

Amendment No. (for drafter's use only)

CHAMBER ACTION

Senate

House

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1 Representatives Ausley, Kosmas, and Rich offered the following:

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3 **Amendment (with title amendment)**

4 Remove everything after the enacting clause and insert:

5 Section 1. Chapter 1014, Florida Statutes, shall be
6 entitled "Early Learning" and shall consist of ss. 1014.01-
7 1014.54.

8 Section 2. Part I of chapter 1014, Florida Statutes, shall
9 be entitled "General Provisions" and shall consist of ss.
10 1014.01-1014.10.

11 Section 3. Section 1014.01, Florida Statutes, is created
12 to read:

13 1014.01 Name.--Chapter 1014 shall be known as "Early
14 Learning."

15 Section 4. Section 1014.02, Florida Statutes, is created
16 to read:

135231

Amendment No. (for drafter's use only)

17 1014.02 Definitions.--When used in this chapter and other
18 sections of Florida Statutes referenced in this chapter,
19 specific definitions shall be as follows:

20 (1) "Child care center" means the type of early childhood
21 education provider defined in s. 402.302.

22 (2) "Department" means the Department of Education.

23 (3) "Director" means an onsite person ultimately
24 responsible for the overall operation of a child care center or
25 specialized child care center for mildly ill children,
26 regardless of whether he or she is the owner of the center.

27 (4) "Early childhood education" means child development or
28 child care, that is provided for a period of less than 24 hours
29 per day on a regular basis, and for which a payment of a fee or
30 grant is made.

31 (5) "Early childhood education provider" means a provider
32 of early childhood education services. The term includes public
33 and private providers, including child care centers, specialized
34 child care centers for mildly ill children, family child care
35 homes, large family child care homes, and informal providers,
36 regardless of whether a provider is licensed, registered, exempt
37 from licensure, or unregulated under s. 402.305.

38 (6) "Early learning" means the enhancement of a child's
39 ability to make age-appropriate progress in the development of
40 language and cognitive capabilities, including early literacy
41 skills, emotional, social, regulatory, and moral capacities,
42 through education in basic skills, as part of an early learning
43 program provided pursuant to this chapter.

135231

Amendment No. (for drafter's use only)

44 (7) "Early Learning Council" means the council established
45 in s. 1014.41 to administer early childhood education programs
46 and services, excluding voluntary universal prekindergarten, at
47 the local level.

48 (8) "Early learning funds" means all state and federal
49 funds appropriated to the Department of Education for delivery
50 and administration of early learning programs. Except as
51 otherwise expressly provided by law, the term does not include
52 funds provided for the Business Partnership for Early Learning
53 under s. 1014.50.

54 (9) "Early learning programs" means programs that provide
55 state-funded services under this chapter, including early
56 childhood education and the voluntary universal prekindergarten
57 program.

58 (10) "Family day care home" means the type of early
59 childhood education provider defined in s. 402.302(7).

60 (11) "Informal provider" means a service provider that is
61 unregulated under part IV of this chapter and, accordingly, is
62 not required to be licensed or registered under part IV of this
63 chapter, and is not exempted from licensure pursuant to s.
64 402.305. The term includes an arrangement in which early
65 childhood education is provided by a relative of the child or by
66 another unregulated caregiver, regardless of whether those
67 services are provided in the child's residence or at another
68 location.

69 (12) "Kindergarten eligibility" means the age at which a
70 child is eligible for admission to public kindergarten under
71 s.1003.21(1)(a)2.

135231

Amendment No. (for drafter's use only)

72 (13) "Large family child care home" means the type of
73 early childhood education provider defined in s. 402.302(8).

74 (14) "Operator" means an onsite person ultimately
75 responsible for the overall operation of a family child care
76 home or large family child care home, regardless of whether he
77 or she is the owner of the home.

78 (15) "Owner" means the person who is licensed or
79 registered to operate as an early childhood education provider.

80 (16) "Payment certificate" means a "child care
81 certificate" as defined in 45 C.F.R. s. 98.2.

82 (17) "Single point of entry" means an integrated
83 information system that allows a parent to enroll his or her
84 child in early learning programs at various locations throughout
85 the county or multicounty region served by an early learning
86 council, that may allow a parent to enroll his or her child by
87 telephone or through an Internet website, and that uses a
88 unified waiting list to track eligible children waiting for
89 enrollment in available early learning programs.

90 (18) "Voluntary Universal prekindergarten funds" means all
91 state funds appropriated to the Department of Education for the
92 voluntary universal prekindergarten program.

93 (19) "Voluntary Universal Prekindergarten program" means
94 the voluntary universal prekindergarten education program
95 mandated by s.1(b) and (c), Article IX of the State
96 constitution.

97 (20) "Voluntary Universal prekindergarten provider" means
98 a provider of the voluntary universal prekindergarten program.
99 The term includes all providers that meet the criteria specified

135231

Amendment No. (for drafter's use only)

100 in s.1014.27 and have signed a funding agreement pursuant to s.
101 1014.28.

102 Section 5. Section 1014.03, Florida Statutes, is created
103 to read:

104 1014.03 Governance; state and local.--

105 (1) STATE BOARD OF EDUCATION.--

106 (a) The State Board of Education is the chief implementing
107 and coordinating body of public education in Florida, and it
108 shall focus on high-level policy decisions. It has authority to
109 adopt rules pursuant to ss. 120.536(1) and 120.54 to implement
110 the provisions of law conferring duties upon it for the
111 improvement of early learning programs including the voluntary
112 universal prekindergarten program. Except as otherwise provided
113 herein, it may, as it finds appropriate, delegate its general
114 powers to the Commissioner of Education or the directors of the
115 divisions of the department.

116 (b) In order to ensure compliance, the State Board of
117 Education shall have the authority to request and receive
118 information, data, and reports from early learning councils and
119 providers governed by this chapter.

120 1. If an early learning council, a voluntary universal
121 prekindergarten provider, or an early childhood education
122 provider cannot satisfactorily document compliance, the State
123 Board of Education may mandate compliance within a specified
124 timeframe.

125 2. If the State Board of Education determines that an
126 early learning council, a voluntary universal prekindergarten
127 provider, or an early childhood education provider is unwilling

135231

Amendment No. (for drafter's use only)

128 or unable to comply with law or state board rule within the
129 specified time, the State Board of Education shall have the
130 authority to initiate any of the following actions:

131 a. Report to the Legislature that the early learning
132 council, voluntary universal prekindergarten provider, or an
133 early childhood education provider has been unwilling or unable
134 to comply with law or state board rule and recommend action to
135 be taken by the Legislature.

136 b. Withhold the transfer of state funds, discretionary
137 grant funds, or any other funds specified as eligible for this
138 purpose by the Legislature until the early learning council,
139 voluntary universal prekindergarten provider, or an early
140 childhood education provider complies with the law or state
141 board rule.

142 c. Require monthly or periodic reporting on the situation
143 related to noncompliance until it is remedied.

144 (c) The State Board of Education shall ensure that
145 administrative costs associated with delivering early childhood
146 education programs and services during fiscal year 2004-2005 do
147 not exceed administrative costs associated with delivering those
148 programs and services during fiscal year 2003-2004.

149 (d) The State Board of Education may adopt rules pursuant
150 to ss. 120.536(1) and 120.54 necessary for the implementation of
151 this section.

152 (2) EARLY LEARNING ADVISORY COUNCIL.--The Early Learning
153 Advisory Council shall be responsible for the activities
154 prescribed in s. 1014.05.

135231

Amendment No. (for drafter's use only)

155 (3) DEPARTMENT OF EDUCATION.--The Department of Education
156 shall be responsible for:

157 (a) Developing standards for all early learning programs.

158 (b) Facilitating the process by which early learning
159 instructional personnel meet minimum training standards as
160 specified in s. 1014.07.

161 (c) Providing technical assistance to early learning
162 councils and all providers.

163 (d) Monitoring early learning councils and providers to
164 ensure compliance with all applicable laws and rules.

165 (e) Creating and implementing a consumer education and
166 protection program as specified in s. 1014.43.

167 (f) Providing or securing provision of services and
168 functions necessary for effective and efficient implementation
169 of this chapter.

170 (4) COMMISSIONER OF EDUCATION.--The Commissioner of
171 Education is authorized to suspend or prohibit an eligible
172 voluntary universal prekindergarten provider or early childhood
173 education provider from participation in publicly-funded early
174 learning programs and to take other action as necessary to
175 ensure compliance with program provider eligibility.

176 (a) The Commissioner of Education may investigate
177 allegations of noncompliance with law or state board rule and
178 may determine probable cause.

179 (b) The Commissioner of Education shall report to the
180 State Board of Education noncompliance with law or state board
181 rule.

182 (c) In addition, the Commissioner of Education shall:

135231

Amendment No. (for drafter's use only)

183 1. Oversee the compliance of the Division of Early
184 Learning and early learning councils with curriculum standards
185 defined in s. 1014.47 and state board rules.

186 2. Oversee the evaluation and accountability components
187 of the programs as defined in s.1014.07 and state board rule.

188 (5) DIVISION OF EARLY LEARNING.--The Division of Early
189 Learning shall be responsible for the administration of early
190 learning programs. The division shall issue fiscal and policy
191 guidance to early learning councils including standard contract
192 and voucher agreement language. In addition, the division is
193 responsible for issuing guidance to early learning councils
194 regarding payment rates, parent fees, and other matters related
195 the early learning program.

196 (a) Pursuant to federal regulations, the division shall
197 ensure that no more than 5 percent of aggregate funds in each
198 fiscal year is expended for administrative activities. The
199 division shall work with subrecipients to properly classify and
200 capture expenditures as direct, non-direct and administrative.

201 (b) The division shall establish and maintain contracting,
202 payment and reporting systems that provide timely information to
203 the Legislature including, but not limited to, information about
204 expenditures and numbers of children served.

205 (c) The division shall maintain a list of providers of
206 publicly funded early learning programs.

207 (d) The division shall implement audit procedures to
208 ensure that providers have accurately been designated as
209 eligible to provide the voluntary universal prekindergarten
210 program.

135231

Amendment No. (for drafter's use only)

211 (e) In an effort to provide for the efficient use of
212 program funding, the division shall fully utilize federal funds,
213 as well as state and local matching funds.

214 (f) The division shall be responsible to ensure that
215 federal and state funds are used in compliance with laws,
216 regulations, and contracts or grant agreements and that
217 performance goals are achieved.

218 (g) The division shall be responsible for developing and
219 distributing information about best practices for effective and
220 cost efficient service delivery and management of early learning
221 programs.

222 (h) The division shall establish a means by which the
223 public can provide comments and recommendations for the
224 successful implementation of the voluntary universal
225 prekindergarten program.

226 (i) The division shall provide means by which individuals
227 may notify the Department of Education of any provider that may
228 be in violation of state laws or rules relating to the voluntary
229 universal prekindergarten program.

230 (j) The division shall ensure that the early childhood
231 education and voluntary universal prekindergarten programs are
232 delivered as a continuum of services for children ages birth to
233 5 and that effective mechanisms and procedures for coordination
234 between the programs are implemented throughout the state.

235 Section 6. Section 20.15, Florida Statutes, is amended to
236 read:

237 20.15 Department of Education.--There is created a
238 Department of Education.

135231

HOUSE AMENDMENT

Bill No. HB 821 CS

Amendment No. (for drafter's use only)

239 (1) STATE BOARD OF EDUCATION.--In accordance with s. 2,
240 Art. IX of the State Constitution, the State Board of Education
241 is a body corporate and must supervise the system of free public
242 education as is provided by law. The State Board of Education is
243 the head of the Department of Education.

244 (2) COMMISSIONER OF EDUCATION.--The Commissioner of
245 Education is appointed by the State Board of Education and
246 serves as the Executive Director of the Department of Education.

247 (3) DIVISIONS.--The following divisions of the Department
248 of Education are established:

- 249 (a) Division of Community Colleges.
- 250 (b) Division of Public Schools.
- 251 (c) Division of Colleges and Universities.
- 252 (d) Division of Vocational Rehabilitation.
- 253 (e) Division of Blind Services.
- 254 (f) Division of Early Learning.

255 (4) DIRECTORS.--The directors of all divisions shall be
256 appointed by the commissioner subject to approval by the state
257 board.

258 (5) POWERS AND DUTIES.--The State Board of Education and
259 the Commissioner of Education shall assign to the divisions such
260 powers, duties, responsibilities, and functions as are necessary
261 to ensure the greatest possible coordination, efficiency, and
262 effectiveness of education for students in K-20 education.

263 (6) COUNCILS AND COMMITTEES.--Notwithstanding anything
264 contained in law to the contrary, the commissioner shall appoint
265 all members of all councils and committees of the Department of
266 Education, except the Commission for Independent Education, and

135231

Amendment No. (for drafter's use only)

267 the Education Practices Commission, and the Early Learning
268 Advisory Council.

269 (7) BOARDS.--Notwithstanding anything contained in law to
270 the contrary, all members of the university and community
271 college boards of trustees must be appointed according to
272 chapter 1001.

273 Section 7. Section 20.50, Florida Statutes, is amended to
274 read:

275 20.50 Agency for Workforce Innovation.--There is created
276 the Agency for Workforce Innovation within the Department of
277 Management Services. The agency shall be a separate budget
278 entity, and the director of the agency shall be the agency head
279 for all purposes. The agency shall not be subject to control,
280 supervision, or direction by the Department of Management
281 Services in any manner, including, but not limited to,
282 personnel, purchasing, transactions involving real or personal
283 property, and budgetary matters.

284 (1) The Agency for Workforce Innovation shall ensure that
285 the state appropriately administers federal and state workforce
286 funding by administering plans and policies of Workforce
287 Florida, Inc., under contract with Workforce Florida, Inc. The
288 operating budget and midyear amendments thereto must be part of
289 such contract.

290 (a) All program and fiscal instructions to regional
291 workforce boards shall emanate from the agency pursuant to plans
292 and policies of Workforce Florida, Inc. Workforce Florida, Inc.,
293 shall be responsible for all policy directions to the regional
294 boards.

135231

HOUSE AMENDMENT

Bill No. HB 821 CS

Amendment No. (for drafter's use only)

295 (b) Unless otherwise provided by agreement with Workforce
296 Florida, Inc., administrative and personnel policies of the
297 Agency for Workforce Innovation shall apply.

