

CHAMBER ACTION

1 The Committee on Appropriations 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 childhood education; creating pt.
7 V of ch. 1002, F.S., entitled "Voluntary Prekindergarten
8 Education Program"; providing definitions; creating the
9 Voluntary Prekindergarten Education Program (VPK Program)
10 within the Department of Education to implement s. 1(b)
11 and (c), Art. IX of the State Constitution; providing
12 student eligibility and enrollment requirements; providing
13 scholarship options and for issuance of scholarships;
14 providing eligibility requirements for prekindergarten
15 schools to participate in the VPK Program; providing
16 educational requirements for prekindergarten directors of
17 prekindergarten schools; providing requirements for a
18 prekindergarten school teacher preparation and continuing
19 education course; requiring adoption of VPK Program
20 student performance standards; providing curriculum
21 requirements and accountability standards; requiring
22 adoption of a statewide kindergarten screening, and
23 implementation of a screening instrument, to assess

24 kindergarten readiness; providing funding, payment, and
25 attendance requirements for prekindergarten schools;
26 providing for administration of the VPK Program; providing
27 department powers and duties; providing for an evaluation
28 and adoption of curriculum standards for child development
29 associate credentials; providing for interinstitutional
30 articulation agreements; creating the Early Learning
31 Advisory Council within the Agency for Workforce
32 Innovation to provide advice on early childhood education
33 policy and administration of the VPK Program and early
34 learning programs; providing council requirements;
35 providing State Board of Education rulemaking authority;
36 amending and renumbering s. 402.3017, F.S.; authorizing
37 the department to contract for administration of
38 scholarship initiatives for early childhood education
39 personnel and for a program to encourage parental
40 involvement; amending s. 411.01, F.S.; conforming
41 provisions to the transfer of the powers and duties of the
42 Florida Partnership for School Readiness to the Agency for
43 Workforce Innovation and the abolishment of the
44 partnership; redesignating school readiness programs as
45 early learning programs and school readiness coalitions as
46 early learning councils; providing duties of the Agency
47 for Workforce Innovation with respect to administration of
48 early learning programs at the statewide level, adoption
49 of standards and outcome measures for early learning
50 programs, and approval, coordination, and evaluation of
51 early learning councils; providing for the organization of

52 | early learning councils and membership thereof; providing
53 | for administration and implementation of early learning
54 | programs by early learning councils; specifying
55 | requirements for, and elements of, early learning
56 | programs; requiring Agency for Workforce Innovation
57 | approval of early learning program plans submitted by
58 | early learning councils; specifying minimum standards and
59 | provisions for each early learning plan; providing
60 | requirements relating to the procurement of commodities or
61 | services, payment schedules, fiscal agents, and evaluation
62 | of early learning programs and reporting thereof;
63 | providing eligibility requirements for participation in
64 | early learning programs; requiring early learning programs
65 | to provide parental choice; requiring early learning
66 | programs to meet performance standards and outcome
67 | measures adopted by the Agency for Workforce Innovation;
68 | providing for allocation of funds to early learning
69 | councils by the Agency for Workforce Innovation and
70 | specifying use of such funds; amending s. 11.45, F.S.;
71 | authorizing the Auditor General to conduct audits of the
72 | early learning system; amending s. 20.50, F.S.; creating
73 | the Office of Early Childhood Education within the Agency
74 | for Workforce Innovation to administer the early learning
75 | system; amending s. 125.901, F.S.; conforming provisions;
76 | amending ss. 216.133 and 216.136, F.S.; redesignating the
77 | School Readiness Program Estimating Conference as the
78 | Early Childhood Education Programs Estimating Conference;
79 | requiring estimates and forecasts for early learning

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80 | programs and the VPK Program; amending s. 402.3016, F.S.;
81 | conforming provisions; amending and renumbering s. 402.27,
82 | F.S.; requiring the Agency for Workforce Innovation to
83 | administer a statewide resource and referral network to
84 | provide information for, and assistance in, the operation
85 | of early learning councils and the VPK Program; including
86 | a system of local resource and referral within the network
87 | and specifying services to be provided; amending s.
88 | 402.3018, F.S.; requiring the Agency for Workforce
89 | Innovation to provide for a statewide toll-free Warm-Line;
90 | amending s. 409.178, F.S.; redesignating the Child Care
91 | Executive Partnership as the Business Partnership for
92 | Early Learning to be administered by the Agency for
93 | Workforce Innovation and providing for establishment of
94 | the Business Partnership for Early Learning Program;
95 | amending s. 402.25, F.S.; conforming provisions; amending
96 | s. 402.281, F.S.; redesignating the Gold Seal Quality Care
97 | program as the Gold Seal Quality program; specifying
98 | requirements for a Gold Seal Quality designation; amending
99 | ss. 402.3051, 402.315, and 212.08, F.S.; conforming
100 | provisions; amending s. 402.305, F.S.; revising
101 | requirements for an introductory course in child care for
102 | child care personnel; revising minimum staff credential
103 | requirements for child care personnel and providing
104 | rulemaking authority for equivalent credentials; amending
105 | ss. 383.14, 402.45, 411.011, 411.221, 411.226, 411.227,
106 | 445.023, 490.014, 491.014, 624.91, 1001.23, 1002.22,
107 | 1003.21, 1003.54, and 1006.03, F.S.; conforming

108 provisions; requiring the Department of Education to
 109 submit to the Legislature recommendations for professional
 110 development programs for the VPK Program; repealing ss.
 111 402.30501, 411.012, and 1008.21, F.S., relating to
 112 modification of the introductory child care course for
 113 community college credit, the voluntary universal
 114 prekindergarten education program, and the school
 115 readiness uniform screening, respectively; abolishing the
 116 Florida Partnership for School Readiness and providing for
 117 transfer of powers, duties, functions, rules, records,
 118 personnel, property, and funds to the Agency for Workforce
 119 Innovation; providing for retention of powers, duties,
 120 functions, rules, records, personnel, property, and funds
 121 by school readiness coalitions upon redesignation as early
 122 learning councils; providing for the transfer of the TEACH
 123 Early Childhood Project and the HIPPY program from the
 124 Agency for Workforce Innovation to the Department of
 125 Education; prohibiting certain transfers without specific
 126 legislative authority; providing that the VPK Program is a
 127 choice option for parents and providers and not part of
 128 the system of public education; providing effective dates.

129
 130 Be It Enacted by the Legislature of the State of Florida:

131
 132 Section 1. Part V of chapter 1002, Florida Statutes,
 133 consisting of sections 1002.51, 1002.53, 1002.55, 1002.57,
 134 1002.59, 1002.63, 1002.65, 1002.67, 1002.69, 1002.701, 1002.702,
 135 1002.71, and 1002.75, is created to read:

PART V

VOLUNTARY PREKINDERGARTEN EDUCATION PROGRAM

1002.51 Definitions.--As used in this part, the term:

(1) "Advisory council" means the Early Learning Advisory Council created under s. 1002.71.

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

(3) "Early learning council" or "council" means an early learning council created under s. 411.01.

(4) "Kindergarten eligibility" means the age at which a child is eligible for admission to kindergarten in a public school under s. 1003.21(1)(a)2.

(5) "Prekindergarten director" means an onsite person ultimately responsible for the overall operation of a prekindergarten school or, alternatively, of the school's prekindergarten education program, regardless of whether he or she is the owner of the school.

(6) "Prekindergarten school" means a school eligible to deliver the prekindergarten education program under s. 1002.55 and includes public, private, and faith-based schools.

1002.53 Voluntary Prekindergarten Education Program; eligibility and enrollment.--

(1) There is created the Voluntary Prekindergarten Education Program (VPK Program) within the Department of Education. The program shall take effect at the beginning of the 2005-2006 school year and shall be organized, designed, and delivered in accordance with s. 1(b) and (c), Art. IX of the State Constitution.

163 (2) Each child who is a resident of the state who will
 164 have attained the age of 4 years on or before September 1 of the
 165 school year is eligible for the VPK Program during that school
 166 year. The child remains eligible until the child attains
 167 kindergarten eligibility or is admitted to kindergarten,
 168 whichever occurs first. Participation in the VPK Program shall
 169 be voluntary on the part of both parents and prekindergarten
 170 schools.

171 (3)(a) The parent of each child eligible under subsection
 172 (2) may request and receive from the state:

173 1. A scholarship for the child to attend any eligible VPK
 174 Program public, private, or faith-based prekindergarten school
 175 of the parent's choice for a school year of 540 hours. The
 176 parent shall be responsible for the child's transportation and
 177 for additional hours or services desired for the child unless
 178 the child is eligible for subsidized services under the early
 179 learning program; or

180 2. A scholarship for the child to attend an intensive
 181 full-day, 310-hour prekindergarten summer school offered by an
 182 eligible VPK Program public, private, or faith-based school of
 183 the parent's choice. The parent shall be responsible for the
 184 child's transportation and for additional hours or services
 185 desired for the child unless the child is eligible for
 186 subsidized services under the early learning program.

187 (b) An additional scholarship option shall be available to
 188 the parent of a child who has participated in the option under
 189 subparagraph (a)1. who is a limited English proficient child and
 190 is assessed at the end of the 540-hour school year program as

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191 being in the lowest quartile of students in the state on a
192 uniform prereadiness assessment instrument provided by the
193 department. The parent of each such child may opt for the child
194 to also attend the intensive prekindergarten summer school
195 option under subparagraph (a)2.

196
197 If the parent requests a scholarship for the child for the
198 option under subparagraph (a)1., the option under subparagraph
199 (a)2., or the option under paragraph (b), the scholarship shall
200 be issued by a voucher or coupon or an electronic coupon or code
201 in the name of the parent. The parent shall monthly present the
202 voucher, coupon, or code to the eligible VPK Program
203 prekindergarten school of the parent's choice and, with
204 verification of the child's enrollment in and continued
205 attendance at the school, the prekindergarten school shall
206 monthly submit the voucher, coupon, or code to the department
207 and the department shall deposit the child's monthly scholarship
208 payment in the school's account. The scholarship shall be in an
209 amount set by the 2005 Legislature, annually adjusted for
210 inflation in accordance with the Consumer Price Index. The
211 parent is free to choose for the child any eligible VPK Program
212 prekindergarten school with available space.

213 (4)(a) Each parent seeking a VPK Program scholarship for
214 his or her child must complete and submit an application to the
215 department through the single point of entry established under
216 s. 411.01.

217 (b) The application must be submitted on forms prescribed
218 by the department and must be accompanied by a certified copy of

219 the child's birth certificate. The department may designate
 220 alternative methods for submitting proof of the child's age in
 221 lieu of a certified copy of the child's birth certificate.

222 (5) The department shall provide each parent enrolling a
 223 child in the VPK Program with a profile of every prekindergarten
 224 school delivering the program within the school district. The
 225 profiles shall be provided to parents in a format prescribed by
 226 the department. The profiles must include, at a minimum, the
 227 following information about each prekindergarten school:

228 (a) The school's services, curriculum, teacher
 229 credentials, and teacher-to-student ratio.

230 (b) The school's kindergarten readiness rate calculated in
 231 accordance with ss. 1002.63(3)(c) and 1002.65, based upon the
 232 most recent available results of the statewide kindergarten
 233 screening.

234 (6) A parent may enroll his or her child with any
 235 prekindergarten school that is eligible to deliver the VPK
 236 Program under this part, subject to available space; however, a
 237 prekindergarten school is not required to admit any child. The
 238 department may not limit the number of students admitted by any
 239 prekindergarten school for enrollment in the program.

240 1002.55 VPK Program delivered by prekindergarten
 241 schools.--

242 (1)(a) To be an eligible prekindergarten school in the VPK
 243 Program, the school must be a Florida public, private, or faith-
 244 based school that offers a literacy-based and numeracy-based
 245 foundation curriculum which emphasizes phonics, phonemic
 246 awareness, and vocabulary and is appropriate to prepare 4-year-

247 old children for success upon entry into public school. A public
 248 school graded "D" or "F" shall not be eligible to participate in
 249 the VPK Program unless no other VPK Program prekindergarten
 250 school is located in the geographic area, in which case the
 251 public school graded "D" or "F" shall contract with a public
 252 school graded "A" or "B" or a private or faith-based VPK Program
 253 prekindergarten school to provide the prekindergarten program in
 254 the public school graded "D" or "F."

255 (b) The prekindergarten school shall maintain an accurate
 256 school profile containing the information required in s.
 257 1002.53(5) and other objective measures and keep this profile
 258 readily available and easy to access and understand by parents
 259 of children attending the school and parents interested in the
 260 school for their child.

261 (c) The prekindergarten school shall provide the
 262 department evidence of its fiscal soundness and other evidence
 263 as required by the department pursuant to this part of its
 264 eligibility to participate in the VPK Program. The department
 265 may request a surety bond if necessary to ensure continued
 266 provision of prekindergarten education by the school.

267 (2) To be eligible to deliver the VPK Program, a
 268 prekindergarten school must:

269 (a)1. Be a public prekindergarten school pursuant to
 270 paragraph (1)(a); or

271 2. Be a private prekindergarten school, including:

272 a. A nonpublic school exempt from licensure under s.
 273 402.3025(2) that is accredited by an accrediting association
 274 recognized by the National Council for Private School

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275 Accreditation (NCPA), the Commission on International and
 276 Trans-Regional Accreditation, or the Florida Association of
 277 Academic Nonpublic Schools (FAANS) or that has a current Gold
 278 Seal Quality designation;

279 b. A child care facility licensed under s. 402.305 that
 280 has a current Gold Seal Quality designation;

281 c. A family day care home licensed under s. 402.313 that
 282 has a current Gold Seal Quality designation;

283 d. A large family child care home licensed under s.
 284 402.3131 that has a current Gold Seal Quality designation; or

285 e. A religious-affiliated child care facility exempt from
 286 licensure under s. 402.316 that is accredited by an accrediting
 287 association recognized by the National Council for Private
 288 School Accreditation (NCPA), the Commission on International
 289 and Trans-Regional Accreditation, or the Florida Association of
 290 Academic Nonpublic Schools (FAANS) or that has a current Gold
 291 Seal Quality designation.

