, regardless of
1297 whether the instructor's educator certificate is current, and if
1298 the instructor is not ineligible to teach in a public school
1299 because his or her educator certificate is suspended or revoked;

1300 (c) An associate's or higher degree in child development;

1301 (d) An associate's or higher degree in an unrelated field,
1302 at least 6 credit hours in early childhood education or child
1303 development, and at least 480 hours of experience in teaching or
1304 providing child care services for children any age from birth
1305 through 8 years of age; or

1306 (e) An educational credential approved by the department as
1307 being equivalent to or greater than an educational credential
1308 described in this subsection. The department may adopt criteria
1309 and procedures for approving equivalent educational credentials
1310 under this paragraph.

1311 (5)

1312 (b) Notwithstanding any other ~~provision of~~ law, if a
1313 private prekindergarten provider has been cited for a class I
1314 violation, as defined by rule of the Child Care Services Program
1315 Office of the Department of Children and Families, the coalition



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1316 may refuse to contract with the provider.

1317 (6) Each early learning coalition must verify that each
1318 private prekindergarten provider delivering the Voluntary
1319 Prekindergarten Education Program within the coalition's county
1320 or multicounty region complies with this part. If a private
1321 prekindergarten provider fails or refuses to comply with this
1322 part or engages in misconduct, the department shall require the
1323 early learning coalition to remove the provider from eligibility
1324 to deliver the program and receive state funds under this part
1325 for a period of at least 2 years but no more than 5 years.

1326 Section 37. Subsections (1) and (2) of section 1002.57,
1327 Florida Statutes, is amended to read:

1328 1002.57 Prekindergarten director credential.—

1329 (1) The department office, in consultation with the
1330 Department of Children and Families, shall adopt minimum
1331 standards for a credential for prekindergarten directors of
1332 private prekindergarten providers delivering the Voluntary
1333 Prekindergarten Education Program. The credential must encompass
1334 requirements for education and onsite experience.

1335 (2) The educational requirements must include training in
1336 the following:

1337 (a) Professionally accepted standards for prekindergarten
1338 programs, early learning, and strategies and techniques to
1339 address the age-appropriate progress of prekindergarten students
1340 in attaining the performance standards adopted by the department
1341 under s. 1002.67;

1342 (b) Implementation of curriculum and usage of student-level
1343 data to inform the delivery of instruction;

1344 (c) ~~(b)~~ Strategies that allow students with disabilities and



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1345 other special needs to derive maximum benefit from the Voluntary
1346 Prekindergarten Education Program; and

1347 (d)~~(e)~~ Program administration and operations, including
1348 management, organizational leadership, and financial and legal
1349 issues.

1350 Section 38. Section 1002.59, Florida Statutes, is amended
1351 to read:

1352 1002.59 Emergent literacy and performance standards
1353 training courses.—

1354 (1) The department ~~office~~ shall adopt minimum standards for
1355 ~~one or more training~~ courses in emergent literacy for
1356 prekindergarten instructors. Each course must comprise 5 clock
1357 hours and provide instruction in strategies and techniques to
1358 address the age-appropriate progress of prekindergarten students
1359 in developing emergent literacy skills, including oral
1360 communication, knowledge of print and letters, phonemic and
1361 phonological awareness, and vocabulary and comprehension
1362 development. Each course must also provide resources containing
1363 strategies that allow students with disabilities and other
1364 special needs to derive maximum benefit from the Voluntary
1365 Prekindergarten Education Program. Successful completion of an
1366 emergent literacy training course approved under this section
1367 satisfies requirements for approved training in early literacy
1368 and language development under ss. 402.305(2)(e)5., 402.313(6),
1369 and 402.3131(5).

1370 (2) The department ~~office~~ shall adopt minimum standards for
1371 ~~one or more training~~ courses on the performance standards
1372 adopted under s. 1002.67(1). Each course must be comprised of
1373 ~~comprise~~ at least 3 clock hours, provide instruction in



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1374 strategies and techniques to address age-appropriate progress of
1375 each child in attaining the standards, and be available online.

1376 (3) The department shall make available online professional
1377 development and training courses comprised of at least 8 clock
1378 hours that support prekindergarten instructors in increasing the
1379 competency of teacher-child interactions.

1380 Section 39. Present subsections (6) through (8) of section
1381 1002.61, Florida Statutes, are redesignated as subsections (7)
1382 through (9), respectively, new subsection (6) and subsection
1383 (10) are added to that section, and paragraph (b) of subsection
1384 (1), paragraph (b) of subsection (3), subsection (4), and
1385 present subsections (6) and (8) are amended, to read:

1386 1002.61 Summer prekindergarten program delivered by public
1387 schools and private prekindergarten providers.—

1388 (1)

1389 (b) Each early learning coalition shall administer the
1390 Voluntary Prekindergarten Education Program at the county or
1391 regional level for students enrolled under s. 1002.53(3)(b) in a
1392 summer prekindergarten program delivered by a private
1393 prekindergarten provider. A child development program that is
1394 accredited by a national accrediting body and operates on a
1395 military installation that is certified by the United States
1396 Department of Defense may administer the summer prekindergarten
1397 program as a private prekindergarten provider.

1398 (3)

1399 (b) Each public school delivering the summer
1400 prekindergarten program must execute the statewide provider
1401 contract prescribed under s. 1002.73 ~~s. 1002.75~~, except that the
1402 school district may execute a single agreement with the early



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1403 learning coalition on behalf of all district schools.
1404 (4) Notwithstanding ss. 1002.55(3)(c)1. and 1002.63(4),
1405 each public school and private prekindergarten provider must
1406 have, for each prekindergarten class, at least one
1407 prekindergarten instructor who is a certified teacher or holds
1408 one of the educational credentials specified in s. 1002.55(4)(a)
1409 or (b). As used in this subsection, the term "certified teacher"
1410 means a teacher holding a valid Florida educator certificate
1411 under s. 1012.56 who has the qualifications required by the
1412 district school board to instruct students in the summer
1413 prekindergarten program. In selecting instructional staff for
1414 the summer prekindergarten program, each school district shall
1415 give priority to teachers who have experience or coursework in
1416 early childhood education and have completed emergent literacy
1417 and performance standards courses, as defined in s.
1418 1002.55(3)(c)2.
1419 (6) A child development program that is accredited by a
1420 national accrediting body and operates on a military
1421 installation that is certified by the United States Department
1422 of Defense shall comply with the requirements of a private
1423 prekindergarten provider in this section.
1424 ~~(7)~~ ~~(6)~~ A public school or private prekindergarten provider
1425 may assign a substitute instructor to temporarily replace a
1426 credentialed instructor if the credentialed instructor assigned
1427 to a prekindergarten class is absent, as long as the substitute
1428 instructor is of good moral character and has been screened
1429 before employment in accordance with level 2 background
1430 screening requirements in chapter 435. This subsection does not
1431 supersede employment requirements for instructional personnel in



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1432 public schools which are more stringent than the requirements of
1433 this subsection. The department ~~Office of Early Learning~~ shall
1434 adopt rules to implement this subsection which shall include
1435 required qualifications of substitute instructors and the
1436 circumstances and time limits for which a public school or
1437 private prekindergarten provider may assign a substitute
1438 instructor.

1439 (9) ~~(8)~~ Each public school delivering the summer
1440 prekindergarten program must also register with the early
1441 learning coalition on forms prescribed by the department ~~Office~~
1442 ~~of Early Learning~~ and deliver the Voluntary Prekindergarten
1443 Education Program in accordance with this part.

1444 (10) (a) Each early learning coalition shall verify that
1445 each private prekindergarten provider and public school
1446 delivering the Voluntary Prekindergarten Education Program
1447 within the coalition's county or multicounty region complies
1448 with this part.

1449 (b) If a private prekindergarten provider or public school
1450 fails or refuses to comply with this part or engages in
1451 misconduct, the department shall require the early learning
1452 coalition to remove the provider or school from eligibility to
1453 deliver the Voluntary Prekindergarten Education Program and
1454 receive state funds under this part for a period of at least 2
1455 years but no more than 5 years.

1456 Section 40. Paragraph (b) of subsection (3) and subsections
1457 (6) and (8) of section 1002.63, Florida Statutes, are amended,
1458 and subsection (9) is added to that section, to read:

1459 1002.63 School-year prekindergarten program delivered by
1460 public schools.—



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1461 (3)
1462 (b) Each public school delivering the school-year
1463 prekindergarten program must execute the statewide provider
1464 contract prescribed under s. 1002.73 ~~s. 1002.75~~, except that the
1465 school district may execute a single agreement with the early
1466 learning coalition on behalf of all district schools.

1467 (6) A public school prekindergarten provider may assign a
1468 substitute instructor to temporarily replace a credentialed
1469 instructor if the credentialed instructor assigned to a
1470 prekindergarten class is absent, as long as the substitute
1471 instructor is of good moral character and has been screened
1472 before employment in accordance with level 2 background
1473 screening requirements in chapter 435. This subsection does not
1474 supersede employment requirements for instructional personnel in
1475 public schools which are more stringent than the requirements of
1476 this subsection. The department ~~Office of Early Learning~~ shall
1477 adopt rules to implement this subsection which shall include
1478 required qualifications of substitute instructors and the
1479 circumstances and time limits for which a public school
1480 prekindergarten provider may assign a substitute instructor.

1481 (8) Each public school delivering the school-year
1482 prekindergarten program must register with the early learning
1483 coalition on forms prescribed by the department ~~Office of Early~~
1484 ~~Learning~~ and deliver the Voluntary Prekindergarten Education
1485 Program in accordance with this part.

1486 (9) (a) Each early learning coalition shall verify that each
1487 public school delivering the Voluntary Prekindergarten Education
1488 Program within the coalition's service area complies with this
1489 part.



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1490 (b) If a public school fails or refuses to comply with this
1491 part or engages in misconduct, the department shall require the
1492 early learning coalition to remove the school from eligibility
1493 to deliver the Voluntary Prekindergarten Education Program and
1494 receive state funds under this part for a period of at least 2
1495 years but no more than 5 years.

1496 Section 41. Section 1002.67, Florida Statutes, is amended
1497 to read:

1498 1002.67 Performance standards ~~and~~ curricula ~~and~~
1499 ~~accountability.~~

1500 (1) (a) The department ~~office~~ shall develop and adopt
1501 performance standards for students in the Voluntary
1502 Prekindergarten Education Program. The performance standards
1503 must address the age-appropriate progress of students in the
1504 development of:

1505 1. The capabilities, capacities, and skills required under
1506 s. 1(b), Art. IX of the State Constitution; ~~and~~

1507 2. Emergent literacy skills, including oral communication,
1508 knowledge of print and letters, phonemic and phonological
1509 awareness, and vocabulary and comprehension development; and

1510 3. Mathematical thinking and early math skills.

1511
1512 ~~By October 1, 2013, the office shall examine the existing~~
1513 ~~performance standards in the area of mathematical thinking and~~
1514 ~~develop a plan to make appropriate professional development and~~
1515 ~~training courses available to prekindergarten instructors.~~

1516 (b) At least every 3 years, the department ~~office~~ shall
1517 ~~periodically~~ review and, if necessary, revise the performance
1518 standards established under s. 1002.67 ~~for the statewide~~



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1519 ~~kindergarten screening administered under s. 1002.69~~ and align
1520 the standards to the standards established by the state board
1521 for student performance on the statewide assessments
1522 administered pursuant to s. 1008.22.

1523 (2) (a) Each private prekindergarten provider and public
1524 school may select or design the curriculum that the provider or
1525 school uses to implement the Voluntary Prekindergarten Education
1526 Program, except as otherwise required for a provider or school
1527 that is placed on probation under s. 1002.68 ~~paragraph (4)(c)~~.

1528 (b) Each private prekindergarten provider's and public
1529 school's curriculum must be developmentally appropriate and
1530 must:

1531 1. Be designed to prepare a student for early literacy and
1532 provide for instruction in early math skills;

1533 2. Enhance the age-appropriate progress of students in
1534 attaining the performance standards adopted by the department
1535 under subsection (1); and

1536 3. Support student learning gains through differentiated
1537 instruction that shall be measured by the coordinated screening
1538 and progress monitoring program under s. 1008.2125 ~~Prepare~~
1539 ~~students to be ready for kindergarten based upon the statewide~~
1540 ~~kindergarten screening administered under s. 1002.69.~~

1541 (c) The department office shall adopt procedures for the
1542 review and approval of ~~approve~~ curricula for use by private
1543 prekindergarten providers and public schools that are placed on
1544 probation under s. 1002.68 ~~paragraph (4)(c)~~. The department
1545 ~~office~~ shall administer the review and approval process and
1546 maintain a list of the curricula approved under this paragraph.
1547 Each approved curriculum must meet the requirements of paragraph



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1548 (b) .

1549 ~~(3) (a) Contingent upon legislative appropriation, each~~
1550 ~~private prekindergarten provider and public school in the~~
1551 ~~Voluntary Prekindergarten Education Program must implement an~~
1552 ~~evidence-based pre- and post-assessment that has been approved~~
1553 ~~by rule of the State Board of Education.~~

1554 ~~(b) In order to be approved, the assessment must be valid,~~
1555 ~~reliable, developmentally appropriate, and designed to measure~~
1556 ~~student progress on domains which must include, but are not~~
1557 ~~limited to, early literacy, numeracy, and language.~~

1558 ~~(c) The pre- and post-assessment must be administered by~~
1559 ~~individuals meeting requirements established by rule of the~~
1560 ~~State Board of Education.~~

1561 ~~(4) (a) Each early learning coalition shall verify that each~~
1562 ~~private prekindergarten provider delivering the Voluntary~~
1563 ~~Prekindergarten Education Program within the coalition's county~~
1564 ~~or multicounty region complies with this part. Each district~~
1565 ~~school board shall verify that each public school delivering the~~
1566 ~~program within the school district complies with this part.~~

1567 ~~(b) If a private prekindergarten provider or public school~~
1568 ~~fails or refuses to comply with this part, or if a provider or~~
1569 ~~school engages in misconduct, the office shall require the early~~
1570 ~~learning coalition to remove the provider and require the school~~
1571 ~~district to remove the school from eligibility to deliver the~~
1572 ~~Voluntary Prekindergarten Education Program and receive state~~
1573 ~~funds under this part for a period of 5 years.~~

1574 ~~(c)1. If the kindergarten readiness rate of a private~~
1575 ~~prekindergarten provider or public school falls below the~~
1576 ~~minimum rate adopted by the office as satisfactory under s.~~



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1577 ~~1002.69(6), the early learning coalition or school district, as~~
1578 ~~applicable, shall require the provider or school to submit an~~
1579 ~~improvement plan for approval by the coalition or school~~
1580 ~~district, as applicable, and to implement the plan; shall place~~
1581 ~~the provider or school on probation; and shall require the~~
1582 ~~provider or school to take certain corrective actions, including~~
1583 ~~the use of a curriculum approved by the office under paragraph~~
1584 ~~(2)(c) or a staff development plan to strengthen instruction in~~
1585 ~~language development and phonological awareness approved by the~~
1586 ~~office.~~

1587 ~~2. A private prekindergarten provider or public school that~~
1588 ~~is placed on probation must continue the corrective actions~~
1589 ~~required under subparagraph 1., including the use of a~~
1590 ~~curriculum or a staff development plan to strengthen instruction~~
1591 ~~in language development and phonological awareness approved by~~
1592 ~~the office, until the provider or school meets the minimum rate~~
1593 ~~adopted by the office as satisfactory under s. 1002.69(6).~~
1594 ~~Failure to implement an approved improvement plan or staff~~
1595 ~~development plan shall result in the termination of the~~
1596 ~~provider's contract to deliver the Voluntary Prekindergarten~~
1597 ~~Education Program for a period of 5 years.~~

1598 ~~3. If a private prekindergarten provider or public school~~
1599 ~~remains on probation for 2 consecutive years and fails to meet~~
1600 ~~the minimum rate adopted by the office as satisfactory under s.~~
1601 ~~1002.69(6) and is not granted a good cause exemption by the~~
1602 ~~office pursuant to s. 1002.69(7), the office shall require the~~
1603 ~~early learning coalition or the school district to remove, as~~
1604 ~~applicable, the provider or school from eligibility to deliver~~
1605 ~~the Voluntary Prekindergarten Education Program and receive~~



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1606 ~~state funds for the program for a period of 5 years.~~

1607 ~~(d) Each early learning coalition and the office shall~~
1608 ~~coordinate with the Child Care Services Program Office of the~~
1609 ~~Department of Children and Families to minimize interagency~~
1610 ~~duplication of activities for monitoring private prekindergarten~~
1611 ~~providers for compliance with requirements of the Voluntary~~
1612 ~~Prekindergarten Education Program under this part, the school~~
1613 ~~readiness program under part VI of this chapter, and the~~
1614 ~~licensing of providers under ss. 402.301-402.319.~~

1615 Section 42. Section 1002.68, Florida Statutes, is created
1616 to read:

1617 1002.68 Voluntary Prekindergarten Education Program
1618 accountability.-

1619 (1) (a) Beginning with the 2021-2022 program year, each
1620 private prekindergarten provider and public school participating
1621 in the Voluntary Prekindergarten Education Program must
1622 participate in the coordinated screening and progress monitoring
1623 program in accordance with s. 1008.2125. The coordinated
1624 screening and progress monitoring program results shall be used
1625 by the department to identify student learning gains, index
1626 development learning outcomes upon program completion relative
1627 to the performance standards established under s. 1002.67 and
1628 representative norms, and inform a private prekindergarten
1629 provider's and public school's performance metric.

1630 (b) At a minimum, the initial and final progress monitoring
1631 or screening must be administered by individuals meeting
1632 requirements adopted by the department pursuant to s. 1008.2125.

1633 (c) Each private prekindergarten provider and public school
1634 must provide a student's performance results from the



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1635 coordinated screening and progress monitoring to the student's
1636 parents within 7 days after the administration of such
1637 coordinated screening and progress monitoring.

1638 (2) Beginning with the 2020-2021 program year, each private
1639 prekindergarten provider and public school in the Voluntary
1640 Prekindergarten Education Program must participate in a program
1641 assessment of each voluntary prekindergarten education
1642 classroom. The program assessment shall measure the quality of
1643 teacher-child interactions, including emotional support,
1644 classroom organization, and instructional support for children
1645 ages 3 to 5 years. Each private prekindergarten provider and
1646 public school in the Voluntary Prekindergarten Education Program
1647 shall receive from the department the results of the program
1648 assessment for each classroom within 14 days after the
1649 observation. The program assessment must be administered by
1650 individuals who meet requirements established by rule of the
1651 State Board of Education.

1652 (3) (a) For the 2019-2020 program year, the department shall
1653 calculate a kindergarten readiness rate for each private
1654 prekindergarten provider and public school in the Voluntary
1655 Prekindergarten Education Program based upon learning gains and
1656 the percentage of students who are assessed as ready for
1657 kindergarten. The department shall require that each school
1658 district administer the statewide kindergarten screening in use
1659 before the 2020-2021 school year to each kindergarten student in
1660 the school district within the first 30 school days of the 2020-
1661 2021 school year. Private schools may administer the statewide
1662 kindergarten screening to each kindergarten student in a private
1663 school who was enrolled in the Voluntary Prekindergarten



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1664 Education Program. Learning gains shall be determined using a
1665 value-added measure based on growth demonstrated by the results
1666 of the preassessment and postassessment in use before the 2020-
1667 2021 program year. Any private prekindergarten provider or
1668 public school in the Voluntary Prekindergarten Education Program
1669 which fails to meet the minimum kindergarten readiness rate for
1670 the 2019-2020 program year is subject to the probation
1671 requirements of subsection (5).

1672 (b) For the 2020-2021 program year, the department shall
1673 calculate a program assessment composite score for each provider
1674 based on the program assessment under subsection (2). Any
1675 private prekindergarten provider or public school in the
1676 Voluntary Prekindergarten Education Program which fails to meet
1677 the minimum program assessment composite score established by
1678 the department pursuant to s. 1002.82(2)(n) for the 2020-2021
1679 program year is subject to the probation requirements of
1680 subsection (5).

1681 (4) (a) Beginning with the 2021-2022 program year, the
1682 department shall adopt a methodology for calculating each
1683 private prekindergarten provider's and public school provider's
1684 performance metric, which must be based on a combination of the
1685 following:

1686 1. Program assessment composite scores under subsection
1687 (2), which must be weighted at no less than 50 percent.

1688 2. Learning gains operationalized as change in ability
1689 scores from the initial and final progress monitoring results
1690 described in subsection (1).

1691 3. Norm-referenced developmental learning outcomes
1692 described in subsection (1).



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1693 (b) The methodology for calculating a provider's
1694 performance metric may only include prekindergarten students who
1695 have attended at least 85 percent of a private prekindergarten
1696 provider's or public school's program.

1697 (c) The program assessment composite score and performance
1698 metric must be calculated for each private prekindergarten or
1699 public school site.

1700 (d) The methodology shall include a statistical latent
1701 profile analysis that has been conducted by an independent
1702 expert with experience in relevant quantitative analysis, early
1703 childhood assessment, and designing state-level accountability
1704 systems. The independent expert shall be able to produce a
1705 limited number of performance metric profiles that summarize the
1706 profiles of all sites that must be used to inform the following
1707 designations: "unsatisfactory," "emerging proficiency,"
1708 "proficient," "highly proficient," and "excellent" or comparable
1709 terminology determined by the State Board of Education which may
1710 not include letter grades. The independent expert may not be a
1711 direct stakeholder or have had a financial interest in the
1712 design or delivery of the Voluntary Prekindergarten Education
1713 Program or public school system within the last 5 years.

1714 (e) Subject to an appropriation, the department shall
1715 provide for a differential payment to a private prekindergarten
1716 provider and public school based on the provider's designation.
1717 The maximum differential payment may not exceed a total of 15
1718 percent of the base student allocation per full-time equivalent
1719 student under s. 1002.71 attending in the consecutive program
1720 year for that program. A private prekindergarten provider or
1721 public school may not receive a differential payment if it



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1722 receives a designation of "proficient" or lower. Before the
1723 adoption of the methodology, the department and the independent
1724 expert shall confer with the Early Grade Success Advisory
1725 Committee under s. 1008.2125 before receiving approval from the
1726 State Board of Education for the final recommendations on the
1727 designation system and differential payments.

1728 (f) The department shall adopt procedures to annually
1729 calculate each private prekindergarten provider's and public
1730 school's performance metric, based on the methodology adopted in
1731 paragraphs (a) and (b), and assign a designation under paragraph
1732 (d). Beginning with the 2022-2023 program year, each private
1733 prekindergarten provider or public school shall be assigned a
1734 designation within 45 days after the conclusion of the school-
1735 year Voluntary Prekindergarten Education Program delivered by
1736 all participating private prekindergarten providers or public
1737 schools and within 45 days after the conclusion of the summer
1738 Voluntary Prekindergarten Education Program delivered by all
1739 participating private prekindergarten providers or public
1740 schools.

1741 (g) A private prekindergarten provider or public school
1742 that is designated "proficient," "highly proficient," or
1743 "excellent" demonstrates the provider's or school's satisfactory
1744 delivery of the Voluntary Prekindergarten Education Program.

1745 (h) The designations shall be displayed in the early
1746 learning provider performance profiles required under s.
1747 1002.92(3).

1748 (5) (a) If a public school's or private prekindergarten
1749 provider's program assessment composite score for its
1750 prekindergarten classrooms fails to meet the minimum program



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

1758 (b) If a private prekindergarten provider's or public
1759 school's performance metric or designation falls below the
1760 minimum performance metric or designation, the early learning
1761 coalition shall:

1762 1. Require the provider or school to submit for approval to
1763 the early learning coalition an improvement plan and implement
1764 the plan.

1765 2. Place the provider or school on probation.

1766 3. Require the provider or school to take certain
1767 corrective actions, including the use of a curriculum approved
1768 by the department under s. 1002.67(2)(c) and a staff development
1769 plan approved by the department to strengthen instructional
1770 practices in emotional support, classroom organization,
1771 instructional support, language development, phonological
1772 awareness, alphabet knowledge, and mathematical thinking.

1773 (c) A private prekindergarten provider or public school
1774 that is placed on probation must continue the corrective actions
1775 required under paragraph (b) until the provider or school meets
1776 the minimum performance metric or designation adopted by the
1777 department. Failure to meet the requirements of subparagraphs
1778 (b)1. and 3. shall result in the termination of the provider's
1779 or school's contract to deliver the Voluntary Prekindergarten



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1780 Education Program for a period of at least 2 years but no more
1781 than 5 years.

1782 (d) If a private prekindergarten provider or public school
1783 remains on probation for 2 consecutive years and fails to meet
1784 the minimum performance metric or designation, or is not granted
1785 a good cause exemption by the department, the department shall
1786 require the early learning coalition to revoke the provider's or
1787 school's eligibility to deliver the Voluntary Prekindergarten
1788 Education Program and receive state funds for the program for a
1789 period of at least 2 years but no more than 5 years.

1790 (6) (a) The department, upon the request of a private
1791 prekindergarten provider or public school that remains on
1792 probation for at least 2 consecutive years and subsequently
1793 fails to meet the minimum performance metric or designation, and
1794 for good cause shown, may grant to the provider or school an
1795 exemption from being determined ineligible to deliver the
1796 Voluntary Prekindergarten Education Program and receive state
1797 funds for the program. Such exemption is valid for 1 year and,
1798 upon the request of the private prekindergarten provider or
1799 public school and for good cause shown, may be renewed.

1800 (b) A private prekindergarten provider's or public school's
1801 request for a good cause exemption, or renewal of such an
1802 exemption, must be submitted to the department in the manner and
1803 within the timeframes prescribed by the department and must
1804 include the following:

1805 1. Data from the private prekindergarten provider or public
1806 school which documents the achievement and progress of the
1807 children served, as measured by any required screenings or
1808 assessments.



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1809 2. Data from the program assessment required under
1810 subsection (2) which demonstrates effective teaching practices
1811 as recognized by the tool developer.

1812 3. Data from the early learning coalition or district
1813 school board, as applicable, the Department of Children and
1814 Families, the local licensing authority, or an accrediting
1815 association, as applicable, relating to the private
1816 prekindergarten provider's or public school's compliance with
1817 state and local health and safety standards.

1818 (c) The department shall adopt criteria for granting good
1819 cause exemptions. Such criteria must include, but are not
1820 limited to, all of the following:

1821 1. Child demographic data that evidences a private
1822 prekindergarten provider or public school serves a statistically
1823 significant population of children with special needs who have
1824 individual education plans and can demonstrate progress toward
1825 meeting the goals outlined in the students' individual education
1826 plans.

1827 2. Learning gains of children served in the Voluntary
1828 Prekindergarten Education Program by the private prekindergarten
1829 provider or public school on an alternative measure that has
1830 comparable validity and reliability of the coordinated screening
1831 and progress monitoring program in accordance with s. 1008.2125.

1832 3. Program assessment data under subsection (2) which
1833 demonstrates effective teaching practices as recognized by the
1834 tool developer.

1835 4. Verification that local and state health and safety
1836 requirements are met.

1837 (d) A good cause exemption may not be granted to any



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1838 private prekindergarten provider or public school that has any
1839 class I violations or two or more class II violations, as
1840 defined by rule of the Department of Children and Families,
1841 within the 2 years preceding the provider's or school's request
1842 for the exemption.

1843 (e) A private prekindergarten provider or public school
1844 granted a good cause exemption shall continue to implement its
1845 improvement plan and continue the corrective actions required
1846 under subsection (5)(b) until the provider or school meets the
1847 minimum performance metric.

1848 (f) If a good cause exemption is granted to a private
1849 prekindergarten provider or public school that remains on
1850 probation for 2 consecutive years and if the provider meets all
1851 other applicable requirements of this part, the department shall
1852 notify the early learning coalition of the good cause exemption
1853 and direct that the early learning coalition not remove the
1854 provider from eligibility to deliver the Voluntary
1855 Prekindergarten Education Program or to receive state funds for
1856 the program.

