

1
2 A bill to be entitled
3 An act relating to early education and child
4 care; creating the School Readiness Commission
5 to serve as an advisory body to the State Board
6 of Education and other state agencies on
7 matters that relate to school readiness;
8 providing for the commission to be assigned to
9 the Executive Office of the Governor for
10 administrative purposes; providing for the
11 Governor to appoint the members of the
12 commission; requiring the commission to appoint
13 an executive director; providing for payment of
14 per diem and travel expenses of commission
15 members; establishing duties of the commission;
16 requiring the commission to prepare a system
17 for measuring school readiness; specifying
18 objectives to be measured by such system;
19 requiring the commission to contract with an
20 independent entity to evaluate the measurement
21 system; requiring the commission to make
22 recommendations to the Governor and the State
23 Board of Education; authorizing the commission
24 to adopt rules; establishing a School Readiness
25 Coordinating Council; creating s. 402.265,
26 F.S.; providing legislative intent;
27 establishing the early education and child care
28 program and providing for optional
29 participation; providing for the council to be
30 assigned to the Executive Office of the
31 Governor for administrative purposes; providing
for oversight; providing performance standards

1 and outcome measures; providing for School
2 Readiness Coalitions; providing for
3 implementation of programs; requiring
4 development of a plan and providing program
5 requirements; requiring a sliding fee scale;
6 providing for funding; requiring a
7 reimbursement rate schedule; providing
8 requirements relating to fiscal agents;
9 providing for parental choice and for payment
10 arrangements; providing for evaluation and
11 reporting; providing that federal requirements
12 control in the case of conflict; exempting
13 family child care providers from increased
14 standards; repealing s. 411.222(4), F.S.,
15 relating to the State Coordinating Council for
16 Early Childhood Services; providing an
17 effective date.
18

19 Be It Enacted by the Legislature of the State of Florida:
20

21 Section 1. School Readiness Commission.--

22 (1) The School Readiness Commission is established and
23 assigned to the Executive Office of the Governor for
24 administrative purposes. The commission shall carry out the
25 duties and responsibilities provided in this section and
26 delegated by the State Board of Education and is not subject
27 to control, supervision, or direction by the Executive Office
28 of the Governor or the State Board of Education. The
29 commission shall serve as an advisory body to the State Board
30 of Education and other appropriate state agencies and entities
31 on all matters relating to achievement of the first state

1 education goal, readiness to start school. In addition, the
2 commission's reports and recommendations shall be made
3 available to the Governor, the Legislature, the State Board of
4 Education, other appropriate state agencies and entities,
5 district school boards, central agencies for child care, and
6 county public health units.

7 (2) The commission shall be composed of 12 members of
8 the public who shall be business, community, and civic leaders
9 in the state who are not elected to public office and who do
10 not earn their income in the early education and child care
11 industry. The members must be geographically and
12 demographically representative of the state. Each member shall
13 be appointed by the Governor. Eight of the members shall be
14 appointed from a list of 12 nominees, of which six must be
15 submitted by the President of the Senate and six must be
16 submitted by the Speaker of the House of Representatives.
17 Members shall be appointed to 4-year terms of office. However,
18 of the initial appointees, three shall be appointed to 1-year
19 terms, three shall be appointed to 2-year terms, three shall
20 be appointed to 3-year terms, and three shall be appointed to
21 4-year terms. The members of the commission shall elect a
22 chairperson annually. Any vacancy on the commission shall be
23 filled in the same manner as the original appointment.

24 (3) The commission shall meet as often as it deems
25 necessary to carry out its duties and responsibilities.

26 (4) The commission shall appoint an executive director
27 to serve at its pleasure, who shall perform the duties
28 assigned to him or her by the commission. The executive
29 director shall be the chief administrative officer of the
30 commission and shall be responsible for appointing all
31

1 employees and staff members of the commission, who shall serve
2 under his or her direction and control.

3 (5) Members of the commission shall serve without
4 compensation, but are entitled to reimbursement for per diem
5 and travel expenses incurred in the performance of their
6 duties as provided in section 112.061, Florida Statutes.

7 (6) The commission shall:

8 (a) Serve as a citizen board to coordinate the efforts
9 toward school readiness in this state and provide independent
10 policy analyses and recommendations to the Governor, the State
11 Board of Education, and the Legislature.