292
 293 No public or private prekindergarten school participating in the
 294 VPK Program shall exceed the constitutionally established class
 295 size maximum of 18 students for each prekindergarten classroom.

296 (b) Have for each prekindergarten class at least one
 297 teacher who meets the following requirements:

298 1. The teacher must hold, at a minimum, one of the
 299 following credentials:

300 a. A current child development associate credential issued
 301 by the National Credentialing Program of the Council for
 302 Professional Regulation; or

303 b. A current credential approved by the department as
304 being equivalent to or greater than the credential described in
305 sub-subparagraph a.

306
307 The State Board of Education may adopt rules that provide
308 criteria and procedures for the approval of equivalent
309 credentials under sub-subparagraph b.

310 2. The teacher must successfully complete an emerging
311 literacy teacher preparation and continuing education course
312 approved by the department as meeting or exceeding the minimum
313 standards adopted under s. 1002.59. This subparagraph does not
314 apply to a teacher who successfully completes approved training
315 in early literacy and language development under s.
316 402.305(2)(d)4., s. 402.313(6), or s. 402.3131(5) before the
317 establishment of the emerging literacy training course under s.
318 1002.59 or January 1, 2005, whichever occurs later.

319 (c) Have a director who has a prekindergarten director
320 credential that is approved by the department, which must
321 include the child care facility director credential under s.
322 402.305(2)(f) and additional minimum standards adopted under s.
323 1002.57. A prekindergarten director who successfully completes a
324 child care facility director credential under s. 402.305(2)(f)
325 before the establishment of the prekindergarten director
326 credential under s. 1002.57 or July 1, 2005, whichever occurs
327 later, satisfies the requirement for a prekindergarten director
328 credential under this paragraph.

329 (d) Register with the department on forms prescribed by
330 the department.

331 (e) Deliver the prekindergarten education program in
 332 accordance with this part.

333 (3) A teacher, in lieu of the minimum credentials and
 334 courses required under paragraph (2)(b), may hold one of the
 335 following educational credentials:

336 (a) A bachelor's or higher degree in early childhood
 337 education, prekindergarten or primary education, preschool
 338 education, or family and consumer science;

339 (b) A bachelor's or higher degree in elementary education
 340 if the teacher or child care personnel has been certified to
 341 teach children any age from birth through grade 6, regardless of
 342 whether the teaching certificate is current;

343 (c) An associate's or higher degree in child development;

344 (d) An associate's or higher degree in an unrelated field,
 345 at least 6 credit hours in early childhood education or child
 346 development, and at least 480 hours' experience in teaching or
 347 providing child care services for children any age from birth
 348 through 8 years of age; or

349 (e) An educational credential approved by the department
 350 as being equivalent to or greater than an educational credential
 351 described in this subsection. The department shall adopt
 352 criteria and procedures for the approval of equivalent
 353 educational credentials under this paragraph, which shall
 354 include, but are not limited to, the emerging literacy
 355 preparation and continuing education course pursuant to s.
 356 1002.59.

357 (4) The prekindergarten school must comply with the
 358 antidiscrimination provisions of 42 U.S.C. s. 2000d.

359 1002.57 Prekindergarten director credential.--
 360 (1) By July 1, 2005, the department, with the advice of
 361 the advisory council, shall adopt minimum standards for a
 362 credential for prekindergarten directors of prekindergarten
 363 schools delivering the VPK Program. The credential must
 364 encompass the director credential developed under s.
 365 402.305(2)(f) and additional requirements for education or
 366 onsite experience.

367 (2) Additional educational requirements must include
 368 training in professionally accepted standards for
 369 prekindergarten programs, child development, and strategies and
 370 techniques to address the age-appropriate progress of
 371 prekindergarten students in attaining the performance standards
 372 adopted by the department under s. 1002.63.

373 1002.59 Emerging literacy prekindergarten school teacher
 374 preparation and continuing education course.--

375 (1) The Florida Center for Reading Research at Florida
 376 State University shall design a web-based teacher preparation
 377 and continuing education course that will provide teachers of 4-
 378 year-old children with the teaching skills necessary to teach
 379 these children the literacy, numeracy, phonics, phonemic
 380 awareness, and vocabulary foundation skills they need to be
 381 measured as ready for school when they are administered the
 382 uniform school readiness screening upon entry into public
 383 school.

384 (2) The teacher education and continuing education course
 385 must be designed with sufficient flexibility to accommodate the

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386 variety of curricula and teaching methodologies that may be used
387 by public, private, and faith-based prekindergarten schools.

388 (3) The teacher preparation and continuing education
389 course shall be provided to the department by May 1, 2005. By
390 June 1, 2005, the department shall make the teacher preparation
391 and continuing education course available to all VPK Program
392 prekindergarten schools and teachers.

393 (4) All teachers of 4-year-old children in prekindergarten
394 schools participating in the VPK Program shall complete the
395 teacher preparation and continuing education course.

396 (5) The course shall comprise 5 clock hours and provide
397 instruction in strategies and techniques to address the age-
398 appropriate progress of prekindergarten students. The course
399 must meet or exceed the requirements of the Department of
400 Children and Family Services for approved training in early
401 literacy and language development under ss. 402.305(2)(d)4.,
402 402.313(6), and 402.3131(5), and successful completion of the
403 course satisfies these requirements for approved training.

404 1002.63 Performance standards; curriculum and
405 accountability.--

406 (1) By January 1, 2005, the department, with the advice of
407 the advisory council, shall develop and adopt education
408 performance standards for students in the VPK Program. The
409 performance standards must address the age-appropriate progress
410 of students in the development of:

411 (a) The capabilities, capacities, and skills required
412 under s. 1(b), Art. IX of the State Constitution.

413 (b) Emerging literacy skills, including oral
 414 communication, knowledge of print and letters, and phonological
 415 or phonemic awareness.

416 (2)(a) Each prekindergarten school may select or design
 417 the curriculum that the school uses to implement the VPK
 418 Program, except as otherwise required for a school that is
 419 placed on probation under paragraph (3)(c). Each school's
 420 curriculum must be designed to enhance the age-appropriate
 421 progress of students in attaining the performance standards
 422 adopted by the department under subsection (1).

423 (b) The department shall review and approve curricula for
 424 use by schools that are placed on probation under paragraph
 425 (3)(c). The department shall maintain a list of the curricula
 426 approved under this paragraph. Each approved curriculum must be
 427 designed to:

428 1. Enhance the age-appropriate progress of students in
 429 attaining the performance standards adopted by the department
 430 under subsection (1).

431 2. Prepare students to be assessed as ready for
 432 kindergarten based upon the statewide kindergarten screening
 433 administered under s. 1002.65.

434 (3)(a) The department shall verify compliance with this
 435 part of the prekindergarten schools delivering the VPK Program.

436 (b) The department may remove a prekindergarten school
 437 from eligibility to deliver the VPK Program and to receive state
 438 funds for the program if the school fails or refuses to comply
 439 with this part.

440 (c) Beginning with the kindergarten readiness rates for
 441 students completing the VPK Program during the 2005-2006 school
 442 year who are administered the statewide kindergarten screening
 443 during the 2006-2007 school year:

444 1. If less than 85 percent of the students in a
 445 prekindergarten school's prekindergarten program are assessed as
 446 ready for kindergarten based upon the statewide kindergarten
 447 screening, the department shall require the school to submit an
 448 improvement plan for approval and to implement the plan.

449 2. If a prekindergarten school fails to meet the 85-
 450 percent kindergarten readiness rate for 2 consecutive years, the
 451 department shall place the school on probation and must require
 452 the school to take certain corrective actions, including the use
 453 of a curriculum approved by the department under paragraph
 454 (2)(b).

455 3. A prekindergarten school that is placed on probation
 456 must continue the corrective actions required under subparagraph
 457 2., including the use of a curriculum approved by the department
 458 under paragraph (2)(b), until the school meets the 85-percent
 459 kindergarten readiness rate, based upon results of the statewide
 460 kindergarten screening administered under s. 1002.65.

461 1002.65 Statewide kindergarten screening.--

462 (1) The department, with the advice of the advisory
 463 council, shall adopt a statewide kindergarten screening that
 464 assesses the readiness of each student for kindergarten based
 465 upon the performance standards for the VPK Program adopted by
 466 the department under s. 1002.63(1). The department shall require
 467 that each school district administer the statewide kindergarten

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468 screening to every kindergarten student in the school district
469 within 30 school days after the student's entry into
470 kindergarten.

471 (2) The statewide kindergarten screening shall provide
472 objective data on each student's progress in attaining the
473 performance standards adopted by the department under s.
474 1002.63(1).

475 (3) The statewide kindergarten screening shall incorporate
476 mechanisms for recognizing potential variations in kindergarten
477 readiness rates for children with disabilities.

478 (4)(a) During the 2004-2005 school year, the department
479 shall implement a statewide kindergarten screening instrument
480 that measures emerging phonemic awareness and phonics skills
481 which are valid and reliable predictors of later reading
482 performance.

483 (b) For purposes of s. 1002.63(3)(c), the statewide
484 kindergarten screening instrument implemented under paragraph
485 (a) shall be used to calculate kindergarten readiness rates.

486 (c) The kindergarten screening instrument implemented
487 during the 2004-2005 school year shall continue to be used by
488 the department for a minimum of 3 consecutive school years.

489 (d) The Legislature shall review, at the 2007 Regular
490 Session, the baseline data obtained under the statewide
491 kindergarten screening instrument implemented under paragraph
492 (a) and the 85-percent kindergarten readiness rate in s.
493 1002.63(3)(c). The kindergarten screening instrument implemented
494 by the department under paragraph (a) shall be used to calculate
495 the kindergarten readiness rates for students completing the VPK

496 Program during the 2005-2006 school year and for subsequent
 497 school years.

498 1002.67 Funding; financial and attendance reporting.--

499 (1) The department shall pay prekindergarten schools
 500 monthly for the VPK Program from funds provided in the General
 501 Appropriations Act for that purpose. A prekindergarten school
 502 must, in order to receive payment, certify student attendance
 503 each month to the department and submit a voucher or coupon or
 504 electronic coupon or code verifying the parent's continuing
 505 choice for the child to attend the school. The department shall
 506 contract for a payment system that contains maximum automation
 507 while providing flexibility for direct parental provider choice
 508 and that contains built-in safeguards to minimize fraudulent
 509 conduct.

510 (2)(a) Each parent enrolling his or her child in the VPK
 511 Program must agree to comply with the attendance policy of the
 512 prekindergarten school. Upon enrollment of the child, the
 513 prekindergarten school must provide the child's parent with a
 514 copy of the school's attendance policy.

515 (b) The prekindergarten school may dismiss a student who
 516 does not comply with the school's attendance policy.

517 (c) The department shall adopt procedures for documenting
 518 the attendance of students in the VPK Program. The procedures
 519 must provide requirements for the adjustment of a
 520 prekindergarten school's funding when a student has more than
 521 five consecutive unexcused absences during a month.

522 (3) Except as otherwise expressly authorized by law, a
 523 prekindergarten school may not:

524 (a) Impose or collect a fee or charge for services
 525 provided for a child enrolled in the VPK Program during a period
 526 reported for funding purposes under subsection (1); or

527 (b) Require a child to enroll for, or require the payment
 528 of any fee or charge for, supplemental services as a condition
 529 of admitting a child for enrollment in the VPK Program.

530 Supplemental or wrap-around services may be paid for by the
 531 parents or, if the child is eligible, by the early learning
 532 program pursuant to s. 411.01.

533 (4) State funds provided for the VPK Program may not be
 534 used for the transportation of students to and from the program.
 535 A parent is responsible for the transportation of his or her
 536 child to and from the VPK Program. However, nothing shall
 537 prohibit a prekindergarten school from opting to provide
 538 transportation scholarships.

539 1002.69 Department of Education; Choice Office; powers and
 540 duties.--

541 (1) The Choice Office of the Department of Education, with
 542 the advice of the advisory council, shall contract with a
 543 program administrator to administer the VPK Program at the
 544 statewide level. The program administrator shall administer the
 545 program effectively and efficiently in accordance with this
 546 part.

547 (2) The department shall adopt procedures for:

548 (a) Enrolling children in and determining the eligibility
 549 of children for the VPK Program under s. 1002.53.

550 (b) Providing parents with profiles of prekindergarten
 551 schools under s. 1002.53.

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552 (c) Registering and determining the eligibility of
553 prekindergarten schools to deliver the program under s. 1002.55.

554 (d) Approving prekindergarten director credentials under
555 ss. 1002.55 and 1002.57.

556 (e) Approving emerging literacy prekindergarten school
557 teacher preparation and continuing education courses under ss.
558 1002.55 and 1002.59.

559 (f) Verifying the compliance of prekindergarten schools,
560 and removing schools from eligibility to deliver the program for
561 noncompliance, under s. 1002.63.

562 (g) Approving improvement plans of prekindergarten schools
563 under s. 1002.63.

564 (h) Placing prekindergarten schools on probation and
565 requiring corrective actions under s. 1002.63.