298 (2) The Agency for Workforce Innovation shall be the
299 designated administrative agency for receipt of federal
300 workforce development grants and other federal funds, and shall
301 carry out the duties and responsibilities assigned by the
302 Governor under each federal grant assigned to the agency. The
303 agency shall be a separate budget entity and shall expend each
304 revenue source as provided by federal and state law and as
305 provided in plans developed by and agreements with Workforce
306 Florida, Inc. The agency shall prepare and submit as a separate
307 budget entity a unified budget request for workforce
308 development, in accordance with chapter 216 for, and in
309 conjunction with, Workforce Florida, Inc., and its board. The
310 head of the agency is the director of Workforce Innovation, who
311 shall be appointed by the Governor. Accountability and reporting
312 functions of the agency shall be administered by the director or
313 his or her designee. Included in these functions are budget
314 management, financial management, audit, performance management
315 standards and controls, assessing outcomes of service delivery,
316 and financial administration of workforce programs pursuant to
317 s. 445.004(5) and (9). Within the agency's overall
318 organizational structure, the agency shall include the following
319 offices which shall have the specified responsibilities:

320 (a) The Office of Workforce Services shall administer the
321 unemployment compensation program, the Rapid Response program,
322 the Work Opportunity Tax Credit program, the Alien Labor

135231

Amendment No. (for drafter's use only)

323 Certification program, and any other programs that are delivered
324 directly by agency staff rather than through the one-stop
325 delivery system. The office shall be directed by the Deputy
326 Director for Workforce Services, who shall be appointed by and
327 serve at the pleasure of the director.

328 (b) The Office of Program Support and Accountability shall
329 administer state merit system program staff within the workforce
330 service delivery system, pursuant to policies of Workforce
331 Florida, Inc. The office shall be responsible for delivering
332 services through the one-stop delivery system and for ensuring
333 that participants in welfare transition programs receive case
334 management services, diversion assistance, support services,
335 including subsidized child care and transportation services,
336 Medicaid services, and transition assistance to enable them to
337 succeed in the workforce. The office shall also be responsible
338 for program quality assurance, grants and contract management,
339 contracting, financial management, and reporting. The office
340 shall be directed by the Deputy Director for Program Support and
341 Accountability, who shall be appointed by and serve at the
342 pleasure of the director. The office shall be responsible for:

343 1. Establishing monitoring, quality assurance, and quality
344 improvement systems that routinely assess the quality and
345 effectiveness of contracted programs and services.

346 2. Annual review of each regional workforce board and
347 administrative entity to ensure adequate systems of reporting
348 and control are in place, and monitoring, quality assurance, and
349 quality improvement activities are conducted routinely, and
350 corrective action is taken to eliminate deficiencies.

135231

Amendment No. (for drafter's use only)

351 (c) The Office of Agency Support Services shall be
352 responsible for procurement, human resource services, and
353 information services including delivering information on labor
354 markets, employment, occupations, and performance, and shall
355 implement and maintain information systems that are required for
356 the effective operation of the one-stop delivery system ~~and the~~
357 ~~school readiness services system~~, including, but not limited to,
358 those systems described in s. 445.009. The office will be under
359 the direction of the Deputy Director for Agency Support
360 Services, who shall be appointed by and serve at the pleasure of
361 the director. The office shall be responsible for establishing:

362 1. Information systems and controls that report reliable,
363 timely and accurate fiscal and performance data for assessing
364 outcomes, service delivery, and financial administration of
365 workforce programs pursuant to s. 445.004(5) and (9).

366 2. Information systems that support service integration
367 and case management by providing for case tracking for
368 participants in welfare transition programs.

369 ~~3. Information systems that support school readiness~~
370 ~~services.~~

371 (d) The Unemployment Appeals Commission, authorized by s.
372 443.012, shall not be subject to the control, supervision, or
373 direction by the Agency for Workforce Innovation in the
374 performance of its powers and duties but shall receive any and
375 all support and assistance from the agency that may be required
376 for the performance of its duties.

377 (3) The Agency for Workforce Innovation shall serve as the
378 designated agency for purposes of each federal workforce

135231

Amendment No. (for drafter's use only)

379 development grant assigned to it for administration. The agency
380 shall carry out the duties assigned to it by the Governor, under
381 the terms and conditions of each grant. The agency shall have
382 the level of authority and autonomy necessary to be the
383 designated recipient of each federal grant assigned to it, and
384 shall disperse such grants pursuant to the plans and policies of
385 Workforce Florida, Inc. The director may, upon delegation from
386 the Governor and pursuant to agreement with Workforce Florida,
387 Inc., sign contracts, grants, and other instruments as necessary
388 to execute functions assigned to the agency. Notwithstanding
389 other provisions of law, the following federal grants and other
390 funds are assigned for administration to the Agency for
391 Workforce Innovation:

392 (a) Programs authorized under Title I of the Workforce
393 Investment Act of 1998, Pub. L. No. 105-220, except for programs
394 funded directly by the United States Department of Labor under
395 Title I, s. 167.

396 (b) Programs authorized under the Wagner-Peyser Act of
397 1933, as amended, 29 U.S.C. ss. 49 et seq.

398 (c) Welfare-to-work grants administered by the United
399 States Department of Labor under Title IV, s. 403, of the Social
400 Security Act, as amended.

401 (d) Activities authorized under Title II of the Trade Act
402 of 1974, as amended, 2 U.S.C. ss. 2271 et seq., and the Trade
403 Adjustment Assistance Program.

404 (e) Activities authorized under chapter 41 of Title 38
405 U.S.C., including job counseling, training, and placement for
406 veterans.

135231

Amendment No. (for drafter's use only)

407 (f) Employment and training activities carried out under
408 the Community Services Block Grant Act, 42 U.S.C. ss. 9901 et
409 seq.

410 (g) Employment and training activities carried out under
411 funds awarded to this state by the United States Department of
412 Housing and Urban Development.

413 (h) Designated state and local program expenditures under
414 part A of Title IV of the Social Security Act for welfare
415 transition workforce services associated with the Temporary
416 Assistance for Needy Families Program.

417 (i) Programs authorized under the National and Community
418 Service Act of 1990, 42 U.S.C. ss. 12501 et seq., and the
419 Service-America programs, the National Service Trust programs,
420 the Civilian Community Corps, the Corporation for National and
421 Community Service, the American Conservation and Youth Service
422 Corps, and the Points of Light Foundation programs, if such
423 programs are awarded to the state.

424 (j) The Unemployment Compensation program provided
425 pursuant to chapter 443.

426 (k) Other programs funded by federal or state
427 appropriations, as determined by the Legislature in the General
428 Appropriations Act or by law.

429 (4) The Agency for Workforce Innovation shall provide or
430 contract for training for employees of administrative entities
431 and case managers of any contracted providers to ensure they
432 have the necessary competencies and skills to provide adequate
433 administrative oversight and delivery of the full array of

135231

Amendment No. (for drafter's use only)

434 client services pursuant to s. 445.004(5)(b). Training
435 requirements include, but are not limited to:

436 (a) Minimum skills, knowledge, and abilities required for
437 each classification of program personnel utilized in the
438 regional workforce boards' service delivery plans.

439 (b) Minimum requirements for development of a regional
440 workforce board supported personnel training plan to include
441 preservice and inservice components.

442 (c) Specifications or criteria under which any regional
443 workforce board may award bonus points or otherwise give
444 preference to competitive service provider applications that
445 provide minimum criteria for assuring competent case management,
446 including, but not limited to, maximum caseload per case
447 manager, current staff turnover rate, minimum educational or
448 work experience requirements, and a differentiated compensation
449 plan based on the competency levels of personnel.

450 (d) Minimum skills, knowledge, and abilities required for
451 contract management, including budgeting, expenditure, and
452 performance information related to service delivery and
453 financial administration, monitoring, quality assurance and
454 improvement, and standards of conduct for employees of regional
455 workforce boards and administrative entities specifically
456 related to carrying out contracting responsibilities.

457 Section 8. Sections 402.26, 402.301, 402.3016, 402.302,
458 402.30501, 402.3135, 402.3145, 411.01, and 411.012, Florida
459 Statutes, are repealed.

460 Section 9. Section 1014.04, Florida Statutes is created to
461 read:

135231

Amendment No. (for drafter's use only)

462 1014.04 Early Learning Advisory Council.--

463 (1) The Governor shall appoint an Early Learning Advisory
464 Council to advise the Commissioner of Education concerning
465 implementation of the voluntary universal prekindergarten
466 program, transition of school readiness programs to the
467 Department of Education, and operation of early learning
468 programs.

469 (2) The Early Learning Advisory Council shall include, at
470 a minimum, the following members:

471 (a) A representative of private for-profit early childhood
472 education providers;

473 (b) A representative of faith-based early childhood
474 education providers;

475 (c) A Head Start service provider;

476 (d) A representative of a program for prekindergarten
477 programs for children with disabilities under the Individuals
478 with Disabilities Education Act.

479 (e) A representative of not-for-profit early childhood
480 education providers;

481 (f) A public school superintendent;

482 (g) The chair of an early learning council;

483 (h) The chair of the Business Partnership for Early
484 Learning;

485 (i) The chair of a local Children's Services Council or
486 its equivalent;

487 (j) A parent of a child who is enrolled in a publicly-
488 funded early learning program;

489 (k) A representative of family child care homes; and

135231

Amendment No. (for drafter's use only)

490 (1) A minimum of four representatives of the private
491 business community who do not derive their income from the
492 delivery of early childhood education.

493 (3) The members must be geographically and demographically
494 representative of the state. The governor may appoint additional
495 members to ensure balanced representation.

496 (4) Members are subject to the ethics provisions in part
497 III of chapter 112.

498 (5) Members shall serve 3-year terms, except that half of
499 the members shall have initial appointments of 2 years. Members
500 may be reappointed for one additional 3-year term.

501 (6) Members shall serve without compensation but are
502 entitled to reimbursement for per diem and travel expenses
503 incurred in the performance of their duties as provided in s.
504 112.061, and reimbursement for other reasonable, necessary, and
505 actual expenses.

506 Section 10. Section 1014.05, Florida Statutes, is created
507 to read:

508 1014.05 Parental involvement.--The involvement of parents
509 is critical to a child's readiness to learn; therefore, nothing
510 in this chapter shall be construed to limit the role of a
511 child's parents as their first teacher.

512 (1) To provide opportunities for effective parental
513 involvement, early learning councils shall ensure that
514 information is made available to parents to enable them to make
515 informed choices about their child's participation in early
516 learning programs, including:

Amendment No. (for drafter's use only)

517 (a) Information required by s. 402.3125 regarding the
518 licensure of child care centers and family child care homes;

519 (b) Related community resources available to meet the
520 parent's and child's needs; and

521 (c) The requirements of the consumer protection system for
522 the voluntary universal prekindergarten program, pursuant to
523 s.1014.22.

524 (2) Parents are expected to be active participants in the
525 early learning program in which they enroll their child. Early
526 learning program providers must ensure that opportunities are
527 made available for parents to support their child in developing
528 literacy skills and achieving other early learning objectives.

529 Section 11. Section 1014.06, Florida Statutes, is created
530 to read:

531 1014.06 Early learning personnel; training requirements.--

532 (1) The State Board of Education shall adopt rules
533 prescribing minimum standards for the training of early learning
534 personnel. These standards shall ensure that each of the
535 following early learning personnel successfully completes an
536 approved introductory course in early childhood education, as
537 evidenced by passage of a competency examination:

538 (a) Directors and other early childhood education
539 personnel of child care centers.

540 (b) Directors and other early childhood education
541 personnel of specialized child care centers for mildly ill
542 children.

543 (c) Operators of family child care homes.

544 (d) Operators of large family child care homes.

135231

Amendment No. (for drafter's use only)

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546 These minimum training standards do not apply to certain
547 occasional or part-time support staff, including, but not
548 limited to, swimming instructors, piano teachers, dance
549 instructors, and gymnastics instructors. Universities, community
550 colleges, school districts, and private providers are authorized
551 to coordinate or provide this training.

552 (2) The department shall grant exemptions from all or a
553 portion of the required training to a director or other early
554 childhood education personnel of a child care center, of a
555 specialized child care center for mildly ill children, of a
556 large family child care home, or of a family child care home,
557 based upon educational credentials or passage of competency
558 examinations. A director or other early childhood education
559 personnel of a child care center, or of a specialized child care
560 center for mildly ill children, of a large family child care
561 home or of a family child care home, who possesses a 2-year
562 degree or higher that includes 6 college credit hours in early
563 child development or child growth and development, or a child
564 development associate credential, an equivalent state-approved
565 child development associate credential, or a child development
566 associate waiver certificate shall be automatically exempted
567 from the training requirements in paragraph (3)(b), paragraph
568 (3)(d), and paragraph (3)(e).

569 (3) The introductory course for directors and other early
570 childhood education personnel of child care centers and
571 specialized child care centers for mildly ill children, and for
572 operators of large family child care homes, shall be 45 clock

135231

Amendment No. (for drafter's use only)

573 hours. The introductory course for operators of family child
574 care homes shall be 30 clock hours. Each approved introductory
575 course must cover at least the following topic areas:

576 (a) State and local rules and regulations governing early
577 learning programs.

578 (b) Health, safety, and nutrition.

579 (c) Identifying and reporting of child abuse and neglect.

580 (d) Early learning, including typical and atypical
581 language, cognitive, motor, social, and self-help skills
582 development.

583 (e) Observation of developmental behaviors, including the
584 use of a checklist or other similar observation tools and
585 techniques to determine the child's developmental age level.

586 (f) Early literacy and language development of children
587 from birth to 5 years of age.

588 (g) Other specialized areas as determined by the State
589 Board of Education. For directors and early childhood education
590 personnel of child care centers and specialized child care
591 centers for mildly ill children, these specialized topic areas
592 must also include computer technology for professional and
593 classroom use.

594 (h) The introductory course for directors and early
595 education personnel of child care centers, and of specialized
596 child care centers for mildly ill children, shall stress, to the
597 maximum extent practicable, an interdisciplinary approach to the
598 study of children.

599 (4)(a) Each operator of a family child care home must
600 successfully complete the training required under this section,

135231

Amendment No. (for drafter's use only)

601 as evidenced by passage of the competency examination, before
602 providing early learning programs to a child.

603 (b) Each director or other early childhood education
604 personnel of a child care center or specialized child care
605 center for mildly ill children, and each operator of a large
606 family child care home, must:

607 1. Begin training to meet the training requirements within
608 90 days after initial employment within the early learning field
609 in this state; and

610 2. Successfully complete the training required under this
611 section, as evidenced by passage of the competency examination,
612 within 1 year after the date on which the training begins.

613 (5)(a) In order to further their early learning programs
614 and, if appropriate, administrative skills, each director,
615 operator, or other early childhood education personnel required
616 to be trained under this section who has fulfilled the
617 requirements for the introductory training, must annually
618 complete an additional 1 continuing education unit of approved
619 inservice training, or 10 clock hours of equivalent training, as
620 determined by the State Board of Education.