12 (b) Prepare and submit to the State Board of Education
13 a system for measuring school readiness. The system must
14 include a screening instrument, or instruments, which shall
15 provide objective data regarding the following expectations
16 for school readiness:

17 1. The child's immunizations and other health
18 requirements as necessary.

19 2. The child's display of physical development
20 appropriate for kindergarten.

21 3. The child's compliance with rules, limitations, and
22 routines.

23 4. The child's successful engagement in kindergarten
24 tasks.

25 5. The child's demonstration of appropriate
26 interactions with adults.

27 6. The child's demonstration of appropriate
28 interactions with peers.

29 7. The child's effective coping with challenges and
30 frustrations.

1 8. The child's demonstration of appropriate self-help
2 skills.

3 9. The child's ability to express his needs
4 appropriately.

5 10. The child's demonstration of verbal communication
6 skills necessary to succeed in kindergarten.

7 11. The child's demonstration of problem-solving
8 skills necessary to succeed in kindergarten.

9 12. The child's following of verbal directions.

10 13. The child's demonstration of curiosity,
11 persistence, and exploratory behavior.

12 14. The child's demonstration of an interest in books
13 and other printed materials.

14 15. The child's paying attention to stories.

15 16. The child's participation in art and music
16 activities.

17 (c) Prepare a plan for implementing the system for
18 measuring school readiness in such a way that all children in
19 this state have the opportunity to undergo the screening in
20 the year prior to their entry into kindergarten. The plan must
21 include a way to make the screening instrument and the
22 training required to administer it available to public and
23 private providers of preschool and child care programs, and a
24 way to make the screening available to children who do not
25 participate in such programs. Because children with
26 disabilities may not be able to meet all of the identified
27 expectations for school readiness, the plan for measuring
28 school readiness shall incorporate mechanisms for recognizing
29 the potential variations in expectations for school readiness
30 when serving children with disabilities and shall provide for
31 communities to serve children with disabilities.

1 (d) Establish a method for collecting data from the
2 screening instrument and establish guidelines for using the
3 data so that the measurement, the data collection, and the use
4 of the data serve the statewide goal that all children will be
5 ready for school. The criteria for determining which data to
6 collect should be the usefulness of the data to state
7 policymakers and program administrators in administering
8 programs and allocating state funds.

9 (e) Contract with an independent entity for an
10 evaluation of the measurement system. The evaluation must
11 provide the information that local and state agencies, the
12 Governor, and the Legislature need to provide for the
13 effective administration of programs that serve preschool
14 children. The evaluation must provide information that will
15 assist providers of private preschool and child care programs
16 in assessing the success of preschool and child care programs
17 and making decisions about improving program services to
18 prepare children for school.

19 (f) Recommend to the Governor, the Commissioner of
20 Education, and the State Board of Education rules, and
21 revisions or repeal of rules, which would increase the
22 effectiveness of programs that prepare children for school.

23 (g) Conduct studies and planning activities related to
24 the overall improvement and effectiveness of school-readiness
25 measures.

26 (h) Submit an annual report of its activities to the
27 Governor, the President of the Senate, the Speaker of the
28 House of Representatives, and the minority leaders of both
29 houses of the Legislature.

1 To ensure that the system for measuring school readiness is
2 comprehensive and appropriate statewide, as the system is
3 developed and implemented, the commission must consult with
4 representatives of district school systems, providers of
5 public and private child care, health care providers, large
6 and small employers, experts in education for children with
7 disabilities, and experts in child development.

8 (7) The commission may adopt rules necessary to
9 administer the provisions of this section relating to
10 preparation and implementation of the system for school
11 readiness, data collection, approving local coalition plans,
12 providing a method whereby a coalition could serve two or more
13 counties, awarding incentives to coalitions, and contracting
14 for an evaluation.

