

By the Committee on Fiscal Policy and Senator Cowin

309-2063-00

1 A bill to be entitled
2 An act relating to school readiness; amending
3 s. 411.01, F.S.; revising the composition of
4 the Florida Partnership for School Readiness;
5 revising the membership of school readiness
6 coalitions; providing sovereign immunity for
7 school readiness coalitions; changing
8 terminology relating to payment; amending s.
9 230.2305, F.S.; revising funding for
10 prekindergarten early intervention programs;
11 authorizing the Governor at the request of the
12 Florida Partnership for School Readiness to
13 request approval of the Administration
14 Commission for transfer of funds by the
15 Department of Children and Family Services and
16 the Department of Education to the partnership
17 for school readiness programs; providing a
18 qualification for school readiness coalitions
19 to receive an increase in such funds; providing
20 that specified positions be co-located within
21 the office of the Florida Partnership for
22 School Readiness not later than July 1, 2000;
23 requiring an interagency agreement to guide
24 implementation; providing for discontinuation
25 of state funding for the State Coordinating
26 Council for School Readiness Services;
27 repealing s. 402.3015(6)(a), F.S., which
28 requires competitive bids for community child
29 care coordinating agencies; providing an
30 effective date.
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1 Be It Enacted by the Legislature of the State of Florida:

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3 Section 1. Paragraph (b) of subsection (4) and
4 paragraphs (a) and (e) of subsection (5) of section 411.01,
5 Florida Statutes, are amended to read:

6 411.01 Florida Partnership for School Readiness;
7 school readiness coalitions.--

8 (4) FLORIDA PARTNERSHIP FOR SCHOOL READINESS.--

9 (b)1. The Florida Partnership for School Readiness
10 shall include the Lieutenant Governor ~~or his or her designee~~,
11 the Commissioner of Education, the Secretary of Children and
12 Family Services, and the Secretary of Health, or their
13 designees, and the chair of the Child Care Executive
14 Partnership Board, and the chairperson of the WAGES Program
15 State Board of Directors of Workforce Florida, Inc. When the
16 Lieutenant Governor or an agency head appoints a designee, the
17 designee must be an individual who attends consistently, and,
18 in the event that the Lieutenant Governor or agency head and
19 his or her designee both attend a meeting, only one of them
20 may vote.

21 2. The partnership shall also include 10 members of
22 the public who shall be business, community, and civic leaders
23 in the state who are not elected to public office. These
24 members and their families must not be providers in the early
25 education and child care industry. The members must be
26 geographically and demographically representative of the
27 state. Each member shall be appointed by the Governor. Eight
28 of the members shall be appointed from a list of 10 nominees,
29 of which five must be submitted by the President of the Senate
30 and five must be submitted by the Speaker of the House of
31 Representatives. Members shall be appointed to 4-year terms of

1 office. However, of the initial appointees, two shall be
2 appointed to 1-year terms, two shall be appointed to 2-year
3 terms, three shall be appointed to 3-year terms, and three
4 shall be appointed to 4-year terms. The members of the
5 partnership shall elect a chairperson annually from the
6 nongovernmental members of the partnership. Any vacancy on the
7 partnership shall be filled in the same manner as the original
8 appointment.

9 (5) CREATION OF SCHOOL READINESS COALITIONS.--

10 (a) School readiness coalitions.--

11 1. If a coalition's plan would serve less than 400
12 birth-to-kindergarten age children, the coalition must either
13 join with another county to form a multicounty coalition,
14 enter an agreement with a fiscal agent to serve more than one
15 coalition, or demonstrate to the partnership its ability to
16 effectively and efficiently implement its plan as a
17 single-county coalition and meet all required performance
18 standards and outcome measures.

19 2. Each coalition shall have at least 18 but not more
20 than 25 members and such members must include the following:

21 a. A Department of Children and Family Services
22 district administrator or his or her designee who is
23 authorized to make decisions on behalf of the department.

24 b. A district superintendent of schools or his or her
25 designee who is authorized to make decisions on behalf of the
26 district.

27 c. A regional workforce development board chair or
28 director, where applicable.

29 d. A county health department director or his or her
30 designee.