566 (i) Administering the statewide kindergarten screening and
567 calculating kindergarten readiness rates under s. 1002.65.

568 (j) Allocating funds for the VPK Program under s. 1002.67.

569 (k) Documenting and certifying student attendance and
570 continuing parental choice under s. 1002.67.

571 (l) Reenrolling students dismissed by a prekindergarten
572 school for noncompliance with the school's attendance policy
573 under s. 1002.67.

574 (m) Paying prekindergarten schools under s. 1002.67.

575
576 Such procedures shall, through interagency agreement with state
577 or local agencies, make use of existing data or information
578 whenever feasible.

579 (3) Except as otherwise provided by law, the department
 580 does not have authority to:

581 (a) Impose requirements on a prekindergarten school that
 582 does not deliver the VPK Program or receive state funds under
 583 this part.

584 (b) Impose any requirements which are not necessary for
 585 the administration of the VPK Program under this part.

586 (c) Administer powers and duties assigned to the Agency
 587 for Workforce Innovation or an early learning council under s.
 588 411.01.

589 1002.701 Child development associate and child development
 590 associate equivalent training capacity.--

591 (1) The department shall conduct an evaluation of training
 592 requirements and testing procedures for child development
 593 associate and child development associate equivalent teachers in
 594 order to assess the status of this training and testing and to
 595 develop methods for improving these requirements and procedures.
 596 The evaluation shall be conducted every 3 years and shall
 597 include, but is not limited to, a determination of the
 598 accessibility, quality, scope, and sources of current training;
 599 a determination of the need for specialty training; and a
 600 determination of ways to increase inservice training and
 601 accessibility, quality, and cost-effectiveness of current and
 602 proposed training.

603 (2)(a) The State Board of Education shall adopt rules
 604 establishing curriculum standards for the approval and renewal
 605 of child development associate and child development associate
 606 equivalent credential programs.

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607 (b) The curriculum standards for the child development
608 associate equivalent credential shall include a requirement to
609 successfully complete a competency-based examination for which a
610 professional certificate will be awarded. The curriculum
611 standards and renewal requirements for the state-approved child
612 development associate equivalent credential must include
613 literacy education, effective practices for increasing parental
614 involvement, and strategies to meet the needs of non-English-
615 speaking children and children with disabilities. Universities,
616 community colleges, school districts, and private providers may
617 provide training for professional development. Professional
618 development shall encourage VPK Program teachers to improve
619 their skills through education and training toward the
620 completion of an associate's degree in early childhood education
621 or child development and with the goal of completing a
622 bachelor's degree in early childhood education or child
623 development.

624 1002.702 Articulation.--The State Board of Education shall
625 develop guidelines for the articulation required in this section
626 which maximize local flexibility in developing
627 interinstitutional articulation agreements while ensuring that
628 students in the field of early learning have the ability to
629 proceed toward their higher educational and professional
630 objectives. The State Board of Education shall adopt a rule for
631 a statewide articulation agreement in which:

632 (1) Successful completion of the 45-clock-hour
633 introductory course under s. 402.305(2)(d) shall reduce the
634 number of hours required for the equivalent state-approved child

635 development associate credential by 45 hours. The specific
 636 competencies into which the hours articulate shall be determined
 637 by the State Board of Education.

638 (2) Successful completion of a child development associate
 639 credential or an equivalent state-approved child development
 640 associate credential that includes the emerging literacy teacher
 641 preparation and continuing education course under s. 1002.59
 642 shall articulate into a minimum of 8 community college credit
 643 hours in early childhood education. The specific courses into
 644 which the credits articulate shall be determined by the local
 645 community college.

646 (3) Successful completion of an associate degree in early
 647 childhood education shall articulate into the appropriate state
 648 university baccalaureate degree program.

649 1002.71 Early Learning Advisory Council.--

650 (1) There is created the Early Learning Advisory Council,
 651 administratively housed within the Agency for Workforce
 652 Innovation. The purpose of the advisory council is to advise the
 653 Department of Education and the Agency for Workforce Innovation
 654 on early childhood education policy, including advice relating
 655 to administration of the VPK Program under this part and the
 656 early learning programs under s. 411.01.

657 (2) The advisory council shall be composed of 16 members,
 658 as follows:

659 (a) Twelve members appointed by the Governor, comprised of
 660 representatives of:

- 661 1. Parents.
- 662 2. State university presidents.

- 663 3. Community college presidents.
- 664 4. Private postsecondary educational institution
- 665 presidents.
- 666 5. District school superintendents.
- 667 6. Florida Association of Academic Nonpublic Schools
- 668 (FAANS).
- 669 7. Early learning council chairs.
- 670 8. Prekindergarten schools specializing in children with
- 671 disabilities.
- 672 9. Faith-based prekindergarten schools.
- 673 10. Private prekindergarten schools.
- 674 11. Family day care homes that provide prekindergarten
- 675 education.
- 676 12. Chambers of commerce.
- 677 (b) Two members appointed by, and who serve at the
- 678 pleasure of, the President of the Senate and two members
- 679 appointed by, and who serve at the pleasure of, the Speaker of
- 680 the House of Representatives, who must each meet the same
- 681 qualifications as private-sector business members appointed to
- 682 an early learning council under s. 411.01(5)(a)6.

683

684 The advisory council shall elect its chair annually by majority

685 vote. The members appointed under this subsection must be

686 geographically and demographically representative of the state.

687 The members shall be appointed to terms of 3 years each, except

688 that, to establish staggered terms, one-half of the members

689 shall be appointed to initial terms of 2 years each. Members may

690 serve a maximum of two consecutive terms.

691 (3) The advisory council shall meet at least quarterly but
 692 may meet as often as necessary to carry out its duties and
 693 responsibilities.

694 (4)(a) Each member of the advisory council shall serve
 695 without compensation but is entitled to per diem and travel
 696 expenses for attendance at council meetings as provided in s.
 697 112.061.

698 (b) Each member of the advisory council is subject to the
 699 ethics provisions in part III of chapter 112.

700 (c) For purposes of tort liability, each member of the
 701 advisory council shall be governed by s. 768.28.

702 (5) The Agency for Workforce Innovation shall provide
 703 staff and administrative support for the advisory council.

704 1002.75 Rulemaking authority.--The State Board of
 705 Education shall adopt rules under ss. 120.536(1) and 120.54 to
 706 administer the provisions of this part that confer duties upon
 707 the department. However, the inclusion of eligible private and
 708 faith-based options for the VPK Program available to the state's
 709 4-year-old children does not expand any regulatory authority to
 710 impose any additional regulation of private and faith-based
 711 prekindergarten schools beyond those reasonably necessary to
 712 enforce requirements expressly set forth in this part. The
 713 rulemaking authority in this section does not apply to any
 714 prekindergarten school that chooses not to participate in the
 715 VPK Program. The state board shall adopt initial rules for the
 716 VPK Program by January 1, 2005.

717 Section 2. Section 402.3017, Florida Statutes, is
718 renumbered as section 1002.73, Florida Statutes, and amended to
719 read:

720 1002.73 ~~402.3017~~ Teacher Education and Compensation Helps
721 (TEACH) Early Childhood Project or other scholarship
722 initiatives; Home Instruction for Parents of Preschool
723 Youngsters (HIPPY) program.--

724 ~~(1) The Legislature finds that the level of early child~~
725 ~~care teacher education and training is a key predictor for~~
726 ~~determining program quality. The Legislature also finds that low~~
727 ~~wages for child care workers prevent many from obtaining~~
728 ~~increased training and education and contribute to high turnover~~
729 ~~rates. The Legislature therefore intends to help fund a program~~
730 ~~which links teacher training and education to compensation and~~
731 ~~commitment to the field of early childhood education.~~

732 (1)(2) The department may ~~of Children and Family Services~~
733 ~~is authorized to~~ contract for the administration of the Teacher
734 Education and Compensation Helps (TEACH) Early Childhood Project
735 or other scholarship initiatives. The project shall be based
736 upon the national model and shall provide scholarship program,
737 ~~which provides~~ educational scholarships to early childhood
738 education personnel ~~caregivers and administrators of early~~
739 ~~childhood programs, family day care homes, and large family~~
740 ~~child care homes.~~

741 (2) The department may contract for the administration of
742 the Home Instruction for Parents of Preschool Youngsters (HIPPY)
743 program. The program shall be based on its national model and
744 encourage parental involvement in early learning programs by

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745 providing parents with assistance in preparing their children
746 for school.

747 (3) The State Board of Education ~~department~~ shall
748 adopt rules ~~as necessary~~ to administer ~~implement~~ this section.

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

752 Section 3. Effective November 1, 2004, section 411.01,
753 Florida Statutes, is amended to read:

754 411.01 Early learning programs; early learning councils
755 ~~Florida Partnership for School readiness; school readiness~~
756 ~~coalitions.--~~

757 (1) POPULAR NAME ~~SHORT TITLE~~.--This section may be known
758 by the popular name ~~cited as the "Early Learning School~~
759 ~~Readiness Act."~~

760 (2) LEGISLATIVE INTENT.--

761 (a) The Legislature recognizes that early learning ~~school~~
762 ~~readiness~~ programs increase children's chances of achieving
763 future educational success and becoming productive members of
764 society. It is the intent of the Legislature that the ~~such~~
765 programs be developmentally appropriate, research-based, involve
766 parents as their child's first teacher, serve as preventive
767 measures for children at risk of future school failure, enhance
768 the educational readiness of eligible children, and support
769 family education. Each early learning ~~school readiness~~ program
770 shall provide the elements necessary to prepare at-risk children
771 for school, including health screening and referral and an
772 appropriate educational program.

773 (b) It is the intent of the Legislature that early
 774 learning ~~school readiness~~ programs be operated on a full-day,
 775 year-round basis to the maximum extent possible to enable
 776 parents to work and become financially self-sufficient.

777 (c) It is the intent of the Legislature that early
 778 learning ~~school readiness~~ programs not exist as isolated
 779 programs, but build upon existing services and work in
 780 cooperation with other programs for young children, and that
 781 early learning ~~school readiness~~ programs be coordinated and
 782 ~~funding integrated~~ to achieve full effectiveness.

783 (d) It is the intent of the Legislature that the
 784 administrative staff at the state level for early learning
 785 ~~school readiness~~ programs be kept to the minimum necessary to
 786 administer ~~carry out~~ the duties of the Agency for Workforce
 787 Innovation ~~Florida Partnership for School Readiness~~, as the
 788 early learning ~~school readiness~~ programs are to be regionally
 789 ~~locally~~ designed, operated, and managed, with the Agency for
 790 Workforce Innovation ~~Florida Partnership for School Readiness~~
 791 ~~adopting a system for measuring school readiness;~~ developing
 792 early learning ~~school readiness~~ program performance standards
 793 ~~and, outcome measures measurements, and data design and review;~~
 794 and approving and reviewing early learning councils and early
 795 learning ~~local school readiness coalitions~~ and plans.

796 (e) It is the intent of the Legislature that
 797 appropriations for combined early learning ~~school readiness~~
 798 programs shall not be less than the programs would receive in
 799 any fiscal year on an uncombined basis.

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800 (f) It is the intent of the Legislature that early
 801 learning programs ~~the school readiness program~~ coordinate and
 802 operate in conjunction with the district school systems.
 803 However, it is also the intent of the Legislature that the early
 804 learning ~~school readiness~~ program not be construed as part of
 805 the system of free public schools but rather as a separate
 806 program for children under the age of kindergarten eligibility,
 807 funded separately from the system of free public schools,
 808 utilizing a mandatory sliding fee scale, and providing an
 809 integrated and seamless system of early learning ~~school~~
 810 ~~readiness~~ services for the state's birth-to-kindergarten
 811 population.

812 (g) It is the intent of the Legislature that the federal
 813 child care income tax credit be preserved for early learning
 814 ~~school readiness~~ programs.

815 (h) It is the intent of the Legislature that early
 816 learning ~~school readiness~~ services shall be an integrated and
 817 seamless system of services with a developmentally appropriate
 818 education component for the state's eligible birth-to-
 819 kindergarten population described in subsection (6) and shall
 820 not be construed as part of the seamless K-20 education system
 821 ~~except for the administration of the uniform screening system~~
 822 ~~upon entry into kindergarten.~~

823 (3) PARENTAL PARTICIPATION IN EARLY LEARNING PROGRAMS
 824 SCHOOL READINESS PROGRAM.--This section does not:

825 ~~(a) The school readiness program shall be phased in on a~~
 826 ~~coalition-by-coalition basis. Each coalition's school readiness~~
 827 ~~program shall have available to it funding from all the~~

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828 ~~coalition's early education and child care programs that are~~
 829 ~~funded with state, federal, lottery, or local funds, including~~
 830 ~~but not limited to Florida First Start programs, Even Start~~
 831 ~~literacy programs, prekindergarten early intervention programs,~~
 832 ~~Head Start programs, programs offered by public and private~~
 833 ~~providers of child care, migrant prekindergarten programs, Title~~
 834 ~~I programs, subsidized child care programs, and teen parent~~
 835 ~~programs, together with any additional funds appropriated or~~
 836 ~~obtained for purposes of this section. These programs and their~~
 837 ~~funding streams shall be components of the coalition's~~
 838 ~~integrated school readiness program, with the goal of preparing~~
 839 ~~children for success in school.~~

840 ~~(b) Nothing contained in this act is intended to:~~

841 ~~(a)1. Relieve parents and guardians of their own~~
 842 ~~obligations to prepare ~~ready~~ their children for school; or~~

843 ~~(b)2. Create any obligation to provide publicly funded~~
 844 ~~early learning ~~school readiness~~ programs or services beyond~~
 845 ~~those authorized by the Legislature.~~

846 ~~(4) AGENCY FOR WORKFORCE INNOVATION FLORIDA PARTNERSHIP~~
 847 ~~FOR SCHOOL READINESS.--~~

848 ~~(a) The Agency for Workforce Innovation shall ~~Florida~~~~
 849 ~~Partnership for School Readiness was created to fulfill three~~
 850 ~~major purposes: to administer early learning programs at the~~
 851 ~~statewide level and shall ~~school readiness program services that~~~~
 852 ~~help parents prepare eligible children for school; to coordinate~~
 853 ~~the early learning councils in providing early learning~~
 854 ~~provision of school readiness services on a full-day, full-year,~~
 855 ~~full-choice basis to the extent possible in order to enable~~

856 | ~~parents to work and be financially self-sufficient; and to~~
 857 | ~~establish a uniform screening instrument to be implemented by~~
 858 | ~~the Department of Education and administered by the school~~
 859 | ~~districts upon entry into kindergarten to assess the readiness~~
 860 | ~~for school of all children. Readiness for kindergarten is the~~
 861 | ~~outcome measure of the success of each school readiness program~~
 862 | ~~that receives state or federal funds. The partnership is~~
 863 | ~~assigned to the Agency for Workforce Innovation for~~
 864 | ~~administrative purposes.~~

865 | (b) The Agency for Workforce Innovation Florida
 866 | ~~Partnership for School Readiness~~ shall:

867 | 1. Coordinate the birth-to-kindergarten services for
 868 | children who are eligible under ~~pursuant to~~ subsection (6) and
 869 | the programmatic, administrative, and fiscal standards under
 870 | ~~pursuant to~~ this section for all public providers of early
 871 | learning school readiness programs.