1857 (g) The department shall report the number of private
1858 prekindergarten providers or public schools that have received a
1859 good cause exemption and the reasons for the exemptions as part
1860 of its annual reporting requirements under s. 1002.82(6).

1861 (7) Representatives from each school district and
1862 corresponding early learning coalitions must meet annually to
1863 develop strategies to transition students from the Voluntary
1864 Prekindergarten Education Program to kindergarten.

1865 Section 43. Section 1002.69, Florida Statutes, is repealed.

1866 Section 44. Paragraph (c) of subsection (3), subsection



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1867 (4), paragraph (b) of subsection (5), paragraphs (b) and (d) of
1868 subsection (6), and subsection (7) of section 1002.71, Florida
1869 Statutes, are amended to read:

1870 1002.71 Funding; financial and attendance reporting.—

1871 (3)

1872 (c) The initial allocation shall be based on estimated
1873 student enrollment in each coalition service area. The
1874 department ~~Office of Early Learning~~ shall reallocate funds among
1875 the coalitions based on actual full-time equivalent student
1876 enrollment in each coalition service area. Each coalition shall
1877 report student enrollment pursuant to subsection (2) on a
1878 monthly basis. A student enrollment count for the prior fiscal
1879 year may not be amended after September 30 of the subsequent
1880 fiscal year.

1881 (4) Notwithstanding s. 1002.53(3) and subsection (2):

1882 (a) A child who, for any of the prekindergarten programs
1883 listed in s. 1002.53(3), has not completed more than 70 percent
1884 of the hours authorized to be reported for funding under
1885 subsection (2), or has not expended more than 70 percent of the
1886 funds authorized for the child under s. 1002.66, may withdraw
1887 from the program for good cause and reenroll in one of the
1888 programs. The total funding for a child who reenrolls in one of
1889 the programs for good cause may not exceed one full-time
1890 equivalent student. Funding for a child who withdraws and
1891 reenrolls in one of the programs for good cause shall be issued
1892 in accordance with the department's ~~Office of Early Learning's~~
1893 uniform attendance policy adopted pursuant to paragraph (6)(d).

1894 (b) A child who has not substantially completed any of the
1895 prekindergarten programs listed in s. 1002.53(3) may withdraw



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1896 from the program due to an extreme hardship that is beyond the
1897 child's or parent's control, reenroll in one of the summer
1898 programs, and be reported for funding purposes as a full-time
1899 equivalent student in the summer program for which the child is
1900 reenrolled.

1901
1902 A child may reenroll only once in a prekindergarten program
1903 under this section. A child who reenrolls in a prekindergarten
1904 program under this subsection may not subsequently withdraw from
1905 the program and reenroll, unless the child is granted a good
1906 cause exemption under this subsection. The department ~~Office of~~
1907 ~~Early Learning~~ shall establish criteria specifying whether a
1908 good cause exists for a child to withdraw from a program under
1909 paragraph (a), whether a child has substantially completed a
1910 program under paragraph (b), and whether an extreme hardship
1911 exists which is beyond the child's or parent's control under
1912 paragraph (b).

1913 (5)

1914 (b) The department ~~Office of Early Learning~~ shall adopt
1915 procedures for the payment of private prekindergarten providers
1916 and public schools delivering the Voluntary Prekindergarten
1917 Education Program. The procedures shall provide for the advance
1918 payment of providers and schools based upon student enrollment
1919 in the program, the certification of student attendance, and the
1920 reconciliation of advance payments in accordance with the
1921 uniform attendance policy adopted under paragraph (6) (d). The
1922 procedures shall provide for the monthly distribution of funds
1923 by the department ~~Office of Early Learning~~ to the early learning
1924 coalitions for payment by the coalitions to private



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1925 prekindergarten providers and public schools.

1926 (6)

1927 (b)1. Each private prekindergarten provider's and district
1928 school board's attendance policy must require the parent of each
1929 student in the Voluntary Prekindergarten Education Program to
1930 verify, each month, the student's attendance on the prior
1931 month's certified student attendance.

1932 2. The parent must submit the verification of the student's
1933 attendance to the private prekindergarten provider or public
1934 school on forms prescribed by the department ~~Office of Early~~
1935 ~~Learning~~. The forms must include, in addition to the
1936 verification of the student's attendance, a certification, in
1937 substantially the following form, that the parent continues to
1938 choose the private prekindergarten provider or public school in
1939 accordance with s. 1002.53 and directs that payments for the
1940 program be made to the provider or school:

1941 VERIFICATION OF STUDENT'S ATTENDANCE
1942 AND CERTIFICATION OF PARENTAL CHOICE

1943 I, ...(Name of Parent)..., swear (or affirm) that my child,
1944 ...(Name of Student)..., attended the Voluntary Prekindergarten
1945 Education Program on the days listed above and certify that I
1946 continue to choose ...(Name of Provider or School)... to deliver
1947 the program for my child and direct that program funds be paid
1948 to the provider or school for my child.

1949 ...(Signature of Parent)...
1950 ...(Date)...

1951 3. The private prekindergarten provider or public school
1952 must keep each original signed form for at least 2 years. Each
1953 private prekindergarten provider must permit the early learning



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1954 coalition, and each public school must permit the school
1955 district, to inspect the original signed forms during normal
1956 business hours. The department ~~Office of Early Learning~~ shall
1957 adopt procedures for early learning coalitions and school
1958 districts to review the original signed forms against the
1959 certified student attendance. The review procedures shall
1960 provide for the use of selective inspection techniques,
1961 including, but not limited to, random sampling. Each early
1962 learning coalition and the school districts must comply with the
1963 review procedures.

1964 (d) The department ~~Office of Early Learning~~ shall adopt,
1965 for funding purposes, a uniform attendance policy for the
1966 Voluntary Prekindergarten Education Program. The attendance
1967 policy must apply statewide and apply equally to all private
1968 prekindergarten providers and public schools. The attendance
1969 policy must include at least the following provisions:

1970 1. A student's attendance may be reported on a pro rata
1971 basis as a fractional part of a full-time equivalent student.

1972 2. At a maximum, 20 percent of the total payment made on
1973 behalf of a student to a private prekindergarten provider or a
1974 public school may be for hours a student is absent.

1975 3. A private prekindergarten provider or public school may
1976 not receive payment for absences that occur before a student's
1977 first day of attendance or after a student's last day of
1978 attendance.

1979
1980 The uniform attendance policy shall be used only for funding
1981 purposes and does not prohibit a private prekindergarten
1982 provider or public school from adopting and enforcing its



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1983 attendance policy under paragraphs (a) and (c).

1984 (7) The department ~~Office of Early Learning~~ shall require
1985 that administrative expenditures be kept to the minimum
1986 necessary for efficient and effective administration of the
1987 Voluntary Prekindergarten Education Program. Administrative
1988 policies and procedures shall be revised, to the maximum extent
1989 practicable, to incorporate the use of automation and electronic
1990 submission of forms, including those required for child
1991 eligibility and enrollment, provider and class registration, and
1992 monthly certification of attendance for payment. A school
1993 district may use its automated daily attendance reporting system
1994 for the purpose of transmitting attendance records to the early
1995 learning coalition in a mutually agreed-upon format. In
1996 addition, actions shall be taken to reduce paperwork, eliminate
1997 the duplication of reports, and eliminate other duplicative
1998 activities. Each early learning coalition may retain and expend
1999 no more than 4.0 percent of the funds paid by the coalition to
2000 private prekindergarten providers and public schools under
2001 paragraph (5) (b). Funds retained by an early learning coalition
2002 under this subsection may be used only for administering the
2003 Voluntary Prekindergarten Education Program and may not be used
2004 for the school readiness program or other programs.

2005 Section 45. Subsection (1) of section 1002.72, Florida
2006 Statutes, is amended to read:

2007 1002.72 Records of children in the Voluntary
2008 Prekindergarten Education Program.—

2009 (1) (a) The records of a child enrolled in the Voluntary
2010 Prekindergarten Education Program held by an early learning
2011 coalition, the department ~~Office of Early Learning~~, or a



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2012 Voluntary Prekindergarten Education Program provider are
2013 confidential and exempt from s. 119.07(1) and s. 24(a), Art. I
2014 of the State Constitution. For purposes of this section, such
2015 records include assessment data, health data, records of teacher
2016 observations, and personal identifying information of an
2017 enrolled child and his or her parent.

2018 (b) This exemption applies to the records of a child
2019 enrolled in the Voluntary Prekindergarten Education Program held
2020 by an early learning coalition, the department ~~Office of Early~~
2021 ~~Learning~~, or a Voluntary Prekindergarten Education Program
2022 provider before, on, or after the effective date of this
2023 exemption.

2024 Section 46. Section 1002.73, Florida Statutes, is amended
2025 to read:

2026 1002.73 Department of Education; powers and duties;
2027 accountability requirements.—

2028 (1) The department shall adopt by rule a standard statewide
2029 provider contract to be used with each Voluntary Prekindergarten
2030 Education Program provider, with standardized attachments by
2031 provider type. The department shall publish a copy of the
2032 standard statewide provider contract on its website. The
2033 standard statewide provider contract shall include, at a
2034 minimum, provisions for provider probation, termination for
2035 cause, and emergency termination for actions or inactions of a
2036 provider that pose an immediate and serious danger to the
2037 health, safety, or welfare of children. The standard statewide
2038 provider contract shall also include appropriate due process
2039 procedures. During the pendency of an appeal of a termination,
2040 the provider may not continue to offer its services. Any



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2041 provision imposed upon a provider that is inconsistent with, or
2042 prohibited by, law is void and unenforceable ~~administer the~~
2043 ~~accountability requirements of the Voluntary Prekindergarten~~
2044 ~~Education Program at the state level.~~

2045 (2) The department shall adopt procedures for ~~its~~:

2046 (a) The approval of prekindergarten director credentials
2047 under ss. 1002.55 and 1002.57.

2048 (b) The approval of emergent literacy and early mathematics
2049 skills training courses under ss. 1002.55 and 1002.59.

2050 (c) Annually notifying private prekindergarten providers
2051 and public schools placed on probation for not meeting the
2052 minimum performance metric as required by s. 1002.68 of the
2053 high-quality professional development opportunities developed or
2054 supported by the department.

2055 (d) The administration of the Voluntary Prekindergarten
2056 Education Program by the early learning coalitions, including,
2057 but not limited to, procedures for:

2058 1. Enrolling children in and determining the eligibility of
2059 children for the Voluntary Prekindergarten Education Program
2060 under s. 1002.53, which shall include the enrollment of children
2061 by public schools and private providers that meet specified
2062 requirements.

2063 2. Providing parents with profiles of private
2064 prekindergarten providers and public schools under s. 1002.53.

2065 3. Registering private prekindergarten providers and public
2066 schools to deliver the program under ss. 1002.55, 1002.61, and
2067 1002.63.

2068 4. Determining the eligibility of private prekindergarten
2069 providers to deliver the program under ss. 1002.55 and 1002.61



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2070 and streamlining the process of determining provider eligibility
2071 whenever possible.

2072 5. Verifying the compliance of private prekindergarten
2073 providers and public schools and removing providers or schools
2074 from eligibility to deliver the program due to noncompliance or
2075 misconduct as provided in s. 1002.67.

2076 6. Paying private prekindergarten providers and public
2077 schools under s. 1002.71.

2078 7. Documenting and certifying student enrollment and
2079 student attendance under s. 1002.71.

2080 8. Reconciling advance payments in accordance with the
2081 uniform attendance policy under s. 1002.71.

2082 9. Reenrolling students dismissed by a private
2083 prekindergarten provider or public school for noncompliance with
2084 the provider's or school district's attendance policy under s.
2085 1002.71.

2086 (3) The department shall administer the accountability
2087 requirements of the Voluntary Prekindergarten Education Program
2088 at the state level.

2089 (4) The department shall adopt procedures governing the
2090 administration of the Voluntary Prekindergarten Education
2091 Program by the early learning coalitions for:

2092 (a) Approving improvement plans of private prekindergarten
2093 providers and public schools under s. 1002.68.

2094 (b) Placing private prekindergarten providers and public
2095 schools on probation and requiring corrective actions under s.
2096 1002.68.

2097 (c) Removing a private prekindergarten provider or public
2098 school from eligibility to deliver the program due to the



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2099 provider's or school's remaining on probation beyond the time
2100 permitted under s. 1002.68. Notwithstanding any other law, if a
2101 private prekindergarten provider has been cited for a class I
2102 violation, as defined by rule of the Child Care Services Program
2103 Office of the Department of Children and Families, the coalition
2104 may refuse to contract with the provider or revoke the
2105 provider's eligibility to deliver the Voluntary Prekindergarten
2106 Education Program.

2107 (d) Enrolling children in and determining the eligibility
2108 of children for the Voluntary Prekindergarten Education Program
2109 under s. 1002.66.

2110 (e) Paying specialized instructional services providers
2111 under s. 1002.66.

2112 ~~(c) Administration of the statewide kindergarten screening~~
2113 ~~and calculation of kindergarten readiness rates under s.~~
2114 ~~1002.69.~~

2115 ~~(d) Implementation of, and determination of costs~~
2116 ~~associated with, the state-approved prekindergarten enrollment~~
2117 ~~screening and the standardized postassessment approved by the~~
2118 ~~department, and determination of the learning gains of students~~
2119 ~~who complete the state-approved prekindergarten enrollment~~
2120 ~~screening and the standardized postassessment approved by the~~
2121 ~~department.~~

2122 ~~(f)~~ (e) Approving Approval of specialized instructional
2123 services providers under s. 1002.66.

2124 ~~(f) Annual reporting of the percentage of kindergarten~~
2125 ~~students who meet all state readiness measures.~~

2126 (g) Granting of a private prekindergarten provider's or
2127 public school's request for a good cause exemption under s.



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2128 1002.68 s. ~~1002.69(7)~~.

2129 (5) The department shall adopt procedures for the
2130 distribution of funds to early learning coalitions under s.
2131 1002.71.

2132 (6) ~~(3)~~ Except as provided by law, the department may not
2133 impose requirements on a private prekindergarten provider or
2134 public school that does not deliver the Voluntary
2135 Prekindergarten Education Program or receive state funds under
2136 this part.

2137 Section 47. Sections 1002.75 and 1002.77, Florida Statutes,
2138 are repealed.

2139 Section 48. Section 1002.79, Florida Statutes, is amended
2140 to read:

2141 1002.79 Rulemaking authority.—The State Board of Education
2142 ~~Office of Early Learning~~ shall adopt rules under ss. 120.536(1)
2143 and 120.54 to administer the provisions of this part conferring
2144 duties upon the department ~~office~~.

2145 Section 49. Section 1002.81, Florida Statutes, is reordered
2146 amended to read:

2147 1002.81 Definitions.—Consistent with the requirements of 45
2148 C.F.R. parts 98 and 99 and as used in this part, the term:

2149 (1) "At-risk child" means:

2150 (a) A child from a family under investigation by the
2151 Department of Children and Families or a designated sheriff's
2152 office for child abuse, neglect, abandonment, or exploitation.

2153 (b) A child who is in a diversion program provided by the
2154 Department of Children and Families or its contracted provider
2155 and who is from a family that is actively participating and
2156 complying in department-prescribed activities, including



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2157 education, health services, or work.

2158 (c) A child from a family that is under supervision by the
2159 Department of Children and Families or a contracted service
2160 provider for abuse, neglect, abandonment, or exploitation.

2161 (d) A child placed in court-ordered, long-term custody or
2162 under the guardianship of a relative or nonrelative after
2163 termination of supervision by the Department of Children and
2164 Families or its contracted provider.

2165 (e) A child in the custody of a parent who is considered a
2166 victim of domestic violence and is receiving services through a
2167 certified domestic violence center.

2168 (f) A child in the custody of a parent who is considered
2169 homeless as verified by a Department of Children and Families
2170 certified homeless shelter.

2171 (2) "Authorized hours of care" means the hours of care that
2172 are necessary to provide protection, maintain employment, or
2173 complete work activities or eligible educational activities,
2174 including reasonable travel time.

2175 ~~(12)~~~~(3)~~ "Prevailing Average market rate" means the
2176 biennially determined 75th percentile of a reasonable frequency
2177 distribution average of the market rate by program care level
2178 and provider type in a predetermined geographic market at which
2179 child care providers charge a person for child care services.

2180 ~~(3)~~~~(4)~~ "Direct enhancement services" means services for
2181 families and children that are in addition to payments for the
2182 placement of children in the school readiness program. Direct
2183 enhancement services for families and children may include
2184 supports for providers, parent training and involvement
2185 activities, and strategies to meet the needs of unique



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2186 populations and local eligibility priorities. Direct enhancement
2187 services offered by an early learning coalition shall be
2188 consistent with the activities prescribed in s. 1002.89(5)(b) ~~§-~~
2189 ~~1002.89(6)(b)~~.

2190 (4)~~(5)~~ "Disenrollment" means the removal, either temporary
2191 or permanent, of a child from participation in the school
2192 readiness program. Removal of a child from the school readiness
2193 program may be based on the following events: a reduction in
2194 available school readiness program funding, participant's
2195 failure to meet eligibility or program participation
2196 requirements, fraud, or a change in local service priorities.

2197 (5)~~(6)~~ "Earned income" means gross remuneration derived
2198 from work, professional service, or self-employment. The term
2199 includes commissions, bonuses, back pay awards, and the cash
2200 value of all remuneration paid in a medium other than cash.

2201 (6)~~(7)~~ "Economically disadvantaged" means having a family
2202 income that does not exceed 150 percent of the federal poverty
2203 level and includes being a child of a working migratory family
2204 as defined by 34 C.F.R. s. 200.81(d) or (f) or an agricultural
2205 worker who is employed by more than one agricultural employer
2206 during the course of a year, and whose income varies according
2207 to weather conditions and market stability.

2208 (7)~~(8)~~ "Family income" means the combined gross income,
2209 whether earned or unearned, that is derived from any source by
2210 all family or household members who are 18 years of age or older
2211 who are currently residing together in the same dwelling unit.
2212 The term does not include income earned by a currently enrolled
2213 high school student who, since attaining the age of 18 years, or
2214 a student with a disability who, since attaining the age of 22



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2215 years, has not terminated school enrollment or received a high
2216 school diploma, high school equivalency diploma, special
2217 diploma, or certificate of high school completion. The term also
2218 does not include food stamp benefits or federal housing
2219 assistance payments issued directly to a landlord or the
2220 associated utilities expenses.

2221 ~~(8)-(9)~~ "Family or household members" means spouses, former
2222 spouses, persons related by blood or marriage, persons who are
2223 parents of a child in common regardless of whether they have
2224 been married, and other persons who are currently residing
2225 together in the same dwelling unit as if a family.

2226 ~~(9)-(10)~~ "Full-time care" means at least 6 hours, but not
2227 more than 11 hours, of child care or early childhood education
2228 services within a 24-hour period.

2229 ~~(10)-(11)~~ "Market rate" means the price that a child care or
2230 early childhood education provider charges for full-time or
2231 part-time daily, weekly, or monthly child care or early
2232 childhood education services.

2233 ~~(12)~~ "Office" means the Office of Early Learning of the
2234 Department of Education.

2235 ~~(11)-(13)~~ "Part-time care" means less than 6 hours of child
2236 care or early childhood education services within a 24-hour
2237 period.

2238 ~~(13)-(14)~~ "Single point of entry" means an integrated
2239 information system that allows a parent to enroll his or her
2240 child in the school readiness program or the Voluntary
2241 Prekindergarten Education Program at various locations
2242 throughout a county, that may allow a parent to enroll his or
2243 her child by telephone or through a website, and that uses a



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2244 uniform waiting list to track eligible children waiting for
2245 enrollment in the school readiness program.

2246 (14)~~(15)~~ "Unearned income" means income other than earned
2247 income. The term includes, but is not limited to:

2248 (a) Documented alimony and child support received.

2249 (b) Social security benefits.

2250 (c) Supplemental security income benefits.

2251 (d) Workers' compensation benefits.

2252 (e) Reemployment assistance or unemployment compensation
2253 benefits.

2254 (f) Veterans' benefits.

2255 (g) Retirement benefits.

2256 (h) Temporary cash assistance under chapter 414.

2257 (15)~~(16)~~ "Working family" means:

2258 (a) A single-parent family in which the parent with whom
2259 the child resides is employed or engaged in eligible work or
2260 education activities for at least 20 hours per week;

2261 (b) A two-parent family in which both parents with whom the
2262 child resides are employed or engaged in eligible work or
2263 education activities for a combined total of at least 40 hours
2264 per week; or

2265 (c) A two-parent family in which one of the parents with
2266 whom the child resides is exempt from work requirements due to
2267 age or disability, as determined and documented by a physician
2268 licensed under chapter 458 or chapter 459, and one parent is
2269 employed or engaged in eligible work or education activities at
2270 least 20 hours per week.

2271 Section 50. Section 1002.82, Florida Statutes, is amended
2272 to read:



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2273 1002.82 Department of Education ~~Office of Early Learning~~;
2274 powers and duties.—

2275 (1) For purposes of administration of the Child Care and
2276 Development Block Grant Trust Fund, pursuant to 45 C.F.R. parts
2277 98 and 99, the Department of Education ~~Office of Early Learning~~
2278 is designated as the lead agency and must comply with lead
2279 agency responsibilities pursuant to federal law. The department
2280 ~~office~~ may apply to the Governor and Cabinet for a waiver of,
2281 and the Governor and Cabinet may waive, any provision of ss.
2282 411.223 and 1003.54 if the waiver is necessary for
2283 implementation of the school readiness program. Section
2284 125.901(2)(a)3. does not apply to the school readiness program.

2285 (2) The department ~~office~~ shall:

2286 (a) Focus on improving the educational quality delivered by
2287 all providers participating in the school readiness program.

2288 (b) Preserve parental choice by permitting parents to
2289 choose from a variety of child care categories, including
2290 center-based care, family child care, and informal child care to
2291 the extent authorized in the state's Child Care and Development
2292 Fund Plan as approved by the United States Department of Health
2293 and Human Services pursuant to 45 C.F.R. s. 98.18. Care and
2294 curriculum by a faith-based provider may not be limited or
2295 excluded in any of these categories.

2296 (c) Be responsible for the prudent use of all public and
2297 private funds in accordance with all legal and contractual
2298 requirements, safeguarding the effective use of federal, state,
2299 and local resources to achieve the highest practicable level of
2300 school readiness for the children described in s. 1002.87,
2301 including:



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2302 1. The adoption of a uniform chart of accounts for
2303 budgeting and financial reporting purposes that provides
2304 standardized definitions for expenditures and reporting,
2305 consistent with the requirements of 45 C.F.R. part 98 and s.
2306 1002.89 for each of the following categories of expenditure:

- 2307 a. Direct services to children.
- 2308 b. Administrative costs.
- 2309 c. Quality activities.
- 2310 d. Nondirect services.

2311 2. Coordination with other state and federal agencies to
2312 perform data matches on children participating in the school
2313 readiness program and their families in order to verify the
2314 children's eligibility pursuant to s. 1002.87.

2315 (d) Establish procedures for the biennial calculation of
2316 the prevailing ~~average~~ market rate.

2317 (e) Review each early learning coalition's school readiness
2318 program plan every 2 years and provide final approval of the
2319 plan and any amendments submitted.

2320 (f) Establish a unified approach to the state's efforts to
2321 coordinate a comprehensive early learning program. In support of
2322 this effort, the department ~~office~~:

2323 1. Shall adopt specific program support services that
2324 address the state's school readiness program, including:

2325 a. Statewide data information program requirements that
2326 include:

- 2327 (I) Eligibility requirements.
- 2328 (II) Financial reports.
- 2329 (III) Program accountability measures.
- 2330 (IV) Child progress reports.



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- 2331 b. Child care resource and referral services.
- 2332 c. A single point of entry and uniform waiting list.
- 2333 2. May provide technical assistance and guidance on
- 2334 additional support services to complement the school readiness
- 2335 program, including:
- 2336 ~~a. Rating and improvement systems.~~
- 2337 a.b. Warm-Line services.
- 2338 ~~b.e.~~ Anti-fraud plans.
- 2339 ~~d. School readiness program standards.~~
- 2340 ~~e. Child screening and assessments.~~
- 2341 c.f. Training and support for parental involvement in
- 2342 children's early education.
- 2343 ~~d.g.~~ Family literacy activities and services.
- 2344 (g) Provide technical assistance to early learning
- 2345 coalitions.
- 2346 (h) In cooperation with the early learning coalitions,
- 2347 coordinate with the Child Care Services Program Office of the
- 2348 Department of Children and Families to reduce paperwork and to
- 2349 avoid duplicating interagency activities, health and safety
- 2350 monitoring, and acquiring and composing data pertaining to child
- 2351 care training and credentialing.
- 2352 (i) Enter into a memorandum of understanding with local
- 2353 licensing agencies and the Child Care Services Program Office of
- 2354 the Department of Children and Families for inspections of
- 2355 school readiness program providers to monitor and verify
- 2356 compliance with s. 1002.88 and the health and safety checklist
- 2357 adopted by the department ~~office~~. The provider contract of a
- 2358 school readiness program provider that refuses permission for
- 2359 entry or inspection shall be terminated. The health and safety



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2360 checklist may not exceed the requirements of s. 402.305 and the
2361 Child Care and Development Fund pursuant to 45 C.F.R. part 98. A
2362 child development program that is accredited by a national
2363 accrediting body and operates on a military installation that is
2364 certified by the United States Department of Defense is exempted
2365 from the inspection requirements under s. 1002.88.

2366 (j) Monitor the alignment and consistency of the ~~Develop~~
2367 and ~~adopt~~ standards and benchmarks developed and adopted by the
2368 department that address the age-appropriate progress of children
2369 in the development of school readiness skills. The standards for
2370 children from birth to 5 years of age in the school readiness
2371 program must be aligned with the performance standards adopted
2372 for children in the Voluntary Prekindergarten Education Program
2373 and must address the following domains:

- 2374 1. Approaches to learning.
- 2375 2. Cognitive development and general knowledge.
- 2376 3. Numeracy, language, and communication.
- 2377 4. Physical development.
- 2378 5. Self-regulation.

2379 (k) Identify observation-based child assessments that are
2380 valid, reliable, and developmentally appropriate for use at
2381 least three times a year. The assessments must:

2382 1. Provide interval level and norm-referenced ~~critereion-~~
2383 ~~referenced~~ data that measures equivalent levels of growth across
2384 the core domains of early childhood development and that can be
2385 used for determining developmentally appropriate learning gains.

2386 2. Measure progress in the performance standards adopted
2387 pursuant to paragraph (j).

2388 3. Provide for appropriate accommodations for children with



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2389 disabilities and English language learners and be administered
2390 by qualified individuals, consistent with the developer's
2391 instructions.

2392 4. Coordinate with the performance standards adopted by the
2393 department under s. 1002.67(1) for the Voluntary Prekindergarten
2394 Education Program.

2395 5. Provide data in a format for use in the single statewide
2396 information system to meet the requirements of paragraph (q)
2397 ~~(p)~~.

2398 (1) Adopt a list of approved curricula that meet the
2399 performance standards for the school readiness program and
2400 establish a process for the review and approval of a provider's
2401 curriculum that meets the performance standards.

2402 (m) Provide technical support to an early learning
2403 coalition to facilitate the use of ~~Adopt by rule~~ a standard
2404 statewide provider contract to be used with each school
2405 readiness program provider, with standardized attachments by
2406 provider type. The department ~~office~~ shall publish a copy of the
2407 standard statewide provider contract on its website. The
2408 standard statewide contract shall include, at a minimum,
2409 contracted slots, if applicable, in accordance with the Child
2410 Care and Development Block Grant Act of 2014, 45 C.F.R. parts 98
2411 and 99; quality improvement strategies, if applicable; program
2412 assessment requirements; and provisions for provider probation,
2413 termination for cause, and emergency termination for those
2414 actions or inactions of a provider that pose an immediate and
2415 serious danger to the health, safety, or welfare of the
2416 children. The standard statewide provider contract shall also
2417 include appropriate due process procedures. During the pendency



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2418 of an appeal of a termination, the provider may not continue to
2419 offer its services. Any provision imposed upon a provider that
2420 is inconsistent with, or prohibited by, law is void and
2421 unenforceable. Provisions for termination for cause must also
2422 include failure to meet the minimum quality measures established
2423 under paragraph (n) for a period of up to 5 years, unless the
2424 coalition determines that the provider is essential to meeting
2425 capacity needs based on the assessment under s. 1002.85(2)(j)
2426 and the provider has an active improvement plan pursuant to
2427 paragraph (n).