15 Section 2. School Readiness Coordinating Council.--

16 (1) The School Readiness Coordinating Council is
17 established with responsibility for advising the School
18 Readiness Commission regarding policies facilitating local
19 implementation, providing technical assistance, and helping to
20 secure waivers. The School Readiness Coordinating Council
21 shall consist of:

22 (a) The Deputy Commissioner of Education Programs in
23 the Department of Education;

24 (b) The Secretary of Children and Family Services or a
25 designated division director;

26 (c) The Secretary of Health or a designated division
27 director;

28 (d) The Chair of the Child Care Partnership Board;

29 (e) The Executive Director of the State WAGES Board;

30 (f) The President of the Florida Pediatric Society;

31 (g) The Chair of the Florida Council of 100;

- 1 (h) The President of the Head Start Directors'
2 Association;
3 (i) The President of the Florida Children's Forum;
4 (j) The Chair of the Developmental Disabilities
5 Council;
6 (k) The Director of the Healthy Start Coalition
7 Association;
8 (l) The President of the Florida School Boards
9 Association;
10 (m) The Chair of the Florida Association of Family
11 Child Care Homes;
12 (n) The Chair of a School Readiness Coalition;
13 (o) The President of the Florida Association of Child
14 Care Management;
15 (p) The Executive Director of the Early Childhood
16 Association;
17 (q) The Chair of the Florida Interagency Coordinating
18 Council for Infants and Toddlers;
19 (r) The Coordinator of the Florida Parent Resource
20 Organization;
21 (s) A representative of the Family Network on
22 Disabilities of Florida;
23 (t) The President of the Children's Services Council
24 Association of Florida;
25 (u) The Director of the Agency for Health Care
26 Administration;
27 (v) The President of the Florida Association for Child
28 Development Education;
29 (w) An individual certified in this state to teach
30 children of pre-kindergarten age.
31

1 (x) An additional four members representing the
2 private-sector business community. These four members must be
3 selected by a majority vote of the other members. The members
4 must be geographically and demographically representative of
5 the state.

6
7 The School Readiness Coordinating Council shall select a chair
8 from among the business community and a vice chair.

9 (2) School Readiness Coordinating Council members are
10 entitled to receive per diem and expenses for travel, as
11 provided in section 112.061, Florida Statutes, while carrying
12 out the official business of the council. For administrative
13 purposes only, the council shall be assigned to the Office of
14 the Governor.

15 (3) The School Readiness Coordinating Council shall
16 meet and conduct business at least quarterly or as needed to
17 carry out the duties of the council.

18 (4) The School Readiness Coordinating Council shall be
19 staffed by the Office of the Governor and draw upon state
20 agency personnel and resources as needed to implement policy
21 necessary to facilitate the early education and child care
22 program.

23 (5) Quarterly meetings of the School Readiness
24 Coordinating Council shall be open to the public and
25 opportunity for public comment shall be made available at each
26 such meeting. The staff of the School Readiness Coordinating
27 Council shall notify all persons who request such notice as to
28 the date, time, and place of each quarterly meeting.

29 Section 3. Section 402.265, Florida Statutes, is
30 created to read:

31 402.265 Early education and child care program.--

1 (1) LEGISLATIVE INTENT.--
2 (a) The Legislature recognizes that high-quality early
3 education and child care programs increase children's chances
4 of achieving future educational success and becoming
5 productive members of society. It is the intent of the
6 Legislature that such programs be developmental, serve as
7 preventive measures for children at risk of future school
8 failure, enhance the educational readiness of all children,
9 and support family education and the involvement of parents in
10 their child's educational progress. Each early education and
11 child care program shall provide the elements necessary to
12 help prepare preschool children for school, including health
13 screening and referral, a developmentally appropriate
14 educational program, and opportunities for parental
15 involvement in the program.
16 (b) It is legislative intent that all programs and
17 services for Florida children in the first 5 years of life,
18 including health care, child care, child welfare, and formal
19 education, are school readiness programs.
20 (c) It is legislative intent that early education and
21 child care programs be operated within funding limits on a
22 full-day, year-round basis to enable parents to work and
23 become financially self-sufficient.
24 (d) It is legislative intent that early education and
25 child care programs not exist as isolated programs, but build
26 upon existing services and work in cooperation with other
27 programs for young children, and that these programs and
28 program funds be coordinated to achieve full effectiveness.
29 (e) It is legislative intent that the implementation
30 of an early education and child care program be optional on a
31 county-by-county basis.

