

CHAMBER ACTION

1 The Committee on Education K-20 recommends the following:

2
3 **Committee Substitute**

4 Remove the entire bill and insert:

5 A bill to be entitled

6 An act relating to early learning; providing for
7 establishment of the Voluntary Prekindergarten Education
8 Program (VPK Program); providing for scholarship options;
9 providing for the use of web-based or book-based
10 curriculum in lieu of a scholarship; providing eligibility
11 requirements for prekindergarten schools to participate in
12 the VPK Program; providing accountability requirements;
13 providing for administration by the Agency for Workforce
14 Innovation; authorizing the agency to adopt rules;
15 providing for the continued administration of the School
16 Readiness Program by the Florida Partnership for School
17 Readiness under certain conditions; providing findings
18 regarding the School Readiness Program; providing
19 requirements of the partnership and revising its
20 membership; requiring selection of an Early Learning
21 Advisory Council and appointment of a statewide early
22 learning coordinator; providing for administration of the
23 TEACH scholarship program and any necessary statewide

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24 resource and referral functions by the Agency for
25 Workforce Innovation; requiring the State Board of
26 Education to identify appropriate education curricula for
27 children in the VPK Program and the School Readiness
28 Program; requiring revision of the uniform school
29 readiness screening system; requiring a prekindergarten
30 school teacher preparation program and continuing
31 education program; providing an effective date.

32
33 WHEREAS, the "School Readiness Act," enacted by the
34 Legislature in 1999, consolidated the early childhood
35 development and education programs formerly administered by the
36 Department of Education and the Department of Children and
37 Family Services for at-risk and economically disadvantaged
38 children from birth to kindergarten in order to create a more
39 cohesive, efficient, and integrated school readiness system and
40 increase these children's chances of achieving future
41 educational success, and

42 WHEREAS, Amendment 8 to the State Constitution, approved by
43 the electors in the 2002 general election, requires the
44 Legislature to create a voluntary, high-quality, universal
45 prekindergarten education program for every 4-year-old child in
46 the state, which must be fully implemented no later than the
47 beginning of the 2005 school year and funded through "funds
48 generated in addition to those used for existing education,
49 health, and development programs . . . as of January 1, 2002,"
50 and

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51 WHEREAS, in anticipation of implementation of Amendment 8,
52 the 2003 Legislature enacted chapter 2003-93, Laws of Florida,
53 which required the Auditor General and the Office of Program
54 Policy Analysis and Government Accountability (OPPAGA) to
55 conduct program and financial audits of the 1999 School
56 Readiness Program, to make recommendations to the 2004
57 Legislature regarding the progress of that program, and to
58 evaluate the ability of the school readiness system to
59 effectively implement the new voluntary, universal
60 prekindergarten education program for all 4-year-old children,
61 and which also required the State Board of Education to make
62 recommendations regarding the appropriate curriculum, design,
63 and standards for the new voluntary program for all 4-year-old
64 children, and

65 WHEREAS, the State Board of Education recommended in
66 January 2004 that the state board adopt curriculum standards
67 based on a scientifically research-based early reading
68 foundation program to be offered by providers using child
69 development associate teachers for a period of 4 hours per day,
70 180 days per year, and

71 WHEREAS, the Auditor General and OPPAGA issued reports
72 containing their findings and recommendations in January 2004,
73 which, in summary, concluded that the School Readiness Program's
74 potential is beginning to be realized and progress has been
75 made, but identified needed improvements at both the state and
76 local levels and found that, if these needed improvements are
77 made, the "School Readiness Program could provide an effective

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78 structure for implementing the Universal Pre-K Program
79 recommended by the State Board of Education," NOW, THEREFORE,
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81 Be It Enacted by the Legislature of the State of Florida:
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83 Section 1. Voluntary Prekindergarten Education Program.--
84 The Voluntary Prekindergarten Education Program (VPK Program) is
85 established beginning with the 2005-2006 school year and shall
86 be available to all children who will have attained the age of 4
87 years on or before September 1 of the school year. Participation
88 in the VPK Program shall be voluntary on the part of both
89 parents and prekindergarten schools.