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1 e. A children's services council or juvenile welfare
2 board chair or executive director, if applicable.

3 f. A child care licensing agency head.

4 g. One member appointed by a Department of Children
5 and Family Services district administrator.

6 h. One member appointed by a board of county
7 commissioners.

8 i. One member appointed by a district school board.

9 j. A central child care agency administrator.

10 k. A Head Start director.

11 l. A representative of private child care providers.

12 m. A representative of faith-based child care
13 providers.

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15 More than one-third of the coalition members must be from the
16 private sector, and neither they nor their families may earn
17 an income from the early education and child care industry. To
18 meet this requirement a coalition must appoint additional
19 members from a list of nominees presented to the coalition by
20 a chamber of commerce or economic development council within
21 the geographic area of the coalition.

22 3. No member of a coalition may appoint a designee to
23 act in his or her place. A member may send a representative to
24 coalition meetings, but that representative will have no
25 voting privileges. When a district superintendent of schools
26 or a district administrator for the Department of Children and
27 Family Services appoints a designee to a school readiness
28 coalition, the designee will be the voting member of the
29 coalition, and any individual attending in his or her place,
30 including the district administrator or superintendent, will
31 have no voting privileges.

1 4. The school readiness coalition shall replace the
2 district interagency coordinating council required under s.
3 230.2305.

4 5. Members of the coalition are subject to the ethics
5 provisions in part III of chapter 112.

6 6. For the purposes of tort liability, the members of
7 the school readiness coalition and its employees shall be
8 governed by s. 768.28.

9 ~~7.6.~~ Multicounty coalitions shall include
10 representation from each county.

11 ~~8.7.~~ The terms of all appointed members of the
12 coalition must be staggered. Appointed members may serve a
13 maximum of two terms. When a vacancy occurs in an appointed
14 position, the coalition must advertise the vacancy.

15 (e) Requests for proposals; payment schedule.
16 ~~Reimbursement rate.--~~

17 1. At least once every 3 years, beginning July 1,
18 2001, each coalition must follow the competitive procurement
19 requirements of s. 287.057 for school readiness programs.

20 2. Each coalition shall develop a payment
21 ~~reimbursement rate~~ schedule that encompasses all programs
22 funded by that coalition. The payment reimbursement rate
23 schedule must take into consideration the relevant market
24 rate, must include the projected number of children to be
25 served, and must be submitted to the partnership for
26 information. Informal child care arrangements shall be
27 reimbursed at not more than 50 percent of the rate developed
28 for family childcare.

29 Section 2. Subsection (6) of section 230.2305, Florida
30 Statutes, is amended to read:

31 230.2305 Prekindergarten early intervention program.--

1 (6) FUNDING.--

2 (a) This section shall be implemented only to the
3 extent that funding is available. State funds appropriated
4 for the prekindergarten early intervention program may not be
5 used for the construction of new facilities, the
6 transportation of students, or the purchase of buses, but may
7 be used for educational field trips which enhance the
8 curriculum.

9 1. At least 70 percent of the total funds allocated to
10 each school readiness coalition ~~district~~ under this section
11 must be used for implementing and conducting a prekindergarten
12 early intervention program or contracting with other public or
13 nonpublic entities for programs to serve eligible children.
14 The maximum amount to be spent per child for this purpose is
15 to be designated annually by the Florida Partnership for
16 School Readiness ~~in the General Appropriations Act.~~

17 2. No more than 30 percent of the funds allocated to
18 each school readiness coalition under ~~district pursuant to~~
19 this section may be used to enhance existing public and
20 nonpublic programs for eligible children, to provide
21 before-school and after-school care for children served under
22 this section, to remodel or renovate existing facilities under
23 chapter 235, to lease or lease-purchase facilities, to
24 purchase classroom equipment to allow the implementation of
25 the prekindergarten early intervention program, and to provide
26 training for program teachers and administrative personnel
27 ~~employed by the school district and by agencies with which the~~
28 ~~school district contracts for the provision of prekindergarten~~
29 ~~services.~~

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1 3. Funds may also be used pursuant to subparagraphs 1.
2 and 2. to provide the prekindergarten early intervention
3 program for more than 180 school days.