621 (b) Each director, operator, or early childhood education
622 personnel required to be trained under this section must
623 complete 0.5 continuing education units of approved training or
624 5 clock hours of equivalent training, as determined by the
625 department, in early literacy and language development of
626 children from birth to 5 years of age.

627 Section 12. Section 1014.061, Florida Statutes, is created
628 to read:

135231

Amendment No. (for drafter's use only)

629 1014.061 Child development associate and child development
630 associate equivalent curriculum.--

631 (1) The Department of Education shall conduct a program
632 review of all currently approved child development associate and
633 child development associate equivalent educational programs and
634 any corresponding state requirements in order to assess the
635 curriculum and testing requirements and to develop methods for
636 the improvement of these requirements and procedures. The
637 evaluation shall be conducted every 3 years. The evaluation
638 shall include, but not be limited to, a determination of the
639 accessibility, quality, scope, and sources of current training;
640 a determination of the need for specialty training; and a
641 determination of ways to increase inservice training and ways to
642 increase the accessibility, quality, and cost-effectiveness of
643 current and proposed training.

644 (2) The State Board of Education shall establish rules
645 identifying curriculum standards for the approval of child
646 development associate and child development associate equivalent
647 programs, and for the renewal of the child development associate
648 or child development associate equivalent credential. The
649 curriculum standards for the child development associate
650 equivalent shall include a requirement for successful completion
651 of a competency based examination for which a professional
652 certificate will be awarded. The curriculum standards and the
653 renewal requirement for the equivalent state-approved child
654 development associate credential shall include literacy
655 education, effective practices for increasing parental
656 involvement, and strategies to meet the needs of non-English-

135231

Amendment No. (for drafter's use only)

657 speaking children and children with disabilities. Universities,
658 community colleges, school districts, and private providers are
659 authorized to deliver training for professional development.

660 Section 13. Section 1014.062, Florida Statutes, is created
661 to read:

662 1014.062 Trainer qualifications.--

663 (1) Early learning professionals teaching an approved 45
664 clock-hour introductory course, a child development associate
665 credential, or an equivalent state-approved child development
666 associate credential shall meet the following qualifications at
667 a minimum:

668 (a) Be at least 21 years old.

669 (b) Complete the training course developed by the
670 Department of Education.

671 (c) Meet one of the following educational and experiential
672 credentials verified by the training coordinating agency:

673 1. Four-year college degree or higher with 6 college
674 credit hours in early childhood education, plus 480 hours
675 experience in a child care setting serving children ages birth
676 through 5 years of age or a teaching certificate.

677 2. A.S. or A.A. degree in child development, plus 480
678 hours experience in a child care setting serving children birth
679 through five years of age.

680 3. Associate degree with 6 college credit hours in early
681 childhood education, plus 960 hours experience in a child care
682 setting serving children birth through five years of age.

683 Section 14. Section 1014.063, Florida Statutes, is created
684 to read:

135231

Amendment No. (for drafter's use only)

685 1014.063 Early learning personnel training capacity.--The
686 department shall conduct an evaluation of training requirements
687 and testing procedures for early learning personnel in order to
688 assess the status of this training and testing and to develop
689 methods for improving these requirements and procedures. The
690 evaluation shall be conducted every 3 years and shall include,
691 but not be limited to, a determination of the accessibility,
692 quality, scope, and sources of current training; a determination
693 of the need for specialty training; and a determination of ways
694 to increase inservice training and accessibility, quality, and
695 cost-effectiveness of current and proposed training.

696 Section 15. Section 1014.064, Florida Statutes, is created
697 to read:

698 1014.064 Articulation.--

699 (1) The State Board of Education shall development
700 guidelines for the articulation required in this subsection
701 which maximize local flexibility in developing inter-
702 institutional articulation agreements while assuring students in
703 the field of early learning the ability to proceed toward their
704 higher educational and professional objectives. The State Board
705 of Education shall establish in rule a statewide articulation
706 agreement in which:

707 (a) Successful completion of the 45-clock-hour
708 introductory course shall reduce the number of hours required
709 for the equivalent state-approved child development associate
710 credential by 45 hours. The specific competencies into which the
711 hours articulate shall be determined by the State Board of
712 Education.

135231

Amendment No. (for drafter's use only)

713 (b) Successful completion of a child development associate
714 credential or an equivalent state-approved child development
715 associate credential shall articulate into a minimum of 12
716 community college credit hours in early childhood education. The
717 specific courses into which the credits articulate shall be
718 determined by the local community college.

719 (c) Successful completion of the early childhood education
720 Associate Degree shall articulate into the appropriate state
721 university baccalaureate degree program.

722 Section 16. Section 1014.065, Florida Statutes, is created
723 to read:

724 1014.065 Experience credit.--

725 (1) The State Board of Education shall develop, in rule, a
726 process by which early learning personnel who have completed the
727 introductory training program prior to June 30, 1999, and who
728 have been employed no less than 5 years as early childhood
729 education personnel may have an opportunity to earn an
730 equivalent state-approved child development associate
731 credential. The process should, at a minimum, include:

732 (a) A procedure for application and determination of
733 eligibility.

734 (b) A method of measuring competency that shall include
735 observation of the applicant in an early learning setting by a
736 qualified observer and successful completion of the child
737 development associate equivalent competency based examination.

738 (2) This subsection shall expire on June 30, 2009, unless
739 reenacted by the Legislature.

135231

Amendment No. (for drafter's use only)

740 Section 17. Section 402.3017, Florida Statutes, is
741 transferred, renumbered as section 1014.07, Florida Statutes,
742 and amended to read:

743 1014.07 402.3017 Early learning quality initiatives
744 Teacher Education and Compensation Helps (TEACH) Early Childhood
745 Project scholarship program.--

746 ~~(1) The Legislature finds that the level of early child~~
747 ~~care teacher education and training is a key predictor for~~
748 ~~determining program quality. The Legislature also finds that~~
749 ~~low wages for child care workers prevent many from obtaining~~
750 ~~increased training and education and contribute to high turnover~~
751 ~~rates. The Legislature therefore, intends to help fund a~~
752 ~~program which links teacher training and education to~~
753 ~~compensation and commitment to the field of child care.~~

754 ~~(1)(2) The department may Department of Children and~~
755 ~~Family Services is authorized to contract for the administration~~
756 ~~of the Teacher Education and Compensation Helps (TEACH) Early~~
757 ~~Childhood Project. The project shall be based on its national~~
758 ~~model and shall provide scholarship program, which provides~~
759 ~~educational scholarships to earegivers and administrators of~~
760 ~~early childhood programs, family day care homes, and large~~
761 ~~family early childhood education personnel child care homes.~~

762 (2) The department may contract for the administration of
763 the Home Instruction for Parents of Preschool Youngsters (HIPPY)
764 program. The program shall be based on its national model and
765 shall encourage parental involvement in early learning programs
766 by providing parents with assistance in preparing their children
767 for school.

135231

Amendment No. (for drafter's use only)

768 (3) The department may ~~shall~~ adopt rules under s.
769 120.536(1) and s. 120.54 ~~as necessary~~ to administer ~~implement~~
770 this section.

771 ~~(4) For the 2003-2004 fiscal year only, the Agency for~~
772 ~~Workforce Innovation shall administer this section. This~~
773 ~~subsection expires July 1, 2004.~~

774 Section 18. Section 1014.08, Florida Statutes, is created
775 to read:

776 1014.08 Accountability.--

777 (1) LEGISLATIVE INTENT.--It is the intent of the
778 Legislature that:

779 (a) The performance accountability system implemented to
780 assess the effectiveness of Florida's publicly-funded early
781 learning programs, including the voluntary universal
782 prekindergarten program, must provide answers to the following
783 questions:

784 1. What is the public receiving in return for funds it
785 invests in early learning programs?

786 2. How effective are the early learning programs and
787 providers in preparing children to be "ready" for kindergarten?

788 3. How effective and efficient are the local early
789 learning councils in meeting performance standards established
790 by the State Board of Education?

791 4. How effective and efficient are the State Board of
792 Education and Commissioner of Education in administering and
793 supporting early learning programs?

794 (b) The early learning performance accountability system
795 shall be established as a single, unified accountability system

135231

Amendment No. (for drafter's use only)

796 with multiple components including, but not limited to, measures
797 of a child's readiness for kindergarten; program effectiveness
798 including effectiveness of the voluntary universal
799 prekindergarten program; effectiveness of the Department of
800 Education, early learning councils, and early learning
801 providers; and return on investment. The State Board of
802 Education shall be responsible for maintaining a comprehensive
803 early learning performance accountability system.

804 (c) The State Board of Education shall recommend to the
805 Legislature, no later than January 2005, early learning
806 performance measures and standards including the components
807 identified in subsection (1)(a).

808 (d) The Legislature must adopt early learning performance
809 measures and standards no later than June 2005. The measures and
810 standards adopted by the Legislature shall provide Floridians
811 with information on what the public is receiving in return for
812 the funds it invests in early learning programs and answer the
813 other questions identified in subsection (1)(a).

814 (e) Each early learning council must conduct an annual
815 evaluation of the effectiveness of its early childhood education
816 programs. The results of the evaluations shall be submitted in
817 the manner prescribed by the Department of Education and made
818 available to the public upon request. This evaluation shall
819 include components prescribed by the State Board of Education
820 and, at a minimum, measures of the following:

821 1. The children's achievement as measured by age-
822 appropriate assessments upon entry into the program and upon
823 completion of the program; and

135231

Amendment No. (for drafter's use only)

824 2. The children's readiness for kindergarten as measured
825 by the instrument adopted by the State Board of Education to
826 assess the school readiness of all children entering
827 kindergarten.

828 (2) MISSION, GOALS, PERFORMANCE MEASURES.--

829 (a) The mission of early learning programs is to provide
830 the elements necessary to prepare children for school, including
831 health screening and referral, a developmentally appropriate
832 educational program, and opportunities for parental involvement.
833 The purpose of the early learning programs is to assist local
834 communities in implementing programs that will enable all
835 children in the community to be prepared for success in school.

836 (b) The State Board of Education shall adopt guiding
837 principles for establishing state, early learning councils, and
838 provider standards and measures.

839 (c) The Department of Education shall recommend to the
840 State Board of Education an early learning accountability system
841 that determines the efficiency and effectiveness of publicly-
842 funded early learning programs. The Department of Education
843 shall consult with early learning stakeholders in the
844 development of its recommendations.

845 (d) The State Board of Education shall maintain an
846 accountability system that measures the following goals:

- 847 1. Children's preparedness to enter kindergarten,
848 2. Children's acquisition of early literacy skills needed
849 to become successful readers,
850 3. Parental involvement opportunities provided,

Amendment No. (for drafter's use only)

851 4. Community partnerships leveraged to meet the needs of
852 children, and

853 5. Assistance to working families.

854 (3) SYSTEM WIDE DATA COLLECTION.--Early learning councils
855 and state funded providers shall maintain information systems
856 that will provide the State Board of Education and the
857 Legislature with information and reports necessary to address
858 the specifications of the accountability system. The State
859 Board of Education shall determine the standards for the
860 required data.

861 (4) The State Board of Education shall adopt rules
862 pursuant to ss. 120.536(1) and 120.54 necessary for the
863 implementation of this section.

864 Section 19. Section 411.0105, Florida Statutes, is
865 transferred, renumbered as section 1014.09, Florida Statutes,
866 and amended to read:

867 1014.09 ~~411.0105~~ Federal Early Learning Opportunities Act
868 and Even Start Family Literacy Programs; lead agency
869 responsibilities.--The Governor may designate the Department of
870 Education as the lead agency for purposes of administration of
871 the federal Child Care and Development Fund, 45 C.F.R. parts 98
872 and 99, and the federal Early Learning Opportunities Act, 20
873 U.S.C. ss. 9401-9413. If designated as the lead agency, the
874 department must comply with the lead agency responsibilities
875 under federal law.

876 Section 20. Section 1014.10, Florida Statutes is created
877 to read:

135231

Amendment No. (for drafter's use only)

878 1014.10 Conflicting Provisions.--If a conflicting
879 provision exists between this chapter and federal requirements,
880 the federal requirements shall control.

881 Section 21. Part II of chapter 1014, Florida Statutes,
882 shall be entitled "Voluntary universal prekindergarten program"
883 and shall consist of ss. 1014.20-1014.32.

884 Section 22. 1014.20 Legislative intent.--

885 (1) The voluntary universal prekindergarten program shall
886 provide a high-quality prekindergarten learning opportunity that
887 is voluntary and free for every child in Florida who is 4 years
888 of age.

889 (2) The program must be organized, designed and delivered
890 in accordance with sections 1(b) and (c), Article IX, of the
891 State Constitution.

892 (3) It is the goal of the Legislature that 100% of the
893 children that participate in the voluntary universal
894 prekindergarten program are assessed as "ready" upon entering
895 kindergarten.

896 (4) The Legislature recognizes that high-quality voluntary
897 universal prekindergarten increases children's chances of
898 achieving future educational success and becoming productive
899 members of society. It is the intent of the Legislature that
900 such programs be developmentally appropriate, serve as
901 preventive measures for children at risk of future school
902 failure, enhance the educational readiness of all children, and
903 support family education and the involvement of parents in their
904 child's educational progress. The voluntary universal
905 prekindergarten program shall provide the elements necessary to

135231

Amendment No. (for drafter's use only)

906 prepare children for school including, but not limited to,
907 health screening and referral, a developmentally appropriate
908 educational program, and opportunities for parental involvement
909 in the program.

910 (5) The Legislature recognizes that there is a strong
911 relationship between the skill and preparation of early learning
912 staff and educational outcomes of children in early learning
913 programs. To improve educational outcomes, it is the goal of the
914 Legislature that all early learning staff continually improve
915 their skill and preparation through education and training so
916 that in 5 years, at least one staff member in each classroom
917 will have an associate's degree in the field of early childhood
918 education or child development and in eight years, at least one
919 staff member in each classroom will have a bachelor's degree in
920 the field of early childhood education or child development.

921 (6) It is the intent of the Legislature that the
922 prekindergarten program exist not as an isolated program, but
923 build upon existing services and work in cooperation with other
924 programs for young children.

925 Section 23. Section 1014.21, Florida Statutes, is created
926 to read:

927 1014.21 Parental rights, choices, and responsibilities.--

928 (1) The voluntary universal prekindergarten program is
929 expected to assist and support parents in fulfilling their role
930 as their child's first teachers. To that end, parental
931 involvement in the program will be characterized by respectful
932 partnerships between parents and staff and sensitivity to
933 cultural diversity and language.

135231

Amendment No. (for drafter's use only)

934 (2) Parents must be provided information necessary to make
935 an informed choice among available prekindergarten program sites
936 and providers.

937 (3) Each voluntary universal prekindergarten service
938 provider should have strong expectations of parental involvement
939 and encourage parents to be involved in getting their children
940 ready for school.