872 | 2. Continue to provide unified leadership for early
 873 | learning school readiness through early learning councils ~~local~~
 874 | ~~school readiness coalitions.~~

875 | 3. Focus on improving the educational quality of all
 876 | publicly funded early learning school readiness programs.

877 | ~~(c)1. The Florida Partnership for School Readiness shall~~
 878 | ~~include the Lieutenant Governor, the Commissioner of Education,~~
 879 | ~~the Secretary of Children and Family Services, and the Secretary~~
 880 | ~~of Health, or their designees, and the chair of the Child Care~~
 881 | ~~Executive Partnership Board, and the chairperson of the Board of~~
 882 | ~~Directors of Workforce Florida, Inc. When the Lieutenant~~
 883 | ~~Governor or an agency head appoints a designee, the designee~~

884 ~~must be an individual who attends consistently, and, in the~~
885 ~~event that the Lieutenant Governor or agency head and his or her~~
886 ~~designee both attend a meeting, only one of them may vote.~~

887 ~~2. The partnership shall also include 14 members of the~~
888 ~~public who shall be business, community, and civic leaders in~~
889 ~~the state who are not elected to public office. These members~~
890 ~~and their families must not have a direct contract with any~~
891 ~~local coalition to provide school readiness services. The~~
892 ~~members must be geographically and demographically~~
893 ~~representative of the state. Each member shall be appointed by~~
894 ~~the Governor from a list of nominees submitted by the President~~
895 ~~of the Senate and the Speaker of the House of Representatives.~~
896 ~~By July 1, 2001, four members shall be appointed as follows: two~~
897 ~~members shall be from the child care industry, one representing~~
898 ~~the private for-profit sector appointed by the Governor from a~~
899 ~~list of two nominees submitted by the President of the Senate~~
900 ~~and one representing faith-based providers appointed by the~~
901 ~~Governor from a list of two nominees submitted by the Speaker of~~
902 ~~the House of Representatives; and two members shall be from the~~
903 ~~business community, one appointed by the Governor from a list of~~
904 ~~two nominees submitted by the President of the Senate and one~~
905 ~~appointed by the Governor from a list of two nominees submitted~~
906 ~~by the Speaker of the House of Representatives. Members shall be~~
907 ~~appointed to 4-year terms of office. The members of the~~
908 ~~partnership shall elect a chairperson annually from the~~
909 ~~nongovernmental members of the partnership. Any vacancy on the~~
910 ~~partnership shall be filled in the same manner as the original~~
911 ~~appointment.~~

912 ~~(d) The partnership shall meet at least quarterly but may~~
 913 ~~meet as often as it deems necessary to carry out its duties and~~
 914 ~~responsibilities. Members of the partnership shall participate~~
 915 ~~without proxy at the quarterly meetings. The partnership may~~
 916 ~~take official action by a majority vote of the members present~~
 917 ~~at any meeting at which a quorum is present.~~

918 ~~(e) Members of the partnership are subject to the ethics~~
 919 ~~provisions in part III of chapter 112, and no member may derive~~
 920 ~~any financial benefit from the funds administered by the Florida~~
 921 ~~Partnership for School Readiness.~~

922 ~~(f) Members of the partnership shall serve without~~
 923 ~~compensation but are entitled to reimbursement for per diem and~~
 924 ~~travel expenses incurred in the performance of their duties as~~
 925 ~~provided in s. 112.061, and reimbursement for other reasonable,~~
 926 ~~necessary, and actual expenses.~~

927 ~~(g) For the purposes of tort liability, the members of the~~
 928 ~~partnership and its employees shall be governed by s. 768.28.~~

929 ~~(h) The partnership shall appoint an executive director~~
 930 ~~who shall serve at the pleasure of the Governor. The executive~~
 931 ~~director shall perform the duties assigned to him or her by the~~
 932 ~~partnership. The executive director shall be responsible for~~
 933 ~~hiring, subject to the approval of the partnership, all~~
 934 ~~employees and staff members, who shall serve under his or her~~
 935 ~~direction and control.~~

936 (c)(i) For purposes of administration of the federal Child
 937 Care and Development Fund, 45 C.F.R. parts 98 and 99, the Agency
 938 for Workforce Innovation ~~partnership~~ may be designated by the
 939 Governor as the lead agency, and, if so designated, shall comply

940 with the lead agency responsibilities under ~~pursuant to~~ federal
941 law.

942 (d)(j) The Agency for Workforce Innovation Florida
943 ~~Partnership for School Readiness is the principal organization~~
944 ~~responsible for the enhancement of school readiness for the~~
945 ~~state's children, and shall:~~

946 1. Be responsible for the prudent use of all public and
947 private funds in accordance with all legal and contractual
948 requirements.

949 2. Provide final approval and periodic review of early
950 learning councils ~~coalitions~~ and early learning plans.

951 3. Provide leadership for the enhancement of early
952 learning ~~school readiness~~ in this state by aggressively
953 establishing a unified approach to the state's efforts toward
954 enhancement of early learning ~~school readiness~~. In support of
955 this effort, the Agency for Workforce Innovation ~~partnership~~ may
956 develop and implement specific strategies that address the
957 state's early learning ~~school readiness~~ programs.

958 4. Safeguard the effective use of federal, state, local,
959 and private resources to achieve the highest possible level of
960 early learning ~~school readiness~~ for the ~~state's~~ children in this
961 state.

962 5. Provide technical assistance to early learning councils
963 ~~coalitions~~.

964 6. Assess gaps in service.

965 7. Provide technical assistance to counties that form an
966 early learning council serving a multicounty region ~~coalition~~.

967 ~~8.a. Adopt a system for measuring school readiness that~~
968 ~~provides objective data regarding the expectations for school~~
969 ~~readiness, and establish a method for collecting the data and~~
970 ~~guidelines for using the data. The measurement, the data~~
971 ~~collection, and the use of the data must serve the statewide~~
972 ~~school readiness goal. The criteria for determining which data~~
973 ~~to collect should be the usefulness of the data to state~~
974 ~~policymakers and local program administrators in administering~~
975 ~~programs and allocating state funds, and must include the~~
976 ~~tracking of school readiness system information back to~~
977 ~~individual school readiness programs to assist in determining~~
978 ~~program effectiveness.~~

979 ~~b. Adopt a system for evaluating the performance of~~
980 ~~students through the third grade to compare the performance of~~
981 ~~those who participated in school readiness programs with the~~
982 ~~performance of students who did not participate in school~~
983 ~~readiness programs in order to identify strategies for continued~~
984 ~~successful student performance.~~

985 8.9. Develop and adopt, with the advice of the Early
986 Learning Advisory Council created under s. 1002.71 and the
987 Department of Education, performance standards and outcome
988 measures for early learning programs. The performance standards
989 must address the age-appropriate progress of children in the
990 development of the early learning skills required under
991 paragraph (j). The Agency for Workforce Innovation shall
992 integrate the performance standards for early learning programs
993 into the education performance standards for the VPK Program
994 adopted by the Department of Education under s. 1002.63.

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995 ~~(e)(k)~~ The Agency for Workforce Innovation ~~partnership~~ may
 996 adopt rules under ss. 120.536(1) and 120.54 ~~necessary~~ to
 997 administer the provisions of law conferring duties upon the
 998 agency, including, but not limited ~~this section which relate to,~~
 999 rules governing the preparation ~~preparing~~ and implementation of
 1000 ~~implementing~~ the early learning system ~~for school readiness, the~~
 1001 collection of ~~collecting~~ data, the approval of early learning
 1002 councils and early learning ~~approving local school readiness~~
 1003 ~~coalitions and~~ plans, the provision of ~~providing~~ a method
 1004 whereby an early learning council may ~~a coalition can~~ serve two
 1005 or more counties, the award of ~~awarding~~ incentives to early
 1006 learning councils ~~coalitions~~, and the issuance of ~~issuing~~
 1007 waivers.

1008 ~~(f)(l)~~ The Agency for Workforce Innovation ~~Florida~~
 1009 ~~Partnership for School Readiness~~ shall have all powers necessary
 1010 to administer ~~carry out the purposes of~~ this section, including,
 1011 but not limited to, the power to receive and accept grants,
 1012 loans, or advances of funds from any public or private agency
 1013 and to receive and accept from any source contributions of
 1014 money, property, labor, or any other thing of value, to be held,
 1015 used, and applied for the purposes of this section.

1016 (g) Except as otherwise provided by law, the Agency for
 1017 Workforce Innovation does not have authority to:

1018 1. Impose requirements on a child care or early childhood
 1019 education provider that does not deliver services under an early
 1020 learning program or receive state or federal funds under this
 1021 section.

1022 2. Administer powers and duties assigned to the Department
 1023 of Education under part V of chapter 1002.

1024 ~~(h)(m)~~ The Agency for Workforce Innovation Florida
 1025 ~~Partnership for School Readiness~~ shall have a budget for the
 1026 early learning system, which ~~and~~ shall be financed through an
 1027 annual appropriation made for purposes of this section ~~purpose~~
 1028 in the General Appropriations Act.

1029 ~~(i)(n)~~ The Agency for Workforce Innovation, with the
 1030 advice of the Early Learning Advisory Council, ~~partnership~~ shall
 1031 coordinate the efforts toward early learning ~~school readiness~~ in
 1032 this state and provide independent policy analyses and
 1033 recommendations to the Governor, the State Board of Education,
 1034 and the Legislature.

1035 ~~(j)(o)~~ The Agency for Workforce Innovation, with the
 1036 advice of the Early Learning Advisory Council, shall require
 1037 each early learning council's early learning program to, at a
 1038 minimum, enhance the age-appropriate progress of each child in
 1039 the development of ~~The partnership shall prepare and submit to~~
 1040 ~~the State Board of Education a system for measuring school~~
 1041 ~~readiness. The system must include a uniform screening, which~~
 1042 ~~shall provide objective data regarding the following~~ early
 1043 learning skills ~~expectations for school readiness which shall~~
 1044 ~~include, at a minimum:~~

1045 ~~1. The child's immunizations and other health requirements~~
 1046 ~~as necessary, including appropriate vision and hearing screening~~
 1047 ~~and examinations.~~

1048 ~~1.2. The child's Physical development.~~

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1049 2.3. ~~The child's~~ Compliance with rules, limitations, and
1050 routines.

1051 3.4. ~~The child's~~ Ability to perform tasks.

1052 4.5. ~~The child's~~ Interactions with adults.

1053 5.6. ~~The child's~~ Interactions with peers.

1054 6.7. ~~The child's~~ Ability to cope with challenges.

1055 7.8. ~~The child's~~ Self-help skills.

1056 8.9. ~~The child's~~ Ability to express the child's ~~his or her~~
1057 needs.

1058 9.10. ~~The child's~~ Verbal communication skills.

1059 10.11. ~~The child's~~ Problem-solving skills.

1060 11.12. ~~The child's~~ Following of verbal directions.

1061 12.13. ~~The child's~~ Demonstration of curiosity,
1062 persistence, and exploratory behavior.

1063 13.14. ~~The child's~~ Interest in books and other printed
1064 materials.

1065 14.15. ~~The child's~~ Paying attention to stories.

1066 15.16. ~~The child's~~ Participation in art and music
1067 activities.

1068 16.17. ~~The child's~~ Ability to identify colors, geometric
1069 shapes, letters of the alphabet, numbers, and spatial and
1070 temporal relationships.

1071
1072 To enhance progress in the development of the early learning
1073 skills specified in this paragraph, each early learning
1074 council's early learning program shall ensure that, prior to a
1075 child's enrollment in an early learning program, information
1076 regarding a child's immunizations and physical development and

1077 other health information as necessary, including appropriate
 1078 vision and hearing screening and examinations, is obtained.