2428 (n) Adopt a program assessment for school readiness program
2429 providers that measures the quality of teacher-child
2430 interactions, including emotional and behavioral support,
2431 engaged support for learning, classroom organization, and
2432 instructional support for children ages birth to 5 years. The
2433 implementation of the program assessment must also include the
2434 following components adopted by rule of the State Board of
2435 Education:

2436 1. Quality measures, including a minimum program assessment
2437 composite score threshold for contracting purposes and program
2438 improvement through an improvement plan. The minimum program
2439 assessment composite score required for the Voluntary
2440 Prekindergarten Education Program contracting threshold must be
2441 the same as the minimum program assessment composite score
2442 required for contracting for the school readiness program. The
2443 methodology for the calculation of the minimum program
2444 assessment composite score shall be reviewed by the independent
2445 expert identified in s. 1002.68(4)(d).

2446 2. Requirements for program participation, frequency of



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2447 program assessment, and exemptions.

2448 (o) No later than July 1, 2019, develop a differential
2449 payment program based on the quality measures adopted by the
2450 department office under paragraph (n). The differential payment
2451 may not exceed a total of 15 percent for each care level and
2452 unit of child care for a child care provider. No more than 5
2453 percent of the 15 percent total differential may be provided to
2454 providers who submit valid and reliable data to the statewide
2455 information system in the domains of language and executive
2456 functioning using a child assessment identified pursuant to
2457 paragraph (k). Providers below the minimum program assessment
2458 score adopted threshold for contracting purposes are ineligible
2459 for such payment.

2460 (p) No later than July 1, 2021, develop and adopt
2461 requirements for the implementation of a program designed to
2462 make available contracted slots to serve children at the
2463 greatest risk of school failure as determined by such children
2464 being located in an area that has been designated as a poverty
2465 area tract according to the latest census data. The contracted
2466 slot program may also be used to increase the availability of
2467 child care capacity based on the assessment under s.
2468 1002.85(2)(j).

2469 (q) ~~(p)~~ Establish a single statewide information system that
2470 each coalition must use for the purposes of managing the single
2471 point of entry, tracking children's progress, coordinating
2472 services among stakeholders, determining eligibility of
2473 children, tracking child attendance, and streamlining
2474 administrative processes for providers and early learning
2475 coalitions. By July 1, 2019, the system, subject to ss. 1002.72



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2476 and 1002.97, shall:

2477 1. Allow a parent to monitor the development of his or her
2478 child as the child moves among programs within the state.

2479 2. Enable analysis at the state, regional, and local level
2480 to measure child growth over time, program impact, and quality
2481 improvement and investment decisions.

2482 (r)-(e) Provide technical support to coalitions to
2483 facilitate the use of ~~Adopt by rule~~ standardized procedures
2484 adopted in state board rule for early learning coalitions to use
2485 when monitoring the compliance of school readiness program
2486 providers with the terms of the standard statewide provider
2487 contract.

2488 (s)-(r) At least biennially, provide fiscal and programmatic
2489 monitoring to ~~Monitor and~~ evaluate the performance of each early
2490 learning coalition in administering the school readiness
2491 program, ensuring proper payments for school readiness program
2492 services, implementing the coalition's school readiness program
2493 plan, and administering the Voluntary Prekindergarten Education
2494 Program. These monitoring and performance evaluations must
2495 include, at a minimum, onsite monitoring of each coalition's
2496 finances, management, operations, and programs.

2497 (t)-(s) Work in conjunction with the Bureau of Federal
2498 Education Programs within the Department of Education to
2499 coordinate readiness and voluntary prekindergarten services to
2500 the populations served by the bureau.

2501 (u)-(t) Administer a statewide toll-free Warm-Line to
2502 provide assistance and consultation to child care facilities and
2503 family day care homes regarding health, developmental,
2504 disability, and special needs issues of the children they are



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2505 serving, particularly children with disabilities and other
2506 special needs. The department ~~office~~ shall:

2507 1. Annually inform child care facilities and family day
2508 care homes of the availability of this service through the child
2509 care resource and referral network under s. 1002.92.

2510 2. Expand or contract for the expansion of the Warm-Line to
2511 maintain at least one Warm-Line in each early learning coalition
2512 service area.

2513 (v) ~~(u)~~ Develop and implement strategies to increase the
2514 supply and improve the quality of child care services for
2515 infants and toddlers, children with disabilities, children who
2516 receive care during nontraditional hours, children in
2517 underserved areas, and children in areas that have significant
2518 concentrations of poverty and unemployment.

2519 (w) ~~(v)~~ Establish preservice and inservice training
2520 requirements that address, at a minimum, school readiness child
2521 development standards, health and safety requirements, and
2522 social-emotional behavior intervention models, which may include
2523 positive behavior intervention and support models, including the
2524 integration of early learning professional development pathways
2525 established in s. 1002.995.

2526 (x) ~~(w)~~ Establish standards for emergency preparedness plans
2527 for school readiness program providers.

2528 (y) ~~(x)~~ Establish group sizes.

2529 (z) ~~(y)~~ Establish staff-to-children ratios that do not
2530 exceed the requirements of s. 402.302(8) or (11) or s.
2531 402.305(4), as applicable, for school readiness program
2532 providers.

2533 (aa) ~~(z)~~ Establish eligibility criteria, including



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2534 limitations based on income and family assets, in accordance
2535 with s. 1002.87 and federal law.

2536 (3) (a) The department shall adopt performance standards and
2537 outcome measures for early learning coalitions that, at a
2538 minimum, include the development of objective customer service
2539 surveys that shall be deployed to:

2540 1. Customers who use the services in s. 1002.92 upon the
2541 completion of a referral inquiry.

2542 2. Annually to parents at the time of eligibility
2543 determination.

2544 3. Child care providers that participate in the school
2545 readiness program or the Voluntary Prekindergarten Education
2546 Program at the time of execution of the statewide provider
2547 contract.

2548 4. Board members required under s. 1002.83.

2549 (b) Results of the survey shall be based on a statistically
2550 significant sample size and calculated annually for each early
2551 learning coalition and included in the department's annual
2552 report published under subsection (7). If an early learning
2553 coalition's customer satisfaction survey results are below 60
2554 percent, the coalition shall be placed on a 1-year corrective
2555 action plan. If, after being placed on corrective action, an
2556 early learning coalition's customer satisfaction survey results
2557 do not improve above the 60 percent threshold, the department
2558 may contract out or merge the coalition.

2559 (4) ~~(3)~~ If the department ~~office~~ determines during the
2560 review of school readiness program plans, or through monitoring
2561 and performance evaluations conducted under s. 1002.85, that an
2562 early learning coalition has not substantially implemented its



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2563 plan, has not substantially met the performance standards and
2564 outcome measures adopted by the department office, or has not
2565 effectively administered the school readiness program or
2566 Voluntary Prekindergarten Education Program, the department
2567 office may remove the coalition from eligibility to administer
2568 early learning programs and temporarily contract with a
2569 qualified entity to continue school readiness program and
2570 prekindergarten services in the coalition's county or
2571 multicounty region until the department office reestablishes or
2572 merges the coalition and a new school readiness program plan is
2573 approved in accordance with the rules adopted by the state board
2574 office.

2575 (5) The department shall adopt procedures for merging early
2576 learning coalitions for failure to meet the requirements of
2577 subsection (3) or subsection (4), including procedures for the
2578 consolidation of merging coalitions that minimizes duplication
2579 of programs and services due to the merger, and for the early
2580 termination of the terms of the coalition members which are
2581 necessary to accomplish the mergers.

2582 (6)-(4) The department office may request the Governor to
2583 apply for a waiver to allow a coalition to administer the Head
2584 Start Program to accomplish the purposes of the school readiness
2585 program.

2586 (7)-(5) By January 1 of each year, the department office
2587 shall annually publish on its website a report of its activities
2588 conducted under this section. The report must include a summary
2589 of the coalitions' annual reports, a statewide summary, and the
2590 following:

2591 (a) An analysis of early learning activities throughout the



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2592 state, including the school readiness program and the Voluntary
2593 Prekindergarten Education Program.

2594 1. The total and average number of children served in the
2595 school readiness program, enumerated by age, eligibility
2596 priority category, and coalition, and the total number of
2597 children served in the Voluntary Prekindergarten Education
2598 Program.

2599 2. A summary of expenditures by coalition, by fund source,
2600 including a breakdown by coalition of the percentage of
2601 expenditures for administrative activities, quality activities,
2602 nondirect services, and direct services for children.

2603 3. A description of the department's office's and each
2604 coalition's expenditures by fund source for the quality and
2605 enhancement activities described in s. 1002.89(5)(b) ~~s.~~
2606 ~~1002.89(6)(b)~~.

2607 4. A summary of annual findings and collections related to
2608 provider fraud and parent fraud.

2609 5. Data regarding the coalitions' delivery of early
2610 learning programs.

2611 6. The total number of children disenrolled statewide and
2612 the reason for disenrollment.

2613 7. The total number of providers by provider type.

2614 8. The number of school readiness program providers who
2615 have completed the program assessment required under paragraph
2616 (2)(n); the number of providers who have not met the minimum
2617 program assessment composite score threshold ~~threshold~~ for contracting
2618 established under paragraph (2)(n); and the number of providers
2619 that have an active improvement plan based on the results of the
2620 program assessment under paragraph (2)(n).



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2621 9. The total number of provider contracts revoked and the
2622 reasons for revocation.

2623 (b) A detailed summary of the analysis compiled using the
2624 single statewide information system established in subsection
2625 (2) activities and detailed expenditures related to the Child
2626 Care Executive Partnership Program.

2627 (8) (a) (6) (a) Parental choice of child care providers,
2628 including private and faith-based providers, shall be
2629 established to the maximum extent practicable in accordance with
2630 45 C.F.R. s. 98.30.

2631 (b) As used in this subsection, the term "payment
2632 certificate" means a child care certificate as defined in 45
2633 C.F.R. s. 98.2.

2634 (c) The school readiness program shall, in accordance with
2635 45 C.F.R. s. 98.30, provide parental choice through a payment
2636 certificate that provides, to the maximum extent possible,
2637 flexibility in the school readiness program and payment
2638 arrangements. The payment certificate must bear the names of the
2639 beneficiary and the program provider and, when redeemed, must
2640 bear the signatures of both the beneficiary and an authorized
2641 representative of the provider.

2642 (d) If it is determined that a provider has given any cash
2643 or other consideration to the beneficiary in return for
2644 receiving a payment certificate, the early learning coalition or
2645 its fiscal agent shall refer the matter to the Department of
2646 Financial Services pursuant to s. 414.411 for investigation.

2647 (9) (7) Participation in the school readiness program does
2648 not expand the regulatory authority of the state, its officers,
2649 or an early learning coalition to impose any additional



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2650 regulation on providers beyond those necessary to enforce the
2651 requirements set forth in this part and part V of this chapter.

2652 Section 51. Present subsections (5) through (14) of section
2653 1002.83, Florida Statutes, are redesignated as subsections (6)
2654 through (15), respectively, a new subsection (5) is added to
2655 that section, and subsections (1) and (3), paragraphs (e), (f),
2656 and (m) of subsection (4), and present subsections (5), (11),
2657 and (13) are amended, to read:

2658 1002.83 Early learning coalitions.—

2659 (1) Thirty ~~Thirty-one~~ or fewer early learning coalitions
2660 are established and shall maintain direct enhancement services
2661 at the local level and provide access to such services in all 67
2662 counties. Two or more early learning coalitions may join for
2663 purposes of planning and implementing a school readiness program
2664 and the Voluntary Prekindergarten Education Program.

2665 (3) The Governor shall appoint the chair and two other
2666 members of each early learning coalition, who must each meet the
2667 ~~same~~ qualifications of a as private sector business member
2668 ~~members appointed by the coalition~~ under subsection (6) ~~(5)~~. In
2669 the absence of a governor-appointed chair, the Commissioner of
2670 Education may appoint an interim chair from the current early
2671 learning coalition board membership.

2672 (4) Each early learning coalition must include the
2673 following member positions; however, in a multicounty coalition,
2674 each ex officio member position may be filled by multiple
2675 nonvoting members but no more than one voting member shall be
2676 seated per member position. If an early learning coalition has
2677 more than one member representing the same entity, only one of
2678 such members may serve as a voting member:



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2679 (e) A children's services council or juvenile welfare board
2680 chair or executive director from each county, if applicable.

2681 (f) A Department of Children and Families child care
2682 regulation representative or an agency head of a local licensing
2683 agency as defined in s. 402.302, where applicable.

2684 ~~(m) A central agency administrator, where applicable.~~

2685 (5) If members of the board are found to be
2686 nonparticipating according to the early learning coalition
2687 bylaws, the early learning coalition may request an alternate
2688 designee who meets the same qualifications or membership
2689 requirements of the nonparticipating member.

2690 ~~(6)-(5)~~ The early learning coalition may appoint additional
2691 ~~Including the members who appointed by the Governor under~~
2692 ~~subsection (3), more than one-third of the members of each early~~
2693 ~~learning coalition~~ must be private sector business members,
2694 either for-profit or nonprofit, who do not have, and none of
2695 whose relatives as defined in s. 112.3143 has, a substantial
2696 financial interest in the design or delivery of the Voluntary
2697 Prekindergarten Education Program created under part V of this
2698 chapter or the school readiness program. ~~To meet this~~
2699 ~~requirement, an early learning coalition must appoint additional~~
2700 ~~members.~~ The department office shall establish criteria for
2701 appointing private sector business members. These criteria must
2702 include standards for determining whether a member or relative
2703 has a substantial financial interest in the design or delivery
2704 of the Voluntary Prekindergarten Education Program or the school
2705 readiness program.

2706 ~~(12)-(11)~~ (12) Each early learning coalition shall establish
2707 terms for all appointed members of the coalition. The terms must



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2708 be staggered and must be a uniform length that does not exceed 4
2709 years per term. ~~Coalition chairs shall be appointed for 4 years~~
2710 ~~in conjunction with their membership on the Early Learning~~
2711 ~~Advisory Council pursuant to s. 20.052.~~ Appointed members may
2712 serve a maximum of two consecutive terms. When a vacancy occurs
2713 in an appointed position, the coalition must advertise the
2714 vacancy.

2715 (14) ~~(13)~~ Each early learning coalition shall complete an
2716 annual evaluation of the early learning coalition's executive
2717 director or chief executive officer on forms adopted by the
2718 department. The annual evaluation must be submitted to the
2719 commissioner by June 30 of each year ~~use a coordinated~~
2720 ~~professional development system that supports the achievement~~
2721 ~~and maintenance of core competencies by school readiness program~~
2722 ~~teachers in helping children attain the performance standards~~
2723 ~~adopted by the office.~~

2724 Section 52. Present subsections (7) through (20) of section
2725 1002.84, Florida Statutes, are redesignated as subsections (8)
2726 through (21), respectively, a new subsection (7) is added to
2727 that section, and subsections (1), (2), and (4) and present
2728 subsections (7), (8), (15), (16), (17), (18), and (20) of that
2729 section are amended, to read:

2730 1002.84 Early learning coalitions; school readiness powers
2731 and duties.—Each early learning coalition shall:

2732 (1) Administer and implement a local comprehensive program
2733 of school readiness program services in accordance with this
2734 part and the rules adopted by the department ~~office~~, which
2735 enhances the cognitive, social, and physical development of
2736 children to achieve the performance standards.



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2737 (2) Establish a uniform waiting list to track eligible
2738 children waiting for enrollment in the school readiness program
2739 in accordance with rules adopted by the State Board of Education
2740 office.

2741 (4) Establish a regional Warm-Line as directed by the
2742 department office pursuant to s. 1002.82(2)(u) ~~s. 1002.82(2)(t)~~.
2743 Regional Warm-Line staff shall provide onsite technical
2744 assistance, when requested, to assist child care facilities and
2745 family day care homes with inquiries relating to the strategies,
2746 curriculum, and environmental adaptations the child care
2747 facilities and family day care homes may need as they serve
2748 children with disabilities and other special needs.

2749 (7) Use a coordinated professional development system that
2750 supports the achievement and maintenance of core competencies by
2751 school readiness program teachers in helping children attain the
2752 performance standards adopted by the department.

2753 (8) ~~(7)~~ Determine child eligibility pursuant to s. 1002.87
2754 and provider eligibility pursuant to s. 1002.88. Child
2755 eligibility must be redetermined annually. A coalition must
2756 document the reason a child is no longer eligible for the school
2757 readiness program according to the standard codes prescribed by
2758 the department office.

2759 (9) ~~(8)~~ Establish a parent sliding fee scale that provides
2760 for a parent copayment that is not a barrier to families
2761 receiving school readiness program services. ~~Providers are~~
2762 ~~required to collect the parent's copayment.~~ A coalition may, ~~on~~
2763 ~~a case-by-case basis,~~ waive the copayment for an at-risk child
2764 or temporarily waive the copayment for a child whose family's
2765 income is at or below the federal poverty level or ~~and~~ whose



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2766 family experiences a natural disaster or an event that limits
2767 the parent's ability to pay, such as incarceration, placement in
2768 residential treatment, or becoming homeless, or an emergency
2769 situation such as a household fire or burglary, or while the
2770 parent is participating in parenting classes or participating in
2771 an Early Head Start program or Head Start Program. A parent may
2772 not transfer school readiness program services to another school
2773 readiness program provider until the parent has submitted
2774 documentation from the current school readiness program provider
2775 to the early learning coalition stating that the parent has
2776 satisfactorily fulfilled the copayment obligation.

2777 (16) ~~(15)~~ Monitor school readiness program providers in
2778 accordance with its plan, or in response to a parental
2779 complaint, to verify that the standards prescribed in ss.
2780 1002.82 and 1002.88 are being met using a standard monitoring
2781 tool adopted by the department ~~office~~. Providers determined to
2782 be high-risk by the coalition, as demonstrated by substantial
2783 findings of violations of federal law or the general or local
2784 laws of the state, shall be monitored more frequently. Providers
2785 with 3 consecutive years of compliance may be monitored
2786 biennially.

2787 (17) ~~(16)~~ Adopt a payment schedule that encompasses all
2788 programs funded under this part and part V of this chapter. The
2789 payment schedule must take into consideration the prevailing
2790 ~~average~~ market rate, include the projected number of children to
2791 be served, and be submitted for approval by the department
2792 ~~office~~. Informal child care arrangements shall be reimbursed at
2793 not more than 50 percent of the rate adopted for a family day
2794 care home.



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2795 ~~(18)~~~~(17)~~ Implement an anti-fraud plan addressing the
2796 detection, reporting, and prevention of overpayments, abuse, and
2797 fraud relating to the provision of and payment for school
2798 readiness program and Voluntary Prekindergarten Education
2799 Program services and submit the plan to the department office
2800 for approval, as required by s. 1002.91.

2801 ~~(19)~~~~(18)~~ By October 1 of each year, submit an annual report
2802 to the department office. The report shall conform to the format
2803 adopted by the department office and must include:

2804 (a) Segregation of school readiness program funds,
2805 Voluntary Prekindergarten Education Program funds, ~~Child Care~~
2806 ~~Executive Partnership Program funds~~, and other local revenues
2807 available to the coalition.

2808 (b) Details of expenditures by fund source, including total
2809 expenditures for administrative activities, quality activities,
2810 nondirect services, and direct services for children.

2811 (c) The total number of coalition staff and the related
2812 expenditures for salaries and benefits. For any subcontracts,
2813 the total number of contracted staff and the related
2814 expenditures for salaries and benefits must be included.

2815 (d) The number of children served in the school readiness
2816 program, by provider type, enumerated by age and eligibility
2817 priority category, reported as the number of children served
2818 during the month, the average participation throughout the
2819 month, and the number of children served during the month.

2820 (e) The total number of children disenrolled during the
2821 year and the reasons for disenrollment.

2822 (f) The total number of providers by provider type.

2823 (g) A listing of any school readiness program provider, by



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2824 type, whose eligibility to deliver the school readiness program
2825 is revoked, including a brief description of the state or
2826 federal violation that resulted in the revocation.

2827 (h) An evaluation of its direct enhancement services.

2828 (i) The total number of children served in each provider
2829 facility.

2830 (21) (a) ~~(20)~~ To increase transparency and accountability,
2831 comply with the requirements of this section before contracting
2832 with one or more of the following persons or business entities
2833 which employs, has a contractual relationship with, or is owned
2834 by the following persons:

2835 1. A member of the coalition appointed pursuant to s.
2836 1002.83(4);

2837 2. A board member of any other early learning subrecipient
2838 entity;

2839 3. A coalition employee; or

2840 4. A relative, as defined in s. 112.3143(1)(c), of any
2841 person listed in subparagraphs 1.-3 ~~a coalition member or of an~~
2842 employee of the coalition.

2843 (b) Such contracts may not be executed without the approval
2844 of the department office. Such contracts, as well as
2845 documentation demonstrating adherence to this section by the
2846 coalition, must be approved by a two-thirds vote of the
2847 coalition, a quorum having been established; all conflicts of
2848 interest must be disclosed before the vote; and any member who
2849 may benefit from the contract, or whose relative may benefit
2850 from the contract, must abstain from the vote. A contract under
2851 \$25,000 ~~between an early learning coalition and a member of that~~
2852 ~~coalition or between a relative, as defined in s.~~



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2853 ~~112.3143(1)(c), of a coalition member or of an employee of the~~
2854 ~~coalition~~ is not required to have the prior approval of the
2855 ~~department office~~ but must be approved by a two-thirds vote of
2856 the coalition, a quorum having been established, and must be
2857 reported to the ~~department office~~ within 30 days after approval.
2858 If a contract cannot be approved by the ~~department office~~, a
2859 review of the decision to disapprove the contract may be
2860 requested by the early learning coalition or other parties to
2861 the disapproved contract.

2862 Section 53. Section 1002.85, Florida Statutes, is amended
2863 to read:

2864 1002.85 Early learning coalition plans.—

2865 (1) The ~~department office~~ shall adopt rules prescribing the
2866 standardized format and required content of school readiness
2867 program plans as necessary for a coalition or other qualified
2868 entity to administer the school readiness program as provided in
2869 this part.

2870 (2) Each early learning coalition must biennially submit a
2871 school readiness program plan to the ~~department office~~ before
2872 the expenditure of funds. A coalition may not implement its
2873 school readiness program plan until it receives approval from
2874 the ~~department office~~. A coalition may not implement any
2875 revision to its school readiness program plan until the
2876 coalition submits the revised plan to and receives approval from
2877 the ~~department office~~. If the ~~department office~~ rejects a plan
2878 or revision, the coalition must continue to operate under its
2879 previously approved plan. The plan must include, but is not
2880 limited to:

2881 (a) The coalition's operations, including its membership



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2882 and business organization, and the coalition's articles of
2883 incorporation and bylaws if the coalition is organized as a
2884 corporation. If the coalition is not organized as a corporation
2885 or other business entity, the plan must include the contract
2886 with a fiscal agent.

2887 (b) The minimum number of children to be served by care
2888 level.

2889 (c) The coalition's procedures for implementing the
2890 requirements of this part, including:

2891 1. Single point of entry.

2892 2. Uniform waiting list.

2893 3. Eligibility and enrollment processes and local
2894 eligibility priorities for children pursuant to s. 1002.87.

2895 4. Parent access and choice.

2896 5. Sliding fee scale and policies on applying the waiver or
2897 reduction of fees in accordance with s. 1002.84(9) ~~s.~~
2898 ~~1002.84(8)~~.

2899 6. Use of preassessments and postassessments, as
2900 applicable.

2901 7. Payment rate schedule.

2902 8. Use of contracted slots, as applicable, based on the
2903 results of the assessment required under paragraph (j).

2904 (d) A detailed description of the coalition's quality
2905 activities and services, including, but not limited to:

2906 1. Resource and referral and school-age child care.

2907 2. Infant and toddler early learning.

2908 3. Inclusive early learning programs.

2909 4. Quality improvement strategies that strengthen teaching
2910 practices and increase child outcomes.



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2911 (e) A detailed budget that outlines estimated expenditures
2912 for state, federal, and local matching funds at the lowest level
2913 of detail available by other-cost-accumulator code number; all
2914 estimated sources of revenue with identifiable descriptions; a
2915 listing of full-time equivalent positions; contracted
2916 subcontractor costs with related annual compensation amount or
2917 hourly rate of compensation; and a capital improvements plan
2918 outlining existing fixed capital outlay projects and proposed
2919 capital outlay projects that will begin during the budget year.

2920 (f) A detailed accounting, in the format prescribed by the
2921 department office, of all revenues and expenditures during the
2922 previous state fiscal year. Revenue sources should be
2923 identifiable, and expenditures should be reported by two ~~three~~
2924 categories: state and federal funds and ~~and~~ local matching funds ~~and~~
2925 ~~and Child Care Executive Partnership Program funds.~~

2926 (g) Updated policies and procedures, including those
2927 governing procurement, maintenance of tangible personal
2928 property, maintenance of records, information technology
2929 security, and disbursement controls.

2930 (h) A description of the procedures for monitoring school
2931 readiness program providers, including in response to a parental
2932 complaint, to determine that the standards prescribed in ss.
2933 1002.82 and 1002.88 are met using a standard monitoring tool
2934 adopted by the department office. Providers determined to be
2935 high risk by the coalition as demonstrated by substantial
2936 findings of violations of law shall be monitored more
2937 frequently.

2938 (i) Documentation that the coalition has solicited and
2939 considered comments regarding the proposed school readiness



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2940 program plan from the local community.

2941 (j) An assessment of local priorities within the county or
2942 multicounty region based on the needs of families and provider
2943 capacity using available community data.

2944 (3) The coalition may periodically amend its plan as
2945 necessary. An amended plan must be submitted to and approved by
2946 the department ~~office~~ before any expenditures are incurred on
2947 the new activities proposed in the amendment.

2948 (4) The department ~~office~~ shall publish a copy of the
2949 standardized format and required content of school readiness
2950 program plans on its website.

2951 (5) The department ~~office~~ shall collect and report data on
2952 coalition delivery of early learning programs. Elements shall
2953 include, but are not limited to, measures related to progress
2954 towards reducing the number of children on the waiting list, the
2955 percentage of children served by the program as compared to the
2956 number of administrative staff and overhead, the percentage of
2957 children served compared to total number of children under the
2958 age of 5 years below 150 percent of the federal poverty level,
2959 provider payment processes, fraud intervention, child attendance
2960 and stability, use of child care resource and referral, and
2961 kindergarten readiness outcomes for children in the Voluntary
2962 Prekindergarten Education Program or the school readiness
2963 program upon entry into kindergarten. The department ~~office~~
2964 shall request input from the coalitions and school readiness
2965 program providers before finalizing the format and data to be
2966 used. The report shall be implemented beginning July 1, 2014,
2967 and results of the report must be included in the annual report
2968 under s. 1002.82.



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2969 Section 54. Paragraphs (a), (b), (c), (e), (f), (m), (n),
2970 (p), and (q) of subsection (1) and subsection (3) of section
2971 1002.88, Florida Statutes, are amended, and paragraph (s) is
2972 added to subsection (1) of that section, to read:

2973 1002.88 School readiness program provider standards;
2974 eligibility to deliver the school readiness program.—

2975 (1) To be eligible to deliver the school readiness program,
2976 a school readiness program provider must:

2977 (a) Be a child care facility licensed under s. 402.305, a
2978 family day care home licensed or registered under s. 402.313, a
2979 large family child care home licensed under s. 402.3131, a
2980 public school or nonpublic school exempt from licensure under s.
2981 402.3025, a faith-based child care provider exempt from
2982 licensure under s. 402.316, a before-school or after-school
2983 program described in s. 402.305(1)(c), a child development
2984 program that is accredited by a national accrediting body and
2985 operates on a military installation that is certified by the
2986 United States Department of Defense, ~~or~~ an informal child care
2987 provider to the extent authorized in the state's Child Care and
2988 Development Fund Plan as approved by the United States
2989 Department of Health and Human Services pursuant to 45 C.F.R. s.
2990 98.18, or a provider who has been issued a provisional license
2991 pursuant to s. 402.309. A provider may not deliver the program
2992 while holding a probation-status license under s. 402.310.