90 (1)(a) The parent of an age-eligible child may request and
91 receive from the state:

92 1. A scholarship for the child to attend any eligible VPK
93 Program public, private, or faith-based prekindergarten school
94 of the parent's choice for a school year of 540 hours. The
95 parent shall be responsible for the child's transportation and
96 for additional hours or services desired for the child unless
97 the child is eligible for subsidized services under the School
98 Readiness Program; or

99 2. A scholarship for the child to attend an intensive
100 full-day 310-hour prekindergarten summer school offered by an
101 eligible VPK Program public, private, or faith-based school of
102 the parent's choice. The parent shall be responsible for the
103 child's transportation and for additional hours or services
104 desired for the child unless the child is eligible for
105 subsidized services under the School Readiness Program.

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107 If the parent requests a scholarship for the child for the
108 option under subparagraph 1. or the option under subparagraph
109 2., the scholarship shall be issued by individual warrant in the
110 name of the parent to the eligible VPK Program prekindergarten
111 school of the parent's choice upon verification of the child's
112 enrollment in and attendance at the school, and the parent shall
113 personally by signature restrictively endorse the warrant to the
114 school for deposit in the school's account. The scholarship
115 shall be in an amount set by the 2005 Legislature, annually
116 adjusted for inflation in accordance with the Consumer Price
117 Index. The parent is free to choose any eligible VPK Program
118 prekindergarten school for the child and, if the parent chooses
119 a school that costs more than the amount set by the Legislature,
120 the parent may supplement the state-provided scholarship amount.

121 (b) Recognizing that research shows the parent is the
122 child's best first teacher, any parent of an age-eligible child
123 may request and receive from the state in lieu of a scholarship
124 the parent's choice of a web-based or book-based curriculum for
125 4-year-old children that is literacy based and numeracy based
126 and emphasizes phonics, phonemic awareness, and vocabulary for
127 the parent to teach the child.

128 (2)(a) To be an eligible prekindergarten school in the VPK
129 Program, the school must be a Florida public, private, or faith-
130 based school that offers a literacy-based and numeracy-based
131 foundation curriculum which emphasizes phonics, phonemic
132 awareness, and vocabulary and is appropriate to prepare 4-year-
133 old children for success upon entry into public school. A public

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134 school graded D or F shall not be eligible to participate in the
135 VPK Program unless no other VPK Program prekindergarten school
136 is located in the geographic area, in which case the public
137 school graded D or F shall contract with a public school graded
138 A or B or a private or faith-based VPK Program prekindergarten
139 school to provide the prekindergarten program in the public
140 school graded D or F.

141 (b) The prekindergarten school shall maintain an accurate
142 school profile containing pertinent information regarding the
143 school, its curriculum, the qualifications of its teachers and
144 staff, and the overall performance of its students as measured
145 by the uniform school readiness screening defined in section
146 3(2) of this act and other objective measures and keep this
147 profile readily available and easy to access and understand by
148 parents of children attending the school and parents interested
149 in the school for their child.

150 (c) As a condition of ongoing participation by a
151 prekindergarten school in the VPK Program, the performance of
152 the students taught by the prekindergarten school over each 2-
153 year period must be equal to or greater than the average
154 performance of all students assessed during that 2-year period
155 as ready for kindergarten when administered the school readiness
156 uniform screening defined in section 3(2) of this act upon entry
157 into public school for the first time.

158 (d) The prekindergarten school shall comply with the
159 antidiscrimination provisions of 42 U.S.C. s. 2000d.

160 (e) The prekindergarten school shall be accountable for
161 providing each of its students with a teacher qualified to

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162 instill in the student the literacy, numeracy, phonics, phonemic
163 awareness, and vocabulary foundation necessary for the student
164 to be measured as ready for school when the student is
165 administered the uniform school readiness screening defined in
166 section 3(2) of this act upon entry into public school.

167 (3) The VPK Program and the scholarships offered through
168 the program shall be administered by the Agency for Workforce
169 Innovation. In administering the VPK Program, the Agency for
170 Workforce Innovation shall be responsible for determining that
171 the child is age eligible and that the VPK Program
172 prekindergarten school chosen by the parent has demonstrated
173 fiscal soundness and is an eligible prekindergarten school. The
174 Agency for Workforce Innovation shall maintain a clearinghouse
175 of information that includes the VPK Program prekindergarten
176 school profiles required under paragraph (2)(b) to help parents
177 make informed choices about their child's school.