1079 ~~(p) The partnership shall prepare a plan for implementing~~
 1080 ~~the system for measuring school readiness in such a way that all~~
 1081 ~~children in this state will undergo the uniform screening~~
 1082 ~~established by the partnership when they enter kindergarten.~~
 1083 ~~Children who enter public school for the first time in first~~
 1084 ~~grade must undergo a uniform screening approved by the~~
 1085 ~~partnership for use in first grade. Because children with~~
 1086 ~~disabilities may not be able to meet all of the identified~~
 1087 ~~expectations for school readiness, the plan for measuring school~~
 1088 ~~readiness shall incorporate mechanisms for recognizing the~~
 1089 ~~potential variations in expectations for school readiness when~~
 1090 ~~serving children with disabilities and shall provide for~~
 1091 ~~communities to serve children with disabilities.~~

1092 (k)(g) The Agency for Workforce Innovation partnership
 1093 shall conduct studies and planning activities related to the
 1094 overall improvement and effectiveness of the outcome school
 1095 readiness measures adopted by the agency for early learning
 1096 programs.

1097 (l) The Agency for Workforce Innovation, with the advice
 1098 of the Early Learning Advisory Council, shall adopt and
 1099 administer a quality-assurance system. The Agency for Workforce
 1100 Innovation shall use the quality-assurance system to monitor and
 1101 evaluate the performance of each early learning council in
 1102 administering the early learning program and implementing the
 1103 council's early learning plan. The quality-assurance system must

1104 | include, at a minimum, onsite monitoring of each council's
 1105 | finances, management, operations, and programs.

1106 | (m) The Agency for Workforce Innovation, with the advice
 1107 | of the Early Learning Advisory Council, shall identify best
 1108 | practices of early learning councils in order to improve the
 1109 | outcomes of early learning programs.

1110 | ~~(r) The partnership shall establish procedures for~~
 1111 | ~~performance-based budgeting in school readiness programs.~~

1112 | ~~(n)(s)~~ The Agency for Workforce Innovation partnership
 1113 | shall submit an annual report of its activities conducted under
 1114 | this section to the Governor, the executive director of the
 1115 | Florida Healthy Kids Corporation, the President of the Senate,
 1116 | the Speaker of the House of Representatives, and the minority
 1117 | leaders of both houses of the Legislature. In addition, the
 1118 | Agency for Workforce Innovation's partnership's reports and
 1119 | recommendations shall be made available to the State Board of
 1120 | Education, the Early Learning Advisory Council, other
 1121 | appropriate state agencies and entities, district school boards,
 1122 | central agencies ~~for child care,~~ and county health departments.
 1123 | The annual report must provide an analysis of early learning
 1124 | ~~school readiness~~ activities across the state, including the
 1125 | number of children who were served in the programs ~~and the~~
 1126 | ~~number of children who were ready for school.~~

1127 | ~~(o)(t)~~ The Agency for Workforce Innovation partnership
 1128 | shall work with early learning councils school readiness
 1129 | ~~coalitions~~ to increase parents' training for and involvement in
 1130 | their children's preschool education and to provide family
 1131 | literacy activities and programs.

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

(5) CREATION OF EARLY LEARNING COUNCILS SCHOOL READINESS COALITIONS.--

(a) Early learning councils School readiness coalitions.--

1. The Agency for Workforce Innovation, with the advice of the Early Learning Advisory Council, shall establish the minimum number of children younger than kindergarten eligibility to be served by each early learning council through the council's early learning program. The Agency for Workforce Innovation may only approve early learning plans in accordance with this minimum number. The minimum number must be uniform for every early learning council and must:

a. Permit 28 or fewer councils to be established which, to the maximum extent practicable, have regions that are coterminous with community college service regions.

b. Require each council to serve at least 1,500 children younger than kindergarten eligibility as defined in s. 1002.51.

Each early learning council shall be organized in accordance with this subparagraph and subsection (2) of section 36 of this act by January 1, 2005. No school readiness coalition may become

1160 a provider of direct services, including eligibility
 1161 determination, resource and referral, training and technical
 1162 assistance, and provider payments, unless the decision to
 1163 provide such service was officially made by the coalition prior
 1164 to January 1, 2004.

1165 2.1. If an early learning council ~~a coalition's plan~~ would
 1166 serve fewer ~~less than 400 birth-to-kindergarten age~~ children
 1167 than the minimum number established under subparagraph 1., the
 1168 council ~~coalition~~ must either join with another county to form a
 1169 multicounty council ~~coalition~~, enter an agreement with a fiscal
 1170 agent ~~to serve more than one coalition, or demonstrate to the~~
 1171 ~~partnership its ability to effectively and efficiently implement~~
 1172 ~~its plan as a single county coalition and meet all required~~
 1173 ~~performance standards and outcome measures.~~

1174 3. The Agency for Workforce Innovation, with the advice of
 1175 the Early Learning Advisory Council, shall adopt standards
 1176 establishing the minimum number and the maximum number of
 1177 members that may be appointed to an early learning council.
 1178 These standards shall include variations for a council serving a
 1179 multicounty region. Each early learning council must comply with
 1180 these standards.

1181 4. The Governor shall appoint a majority of the members,
 1182 including the chair, of each early learning council.

1183 5.2. Each early learning council ~~coalition~~ shall have at
 1184 least ~~18 but not more than 25 members and such members~~ must
 1185 include the following members:

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- 1186 a. A Department of Children and Family Services district
 1187 administrator or his or her designee who is authorized to make
 1188 decisions on behalf of the department.
- 1189 b. A district superintendent of schools or his or her
 1190 designee who is authorized to make decisions on behalf of the
 1191 district.
- 1192 c. A regional workforce ~~development~~ board executive chair
 1193 ~~or~~ director or his or her designee, where applicable.
- 1194 d. A county health department director or his or her
 1195 designee.
- 1196 e. A children's services council or juvenile welfare board
 1197 chair or executive director, if applicable.
- 1198 f. An agency head of a local child-care licensing agency
 1199 as defined in s. 402.302, where applicable ~~head.~~
- 1200 g. A president of a community college or his or her
 1201 designee ~~One member appointed by a Department of Children and~~
 1202 ~~Family Services district administrator.~~
- 1203 h. One member appointed by a board of county
 1204 commissioners.
- 1205 ~~i. One member appointed by a district school board.~~
- 1206 ~~i.j.~~ A central child-care agency administrator, where
 1207 applicable.
- 1208 ~~j.k.~~ A Head Start director.
- 1209 ~~k.l.~~ A representative of private child care providers,
 1210 including family day care homes.
- 1211 ~~l.m.~~ A representative of faith-based child care providers.
- 1212 m. A representative of a program serving children with
 1213 disabilities.

1214 6. More than one-third of the ~~coalition~~ members of each
 1215 early learning council must be private-sector business members
 1216 who do not have, and none of whose relatives as defined in s.
 1217 112.3143 have, a substantial financial interest in the design or
 1218 delivery of the VPK Program created under part V of chapter 1002
 1219 or the council's early learning program ~~from the private sector,~~
 1220 ~~and neither they nor their families may earn an income from the~~
 1221 ~~early education and child care industry.~~ To meet this
 1222 requirement, an early learning council ~~a coalition~~ must appoint
 1223 additional members pursuant to guidelines and procedures
 1224 promulgated by the Agency for Workforce Innovation ~~from a list~~
 1225 ~~of nominees presented to the coalition by a chamber of commerce~~
 1226 ~~or economic development council within the geographic area of~~
 1227 ~~the coalition.~~ The Agency for Workforce Innovation shall adopt
 1228 criteria for the appointment of private-sector business members.
 1229 These criteria must include standards for determining whether a
 1230 member or relative has a substantial financial interest in the
 1231 design or delivery of the VPK Program or the council's early
 1232 learning program.

1233 ~~7.3.~~ A ~~no~~ member of an early learning council ~~a coalition~~
 1234 may not appoint a designee to act in his or her place except as
 1235 otherwise provided in this paragraph. A member may send a
 1236 representative to council ~~coalition~~ meetings, but that
 1237 representative does not ~~will~~ have ~~no~~ voting privileges. When a
 1238 district superintendent of schools, ~~or~~ a district administrator
 1239 for the Department of Children and Family Services, a regional
 1240 workforce board executive director, a county health department
 1241 director, or a president of a community college appoints a

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1242 designee to an early learning council ~~a school readiness~~
 1243 ~~coalition~~, the designee ~~is~~ will be the voting member of the
 1244 council coalition, and any individual attending in the
 1245 designee's his or her place, including the district
 1246 administrator, ~~or~~ superintendent, workforce board executive
 1247 director, health department director, or community college
 1248 president, does not will have ~~no~~ voting privileges.

1249 8.4. Each member ~~Members~~ of an early learning council ~~is~~
 1250 ~~the coalition~~ are subject to ss. 112.313, 112.3135, and 112.3143
 1251 ~~the ethics provisions in part III of chapter 112. For purposes~~
 1252 of s. 112.3143(3)(a), each member is a local public officer who
 1253 must abstain from voting when a voting conflict exists.

1254 9.5. For the purposes of tort liability, each member or
 1255 employee of an early learning council ~~the members of the school~~
 1256 ~~readiness coalition and its employees~~ shall be governed by s.
 1257 768.28.

1258 10.6. An early learning council serving a multicounty
 1259 region coalitions shall include representation from each county.

1260 11.7. Each early learning council shall establish ~~The~~
 1261 terms for ~~of~~ all appointed members of the council, where
 1262 appropriate. The terms coalition must be staggered and must be a
 1263 uniform length that does not exceed 4 years per term. Appointed
 1264 members may serve a maximum of two consecutive terms. When a
 1265 vacancy occurs in an appointed position, the council coalition
 1266 must advertise the vacancy.

1267 (b) Program participation.--The early learning school
 1268 ~~readiness~~ program shall be established for children younger than
 1269 those eligible for ~~from birth to 5 years of age or until the~~

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1270 ~~child enters~~ kindergarten as defined in s. 1002.51. The program
 1271 shall be administered by the early learning council ~~school~~
 1272 ~~readiness coalition~~. Within funding limitations, the early
 1273 learning council ~~school readiness coalition~~, along with all
 1274 providers, shall make reasonable efforts to accommodate the
 1275 needs of children for extended-day and extended-year services
 1276 without compromising the quality of the program.

1277 (c) Program expectations.--

1278 1. The early learning ~~school readiness~~ program must meet
 1279 the following expectations:

1280 a. The program must, at a minimum, enhance the age-
 1281 appropriate progress of each child in the development of the
 1282 early learning skills required under paragraph (4)(j) ~~prepare~~
 1283 ~~preschool children to enter kindergarten ready to learn~~, as
 1284 measured by the performance standards and outcome measures
 1285 adopted ~~criteria established~~ by the Agency for Workforce
 1286 Innovation ~~Florida Partnership for School Readiness~~.

1287 b. The program must provide extended-day and extended-year
 1288 services to the maximum extent possible to meet the needs of
 1289 parents who work.

1290 c. There must be coordinated staff development and
 1291 teaching opportunities.

1292 d. There must be expanded access to community services and
 1293 resources for families to help achieve economic self-
 1294 sufficiency.

1295 e. There must be a single point of entry and unified
 1296 waiting list. As used in this sub-subparagraph, the term "single
 1297 point of entry" means an integrated information system that

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1298 allows a parent to enroll his or her child in the early learning
 1299 program at various locations throughout the county or
 1300 multicounty region served by an early learning council, that may
 1301 allow a parent to enroll his or her child by telephone or
 1302 through an Internet website, and that uses a unified waiting
 1303 list to track eligible children waiting for enrollment in the
 1304 early learning program. The Agency for Workforce Innovation
 1305 shall establish a single statewide information system that
 1306 integrates each early learning council's single point of entry,
 1307 and each council must use the statewide system. The Agency for
 1308 Workforce Innovation shall make the single statewide information
 1309 system available to the Department of Education for purposes of
 1310 the VPK Program under part V of chapter 1002.

1311 f. The access of eligible children to the early learning
 1312 program, as demonstrated in part by waiting lists, must be
 1313 considered by the Agency for Workforce Innovation before it
 1314 approves a proposed increase in payment rates submitted by an
 1315 early learning council ~~As long as funding or eligible~~
 1316 ~~populations do not decrease, the program must serve at least as~~
 1317 ~~many children as were served prior to implementation of the~~
 1318 ~~program.~~

1319 g. There must be a community plan to address the needs of
 1320 all eligible children.

1321 h. The program must meet all state licensing guidelines,
 1322 where applicable.

1323 2. The early learning council ~~school readiness coalition~~
 1324 must implement a comprehensive program of early learning
 1325 ~~readiness~~ services that enhance the cognitive, social, and

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1326 physical development of children to achieve the performance
 1327 standards and outcome measures adopted ~~specified~~ by the Agency
 1328 for Workforce Innovation ~~partnership~~. At a minimum, these
 1329 programs must contain the following elements:

1330 a. Developmentally appropriate curriculum designed to
 1331 enhance the age-appropriate progress of children in attaining
 1332 the performance standards adopted by the Agency for Workforce
 1333 Innovation under subparagraph (4)(d)8.

1334 b. A character development program to develop basic
 1335 values.

1336 c. An age-appropriate assessment of each child's
 1337 development.

1338 d. A pretest administered to children when they enter a
 1339 program and a posttest administered to children when they leave
 1340 the program.

1341 e. An appropriate staff-to-children ~~staff-to-child~~ ratio.

1342 f. A healthy ~~healthful~~ and safe environment.

1343 g. A resource and referral network to assist parents in
 1344 making an informed choice.