941 (4) Parents should receive periodic assessments of child
942 progress and developmental and educational needs. When
943 necessary and appropriate, parents should be offered assistance
944 in interpreting assessment information and in accessing
945 resources to address their child's needs.

946 (5) The universal prekindergarten program is voluntary,
947 and parents who exercise the option to have their four-year-old
948 child participate have the responsibility to ensure that the
949 child experiences a high-quality learning opportunity. In
950 selecting a voluntary universal prekindergarten service
951 provider, the parent or guardian should:

952 (a) Be aware of the range of eligible public, private, and
953 faith-based programs;

954 (b) Verify that providers meet all program eligibility
955 requirements pursuant to this act;

956 (c) Review program performance data that may include
957 performance of children who have been served by the provider on
958 the required school readiness screening administered upon entry
959 into public kindergarten and other program evaluations;

960 (d) Verify that the provider's license is current;

135231

Amendment No. (for drafter's use only)

961 (e) Talk with other parents about their child's experience
962 with the provider; and

963 (f) Select the provider that is most appropriate for the
964 child, based on such considerations as quality of the physical
965 learning environment (facilities, equipment, materials); regular
966 periodic assessments of child progress and developmental and
967 educational needs; literacy-focused curricula and learning
968 experiences; sensitivity to cultural diversity; recognition of
969 children's individual needs and rates of learning; the parental
970 visitation policy; meaningful opportunities for parent
971 involvement, education, and enrichment; respect for the role of
972 the parent as the child's first and most vital teacher;
973 establishment of a partnership between parents and staff in the
974 child's program; opportunities for parents to grow with their
975 child and develop parenting skills; and availability of a
976 variety of resources and services for parents and families.

977 Section 24. Section 1014.22, Florida Statutes, is created
978 to read:

979 1014.22 Consumer protection; Department of Education,
980 parents, and guardians.--Parents are responsible for making
981 informed choices about whether their child should participate in
982 the voluntary universal prekindergarten program and, if they
983 decide to participate in the program, selecting the provider
984 best suited to meet their child's needs. The state serves a
985 number of important roles in providing consumer protection for
986 participants in the voluntary universal prekindergarten program
987 such as prescribing program provider eligibility criteria
988 (including fiscal soundness, staff credential requirements,

135231

Amendment No. (for drafter's use only)

989 approved curriculum, program length and child to staff ratio),
990 maintaining a comprehensive public accountability system,
991 funding the program and infrastructure, research and
992 development, and disseminating information.

993 (1)(a) The Department of Education shall create and
994 implement a consumer education and protection program that
995 strengthens the delivery system. The goal of the program is to
996 empower families and guardians to make informed decisions about
997 participation in the voluntary universal prekindergarten
998 program. The program shall include a variety of strategies that,
999 at a minimum, communicate the purpose of the program, the
1000 characteristics of a high quality program, application
1001 information, and program eligibility criteria.

1002 (b) The Department of Education shall establish a toll-
1003 free hotline and Internet website to answer questions and
1004 provide information regarding the voluntary universal
1005 prekindergarten program. This hotline shall be separate but
1006 should be accessible from the single point of entry system. The
1007 statewide resource and referral system provided pursuant to s.
1008 1014.48 shall also include information about voluntary
1009 prekindergarten programs and providers.

1010 (2)(a) Each provider must communicate objective
1011 information about its program(s) to parents who wish to
1012 participate in the voluntary prekindergarten education program.

1013 (b) Participating providers must provide evidence on an
1014 annual basis that they meet all program eligibility criteria
1015 specified in s. 1014.27.

135231

Amendment No. (for drafter's use only)

1016 Section 25. Section 1014.23, Florida Statutes, is created
1017 to read:

1018 1014.23 Service delivery and design.--

1019 (1) The voluntary universal prekindergarten program will
1020 be delivered through a diverse network of high quality private
1021 not-for-profit, private for-profit, faith-based, and public
1022 providers. This diversity is necessary to support parental
1023 choice and maximize use of existing program capacity and
1024 community resources.

1025 (2) The department will encourage and support partnerships
1026 among early learning councils, local governments, community and
1027 faith-based organizations, private schools and early learning
1028 providers, public schools, and businesses to ensure that the
1029 capacity of high quality services is adequate to meet
1030 anticipated demand for voluntary universal prekindergarten.

1031 Section 26. Section 1014.24, Florida Statutes, is created
1032 to read:

1033 1014.24 Community partnerships.--

1034 (1) Physical, behavioral, and developmental needs of
1035 children enrolled in the voluntary universal prekindergarten
1036 program will be addressed through coordination with and referral
1037 to other local and state agencies or community-based
1038 partnerships.

1039 (2) Each provider must implement processes for referring
1040 children who need additional support services to appropriate
1041 community service providers including, but not limited to,
1042 public health departments, providers of early intervention
1043 services, and publicly funded providers of behavioral or

135231

Amendment No. (for drafter's use only)

1044 developmental services. The statewide resource and referral
1045 system provided pursuant to s. 1014.48 shall include guidelines
1046 and procedures for referring children for support services.

1047 (3) The application used by parents for voluntary
1048 universal prekindergarten program enrollment must include an
1049 inventory of their child's needs and service history so that
1050 program service providers can identify referral needs.

1051 Section 27. Section 1014.25, Florida Statutes, is created
1052 to read:

1053 1014.25 Eligibility and application for services.--

1054 (1) Children who are residents of Florida and have
1055 attained the age of 4 years on or before September 1 of the
1056 school year are eligible for admission to the voluntary
1057 universal prekindergarten education program for that school
1058 year.

1059 (2) Prior to the beginning of the school year, parents
1060 will be given an opportunity to submit an application for
1061 voluntary universal prekindergarten program admission for each
1062 eligible child.

1063 (3) The State Board of Education shall establish by rule
1064 the procedures for application including, but not limited to,
1065 the following:

1066 (a) The application form;

1067 (b) The application time period; and

1068 (c) Processes and procedures.

1069 (4) The Department of Education must make information
1070 about the application process accessible to the public through a

135231

Amendment No. (for drafter's use only)

1071 public information program that includes print and electronic
1072 media and the Internet.

1073 Section 28. Section 1014.26, Florida Statutes, is created
1074 to read:

1075 1014.26 Program description.--Voluntary universal
1076 prekindergarten education program; child expectations,
1077 curricula, and transition to kindergarten.

1078 (1) The voluntary universal prekindergarten program shall
1079 be designed to address and enhance each child's ability to make
1080 age-appropriate progress, provide development of language and
1081 cognitive capabilities, and provide education in basic and other
1082 appropriate skills through high-quality learning experiences
1083 that build upon children's interests and skills.

1084 (2) To define age-appropriate expectations that will
1085 enable children to be ready for school, the Department of
1086 Education shall work with the Florida Center for Reading
1087 Research to review the Florida School Readiness Performance
1088 Standards for Three-Year Old, Four-Year Old, and Five-Year-Old
1089 Children 2002 to revise and propose additional or revised
1090 standards that emphasize early literacy and oral language
1091 skills, including vocabulary development. The State Board of
1092 Education shall adopt these literacy and language standards for
1093 use in the state's voluntary universal prekindergarten program.

1094 (3) Curricula used in voluntary universal prekindergarten
1095 programs shall be age-appropriate, literacy-focused, and
1096 responsive to children with special needs including those with
1097 disabilities, and those whose first language is other than

135231

Amendment No. (for drafter's use only)

1098 English. Such curricula shall be aligned with the expected child
1099 outcomes, as referenced in subparagraph (1)(a).

1100 (a) The State Board of Education shall:

1101 1. Identify curricula that meet the adopted standards;

1102 2. Provide a mechanism for review and approval of
1103 additional curricula proposed for use in voluntary universal
1104 prekindergarten programs; and

1105 3. Ensure that all voluntary universal prekindergarten
1106 education programs use curricula that meet the adopted
1107 standards.

1108 (4) Information related to the child's progress while in
1109 the voluntary universal prekindergarten program shall be
1110 submitted to the child's parent on a regular basis and such
1111 information shall be provided, in the manner prescribed by the
1112 Department of Education, to the school at which the child
1113 enrolls for kindergarten.

1114 Section 29. Section 1008.21, Florida Statutes, is amended
1115 to read:

1116 1008.21 School readiness uniform screening
1117 (kindergarten).--

1118 (1) The Department of Education shall implement ~~a the~~
1119 ~~school readiness uniform screening developed by the Florida~~
1120 ~~Partnership for School Readiness,~~ and shall require that all
1121 school districts administer the ~~kindergarten~~ uniform screening
1122 to each kindergarten student in the district school system upon
1123 the student's entry into kindergarten.

1124 (2)(a) ~~The Department of Education shall implement the~~
1125 ~~school readiness uniform screening to validate the system~~

135231

Amendment No. (for drafter's use only)

1126 ~~recommended by the Florida Partnership for School Readiness as~~
1127 ~~part of a comprehensive evaluation design. Beginning with the~~
1128 ~~2002-2003 school year, the department shall require that all~~
1129 ~~school districts administer the school readiness uniform~~
1130 ~~screening to each kindergarten student in the district school~~
1131 ~~system upon the student's entry into kindergarten. Children who~~
1132 ~~enter public school for the first time in first grade must be~~
1133 ~~administered the school readiness uniform screening adopted for~~
1134 ~~use in first grade. The department shall incorporate school~~
1135 ~~readiness data into the K-20 data warehouse for longitudinal~~
1136 ~~tracking.~~

1137 ~~(b)~~ The uniform screening shall provide objective data
1138 regarding ~~the following~~ expectations for school readiness which
1139 shall include, at a minimum:

1140 ~~1. The child's immunizations and other health requirements~~
1141 ~~as necessary, including appropriate vision and hearing screening~~
1142 ~~and examinations.~~

1143 ~~2. The child's physical development.~~

1144 ~~1.3.~~ The child's compliance with rules, limitations, and
1145 routines.

1146 ~~2.4.~~ The child's ability to perform tasks.

1147 ~~3.5.~~ The child's interactions with peers and adults.

1148 ~~6. The child's interactions with peers.~~

1149 ~~7. The child's ability to cope with challenges.~~

1150 ~~8. The child's self-help skills.~~

1151 ~~9. The child's ability to express his or her needs.~~

1152 ~~10. The child's verbal communication skills.~~

1153 ~~4.11.~~ The child's problem-solving skills.

135231

HOUSE AMENDMENT

Bill No. HB 821 CS

Amendment No. (for drafter's use only)

1154 ~~5.12.~~ The child's ability to follow verbal directions.

1155 ~~6.13.~~ The child's demonstration of curiosity, persistence,
1156 and exploratory behavior.

1157 ~~7.14.~~ The child's knowledge of and interest in books and
1158 other printed materials.

1159 ~~15.~~ ~~The child's ability to pay attention to stories.~~

1160 ~~16.~~ ~~The child's participation in art and music activities.~~

1161 ~~17.~~ ~~The child's ability to identify colors, geometric~~
1162 ~~shapes, letters of the alphabet, numbers, and spatial and~~
1163 ~~temporal relationships.~~

1164 (b) The screening system shall measure emerging phonemic
1165 awareness and phonics skills that are valid and reliable
1166 predictors for later reading performance.

1167 (2) Recognizing the importance of a child's development in
1168 the domain of physical health, each district school board shall
1169 ensure that prior to enrollment in kindergarten, information
1170 regarding the child's immunizations, physical development, and
1171 other health information, including appropriate vision and
1172 hearing screening and examinations as necessary, is obtained as
1173 required by s. 1003.22.

1174 (3) To enhance each child's ability to make age-
1175 appropriate progress, each district school board shall also
1176 provide for ongoing formal and informal assessment of a child's
1177 social and emotional development. Information obtained through
1178 such assessments shall be shared with the child's parent and or
1179 used to guide instruction.

1180 Section 30. Section 1014.27, Florida Statutes, is created
1181 to read:

135231

Amendment No. (for drafter's use only)

1182 1014.27 Program provider eligibility criteria.--To be
1183 eligible to participate as a provider in Florida's voluntary
1184 universal prekindergarten program and be eligible for state
1185 funds, the provider must be located in Florida and must:

1186 (1) Demonstrate fiscal soundness by being in operation for
1187 at least one year or being part of a corporation with early
1188 learning program providers in Florida prior to June 2004.

1189 (2) By the 2006-07 school year, meet Gold Seal standards
1190 pursuant to s.387.24.

1191 (3) Have a minimum staff ratio of 1:10 and serve at least
1192 5 children.

1193 (4) Beginning in 2005-06, ensure that one instructional
1194 staff for every ten children has a minimum staff credential of:

1195 (a) A child development associate credential; or

1196 (b) A credential that is equivalent to or greater than the
1197 credential required in (a).

1198 (5) Beginning in 2006-2007, a second staff member meeting
1199 the minimum staff credential prescribed in (4) is required for
1200 classes of eleven to twenty children.

1201 (6) Use a curriculum that has been determined to meet
1202 standards set by the State Board of Education pursuant to s.
1203 1014.26.

1204 (7) Provide parents regular periodic information of the
1205 child's progress towards attaining age-appropriate developmental
1206 and early learning outcomes consistent with expectations in s.
1207 1014.26.

1208 (8) Establish an information and referral process for
1209 wrap-around services for children who need support beyond what

135231

Amendment No. (for drafter's use only)

1210 is provided within the voluntary universal prekindergarten
1211 program.

1212 (9) Provide opportunities for parental involvement.

1213 (10) Cultivate and leverage community partnerships.

1214 (11) Annually register with the appropriate early learning
1215 council. Each owner or operator must provide the following
1216 information:

1217 (a) The legal business and trade names, mailing address
1218 and business location of the early learning program;

1219 (b) The full names, addresses, and telephone numbers of
1220 all owners or operators of the provider; and

1221 (c) A notification of the provider's intent to participate
1222 in the program under this section.

1223 (12) Offer a program that is 180 days in length and 4
1224 hours per day or 720 hours per year.

1225 (13) Comply with applicable state and local health and
1226 safety laws, rules and codes.

1227 Section 31. Section 1014.28, Florida Statutes, is created
1228 to read:

1229 1014.28 Transportation.--

1230 (1) Voluntary universal prekindergarten funds may not be
1231 used in any form to provide transportation services for the
1232 voluntary universal prekindergarten program or for the purchase
1233 of motor vehicles. Voluntary universal prekindergarten providers
1234 may provide transportation services for a voluntary universal
1235 prekindergarten program through other funds, including local
1236 monies or parent fees.