2993 (b) Provide instruction and activities to enhance the age-
2994 appropriate progress of each child in attaining the child
2995 development standards adopted by the department ~~office~~ pursuant
2996 to s. 1002.82(2)(j). A provider should include activities to
2997 foster brain development in infants and toddlers; provide an



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2998 environment that is rich in language and music and filled with
2999 objects of various colors, shapes, textures, and sizes to
3000 stimulate visual, tactile, auditory, and linguistic senses; and
3001 include 30 minutes of reading to children each day.

3002 (c) Provide basic health and safety of its premises and
3003 facilities and compliance with requirements for age-appropriate
3004 immunizations of children enrolled in the school readiness
3005 program.

3006 1. For a provider that is licensed, compliance with s.
3007 402.305, s. 402.3131, or s. 402.313 and this subsection, as
3008 verified pursuant to s. 402.311, satisfies this requirement.

3009 2. For a provider that is a registered family day care home
3010 or is not subject to licensure or registration by the Department
3011 of Children and Families, compliance with this subsection, as
3012 verified pursuant to s. 402.311, satisfies this requirement.
3013 Upon verification pursuant to s. 402.311, the provider shall
3014 annually post the health and safety checklist adopted by the
3015 department office prominently on its premises in plain sight for
3016 visitors and parents and shall annually submit the checklist to
3017 its local early learning coalition.

3018 3. For a child development program that is accredited by a
3019 national accrediting body and operates on a military
3020 installation that is certified by the United States Department
3021 of Defense, the submission and verification of annual
3022 inspections pursuant to United States Department of Defense
3023 Instructions 6060.2 and 1402.05 satisfies this requirement.

3024 (e) Employ child care personnel, as defined in s.
3025 402.302(3), who have satisfied the screening requirements of
3026 chapter 402 and fulfilled the training requirements of the



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3027 department office.

3028 (f) Implement one of the curricula approved by the
3029 department office that meets the child development standards.

3030 (m) For a provider that is not an informal provider,
3031 maintain general liability insurance and provide the coalition
3032 with written evidence of general liability insurance coverage,
3033 including coverage for transportation of children if school
3034 readiness program children are transported by the provider. A
3035 provider must obtain and retain an insurance policy that
3036 provides a minimum of \$100,000 of coverage per occurrence and a
3037 minimum of \$300,000 general aggregate coverage. The department
3038 office may authorize lower limits upon request, as appropriate.
3039 A provider must add the coalition as a named certificateholder
3040 and as an additional insured. A provider must provide the
3041 coalition with a minimum of 10 calendar days' advance written
3042 notice of cancellation of or changes to coverage. The general
3043 liability insurance required by this paragraph must remain in
3044 full force and effect for the entire period of the provider
3045 contract with the coalition.

3046 (n) For a provider that is an informal provider, comply
3047 with the provisions of paragraph (m) or maintain homeowner's
3048 liability insurance and, if applicable, a business rider. If an
3049 informal provider chooses to maintain a homeowner's policy, the
3050 provider must obtain and retain a homeowner's insurance policy
3051 that provides a minimum of \$100,000 of coverage per occurrence
3052 and a minimum of \$300,000 general aggregate coverage. The
3053 department office may authorize lower limits upon request, as
3054 appropriate. An informal provider must add the coalition as a
3055 named certificateholder and as an additional insured. An



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3056 informal provider must provide the coalition with a minimum of
3057 10 calendar days' advance written notice of cancellation of or
3058 changes to coverage. The general liability insurance required by
3059 this paragraph must remain in full force and effect for the
3060 entire period of the provider's contract with the coalition.

3061 (p) Notwithstanding paragraph (m), for a provider that is a
3062 state agency or a subdivision thereof, as defined in s.

3063 768.28(2), agree to notify the coalition of any additional
3064 liability coverage maintained by the provider in addition to
3065 that otherwise established under s. 768.28. The provider shall
3066 indemnify the coalition to the extent permitted by s. 768.28.

3067 Notwithstanding paragraph (m), for a child development program
3068 that is accredited by a national accrediting body and operates
3069 on a military installation that is certified by the United
3070 States Department of Defense, the provider may demonstrate
3071 liability coverage by affirming that it is subject to the
3072 Federal Tort Claims Act, 28 U.S.C. ss. 2671 et seq.

3073 (q) Execute the standard statewide provider contract
3074 adopted by the department office.

3075 (s) Collect all parent copayment fees, unless a waiver has
3076 been granted under s. 1002.84(8).

3077 (3) The department office and the coalitions may not:

3078 (a) Impose any requirement on a child care provider or
3079 early childhood education provider that does not deliver
3080 services under the school readiness program or receive state or
3081 federal funds under this part;

3082 (b) Impose any requirement on a school readiness program
3083 provider that exceeds the authority provided under this part or
3084 part V of this chapter or rules adopted pursuant to this part or



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3085 part V of this chapter; or

3086 (c) Require a provider to administer a preassessment or
3087 postassessment.

3088 Section 55. Present subsections (3) through (7) of section
3089 1002.89, Florida Statutes, are redesignated as subsections (2)
3090 through (6), respectively, and present subsections (2), (3), and
3091 (6) of that section are amended, to read:

3092 1002.89 School readiness program; funding.—

3093 ~~(2) The office shall administer school readiness program~~
3094 ~~funds and prepare and submit a unified budget request for the~~
3095 ~~school readiness program in accordance with chapter 216.~~

3096 (2)~~(3)~~ All instructions to early learning coalitions for
3097 administering this section shall emanate from the department
3098 ~~office~~ in accordance with the policies of the Legislature.

3099 (5)~~(6)~~ Costs shall be kept to the minimum necessary for the
3100 efficient and effective administration of the school readiness
3101 program with the highest priority of expenditure being direct
3102 services for eligible children. However, no more than 5 percent
3103 of the funds described in subsection (4) ~~subsection (5)~~ may be
3104 used for administrative costs and no more than 22 percent of the
3105 funds described in subsection (4) ~~subsection (5)~~ may be used in
3106 any fiscal year for any combination of administrative costs,
3107 quality activities, and nondirect services as follows:

3108 (a) Administrative costs as described in 45 C.F.R. s.
3109 98.52, which shall include monitoring providers using the
3110 standard methodology adopted under s. 1002.82 to improve
3111 compliance with state and federal regulations and law pursuant
3112 to the requirements of the statewide provider contract adopted
3113 under s. 1002.82(2)(m).



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3114 (b) Activities to improve the quality of child care as
3115 described in 45 C.F.R. s. 98.51, which shall be limited to the
3116 following:

3117 1. Developing, establishing, expanding, operating, and
3118 coordinating resource and referral programs specifically related
3119 to the provision of comprehensive consumer education to parents
3120 and the public to promote informed child care choices specified
3121 in 45 C.F.R. s. 98.33.

3122 2. Awarding grants and providing financial support to
3123 school readiness program providers and their staff to assist
3124 them in meeting applicable state requirements for the program
3125 assessment required under s. 1002.82(2)(n), child care
3126 performance standards, implementing developmentally appropriate
3127 curricula and related classroom resources that support
3128 curricula, providing literacy supports, and providing continued
3129 professional development and training. Any grants awarded
3130 pursuant to this subparagraph shall comply with ss. 215.971 and
3131 287.058.

3132 3. Providing training, technical assistance, and financial
3133 support to school readiness program providers, staff, and
3134 parents on standards, child screenings, child assessments, child
3135 development research and best practices, developmentally
3136 appropriate curricula, character development, teacher-child
3137 interactions, age-appropriate discipline practices, health and
3138 safety, nutrition, first aid, cardiopulmonary resuscitation, the
3139 recognition of communicable diseases, and child abuse detection,
3140 prevention, and reporting.

3141 4. Providing, from among the funds provided for the
3142 activities described in subparagraphs 1.-3., adequate funding



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3143 for infants and toddlers as necessary to meet federal
3144 requirements related to expenditures for quality activities for
3145 infant and toddler care.

3146 5. Improving the monitoring of compliance with, and
3147 enforcement of, applicable state and local requirements as
3148 described in and limited by 45 C.F.R. s. 98.40.

3149 6. Responding to Warm-Line requests by providers and
3150 parents, including providing developmental and health screenings
3151 to school readiness program children.

3152 (c) Nondirect services as described in applicable Office of
3153 Management and Budget instructions are those services not
3154 defined as administrative, direct, or quality services that are
3155 required to administer the school readiness program. Such
3156 services include, but are not limited to:

3157 1. Assisting families to complete the required application
3158 and eligibility documentation.

3159 2. Determining child and family eligibility.

3160 3. Recruiting eligible child care providers.

3161 4. Processing and tracking attendance records.

3162 5. Developing and maintaining a statewide child care
3163 information system.

3164

3165 As used in this paragraph, the term "nondirect services" does
3166 not include payments to school readiness program providers for
3167 direct services provided to children who are eligible under s.
3168 1002.87, administrative costs as described in paragraph (a), or
3169 quality activities as described in paragraph (b).

3170 Section 56. Subsection (1), paragraph (a) of subsection
3171 (2), and subsections (4), (5), and (6) of section 1002.895,



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3172 Florida Statutes, are amended to read:
3173 1002.895 Market rate schedule.—The school readiness program
3174 market rate schedule shall be implemented as follows:
3175 (1) The department office shall establish procedures for
3176 the adoption of a market rate schedule. The schedule must
3177 include, at a minimum, county-by-county rates:
3178 (a) The market rate, including the minimum and the maximum
3179 rates for child care providers that hold a Gold Seal Quality
3180 Care designation under s. 1002.945 and adhere to its accrediting
3181 association's teacher-to-child ratios and group size
3182 requirements s. 402.281.
3183 (b) The market rate for child care providers that do not
3184 hold a Gold Seal Quality Care designation.
3185 (2) The market rate schedule, at a minimum, must:
3186 (a) Differentiate rates by type, including, but not limited
3187 to, a child care provider that holds a Gold Seal Quality Care
3188 designation under s. 1002.945 and adheres to its accrediting
3189 association's teacher-to-child ratios and group size
3190 requirements s. 402.281, a child care facility licensed under s.
3191 402.305, a public or nonpublic school exempt from licensure
3192 under s. 402.3025, a faith-based child care facility exempt from
3193 licensure under s. 402.316 that does not hold a Gold Seal
3194 Quality Care designation, a large family child care home
3195 licensed under s. 402.3131, or a family day care home licensed
3196 or registered under s. 402.313.
3197 (4) The market rate schedule shall be considered by an
3198 early learning coalition in the adoption of a payment schedule.
3199 The payment schedule must take into consideration the prevailing
3200 average market rate and, include the projected number of



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3201 children to be served by each county, and be submitted for
3202 approval by the department office. Informal child care
3203 arrangements shall be reimbursed at not more than 50 percent of
3204 the rate adopted for a family day care home.

3205 (5) The department office may contract with one or more
3206 qualified entities to administer this section and provide
3207 support and technical assistance for child care providers.

3208 (6) The department office may adopt rules for establishing
3209 procedures for the collection of child care providers' market
3210 rate, the calculation of the prevailing average market rate by
3211 program care level and provider type in a predetermined
3212 geographic market, and the publication of the market rate
3213 schedule.

3214 Section 57. Section 1002.91, Florida Statutes, is amended
3215 to read:

3216 1002.91 Investigations of fraud or overpayment; penalties.—

3217 (1) As used in this subsection, the term "fraud" means an
3218 intentional deception, omission, or misrepresentation made by a
3219 person with knowledge that the deception, omission, or
3220 misrepresentation may result in unauthorized benefit to that
3221 person or another person, or any aiding and abetting of the
3222 commission of such an act. The term includes any act that
3223 constitutes fraud under applicable federal or state law.

3224 (2) To recover state, federal, and local matching funds,
3225 the department office shall investigate early learning
3226 coalitions, recipients, and providers of the school readiness
3227 program and the Voluntary Prekindergarten Education Program to
3228 determine possible fraud or overpayment. If by its own
3229 inquiries, or as a result of a complaint, the department office



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3230 has reason to believe that a person, coalition, or provider has
3231 engaged in, or is engaging in, a fraudulent act, it shall
3232 investigate and determine whether any overpayment has occurred
3233 due to the fraudulent act. During the investigation, the
3234 department office may examine all records, including electronic
3235 benefits transfer records, and make inquiry of all persons who
3236 may have knowledge as to any irregularity incidental to the
3237 disbursement of public moneys or other items or benefits
3238 authorizations to recipients.

3239 (3) Based on the results of the investigation, the
3240 department office may, in its discretion, refer the
3241 investigation to the Department of Financial Services for
3242 criminal investigation or refer the matter to the applicable
3243 coalition. Any suspected criminal violation identified by the
3244 department office must be referred to the Department of
3245 Financial Services for criminal investigation.

3246 (4) An early learning coalition may suspend or terminate a
3247 provider from participation in the school readiness program or
3248 the Voluntary Prekindergarten Education Program when it has
3249 reasonable cause to believe that the provider has committed
3250 fraud. The department office shall adopt by rule appropriate due
3251 process procedures that the early learning coalition shall apply
3252 in suspending or terminating any provider, including the
3253 suspension or termination of payment. If suspended, the provider
3254 shall remain suspended until the completion of any investigation
3255 by the department office, the Department of Financial Services,
3256 or any other state or federal agency, and any subsequent
3257 prosecution or other legal proceeding.

3258 (5) If a school readiness program provider or a Voluntary



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3259 Prekindergarten Education Program provider, or an owner,
3260 officer, or director thereof, is convicted of, found guilty of,
3261 or pleads guilty or nolo contendere to, regardless of
3262 adjudication, public assistance fraud pursuant to s. 414.39, or
3263 is acting as the beneficial owner for someone who has been
3264 convicted of, found guilty of, or pleads guilty or nolo
3265 contendere to, regardless of adjudication, public assistance
3266 fraud pursuant to s. 414.39, the early learning coalition shall
3267 refrain from contracting with, or using the services of, that
3268 provider for a period of 5 years. In addition, the coalition
3269 shall refrain from contracting with, or using the services of,
3270 any provider that shares an officer or director with a provider
3271 that is convicted of, found guilty of, or pleads guilty or nolo
3272 contendere to, regardless of adjudication, public assistance
3273 fraud pursuant to s. 414.39 for a period of 5 years.

3274 (6) If the investigation is not confidential or otherwise
3275 exempt from disclosure by law, the results of the investigation
3276 may be reported by the department ~~office~~ to the appropriate
3277 legislative committees, the Department of Children and Families,
3278 and such other persons as the department ~~office~~ deems
3279 appropriate.

3280 (7) The early learning coalition may not contract with a
3281 school readiness program provider or a Voluntary Prekindergarten
3282 Education Program provider who is on the United States
3283 Department of Agriculture National Disqualified List. In
3284 addition, the coalition may not contract with any provider that
3285 shares an officer or director with a provider that is on the
3286 United States Department of Agriculture National Disqualified
3287 List.



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3288 (8) Each early learning coalition shall adopt an anti-fraud
3289 plan addressing the detection and prevention of overpayments,
3290 abuse, and fraud relating to the provision of and payment for
3291 school readiness program and Voluntary Prekindergarten Education
3292 Program services and submit the plan to the department ~~office~~
3293 for approval. The department ~~office~~ shall adopt rules
3294 establishing criteria for the anti-fraud plan, including
3295 appropriate due process provisions. The anti-fraud plan must
3296 include, at a minimum:

3297 (a) A written description or chart outlining the
3298 organizational structure of the plan's personnel who are
3299 responsible for the investigation and reporting of possible
3300 overpayment, abuse, or fraud.

3301 (b) A description of the plan's procedures for detecting
3302 and investigating possible acts of fraud, abuse, or overpayment.

3303 (c) A description of the plan's procedures for the
3304 mandatory reporting of possible overpayment, abuse, or fraud to
3305 the Office of Inspector General within the department ~~office~~.

3306 (d) A description of the plan's program and procedures for
3307 educating and training personnel on how to detect and prevent
3308 fraud, abuse, and overpayment.

3309 (e) A description of the plan's procedures, including the
3310 appropriate due process provisions adopted by the department
3311 ~~office~~ for suspending or terminating from the school readiness
3312 program or the Voluntary Prekindergarten Education Program a
3313 recipient or provider who the early learning coalition believes
3314 has committed fraud.

3315 (9) A person who commits an act of fraud as defined in this
3316 section is subject to the penalties provided in s. 414.39(5)(a)



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3317 and (b).

3318 Section 58. Subsections (1) and (2) and paragraphs (a),
3319 (c), and (d) of subsection (3) of section 1002.92, Florida
3320 Statutes, are amended to read:

3321 1002.92 Child care and early childhood resource and
3322 referral.—

3323 (1) As a part of the school readiness program, the
3324 department office shall establish a statewide child care
3325 resource and referral network that is unbiased and provides
3326 referrals to families for child care and information on
3327 available community resources. Preference shall be given to
3328 using early learning coalitions as the child care resource and
3329 referral agencies. If an early learning coalition cannot comply
3330 with the requirements to offer the resource information
3331 component or does not want to offer that service, the early
3332 learning coalition shall select the resource and referral agency
3333 for its county or multicounty region based upon the procurement
3334 requirements of s. 1002.84(13) ~~s. 1002.84(12)~~.

3335 (2) At least one child care resource and referral agency
3336 must be established in each early learning coalition's county or
3337 multicounty region. The department office shall adopt rules
3338 regarding accessibility of child care resource and referral
3339 services offered through child care resource and referral
3340 agencies in each county or multicounty region which include, at
3341 a minimum, required hours of operation, methods by which parents
3342 may request services, and child care resource and referral staff
3343 training requirements.

3344 (3) Child care resource and referral agencies shall provide
3345 the following services:



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3346 (a) Identification of existing public and private child
3347 care and early childhood education services, including child
3348 care services by public and private employers, and the
3349 development of an early learning provider performance profile a
3350 ~~resource file~~ of those services through the single statewide
3351 information system developed by the department ~~office~~ under s.
3352 1002.82(2)(q) ~~s. 1002.82(2)(p)~~. These services may include
3353 family day care, public and private child care programs, the
3354 Voluntary Prekindergarten Education Program, Head Start, the
3355 school readiness program, special education programs for
3356 prekindergarten children with disabilities, services for
3357 children with developmental disabilities, full-time and part-
3358 time programs, before-school and after-school programs, and
3359 ~~vacation care programs, parent education, the temporary cash~~
3360 ~~assistance program, and related family support services.~~ The
3361 early learning provider performance profile ~~resource file~~ shall
3362 include, but not be limited to:

- 3363 1. Type of program.
- 3364 2. Hours of service.
- 3365 3. Ages of children served.
- 3366 4. Number of children served.
- 3367 5. Program information.
- 3368 6. Fees and eligibility for services.
- 3369 7. Availability of transportation.
- 3370 8. Participation in the Child Care Food Program, if
3371 applicable.
- 3372 9. A link to licensing inspection reports, if applicable.
- 3373 10. The components of the Voluntary Prekindergarten
3374 Education Program performance metric calculated under s.



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3375 1002.68, which must consist of the program assessment composite
3376 score, the learning gains score, the achievement score, and its
3377 designations, if applicable.

3378 11. The school readiness program assessment composite score
3379 and program assessment care level composite scores delineated by
3380 infant classroom, toddler classroom, and preschool classroom
3381 results under s. 1002.82, if applicable.

3382 12. Gold Seal Quality Care designation under s. 1002.945,
3383 if applicable.

3384 13. An indication as to whether the provider implements a
3385 curriculum approved by the department and the name of the
3386 curriculum, if applicable.

3387 14. An indication as to whether the provider participates
3388 in the school readiness child assessment under s. 1002.82.

3389 (c) Maintenance of ongoing documentation of requests for
3390 service tabulated through the internal referral process through
3391 the single statewide information system. The following
3392 documentation of requests for service shall be maintained by the
3393 child care resource and referral network:

3394 1. Number of calls and contacts to the child care resource
3395 information and referral network component by type of service
3396 requested.

3397 2. Ages of children for whom service was requested.

3398 3. Time category of child care requests for each child.

3399 4. Special time category, such as nights, weekends, and
3400 swing shift.

3401 5. Reason that the child care is needed.

3402 6. Customer satisfaction survey data required under s.
3403 1002.82 (3) ~~Name of the employer and primary focus of the~~



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3404 ~~business for an employer-based child care program.~~

3405 (d) Assistance to families that connects them to parent
3406 education opportunities, the temporary cash assistance program,
3407 or social services programs that support families with children,
3408 and related child development support services ~~Provision of~~
3409 ~~technical assistance to existing and potential providers of~~
3410 ~~child care services. This assistance may include:~~

3411 1. ~~Information on initiating new child care services,~~
3412 ~~zoning, and program and budget development and assistance in~~
3413 ~~finding such information from other sources.~~

3414 2. ~~Information and resources which help existing child care~~
3415 ~~services providers to maximize their ability to serve children~~
3416 ~~and parents in their community.~~

3417 3. ~~Information and incentives that may help existing or~~
3418 ~~planned child care services offered by public or private~~
3419 ~~employers seeking to maximize their ability to serve the~~
3420 ~~children of their working parent employees in their community,~~
3421 ~~through contractual or other funding arrangements with~~
3422 ~~businesses.~~

3423 Section 59. Subsection (1) of section 1002.93, Florida
3424 Statutes, is amended to read:

3425 1002.93 School readiness program transportation services.-

3426 (1) The department ~~office~~ may authorize an early learning
3427 coalition to establish school readiness program transportation
3428 services for children at risk of abuse or neglect who are
3429 participating in the school readiness program, pursuant to
3430 chapter 427. The early learning coalitions may contract for the
3431 provision of transportation services as required by this
3432 section.



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3433 Section 60. Section 1002.94, Florida Statutes, is repealed.

3434 Section 61. Section 1002.95, Florida Statutes, is amended
3435 to read:

3436 1002.95 Teacher Education and Compensation Helps (TEACH)
3437 scholarship program.—

3438 (1) The department ~~office~~ may contract for the
3439 administration of the Teacher Education and Compensation Helps
3440 (TEACH) scholarship program, which provides educational
3441 scholarships to caregivers and administrators of early childhood
3442 programs, family day care homes, and large family child care
3443 homes. The goal of the program is to increase the education and
3444 training for caregivers, increase the compensation for child
3445 caregivers who complete the program requirements, and reduce the
3446 rate of participant turnover in the field of early childhood
3447 education.

3448 (2) The State Board of Education ~~office~~ shall adopt rules
3449 as necessary to administer this section.

3450 Section 62. Subsections (1) and (3) of section 1002.96,
3451 Florida Statutes, are amended to read:

3452 1002.96 Early Head Start collaboration grants.—

3453 (1) Contingent upon specific appropriation, the department
3454 ~~office~~ shall establish a program to award collaboration grants
3455 to assist local agencies in securing Early Head Start programs
3456 through Early Head Start program federal grants. The
3457 collaboration grants shall provide the required matching funds
3458 for public and private nonprofit agencies that have been
3459 approved for Early Head Start program federal grants.

3460 (3) The department ~~office~~ may adopt rules as necessary for
3461 the award of collaboration grants to competing agencies and the



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3462 administration of the collaboration grants program under this
3463 section.

3464 Section 63. Subsection (1) and paragraph (g) of subsection
3465 (3) of section 1002.97, Florida Statutes, are amended to read:

3466 1002.97 Records of children in the school readiness
3467 program.—

3468 (1) The individual records of children enrolled in the
3469 school readiness program provided under this part, held by an
3470 early learning coalition or the department ~~office~~, are
3471 confidential and exempt from s. 119.07(1) and s. 24(a), Art. I
3472 of the State Constitution. For purposes of this section, records
3473 include assessment data, health data, records of teacher
3474 observations, and personal identifying information.

3475 (3) School readiness program records may be released to:

3476 (g) Parties to an interagency agreement among early
3477 learning coalitions, local governmental agencies, providers of
3478 the school readiness program, state agencies, and the department
3479 ~~office~~ for the purpose of implementing the school readiness
3480 program.

3481
3482 Agencies, organizations, or individuals that receive school
3483 readiness program records in order to carry out their official
3484 functions must protect the data in a manner that does not permit
3485 the personal identification of a child enrolled in a school
3486 readiness program and his or her parent by persons other than
3487 those authorized to receive the records.

3488 Section 64. Subsections (1) and (3) of section 1002.995,
3489 Florida Statutes, are amended to read:

3490 1002.995 Early learning professional development standards



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3491 and career pathways.-

3492 (1) The department ~~office~~ shall:

3493 (a) Develop early learning professional development
3494 training and course standards to be utilized for school
3495 readiness program providers.

3496 (b) Identify both formal and informal early learning career
3497 pathways with stackable credentials and certifications that
3498 allow early childhood teachers to access specialized
3499 professional development that:

3500 1. Strengthens knowledge and teaching practices.

3501 2. Aligns to established professional standards and core
3502 competencies.

3503 3. Provides a progression of attainable, competency-based
3504 stackable credentials and certifications.

3505 4. Improves outcomes for children to increase kindergarten
3506 readiness and early grade success.

3507 (3) The State Board of Education ~~office~~ shall adopt rules
3508 to administer this section.

3509 Section 65. Subsection (3) of section 1003.575, Florida
3510 Statutes, is amended to read:

3511 1003.575 Assistive technology devices; findings;
3512 interagency agreements.-Accessibility, utilization, and
3513 coordination of appropriate assistive technology devices and
3514 services are essential as a young person with disabilities moves
3515 from early intervention to preschool, from preschool to school,
3516 from one school to another, from school to employment or
3517 independent living, and from school to home and community. If an
3518 individual education plan team makes a recommendation in
3519 accordance with State Board of Education rule for a student with



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3520 a disability, as defined in s. 1003.01(3), to receive an
3521 assistive technology assessment, that assessment must be
3522 completed within 60 school days after the team's recommendation.
3523 To ensure that an assistive technology device issued to a young
3524 person as part of his or her individualized family support plan,
3525 individual support plan, individualized plan for employment, or
3526 individual education plan remains with the individual through
3527 such transitions, the following agencies shall enter into
3528 interagency agreements, as appropriate, to ensure the
3529 transaction of assistive technology devices:

3530 (3) The Voluntary Prekindergarten Education Program
3531 administered by the Department of Education ~~and the Office of~~
3532 ~~Early Learning.~~

3533
3534 Interagency agreements entered into pursuant to this section
3535 shall provide a framework for ensuring that young persons with
3536 disabilities and their families, educators, and employers are
3537 informed about the utilization and coordination of assistive
3538 technology devices and services that may assist in meeting
3539 transition needs, and shall establish a mechanism by which a
3540 young person or his or her parent may request that an assistive
3541 technology device remain with the young person as he or she
3542 moves through the continuum from home to school to postschool.

3543 Section 66. Section 1007.01, Florida Statutes, is amended
3544 to read:

3545 1007.01 Articulation; legislative intent; purpose; role of
3546 the State Board of Education and the Board of Governors;
3547 Articulation Coordinating Committee.—

3548 (1) It is the intent of the Legislature to facilitate



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3549 articulation and seamless integration of the Early Learning-20
3550 ~~K-20~~ education system by building, sustaining, and strengthening
3551 relationships among Early Learning-20 ~~K-20~~ public organizations,
3552 between public and private organizations, and between the
3553 education system as a whole and Florida's communities. The
3554 purpose of building, sustaining, and strengthening these
3555 relationships is to provide for the efficient and effective
3556 progression and transfer of students within the education system
3557 and to allow students to proceed toward their educational
3558 objectives as rapidly as their circumstances permit. The
3559 Legislature further intends that articulation policies and
3560 budget actions be implemented consistently in the practices of
3561 the Department of Education and postsecondary educational
3562 institutions and expressed in the collaborative policy efforts
3563 of the State Board of Education and the Board of Governors.