178 (4) The Agency for Workforce Innovation may adopt rules
179 pursuant to ss. 120.536(1) and 120.54, Florida Statutes, to
180 administer this section. However, the inclusion of eligible
181 private and faith-based options for the VPK Program available to
182 the state's 4-year-old children does not expand any regulatory
183 authority to impose any additional regulation of private and
184 faith-based prekindergarten schools beyond those reasonably
185 necessary to enforce requirements expressly set forth in this
186 section.

187 Section 2. School Readiness Program.--The existing School
188 Readiness Program shall continue to be administered by the
189 Florida Partnership for School Readiness if the partnership

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190 meets the requirements of this section and section 3 to the
191 satisfaction of the 2005 Legislature.

192 (1) The Legislature recognizes the findings of the Auditor
193 General and the Office of Program Policy Analysis and Government
194 Accountability (OPPAGA) regarding the School Readiness Program
195 established by the Legislature in 1999, including:

196 (a) The School Readiness Program has made progress and is
197 beginning to transform what used to be a child care system into
198 a coordinated school readiness program, but substantial issues
199 remain and more progress is needed.

200 (b) The Florida Partnership for School Readiness has taken
201 steps to address key program issues and many local school
202 readiness coalitions are beginning to make meaningful progress
203 implementing key program elements.

204 (c) Improvement is needed in guidance of the program and
205 in the program's operational and financial management.

206 (d) A new funding formula for the program that is equity
207 based and performance based has been developed as required by
208 law but needs to be improved and implemented.

209 (e) Some rules for the program have been adopted but
210 additional rules are needed.

211 (f) The quality of some school readiness coalition plans
212 and the single statewide database must be addressed.

213 (g) The school readiness uniform screening system must be
214 implemented uniformly across the state and must provide a single
215 score that assesses a child's readiness for school.

216 (h) Some program providers are not being required to use
217 an appropriate curriculum.

218 (i) The partnership and school readiness coalitions have
 219 exhibited weaknesses in financial management that have led to
 220 inefficient use of resources.

221 (2) No later than March 1, 2005, the Florida Partnership
 222 for School Readiness shall provide to the Legislature:

223 (a) Evidence that all state-level policy and fiscal
 224 guidance issues identified by the Auditor General in AG Report
 225 2004-085 and by OPPAGA in OPPAGA Reports 03-75 and 04-06 have
 226 been addressed and resolved.

227 (b) A plan for consolidating the current 50 local school
 228 readiness coalitions into 28 school readiness coalitions. Until
 229 the 2005 Legislature acts, no school readiness coalition may
 230 become a provider of direct services, including eligibility
 231 determination, resource and referral, training and technical
 232 assistance, and provider payments, unless the decision to
 233 provide such service was officially made by the coalition prior
 234 to January 1, 2004.

235 (c) A commitment that the partnership's focus is on the
 236 children and families served in the School Readiness Program.

237 (d) The selection of a 12-member Early Learning Advisory
 238 Council to the Florida Partnership for School Readiness
 239 comprised of a representative of:

- 240 1. Parents.
- 241 2. State university presidents.
- 242 3. Community college presidents.
- 243 4. Private postsecondary educational institution
 244 presidents.
- 245 5. District school superintendents.

- 246 | 6. Florida Association of Academic Nonpublic Schools.
- 247 | 7. School readiness coalition chairs.
- 248 | 8. Prekindergarten schools specializing in children with
- 249 | disabilities.
- 250 | 9. Faith-based prekindergarten schools.
- 251 | 10. Private prekindergarten schools.
- 252 | 11. Family child care homes that provide prekindergarten
- 253 | education.
- 254 | 12. Chambers of commerce.

255 |

256 | The advisory council shall elect its chair annually by majority

257 | vote.

258 | (e) Recommended statutory changes necessary to accomplish

259 | the requirements of this section, utilizing as the framework the

260 | statutory changes recommended in the 2003 Administration of the

261 | School Readiness Programs Interim Project Report of the Senate

262 | Committee on Commerce, Economic Opportunities, and Consumer

263 | Services.

264 | (3) Notwithstanding the provisions of s. 411.01, Florida

265 | Statutes, effective July 1, 2005, the Florida Partnership for

266 | School Readiness shall be a 6-member board, comprised of the

267 | following members or their permanent designees, housed for

268 | administrative purposes under the Agency for Workforce

269 | Innovation, which shall also provide the needed staff for the

270 | board:

- 271 | (a) Chair of the Early Learning Advisory Council.
- 272 | (b) Commissioner of Education.
- 273 | (c) Director of the Agency for Workforce Innovation.