135231

Amendment No. (for drafter's use only)

1237 (2) Children who are from economically disadvantaged
1238 families as defined in 1014.40(2) may have the cost of their
1239 transportation reimbursed pursuant to 1014.42 ~~this section.~~

1240 Section 32. Section 1014.29, Florida Statutes, is created
1241 to read:

1242 1014.29 Financial matters.--

1243 (1)(a) In order to maximize parental choice, a voucher in
1244 the amount established by the Legislature in the General
1245 Appropriations Act shall be awarded to parents of children who
1246 are eligible to participate in a voluntary universal
1247 prekindergarten program. Payment for the voucher will be made to
1248 the parent for the voluntary universal prekindergarten provider
1249 of the parent's choice, or if the parent so chooses, directly to
1250 the provider.

1251 (b) Providers wanting to operate a voluntary universal
1252 prekindergarten program are required to sign an annual funding
1253 agreement that must include, at a minimum:

1254 1. Evidence that they meet provider eligibility criteria
1255 contained in s. 1014.27.

1256 2. Clear statement that a provider will not charge above
1257 and beyond what the state funds per child, except for
1258 transportation, food, field trips, late pick-up fees, or other
1259 related fees.

1260 (2) No liability shall arise on the part of the state
1261 based on any use of a voucher for a voluntary universal
1262 prekindergarten program.

1263 Section 33. Section 1014.30, Florida Statutes, is created
1264 to read:

135231

Amendment No. (for drafter's use only)

1265 1014.30 Budgeting.--All funds associated with the
1266 voluntary universal prekindergarten program must be appropriated
1267 in a single and separate budget entity.

1268 Section 34. Section 1014.31, Florida Statutes, is created
1269 to read:

1270 1014.31 Voluntary universal prekindergarten capacity
1271 assessment.--

1272 (1) The State Board of Education shall annually assess the
1273 state's capacity to provide high quality voluntary universal
1274 prekindergarten programs. This assessment shall include:

1275 (a) The capacity of the early childhood education
1276 providers to serve the projected 4-year-old population; and

1277 (b) The capacity of educational institutions and other
1278 training providers to prepare highly qualified personnel for
1279 early learning, pursuant to s.1014.06.

1280 (2) The assessment shall specifically include the capacity
1281 needs of each county and be developed in partnership with local
1282 governments, businesses, community and faith-based
1283 organizations, and postsecondary educational institutions.

1284 (3) The State Board of Education shall report the findings
1285 of this assessment and recommendations to improve the state's
1286 capacity to provide high quality voluntary universal
1287 prekindergarten programs to the Governor, the President of the
1288 Senate, and the Speaker of the House on or before September 30
1289 of each year.

1290 Section 35. Section 1014.32, Florida Statutes, is created
1291 to read:

135231

Amendment No. (for drafter's use only)

1292 1014.32 Targeted occupation list.--Workforce Florida,
1293 Inc., shall recognize credentialed placement in the field of
1294 early learning as a high skill occupation for purposes of
1295 performance outcome measures pursuant to s.1011.80(4)(c).

1296 Section 36. Part III of chapter 1014, Florida Statutes,
1297 shall be entitled "Early Learning Opportunities" and shall
1298 consist of ss. 1014.40-1014.54.

1299 Section 37. Section 1014.40, Florida Statutes is created
1300 to read:

1301 1014.40 Definitions.--

1302 (1) "Central agency" means a community child care
1303 coordinating agency, which was established under the former
1304 subsidized child care program of the Department of Children and
1305 Family Services.

1306 (2) "Economically disadvantaged" means having a family
1307 income that does not exceed 150 percent of the federal poverty
1308 level.

1309 Section 38. Section 1014.41, Florida Statutes, is created
1310 to read:

1311 1014.41 Early learning councils.--

1312 (1) Effective January 1, 2005, local governance shall be
1313 through no more than 28 early learning councils.

1314 (a) Early learning councils shall be responsible for
1315 compliance with law and State Board of Education rules related
1316 to early childhood education at the local level. In performance
1317 of these duties, early learning councils must submit, in a
1318 timely manner, any information requested by the State Board of

135231

Amendment No. (for drafter's use only)

1319 Education or the Department of Education relating to compliance
1320 accountability and consumer protection.

1321 (b) Early learning councils shall provide oversight and
1322 accountability for early childhood education at the local level
1323 that shall include but not be limited to the following:

1324 1. Maintain accurate records including those necessary to
1325 ensure fiscal and programmatic accountability and compliance
1326 with laws and State Board of Education rules governing local
1327 providers of early childhood education.

1328 2. Provide for representation of a fiscal agent, if
1329 necessary, in compliance with s. 1014.52.

1330 3. Retain legal representation, as necessary, for the
1331 review and implementation of contracts.

1332 4. Implement a system of consumer protection as provided
1333 in s. 1014.22.

1334 5. Prepare an annual financial and compliance audit of all
1335 accounts and records conducted by an independent certified
1336 public accountant and in accordance with rules adopted by the
1337 Auditor General.

1338 (c) Each early learning council shall have as many members
1339 as may be required to include the following:

1340 1. A Department of Children and Family Services district
1341 administrator or his or her designee who is authorized to make
1342 decisions on behalf of the department.

1343 2. A district superintendent of schools or his or her
1344 designee who is authorized to make decisions on behalf of the
1345 district.

135231

Amendment No. (for drafter's use only)

- 1346 3. A regional workforce development board executive
1347 director.
- 1348 4. A county health department director or his or her
1349 designee.
- 1350 5. A children's services council or juvenile welfare board
1351 chair or executive director, where applicable.
- 1352 6. A local child care licensing agency head, where
1353 applicable.
- 1354 7. A community college president or designated
1355 representative.
- 1356 8. A representative of a program for children with
1357 disabilities under the Individuals with Disabilities Education
1358 Act.
- 1359 9. A parent or guardian of a child who participates in a
1360 publicly-funded early learning program.
- 1361 10. A central child care agency administrator.
- 1362 11. A Head Start director.
- 1363 12. A representative of private child care providers.
- 1364 13. A representative of faith-based child care providers.
- 1365 14. A representative of family day care home providers.
- 1366 (d) The Governor shall appoint the 14 members of each
1367 local council listed in (c) no later than January 1, 2005.
1368 Members shall serve a term of 4 years, except that one-third of
1369 initial appointees shall serve for two years, one-third shall
1370 serve for three years and one-third shall serve for four years.
1371 These 14 members shall appoint other council members.
- 1372 (e) A voting majority of local council members shall be
1373 persons who do not have a substantial financial interest in the

135231

Amendment No. (for drafter's use only)

1374 design or delivery of public or private early learning services
1375 in Florida, and neither they nor their families may earn an
1376 income from the early learning programs. To meet this
1377 requirement a council must appoint additional members from a
1378 list of nominees presented to the coalition by chambers of
1379 commerce or economic development councils within the geographic
1380 area of the council. The chair of the council must be chosen
1381 from among the voting majority.

1382 (f) No member of a council may appoint a designee to act
1383 in his or her place unless specifically provided in this act. A
1384 member may send a representative to council meetings, but that
1385 representative will have no voting privileges.

1386 (g) Members of the council are subject to the ethics
1387 provisions in part III of chapter 112. It is the duty of all
1388 members of the local coalition board to report all possible or
1389 apparent conflicts to the Chairperson and to recuse themselves
1390 from participating in council activities related to their areas
1391 of conflict. A conflict shall be deemed to exist if the council
1392 member represents any organization whether as an employee,
1393 officer or director that receives financial compensation or
1394 business for services rendered to the organization or has direct
1395 or indirect interest in action to be taken by the council.

1396 (h) For the purposes of tort liability, the members of the
1397 council and its employees shall be governed by s. 768.28.

1398 (i) All councils shall include representation from each
1399 county in the service area.

1400 (j) Appointed members may serve a maximum of two terms.
1401 When a vacancy occurs in an appointed position, the governor

135231

Amendment No. (for drafter's use only)

1402 shall fill the vacancy. When a vacancy occurs in a non-appointed
1403 position, the vacancy shall be publicly advertised for a minimum
1404 of 14 calendar days.

1405 Section 39. Section 1014.42, Florida Statutes, is created
1406 to read:

1407 1014.42 Local council transition.--

1408 (1) Between July 1, 2004, and December 31, 2004, local
1409 school readiness coalitions established pursuant to s.
1410 411.01(5), shall transition to early learning councils created
1411 pursuant to s. 1014.03(6).

1412 (2) No later than October 1, 2004, executive Directors of
1413 the school readiness coalitions shall submit a plan to the
1414 Commissioner of Education for consolidating school readiness
1415 coalitions to create 28 early learning Councils (ELC). Any
1416 school readiness coalition that has not agreed to the
1417 consolidation plan would be assigned to an early learning
1418 council region by the commissioner.

1419 (3) All facilities, equipment, and other resources
1420 purchased by local school readiness coalitions using state or
1421 federal child care or school readiness funding shall be
1422 transferred to the early learning council that assumes
1423 responsibility for the county or multi-county area previously
1424 served by the local school readiness coalition.

1425 (4) In multi-county local school readiness coalition
1426 regions where the counties are divided between two or more early
1427 learning council service areas, each early learning council
1428 shall receive the share of the facilities, equipment, and other
1429 resources that is fairly apportioned to the county or counties

135231

Amendment No. (for drafter's use only)

1430 for which it assumes jurisdiction. Any disagreements that may
1431 arise regarding resource allocation shall be resolved by the
1432 Chancellor for Early Learning.

1433 (5) Nothing in this section shall be construed to create a
1434 private cause of action or create any rights for individuals or
1435 entities in addition to those provided elsewhere in law or rule.

1436 Section 40. Section 1014.43, Florida Statutes is created
1437 to read:

1438 1014.43 Early childhood education expectations.--Each
1439 early learning council shall administer and assure the provision
1440 of publicly-funded early childhood education programs that meet
1441 the following expectations:

1442 (1) The services must prepare preschool children to enter
1443 kindergarten ready to learn, as measured by the performance
1444 standards and outcome measures adopted by the State Board of
1445 Education under s. 1014.08.

1446 (2) The services must be developmentally appropriate and
1447 research-based, involve parents as their children's first
1448 teachers, serve as a preventive measure for children at risk of
1449 future school failure, enhance the educational readiness of
1450 eligible children, and support family education.

1451 (3) The services must offer extended-day and extended-year
1452 options to the maximum extent practicable, within funding
1453 limitations and without compromising the quality of the program,
1454 to meet the needs of parents who work.

1455 (4) The services must make available access to community
1456 services and resources for families to help achieve economic
1457 self-sufficiency.

135231

Amendment No. (for drafter's use only)

1458 (5) The services must allow persons with an early
1459 childhood teaching certificate to provide support and
1460 supervision to other staff.

1461 (6) The services must provide for coordinated staff
1462 development and teaching opportunities.

1463 (7) The services must meet all state licensing guidelines,
1464 where applicable.

1465 Section 41. Section 1014.44, Florida Statutes, is created
1466 to read:

1467 1014.44 Early childhood education eligibility and priority
1468 for participation.--

1469 (1) Each early learning council shall give priority for
1470 participation in publicly-funded early childhood education
1471 programs, as follows:

1472 (a) Priority shall be given first to a child from a family
1473 in which there is an adult receiving temporary cash assistance
1474 who is subject to federal work requirements.

1475 (b) Priority shall be given next to a child from birth to
1476 kindergarten eligibility who is served by the Family Safety
1477 Program Office of the Department of Children and Family Services
1478 or a community-based lead agency under chapter 39 and for whom
1479 early childhood education is needed to minimize the risk of
1480 further abuse, neglect, or abandonment.

1481 (c) Subsequent priority shall be given to a child younger
1482 than kindergarten eligibility who meets one or more of the
1483 following criteria:

1484 1. A child who is not included for priority in paragraph
1485 (b), but who is determined to be at risk of abuse, neglect, or

135231

Amendment No. (for drafter's use only)

1486 exploitation and who is currently a client of the Family Safety
1487 Program Office of the Department of Children and Family
1488 Services.

1489 2. A child at risk of welfare dependency, including an
1490 economically disadvantaged child, a child of a participant in
1491 the welfare transition program, a child of a migrant farm
1492 worker, or a child of a teen parent.

1493 3. A child of a working family that is economically
1494 disadvantaged.

1495 4. A child for whom financial assistance is provided
1496 through the Relative Caregiver Program under s. 39.5085.

1497 5. A 3-year-old child or 4-year-old child who may not be
1498 economically disadvantaged, but who has been determined eligible
1499 as a child with a disability in accordance with the rules of the
1500 State Board of Education and is participating in a program for
1501 children with disabilities of the local school district.

1502 6. An economically disadvantaged child, a child with a
1503 disability, or a child at risk of future school failure, from
1504 birth to 4 years of age, who is served at home through a home
1505 visitor program and an intensive parent education program,
1506 including, but not limited to, the Florida First Start Program.

1507 7. A child who meets federal and state requirements for
1508 eligibility for the migrant preschool program, but who does not
1509 meet the criteria of economically disadvantaged.

1510 (2) An early learning council may use early learning funds
1511 allocated to the council to provide early childhood education
1512 for any child who is eligible for services under the federal law
1513 or regulations governing those federal funds, including, but not

135231

Amendment No. (for drafter's use only)

1514 limited to, the Child Care and Development Block Grant, the
1515 Temporary Assistance for Needy Families Block Grant, or the
1516 Social Services Block Grant, if approved by the Department of
1517 Education as part of the council's early learning plan.

1518 (3) A child who meets the eligibility requirements upon
1519 initial registration in an early learning program shall be
1520 considered eligible for one year, regardless of a change in his
1521 or her family's economic status, but subject to additional
1522 family contributions in accordance with the council's sliding
1523 fee scale.

1524 Section 42. Section 1014.45, Florida Statutes, is created
1525 to read:

1526 1014.45 Early childhood education program description.--

1527 (1) Each council shall provide a comprehensive program of
1528 early childhood education that enhances the cognitive, social,
1529 and physical development of children to achieve the performance
1530 standards and outcome measures adopted by the State Board of
1531 Education pursuant to s.1014.07.

1532 (2) Each early learning council shall ensure that the
1533 early childhood education provided under its plan, include at a
1534 minimum, the following elements:

1535 (a) Developmentally and age appropriate curriculum that,
1536 at a minimum, prepares a child for school in each of the
1537 following components:

- 1538 1. Physical development.
1539 2. Oral language ability including vocabulary development.
1540 3. Phonemic awareness.

135231

Amendment No. (for drafter's use only)

1541 4. Knowledge of and interest in books and other printed
1542 materials.

1543 5. Ability to cope with challenges.

1544 6. Ability to perform tasks.

1545 7. Problem-solving skills.

1546 8. Following verbal directions.

1547 9. Demonstration of curiosity, persistence, and
1548 exploratory behavior.

1549 10. Interactions with peers and adults.

1550 11. Compliance with rules, limitations, and routines.