3564 (2) To improve and facilitate articulation systemwide, the
3565 State Board of Education and the Board of Governors shall
3566 collaboratively establish and adopt policies with input from
3567 statewide K-20 advisory groups established by the Commissioner
3568 of Education and the Chancellor of the State University System
3569 and shall recommend the policies to the Legislature. The
3570 policies shall relate to:

3571 (a) The alignment between the exit requirements of one
3572 education system and the admissions requirements of another
3573 education system into which students typically transfer.

3574 (b) The identification of common courses, the level of
3575 courses, institutional participation in a statewide course
3576 numbering system, and the transferability of credits among such
3577 institutions.



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3578 (c) Identification of courses that meet general education
3579 or common degree program prerequisite requirements at public
3580 postsecondary educational institutions.

3581 (d) Dual enrollment course equivalencies.

3582 (e) Articulation agreements.

3583 (3) The Commissioner of Education, in consultation with the
3584 Chancellor of the State University System, shall establish the
3585 Articulation Coordinating Committee, which shall make
3586 recommendations related to statewide articulation policies and
3587 issues regarding access, quality, and reporting of data
3588 maintained by the educational ~~K-20~~ data warehouse, established
3589 pursuant to ss. 1001.10 and 1008.31, to the Higher Education
3590 Coordination Council, the State Board of Education, and the
3591 Board of Governors. The committee shall consist of two members
3592 each representing the State University System, the Florida
3593 College System, public career and technical education, K-12
3594 education, and nonpublic postsecondary education and one member
3595 representing students. The chair shall be elected from the
3596 membership. The Office of K-20 Articulation shall provide
3597 administrative support for the committee. The committee shall:

3598 (a) Monitor the alignment between the exit requirements of
3599 one education system and the admissions requirements of another
3600 education system into which students typically transfer and make
3601 recommendations for improvement.

3602 (b) Propose guidelines for interinstitutional agreements
3603 between and among public schools, career and technical education
3604 centers, Florida College System institutions, state
3605 universities, and nonpublic postsecondary institutions.

3606 (c) Annually recommend dual enrollment course and high



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3607 school subject area equivalencies for approval by the State
3608 Board of Education and the Board of Governors.

3609 (d) Annually review the statewide articulation agreement
3610 pursuant to s. 1007.23 and make recommendations for revisions.

3611 (e) Annually review the statewide course numbering system,
3612 the levels of courses, and the application of transfer credit
3613 requirements among public and nonpublic institutions
3614 participating in the statewide course numbering system and
3615 identify instances of student transfer and admissions
3616 difficulties.

3617 (f) Annually publish a list of courses that meet common
3618 general education and common degree program prerequisite
3619 requirements at public postsecondary institutions identified
3620 pursuant to s. 1007.25.

3621 (g) Foster timely collection and reporting of statewide
3622 education data to improve the Early Learning-20 ~~K-20~~ education
3623 performance accountability system pursuant to ss. 1001.10 and
3624 1008.31, including, but not limited to, data quality,
3625 accessibility, and protection of student records.

3626 (h) Recommend roles and responsibilities of public
3627 education entities in interfacing with the single, statewide
3628 computer-assisted student advising system established pursuant
3629 to s. 1006.735.

3630 Section 67. Section 1008.2125, Florida Statutes, is created
3631 to read:

3632 1008.2125 Coordinated screening and progress monitoring
3633 program for students in the Voluntary Prekindergarten Education
3634 Program through grade 3.—

3635 (1) The primary purpose of the coordinated screening and



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3636 progress monitoring program for students in the Voluntary
3637 Prekindergarten Education Program through grade 3 is to provide
3638 information on students' progress in mastering the appropriate
3639 grade-level standards and to provide information on their
3640 progress to parents, teachers, and school and program
3641 administrators. Data shall be used by Voluntary Prekindergarten
3642 Education Program providers and school districts to improve
3643 instruction, by parents and teachers to guide learning
3644 objectives and provide timely and appropriate supports and
3645 interventions to students not meeting grade level expectations,
3646 and by the public to assess the cost benefit of the expenditure
3647 of taxpayer dollars. The coordinated screening and progress
3648 monitoring program must:

3649 (a) Assess the progress of students in the Voluntary
3650 Prekindergarten Education Program through grade 3 in meeting the
3651 appropriate expectations in early literacy and math skills and
3652 in English Language Arts and mathematics, as required by ss.
3653 1002.67(1)(a) and 1003.41.

3654 (b) Provide data for accountability of the Voluntary
3655 Prekindergarten Education Program, as required by s. 1002.68.

3656 (c) Provide baseline data to the department of each
3657 student's readiness for kindergarten, which must be based on
3658 each kindergarten student's progress monitoring results within
3659 the first 30 days of enrollment in accordance with paragraph
3660 (2)(a). The methodology for determining a student's readiness
3661 for kindergarten shall be developed by the same independent
3662 expert identified in s. 1002.68(4)(d).

3663 (d) Identify the educational strengths and needs of
3664 students in the Voluntary Prekindergarten Education Program



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3665 through grade 3.

3666 (e) Provide teachers with progress monitoring data to
3667 provide timely interventions and supports pursuant to s.
3668 1008.25(4).

3669 (f) Assess how well educational goals and curricular
3670 standards are met at the provider, school, district, and state
3671 levels.

3672 (g) Provide information to aid in the evaluation and
3673 development of educational programs and policies.

3674 (2) The Commissioner of Education shall design a statewide,
3675 standardized coordinated screening and progress monitoring
3676 program to assess early literacy and mathematics skills and the
3677 English Language Arts and mathematics standards established in
3678 ss. 1002.67(1)(a) and 1003.41, respectively. The coordinated
3679 screening and progress monitoring program must provide interval
3680 level and norm-referenced data that measures equivalent levels
3681 of growth; be a developmentally appropriate, valid, and reliable
3682 direct assessment; be able to capture data on students who may
3683 be performing below grade or developmental level and which may
3684 enable the identification of early indicators of dyslexia or
3685 other developmental delays; accurately measure the core content
3686 in the applicable grade level standards; document learning gains
3687 for the achievement of these standards; and provide teachers
3688 with progress monitoring supports and materials that enhance
3689 differentiated instruction and parent communication.

3690 Participation in the coordinated screening and progress
3691 monitoring program is mandatory for all students in the
3692 Voluntary Prekindergarten Education Program and enrolled in a
3693 public school in kindergarten through grade 3. The coordinated



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3694 screening and progress monitoring program shall be implemented
3695 beginning in the 2021-2022 school year for students in the
3696 Voluntary Prekindergarten Education Program and kindergarten
3697 students, as follows:

3698 (a) The coordinated screening and progress monitoring
3699 program shall be administered within the first 30 days after
3700 enrollment, midyear, and within the last 30 days of the program
3701 or school year, in accordance with the rules adopted by the
3702 State Board of Education. The state board may adopt alternate
3703 timeframes to address nontraditional school year calendars or
3704 summer programs to ensure administration of the coordinated
3705 screening and progress monitoring program is administered a
3706 minimum of 3 times within a year or program.

3707 (b) The results of the coordinated screening and progress
3708 monitoring program shall be reported to the department, in
3709 accordance with the rules adopted by the state board, and
3710 maintained in the department's educational data warehouse.

3711 (3) The Commissioner of Education shall:

3712 (a) Develop a plan, in coordination with the Early Grade
3713 Success Advisory Committee, for implementing the coordinated
3714 screening and progress monitoring program in consideration of
3715 timelines for implementing new early literacy and mathematics
3716 skills and the English Language Arts and mathematics standards
3717 established in ss. 1002.67(1)(a) and 1003.41, as appropriate.

3718 (b) Provide data, reports, and information as requested to
3719 the Early Grade Success Advisory Committee.

3720 (4) The Early Grade Success Advisory Committee, a committee
3721 as defined in s. 20.03, is created within the Department of
3722 Education to oversee the coordinated screening and progress



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3723 monitoring program and, except as otherwise provided in this
3724 section, shall operate consistent with s. 20.052.

3725 (a) The committee shall be responsible for reviewing the
3726 implementation of, training for, and outcomes from the
3727 coordinated screening and progress monitoring program to provide
3728 recommendations to the department that supports grade 3 students
3729 reading at or above grade level. The committee, at a minimum,
3730 shall:

3731 1. Provide recommendations on the implementation of the
3732 coordinated screening and progress monitoring program, including
3733 reviewing any procurement solicitation documents and criteria
3734 before being published.

3735 2. Develop training plans, and timelines for such training.

3736 3. Identify appropriate personnel, processes, and
3737 procedures required for the administration of the coordinated
3738 screening and progress monitoring program.

3739 4. Provide input on the methodology for calculating a
3740 provider's or school's performance metric and designations under
3741 s. 1002.68.

3742 5. Work with the department's independent expert under s.
3743 1002.68(4)(d) to review the methodology for determining a
3744 child's kindergarten readiness.

3745 6. Review data on age-appropriate learning gains by grade
3746 level that a student would need to attain in order to
3747 demonstrate proficiency in reading by grade 3.

3748 7. Continually review anonymized data from the results of
3749 the coordinated screening and progress monitoring program for
3750 students in the Voluntary Prekindergarten Education Program
3751 through grade 3 to help inform recommendations to the department



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3752 that support practices that will enable grade 3 students to read
3753 at or above grade level.

3754 (b) The committee shall be composed of 17 members who are
3755 residents of the state and appointed as follows:

3756 1. Fifteen members appointed by the Commissioner of
3757 Education:

3758 a. One representative from the Department of Education.

3759 b. One parent of a child who is 4 to 9 years of age.

3760 c. One representative of an urban school district.

3761 d. One representative of a rural school district.

3762 e. One representative of an urban early learning coalition.

3763 f. One representative of a rural early learning coalition.

3764 g. One representative of an early learning provider.

3765 h. One representative of a faith-based early learning
3766 provider.

3767 i. One representative who is a kindergarten teacher who has
3768 at least 5 years of teaching experience.

3769 j. One representative who is a second grade teacher with at
3770 least 5 years of teaching experience.

3771 k. One representative who is a school principal.

3772 1. Four representatives with subject matter expertise in
3773 early learning, early grade success, or child assessments. The
3774 four representatives with subject matter expertise may not be
3775 direct stakeholders within the early learning or public school
3776 systems or potential recipients of a contract resulting from the
3777 committee's recommendations.

3778 2. One senator who is appointed by and serves at the
3779 pleasure of the President of the Senate.

3780 3. One representative who is appointed by and serves at the



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3781 pleasure of the Speaker of the House of Representatives.

3782 (5) The committee shall elect a chair and vice chair, one
3783 of whom must be a member who has subject matter expertise in
3784 early learning, early grade success, or child assessments, and
3785 one of whom must be a senator or representative. Members of the
3786 committee shall serve without compensation, but are entitled to
3787 reimbursement for per diem and travel expenses pursuant to s.
3788 112.061.

3789 (6) The committee must meet at least biennially and may
3790 meet by teleconference or other electronic means, if possible,
3791 to reduce costs.

3792 (7) A majority of the members constitutes a quorum.

3793 (8) The committee terminates on July 1, 2023.

3794 Section 68. Present paragraphs (b) and (c) of subsection
3795 (5) of section 1008.25, Florida Statutes, are redesignated as
3796 paragraphs (c) and (d), respectively, a new paragraph (b) is
3797 added to that subsection, and paragraph (b) of subsection (6),
3798 subsection (7), and paragraph (a) of subsection (8) are amended,
3799 to read:

3800 1008.25 Public school student progression; student support;
3801 reporting requirements.—

3802 (5) READING DEFICIENCY AND PARENTAL NOTIFICATION.—

3803 (b) Any Voluntary Prekindergarten Education Program student
3804 who exhibits a substantial deficiency in early literacy in
3805 accordance with the standards under s. 1002.67(1)(a) and based
3806 upon the results of the administration of the final coordinated
3807 screening and progress monitoring under s. 1008.2125 shall be
3808 referred to the local school district and may be eligible to
3809 receive intensive reading interventions before participating in



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3810 kindergarten. Such intensive reading interventions shall be paid
3811 for using funds from the district's research-based reading
3812 instruction allocation in accordance with s. 1011.62(9).

3813 (6) ELIMINATION OF SOCIAL PROMOTION.—

3814 (b) The district school board may only exempt students from
3815 mandatory retention, as provided in paragraph (5)(c) ~~(5)(b)~~, for
3816 good cause. A student who is promoted to grade 4 with a good
3817 cause exemption shall be provided intensive reading instruction
3818 and intervention that include specialized diagnostic information
3819 and specific reading strategies to meet the needs of each
3820 student so promoted. The school district shall assist schools
3821 and teachers with the implementation of explicit, systematic,
3822 and multisensory reading instruction and intervention strategies
3823 for students promoted with a good cause exemption which research
3824 has shown to be successful in improving reading among students
3825 who have reading difficulties. Good cause exemptions are limited
3826 to the following:

3827 1. Limited English proficient students who have had less
3828 than 2 years of instruction in an English for Speakers of Other
3829 Languages program based on the initial date of entry into a
3830 school in the United States.

3831 2. Students with disabilities whose individual education
3832 plan indicates that participation in the statewide assessment
3833 program is not appropriate, consistent with the requirements of
3834 s. 1008.212.

3835 3. Students who demonstrate an acceptable level of
3836 performance on an alternative standardized reading or English
3837 Language Arts assessment approved by the State Board of
3838 Education.



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3839 4. A student who demonstrates through a student portfolio
3840 that he or she is performing at least at Level 2 on the
3841 statewide, standardized English Language Arts assessment.

3842 5. Students with disabilities who take the statewide,
3843 standardized English Language Arts assessment and who have an
3844 individual education plan or a Section 504 plan that reflects
3845 that the student has received intensive instruction in reading
3846 or English Language Arts for more than 2 years but still
3847 demonstrates a deficiency and was previously retained in
3848 kindergarten, grade 1, grade 2, or grade 3.

3849 6. Students who have received intensive reading
3850 intervention for 2 or more years but still demonstrate a
3851 deficiency in reading and who were previously retained in
3852 kindergarten, grade 1, grade 2, or grade 3 for a total of 2
3853 years. A student may not be retained more than once in grade 3.

3854 (7) SUCCESSFUL PROGRESSION FOR RETAINED THIRD GRADE
3855 STUDENTS.—

3856 (a) Students retained under paragraph (5)(c) ~~(5)(b)~~ must be
3857 provided intensive interventions in reading to ameliorate the
3858 student's specific reading deficiency and prepare the student
3859 for promotion to the next grade. These interventions must
3860 include:

3861 1. Evidence-based, explicit, systematic, and multisensory
3862 reading instruction in phonemic awareness, phonics, fluency,
3863 vocabulary, and comprehension and other strategies prescribed by
3864 the school district.

3865 2. Participation in the school district's summer reading
3866 camp, which must incorporate the instructional and intervention
3867 strategies under subparagraph 1.



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3868 3. A minimum of 90 minutes of daily, uninterrupted reading
3869 instruction incorporating the instructional and intervention
3870 strategies under subparagraph 1. This instruction may include:

3871 a. Integration of content-rich texts in science and social
3872 studies within the 90-minute block.

3873 b. Small group instruction.

3874 c. Reduced teacher-student ratios.

3875 d. More frequent progress monitoring.

3876 e. Tutoring or mentoring.

3877 f. Transition classes containing 3rd and 4th grade
3878 students.

3879 g. Extended school day, week, or year.

3880 (b) Each school district shall:

3881 1. Provide written notification to the parent of a student
3882 who is retained under paragraph (5) (c) ~~(5) (b)~~ that his or her
3883 child has not met the proficiency level required for promotion
3884 and the reasons the child is not eligible for a good cause
3885 exemption as provided in paragraph (6) (b). The notification must
3886 comply with paragraph (5) (d) ~~(5) (e)~~ and must include a
3887 description of proposed interventions and supports that will be
3888 provided to the child to remediate the identified areas of
3889 reading deficiency.

3890 2. Implement a policy for the midyear promotion of a
3891 student retained under paragraph (5) (c) ~~(5) (b)~~ who can
3892 demonstrate that he or she is a successful and independent
3893 reader and performing at or above grade level in reading or,
3894 upon implementation of English Language Arts assessments,
3895 performing at or above grade level in English Language Arts.
3896 Tools that school districts may use in reevaluating a student



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3897 retained may include subsequent assessments, alternative
3898 assessments, and portfolio reviews, in accordance with rules of
3899 the State Board of Education. Students promoted during the
3900 school year after November 1 must demonstrate proficiency levels
3901 in reading equivalent to the level necessary for the beginning
3902 of grade 4. The rules adopted by the State Board of Education
3903 must include standards that provide a reasonable expectation
3904 that the student's progress is sufficient to master appropriate
3905 grade 4 level reading skills.

3906 3. Provide students who are retained under paragraph (5) (c)
3907 ~~(5) (b)~~, including students participating in the school
3908 district's summer reading camp under subparagraph (a)2., with a
3909 highly effective teacher as determined by the teacher's
3910 performance evaluation under s. 1012.34, and, beginning July 1,
3911 2020, the teacher must also be certified or endorsed in reading.

3912 4. Establish at each school, when applicable, an intensive
3913 reading acceleration course for any student retained in grade 3
3914 who was previously retained in kindergarten, grade 1, or grade
3915 2. The intensive reading acceleration course must provide the
3916 following:

3917 a. Uninterrupted reading instruction for the majority of
3918 student contact time each day and opportunities to master the
3919 grade 4 Next Generation Sunshine State Standards in other core
3920 subject areas through content-rich texts.

3921 b. Small group instruction.

3922 c. Reduced teacher-student ratios.

3923 d. The use of explicit, systematic, and multisensory
3924 reading interventions, including intensive language, phonics,
3925 and vocabulary instruction, and use of a speech-language



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3926 therapist if necessary, that have proven results in accelerating
3927 student reading achievement within the same school year.

3928 e. A read-at-home plan.

3929 (8) ANNUAL REPORT.—

3930 (a) In addition to the requirements in paragraph (5)(c)
3931 ~~(5)(b)~~, each district school board must annually report to the
3932 parent of each student the progress of the student toward
3933 achieving state and district expectations for proficiency in
3934 English Language Arts, science, social studies, and mathematics.
3935 The district school board must report to the parent the
3936 student's results on each statewide, standardized assessment.
3937 The evaluation of each student's progress must be based upon the
3938 student's classroom work, observations, tests, district and
3939 state assessments, response to intensive interventions provided
3940 under paragraph (5)(a), and other relevant information. Progress
3941 reporting must be provided to the parent in writing in a format
3942 adopted by the district school board.

3943 Section 69. Section 1008.31, Florida Statutes, is amended
3944 to read:

3945 1008.31 Florida's Early Learning-20 ~~K-20~~ education
3946 performance accountability system; legislative intent; mission,
3947 goals, and systemwide measures; data quality improvements.—

3948 (1) LEGISLATIVE INTENT.—It is the intent of the Legislature
3949 that:

3950 (a) The performance accountability system implemented to
3951 assess the effectiveness of Florida's seamless Early Learning-20
3952 ~~K-20~~ education delivery system provide answers to the following
3953 questions in relation to its mission and goals:

3954 1. What is the public receiving in return for funds it



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3955 invests in education?

3956 2. How effectively is Florida's Early Learning-20 ~~K-20~~
3957 education system educating its students?

3958 3. How effectively are the major delivery sectors promoting
3959 student achievement?

3960 4. How are individual schools and postsecondary education
3961 institutions performing their responsibility to educate their
3962 students as measured by how students are performing and how much
3963 they are learning?

3964 (b) The Early Learning-20 ~~K-20~~ education performance
3965 accountability system be established as a single, unified
3966 accountability system with multiple components, including, but
3967 not limited to, student performance in public schools and school
3968 and district grades.

3969 (c) The K-20 education performance accountability system
3970 comply with the requirements of the "No Child Left Behind Act of
3971 2001," Pub. L. No. 107-110, and the Individuals with
3972 Disabilities Education Act (IDEA).

3973 (d) The early learning accountability system comply with
3974 the requirements of part V and part VI of chapter 1002 and the
3975 requirements of the Child Care and Development Block Grant Trust
3976 Fund, pursuant to 45 C.F.R. parts 98 and 99.

3977 (e) ~~(d)~~ The State Board of Education and the Board of
3978 Governors of the State University System recommend to the
3979 Legislature systemwide performance standards; the Legislature
3980 establish systemwide performance measures and standards; and the
3981 systemwide measures and standards provide Floridians with
3982 information on what the public is receiving in return for the
3983 funds it invests in education and how well the Early Learning-20



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3984 ~~K-20~~ system educates its students.

3985 (f)1.~~(e)1.~~ The State Board of Education establish
3986 performance measures and set performance standards for
3987 individual public schools and Florida College System
3988 institutions, with measures and standards based primarily on
3989 student achievement.

3990 2. The Board of Governors of the State University System
3991 establish performance measures and set performance standards for
3992 individual state universities, including actual completion
3993 rates.

3994 (2) MISSION, GOALS, AND SYSTEMWIDE MEASURES.—

3995 (a) The mission of Florida's Early Learning-20 ~~K-20~~
3996 education system shall be to increase the proficiency of all
3997 students within one seamless, efficient system, by allowing them
3998 the opportunity to expand their knowledge and skills through
3999 learning opportunities and research valued by students, parents,
4000 and communities.

4001 (b) The process for establishing state and sector-specific
4002 standards and measures must be:

- 4003 1. Focused on student success.
- 4004 2. Addressable through policy and program changes.
- 4005 3. Efficient and of high quality.
- 4006 4. Measurable over time.
- 4007 5. Simple to explain and display to the public.
- 4008 6. Aligned with other measures and other sectors to support
4009 a coordinated Early Learning-20 ~~K-20~~ education system.

4010 (c) The Department of Education shall maintain an
4011 accountability system that measures student progress toward the
4012 following goals:



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4013 1. Highest student achievement, as indicated by evidence of
4014 student learning gains at all levels.

4015 2. Seamless articulation and maximum access, as measured by
4016 evidence of progression, readiness, and access by targeted
4017 groups of students identified by the Commissioner of Education.

4018 3. Skilled workforce and economic development, as measured
4019 by evidence of employment and earnings.

4020 4. Quality efficient services, as measured by evidence of
4021 return on investment.

4022 5. Other goals as identified by law or rule.

4023 (3) ~~K-20~~ EDUCATION DATA QUALITY IMPROVEMENTS.—To provide
4024 data required to implement education performance accountability
4025 measures in state and federal law, the Commissioner of Education
4026 shall initiate and maintain strategies to improve data quality
4027 and timeliness. The Board of Governors shall make available to
4028 the department all data within the State University Database
4029 System to be integrated into the educational ~~K-20~~ data
4030 warehouse. The commissioner shall have unlimited access to such
4031 data for the purposes of conducting studies, reporting annual
4032 and longitudinal student outcomes, and improving college
4033 readiness and articulation. All public educational institutions
4034 shall annually provide data from the prior year to the
4035 educational ~~K-20~~ data warehouse in a format based on data
4036 elements identified by the commissioner.

4037 (a) School districts and public postsecondary educational
4038 institutions shall maintain information systems that will
4039 provide the State Board of Education, the Board of Governors of
4040 the State University System, and the Legislature with
4041 information and reports necessary to address the specifications



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4042 of the accountability system. The level of comprehensiveness and
4043 quality must be no less than that which was available as of June
4044 30, 2001.

4045 (b) Colleges and universities eligible to participate in
4046 the William L. Boyd, IV, Effective Access to Student Education
4047 Grant Program shall annually report student-level data from the
4048 prior year for each student who receives state funds in a format
4049 prescribed by the Department of Education. At a minimum, data
4050 from the prior year must include retention rates, transfer
4051 rates, completion rates, graduation rates, employment and
4052 placement rates, and earnings of graduates. By October 1 of each
4053 year, the colleges and universities described in this paragraph
4054 shall report the data to the department.

4055 (c) The Commissioner of Education shall determine the
4056 standards for the required data, monitor data quality, and
4057 measure improvements. The commissioner shall report annually to
4058 the State Board of Education, the Board of Governors of the
4059 State University System, the President of the Senate, and the
4060 Speaker of the House of Representatives data quality indicators
4061 and ratings for all school districts and public postsecondary
4062 educational institutions.

4063 (d) Before establishing any new reporting or data
4064 collection requirements, the commissioner shall use existing
4065 data being collected to reduce duplication and minimize
4066 paperwork.

4067 (4) RULES.—The State Board of Education shall adopt rules
4068 pursuant to ss. 120.536(1) and 120.54 to implement the
4069 provisions of this section relating to the educational ~~K-20~~ data
4070 warehouse.



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4071 Section 70. Section 1008.32, Florida Statutes, is amended
4072 to read:

4073 1008.32 State Board of Education oversight enforcement
4074 authority.—The State Board of Education shall oversee the
4075 performance of early learning coalitions, district school
4076 boards, and Florida College System institution boards of
4077 trustees in enforcement of all laws and rules. District school
4078 boards and Florida College System institution boards of trustees
4079 shall be primarily responsible for compliance with law and state
4080 board rule.

4081 (1) In order to ensure compliance with law or state board
4082 rule, the State Board of Education shall have the authority to
4083 request and receive information, data, and reports from early
4084 learning coalitions, school districts, and Florida College
4085 System institutions. Early Learning Coalition chief executive
4086 officers or executive directors, district school
4087 superintendents, and Florida College System institution
4088 presidents are responsible for the accuracy of the information
4089 and data reported to the state board.

4090 (2) (a) The Commissioner of Education may investigate
4091 allegations of noncompliance with law or state board rule and
4092 determine probable cause. The commissioner shall report
4093 determinations of probable cause to the State Board of Education
4094 which shall require the early learning coalition, district
4095 school board, or Florida College System institution board of
4096 trustees to document compliance with law or state board rule.

4097 (b) The Commissioner of Education shall report to the State
4098 Board of Education any findings by the Auditor General that an
4099 early learning coalition, a district school board, or a Florida



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4100 College System institution is acting without statutory authority
4101 or contrary to general law. The State Board of Education shall
4102 require the early learning coalition, district school board, or
4103 Florida College System institution board of trustees to document
4104 compliance with such law.

4105 (3) If the early learning coalition, district school board,
4106 or Florida College System institution board of trustees cannot
4107 satisfactorily document compliance, the State Board of Education
4108 may order compliance within a specified timeframe.

4109 (4) If the State Board of Education determines that an
4110 early learning coalition, a district school board, or a Florida
4111 College System institution board of trustees is unwilling or
4112 unable to comply with law or state board rule within the
4113 specified time, the state board shall have the authority to
4114 initiate any of the following actions:

4115 (a) Report to the Legislature that the early learning
4116 coalition, school district, or Florida College System
4117 institution is unwilling or unable to comply with law or state
4118 board rule and recommend action to be taken by the Legislature.

4119 (b) Withhold the transfer of state funds, discretionary
4120 grant funds, discretionary lottery funds, or any other funds
4121 specified as eligible for this purpose by the Legislature until
4122 the early learning coalition, school district, or Florida
4123 College System institution complies with the law or state board
4124 rule.

4125 (c) Declare the early learning coalition, school district,
4126 or Florida College System institution ineligible for competitive
4127 grants.

4128 (d) Require monthly or periodic reporting on the situation



4129 related to noncompliance until it is remedied.

4130 (5) Nothing in this section shall be construed to create a
4131 private cause of action or create any rights for individuals or
4132 entities in addition to those provided elsewhere in law or rule.