1345 (d) Implementation.--

1346 1. An early learning council may not implement the early
 1347 learning ~~school readiness~~ program ~~is to be phased in.~~ until the
 1348 council is authorized through ~~coalition implements its plan,~~ the
 1349 ~~county shall continue to receive the services identified in~~
 1350 ~~subsection (3) through the various agencies that would be~~
 1351 ~~responsible for delivering those services under current law.~~
 1352 ~~Plan implementation is subject to~~ approval of the council's

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1353 early learning coalition ~~and the plan by the Agency for~~
1354 Workforce Innovation Florida Partnership for School Readiness.

1355 2. Each early learning council ~~school readiness coalition~~
1356 shall develop a plan for implementing the early learning school
1357 ~~readiness~~ program to meet the requirements of this section and
1358 the performance standards and outcome measures adopted
1359 ~~established by the Agency for Workforce Innovation partnership.~~
1360 ~~The plan must include a written description of the role of the~~
1361 ~~program in the coalition's effort to meet the first state~~
1362 ~~education goal, readiness to start school, including a~~
1363 ~~description of the plan to involve the prekindergarten early~~
1364 ~~intervention programs, Head Start Programs, programs offered by~~
1365 ~~public or private providers of child care, preschool programs~~
1366 ~~for children with disabilities, programs for migrant children,~~
1367 ~~Title I programs, subsidized child care programs, and teen~~
1368 ~~parent programs.~~ The plan must also demonstrate how the program
1369 will ensure that each 3-year-old and 4-year-old child in a
1370 publicly funded early learning school readiness program receives
1371 scheduled activities and instruction designed to enhance the
1372 age-appropriate progress of the ~~prepare~~ children in attaining
1373 the performance standards adopted by the Agency for Workforce
1374 Innovation under subparagraph (4)(d)8 ~~to enter kindergarten~~
1375 ~~ready to learn.~~ Before ~~Prior to~~ implementation of the early
1376 learning program, the early learning council ~~school readiness~~
1377 ~~coalition~~ must submit the plan to the Agency for Workforce
1378 Innovation ~~partnership~~ for approval. The Agency for Workforce
1379 Innovation ~~partnership~~ may approve the plan, reject the plan, or
1380 approve the plan with conditions. The Agency for Workforce

1381 Innovation Florida Partnership for School Readiness shall review
1382 early learning coalition plans at least annually.

1383 3. If the Agency for Workforce Innovation determines
1384 during the annual review of early learning plans, or through
1385 monitoring and performance evaluations conducted under the
1386 quality-assurance system, that an early learning council has not
1387 substantially implemented its plan or has not substantially met
1388 the performance standards and outcome measures adopted by the
1389 agency, the agency may reject the council's plan and contract
1390 with a qualified entity to continue early learning services in
1391 the council's county or multicounty region until the council is
1392 reestablished through resubmission of an early learning plan and
1393 approval by the agency.

1394 4.3. The Agency for Workforce Innovation, with the advice
1395 of the Early Learning Advisory Council, shall adopt criteria for
1396 the approval of early learning plans. The criteria must be
1397 consistent with the performance standards and outcome measures
1398 adopted by the agency and must require each approved plan to ~~for~~
1399 ~~the school readiness program must~~ include the following minimum
1400 standards and provisions:

1401 a. A sliding fee scale establishing a copayment for
1402 parents based upon their ability to pay, which is the same for
1403 all program providers, to be implemented and reflected in each
1404 program's budget.

1405 b. A choice of settings and locations in licensed,
1406 registered, religious-exempt, or school-based programs to be
1407 provided to parents.

1408 c. Instructional staff who have completed the training
 1409 course as required in s. 402.305(2)(d)1., as well as staff who
 1410 have additional training or credentials as required by the
 1411 Agency for Workforce Innovation ~~partnership~~. The plan must
 1412 provide a method for assuring the qualifications of all
 1413 personnel in all program settings.

1414 d. Specific eligibility priorities for children within the
 1415 early learning council's coalition's county or multicounty
 1416 region in accordance with ~~pursuant to~~ subsection (6).

1417 e. Performance standards and outcome measures adopted
 1418 ~~established~~ by the Agency for Workforce Innovation ~~partnership~~
 1419 ~~or alternatively, standards and outcome measures to be used~~
 1420 ~~until such time as the partnership adopts such standards and~~
 1421 ~~outcome measures.~~

1422 f. Payment Reimbursement rates adopted ~~that have been~~
 1423 ~~developed~~ by the early learning council and approved by the
 1424 Agency for Workforce Innovation ~~coalition~~. Payment Reimbursement
 1425 rates shall not have the effect of limiting parental choice or
 1426 creating standards or levels of services that have not been
 1427 authorized by the Legislature.

1428 g. Systems support services, including a central agency,
 1429 ~~child care~~ resource and referral, eligibility determinations,
 1430 training of providers, and parent support and involvement.

1431 h. Direct enhancement services to families and children.
 1432 System support and direct enhancement services shall be in
 1433 addition to payments for the placement of children in early
 1434 learning ~~school readiness~~ programs.

1435 i. The A business organization of the early learning
 1436 council plan, which must include the council's articles of
 1437 incorporation and bylaws if the council is organized as a
 1438 corporation. If the council is not organized as a corporation or
 1439 other business entity, the plan must include the contract with a
 1440 fiscal school readiness agent if the coalition is not a legally
 1441 established corporate entity. An early learning council
 1442 ~~Coalitions~~ may contract with other early learning councils
 1443 ~~coalitions~~ to achieve efficiency in multicounty multiple-county
 1444 services, and these such contracts may be part of the council's
 1445 early learning coalition's business plan.

1446 j. Strategies to meet the needs of unique populations,
 1447 such as migrant workers.

1448
 1449 As part of the early learning plan, the early learning council
 1450 ~~coalition~~ may request the Governor to apply for a waiver to
 1451 allow the council coalition to administer the Head Start Program
 1452 to accomplish the purposes of the early learning school
 1453 ~~readiness~~ program. If an early learning any school readiness
 1454 plan demonstrates can demonstrate that specific statutory goals
 1455 may can be achieved more effectively by using procedures that
 1456 require modification of existing rules, policies, or procedures,
 1457 a request for a waiver to the Agency for Workforce Innovation
 1458 ~~partnership~~ may be submitted made as part of the plan. Upon
 1459 review, the Agency for Workforce Innovation partnership may
 1460 grant the proposed modification.

1461 5.4. Persons with an early childhood teaching certificate
 1462 may provide support and supervision to other staff in the early
 1463 learning school readiness program.

1464 6.5. An early learning council ~~The coalition~~ may not
 1465 implement its early learning plan until the council ~~it~~ submits
 1466 the plan to and receives approval from the Agency for Workforce
 1467 Innovation partnership. Once the plan is ~~has been~~ approved, the
 1468 plan and the services provided under the plan shall be
 1469 controlled by the early learning council ~~coalition rather than~~
 1470 ~~by the state agencies or departments~~. The plan shall be reviewed
 1471 and revised as necessary, but at least annually ~~biennially~~. An
 1472 early learning council may not implement the revisions until the
 1473 council submits the revised plan to and receives approval from
 1474 the Agency for Workforce Innovation. If the agency rejects a
 1475 revised plan, the council must continue to operate under its
 1476 prior approved plan.

1477 7.6. Sections ~~The following statutes will not apply to~~
 1478 ~~local coalitions with approved plans: ss. 125.901(2)(a)3.,~~
 1479 411.221, and 411.232 do not apply to an early learning council
 1480 with an approved early learning plan. To facilitate innovative
 1481 practices and to allow the regional ~~local~~ establishment of early
 1482 learning school readiness programs, an early learning council a
 1483 ~~school readiness coalition~~ may apply to the Governor and Cabinet
 1484 for a waiver of, and the Governor and Cabinet may waive, any of
 1485 the provisions of ss. 411.223, 411.232, and 1003.54 if the
 1486 waiver is necessary for implementation of the council's early
 1487 learning coalition's school readiness plan.

1488 ~~8.7.~~ Two or more counties may join for purposes ~~the~~
 1489 ~~purpose~~ of planning and implementing an early learning ~~a school~~
 1490 ~~readiness~~ program.

1491 ~~9.8.~~ An early learning council ~~a coalition~~ may, subject to
 1492 approval ~~by~~ ~~of~~ the Agency for Workforce Innovation ~~partnership~~
 1493 as part of the council's early learning ~~coalition's~~ plan,
 1494 receive subsidized child care funds for all children eligible
 1495 for any federal subsidized child care program ~~and be the~~
 1496 ~~provider of the program services.~~

1497 ~~10.9.~~ An early learning council ~~may~~ ~~Coalitions~~ ~~are~~
 1498 ~~authorized to~~ enter into multiparty contracts with multicounty
 1499 service providers in order to meet the needs of unique
 1500 populations such as migrant workers.

1501 (e) Requests for proposals; payment schedule.--

1502 1. ~~At least once every 3 years, beginning July 1, 2001,~~
 1503 Each early learning council ~~coalition~~ must comply with ~~follow~~
 1504 ~~the competitive procurement requirements of s. 287.057 for the~~
 1505 procurement of commodities or contractual services from the
 1506 funds described in paragraph (9)(d) school readiness programs.
 1507 The period of a contract for purchase of these commodities or
 1508 contractual services, together with any renewal of the original
 1509 contract, may not exceed 3 years.

1510 2. Each early learning council ~~coalition~~ shall adopt
 1511 ~~develop~~ a payment schedule that encompasses all programs funded
 1512 by the council under this section ~~that coalition~~. The payment
 1513 schedule must take into consideration the relevant market rate,
 1514 must include the projected number of children to be served, and
 1515 must be submitted for approval by ~~to~~ the Agency for Workforce

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1516 ~~Innovation partnership for information.~~ Informal child care
 1517 arrangements shall be reimbursed at not more than 50 percent of
 1518 the rate developed for a family day care home ~~childcare~~.
 1519 (f) Requirements relating to fiscal agents.--If an early
 1520 learning council ~~the local coalition~~ is not a legally organized
 1521 as a corporation or other business ~~established corporate~~ entity,
 1522 the council ~~coalition~~ must designate a fiscal agent, which may
 1523 be a public entity or a private nonprofit organization. The
 1524 fiscal agent must ~~shall be required to~~ provide financial and
 1525 administrative services under ~~pursuant to a contract or~~
 1526 ~~agreement~~ with the early learning council ~~school readiness~~
 1527 ~~coalition~~. The fiscal agent may not provide direct early
 1528 childhood education or child care services; however, a fiscal
 1529 agent may provide those ~~such~~ services upon written request of
 1530 the early learning council ~~coalition~~ to the Agency for Workforce
 1531 Innovation partnership ~~and upon the approval of the~~ ~~such~~ request
 1532 by the agency ~~partnership~~. The cost of the financial and
 1533 administrative services shall be negotiated between the fiscal
 1534 agent and the early learning council ~~school readiness coalition~~.
 1535 If the fiscal agent is a provider of early childhood education
 1536 and child care programs, the contract must specify that the
 1537 fiscal agent shall ~~will~~ act on policy direction from the early
 1538 learning council ~~coalition~~ and must ~~will~~ not receive policy
 1539 direction from its own corporate board regarding disbursement of
 1540 the early learning council's ~~coalition~~ funds. The fiscal agent
 1541 shall disburse funds in accordance with the early learning
 1542 council's approved early learning ~~coalition school readiness~~
 1543 plan and based on billing and disbursement procedures approved

1544 by the Agency for Workforce Innovation ~~partnership~~. The fiscal
 1545 agent must conform to all data-reporting requirements
 1546 established by the Agency for Workforce Innovation ~~partnership~~.

1547 (g) Evaluation and annual report.--Each early learning
 1548 council ~~school readiness coalition~~ shall conduct an evaluation
 1549 of the effectiveness of the early learning ~~school readiness~~
 1550 program, including performance standards and outcome measures,
 1551 and shall provide an annual report and fiscal statement to the
 1552 Agency for Workforce Innovation ~~Florida Partnership for School~~
 1553 ~~Readiness~~. This report must conform to the content and format
 1554 specifications set by the Agency for Workforce Innovation
 1555 ~~Florida Partnership for School Readiness~~. The Agency for
 1556 Workforce Innovation ~~partnership~~ must include an analysis of the
 1557 early learning councils' ~~coalition~~ reports in the agency's ~~its~~
 1558 annual report.

1559 (6) PROGRAM ELIGIBILITY.--Each early learning council's
 1560 early learning ~~The school readiness~~ program shall be established
 1561 for children younger than those eligible for ~~under the age of~~
 1562 kindergarten as defined in s. 1002.51 ~~eligibility~~. Priority for
 1563 participation in the early learning ~~school readiness~~ program
 1564 shall be given to children age 3 years to school entry who are
 1565 served by the Family Safety Program Office of the Department of
 1566 Children and Family Services or a community-based lead agency
 1567 under ~~pursuant to~~ chapter 39 and for whom child care is needed
 1568 to minimize risk of further abuse, neglect, or abandonment.
 1569 Other eligible populations include children who meet one or more
 1570 of the following criteria:

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1571 (a) Children under the age of kindergarten eligibility who
1572 are:

1573 1. Children determined to be at risk of abuse, neglect, or
1574 exploitation who are currently clients of the Family Safety
1575 Program Office of the Department of Children and Family Services
1576 but who are not otherwise given priority under this subsection.

1577 ~~2.1.~~ Children at risk of welfare dependency, including
1578 economically disadvantaged children, children of participants in
1579 the welfare transition program, children of migrant farmworkers,
1580 and children of teen parents.

1581 ~~3.2.~~ Children of working families whose family income does
1582 not exceed 150 percent of the federal poverty level.

1583 ~~4.3.~~ Children for whom the state is paying a relative
1584 caregiver payment under s. 39.5085.