1551 (b) A character development program to develop basic
1552 values.

1553 (c) A valid and reliable age-appropriate screening of each
1554 child's development when they enter the program.

1555 (d) A valid and reliable measurement of each child's
1556 developmental progress when they enter and when they exit the
1557 program.

1558 (e) An appropriate staff-to-children ratio.

1559 (f) A healthy and safe environment.

1560 Section 43. Section 1014.46, Florida Statutes, is created
1561 to read:

1562 1014.46 Early childhood education plans.--

1563 (1) Each early learning council shall adopt a plan for
1564 implementing its early childhood education plan that meets the
1565 requirements of this section and the performance standards and
1566 outcome measures adopted by the State Board of Education.

1567 Implementation of each council's plan is subject to approval by
1568 the department.

135231

Amendment No. (for drafter's use only)

1569 (2)(a) Before implementing its plan, each early learning
1570 council must adopt and submit its plan for approval to the
1571 Department of Education. The department shall approve the plan,
1572 reject the plan, or approve the plan with conditions.

1573 (b) The department shall review each council's plan
1574 annually. If an early learning council does not substantially
1575 implement its plan or does not substantially meet the
1576 performance standards or outcome measures adopted by the
1577 department, the department may contract with a qualified entity
1578 to continue early childhood education in the council's county or
1579 multicounty region until the department determines that the
1580 council is fully prepared to resume operations and perform its
1581 functions in conformance with applicable laws, rules and
1582 performance expectations.

1583 (c) Each early learning council must review and revise its
1584 plan annually. An early learning council may not implement plan
1585 revisions until it submits the revised plan to, and receives
1586 approval from, the department. If the department rejects a
1587 revised plan, the early learning council must continue to
1588 operate under its prior approved plan.

1589 (3) Each early learning plan must be submitted in the
1590 manner prescribed by the department and shall include the
1591 following minimum standards and provisions:

1592 (a) The business organization of the early learning
1593 council must include the council's articles of incorporation and
1594 bylaws if the council is organized as a corporation. If the
1595 early learning council is not legally organized as a corporation

135231

Amendment No. (for drafter's use only)

1596 or other business entity, the plan must include the contract
1597 with a fiscal agent in accordance with s. 1014.30.

1598 (b) The establishment of a local resource and referral
1599 agency as part of the statewide resource and referral network
1600 under s. 1014.46, that assists parents in making an informed
1601 choice of early childhood education providers.

1602 (c) A community plan that addresses the needs of all
1603 eligible children.

1604 (d) A single point of entry and unified waiting list for
1605 early learning programs.

1606 (e) A description of the council's early childhood
1607 education program, which includes the following:

1608 1. The plan must describe the role of early childhood
1609 education programs in the council's effort to collaborate with
1610 community partners and schools as part of a statewide
1611 comprehensive initiative that prepares children and families for
1612 the children's success in school.

1613 2. The plan must demonstrate that each child in early
1614 childhood education programs will receive scheduled activities
1615 and instruction designed to prepare the children to enter
1616 kindergarten ready to learn, that the programs will achieve the
1617 program expectations described in s. 1014.21, and that the early
1618 childhood education services provided under the plan will
1619 contain the elements described in s. 1014.21.

1620 3. The plan must reflect inclusion of before and after
1621 school child care.

1622 (f) A parental choice of locations and types of early
1623 childhood education providers, as defined in s. 1014.02,

135231

Amendment No. (for drafter's use only)

1624 including licensed, registered, religious-exempt, and school-
1625 based providers.

1626 (g) A schedule of payment rates adopted by the early
1627 learning council which encompasses all types of early childhood
1628 education and providers funded by the council. The early
1629 learning council must consider the prevailing market-rate
1630 schedule adopted under s. 1014.31 when adopting the council's
1631 payment schedule.

1632 1. The payment schedule must specify that an informal
1633 provider of unregulated early childhood education may not be
1634 paid at more than 50 percent of the payment rate for a family
1635 child care home.

1636 2. The payment schedule must not have the effect of
1637 limiting parental choice; however, the department may authorize
1638 early learning councils to use its funds to provide a rate
1639 differential or stipend to early childhood education providers
1640 that hold a current Gold Seal designation under s. 402.281. The
1641 differential may not exceed 20 percent of the payment rate for
1642 providers that do not hold the Gold Seal designation.

1643 3. The payment schedule must include a projection of the
1644 number of children to be served by the early learning council
1645 and must be submitted to the department for information.

1646 (h) A sliding fee scale establishing a copayment for
1647 parents based upon their ability to pay, that is uniform for all
1648 providers participating in the early learning program, and can
1649 be implemented and reflected in the program's budget.

1650 1. Early learning councils must report and monitor the
1651 collection of parent copayments by providing a system of

135231

Amendment No. (for drafter's use only)

1652 oversight and accountability at the local level as described in
1653 s. 1004.03(6).

1654 2. Providers must maintain records of the collection of
1655 parent fees and must report to early learning councils and the
1656 department records of their collection of parent fees.

1657 3. The collection of parent fees and the compliance with
1658 relevant federal regulations requiring the collection of parent
1659 fees must be included in provider and early learning council
1660 audit requirements as required in s. 1004.03(6).

1661 (i) The qualifications of early childhood education
1662 personnel for providers participating in the early learning
1663 programs, including, but not limited to, successful completion
1664 of the 45-clock-hour introductory course described in s.
1665 1014.081 and of any additional training or credentials required
1666 by the department. The early learning plan must provide a method
1667 for verifying these qualifications of all early childhood
1668 education personnel for each type of provider.

1669 (j) The performance standards and outcome measures adopted
1670 for early learning programs by the department pursuant to s.
1671 1014.07.

1672 (k) Direct enhancement services for families and children.
1673 These enhancement services shall be in addition to payments for
1674 the placement of children in early learning programs.

1675 (l) Nondirect services including, but not limited to, the
1676 enrollment of children in early learning programs, eligibility
1677 determination for early learning programs, training of early
1678 learning providers, and parental support and involvement.

135231

Amendment No. (for drafter's use only)

1679 (m) Strategies to meet the needs of unique populations,
1680 such as migrant workers.

1681 (4)(a) As part of its early learning plan, an early
1682 learning council may request the Governor to apply for a waiver
1683 to allow the council to administer the Head Start program to
1684 accomplish the purposes of its early learning program.

1685 (b) If an early learning plan demonstrates that specific
1686 statutory goals may be achieved more effectively by using
1687 procedures that require modification of existing rules,
1688 policies, or procedures, the early learning council may include
1689 in the plan a request for a waiver by the State Board of
1690 Education. Upon review, the State Board of Education may grant
1691 the proposed modification.

1692 (c) Early learning councils may enter into contracts with
1693 service providers outside their service areas in order to meet
1694 the needs of unique populations, such as migrant workers.

1695 (d) The department may enter into statewide contracts with
1696 service providers in order to meet the needs of unique
1697 populations such as migrant workers. Information regarding
1698 services provided through a statewide contract will be provided
1699 to each early learning council to ensure communication,
1700 coordination and resource maximization.

1701 Section 44. Section 1014.47, Florida Statutes, is created
1702 to read:

1703 1014.47 Parental choice in early childhood education
1704 programs.--

1705 (1) Each council's early childhood education program
1706 shall, in accordance with 45 C.F.R. s. 98.30, provide parental

135231

Amendment No. (for drafter's use only)

1707 choice in a manner that ensures, to the maximum extent
1708 practicable, flexibility in the early learning program and
1709 reimbursement arrangements. A parent may choose for early
1710 childhood education to be provided to his or her child:

1711 (a) Through an early childhood education provider that is
1712 reimbursed for providing early childhood education under a
1713 contract; or

1714 (b) Upon the request of the parent, through the issuance
1715 of a payment certificate to the parent for use at a early
1716 childhood education provider of the parent's choice, including
1717 an informal provider of unregulated early childhood education,
1718 regardless of whether the chosen provider otherwise participates
1719 in the early learning program.

1720 (2) Each payment certificate must bear the names of the
1721 beneficiary and the early childhood education provider and, when
1722 redeemed, must bear the signature of both the beneficiary and an
1723 authorized representative of the provider.

1724 (3) If it is determined that an early learning provider
1725 has given any cash to the beneficiary in return for receiving a
1726 payment certificate, the early learning council or its fiscal
1727 agent shall refer the matter to the Division of Public
1728 Assistance Fraud or the state attorney for investigation.

1729 Section 45. Section 402.47, Florida Statutes, is
1730 transferred, renumbered as section 1014.48, Florida Statutes,
1731 and amended to read:

1732 1014.48 402.27 ~~Child care and early childhood~~ Resource and
1733 referral.--The Department of Education ~~Children and Family~~
1734 Services shall ensure that establish a statewide child care

135231

Amendment No. (for drafter's use only)

1735 resource and referral network is established. The network shall
1736 be composed of a state resource and referral agency and a system
1737 of local agencies contracted through the state agency.

1738 ~~Preference shall be given to using the already established~~
1739 ~~central agencies for subsidized child care as the child care~~
1740 ~~resource and referral agency. If the agency cannot comply with~~
1741 ~~the requirements to offer the resource information component or~~
1742 ~~does not want to offer that service, The department of Children~~
1743 ~~and Family Services shall select the state resource and referral~~
1744 ~~the resource information agency using based upon a request for~~
1745 ~~proposals proposal. Each early learning council shall establish~~
1746 ~~at least one local child care resource and referral agency ~~must~~~~
1747 ~~be established in the county or multicounty area served by the~~
1748 ~~council each district of the department, but no more than one~~
1749 ~~local agency may be established in a any county. ~~Child care~~~~
1750 Resource and referral agencies shall provide the following
1751 services:

1752 (1) Identification of existing public and private early
1753 childhood education providers ~~child care and early childhood~~
1754 ~~education services, including child care services by public and~~
1755 ~~private employers, and the development of a database resource~~
1756 ~~file of these providers services. These providers services may~~
1757 ~~include early learning providers that are licensed, exempt from~~
1758 ~~licensure, or registered under part III of this chapter;~~
1759 ~~providers participating in the voluntary universal~~
1760 ~~prekindergarten program; providers participating in a council's~~
1761 ~~early learning programs; a family day care, public and private~~
1762 ~~child care programs, Head Start program; , prekindergarten early~~

135231

Amendment No. (for drafter's use only)

1763 ~~intervention programs,~~ special education programs for
1764 prekindergarten ~~handicapped~~ children with disabilities;
1765 services for children with developmental disabilities;; full-
1766 time and part-time programs;; before-school and after-school
1767 programs;; vacation care programs;; parent education; welfare
1768 transition, ~~the WAGES~~ programs;; and related family support
1769 services. The database resource file shall include, but not be
1770 limited to, the following information:

1771 (a) Type of early childhood education provider ~~program~~.
1772 (b) Hours of service.
1773 (c) Significant program information.
1774 (f) Fees and eligibility for services.
1775 (g) Availability of transportation.

1776 (2) The establishment of a referral process that ~~which~~
1777 responds to parental need for information and that ~~which~~ is
1778 provided with full recognition of the confidentiality rights of
1779 parents. Resource and referral agencies may only ~~programs~~ shall
1780 make referrals to licensed early childhood education providers,
1781 except that a referral may ~~care facilities.~~ Referrals shall be
1782 made to an unlicensed provider ~~child care facility or~~
1783 ~~arrangement~~ only if the provider is not required to ~~there is no~~
1784 ~~requirement that the facility or arrangement~~ be licensed.

1785 (3) Maintenance of ongoing documentation of requests for
1786 service tabulated through the internal referral process. The
1787 following documentation of requests for service shall be
1788 maintained by each ~~all child care~~ resource and referral agency
1789 agencies:

135231

Amendment No. (for drafter's use only)

1790 (a) Number of calls and contacts to the resource child
1791 ~~care information~~ and referral agency ~~component~~ by the type of
1792 early childhood education provider service requested.

1793 (b) Ages of children for whom service is ~~was~~ requested.

1794 (c) Time category of early learning service ~~child-care~~
1795 requests for each child.

1796 (d) Special time category, such as nights, weekends, and
1797 swing shifts ~~shift~~.

1798 (e) Reason that ~~the~~ early childhood education are ~~care is~~
1799 needed.

1800 (f) Name of the employer and primary focus of the
1801 business.

1802 (4) Provision of technical assistance to existing and
1803 potential early childhood education providers ~~of child care~~
1804 ~~services~~. This assistance may include:

1805 (a) Information on initiating new early learning ~~care~~
1806 services, zoning, and program and budget development, and
1807 assistance in finding the ~~such~~ information from other sources.

1808 (b) Information and resources that assist ~~which help~~
1809 existing early learning ~~child-care~~ services providers to
1810 maximize their ability to serve children and parents in their
1811 community.

1812 (c) Information and incentives that may ~~which could~~ help
1813 existing or planned early learning ~~child-care~~ services offered
1814 by public or private employers seeking to maximize their ability
1815 to serve the children of their ~~working parent~~ employees who are
1816 working parents in their community, through contractual or other
1817 funding arrangements with businesses.

135231

Amendment No. (for drafter's use only)

1818 (5) Assistance to families and employers in applying for
1819 various early childhood education programs, ~~sources of subsidy~~
1820 including, but not limited to, the voluntary universal
1821 prekindergarten program or a council's early learning programs;
1822 ~~subsidized child care, a Head Start program;~~ prekindergarten
1823 ~~early intervention programs, Project Independence,~~ private
1824 scholarships; ~~7~~ and the federal child and dependent care tax
1825 credit.

1826 (6) Assistance to state agencies in determining the
1827 prevailing market rate for early childhood education ~~child care.~~

1828 (7) Assistance in negotiating discounts or other special
1829 arrangements with early childhood education ~~child care~~
1830 providers.

1831 (8) Information and assistance to local interagency
1832 councils coordinating services for prekindergarten ~~handicapped~~
1833 children with disabilities.

1834 (9) Assistance to families in identifying summer
1835 recreation camp and summer day camp programs and in evaluating
1836 the health and safety qualities of summer recreation camp, ~~and~~
1837 ~~summer day camp, programs and in evaluating the health and~~
1838 ~~safety qualities of~~ summer camp programs. Subject to legislative
1839 ~~Contingent upon specific~~ appropriation, a checklist of important
1840 health and safety qualities that parents may ~~can~~ use to choose
1841 their summer camp programs shall be developed and distributed in
1842 a manner that will reach parents interested in such programs for
1843 their children.

1844 (10) Each A early childhood education provider ~~care~~
1845 ~~facility licensed or registered under s. 387.04-s. 402.305 and~~

135231

Amendment No. (for drafter's use only)

1846 ~~licensed and registered family day care homes~~ must provide the
1847 local statewide child care and resource and referral agency
1848 ~~agencies~~ with the following information annually:

1849 (a) Type of early childhood education provider ~~program~~.