4133 Section 71. Paragraph (a) of subsection (3) of section
4134 1008.33, Florida Statutes, is amended to read:

4135 1008.33 Authority to enforce public school improvement.—

4136 (3) (a) The academic performance of all students has a
4137 significant effect on the state school system. Pursuant to Art.
4138 IX of the State Constitution, which prescribes the duty of the
4139 State Board of Education to supervise Florida's public school
4140 system, the state board shall equitably enforce the
4141 accountability requirements of the state school system and may
4142 impose state requirements on school districts in order to
4143 improve the academic performance of all districts, schools, and
4144 students based upon the provisions of the Florida Early
4145 Learning-20 ~~K-20~~ Education Code, chapters 1000-1013; the federal
4146 ESEA and its implementing regulations; and the ESEA flexibility
4147 waiver approved for Florida by the United States Secretary of
4148 Education.

4149 Section 72. Subsection (9) of section 1011.62, Florida
4150 Statutes, is amended to read:

4151 1011.62 Funds for operation of schools.—If the annual
4152 allocation from the Florida Education Finance Program to each
4153 district for operation of schools is not determined in the
4154 annual appropriations act or the substantive bill implementing
4155 the annual appropriations act, it shall be determined as
4156 follows:

4157 (9) RESEARCH-BASED READING INSTRUCTION ALLOCATION.—



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4158 (a) The research-based reading instruction allocation is
4159 created to provide comprehensive reading instruction to students
4160 in kindergarten through grade 12, including certain students who
4161 exhibit a substantial deficiency in early literacy and completed
4162 the Voluntary Prekindergarten Education Program pursuant to s.
4163 1008.25(5)(b). Each school district that has one or more of the
4164 300 lowest-performing elementary schools based on a 3-year
4165 average of the state reading assessment data must use the
4166 school's portion of the allocation to provide an additional hour
4167 per day of intensive reading instruction for the students in
4168 each school. The additional hour may be provided within the
4169 school day. Students enrolled in these schools who earned a
4170 level 4 or level 5 score on the statewide, standardized English
4171 Language Arts assessment for the previous school year may
4172 participate in the additional hour of instruction. Exceptional
4173 student education centers may not be included in the 300
4174 schools. The intensive reading instruction delivered in this
4175 additional hour shall include: research-based reading
4176 instruction that has been proven to accelerate progress of
4177 students exhibiting a reading deficiency; differentiated
4178 instruction based on screening, diagnostic, progress monitoring,
4179 or student assessment data to meet students' specific reading
4180 needs; explicit and systematic reading strategies to develop
4181 phonemic awareness, phonics, fluency, vocabulary, and
4182 comprehension, with more extensive opportunities for guided
4183 practice, error correction, and feedback; and the integration of
4184 social studies, science, and mathematics-text reading, text
4185 discussion, and writing in response to reading.

4186 (b) Funds for comprehensive, research-based reading



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4187 instruction shall be allocated annually to each school district
4188 in the amount provided in the General Appropriations Act. Each
4189 eligible school district shall receive the same minimum amount
4190 as specified in the General Appropriations Act, and any
4191 remaining funds shall be distributed to eligible school
4192 districts based on each school district's proportionate share of
4193 K-12 base funding.

4194 (c) Funds allocated under this subsection must be used to
4195 provide a system of comprehensive reading instruction to
4196 students enrolled in the K-12 programs and certain students who
4197 exhibit a substantial deficiency in early literacy and completed
4198 the Voluntary Prekindergarten Education Program pursuant to s.
4199 1008.25(5)(b), which may include the following:

4200 1. An additional hour per day of evidence-based intensive
4201 reading instruction to students in the 300 lowest-performing
4202 elementary schools by teachers and reading specialists who have
4203 demonstrated effectiveness in teaching reading as required in
4204 paragraph (a).

4205 2. Kindergarten through grade 5 evidence-based ~~reading~~
4206 ~~intervention teachers to provide~~ intensive reading interventions
4207 provided by reading intervention teachers ~~intervention~~ during
4208 the school day and in the required extra hour for students
4209 identified as having a reading deficiency.

4210 3. Highly qualified reading coaches to specifically support
4211 teachers in making instructional decisions based on student
4212 data, and improve teacher delivery of effective reading
4213 instruction, intervention, and reading in the content areas
4214 based on student need.

4215 4. Professional development for school district teachers in



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4216 scientifically based reading instruction, including strategies
4217 to teach reading in content areas and with an emphasis on
4218 technical and informational text, to help school district
4219 teachers earn a certification or an endorsement in reading.

4220 5. Summer reading camps, using only teachers or other
4221 district personnel who are certified or endorsed in reading
4222 consistent with s. 1008.25(7)(b)3., for all students in
4223 kindergarten through grade 2 who demonstrate a reading
4224 deficiency as determined by district and state assessments, and
4225 students in grades 3 through 5 who score at Level 1 on the
4226 statewide, standardized English Language Arts assessment, and
4227 certain students who exhibit a substantial deficiency in early
4228 literacy and completed the Voluntary Prekindergarten Education
4229 Program pursuant to s. 1008.25(5)(b).

4230 6. Scientifically researched and evidence-based
4231 supplemental instructional materials ~~that are grounded in~~
4232 ~~scientifically based reading research~~ as identified by the Just
4233 Read, Florida! Office pursuant to s. 1001.215(8).

4234 7. Evidence-based intensive interventions for students in
4235 kindergarten through grade 12 who have been identified as having
4236 a reading deficiency or who are reading below grade level as
4237 determined by the statewide, standardized English Language Arts
4238 assessment or for certain students who exhibit a substantial
4239 deficiency in early literacy and completed the Voluntary
4240 Prekindergarten Education Program pursuant to s. 1008.25(5)(b).

4241 (d)1. Annually, by a date determined by the Department of
4242 Education but before May 1, school districts shall submit a ~~K-12~~
4243 comprehensive reading plan for the specific use of the research-
4244 based reading instruction allocation in the format prescribed by



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4245 the department for review and approval by the Just Read,
4246 Florida! Office created pursuant to s. 1001.215. The plan
4247 annually submitted by school districts shall be deemed approved
4248 unless the department rejects the plan on or before June 1. If a
4249 school district and the Just Read, Florida! Office cannot reach
4250 agreement on the contents of the plan, the school district may
4251 appeal to the State Board of Education for resolution. School
4252 districts shall be allowed reasonable flexibility in designing
4253 their plans and shall be encouraged to offer reading
4254 intervention through innovative methods, including career
4255 academies. The plan format shall be developed with input from
4256 school district personnel, including teachers and principals,
4257 and shall provide for intensive reading interventions through
4258 integrated curricula, provided that, beginning with the 2020-
4259 2021 school year, the interventions are delivered by a teacher
4260 who is certified or endorsed in reading. Such interventions must
4261 incorporate evidence-based strategies identified by the Just
4262 Read, Florida! Office pursuant to s. 1001.215(8). No later than
4263 July 1 annually, the department shall release the school
4264 district's allocation of appropriated funds to those districts
4265 having approved plans. A school district that spends 100 percent
4266 of this allocation on its approved plan shall be deemed to have
4267 been in compliance with the plan. The department may withhold
4268 funds upon a determination that reading instruction allocation
4269 funds are not being used to implement the approved plan. The
4270 department shall monitor and track the implementation of each
4271 district plan, including conducting site visits and collecting
4272 specific data on expenditures and reading improvement results.
4273 By February 1 of each year, the department shall report its



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4274 findings to the Legislature.

4275 2. Each school district that has a school designated as one
4276 of the 300 lowest-performing elementary schools as specified in
4277 paragraph (a) shall specifically delineate in the comprehensive
4278 reading plan, or in an addendum to the comprehensive reading
4279 plan, the implementation design and reading intervention
4280 strategies that will be used for the required additional hour of
4281 reading instruction. The term "reading intervention" includes
4282 evidence-based strategies frequently used to remediate reading
4283 deficiencies and also includes individual instruction, tutoring,
4284 mentoring, or the use of technology that targets specific
4285 reading skills and abilities.

4286
4287 For purposes of this subsection, the term "evidence-based" means
4288 demonstrating a statistically significant effect on improving
4289 student outcomes or other relevant outcomes.

4290 Section 73. For the 2020-2021 fiscal year, the sum of
4291 \$3,088,000 in recurring funds is appropriated from the General
4292 Revenue Fund to the Department of Education to implement the
4293 coordinated screening and progress monitoring program required
4294 by s. 1008.2125, Florida Statutes. Of these funds, \$3 million
4295 shall be placed in reserve. The department is authorized to
4296 submit budget amendments requesting the release of funds
4297 pursuant to chapter 216, Florida Statutes. The budget amendment
4298 shall include a detailed operational work plan and spending
4299 plan. The department shall submit quarterly updates to the plans
4300 and quarterly project status reports to the Governor's Office of
4301 Policy and Budget and the chairs of the Senate Committee on
4302 Appropriations and the House of Representatives Appropriations



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4303 Committee. Each status report must include progress made to date
4304 for each project activity, planned and actual tasks and
4305 deliverable completion dates, planned and actual costs incurred,
4306 and any current issues and risks.

4307 Section 74. For the 2020-2021 fiscal year, the sum of
4308 \$100,000 in nonrecurring funds is appropriated from the General
4309 Revenue Fund to the Department of Education to issue a
4310 competitive solicitation to contract with an independent third-
4311 party consulting firm to conduct a review of the school
4312 readiness payment rates by county, by provider type, as defined
4313 in s. 1002.88, Florida Statutes, and by care level, as defined
4314 in s. 402.305, Florida Statutes. The review shall include an
4315 evaluation of the current methodology for establishing the
4316 market rate schedule pursuant to s. 1002.895, Florida Statutes,
4317 the current school readiness payment rates, and the impact of
4318 the approved pay differentials authorized under part VI of
4319 chapter 1002, Florida Statutes, on the payment rates. The review
4320 shall include recommendations on a methodology for setting the
4321 payment rates by county, by provider type, and by care level
4322 that takes into consideration the impact that local ordinances
4323 may have on the market rate if such ordinances require more
4324 stringent staff-to-child ratios than required in s. 402.305(4),
4325 Florida Statutes, but may not consider school readiness wait
4326 lists as a factor. The department shall submit the results of
4327 the review and the recommendations to the Governor's Office of
4328 Policy and Budget and the chairs of the Senate Committee on
4329 Appropriations and the House of Representatives Appropriations
4330 Committee by January 1, 2021.

4331 Section 75. For the 2020-2021 fiscal year, the sum of



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4332 \$677,759 in recurring funds is appropriated from the General
4333 Revenue Fund to the Department of Education to assist in the
4334 implementation of s. 1002.68(2), Florida Statutes.

4335 Section 76. This act shall take effect upon becoming a law.
4336

4337 ===== T I T L E A M E N D M E N T =====

4338 And the title is amended as follows:

4339 Delete everything before the enacting clause
4340 and insert:

4341 A bill to be entitled
4342 An act relating to early learning and early grade
4343 success; amending s. 20.055, F.S.; conforming
4344 provisions to changes made by the act; amending s.
4345 20.15, F.S.; eliminating the Office of Early Learning
4346 from the Office of Independent Education and Parental
4347 Choice of the Department of Education; establishing
4348 the Division of Early Learning within the department;
4349 amending s. 39.202, F.S.; conforming provisions to
4350 changes made by the act; amending s. 39.604, F.S.;
4351 revising approved child care or early education
4352 settings for the placement of certain children;
4353 conforming a cross-reference to changes made by the
4354 act; amending s. 212.08, F.S.; conforming provisions
4355 to changes made by the act; amending ss. 383.14,
4356 391.308, and 402.26, F.S.; conforming provisions and
4357 cross-references to changes made by the act;
4358 transferring, renumbering, and amending s. 402.281,
4359 F.S.; revising the requirements of the Gold Seal
4360 Quality Care program; requiring the State Board of



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4361 Education to adopt specified rules; revising
4362 accrediting association requirements; providing
4363 requirements for accrediting associations; requiring
4364 the department to adopt a specified process; providing
4365 requirements for such process; deleting a requirement
4366 for the department to consult certain entities for
4367 specified purposes; providing requirements for certain
4368 providers to maintain Gold Seal Quality Care status;
4369 providing exemptions to certain ad valorem taxes;
4370 providing rate differentials to certain providers;
4371 providing for a type two transfer of the Gold Seal
4372 Quality Care program in the Department of Children and
4373 Families to the Department of Education; providing for
4374 the continuation of certain contracts and interagency
4375 agreements; amending s. 402.305, F.S.; requiring
4376 minimum child care licensing standards adopted between
4377 specified dates to be ratified by the Legislature;
4378 revising requirements relating to staff trained in
4379 cardiopulmonary resuscitation; amending s. 402.315,
4380 F.S.; conforming a cross-reference to changes made by
4381 the act; amending s. 402.56, F.S.; revising the
4382 membership of the Children and Youth Cabinet; amending
4383 ss. 411.226, 411.227, 414.295, 1000.01, 1000.02,
4384 1000.03, 1000.04, 1000.21, 1001.02, 1001.03, 1001.10,
4385 and 1001.11, F.S.; conforming provisions and cross-
4386 references to changes made by the act; repealing s.
4387 1001.213, F.S., relating to the Office of Early
4388 Learning; amending ss. 1001.215, 1001.23, 1001.70,
4389 1001.706, 1002.22, 1002.32, 1002.34, and 1002.36 F.S.;



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4390 conforming provisions and cross-references to changes
4391 made by the act; amending s. 1002.53, F.S.; revising
4392 the requirements for certain program provider
4393 profiles; requiring students enrolled in the Voluntary
4394 Prekindergarten Education Program to participate in a
4395 specified screening and progress monitoring program;
4396 amending s. 1002.55, F.S.; authorizing certain child
4397 development programs operating on a military
4398 installment to be private prekindergarten providers
4399 within the Voluntary Prekindergarten Education
4400 Program; providing that a private prekindergarten
4401 provider is ineligible for participation in the
4402 program under certain circumstances; revising
4403 requirements that must be met by a prekindergarten
4404 instructor; revising requirements for specified
4405 courses for prekindergarten instructors; providing
4406 that a private school administrator who holds a
4407 specified certificate meets certain credential
4408 requirements; providing liability insurance
4409 requirements for child development programs operating
4410 on a military installment participating in the
4411 program; requiring early learning coalitions to verify
4412 private prekindergarten provider compliance with
4413 specified provisions; requiring such coalitions to
4414 remove a provider's eligibility under specified
4415 circumstances; amending s. 1002.57, F.S.; revising the
4416 minimum standards for a credential for certain
4417 prekindergarten directors; amending s. 1002.59, F.S.;
4418 revising requirements for emergent literacy and



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4419 performance standards training courses for
4420 prekindergarten instructors; requiring the department
4421 to make certain courses available; amending s.
4422 1002.61, F.S.; authorizing certain child development
4423 programs operating on a military installment to be
4424 private prekindergarten providers within the summer
4425 Voluntary Prekindergarten Education Program; revising
4426 the criteria for a teacher to receive priority for the
4427 summer program in a school district; requiring child
4428 development programs operating on a military
4429 installment to comply with specified criteria;
4430 requiring early learning coalitions to verify
4431 specified information; providing for the removal of a
4432 program provider from eligibility under certain
4433 circumstances; amending s. 1002.63, F.S.; requiring
4434 early learning coalitions to verify specified
4435 information; providing for the removal of public
4436 school program providers from the program under
4437 certain circumstances; amending s. 1002.67, F.S.;
4438 revising the performance standards for the Voluntary
4439 Prekindergarten Education Program; requiring the
4440 department to review and revise performance standards
4441 on a specified schedule; revising curriculum
4442 requirements for the program; requiring the department
4443 to adopt procedures for the review and approval of
4444 curricula for the program; deleting a required
4445 preassessment and postassessment for the program;
4446 creating s. 1002.68, F.S.; requiring providers of the
4447 Voluntary Prekindergarten Education Program to



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4448 participate in a specified screening and progress
4449 monitoring program; providing specified uses for the
4450 results of such program; requiring certain portions of
4451 the screening and progress monitoring program to be
4452 administered by individuals who meet specified
4453 criteria; requiring the results of specified
4454 assessments to be reported to the parents of
4455 participating students; providing requirements for
4456 such assessments; providing department duties and
4457 responsibilities relating to such assessments;
4458 providing requirements for a specified methodology
4459 used to calculate the results of such assessments;
4460 requiring the department to establish a designation
4461 system for program providers; providing for the
4462 adoption of a minimum performance metric or
4463 designation for program participation; providing
4464 procedures for a provider whose score or designation
4465 falls below the minimum requirement; providing for the
4466 revocation of program eligibility for a provider;
4467 authorizing the department to grant good cause
4468 exemptions to providers under certain circumstances;
4469 providing department and provider requirements for
4470 such exemptions; repealing s. 1002.69, F.S., relating
4471 to statewide kindergarten screening and readiness
4472 rates; amending ss. 1002.71 and 1002.72, F.S.;
4473 conforming provisions to changes made by the act;
4474 amending s. 1002.73, F.S.; requiring the department to
4475 adopt a statewide provider contract; requiring such
4476 contract to be published on the department's website;



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4477 providing requirements for such contract; prohibiting
4478 providers from offering services during an appeal of
4479 termination from the program; providing applicability;
4480 requiring the department to adopt specified procedures
4481 relating to the Voluntary Prekindergarten Education
4482 Program; providing duties of the department relating
4483 to such program; repealing s. 1002.75, F.S., relating
4484 to the powers and duties of the Office of Early
4485 Learning; repealing s. 1002.77, F.S., relating to the
4486 Florida Early Learning Advisory Council; amending ss.
4487 1002.79 and 1002.81, F.S.; conforming provisions and
4488 cross-references to changes made by the act; amending
4489 s. 1002.82, F.S.; providing duties of the department
4490 relating to early learning; exempting certain child
4491 development programs operating on a military
4492 installment from specified inspection requirements;
4493 requiring the department to monitor specified
4494 standards and benchmarks for certain purposes;
4495 requiring the department to provide specified
4496 technical support; revising requirements for a
4497 specified assessment program; requiring the department
4498 to adopt requirements to make certain contracted slots
4499 available to serve specified populations; requiring
4500 the department to adopt procedures for the merging of
4501 early learning coalitions; revising the requirements
4502 for a specified report; amending s. 1002.83, F.S.;
4503 revising the number of authorized early learning
4504 coalitions; revising the number of and requirements
4505 for members of an early learning coalition; revising



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4506 requirements for such coalitions; amending s. 1002.84,
4507 F.S.; revising early learning coalition
4508 responsibilities and duties; revising requirements for
4509 the waiver of specified copayments; amending s.
4510 1002.85, F.S.; revising the requirements for school
4511 readiness program plans; amending s. 1002.88, F.S.;
4512 authorizing certain child development programs
4513 operating on military installations to participate in
4514 the school readiness program; revising requirements to
4515 deliver such a program; providing that a specified
4516 annual inspection for a child development program
4517 participating in the school readiness program meets
4518 certain provider requirements; providing requirements
4519 for a child development program to meet certain
4520 liability requirements; amending ss. 1002.89,
4521 1002.895, and 1002.91, F.S.; conforming provisions and
4522 cross-references to changes made by the act; amending
4523 s. 1002.92, F.S.; revising the services that must be
4524 provided by child care resource and referral agencies;
4525 amending s. 1002.93, F.S.; conforming provisions to
4526 changes made by the act; repealing s. 1002.94, F.S.,
4527 relating to the Child Care Executive Partnership
4528 Program; amending ss. 1002.95, 1002.96, 1002.97,
4529 1002.995, 1003.575, and 1007.01, F.S.; conforming
4530 provisions and cross-references to changes made by the
4531 act; creating s. 1008.2125, F.S.; creating the
4532 coordinated screening and progress monitoring program
4533 within the department for specified purposes;
4534 requiring the Commissioner of Education to design such



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4535 program; providing requirements for the administration
4536 of such program and the use of results from the
4537 program; providing requirements for the commissioner;
4538 creating the Early Grade Success Advisory Committee;
4539 providing duties of the committee; providing for the
4540 membership of the committee; requiring the committee
4541 to elect a chair and a vice chair; providing
4542 requirements for such appointments; providing for per
4543 diem for members of the committee; providing meeting
4544 requirements for the committee; providing for a quorum
4545 of the committee; amending s. 1008.25, F.S.;

4546 authorizing certain students who enrolled in the
4547 Voluntary Prekindergarten Education Program to receive
4548 intensive reading interventions using specified funds;
4549 amending ss. 1008.31, 1008.32, and 1008.33, F.S.;

4550 conforming provisions to changes made by the act;
4551 amending s. 1011.62, F.S.; revising the research-based
4552 reading instruction allocation to authorize the use of
4553 such funds for certain intensive reading interventions
4554 for certain students; revising the requirements for
4555 specified reading instruction and interventions;
4556 defining the term "evidence-based"; providing
4557 appropriations; providing requirements for the use of
4558 such funds; providing an effective date.



330202

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
02/26/2020	.	
	.	
	.	
	.	

Appropriations Subcommittee on Education (Harrell) recommended the following:

1 **Senate Amendment to Amendment (324350) (with title**
2 **amendment)**

3
4 Delete lines 4290 - 4334.

5
6 ===== T I T L E A M E N D M E N T =====

7 And the title is amended as follows:

8 Delete lines 4556 - 4558

9 and insert:

10 defining the term "evidence-based"; providing an



330202

11

effective date.



155320

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
02/26/2020	.	
	.	
	.	
	.	

Appropriations Subcommittee on Education (Harrell) recommended the following:

Senate Amendment to Amendment (324350)

Delete line 2552
and insert:
report published under subsection (7). Beginning with the 2022-23 Fiscal Year, if an early learning

By Senator Harrell

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

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

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

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

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

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

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175 certain taxes for qualifying providers; providing for
 176 certain child care facilities to receive a specified
 177 rate differential; authorizing the Early Learning
 178 Programs Estimating Conference to determine certain
 179 rate differentials for certain school readiness
 180 programs; requiring the state board to adopt rules;
 181 amending ss. 1002.95, 1002.96, 1002.97, 1002.995,
 182 1003.575, and 1007.01, F.S.; conforming provisions to
 183 changes made by the act; creating s. 1008.2125, F.S.;
 184 creating the coordinated screening and progress-
 185 monitoring program within the department for specified
 186 purposes; requiring the Commissioner of Education to
 187 design the program; providing requirements for the
 188 administration of the program beginning in a specified
 189 school year; requiring results of the program to be
 190 reported to and maintained by the department;
 191 providing duties for the commissioner; creating the
 192 Council for Early Grade Success; providing duties of
 193 the council; providing membership of the council;
 194 requiring the council to elect a chair and a vice
 195 chair; providing for per diem for members of the
 196 council; providing meeting requirements for the
 197 council; providing for a quorum of the council;
 198 amending s. 1008.25, F.S.; authorizing certain
 199 students enrolled in the Voluntary Prekindergarten
 200 Education Program to receive intensive reading
 201 interventions using specified funds; amending ss.
 202 1008.31, 1008.32, and 1008.33, F.S.; conforming
 203 provisions to changes made by the act; amending s.

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204 1011.62, F.S.; revising the research-based reading
 205 instruction allocation to authorize the use of such
 206 funds for certain intensive reading interventions for
 207 students enrolled in the Voluntary Prekindergarten
 208 Education Program; amending ss. 1002.22 and 1002.53,
 209 F.S.; conforming cross-references; providing an
 210 effective date.
 211

212 Be It Enacted by the Legislature of the State of Florida:
 213

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

216 20.055 Agency inspectors general.—

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

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

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

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

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

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

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

245 (c) Division of Early Learning.

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

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

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

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

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262 ~~29~~ education under the jurisdiction of the State Board of
 263 Education.

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

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

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

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

- 277 1. Child or adult protective investigations;
- 278 2. Ongoing child or adult protective services;
- 279 3. Early intervention and prevention services;
- 280 4. Healthy Start services;

281 5. Licensure or approval of adoptive homes, foster homes,
 282 child care facilities, facilities licensed under chapter 393,
 283 family day care homes, providers who receive school readiness
 284 funding under part VI of chapter 1002, or other homes used to
 285 provide for the care and welfare of children;

286 6. Employment screening for caregivers in residential group
 287 homes; or

288 7. Services for victims of domestic violence when provided
 289 by certified domestic violence centers working at the
 290 department's request as case consultants or with shared clients.

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291
292 Also, employees or agents of the Department of Juvenile Justice
293 responsible for the provision of services to children, pursuant
294 to chapters 984 and 985.

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

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

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

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

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

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

326 (5) EXEMPTIONS; ACCOUNT OF USE.—

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

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

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

344 (8) EARLY LEARNING PROGRAMS ESTIMATING CONFERENCE.—

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

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

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

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

377 383.14 Screening for metabolic disorders, other hereditary

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378 and congenital disorders, and environmental risk factors.-

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

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

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

432 (2) RULES.—

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

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

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

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

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

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

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

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

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

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

469 402.26 Child care; legislative intent.—

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

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

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

481 402.305 Licensing standards; child care facilities.—

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

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

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

515 (7) SANITATION AND SAFETY.—

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

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523 Section 12. Subsection (5) of section 402.315, Florida
 524 Statutes, is amended to read:
 525 402.315 Funding; license fees.—
 526 (5) All moneys collected by the department for child care
 527 licensing shall be held in a trust fund of the department to be
 528 reallocated to the department during the following fiscal year
 529 to fund child care licensing activities, including the Gold Seal
 530 Quality Care program created pursuant to s. 1002.945 ~~s. 402.281~~.
 531 Section 13. Paragraph (a) of subsection (4) of section
 532 402.56, Florida Statutes, is amended to read:
 533 402.56 Children's cabinet; organization; responsibilities;
 534 annual report.—
 535 (4) MEMBERS.—The cabinet shall consist of 16 members
 536 including the Governor and the following persons:
 537 (a)1. The Secretary of Children and Families;
 538 2. The Secretary of Juvenile Justice;
 539 3. The director of the Agency for Persons with
 540 Disabilities;
 541 4. A representative from the Division ~~The director of the~~
 542 ~~Office of Early Learning~~;
 543 5. The State Surgeon General;
 544 6. The Secretary of Health Care Administration;
 545 7. The Commissioner of Education;
 546 8. The director of the Statewide Guardian Ad Litem Office;
 547 9. A representative of the Office of Adoption and Child
 548 Protection;
 549 10. A superintendent of schools, appointed by the Governor;
 550 and
 551 11. Five members who represent children and youth advocacy

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552 organizations and who are not service providers, appointed by
 553 the Governor.
 554 Section 14. Paragraph (e) of subsection (2) of section
 555 411.226, Florida Statutes, is amended to read:
 556 411.226 Learning Gateway.—
 557 (2) LEARNING GATEWAY STEERING COMMITTEE.—
 558 (e) To support and facilitate system improvements, the
 559 steering committee must consult with representatives from the
 560 Department of Education, the Department of Health, ~~the Office of~~
 561 ~~Early Learning~~, the Department of Children and Families, the
 562 Agency for Health Care Administration, the Department of
 563 Juvenile Justice, and the Department of Corrections and with the
 564 director of the Learning Development and Evaluation Center of
 565 Florida Agricultural and Mechanical University.
 566 Section 15. Paragraph (d) of subsection (1), paragraph (a)
 567 of subsection (2), and paragraph (c) of subsection (3) of
 568 section 411.227, Florida Statutes, are amended to read:
 569 411.227 Components of the Learning Gateway.—The Learning
 570 Gateway system consists of the following components:
 571 (1) COMMUNITY EDUCATION STRATEGIES AND FAMILY-ORIENTED
 572 ACCESS.—
 573 (d) In collaboration with other local resources, the
 574 demonstration projects shall develop public awareness strategies
 575 to disseminate information about developmental milestones,
 576 precursors of learning problems and other developmental delays,
 577 and the service system that is available. The information should
 578 target parents of children from birth through age 9 and should
 579 be distributed to parents, health care providers, and caregivers
 580 of children from birth through age 9. A variety of media should

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

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

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

603 (2) SCREENING AND DEVELOPMENTAL MONITORING.—

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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697 beyond grade 12.