1 (f) Publicly funded early education and child care
2 programs are defined as prekindergarten early intervention
3 programs, Head Start programs, programs offered by public or
4 private providers of child care, preschool programs for
5 children with disabilities, programs for migrant children,
6 Title I programs, subsidized child care programs, teen parent
7 programs, and other services.

8 (2) CREATION OF OPTIONAL PROGRAM; EXEMPTIONS.--The
9 early education and child care program consisting of publicly
10 funded programs listed in paragraph (1)(f) is established. The
11 early education and child care program is an optional program.

12 (3) PROGRAM ELIGIBILITY.--The early education and
13 child care program shall be established for children from
14 birth to 6 years of age. The program shall consist of the
15 programs listed in paragraph (1)(f), be administered by the
16 School Readiness Coalition, and receive funds pursuant to SB
17 180 or similar legislation. Within funding limitations, the
18 School Readiness Coalition, along with all providers, shall
19 make reasonable efforts to accommodate the needs of children
20 for extended-day and extended-year services without
21 compromising the quality of the program.

22 (4) STANDARDS; OUTCOME MEASURES.--

23 (a) All publicly funded early education and child care
24 programs must meet the following performance standards and
25 outcome measures developed by the Department of Education and
26 the Department of Children and Family Services:

27 1. They must help prepare preschool children to enter
28 kindergarten ready to learn, as measured by criteria
29 established by the School Readiness Commission or, in the
30 absence of such criteria, by the School Readiness Checklist of
31 the Department of Education.

1 2. They must provide extended-day and extended-year
2 services to the maximum extent possible.

3 3. There must be coordinated staff development and
4 teaching opportunities.

5 4. There must be expanded access to community services
6 and resources for families to help achieve economic
7 self-sufficiency.

8 5. There must be a single point of entry and unified
9 waiting list.

10 6. If funding remains constant, they must serve at
11 least as many children as were served prior to implementation
12 of the program.

13 (b) All participating publicly funded early education
14 and child care programs must implement a comprehensive program
15 of children and family services that enhance the cognitive and
16 physical development of children to achieve the performance
17 standards and outcome measures specified in paragraph (a). At
18 a minimum, these programs must contain the following elements:

19 1. Developmentally appropriate curriculum.

20 2. An appropriate staff-to-child ratio, as required by
21 the respective participating programs.

22 3. A healthy and safe environment.

23 4. A resource and referral network to assist parents
24 in making an informed choice pursuant to s. 402.27.

25 (5) SCHOOL READINESS COALITIONS.--

26 (a)1. Each School Readiness Coalition must consist of
27 at least 12 members. Four members shall be appointed by the
28 district school board, four members shall be appointed by the
29 county commission for the county in which participating
30 schools are located, and four members shall be appointed by
31 the Department of Children and Family Services district

1 administrator. If a coalition has more than 12 members, the
2 additional members shall be appointed equally by the three
3 appointing entities.

4 2. School Readiness Coalition membership shall
5 include, in addition to private-sector business leaders, the
6 local public and private leaders in health care, education,
7 disabilities, and child welfare systems in each county. Three
8 members of the coalition must be administrators from each of
9 the following entities: The central agency for child care, the
10 district school board, and the Head Start program. School
11 Readiness Coalition membership must include representatives
12 from programs serving children in the early education and
13 child care programs, must include a representative from the
14 Department of Health, and may include representatives from
15 organizations such as Children's Services Councils, Central
16 Agencies for Child Care, Healthy Start Coalitions, district
17 school boards, child care licensing boards, local WAGES
18 Coalitions, Head Start, municipal and county governments, the
19 Department of Children and Family Services, the County Public
20 Health Unit, and chambers of commerce. A minimum of five
21 coalition members shall be from the private sector.

22 (b) The School Readiness Coalition will replace the
23 district interagency coordinating council in any county where
24 an early education and child care program is implemented.

25 (6) IMPLEMENTATION.--

26 (a) The early education and child care program may be
27 implemented in any county by a School Readiness Coalition with
28 agreement of the district school board and the Department of
29 Children and Family Services district, and with approval of
30 the School Readiness Commission. Approval by the School
31 Readiness Commission must be predicated on the submission of a

1 plan of implementation prepared and submitted by the School
2 Readiness Coalition.