1850 (b) Hours of service.

1851 (c) Ages of children served.

1852 (d) Fees and eligibility for services.

1853 Section 46. Section 402.3018, Florida Statutes, is
1854 transferred, renumbered as section 1014.49, Florida Statutes,
1855 and amended to read:

1856 1014.49 402.3018 Consultation to early childhood education
1857 providers ~~child care centers and family day care homes~~ regarding
1858 health, developmental, behavioral ~~disability~~, and other special
1859 needs issues.--

1860 (1) Early childhood education providers are encouraged to
1861 serve children with special needs. The department, when
1862 requested, shall provide technical assistance to parents and
1863 early childhood education providers in order to facilitate
1864 serving children with special needs.

1865 (2)~~(1)~~ Subject to legislative appropriation ~~Contingent~~
1866 ~~upon specific appropriations~~, the department shall ~~is directed~~
1867 ~~to~~ contract with the state ~~statewide~~ resource information and
1868 referral agency for a statewide toll-free Warm-Line for the
1869 purpose of providing assistance and consultation to early
1870 childhood education providers ~~child care centers and family day~~
1871 ~~care homes~~ regarding health, developmental, behavioral
1872 ~~disability~~, and other special needs issues of the children they

135231

Amendment No. (for drafter's use only)

1873 are serving, ~~particularly children with disabilities and other~~
1874 ~~special needs.~~

1875 (3)(2) The purpose of the Warm-Line is to provide advice
1876 to early childhood education ~~child care~~ personnel concerning
1877 strategies, curriculum, and environmental adaptations that allow
1878 a child to derive maximum benefit from receiving the early
1879 childhood education ~~child care experience.~~

1880 (4)(3) The department shall annually inform early
1881 childhood education providers ~~child care centers and family day~~
1882 ~~care homes~~ of the availability of this service, ~~on an annual~~
1883 ~~basis.~~

1884 (5)(4) Subject to legislative appropriation ~~Contingent~~
1885 ~~upon specific appropriations,~~ the department shall expand, or
1886 contract for the expansion of, the Warm-Line from one statewide
1887 site to one Warm-Line site in each county or region served by an
1888 early learning council ~~child care resource and referral agency~~
1889 ~~region.~~

1890 (6)(5) Each county or regional Warm-Line shall provide
1891 assistance and consultation to early childhood education
1892 providers ~~care centers and family day care homes~~ regarding
1893 health, developmental, behavioral ~~disability,~~ and other special
1894 needs ~~issues~~ of the children they are serving, ~~particularly~~
1895 ~~children with disabilities and other special needs.~~ County or
1896 regional Warm-Line staff shall provide onsite technical
1897 assistance, when requested, to assist early childhood education
1898 providers ~~child care centers and family day care homes~~ with
1899 inquiries relative to the strategies, curriculum, and
1900 environmental adaptations the early childhood education

135231

Amendment No. (for drafter's use only)

1901 ~~providers child care centers and family day care homes~~ may need
1902 as they serve children with ~~disabilities and other~~ special
1903 needs.

1904 Section 47. Section 409.178, Florida Statutes, is
1905 transferred, renumbered as 1014.50, Florida Statutes, and
1906 amended to read:

1907 1014.50 ~~409.178~~ Business Child Care Executive Partnership
1908 for Early Learning Act; findings and intent; grant; limitation;
1909 rules.--

1910 ~~(1) This section may be cited as the "Child Care Executive~~
1911 ~~Department Act."~~

1912 ~~(2)(a) The Legislature finds that when private employers~~
1913 ~~provide onsite child care or provide other child care benefits,~~
1914 ~~they benefit by improved recruitment and higher retention rates~~
1915 ~~for employees, lower absenteeism, and improved employee morale.~~
1916 ~~The Legislature also finds that there are many ways in which~~
1917 ~~private employers can provide child care assistance to~~
1918 ~~employees: information and referral, vouchering, employer~~
1919 ~~contribution to child care programs, and onsite care. Private~~
1920 ~~employers can offer child care as part of a menu of employee~~
1921 ~~benefits. The Legislature recognizes that flexible compensation~~
1922 ~~programs providing a child care option are beneficial to the~~
1923 ~~private employer through increased productivity, to the private~~
1924 ~~employee in knowing that his or her children are being cared for~~
1925 ~~in a safe and nurturing environment, and to the state in more~~
1926 ~~dollars being available for purchasing power and investment.~~

1927 ~~(b) It is the intent of the Legislature to promote~~
1928 ~~public/private departments to ensure that the children of the~~

135231

Amendment No. (for drafter's use only)

1929 ~~state be provided safe and enriching child care at any time, but~~
1930 ~~especially while parents work to remain self-sufficient. It is~~
1931 ~~the intent of the Legislature that private employers be~~
1932 ~~encouraged to participate in the future of this state by~~
1933 ~~providing employee child care benefits. Further, it is the~~
1934 ~~intent of the Legislature to encourage private employers to~~
1935 ~~explore innovative ways to assist employees to obtain quality~~
1936 ~~child care.~~

1937 ~~(c) The Legislature further recognizes that many parents~~
1938 ~~need assistance in paying the full costs of quality child care.~~
1939 ~~The public and private sectors, by working in department, can~~
1940 ~~promote and improve access to quality child care and early~~
1941 ~~education for children of working families who need it.~~
1942 ~~Therefore, a more formal mechanism is necessary to stimulate the~~
1943 ~~establishment of public-private departments. It is the intent of~~
1944 ~~the Legislature to expand the availability of scholarship~~
1945 ~~options for working families by providing incentives for~~
1946 ~~employers to contribute to meeting the needs of their employees'~~
1947 ~~families through matching public dollars available for child~~
1948 ~~care.~~

1949 ~~(1)(a)(3) There is created a body politic and corporate,~~
1950 ~~known as the Business Child Care Executive Partnership for Early~~
1951 ~~Learning, which shall establish and govern the Business Child~~
1952 ~~Care Executive Partnership for Early Learning Program.~~

1953 ~~(b) The purpose of the Business Child Care Executive~~
1954 ~~Partnership for Early Learning Program is to utilize state and~~
1955 ~~federal funds as incentives for matching local funds derived~~
1956 ~~from local governments, employers, charitable foundations, and~~

135231

Amendment No. (for drafter's use only)

1957 other sources, in order so that ~~Florida~~ communities in this
1958 state may create local flexible agreements ~~departments~~ with
1959 employers.

1960 (c) The Business Child Care Executive Partnership for
1961 Early Learning program funds shall be used at the discretion of
1962 local communities to meet the needs of working parents. An early
1963 childhood education ~~a child care~~ purchasing pool shall be
1964 developed with ~~the~~ state, federal, and local funds to provide
1965 subsidies to low-income working parents whose family income does
1966 not exceed 200 percent of the federal poverty level ~~who are~~
1967 ~~eligible for subsidized child care~~ with a dollar-for-dollar
1968 match from employers, local government, and other matching
1969 contributions. The funds used from the early childhood education
1970 ~~child care~~ purchasing pool must be used to supplement or extend
1971 the use of existing public or private funds.

1972 (2)(4) The Business Child Care Executive Partnership for
1973 Early Learning, staffed by or through the department, shall
1974 consist of a representative of the Executive Office of the
1975 Governor and nine members of the corporate or early childhood
1976 education ~~child care~~ community, appointed by the Governor.

1977 (a) Members shall serve for a period of 4 years, except
1978 that the representative of the Executive Office of the Governor
1979 shall serve at the pleasure of the Governor.

1980 (b) The Business Child Care Executive Partnership for
1981 Early Learning shall be chaired by a member chosen by a majority
1982 vote and shall meet at least quarterly and at other times upon
1983 the call of the chair.

135231

Amendment No. (for drafter's use only)

1984 (c) Members shall serve without compensation, but may be
1985 reimbursed for per diem and travel expenses in accordance with
1986 s. 112.061.

1987 (d) The Business Child Care Executive Partnership for
1988 Early Learning shall have all the powers and authority, not
1989 explicitly prohibited by law statute, necessary to administer
1990 carry out and effectuate the purposes of this section, as well
1991 as the functions, duties, and responsibilities of the
1992 department, including, but not limited to, the following:

1993 1. Assisting in the formulation and coordination of the
1994 state's early childhood education child-care policy.

1995 2. Adopting an official seal.

1996 3. Soliciting, accepting, receiving, investing, and
1997 expending funds from public or private sources.

1998 4. Contracting with public or private entities, as
1999 necessary.

2000 5. Approving an annual budget.

2001 6. Carrying forward any unexpended state appropriations
2002 into succeeding fiscal years.

2003 7. Providing a report to the Governor, the Speaker of the
2004 House of Representatives, and the President of the Senate, on or
2005 before December 1 of each year.

2006 (3)(5)(a) The State Board of Education Legislature shall
2007 consider the recommendation from the Business Partnership for
2008 Early Learning annually to determine the amount of state funds
2009 or federal low-income child care moneys which shall be used to
2010 create the Business Child Care Executive Partnership for Early
2011 Learning Program early childhood education child-care purchasing

135231

Amendment No. (for drafter's use only)

2012 pools in counties chosen by the Business Child Care Executive
2013 Partnership for Early Learning. A purchasing pool must be
2014 created in, provided that at least two ~~of the~~ counties that have
2015 populations of ~~no more than~~ 300,000 or fewer persons. The
2016 Legislature shall annually review the effectiveness of the early
2017 childhood education ~~child care~~ purchasing pool program and
2018 reevaluate the percentage of additional state ~~or federal~~ funds,
2019 if any, that may ~~can~~ be used for the program's expansion.

2020 (b) To ensure a seamless service delivery and ease of
2021 access for families, the Business Child Care Executive
2022 Partnership for Early Learning may contract with early learning
2023 councils, community coordinated child care agencies, or the
2024 state resource and referral agency to ~~shall~~ administer the ~~child~~
2025 ~~care~~ purchasing pool funds.

2026 (c) The department, in conjunction with the Business Child
2027 ~~Care Executive~~ Partnership for Early Learning, shall develop
2028 procedures for disbursement of funds through the ~~child care~~
2029 purchasing pools. In order to be considered for funding, an the
2030 early learning council ~~community coordinated child care agency~~
2031 ~~or the statewide resource and referral agency~~ must commit to:

2032 1. Matching the state purchasing pool funds on a dollar-
2033 for-dollar basis; and

2034 2. Expending only those state ~~public~~ funds that ~~which~~ are
2035 matched by employers, local government, and other matching
2036 contributors who contribute to the purchasing pool. Parents
2037 shall also pay a fee, which must ~~shall be~~ not be less than the
2038 amount identified in the ~~department's subsidized child care~~
2039 sliding fee scale adopted by the early learning council.

135231

Amendment No. (for drafter's use only)

2040 (d) Each early learning council must ~~community-coordinated~~
2041 ~~child-care agency shall be required to~~ establish a community
2042 ~~child-care~~ task force for each ~~child-care~~ purchasing pool. The
2043 task force must be composed of employers, parents, private early
2044 childhood education ~~child-care~~ providers, and one representative
2045 from the local children's services council, if one exists in the
2046 area of the purchasing pool. The early learning council shall
2047 ~~community-coordinated child-care agency is expected to~~ recruit
2048 the task force members from existing ~~child-care~~ councils,
2049 commissions, or task forces already operating in the area of the
2050 a purchasing pool. A majority of the task force shall consist of
2051 employers. Each task force shall develop a plan for the use of
2052 ~~child-care~~ purchasing pool funds. The plan must demonstrate ~~show~~
2053 how many children will be served by the purchasing pool, how
2054 many will be new to receiving early learning ~~child-care~~
2055 services, and how the early learning council ~~community~~
2056 ~~coordinated child-care agency~~ intends to attract new employers
2057 and their employees to the program.

2058 ~~(4)(6)~~ The department ~~may~~ ~~Department of Children and~~
2059 ~~Family Services shall~~ adopt any rules under s. 120.536(1) and s.
2060 120.54 to administer necessary for the implementation and
2061 ~~administration of~~ this section.

2062 Section 48. Section 402.25, Florida Statutes, is
2063 transferred, renumbered as 1014.51, Florida Statutes, and
2064 amended to read:

2065 1014.51 ~~402.25~~ Infants and toddlers in state-funded early
2066 childhood education ~~and care~~ programs; brain development
2067 activities.--Each state-funded early childhood education ~~and~~

135231

HOUSE AMENDMENT

Bill No. HB 821 CS

Amendment No. (for drafter's use only)

2068 ~~ear~~ program for children from birth to 5 years of age must
2069 provide activities to foster brain development in infants and
2070 toddlers. Each A program must provide an environment rich in
2071 language and music and filled with objects of various colors,
2072 shapes, textures, and sizes to stimulate visual, tactile,
2073 auditory, and linguistic senses in the children ~~and must include~~
2074 ~~classical music and at least 30 minutes of reading to the~~
2075 ~~children each day. A program may be offered through an existing~~
2076 ~~early childhood program such as Healthy Start, the Title I~~
2077 ~~program, contracted or directly operated subsidized child care,~~
2078 ~~the prekindergarten early intervention program, Florida First~~
2079 ~~Start, the Head Start program, or a private child care program.~~
2080 Each A program must also provide training for the infants' and
2081 toddlers' parents including direct dialogue and interaction
2082 between teachers and parents demonstrating the urgency of brain
2083 development in the first year of a child's life. A family child
2084 day care home is ~~centers are~~ encouraged, but not required, to
2085 comply with this section.

2086 Section 49. Section 1014.52, Florida Statutes is created
2087 to read:

2088 1014.52 Fiscal agents.--If an early learning council is
2089 not legally organized as a corporation or other business entity,
2090 the council must designate a fiscal agent, which may be a public
2091 entity or a private nonprofit organization. Each fiscal agent
2092 must provide financial and administrative services under a
2093 contract or agreement with the early learning council. A fiscal
2094 agent may not provide direct early childhood education; however,
2095 a fiscal agent may provide direct services upon written request

135231

Amendment No. (for drafter's use only)

2096 | of the council to the Department of Education and approval by
2097 | the department. The cost of the financial and administrative
2098 | services shall be negotiated between the fiscal agent and the
2099 | early learning council. If the fiscal agent is a provider of
2100 | early childhood education, the contract must specify that the
2101 | fiscal agent will act on policy direction from the council and
2102 | will not receive policy direction from its own corporate board
2103 | regarding the disbursement of council funds. The fiscal agent shall
2104 | disburse funds in accordance with the council's approved early
2105 | learning plan and based on billing and disbursement procedures
2106 | approved by the Department of Education. The fiscal agent must
2107 | conform to all data-reporting requirements established by the
2108 | department.