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

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

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

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

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

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

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

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

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

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726 achievement and improvement.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

817

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

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

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

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

835 (2)(4) PUBLIC K-12 SCHOOLS.—The public K-12 schools include
836 charter schools and consist of kindergarten classes; elementary,
837 middle, and high school grades and special classes; virtual
838 instruction programs; workforce education; career centers;
839 adult, part-time, and evening schools, courses, or classes, as
840 authorized by law to be operated under the control of district
841 school boards; and lab schools operated under the control of

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842 state universities.

843 (3)(2) PUBLIC POSTSECONDARY EDUCATIONAL INSTITUTIONS.—

844 Public postsecondary educational institutions include workforce
845 education; Florida College System institutions; state
846 universities; and all other state-supported postsecondary
847 educational institutions that are authorized and established by
848 law.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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900 (o) Miami Dade College, which serves Miami-Dade County.

901 (p) North Florida College, which serves Hamilton,
 902 Jefferson, Lafayette, Madison, Suwannee, and Taylor Counties.

903 (q) Northwest Florida State College, which serves Okaloosa
 904 and Walton Counties.

905 (r) Palm Beach State College, which serves Palm Beach
 906 County.

907 (s) Pasco-Hernando State College, which serves Hernando and
 908 Pasco Counties.

909 (t) Pensacola State College, which serves Escambia and
 910 Santa Rosa Counties.

911 (u) Polk State College, which serves Polk County.

912 (v) St. Johns River State College, which serves Clay,
 913 Putnam, and St. Johns Counties.

914 (w) St. Petersburg College, which serves Pinellas County.

915 (x) Santa Fe College, which serves Alachua and Bradford
 916 Counties.

917 (y) Seminole State College of Florida, which serves
 918 Seminole County.

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

921 (aa) Tallahassee Community College, which serves Gadsden,
 922 Leon, and Wakulla Counties.

923 (bb) Valencia College, which serves Orange and Osceola
 924 Counties.

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

926 (5) "Parent" is either or both parents of a student, any
 927 guardian of a student, any person in a parental relationship to
 928 a student, or any person exercising supervisory authority over a

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929 student in place of the parent.

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

- 933 (a) The University of Florida.
- 934 (b) The Florida State University.
- 935 (c) The Florida Agricultural and Mechanical University.
- 936 (d) The University of South Florida.
- 937 (e) The Florida Atlantic University.
- 938 (f) The University of West Florida.
- 939 (g) The University of Central Florida.
- 940 (h) The University of North Florida.
- 941 (i) The Florida International University.
- 942 (j) The Florida Gulf Coast University.
- 943 (k) New College of Florida.
- 944 (l) The Florida Polytechnic University.

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

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

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

953 1001.02 General powers of State Board of Education.—

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

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

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

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

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

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

985 1001.03 Specific powers of State Board of Education.—

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

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

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

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

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

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

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

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

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

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

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

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

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

1043 1001.11 Commissioner of Education; other duties.—

1044 (1) The Commissioner of Education must independently

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1045 perform the following duties:

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

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

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

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

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

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

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

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

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

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

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

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

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

1086 1002.32 Developmental research (laboratory) schools.—

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

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

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

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

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

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

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

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

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

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

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

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

1146 1002.34 Charter technical career centers.—

1147 (10) EXEMPTION FROM STATUTES.—

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

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

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

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

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

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

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

1177 (4)

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

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

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

1197 (a) The provider's or school's services, curriculum,
 1198 instructor credentials, and instructor-to-student ratio; and
 1199 (b) The provider's or school's kindergarten readiness rate
 1200 ~~calculated in accordance with s. 1002.69~~, based upon the most
 1201 recent available results of the statewide kindergarten screening
 1202 or, when available, the performance metric in accordance with s.
 1203 1002.68.

1204 (6)

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

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

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

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

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

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

1231 (b) The private prekindergarten provider must:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

1362 (5)

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

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

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

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

1383 1002.57 Prekindergarten director credential.—

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

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

1392 (a) Professionally accepted standards for prekindergarten

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

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

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

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

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

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

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

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

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

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

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

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

1443 (1)

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

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

1453 (3)

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

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

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

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

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

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

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

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

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

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

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

1518 (3)

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

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

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

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

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

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

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

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

- 1561 1. The capabilities, capacities, and skills required under
- 1562 s. 1(b), Art. IX of the State Constitution; ~~and~~
- 1563 2. Emergent literacy skills, including oral communication,
- 1564 knowledge of print and letters, phonemic and phonological
- 1565 awareness, and vocabulary and comprehension development; and
- 1566 3. Mathematical thinking and early math skills.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

1673 1002.68 Voluntary Prekindergarten Education Program
 1674 accountability.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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1741 in subsection (1).

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

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

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

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

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

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

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

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

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

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

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

1805 2. Place the provider or school on probation; and
 1806 3. Require the provider or school to take certain
 1807 corrective actions, including the use of a curriculum approved
 1808 by the department under s. 1002.67(2)(c) or a staff development
 1809 plan approved by the department to strengthen instructional
 1810 practices in emotional and behavioral support, engaged support
 1811 for learning, classroom organization, language development,
 1812 phonological awareness, alphabet knowledge, and mathematical
 1813 thinking.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

1914 1002.71 Funding; financial and attendance reporting.-

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1915 (3)

1916 (c) The initial allocation shall be based on estimated

1917 student enrollment in each coalition service area. The

1918 ~~department Office of Early Learning~~ shall reallocate funds among

1919 the coalitions based on actual full-time equivalent student

1920 enrollment in each coalition service area. Each coalition shall

1921 report student enrollment pursuant to subsection (2) on a

1922 monthly basis. A student enrollment count for the prior fiscal

1923 year may not be amended after September 30 of the subsequent

1924 fiscal year.

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

1926 (a) A child who, for any of the prekindergarten programs

1927 listed in s. 1002.53(3), has not completed more than 70 percent

1928 of the hours authorized to be reported for funding under

1929 subsection (2), or has not expended more than 70 percent of the

1930 funds authorized for the child under s. 1002.66, may withdraw

1931 from the program for good cause and reenroll in one of the

1932 programs. The total funding for a child who reenrolls in one of

1933 the programs for good cause may not exceed one full-time

1934 equivalent student. Funding for a child who withdraws and

1935 reenrolls in one of the programs for good cause shall be issued

1936 in accordance with the ~~department's Office of Early Learning's~~

1937 uniform attendance policy adopted pursuant to paragraph (6)(d).

1938 (b) A child who has not substantially completed any of the

1939 prekindergarten programs listed in s. 1002.53(3) may withdraw

1940 from the program due to an extreme hardship that is beyond the

1941 child's or parent's control, reenroll in one of the summer

1942 programs, and be reported for funding purposes as a full-time

1943 equivalent student in the summer program for which the child is

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1944 reenrolled.

1945

1946 A child may reenroll only once in a prekindergarten program

1947 under this section. A child who reenrolls in a prekindergarten

1948 program under this subsection may not subsequently withdraw from

1949 the program and reenroll, unless the child is granted a good

1950 cause exemption under this subsection. The ~~department Office of~~

1951 ~~Early Learning~~ shall establish criteria specifying whether a

1952 good cause exists for a child to withdraw from a program under

1953 paragraph (a), whether a child has substantially completed a

1954 program under paragraph (b), and whether an extreme hardship

1955 exists which is beyond the child's or parent's control under

1956 paragraph (b).

1957 (5)

1958 (b) The ~~department Office of Early Learning~~ shall adopt

1959 procedures for the payment of private prekindergarten providers

1960 and public schools delivering the Voluntary Prekindergarten

1961 Education Program. The procedures shall provide for the advance

1962 payment of providers and schools based upon student enrollment

1963 in the program, the certification of student attendance, and the

1964 reconciliation of advance payments in accordance with the

1965 uniform attendance policy adopted under paragraph (6)(d). The

1966 procedures shall provide for the monthly distribution of funds

1967 by the ~~department Office of Early Learning~~ to the early learning

1968 coalitions for payment by the coalitions to private

1969 prekindergarten providers and public schools.

1970 (6)

1971 (b)1. Each private prekindergarten provider's and district

1972 school board's attendance policy must require the parent of each

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

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

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

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

1993 ... (Signature of Parent) ...
 1994 ... (Date) ...

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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- 2118 providers and public schools and removing providers or schools
- 2119 from eligibility to deliver the program due to noncompliance or
- 2120 misconduct as provided in s. 1002.67.
- 2121 (f) Paying private prekindergarten providers and public
- 2122 schools under s. 1002.71.
- 2123 (g) Documenting and certifying student enrollment and
- 2124 student attendance under s. 1002.71.
- 2125 (h) Reconciling advance payments in accordance with the
- 2126 uniform attendance policy under s. 1002.71.
- 2127 (i) Reenrolling students dismissed by a private
- 2128 prekindergarten provider or public school for noncompliance with
- 2129 the provider's or school district's attendance policy under s.
- 2130 1002.71.
- 2131 (4) The department shall administer the accountability
- 2132 requirements of the Voluntary Prekindergarten Education Program
- 2133 at the state level.
- 2134 (5) The department shall adopt rules governing the
- 2135 administration of the Voluntary Prekindergarten Education
- 2136 Program by the early learning coalitions and school districts
- 2137 for:
- 2138 (a) Approving improvement plans of private prekindergarten
- 2139 providers and public schools under s. 1002.68.
- 2140 (b) Placing private prekindergarten providers and public
- 2141 schools on probation and requiring corrective actions under s.
- 2142 1002.68.
- 2143 (c) Removing a private prekindergarten provider or public
- 2144 school from eligibility to deliver the program due to the
- 2145 provider's or school's remaining on probation beyond the time
- 2146 permitted under s. 1002.68. Notwithstanding any other law, if a

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

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

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

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

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

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

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

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

2175 (6) The department shall adopt procedures for the

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

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

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

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

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

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

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

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

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

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

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

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

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

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

2228 (2) The department ~~office~~ shall:

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

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

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

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

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

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

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

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

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

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

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

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

2270 (I) Eligibility requirements.

2271 (II) Financial reports.

2272 (III) Program accountability measures.

2273 (IV) Child progress reports.

2274 b. Child care resource and referral services.

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

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

2279 a. Rating and improvement systems.

2280 b. Warm-Line services.

2281 c. Anti-fraud plans.

2282 d. School readiness program standards.

2283 e. Child screening and assessments.

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

2286 g. Family literacy activities and services.

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

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

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

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

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

2317 1. Approaches to learning.

2318 2. Cognitive development and general knowledge.

2319 3. Numeracy, language, and communication.

2320 4. Physical development.

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2321 5. Self-regulation.

2322 (k) Identify observation-based child assessments that are
2323 valid, reliable, and developmentally appropriate for use at
2324 least three times a year. The assessments must:

2325 1. Provide interval level and criterion-referenced data
2326 that measures equivalent levels of growth across the core
2327 domains of early childhood development and that can be used for
2328 determining developmentally appropriate learning gains.

2329 2. Measure progress in the performance standards adopted
2330 pursuant to paragraph (j).

2331 3. Provide for appropriate accommodations for children with
2332 disabilities and English language learners and be administered
2333 by qualified individuals, consistent with the developer's
2334 instructions.

2335 4. Coordinate with the performance standards adopted by the
2336 department under s. 1002.67(1) for the Voluntary Prekindergarten
2337 Education Program.

2338 5. Provide data in a format for use in the single statewide
2339 information system to meet the requirements of paragraph (g)
2340 ~~(p)~~.

2341 (l) Adopt a list of approved curricula that meet the
2342 performance standards for the school readiness program and
2343 establish a process for the review and approval of a provider's
2344 curriculum that meets the performance standards.

2345 (m) Provide technical support to an early learning
2346 coalition to facilitate the use of ~~Adopt by rule~~ a standard
2347 statewide provider contract to be used with each school
2348 readiness program provider, with standardized attachments by
2349 provider type. The department office shall publish a copy of the

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

2531 1002.83 Early learning coalitions.—

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

2690 3. A coalition employee; or

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

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

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

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

2715 1002.85 Early learning coalition plans.-

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

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

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

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

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

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

2742 1. Single point of entry.
 2743 2. Uniform waiting list.
 2744 3. Eligibility and enrollment processes and local
 2745 eligibility priorities for children pursuant to s. 1002.87.
 2746 4. Parent access and choice.
 2747 5. Sliding fee scale and policies on applying the waiver or
 2748 reduction of fees in accordance with s. 1002.84(8).
 2749 6. Use of preassessments and postassessments, as
 2750 applicable.
 2751 7. Payment rate schedule.
 2752 8. Use of contracted slots, as applicable, based on the
 2753 results of the assessment required under paragraph (j).
 2754 (d) A detailed description of the coalition's quality
 2755 activities and services, including, but not limited to:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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2843 pursuant to s. 402.310.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

2944 1002.89 School readiness program; funding.—

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

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

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

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2959 quality activities, and nondirect services as follows:

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

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

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

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

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

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

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

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

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

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

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

3011 2. Determining child and family eligibility.

3012 3. Recruiting eligible child care providers.

3013 4. Processing and tracking attendance records.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

3069 1002.91 Investigations of fraud or overpayment; penalties.—

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

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

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

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

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

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

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

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

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3133 appropriate.

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

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

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

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

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

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

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3162 fraud, abuse, and overpayment.

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

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

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

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

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

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

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

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

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

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

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3220 6. Fees and eligibility for services.

3221 7. Availability of transportation.

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

3224 1002.93 School readiness program transportation services.—

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

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

3235 1002.94 Child Care Executive Partnership Program.—

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

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

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

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

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

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

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

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

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

3266 4. Approving an annual budget.

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

3270
3271 Notwithstanding this subsection, the corporate body politic
3272 previously established by prior law is the corporate body
3273 politic for purposes of this section and shall continue in
3274 existence. All member terms of the existing corporate body
3275 politic expire as of June 30, 2013, and new members shall be
3276 appointed beginning July 1, 2013, in accordance with this
3277 subsection.

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3278 (3)

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

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

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

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

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

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

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

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

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

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

3315 1. Is a recognized accrediting association.
 3316 2. Has accrediting standards that substantially meet or
 3317 exceed the Gold Seal Quality Care standards adopted by the state
 3318 board under subsection (2).

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

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

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

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

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

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

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

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

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3336 facilities;

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

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

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

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

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

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3365 years.

3366 (b) The child care provider may not have had three or more

3367 Class II violations, as defined by rule by the Department of

3368 Children and Families, within the 2 years preceding its

3369 application for designation as a Gold Seal Quality Care

3370 provider. Commission of three or more Class II violations within

3371 a 2-year period is grounds for termination of the designation as

3372 a Gold Seal Quality Care provider until the provider has not had

3373 any Class II violations for a period of 1 year.

3374 (c) The child care provider may not have been cited for the

3375 same Class III violation, as defined by rule by the Department

3376 of Children and Families, three or more times and failed to

3377 correct the violation within 1 year after the date of each

3378 citation, within the 2 years preceding its application for

3379 designation as a Gold Seal Quality Care provider. Commission of

3380 the same Class III violation three or more times and failure to

3381 correct within the required time during a 2-year period is

3382 grounds for termination of the designation until the provider

3383 has not had any Class III violations for a period of 1 year.

3384 (5) A child care facility licensed under s. 402.305 or a

3385 child care facility exempt from licensing under s. 402.316 that

3386 achieves Gold Seal Quality Care status pursuant to this section

3387 is considered an educational institution for the purpose of

3388 qualifying for exemption from ad valorem tax under s. 196.198.

3389 (6) A child care facility licensed under s. 402.305 or a

3390 child care facility exempt from licensing under s. 402.316 that

3391 achieves Gold Seal Quality Care status pursuant to this section

3392 and that participates in the school readiness program must

3393 receive a minimum of a 20 percent rate differential for each

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3394 enrolled school readiness child by care level and unit of child

3395 care. The Early Learning Programs Estimating Conference under s.

3396 216.136(8) may determine a higher rate differential above 20

3397 percent for a school readiness program that maintains group size

3398 and teacher-to-child ratios in accordance with its accrediting

3399 body standards as a function of setting payment rates, but the

3400 rate differential may not exceed 40 percent for each enrolled

3401 school readiness child by care level and unit of child care.

3402 (7) The State Board of Education shall adopt rules under

3403 ss. 120.536(1) and 120.54 which provide criteria and procedures

3404 for reviewing and approving accrediting associations for

3405 participation in the Gold Seal Quality Care Program, and

3406 conferring and revoking Gold Seal Quality Care provider

3407 designations.

3408 Section 60. Section 1002.95, Florida Statutes, is amended

3409 to read:

3410 1002.95 Teacher Education and Compensation Helps (TEACH)

3411 scholarship program.—

3412 (1) The department office may contract for the

3413 administration of the Teacher Education and Compensation Helps

3414 (TEACH) scholarship program, which provides educational

3415 scholarships to caregivers and administrators of early childhood

3416 programs, family day care homes, and large family child care

3417 homes. The goal of the program is to increase the education and

3418 training for caregivers, increase the compensation for child

3419 caregivers who complete the program requirements, and reduce the

3420 rate of participant turnover in the field of early childhood

3421 education.

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

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3423 as necessary to administer this section.

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

3426 1002.96 Early Head Start collaboration grants.—

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

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

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

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

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

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

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

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

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

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

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

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

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

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

3474 1. Strengthens knowledge and teaching practices.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

3555 (d) Dual enrollment course equivalencies.

3556 (e) Articulation agreements.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

3680 (3) The Commissioner of Education shall:

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

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

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

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

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

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

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

3709 2. Develop training plans and timelines.

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

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

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

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

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

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

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

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

- 3735 a. One representative of an urban school district.
- 3736 b. One representative of a rural school district.
- 3737 c. One representative of an urban early learning coalition.
- 3738 d. One representative of a rural early learning coalition.
- 3739 e. One representative of an early learning provider.
- 3740 f. One representative of a faith-based early learning
 3741 provider.

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

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

3746 i. One representative who is a school principal.

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

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

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

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

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

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3771 (5) of that section, to read:

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

3774 (5) READING DEFICIENCY AND PARENTAL NOTIFICATION.—

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

3785 (6) ELIMINATION OF SOCIAL PROMOTION.—

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

3799 1. Limited English proficient students who have had less

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

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

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

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

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

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

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

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

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

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

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

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

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

3845 b. Small group instruction.

3846 c. Reduced teacher-student ratios.

3847 d. More frequent progress monitoring.

3848 e. Tutoring or mentoring.

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

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

3852 (b) Each school district shall:

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

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

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

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

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

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

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

3893 b. Small group instruction.

3894 c. Reduced teacher-student ratios.

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

3900 e. A read-at-home plan.

3901 (8) ANNUAL REPORT.—

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

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

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

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

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

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

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

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

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

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

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

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3945 Individuals with Disabilities Education Act (IDEA).
 3946 (d) The early learning accountability system comply with
 3947 the requirements of Part V and Part VI of chapter 1002 and the
 3948 requirements of the Child Care and Development Block Grant Trust
 3949 Fund, pursuant to 45 C.F.R. parts 98 and 99.
 3950 ~~(e)(d)~~ The State Board of Education and the Board of
 3951 Governors of the State University System recommend to the
 3952 Legislature systemwide performance standards; the Legislature
 3953 establish systemwide performance measures and standards; and the
 3954 systemwide measures and standards provide Floridians with
 3955 information on what the public is receiving in return for the
 3956 funds it invests in education and how well the Early Learning-20
 3957 ~~K-20~~ system educates its students.
 3958 (f) 1.(e)1. The State Board of Education establish
 3959 performance measures and set performance standards for
 3960 individual public schools and Florida College System
 3961 institutions, with measures and standards based primarily on
 3962 student achievement.
 3963 2. The Board of Governors of the State University System
 3964 establish performance measures and set performance standards for
 3965 individual state universities, including actual completion
 3966 rates.
 3967 (2) MISSION, GOALS, AND SYSTEMWIDE MEASURES.-
 3968 (a) The mission of Florida's Early Learning-20 ~~K-20~~
 3969 education system shall be to increase the proficiency of all
 3970 students within one seamless, efficient system, by allowing them
 3971 the opportunity to expand their knowledge and skills through
 3972 learning opportunities and research valued by students, parents,
 3973 and communities.

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

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

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

4018 (b) Colleges and universities eligible to participate in
 4019 the William L. Boyd, IV, Effective Access to Student Education
 4020 Grant Program shall annually report student-level data from the
 4021 prior year for each student who receives state funds in a format
 4022 prescribed by the Department of Education. At a minimum, data
 4023 from the prior year must include retention rates, transfer
 4024 rates, completion rates, graduation rates, employment and
 4025 placement rates, and earnings of graduates. By October 1 of each
 4026 year, the colleges and universities described in this paragraph
 4027 shall report the data to the department.

4028 (c) The Commissioner of Education shall determine the
 4029 standards for the required data, monitor data quality, and
 4030 measure improvements. The commissioner shall report annually to
 4031 the State Board of Education, the Board of Governors of the

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4032 State University System, the President of the Senate, and the
 4033 Speaker of the House of Representatives data quality indicators
 4034 and ratings for all school districts and public postsecondary
 4035 educational institutions.

4036 (d) Before establishing any new reporting or data
 4037 collection requirements, the commissioner shall use existing
 4038 data being collected to reduce duplication and minimize
 4039 paperwork.

4040 (4) RULES.—The State Board of Education shall adopt rules
 4041 pursuant to ss. 120.536(1) and 120.54 to implement the
 4042 provisions of this section relating to the education ~~K-20~~ data
 4043 warehouse.

4044 Section 69. Section 1008.32, Florida Statutes, is amended
 4045 to read:

4046 1008.32 State Board of Education oversight enforcement
 4047 authority.—The State Board of Education shall oversee the
 4048 performance of early learning coalitions, district school
 4049 boards, and Florida College System institution boards of
 4050 trustees in enforcement of all laws and rules. District school
 4051 boards and Florida College System institution boards of trustees
 4052 shall be primarily responsible for compliance with law and state
 4053 board rule.

4054 (1) In order to ensure compliance with law or state board
 4055 rule, the State Board of Education shall have the authority to
 4056 request and receive information, data, and reports from early
 4057 learning coalitions, school districts, and Florida College
 4058 System institutions. Early Learning Coalition chief executive
 4059 officers or executive directors, district school
 4060 superintendents, and Florida College System institution

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4061 presidents are responsible for the accuracy of the information
4062 and data reported to the state board.

4063 (2) (a) The Commissioner of Education may investigate
4064 allegations of noncompliance with law or state board rule and
4065 determine probable cause. The commissioner shall report
4066 determinations of probable cause to the State Board of Education
4067 which shall require the early learning coalition, district
4068 school board, or Florida College System institution board of
4069 trustees to document compliance with law or state board rule.

4070 (b) The Commissioner of Education shall report to the State
4071 Board of Education any findings by the Auditor General that an
4072 early learning coalition, a district school board, or a Florida
4073 College System institution is acting without statutory authority
4074 or contrary to general law. The State Board of Education shall
4075 require the early learning coalition, district school board, or
4076 Florida College System institution board of trustees to document
4077 compliance with such law.

4078 (3) If the early learning coalition, district school board,
4079 or Florida College System institution board of trustees cannot
4080 satisfactorily document compliance, the State Board of Education
4081 may order compliance within a specified timeframe.

4082 (4) If the State Board of Education determines that an
4083 early learning coalition, a district school board, or a Florida
4084 College System institution board of trustees is unwilling or
4085 unable to comply with law or state board rule within the
4086 specified time, the state board shall have the authority to
4087 initiate any of the following actions:

4088 (a) Report to the Legislature that the early learning
4089 coalition, school district, or Florida College System

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4090 institution is unwilling or unable to comply with law or state
4091 board rule and recommend action to be taken by the Legislature.

4092 (b) Withhold the transfer of state funds, discretionary
4093 grant funds, discretionary lottery funds, or any other funds
4094 specified as eligible for this purpose by the Legislature until
4095 the early learning coalition, school district, or Florida
4096 College System institution complies with the law or state board
4097 rule.

4098 (c) Declare the early learning coalition, school district,
4099 or Florida College System institution ineligible for competitive
4100 grants.

4101 (d) Require monthly or periodic reporting on the situation
4102 related to noncompliance until it is remedied.

4103 (5) Nothing in this section shall be construed to create a
4104 private cause of action or create any rights for individuals or
4105 entities in addition to those provided elsewhere in law or rule.

4106 Section 70. Paragraph (a) of subsection (3) of section
4107 1008.33, Florida Statutes, is amended to read:

4108 1008.33 Authority to enforce public school improvement.—

4109 (3) (a) The academic performance of all students has a
4110 significant effect on the state school system. Pursuant to Art.
4111 IX of the State Constitution, which prescribes the duty of the
4112 State Board of Education to supervise Florida's public school
4113 system, the state board shall equitably enforce the
4114 accountability requirements of the state school system and may
4115 impose state requirements on school districts in order to
4116 improve the academic performance of all districts, schools, and
4117 students based upon the provisions of the Florida Early
4118 Learning-20 K-20 Education Code, chapters 1000-1013; the federal

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4119 ESEA and its implementing regulations; and the ESEA flexibility
4120 waiver approved for Florida by the United States Secretary of
4121 Education.

4122 Section 71. Subsection (9) of section 1011.62, Florida
4123 Statutes, is amended to read:

4124 1011.62 Funds for operation of schools.—If the annual
4125 allocation from the Florida Education Finance Program to each
4126 district for operation of schools is not determined in the
4127 annual appropriations act or the substantive bill implementing
4128 the annual appropriations act, it shall be determined as
4129 follows:

4130 (9) RESEARCH-BASED READING INSTRUCTION ALLOCATION.—

4131 (a) The research-based reading instruction allocation is
4132 created to provide comprehensive reading instruction to students
4133 in kindergarten through grade 12, including certain students who
4134 exhibit a substantial deficiency in early literacy and completed
4135 the Voluntary Prekindergarten Education Program pursuant to s.
4136 1008.25(5)(b). Each school district that has one or more of the
4137 300 lowest-performing elementary schools based on a 3-year
4138 average of the state reading assessment data must use the
4139 school's portion of the allocation to provide an additional hour
4140 per day of intensive reading instruction for the students in
4141 each school. The additional hour may be provided within the
4142 school day. Students enrolled in these schools who earned a
4143 level 4 or level 5 score on the statewide, standardized English
4144 Language Arts assessment for the previous school year may
4145 participate in the additional hour of instruction. Exceptional
4146 student education centers may not be included in the 300
4147 schools. The intensive reading instruction delivered in this

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4148 additional hour shall include: research-based reading
4149 instruction that has been proven to accelerate progress of
4150 students exhibiting a reading deficiency; differentiated
4151 instruction based on screening, diagnostic, progress monitoring,
4152 or student assessment data to meet students' specific reading
4153 needs; explicit and systematic reading strategies to develop
4154 phonemic awareness, phonics, fluency, vocabulary, and
4155 comprehension, with more extensive opportunities for guided
4156 practice, error correction, and feedback; and the integration of
4157 social studies, science, and mathematics-text reading, text
4158 discussion, and writing in response to reading.

4159 (b) Funds for comprehensive, research-based reading
4160 instruction shall be allocated annually to each school district
4161 in the amount provided in the General Appropriations Act. Each
4162 eligible school district shall receive the same minimum amount
4163 as specified in the General Appropriations Act, and any
4164 remaining funds shall be distributed to eligible school
4165 districts based on each school district's proportionate share of
4166 K-12 base funding.

4167 (c) Funds allocated under this subsection must be used to
4168 provide a system of comprehensive reading instruction to
4169 students enrolled in the K-12 programs and certain students who
4170 exhibit a substantial deficiency in early literacy and completed
4171 the Voluntary Prekindergarten Education Program pursuant to s.
4172 1008.25(5)(b). ~~The system, which~~ may include the following:

4173 1. An additional hour per day of intensive reading
4174 instruction to students in the 300 lowest-performing elementary
4175 schools by teachers and reading specialists who have
4176 demonstrated effectiveness in teaching reading as required in

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4177 paragraph (a).

4178 2. Kindergarten through grade 5 reading intervention
4179 teachers to provide intensive intervention during the school day
4180 and in the required extra hour for students identified as having
4181 a reading deficiency.