1585 (b) Three-year-old children and 4-year-old children who
1586 may not be economically disadvantaged but who have disabilities,
1587 have been served in a specific part-time or combination of part-
1588 time exceptional education programs with required special
1589 services, aids, or equipment, and were previously reported for
1590 funding part time with the Florida Education Finance Program as
1591 exceptional students.

1592 (c) Economically disadvantaged children, children with
1593 disabilities, and children at risk of future school failure,
1594 from birth to 4 years of age, who are served at home through
1595 home visitor programs and intensive parent education programs
1596 ~~such as the Florida First Start Program.~~

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1597 (d) Children who meet federal and state eligibility
 1598 requirements ~~for eligibility~~ for the migrant preschool program
 1599 but who do not meet the criteria of economically disadvantaged.

1600
 1601 As used in this subsection, the term ~~An~~ "economically
 1602 disadvantaged" child means a child whose family income does not
 1603 exceed ~~is below~~ 150 percent of the federal poverty level.
 1604 Notwithstanding any change in a family's economic status, but
 1605 subject to additional family contributions in accordance with
 1606 the sliding fee scale, a child who meets the eligibility
 1607 requirements upon initial registration for the program remains
 1608 ~~shall be considered~~ eligible until the child reaches
 1609 kindergarten eligibility as defined in s. 1002.51 ~~age~~.

1610 (7) PARENTAL CHOICE.--

1611 (a) The early learning ~~school readiness~~ program shall
 1612 provide parental choice through ~~pursuant to~~ a purchase service
 1613 order that ensures, to the maximum extent possible, flexibility
 1614 in early learning ~~school readiness~~ programs and payment
 1615 arrangements. According to federal regulations requiring
 1616 parental choice, a parent may choose an informal child care
 1617 arrangement. The purchase order must bear the name of the
 1618 beneficiary and the program provider and, when redeemed, must
 1619 bear the signature of both the beneficiary and an authorized
 1620 representative of the provider.

1621 (b) If it is determined that a provider has provided any
 1622 cash to the beneficiary in return for receiving the purchase
 1623 order, the early learning council ~~coalition~~ or its fiscal agent

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1624 shall refer the matter to the Division of Public Assistance
1625 Fraud for investigation.

1626 (c) The office of the Chief Financial Officer shall
1627 establish an electronic transfer system for the disbursement of
1628 funds in accordance with this subsection. Each early learning
1629 council ~~School readiness coalitions~~ shall fully implement the
1630 electronic funds transfer system within 2 years after ~~plan~~
1631 approval of the council's early learning plan unless a waiver is
1632 obtained from the Agency for Workforce Innovation ~~partnership~~.

1633 (8) STANDARDS; OUTCOME MEASURES.--All publicly funded
1634 early learning ~~school readiness~~ programs must ~~shall be required~~
1635 ~~to~~ meet the performance standards and outcome measures adopted
1636 ~~developed and approved~~ by the Agency for Workforce Innovation
1637 ~~partnership~~. The Agency for Workforce Innovation shall consult
1638 with the Office of Program Policy Analysis and Government
1639 Accountability ~~shall provide consultation to the partnership~~ in
1640 the development of the measures and standards. These performance
1641 standards and outcome measures shall apply ~~be applicable~~ on a
1642 statewide basis.

1643 (9) FUNDING; EARLY LEARNING SCHOOL READINESS PROGRAM.--

1644 (a) It is the intent of this section to establish an
1645 integrated and quality seamless service delivery system for all
1646 publicly funded early childhood education and child care
1647 programs operating in this state.

1648 (b) ~~Notwithstanding s. 20.50:~~

1649 1. The Agency for Workforce Innovation shall administer
1650 early learning ~~school readiness~~ funds, plans, and policies
1651 ~~pursuant to the contract with the Florida Partnership for School~~

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1652 ~~Readiness~~ and shall prepare and submit a unified budget request
 1653 for the early learning system ~~school readiness program~~ in
 1654 accordance with chapter 216.

1655 2. All instructions to early learning councils for the
 1656 administration of this section ~~local school readiness coalitions~~
 1657 shall emanate from the Agency for Workforce Innovation in
 1658 accordance with the ~~pursuant to~~ policies of the Legislature,
 1659 ~~plans of the Florida Partnership for School Readiness, and the~~
 1660 ~~contract between the Florida Partnership for School Readiness~~
 1661 ~~and the agency.~~

1662 (c) The Agency for Workforce Innovation shall adopt
 1663 ~~prepare a~~ formula ~~plan that provides for the~~ allocation among
 1664 the early learning councils ~~distribution and expenditure~~ of all
 1665 state and federal early learning ~~school readiness~~ funds for
 1666 children participating in public or private early learning
 1667 ~~school readiness~~ programs based upon ~~an~~ equity and performance
 1668 ~~funding formula.~~ The allocation formula ~~must~~ ~~plan~~ shall be
 1669 submitted to the Governor and the Legislative Budget Commission.
 1670 Upon approval, the Legislative Budget Commission shall authorize
 1671 the allocation ~~transfer~~ of funds by ~~to~~ the Agency for Workforce
 1672 Innovation ~~for distribution~~ in accordance with ~~the provisions of~~
 1673 the allocation formula.

1674 (d) All state ~~funds budgeted for a county for the programs~~
 1675 ~~specified in subsection (3), along with the pro rata share of~~
 1676 ~~the state administrative costs of those programs in the amount~~
 1677 ~~as determined by the partnership, all federal, funds and~~
 1678 required local maintenance-of-effort or matching funds provided
 1679 to an early learning council ~~for a county for programs specified~~

1680 ~~in subsection (3), and any additional funds appropriated or~~
 1681 ~~obtained~~ for purposes of this section, shall be used by
 1682 ~~transferred for the benefit of the~~ council coalition for
 1683 implementation of its early learning plan, including the hiring
 1684 of staff to effectively operate the council's early learning
 1685 ~~coalition's school readiness~~ program. As part of plan approval
 1686 and periodic plan review, the Agency for Workforce Innovation
 1687 ~~partnership~~ shall require that administrative costs be kept to
 1688 the minimum necessary for efficient and effective administration
 1689 of the early learning plan, but total administrative
 1690 expenditures must ~~shall~~ not exceed 5 percent unless specifically
 1691 waived by the Agency for Workforce Innovation ~~partnership~~. The
 1692 Agency for Workforce Innovation ~~partnership~~ shall annually
 1693 report to the Legislature any problems relating to
 1694 administrative costs.

1695 (e) The Agency for Workforce Innovation ~~partnership~~ shall
 1696 annually distribute, to the maximum extent practicable, all
 1697 eligible funds provided under this section as block grants to
 1698 the early learning councils ~~assist coalitions in integrating~~
 1699 ~~services and funding to develop a quality service delivery~~
 1700 ~~system. Subject to appropriation, the partnership may also~~
 1701 ~~provide financial awards to coalitions demonstrating success in~~
 1702 ~~merging and integrating funding streams to serve children and~~
 1703 ~~school readiness programs.~~

1704 (f) State funds appropriated for the early learning school
 1705 ~~readiness~~ program may not be used for the construction of new
 1706 facilities or the purchase of buses. The Agency for Workforce
 1707 Innovation ~~partnership~~ shall present to the Legislature

1708 recommendations for providing necessary transportation services
1709 for early learning ~~school readiness~~ programs.

1710 (g) All cost savings and all revenues received through a
1711 mandatory sliding fee scale shall be used to help fund each
1712 early learning council's early learning ~~the local school~~
1713 ~~readiness~~ program.

1714 ~~(10) SCHOOL READINESS UNIFORM SCREENING. The Department~~
1715 ~~of Education shall implement a school readiness uniform~~
1716 ~~screening, including a pilot program during the 2001-2002 school~~
1717 ~~year, to validate the system recommended by the Florida~~
1718 ~~Partnership for School Readiness as part of a comprehensive~~
1719 ~~evaluation design. Beginning with the 2002-2003 school year, the~~
1720 ~~department shall require that all school districts administer~~
1721 ~~the school readiness uniform screening to each kindergarten~~
1722 ~~student in the district school system upon the student's entry~~
1723 ~~into kindergarten. Children who enter public school for the~~
1724 ~~first time in first grade must undergo a uniform screening~~
1725 ~~adopted for use in first grade. The department shall incorporate~~
1726 ~~school readiness data into the K-20 data warehouse for~~
1727 ~~longitudinal tracking. Notwithstanding s. 1002.22, the~~
1728 ~~department shall provide the partnership and the Agency for~~
1729 ~~Workforce Innovation with complete and full access to~~
1730 ~~kindergarten uniform screening data at the student, school,~~
1731 ~~district, and state levels in a format that will enable the~~
1732 ~~partnership and the agency to prepare reports needed by state~~
1733 ~~policymakers and local school readiness coalitions to access~~
1734 ~~progress toward school readiness goals and provide input for~~

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1735 ~~continuous improvement of local school readiness services and~~
1736 ~~programs.~~

1737 ~~(11) REPORTS.--The Office of Program Policy Analysis and~~
1738 ~~Government Accountability shall assess the implementation,~~
1739 ~~efficiency, and outcomes of the school readiness program and~~
1740 ~~report its findings to the President of the Senate and the~~
1741 ~~Speaker of the House of Representatives by January 1, 2002.~~
1742 ~~Subsequent reviews shall be conducted at the direction of the~~
1743 ~~Joint Legislative Auditing Committee.~~

1744 ~~(10)(12)~~ CONFLICTING PROVISIONS.--In the event of a
1745 conflict between ~~the provisions of~~ this section and federal
1746 requirements, the federal requirements shall control.

1747 ~~(11)(13)~~ PLACEMENTS.--Notwithstanding any other provision
1748 of this section to the contrary, and for fiscal year 2004-2005
1749 ~~2003-2004~~ only, the first children to be placed in the early
1750 learning school readiness program shall be those from families
1751 receiving temporary cash assistance and subject to federal work
1752 requirements. Subsequent placements shall be made in accordance
1753 with subsection (6) ~~pursuant to the provisions of this section.~~
1754 ~~This subsection expires July 1, 2004.~~

1755 Section 4. Effective November 1, 2004, paragraph (a) of
1756 subsection (3) of section 11.45, Florida Statutes, is amended to
1757 read:

1758 11.45 Definitions; duties; authorities; reports; rules.--

1759 (3) AUTHORITY FOR AUDITS AND OTHER ENGAGEMENTS.--

1760 (a) The Auditor General may, by ~~pursuant to~~ his or her own
1761 authority, or at the direction of the Legislative Auditing

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1762 Committee, conduct audits or other engagements as determined
 1763 appropriate by the Auditor General of:

1764 1. The accounts and records of any governmental entity
 1765 created or established by law.

1766 2. The information technology programs, activities,
 1767 functions, or systems of any governmental entity created or
 1768 established by law.

1769 3. The accounts and records of any charter school created
 1770 or established by law.

1771 4. The accounts and records of any direct-support
 1772 organization or citizen support organization created or
 1773 established by law. The Auditor General may ~~is authorized to~~
 1774 require and receive any records from the direct-support
 1775 organization or citizen support organization, or from its
 1776 independent auditor.

1777 5. The public records associated with any appropriation
 1778 made by the General Appropriations Act to a nongovernmental
 1779 agency, corporation, or person. All records of a nongovernmental
 1780 agency, corporation, or person for ~~with respect to~~ the receipt
 1781 and expenditure of the ~~such an~~ appropriation are ~~shall be~~ public
 1782 records and shall be treated in the same manner as other public
 1783 records ~~are~~ under general law.

1784 6. State financial assistance provided to any nonstate
 1785 entity.

1786 7. The Tobacco Settlement Financing Corporation created
 1787 under ~~pursuant to~~ s. 215.56005.

1788 8. The Florida Virtual School created under ~~pursuant to~~ s.
 1789 1002.37.

1790 9. Any purchases of federal surplus lands for use as sites
1791 for correctional facilities as described in s. 253.037.

1792 10. Enterprise Florida, Inc., including any of its boards,
1793 advisory committees, or similar groups created by Enterprise
1794 Florida, Inc., and programs. The audit report may not reveal the
1795 identity of any person who has anonymously made a donation to
1796 Enterprise Florida, Inc., under ~~pursuant to~~ this subparagraph.
1797 The identity of a donor or prospective donor to Enterprise
1798 Florida, Inc., who desires to remain anonymous and all
1799 information identifying the ~~such~~ donor or prospective donor are
1800 confidential and exempt from ~~the provisions of~~ s. 119.07(1) and
1801 s. 24(a), Art. I of the State Constitution. The ~~Such~~ anonymity
1802 shall be maintained in the auditor's report.

1803 11. The Florida Development Finance Corporation or the
1804 capital development board or the programs or entities created by
1805 the board. The audit or report may not reveal the identity of
1806 any person who has anonymously made a donation to the board
1807 under ~~pursuant to~~ this subparagraph. The identity of a donor or
1808 prospective donor to the board who desires to remain anonymous
1809 and all information identifying the ~~such~~ donor or prospective
1810 donor are confidential and exempt from ~~the provisions of~~ s.
1811 119.07(1) and s. 24(a), Art. I of the State Constitution. The
1812 ~~Such~~ anonymity shall be maintained in the auditor's report.

1813 12. The records pertaining to the use of funds from
1814 voluntary contributions on a motor vehicle registration
1815 application or on a driver's license application authorized
1816 under ~~pursuant to~~ ss. 320.023 and 322.081.

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1817 13. The records pertaining to the use of funds from the
1818 sale of specialty license plates described in chapter 320.