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- 274 | (d) Secretary of Children and Family Services.
- 275 | (e) Secretary of Health.
- 276 | (f) Director of the Florida Center for Reading Research at
- 277 | Florida State University.

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279 | The board shall elect its chair annually by majority vote and

280 | shall appoint a statewide early learning coordinator who shall

281 | serve at the pleasure of the board and shall be responsible for

282 | the state-level program administration, the coordination of

283 | quality program delivery among the 28 school readiness

284 | coalitions, and the collection and dissemination of reliable and

285 | accurate data about the program.

286 | (4) Notwithstanding s. 402.3017, Florida Statutes, the

287 | Agency for Workforce Innovation shall administer the TEACH

288 | scholarship program.

289 | (5) Notwithstanding s. 402.27, Florida Statutes, the

290 | Agency for Workforce Innovation shall administer any functions

291 | of a statewide resource and referral network that the agency

292 | determines necessary for efficient operation of the local school

293 | readiness coalitions.

294 | Section 3. Literacy-based and numeracy-based education

295 | curricula for children birth to age 5; school readiness outcome

296 | measures.--

297 | (1) No later than December 31, 2004, the State Board of

298 | Education shall identify and provide to the Agency for Workforce

299 | Innovation, for purposes of the VPK Program, and to the Florida

300 | Partnership for School Readiness, for purposes of the School

301 | Readiness Program, curricula that will provide an appropriate

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302 education foundation for each age grouping of children from
 303 birth to age 5 in each program. The curricula shall be literacy-
 304 based and numeracy-based and shall emphasize phonics, phonemic
 305 awareness, and vocabulary. The Agency for Workforce Innovation
 306 shall make the curricula for 4-year-old children available to
 307 all prekindergarten schools participating in the VPK Program,
 308 and the Florida Partnership for School Readiness shall make the
 309 curricula for children birth to age 5 available to all 28 school
 310 readiness coalitions for incorporation into each coalition's
 311 school readiness plan and for availability to all school
 312 readiness program providers.

313 (2) Notwithstanding ss. 411.01(4)(o) and 1008.21, Florida
 314 Statutes, no later than August 1, 2005, the State Board of
 315 Education shall have in place in all public elementary schools
 316 throughout the state a uniform school readiness screening system
 317 that is focused on the measurement of the child's literacy and
 318 numeracy foundation proficiency with an emphasis on phonics,
 319 phonemic awareness, and vocabulary. Each prekindergarten school
 320 participating in the VPK Program and each provider of a school
 321 readiness program for 4-year-old children shall be accountable
 322 in accordance with section 1(2)(c) of this act for the
 323 performance of their students as measured by this uniform school
 324 readiness screening system.

325 Section 4. Prekindergarten school teacher preparation
 326 program and continuing education program.--

327 (1) The Florida Center for Reading Research at Florida
 328 State University shall design a web-based teacher preparation
 329 program and continuing education program that will provide

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330 teachers of 4-year-old children with the teaching skills
331 necessary to teach these children the literacy, numeracy,
332 phonics, phonemic awareness, and vocabulary foundation skills
333 they need to be measured as ready for school when they are
334 administered the uniform school readiness screening upon entry
335 into public school.

336 (2) The teacher education program and continuing education
337 program must be designed with sufficient flexibility to
338 accommodate the variety of curricula and teaching methodologies
339 that may be used by public, private, and faith-based
340 prekindergarten schools.

341 (3) The teacher preparation program and continuing
342 education program shall be provided to the Agency for Workforce
343 Innovation and the Florida Partnership for School Readiness by
344 May 1, 2005. By June 1, 2005, the Agency for Workforce
345 Innovation and the Florida Partnership for School Readiness
346 shall make the teacher preparation program and continuing
347 education program available to all VPK Program prekindergarten
348 schools and to all School Readiness Program providers.

349 (4) Each school readiness coalition shall actively
350 advertise and promote the teacher preparation program and
351 continuing education program throughout the coalition.

352 (5) All teachers of 4-year-old children in prekindergarten
353 schools participating in the VPK Program or the School Readiness
354 Program shall complete the teacher preparation program and
355 participate in the continuing education program.

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