4 (b) A minimum grant for each school readiness
5 coalition district is to be determined annually by the Florida
6 Partnership for School Readiness in the General Appropriations
7 Act. The funds remaining after allocating the minimum grants
8 must be prorated based on an allocation factor for each
9 coalition district and must be added to each coalition's
10 district's minimum grant. The allocation factor is to be
11 calculated as follows:

| | | | | | |
|----|---------------------------|-------|------------------------|--|-------|
| 12 | | | | | |
| 13 | <u>Coalition District</u> | | <u>School district</u> | | |
| 14 | percentage of state | x 1/4 | +percentage | | x 3/4 |
| 15 | 3-year-old and | | of state total free | | |
| 16 | 4-year-old children | | lunches served | | |

17
18 The calculation of each coalition's district's allocation
19 factor is to be based upon the official estimate of the total
20 number of 3-year-old and 4-year-old children by the school
21 district or districts in the coalition's service area and the
22 official record of the Department of Education for K-12
23 student total free lunches served by the school district for
24 the prior fiscal year. For the fiscal year beginning July 1,
25 2000, nothing in this section shall be construed to limit the
26 Department of Education's authority to distribute funds under
27 this program to local school districts if the local school
28 district is authorized by the local school readiness coalition
29 plan to be the provider.

30 Section 3. Notwithstanding section 411.01(5)(g)5. and
31 (9)(d), Florida Statutes, for fiscal year 2000-2001, the

1 Governor, at the request of the Florida Partnership for School
2 Readiness and subject to notice and review procedures set
3 forth in section 216.177, Florida Statutes, shall request
4 approval of the Administration Commission for transfer of
5 funds from the Department of Children and Family Services and
6 the Department of Education to the partnership for school
7 readiness programs. No school readiness coalition may receive
8 any increase in such funds unless its plan has been
9 conditionally approved by the partnership. For coalitions
10 whose plans have been conditionally approved, any increase in
11 funds shall be used only to increase the number of children
12 served. School readiness coalitions whose plans have been
13 fully approved by the partnership may use up to 5 percent of
14 their total allocation for any purpose other than increasing
15 the number of children served, as authorized by the
16 partnership.

17 Section 4. Positions currently assigned to the
18 subsidized child care program in the Department of Children
19 and Family Services and to the Prekindergarten Early
20 Intervention program in the Department of Education which are
21 recommended by the Florida Partnership for School Readiness
22 and approved by the Executive Office of the Governor shall be
23 physically co-located within the office of the Florida
24 Partnership for School Readiness not later than July 1, 2000.
25 Prior to July 1, 2000, the Secretary of Children and Family
26 Services, the Commissioner of Education, and the chairman of
27 the Partnership for School Readiness shall sign an interagency
28 agreement to guide implementation of the co-location required
29 by this section.

30 Section 5. Effective July 1, 2000, no state funding
31 shall be provided to support activities of the State

1 Coordinating Council for School Readiness Services established
2 pursuant to section 411.222(4), Florida Statutes.

3 Section 6. Paragraph (a) of subsection (6) of section
4 402.3015, Florida Statutes, is repealed.

5 Section 7. This act shall take effect upon becoming a
6 law.

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8 STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN
9 COMMITTEE SUBSTITUTE FOR
10 Senate Bill 2088

11 Coalitions must follow competitive procurement requirements
12 once every 3 years for readiness programs.

13 Certain members of the Florida Partnership for School
14 Readiness may have designees attend Partnership meetings.

15 If certain conditions are met, school readiness funds may be
16 transferred from the Department of Education and the
17 Department of Children and Families to the Partnership.
18 Coalitions with approved plans will have flexibility with up
19 to 5% of their total allocation. Coalitions with
20 conditionally approved plans must use any increase in funds
21 only to increase the number of children served.

22 Positions assigned to the subsidized child care program and
23 the prekindergarten program are to be co-located with the
24 Partnership.

25 No state funds are to be used to support the State
26 Coordinating Council.

27 The Department of Education may distribute prekindergarten
28 funds to the local school districts if the school district is
29 authorized by the local school readiness coalition to be the
30 provider.
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