3 (b) Each School Readiness Coalition shall develop a
4 plan for implementing the early education and child care
5 program to meet the requirements of this section. The plan
6 shall include a written description of the role of the program
7 in the district's effort to meet the first state education
8 goal, readiness to start school, including a description of
9 the plan to involve prekindergarten early intervention
10 programs, Head Start programs, programs offered by public or
11 private providers of child care, preschool programs for
12 children with disabilities, programs for migrant children,
13 Title I programs, subsidized child care programs, and teen
14 parent programs. The plan shall also demonstrate how the
15 program will ensure that each 3-year-old and 4-year-old child
16 in a publicly funded early education and child care program
17 receives scheduled activities and instruction designed to
18 prepare children to enter kindergarten ready to learn. Prior
19 to implementation of the program, the School Readiness
20 Coalition must submit the plan to the School Readiness
21 Commission for approval. The plan shall be reviewed and
22 revised as necessary, but not less than every 3 years.

23 (c) The plan for the early education and child care
24 program shall include the following minimum standards and
25 provisions:

26 1. A sliding fee scale, which is the same for all
27 programs, to be implemented and reflected in each program's
28 budget.

29 2. A choice of settings and locations in licensed,
30 registered, religious exempt, or school-based programs to be
31 provided to parents.

1 3. Instructional staff who have completed the training
2 course as required in s. 402.305(2)(d)1., as well as staff who
3 have additional training or credentials as required by the
4 respective programs.

5 (d) Persons with an early childhood teaching
6 certificate may provide support and supervision to other staff
7 in the early education and child care program.

8 (7) REIMBURSEMENT RATE.--The School Readiness
9 Coalition shall develop a reimbursement rate schedule that
10 encompasses all publicly funded early education and child care
11 programs and complies with applicable state and federal laws
12 and regulations. The reimbursement rate schedule must include
13 the projected number of children to be served and must be
14 submitted to the School Readiness Commission for approval.
15 Informal child care arrangements shall be reimbursed at not
16 more than 50 percent of the rate developed for family child
17 care.

18 (8) REQUIREMENTS RELATING TO FISCAL AGENTS.--The
19 fiscal agent must be a public entity or a private nonprofit
20 organization. The fiscal agent shall be required to provide
21 all administrative and direct funding services as determined
22 by the School Readiness Coalition. The cost of these services
23 shall be negotiated between the fiscal agent and the School
24 Readiness Coalition. The fiscal agent shall be responsible for
25 monitoring all providers to ensure that coalition funds are
26 expended in the manner and for the purpose required by the
27 funding source. Funds from the Early Education and Child Care
28 Trust Fund may not be paid to a provider unless the provider
29 agrees to allow the fiscal agent access to fulfill its
30 monitoring responsibilities.

1 (9) PARENTAL CHOICE; PAYMENT ARRANGEMENT.--The early
2 education and child care program shall be provided in a manner
3 that ensures, to the maximum extent possible, parental choice
4 through flexibility in early education and child care
5 arrangements and payment arrangements. Payment arrangements
6 must be in accordance with all federal and state laws that
7 govern the respective participating programs.

8 (10) EVALUATION AND ANNUAL REPORT.--Each School
9 Readiness Coalition shall conduct an evaluation of the
10 effectiveness of the early education and child care program,
11 including performance standards and outcome measures, and
12 shall provide an annual report and fiscal statement to the
13 School Readiness Commission, the Governor, and the President
14 of the Senate and the Speaker of the House of Representatives
15 for review by the Legislature. This report must conform to the
16 content and format specifications set by the School Readiness
17 Commission.

18 (11) CONFLICTING PROVISIONS.--In the event of a
19 conflict between the provisions of this section and federal
20 requirements, the federal requirements shall control.

21 Section 4. Nothing in this act shall have the effect
22 of increasing the standards that must be met by family child
23 care providers; however, children who receive child care
24 services from family child care providers will participate in
25 school readiness assessment upon entering public or private
26 kindergarten or the first grade.

27 Section 5. Effective July 1, 1998, subsection (4) of
28 section 411.222, Florida Statutes, is repealed.

29 Section 6. Except as otherwise expressly provided in
30 this act, this act shall take effect upon becoming a law.
31