4182 3. Highly qualified reading coaches to specifically support
4183 teachers in making instructional decisions based on student
4184 data, and improve teacher delivery of effective reading
4185 instruction, intervention, and reading in the content areas
4186 based on student need.

4187 4. Professional development for school district teachers in
4188 scientifically based reading instruction, including strategies
4189 to teach reading in content areas and with an emphasis on
4190 technical and informational text, to help school district
4191 teachers earn a certification or an endorsement in reading.

4192 5. Summer reading camps, using only teachers or other
4193 district personnel who are certified or endorsed in reading
4194 consistent with s. 1008.25(7)(b)3., for all students in
4195 kindergarten through grade 2 who demonstrate a reading
4196 deficiency as determined by district and state assessments; ~~and~~
4197 students in grades 3 through 5 who score at Level 1 on the
4198 statewide, standardized English Language Arts assessment; and
4199 certain students who exhibit a substantial deficiency in early
4200 literacy and completed the Voluntary Prekindergarten Education
4201 Program pursuant to s. 1008.25(5)(b).

4202 6. Supplemental instructional materials that are grounded
4203 in scientifically based reading research as identified by the
4204 Just Read, Florida! Office pursuant to s. 1001.215(8).

4205 7. Intensive interventions for students in kindergarten

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4206 through grade 12 who have been identified as having a reading
4207 deficiency or who are reading below grade level as determined by
4208 the statewide, standardized English Language Arts assessment or
4209 for certain students who exhibit a substantial deficiency in
4210 early literacy and completed the Voluntary Prekindergarten
4211 Education Program pursuant to s. 1008.25(5)(b).

4212 (d)1. Annually, by a date determined by the Department of
4213 Education but before May 1, school districts shall submit a ~~K-12~~
4214 comprehensive reading plan for the specific use of the research-
4215 based reading instruction allocation in the format prescribed by
4216 the department for review and approval by the Just Read,
4217 Florida! Office created pursuant to s. 1001.215. The plan
4218 annually submitted by school districts shall be deemed approved
4219 unless the department rejects the plan on or before June 1. If a
4220 school district and the Just Read, Florida! Office cannot reach
4221 agreement on the contents of the plan, the school district may
4222 appeal to the State Board of Education for resolution. School
4223 districts shall be allowed reasonable flexibility in designing
4224 their plans and shall be encouraged to offer reading
4225 intervention through innovative methods, including career
4226 academies. The plan format shall be developed with input from
4227 school district personnel, including teachers and principals,
4228 and shall provide for intensive reading interventions through
4229 integrated curricula, provided that, beginning with the 2020-
4230 2021 school year, the interventions are delivered by a teacher
4231 who is certified or endorsed in reading. Such interventions must
4232 incorporate strategies identified by the Just Read, Florida!
4233 Office pursuant to s. 1001.215(8). No later than July 1
4234 annually, the department shall release the school district's

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4235 allocation of appropriated funds to those districts having
 4236 approved plans. A school district that spends 100 percent of
 4237 this allocation on its approved plan shall be deemed to have
 4238 been in compliance with the plan. The department may withhold
 4239 funds upon a determination that reading instruction allocation
 4240 funds are not being used to implement the approved plan. The
 4241 department shall monitor and track the implementation of each
 4242 district plan, including conducting site visits and collecting
 4243 specific data on expenditures and reading improvement results.
 4244 By February 1 of each year, the department shall report its
 4245 findings to the Legislature.

4246 2. Each school district that has a school designated as one
 4247 of the 300 lowest-performing elementary schools as specified in
 4248 paragraph (a) shall specifically delineate in the comprehensive
 4249 reading plan, or in an addendum to the comprehensive reading
 4250 plan, the implementation design and reading intervention
 4251 strategies that will be used for the required additional hour of
 4252 reading instruction. The term "reading intervention" includes
 4253 evidence-based strategies frequently used to remediate reading
 4254 deficiencies and also includes individual instruction, tutoring,
 4255 mentoring, or the use of technology that targets specific
 4256 reading skills and abilities.

4257 Section 72. Paragraph (b) of subsection (1) of section
 4258 1002.22, Florida Statutes, is amended to read:

4259 1002.22 Education records and reports of K-12 students;
 4260 rights of parents and students; notification; penalty.—

4261 (1) DEFINITIONS.—As used in this section, the term:

4262 (b) "Institution" means any public school, center,
 4263 institution, or other entity that is part of Florida's education

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4264 system under s. 1000.04(2), (4), and (5) ~~s. 1000.04(1), (3), and~~
 4265 ~~(4)~~.

4266 Section 73. Paragraph (b) of subsection (5) of section
 4267 1002.53, Florida Statutes, is amended to read:

4268 1002.53 Voluntary Prekindergarten Education Program;
 4269 eligibility and enrollment.—

4270 (5) The early learning coalition shall provide each parent
 4271 enrolling a child in the Voluntary Prekindergarten Education
 4272 Program with a profile of every private prekindergarten provider
 4273 and public school delivering the program within the county where
 4274 the child is being enrolled. The profiles shall be provided to
 4275 parents in a format prescribed by the Office of Early Learning.
 4276 The profiles must include, at a minimum, the following
 4277 information about each provider and school:

4278 (b) The provider's or school's kindergarten readiness rate
 4279 ~~calculated in accordance with s. 1002.69,~~ based upon the most
 4280 recent available results of the statewide kindergarten
 4281 screening.

4282 Section 74. This act shall take effect July 1, 2020.

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

Feb 25 2020
Meeting Date

SB 1688
Bill Number (if applicable)

Delete All 324350
Amendment Barcode (if applicable)

Topic Early learning

Name Marie-Claire Leman

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Speaking: For Against Information

Waive Speaking: In Support Against
(The Chair will read this information into the record.)

Representing myself

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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2/25/2020
Meeting Date

1688
Bill Number (if applicable)

324350
Amendment Barcode (if applicable)

Topic Early Learning & Early Grade success

Name James Herzog

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Speaking: For Against Information

Waive Speaking: In Support Against
(The Chair will read this information into the record.)

Representing Florida Conference of Catholic Bishops

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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THE FLORIDA SENATE
APPEARANCE RECORD

2-25-2020 (Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

SB 1688

Meeting Date

Bill Number (if applicable)

Topic Early Learning

Amendment Barcode (if applicable)

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Speaking: For Against Information

Waive Speaking: In Support Against
(The Chair will read this information into the record.)

Representing League of Women Voters of Florida

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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THE FLORIDA SENATE
APPEARANCE RECORD

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2/25/20

Meeting Date

1688

Bill Number (if applicable)

Topic _____

Amendment Barcode (if applicable)

Name Jared Ochs

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Speaking: For Against Information

Waive Speaking: In Support Against
(The Chair will read this information into the record.)

Representing Florida Department of Education

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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S-001 (10/14/14)

APPEARANCE RECORD

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2/25/2020

Meeting Date

SB 1688

Bill Number (if applicable)

Topic Early Learning and Early Grade Success

Amendment Barcode (if applicable)

Name Matthew Choy

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Speaking: For Against Information

Waive Speaking: In Support Against
(The Chair will read this information into the record.)

Representing The Florida Chamber of Commerce

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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S-001 (10/14/14)

THE FLORIDA SENATE
APPEARANCE RECORD

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2/25/20
Meeting Date

SB 1688
Bill Number (if applicable)

Topic EARLY LEARNING & EARLY GRADE

Amendment Barcode (if applicable)

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Speaking: For Against Information

Waive Speaking: In Support Against
(The Chair will read this information into the record.)

Representing Florida PTA

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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APPEARANCE RECORD

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2/25

Meeting Date

1688

Bill Number (if applicable)

Topic Early Learning + Early Grades Success

Amendment Barcode (if applicable)

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Speaking: For Against Information

Waive Speaking: In Support Against
(The Chair will read this information into the record.)

Representing Childrens Services Council of Broward County

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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2/25/20

Meeting Date

1688

Bill Number (if applicable)

Topic Early Learning? Early Grade Success

Amendment Barcode (if applicable)

Name Heather Davidson

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Speaking: For Against Information

Waive Speaking: In Support Against
(The Chair will read this information into the record.)

Representing United Way of Broward County

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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2-25-2020

Meeting Date

1688

Bill Number (if applicable)

Topic Early Learning and Early Grade

Amendment Barcode (if applicable)

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Zip

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Speaking: For Against Information

Waive Speaking: In Support Against
(The Chair will read this information into the record.)

Representing United Way Suncoast

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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THE FLORIDA SENATE

APPEARANCE RECORD

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2/25/201668

Meeting Date

Bill Number (if applicable)

Topic Early Learning and Early Grade Success

Amendment Barcode (if applicable)

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State

Zip

Speaking: For Against InformationWaive Speaking: In Support Against
(The Chair will read this information into the record.)Representing The Florida Children's CouncilAppearing at request of Chair: Yes NoLobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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S-001 (10/14/14)

THE FLORIDA SENATE
APPEARANCE RECORD

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2/25/20

Meeting Date

1688

Bill Number (if applicable)

Topic Early Learning

Amendment Barcode (if applicable)

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Speaking: For Against Information

Waive Speaking: In Support Against
(The Chair will read this information into the record.)

Representing Association of Early Learning Coalitions

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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2/25/20

Meeting Date

SB1688

Bill Number (if applicable)

Topic Early Learning + Early Grade Success

Amendment Barcode (if applicable)

Name Rev. James T. Bolden

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City

State

Zip

Email james@bolden.com

Speaking: For Against Information

Waive Speaking: In Support Against
(The Chair will read this information into the record.)

Representing Pastors For Florida Children

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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2/25/20

Meeting Date

1688

Bill Number (if applicable)

Topic Early Learning

Amendment Barcode (if applicable)

Name Tara ReidJob Title ConsultantAddress 200 W. College Ave

Phone _____

Street

TallahasseeFL32301

Email _____

City

State

Zip

Speaking: For Against InformationWaive Speaking: In Support Against
(The Chair will read this information into the record.)Representing The Children's Movement of FloridaAppearing at request of Chair: Yes NoLobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.

S-001 (10/14/14)

APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

2/25/20
Meeting Date

SB 1688
Bill Number (if applicable)

Topic Early Learning Grades

Amendment Barcode (if applicable)

Name LINDA EDSON

Job Title Legislative Chair - Volunteer

Address 1841 Myrick Rd
Street

Phone 850-510-2729

Tallahassee FL 32303
City State Zip

Email edsonL@nettally.com

Speaking: For Against Information

Waive Speaking: In Support Against
(The Chair will read this information into the record.)

Representing Florida Retired Educators Association

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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APPEARANCE RECORD

2-25-20

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

1688

Meeting Date

Bill Number (if applicable)

Topic EARLY LEARNING

Amendment Barcode (if applicable)

Name DAVID DANIEL

Job Title _____

Address 311 EAST PARK AVEPhone 224-5081

Street

TLH

City

FL

State

32301

Zip

Email _____

Speaking: For Against InformationWaive Speaking: In Support Against
(The Chair will read this information into the record.)Representing FLORIDA ASSOCIATION FOR CHILD CARE MANAGEMENTAppearing at request of Chair: Yes NoLobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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S-001 (10/14/14)

APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

2/25/2020
Meeting Date

SB1688
Bill Number (if applicable)

Topic _____

Amendment Barcode (if applicable)

Name Jessica Evans

Job Title ESB/K12 Teacher

Address 164B Fenimore Ln
Street
Palm Coast FL 32137
City State Zip

Phone 386-931-0402

Email jililyw@yahoo.com

Speaking: For Against Information

Waive Speaking: In Support Against
(The Chair will read this information into the record.)

Representing Self

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

2-25-2020
Meeting Date

SB 1688
Bill Number (if applicable)

Topic _____

Amendment Barcode (if applicable)

Name Susan J. Guego

Job Title Teacher

Address 230 Boulder Rock Dr
Street
Palm Coast FL 32137
City State Zip

Phone _____

Email pinkfloatsk@gmail.com

Speaking: For Against Information

Waive Speaking: In Support Against
(The Chair will read this information into the record.)

Representing self

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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THE FLORIDA SENATE
APPEARANCE RECORD

2-25-20

Meeting Date

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

SB 1688

Bill Number (if applicable)

Topic _____

Amendment Barcode (if applicable)

Name Stacey Smith

Job Title teacher

Address 27 Egan Drive

Phone 386-313-6534

Palm Coast FL 32164
Street City State Zip

Email rdgir17@gmail

Speaking: For Against Information

Waive Speaking: In Support Against
(The Chair will read this information into the record.)

Representing Self

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.

S-001 (10/14/14)

CourtSmart Tag Report

Room: KN 412
Caption: Senate Appropriations Subcommittee on Education

Case No.:

Type:
Judge:

Started: 2/25/2020 9:08:39 AM
Ends: 2/25/2020 11:28:07 AM

Length: 02:19:29

9:08:40 AM Sen. Stargel (Chair)
9:09:19 AM S 1568, Education
9:09:26 AM Sen. Hutson
9:09:37 AM Am. 299800
9:09:42 AM Sen. Hutson
9:11:08 AM Am. 299800 (adopted)
9:11:09 AM S 1568 (cont.)
9:11:13 AM Appearances: Nancy Stewart, Lobbyist, Manufacturers Association of Florida (waives in support of the bill)
9:11:20 AM Jared Ochs, Director of Legislative Affairs, Florida Department of Education (waives in support of the bill)
9:11:26 AM Marti Coley, Lobbyist, Florida Workforce Development Association (waives in support of the bill)
9:11:38 AM Sen. Hutson
9:11:57 AM S 1568 (reported favorably)
9:12:08 AM S 70, Panic Alarms in Public Schools
9:12:16 AM Sen. Book
9:12:44 AM Am. 163156
9:12:49 AM Sen. Book
9:15:47 AM Scott Jenkins, School Check In (speaking in opposition to the amendment)
9:17:27 AM Juan Cardena, RSM, Alert Point Security, (Information, speaking in support of the amendment)
9:21:18 AM Sam Wagoner, Lobbyist, Volusia County School District (waives in support of the amendment)
9:21:36 AM Am. 163156 (adopted)
9:21:38 AM S 70 (cont.)
9:21:43 AM Sen. Diaz
9:22:29 AM Sen. Book
9:22:57 AM Sen. Montford
9:23:27 AM Sen. Book
9:24:04 AM Sen. Montford
9:24:11 AM Sen. Book
9:24:13 AM Sen. Montford
9:24:49 AM Sen. Book
9:25:07 AM Sen. Montford
9:26:06 AM Sen. Book
9:26:50 AM Sen. Montford
9:27:19 AM Sen. Book
9:28:25 AM Sen. Montford
9:28:29 AM Sen. Flores
9:28:58 AM Sen. Book
9:29:39 AM Sen. Flores
9:30:02 AM Sen. Book
9:30:12 AM Sen. Simmons
9:30:38 AM Appearances: Mick McHale, Lobbyist, Florida Police Benevolent Association (waives in support of the bill)
9:30:48 AM Barney Bishop III, Lobbyist, CEO, Florida Smart Justice Alliance (waives in support of the bill)
9:31:10 AM Lori Alhadeff, School Board Member (speaking in support of the bill)
9:33:43 AM Sen. Stargel
9:34:00 AM Wayne "Bernie" Bernoska, President, Florida Professional Firefighters (waives in support of the bill)
9:34:02 AM Andrew Goren, Volunteer, Make our Schools Safe (waives in support of the bill)
9:34:08 AM Eric Stern, Legislative Committee, Florida PTA (waives in support of the bill)
9:34:14 AM Megan Turetsky, Government Affairs Manager, Children's Services Council of Broward County (waives in support of the bill)
9:34:26 AM Heather Davidson, Director of Public Policy, United Way of Broward County (waives in support)
9:34:47 AM Greg Pound, Saving Families (Information Only)
9:36:44 AM Sen. Baxley

9:38:49 AM Sen. Montford
9:39:39 AM Sen. Stargel
9:40:45 AM Sen. Book
9:43:18 AM S 70 (reported favorably)
9:43:28 AM S 1688, Early Learning and Early Grade Success
9:43:45 AM Am. 324350
9:43:50 AM Sen. Harrell
9:46:50 AM Am. 330202
9:47:15 AM Sen. Harrell
9:47:35 AM Am. 330202 (adopted)
9:49:27 AM Am. 155320 (adopted)
9:49:41 AM Am. 330202 (not adopted)
9:49:52 AM Sen. Harrell
9:49:59 AM Sen. Flores
9:50:11 AM Sen. Harrell
9:50:24 AM Sen. Flores
9:50:35 AM Sen. Harrell
9:50:54 AM Am. 330202 (adopted)
9:50:57 AM Am. 324350 (cont.)
9:51:22 AM Marie-Claire Leman, Parent & Education Advocate, (speaking in opposition to the amendment)
9:56:30 AM James Herzog, Associate Director for Education, Florida Conference of Catholic Bishops (waives in support of the amendment)
9:56:47 AM Sen. Harrell
9:57:59 AM Am. 324350 (adopted)
9:58:02 AM S 1688 (cont.)
9:58:09 AM Sen. Flores
9:58:24 AM Sen. Harrell
9:59:09 AM Sen. Flores
9:59:20 AM Sen. Harrell
9:59:32 AM Sen. Flores
9:59:53 AM Sen. Harrell
10:00:30 AM Sen. Simmons
10:01:12 AM Sen. Harrell
10:02:21 AM Sen. Simmons
10:02:25 AM Sen. Book
10:02:52 AM Sen. Harrell
10:03:31 AM Sen. Montford
10:04:52 AM Sen. Harrell
10:06:52 AM Sen. Montford
10:07:20 AM Sen. Harrell
10:07:28 AM Sen. Montford
10:07:32 AM Sen. Harrell
10:07:44 AM Appearances: Tara Reid, Consultant, The Children's Movement of Florida (waives in support of the bill)
10:07:49 AM Jared Ochs, Director of Legislative Affairs, Florida Department of Education (waives in support of the bill)
10:07:55 AM Dawn Steward, Legislative Committee Member, Florida PTA (waives in support of the bill)
10:07:59 AM Megan Turetsky, Government Affairs Manager, Children's Services Council of Broward County (waives in support of the bill)
10:08:05 AM Matthew Choy, Policy Director, The Florida Chamber of Commerce (waives in support of the bill)
10:08:11 AM Heather Davidson, Director of Public Policy, United Way of Broward County (waives in support of the bill)
10:08:14 AM Natalie King, VP/COO, United Way Suncoast (waives in support of the bill)
10:08:18 AM Carol Bracy, Consultant, The Florida Children's Council (waives in support of the bill)
10:08:22 AM Linda Edson, Legislative Chair, Florida Retired Educators Association (waives in opposition to the bill)
10:08:26 AM Erin Smeltzer, Executive Director, Association of Early Learning Coalitions (waives in support of the bill)
10:08:31 AM Jessica Evans, Teacher, Self (waives in opposition to the bill)
10:08:36 AM Susan Grego, Teacher, Self (waives in opposition to the bill)
10:08:41 AM Nicole Biener, Teacher, Public Education (waives in opposition to the bill)
10:08:46 AM Stacey Smith, Teacher, Self (waives in opposition to the bill)
10:09:05 AM Sen. Flores
10:10:00 AM Rev. James T. Golden, Pastor, AME Social Action, Pastors for Florida Children (speaks in opposition to the bill)
10:13:07 AM David Daniel, Lobbyist, Florida Association for Child Care Management (speaks in support of the bill)
10:14:45 AM Dr. Sally Butzen, League of Women Voters (speaks in opposition to the bill)

10:17:11 AM Sen. Baxley
10:18:36 AM Sen. Harrell
10:19:58 AM S 1688 (reported favorably)
10:20:06 AM Sen. Pizzo
10:20:49 AM Sen. Montford
10:21:24 AM S 1220, Education
10:21:32 AM Sen. Diaz
10:21:40 AM Am. 181396
10:21:43 AM Sen. Diaz
10:24:38 AM Appearances: James Herzog, Associate Director for Education, Florida Conference of Catholic Bishops (waives in support of the amendment)
10:24:59 AM Marie-Claire Leman, Parent & Public School Advocate (speaks in opposition of the amendment)
10:27:50 AM Sen. Diaz
10:28:02 AM Am. 181396 (adopted)
10:28:04 AM S 1220 (cont.)
10:28:14 AM Sen. Montford
10:28:34 AM Sen. Diaz
10:29:24 AM Sen. Montford
10:29:39 AM Sen. Diaz
10:30:21 AM Sen. Montford
10:30:39 AM Sen. Diaz
10:31:14 AM Sen. Montford
10:31:45 AM Sen. Diaz
10:32:21 AM Sen. Montford
10:33:00 AM Sen. Diaz
10:33:25 AM Sen. Montford
10:33:32 AM Sen. Pizzo
10:34:06 AM Sen. Diaz
10:35:02 AM Sen. Pizzo
10:35:39 AM Sen. Diaz
10:36:23 AM Sen. Pizzo
10:36:54 AM Sen. Diaz
10:37:30 AM Appearances: Kimbra Hanshaw, Lobbyist, HEA-United-Wauchula, FL., Hardee Co. (waives in opposition to the bill)
10:37:34 AM Charles Fox, Teacher, Self (waives in opposition to the bill)
10:37:37 AM Melissa Merriweather, Instruction Paraprofessional, Marion Essential Support Personnel (waives in opposition to the bill)
10:37:44 AM Lare Allen, Dean of Students, Osceola County Education Association (waives in opposition to the bill)
10:37:48 AM Dawn Steward, Florida PTA (waives in opposition to the bill)
10:37:51 AM Jessica Evans, Teacher, Self (waives in opposition to the bill)
10:37:54 AM Susan Grego, Teacher, Self (waives in opposition to the bill)
10:37:56 AM Linda Muir, Teacher, Self (waives in opposition to the bill)
10:37:59 AM Katie Hansen, Teacher, Self (waives in opposition to the bill)
10:37:59 AM Stacey Smith, Teacher, Self (waives in opposition to the bill)
10:38:05 AM David Morris, Teacher, Self (waives in opposition to the bill)
10:38:06 AM Jason Sorensen, Electrician, Self (waives in opposition to the bill)
10:38:09 AM Colleen Peterson, Teacher, Education Association of St. Lucie County (waives in opposition to the bill)
10:38:14 AM Robert Chapman, State Employee, Self (waives in opposition to the bill)
10:38:17 AM Laura Lovette-Estima, District Records Clerk, Self (waives in opposition to the bill)
10:38:21 AM Paul Hamilton, Palm Beach County Classroom Teachers (waives in opposition to the bill)
10:38:24 AM April Issacs, Teacher, Osceola County Educators Association (waives in opposition to the bill)
10:38:29 AM Barbara Bridgett, ESE Teacher Palm Beach County CTA, AFT Local 7451 (waives in opposition to the bill)
10:38:35 AM Nicolette Owens, Teacher, St. Lucie EASL #3616 (waives in opposition to the bill)
10:38:42 AM Samantha Mrozowski, Teacher, Self (waives in opposition to the bill)
10:38:52 AM Chonavia Smith, Organizer, Self (waives in opposition to the bill)
10:38:54 AM Caitlin Gille, Associate Professor (waives in opposition to the bill)
10:38:57 AM Michael Nelson, Heavy Equipment Operator, Self (waives in opposition to the bill)
10:39:00 AM Nicholas Mrozowski, Teacher, Self (waives in opposition to the bill)
10:39:04 AM Bryan Porter, Electrician, Self (waives in opposition to the bill)
10:39:06 AM Chris Rusnak, Teacher, Self (waives in opposition to the bill)
10:39:09 AM Linda Edson, Legislative Chair, Florida Retired Educators Association (waives in opposition to the bill)

10:39:13 AM Adam Campbell, Self, (waives in opposition to the bill)
10:39:16 AM Roger Simmermaker, CEO/President, Consumer Patriotism Corp. (waives in opposition to the bill)
10:39:23 AM Natalie Hayes, Self (waives in opposition to the bill)
10:39:32 AM Shaquelle Mockey, Self (waives in opposition to the bill)
10:39:37 AM Jared Ochs, Director of Legislative Affairs, Florida Department of Education (waives in support of the bill)
10:39:41 AM Mimi Jankovitz, Director, Teach Florida (waives in support of the bill)
10:39:44 AM Adriana Ortega, Parent, Self (waives in support of the bill)
10:39:50 AM Debbie Mortham, Legislative Director, Foundation for Florida's Future (waives in support of the bill)
10:39:57 AM Nadia Hionides, Principal (waives in support of the bill)
10:40:03 AM Pam Bergsma, Joey's Grandma (waives in opposition of the bill)
10:40:11 AM Nancy Smithem, Retired (waives in opposition of the bill)
10:40:27 AM Mitzi Powell, HEA 2420 (waives in opposition of the bill)
10:40:40 AM Philip Suderman, Policy Director, Americans for Prosperity (waives in support of the bill)
10:40:46 AM Dr. Sally Butzin, Volunteer, League of Women Voters of Florida (speaks in opposition of the bill)
10:43:00 AM Michelle Porter, Parent (speaking in support of the bill)
10:45:43 AM Johnny A. Green, Sr., Hillsborough Classroom Teacher Association (waives in opposition of the bill)
10:45:53 AM Rev. James Golden, Pastor, AME Church Social Action, Pastors for Florida Children (speaking in opposition of the bill)
10:49:07 AM Mueretta Hyacinthe, Parent (speaks in support of the bill)
10:51:04 AM Sen. Pizzo
10:51:20 AM M. Hyacinthe
10:51:42 AM Sen. Pizzo
10:51:50 AM M. Hyacinthe
10:51:55 AM Sen. Pizzo
10:51:56 AM M. Hyacinthe
10:51:57 AM Sen. Pizzo
10:51:58 AM M. Hyacinthe
10:52:35 AM Sen. Pizzo
10:52:45 AM M. Hyacinthe
10:52:50 AM Sen. Pizzo
10:52:57 AM LaShawn Floyd, Education Support Professional, Concerned Citizens/Education Association of St. Lucie County (waives in opposition to the bill)
10:53:10 AM Rev. Dr. Russell Myer, Executive Director, Florida Council of Churches (waives in opposition to the bill)
10:56:17 AM Cesar Grajales, Coalitions Director (waives in support of the bill)
10:56:30 AM Elaine Roberts, Parent, Self (speaks in support of the bill)
10:59:06 AM Bos Pippier, Retired (waives in opposition of the bill)
10:59:23 AM Alexander Smith, Commissioner City of Apopka, Pastors for Florida Children (speaks in opposition to the bill)
11:01:51 AM Elijah Robinson, Student, Foundation Academy, Jacksonville, FL. (speaks in support of the bill)
11:03:40 AM James Herzog, Associate Director for Education, Florida Conference of Catholic Bishops (waives in support of the bill)
11:03:51 AM Angie Doherty, Teacher, Self (waives in opposition to the bill)
11:03:57 AM Matthew Choy, Policy Director, Lobbyist, The Florida Chamber of Commerce (waives in support of the bill)
11:04:13 AM Sen. Pizzo
11:07:34 AM Sen. Diaz
11:11:59 AM S 1220 (reported favorably)
11:12:04 AM S 1644, Students With Disabilities in Public Schools
11:12:15 AM Sen. Book
11:15:03 AM Am. 745298
11:15:06 AM Sen. Book
11:15:41 AM Am. 745298 (adopted)
11:15:44 AM S 1644 (cont.)
11:15:58 AM Sen. Diaz (Chair)
11:16:03 AM Rev. Dr. Russell Meyer, Steering Committee, Real Talk Coalition for Education Equity (waives in support of the bill)
11:16:08 AM Olivia Babis, Public Policy Analyst, Lobbyist, Disability Rights Florida (waives in support of the bill)
11:16:14 AM Eric Stern, Legislative Committee Member, Florida PTA (waives in support of the bill)
11:16:20 AM Heather Davidson, Director Public Policy, United Way of Broward County (waives in support of the bill)
11:16:29 AM Megan Turetsky, Government Affairs Manager, Children's Services Council of Broward County (waives in support of the bill)
11:16:39 AM Natalie King, VP/COO, Pepin Academies Hillsborough and Pasco (waives in support of the bill)