2109 | Section 50. Section 402.3051, Florida Statutes, is
2110 | transferred, renumbered as 1014.53, Florida Statutes, and
2111 | amended to read:

2112 | 1014.53 ~~402.3051~~ Prevailing market-rate schedule ~~Child care~~
2113 | ~~market rate reimbursement;~~ early childhood education ~~care~~
2114 | ~~grants.--~~

2115 | (1) As used in this section, the term:

2116 | ~~(a) "Child care program assessment tool" means an~~
2117 | ~~assessment instrument designated or developed by the department~~
2118 | ~~to determine quality child care and other child development~~
2119 | ~~services to children under the provision of s. 402.3015, Title~~
2120 | ~~IV-A of the Social Security Act, and the Child Care and~~
2121 | ~~Development Block Grant Act of 1990.~~

2122 | ~~(a)(b)~~ "Market rate" means the price that an early
2123 | childhood education ~~a child care~~ provider charges for daily,

135231

Amendment No. (for drafter's use only)

2124 weekly, or monthly early learning ~~child care~~ services. The
2125 market rate shall:

2126 1. Be established for licensed child care centers, child
2127 care centers exempt from licensure, licensed specialized child
2128 care centers for mildly ill children ~~facilities or facilities~~
2129 ~~that are not subject to s. 402.305, licensed large family child~~
2130 care homes, licensed or registered family child day care homes,
2131 licensed before-school and after-school ~~child care~~ programs, and
2132 informal providers of unregulated early childhood education
2133 ~~child care provided by a relative or other caretaker.~~

2134 2. Differentiate among early childhood education ~~care~~ for
2135 children with special needs, at-risk children ~~or risk~~
2136 ~~categories,~~ infants, toddlers, ~~and~~ preschool children, and
2137 school-age children.

2138 3. Differentiate between full-time and part-time services
2139 ~~care.~~

2140 4. Consider reductions in the cost of services ~~care~~ for
2141 additional children in the same family.

2142 ~~(b)(e)~~ "Prevailing market rate" means the annually
2143 determined 75th percentile of a reasonable frequency
2144 distribution of market rate in a predetermined geographic market
2145 at which ~~licensed~~ early childhood education ~~care~~ providers
2146 charge a person for early learning ~~child care~~ services.

2147 (2) The department shall establish procedures for the
2148 adoption of a prevailing market-rate schedule to reimburse:

2149 (a) Licensed, exempt, or registered early learning ~~care~~
2150 providers that ~~who~~ hold a current Gold Seal Quality Care
2151 designation at 120 percent of the prevailing market rate for

135231

Amendment No. (for drafter's use only)

2152 early learning child-care services for children who are eligible
2153 to participate in an early learning program under s. 1014.22 ~~to~~
2154 ~~receive subsidized child care;~~ and

2155 (b) Licensed, exempt, or registered early childhood
2156 education child-care providers at the prevailing market rate for
2157 early learning child-care services for children who are eligible
2158 to participate in a early learning program under s. 1014.22 ~~to~~
2159 ~~receive subsidized child care,~~ unless prohibited by federal law
2160 ~~under s. 402.3015. The department shall establish procedures to~~
2161 ~~reimburse providers of unregulated child care at not more than~~
2162 ~~50 percent of the market rate.~~

2163
2164 The prevailing market-rate schedule adopted under this
2165 subsection payment system may not interfere with the parental
2166 choice of parents' decision as to the appropriate child
2167 providers under s. 1014.06 care arrangement, regardless of the
2168 level of available funding for early childhood education child
2169 care. The prevailing market-rate schedule must be based
2170 exclusively on the costs and prices charged for early childhood
2171 education and must not be based on any child care program
2172 assessment tool may not be used to evaluate early childhood
2173 education providers determine reimbursement rates.

2174 (3) The department may provide child-care grants to early
2175 learning councils, central agencies, community colleges, and
2176 workforce development education vocational/technical programs
2177 for the purpose of providing support and technical assistance to
2178 licensed early childhood education child-care providers.

135231

Amendment No. (for drafter's use only)

2179 (4) The department may contract, using a request for
2180 proposals, with a qualified entity ~~use the state community child~~
2181 ~~care coordination agencies (central agencies), community~~
2182 ~~colleges, and vocational/technical programs~~ to administer
2183 ~~implement~~ this section.

2184 (5) The State Board of Education ~~department~~ may adopt
2185 rules under s. 120.536(1) and s. 120.54 ~~and other policy~~
2186 ~~provisions necessary to administer~~ implement this section.

2187 (6) This section shall be implemented only to the extent
2188 that funding is available.

2189 Section 51. Section 1014.54, Florida Statutes, is created
2190 to read:

2191 1014.54 Early childhood education funds; competitive
2192 procurement.--

2193 (1)(a) All funds associated with early childhood education
2194 provided pursuant to this chapter, other than the funds
2195 associated with the voluntary universal prekindergarten program,
2196 shall be appropriated in a single and separate budget entity.

2197 (b) The Department of Education shall annually allocate
2198 all funds appropriated in the early childhood education budget
2199 entity, other than those allocated to statewide contracts, to
2200 each early learning council in accordance with the equity and
2201 performance allocation formula approved under s. 1014.03.

2202 (c) Early childhood education funds allocated to each
2203 council may be used only to implement the council's early
2204 childhood education plan. Early learning funds may not be used
2205 for the construction of new facilities and may be used only for
2206 transportation services in accordance with this act.

135231

Amendment No. (for drafter's use only)

2207 (d) As part of the approval and periodic review of each
2208 council's early childhood education plan, the Department of
2209 Education shall require that administrative costs be kept to the
2210 minimum necessary for the efficient and effective administration
2211 of the council's early childhood education, but that
2212 administrative expenditures of early learning funds may not
2213 exceed 5 percent of the council's total expenditures of early
2214 learning funds, unless specifically waived by the department.
2215 The department shall annually report to the Legislature any
2216 issues relating to administrative costs.

2217 (2) Each early learning council must comply with s.
2218 287.057 for the procurement from state funds of commodities or
2219 contractual services. The period of a contract for purchase of
2220 these commodities or contractual services, together with any
2221 renewal of the original contract, may not exceed 3 years.

2222 (3)(a) Each early learning council may contract with a
2223 central agency or other qualified entities to perform any of the
2224 duties assigned to the council under this chapter; however, the
2225 early learning council has ultimate responsibility for the
2226 performance of these duties. Contracts awarded under this
2227 section must comply with the competitive procurement
2228 requirements of this section.

2229 (b) The Department of Education shall conduct an
2230 investigation of any violations of this section including the
2231 misuse of funds.

2232 (4) The Auditor General shall annually audit all early
2233 learning councils and any central agency awarded a contract
2234 under this section.

135231

Amendment No. (for drafter's use only)

2235 Section 52. Section 402.281, Florida Statutes, is amended
2236 to read:

2237 402.281 Gold Seal Quality ~~Care~~ program; exemptions from ad
2238 valorem taxation.--

2239 (1) Child care centers, specialized child care centers for
2240 mildly ill children facilities, large family child care homes,
2241 or family child day care homes that are accredited by a
2242 nationally recognized accrediting association whose standards
2243 substantially meet or exceed the National Association for the
2244 Education of Young Children (NAEYC), the National Association of
2245 Family Child Care, regional commissions and member organizations
2246 of the Commission on International and Trans-Regional
2247 Accreditation or and the National Early Childhood Program
2248 Accreditation Commission shall receive a separate "Gold Seal
2249 Quality ~~Care~~" designation to operate as a gold seal child care
2250 center, a gold seal specialized child care center for mildly ill
2251 children facility, a gold seal large family child care home, or
2252 a gold seal family child day care home.

2253 (2) In developing the Gold Seal Quality ~~Care~~ program
2254 standards, the department shall consult with the Department of
2255 Education, the Florida Head Start Directors Association, the
2256 Florida Association of Child Care Management, the Florida Family
2257 Day Care Association, the Florida Children's Forum, ~~the State~~
2258 ~~Coordinating Council for School Readiness Programs~~, the Early
2259 Childhood Association of Florida, the National Association for
2260 Child Development Education, early childhood education providers
2261 receiving exemptions under s. 402.316, and parents, for the
2262 purpose of approving the accrediting associations.

135231

Amendment No. (for drafter's use only)

2263 Section 53. Subsections (1) and (4) of section 445.023,
2264 Florida Statutes, are amended to read:

2265 445.023 Program for dependent care for families with
2266 children with special needs.--

2267 (1) There is created the program for dependent care for
2268 families with children with special needs. This program is
2269 intended to provide assistance to families with children who
2270 meet the following requirements:

2271 (a) The child or children are between the ages of 13 and 17
2272 years, inclusive.

2273 (b) The child or children are considered to be children
2274 with special needs.

2275 (c) The family is economically disadvantaged as defined in
2276 s. 1014.20 ~~meets the income guidelines established under s.~~
2277 ~~411.01(6)~~, notwithstanding any financial eligibility criteria to
2278 the contrary in s. 414.075, s. 414.085, or s. 414.095.

2279 (4) In addition to early learning ~~school readiness~~
2280 ~~services provided under chapter 1014, s. 411.01~~, dependent care
2281 may be provided for children age 13 years and older who are in
2282 need of care due to disability and where such care is needed for
2283 the parent to accept or continue employment or otherwise
2284 participate in work activities. The amount of subsidy shall be
2285 consistent with the rates for special needs child care
2286 established by the department. Dependent care needed for
2287 employment may be provided as transitional services for up to 2
2288 years after eligibility for temporary cash assistance ends.

2289 Section 54. (1) Effective July 1, 2004, the Florida
2290 Partnership for School Readiness, school readiness, and early

135231

Amendment No. (for drafter's use only)

2291 childhood resource and referral, and the subsidized child care
2292 program are transferred by a type two transfer, pursuant to s.
2293 20.06(2), from the Agency for Workforce Innovation to the
2294 Department of Education. To ensure continuity in payment to
2295 providers of school readiness services, the Department of
2296 Education is authorized to execute an interagency operating
2297 agreement with the Agency for Workforce Innovation for a
2298 transition period not to exceed 120 days.

2299 (2) Effective July 1, 2004, the Child Care Executive
2300 Partnership Program is transferred by a type two transfer,
2301 pursuant to s. 20.06(2), to the Department of Education.

2302 (3) Effective July 1, 2004, functions associated with
2303 training and credentialing child care facility personnel are
2304 transferred by type two transfer pursuant to s. 20.06(2), from
2305 the Department of Children and Family Services to the Department
2306 of Education.

2307 Section 55. In editing the manuscript for the 2004 Florida
2308 Statutes, the Division of Statutory Revision is directed to
2309 incorporate any amendments, by laws passed during the 2004
2310 Regular Session of the Legislature or any 2004 Special Sessions
2311 of the Legislature, to provisions repealed by this act into the
2312 parallel successor provisions created by this act. The division
2313 is further directed to transfer any provisions enacted within
2314 chapter 402, Florida Statutes, by 2004 legislation to parallel
2315 locations in accordance with this act.

2316 Section 56. If any provision of this act or its
2317 application to any person or circumstance is held invalid, the
2318 invalidity shall not affect other provisions or applications of

135231

Amendment No. (for drafter's use only)

2319 | the act which can be given effect without the invalid provision
2320 | or application, and to this end the provisions of this act are
2321 | declared severable.

2322 | Section 57. Except as otherwise specifically provided
2323 | herein, this act shall take effect July 1, 2004.

2324 |
2325 |

2326 | ===== T I T L E A M E N D M E N T =====

2327 | Remove the entire title and insert:

2328 | A bill to be entitled
2329 | An act relating to early learning; creating chapter 1014,
2330 | F.S., entitled "Early Learning," consisting of part I
2331 | relating to general provisions, part II relating to
2332 | voluntary universal prekindergarten, and part III relating
2333 | to early learning opportunities; providing for governance,
2334 | an Early Learning Advisory Council, parental involvement,
2335 | early learning personnel, curriculum, personnel
2336 | qualifications, and accountability; amending s. 20.15,
2337 | F.S.; creating the Division of Early Learning within the
2338 | Department of Education; amending s. 20.50, F.S.; deleting
2339 | school readiness functions from the Agency for Workforce
2340 | Innovation; amending s. 402.3017, F.S.; authorizing the
2341 | Department of Education to contract for the administration
2342 | of certain scholarship programs; amending s. 411.0105,
2343 | F.S.; providing federal lead agency responsibilities;
2344 | prescribing the required content of plans; providing
2345 | requirements for the voluntary universal prekindergarten
2346 | program; providing parental rights, eligibility for

135231

HOUSE AMENDMENT

Bill No. HB 821 CS

Amendment No. (for drafter's use only)

2347 services, provider eligibility requirements, and financial
2348 matters; providing for early learning councils and
2349 eligibility for early childhood education; amending s.
2350 1008.21, F.S.; revising school readiness screening;
2351 amending s. 402.27, F.S.; requiring the Department of
2352 Education to provide a statewide early learning resource
2353 and referral network; amending s. 402.3018, F.S.;
2354 providing consultation to early childhood education
2355 providers; amending s. 409.178, F.S.; creating the
2356 business partnership for early learning program; amending
2357 s. 402.25, F.S.; requiring state-funded early childhood
2358 education programs to provide activities to foster infant
2359 and toddler brain development; amending s. 402.3051, F.S.;
2360 requiring a market rate to be established for early
2361 learning providers; amending s. 402.281, F.S., relating to
2362 the Gold Seal Quality designation; amending s. 445.023,
2363 F.S.; correcting cross references; repealing ss. 402.26,
2364 402.301, 402.3016, 402.302, 402.30501, 402.3135, 402.3145,
2365 411.01, and 411.012, F.S., to conform; providing for type
2366 two transfers; providing duties of the Division of
2367 Statutory Revision; providing for severability; providing
2368 effective dates.

2369
2370 WHEREAS, a child's parent is his or her first teacher and
2371 most important teacher, and it is imperative that opportunities
2372 are provided to parents and guardians to participate in the
2373 choices and preparations of their child's educational
2374 opportunities, including early learning programs that are

135231

HOUSE AMENDMENT

Bill No. HB 821 CS

Amendment No. (for drafter's use only)

2375 sensitive to cultural diversity, children whose first language
2376 is other than English, and children with disabilities, and

2377 WHEREAS, community partnerships between and among county
2378 government, public health departments, children's services
2379 councils, libraries, business, and early child care and
2380 educational resources are integral for the successful
2381 preparation of children in their early educational endeavors,
2382 and

2383 WHEREAS, the public's return on their investment in early
2384 learning shall be shown as a ratio of the program outcome
2385 represented by children who are ready to enter kindergarten
2386 divided by the money used to achieve the outcome, NOW,
2387 THEREFORE,

2388

135231