1819 14. The transportation corporations under contract with
1820 the Department of Transportation that are acting on behalf of
1821 the state to secure and obtain rights-of-way for urgently needed
1822 transportation systems and to assist in the planning and design
1823 of the such systems under ~~pursuant to~~ ss. 339.401-339.421.

1824 15. The acquisitions and divestitures related to the
1825 Florida Communities Trust Program created under ~~pursuant to~~
1826 chapter 380.

1827 16. The Florida Water Pollution Control Financing
1828 Corporation created under ~~pursuant to~~ s. 403.1837.

1829 17. The early learning system, including the early
1830 learning councils, Florida Partnership for School Readiness
1831 created under ~~pursuant to~~ s. 411.01.

1832 18. The Florida Special Disability Trust Fund Financing
1833 Corporation created under ~~pursuant to~~ s. 440.49.

1834 19. Workforce Florida, Inc., or the programs or entities
1835 created by Workforce Florida, Inc., created under ~~pursuant to~~ s.
1836 445.004.

1837 20. The corporation defined in s. 455.32 which ~~that~~ is
1838 under contract with the Department of Business and Professional
1839 Regulation to provide administrative, investigative,
1840 examination, licensing, and prosecutorial support services in
1841 accordance with ~~the provisions of~~ s. 455.32 and the practice act
1842 of the relevant profession.

1843 21. The Florida Engineers Management Corporation created
1844 under ~~pursuant to~~ chapter 471.

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1845 22. The Investment Fraud Restoration Financing Corporation
1846 created under ~~pursuant to~~ chapter 517.

1847 23. The books and records of any permitholder that
1848 conducts race meetings or jai alai exhibitions under chapter
1849 550.

1850 24. The corporation defined in part II of chapter 946,
1851 cited ~~known~~ as the Prison Rehabilitative Industries and
1852 Diversified Enterprises, Inc., or PRIDE Enterprises.

1853 Section 5. Effective November 1, 2004, subsection (2) of
1854 section 20.50, Florida Statutes, is amended to read:

1855 20.50 Agency for Workforce Innovation.--There is created
1856 the Agency for Workforce Innovation within the Department of
1857 Management Services. The agency shall be a separate budget
1858 entity, and the director of the agency shall be the agency head
1859 for all purposes. The agency shall not be subject to control,
1860 supervision, or direction by the Department of Management
1861 Services in any manner, including, but not limited to,
1862 personnel, purchasing, transactions involving real or personal
1863 property, and budgetary matters.

1864 (2) The Agency for Workforce Innovation is ~~shall be~~ the
1865 ~~designated~~ administrative agency designated for receipt of
1866 federal workforce development grants and other federal funds.
1867 The agency, ~~and~~ shall administer ~~carry out~~ the duties and
1868 responsibilities assigned by the Governor under each federal
1869 grant assigned to the agency. The agency shall be a separate
1870 budget entity and shall expend each revenue source as provided
1871 by federal and state law and as provided in plans developed by
1872 and agreements with Workforce Florida, Inc. The agency shall

1873 | prepare and submit as a separate budget entity a unified budget
 1874 | request for workforce development, in accordance with chapter
 1875 | 216 for, and in conjunction with, Workforce Florida, Inc., and
 1876 | its board. The head of the agency is the director of Workforce
 1877 | Innovation, who shall be appointed by the Governor. The
 1878 | accountability and reporting functions of the agency shall be
 1879 | administered by the director or his or her designee. ~~Included in~~
 1880 | These functions shall include ~~are~~ budget management, financial
 1881 | management, audit, performance management standards and
 1882 | controls, assessing outcomes of service delivery, and financial
 1883 | administration of workforce programs under ~~pursuant to~~ s.
 1884 | 445.004(5) and (9). ~~Within the agency's overall organizational~~
 1885 | ~~structure,~~ The agency shall include the following offices within
 1886 | its organizational structure, which shall have the specified
 1887 | responsibilities:

1888 | (a) The Office of Workforce Services shall administer the
 1889 | unemployment compensation program, the Rapid Response program,
 1890 | the Work Opportunity Tax Credit program, the Alien Labor
 1891 | Certification program, and any other programs that are delivered
 1892 | directly by agency staff rather than through the one-stop
 1893 | delivery system. The office shall be directed by the Deputy
 1894 | Director for Workforce Services, who shall be appointed by and
 1895 | serve at the pleasure of the director.

1896 | (b) The Office of Program Support and Accountability shall
 1897 | administer state merit system program staff within the workforce
 1898 | service delivery system, under the ~~pursuant to~~ policies of
 1899 | Workforce Florida, Inc. The office is ~~shall be~~ responsible for
 1900 | delivering services through the one-stop delivery system and for

1901 ensuring that participants in welfare transition programs
 1902 receive case management services, diversion assistance, support
 1903 services, including ~~subsidized~~ child care and transportation
 1904 services, Medicaid services, and transition assistance to enable
 1905 them to succeed in the workforce. The office is ~~shall~~ also ~~be~~
 1906 responsible for program quality assurance, grants and contract
 1907 management, contracting, financial management, and reporting.
 1908 The office shall be directed by the Deputy Director for Program
 1909 Support and Accountability, who shall be appointed by and serve
 1910 at the pleasure of the director. The office is ~~shall be~~
 1911 responsible for:

1912 1. Establishing monitoring, quality assurance, and quality
 1913 improvement systems that routinely assess the quality and
 1914 effectiveness of contracted programs and services.

1915 2. Annual review of each regional workforce board and
 1916 administrative entity to ensure that adequate systems of
 1917 reporting and control are in place; that, ~~and~~ monitoring,
 1918 quality assurance, and quality improvement activities are
 1919 conducted routinely; ~~and~~ that corrective action is taken to
 1920 eliminate deficiencies.

1921 (c) The Office of Early Childhood Education shall
 1922 administer the early learning system in accordance with s.
 1923 411.01. The office shall be directed by the Deputy Director for
 1924 Early Childhood Education, who shall be appointed by and serve
 1925 at the pleasure of the director.

1926 (d)(e) The Office of Agency Support Services is ~~shall be~~
 1927 responsible for procurement, human resource services, and
 1928 information services including delivering information on labor

1929 markets, employment, occupations, and performance, and shall
 1930 implement and maintain information systems that are required for
 1931 the effective operation of the one-stop delivery system and the
 1932 early learning school readiness services system, including, but
 1933 not limited to, those systems described in s. 445.009. The
 1934 office shall ~~will~~ be directed by ~~under the direction of~~ the
 1935 Deputy Director for Agency Support Services, who shall be
 1936 appointed by and serve at the pleasure of the director. The
 1937 office is ~~shall be~~ responsible for establishing:

1938 1. Information systems and controls that report reliable,
 1939 timely and accurate fiscal and performance data for assessing
 1940 outcomes, service delivery, and financial administration of
 1941 workforce programs under ~~pursuant to~~ s. 445.004(5) and (9).

1942 2. Information systems that support service integration
 1943 and case management by providing for case tracking for
 1944 participants in welfare transition programs.

1945 3. Information systems that support the early learning
 1946 system ~~school readiness services~~.

1947 ~~(e)(d)~~ The Unemployment Appeals Commission, authorized by
 1948 s. 443.012, is ~~shall not be~~ subject to the control, supervision,
 1949 or direction by the Agency for Workforce Innovation in the
 1950 performance of its powers and duties but shall receive any and
 1951 all support and assistance from the agency that is ~~may be~~
 1952 required for the performance of its duties.

1953 Section 6. Effective November 1, 2004, paragraph (b) of
 1954 subsection (1) of section 125.901, Florida Statutes, is amended
 1955 to read:

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1956 125.901 Children's services; independent special district;
1957 council; powers, duties, and functions.--

1958 (1) Each county may by ordinance create an independent
1959 special district, as defined in ss. 189.403(3) and
1960 200.001(8)(e), to provide funding for children's services
1961 throughout the county in accordance with this section. The
1962 boundaries of such district shall be coterminous with the
1963 boundaries of the county. The county governing body shall obtain
1964 approval, by a majority vote of those electors voting on the
1965 question, to annually levy ad valorem taxes which shall not
1966 exceed the maximum millage rate authorized by this section. Any
1967 district created pursuant to the provisions of this subsection
1968 shall be required to levy and fix millage subject to the
1969 provisions of s. 200.065. Once such millage is approved by the
1970 electorate, the district shall not be required to seek approval
1971 of the electorate in future years to levy the previously
1972 approved millage.

1973 (b) However, any county as defined in s. 125.011(1) may
1974 instead have a governing board consisting of 33 members,
1975 including: the superintendent of schools; two representatives of
1976 public postsecondary education institutions located in the
1977 county; the county manager or the equivalent county officer; the
1978 district administrator from the appropriate district of the
1979 Department of Children and Family Services, or the
1980 administrator's designee who is a member of the Senior
1981 Management Service or the Selected Exempt Service; the director
1982 of the county health department or the director's designee; the
1983 state attorney for the county or the state attorney's designee;

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1984 the chief judge assigned to juvenile cases, or another juvenile
 1985 judge who is the chief judge's designee and who shall sit as a
 1986 voting member of the board, except that the judge may not vote
 1987 or participate in setting ad valorem taxes under this section;
 1988 an individual who is selected by the board of the local United
 1989 Way or its equivalent; a member of a locally recognized faith-
 1990 based coalition, selected by that coalition; a member of the
 1991 local chamber of commerce, selected by that chamber or, if more
 1992 than one chamber exists within the county, a person selected by
 1993 a coalition of the local chambers; a member of the early
 1994 learning council ~~local school readiness coalition~~, selected by
 1995 that council ~~coalition~~; a representative of a labor organization
 1996 or union active in the county; a member of a local alliance or
 1997 coalition engaged in cross-system planning for health and social
 1998 service delivery in the county, selected by that alliance or
 1999 coalition; a member of the local Parent-Teachers
 2000 Association/Parent-Teacher-Student Association, selected by that
 2001 association; a youth representative selected by the local school
 2002 system's student government; a local school board member
 2003 appointed by the chair of the school board; the mayor of the
 2004 county or the mayor's designee; one member of the county
 2005 governing body, appointed by the chair of that body; a member of
 2006 the state Legislature who represents residents of the county,
 2007 selected by the chair of the local legislative delegation; an
 2008 elected official representing the residents of a municipality in
 2009 the county, selected by the county municipal league; and 4
 2010 members-at-large, appointed to the council by the majority of
 2011 sitting council members. The remaining 7 members shall be

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2012 appointed by the Governor in accordance with procedures set
 2013 forth in paragraph (a), except that the Governor may remove a
 2014 member for cause or upon the written petition of the council.
 2015 Appointments by the Governor must, to the extent reasonably
 2016 possible, represent the geographic and demographic diversity of
 2017 the population of the county. Members who are appointed to the
 2018 council by reason of their position are not subject to the
 2019 length of terms and limits on consecutive terms as provided in
 2020 this section. The remaining appointed members of the governing
 2021 board shall be appointed to serve 2-year terms, except that
 2022 those members appointed by the Governor shall be appointed to
 2023 serve 4-year terms, and the youth representative and the
 2024 legislative delegate shall be appointed to serve 1-year terms. A
 2025 member may be reappointed; however, a member may not serve for
 2026 more than three consecutive terms. A member is eligible to be
 2027 appointed again after a 2-year hiatus from the council.

2028 Section 7. Effective November 1, 2004, subsection (1) of
 2029 section 216.133, Florida Statutes, is amended to read:

2030 216.133 Definitions; ss. 216.133-216.137.--As used in ss.
 2031 216.133-216.137:

2032 (1) "Consensus estimating conference" includes the
 2033 Economic Estimating Conference, the Demographic Estimating
 2034 Conference, the Revenue Estimating Conference, the Education
 2035 Estimating Conference, the Criminal Justice Estimating
 2036 Conference, the Juvenile Justice Estimating Conference, the
 2037 Child Welfare System Estimating Conference, the Occupational
 2038 Forecasting Conference, the Early Childhood Education Programs
 2039 ~~School Readiness Program~~ Estimating Conference, the Self-

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2040 Insurance Estimating Conference, the Florida Retirement System
2041 Actuarial Assumption Conference, and the Social Services
2042 Estimating Conference.

2043 Section 8. Effective November 1, 2004, subsection (10) of
2044 section 216.136, Florida Statutes, is amended to read:

2045 216.136 Consensus estimating conferences; duties and
2046 principals.--

2047 (10) EARLY CHILDHOOD EDUCATION PROGRAMS ~~SCHOOL-READINESS~~
2048 ~~PROGRAM~~ ESTIMATING CONFERENCE.--

2049 (a) Duties.--

2050 1. The Early Childhood Education Programs ~~School-Readiness~~
2051 ~~Program~~ Estimating Conference shall develop estimates and
2052 forecasts of the unduplicated count of children eligible for
2053 early learning ~~school-readiness~~ programs in accordance with the
2054 standards of eligibility established in s. 411.01(6), and of
2055 children eligible for the VPK Program in accordance with s.
2056 1002.53(2), as the conference determines are needed to support
2057 the state planning, budgeting, and appropriations processes.

2058 2. The Agency for Workforce Innovation ~~Florida Partnership~~
2059 ~~for School-Readiness~~ shall provide information on needs and
2060 waiting lists for early learning programs as ~~school-readiness~~
2061 ~~program services~~ requested by the Early Childhood Education
2062 Programs ~~School-Readiness Program~~ Estimating Conference or
2063 individual conference principals in a timely manner.

2064 3. The Department of Education shall provide information
2065 on needs for the VPK Program as requested by the Early Childhood
2066 Education Programs Estimating Conference or individual
2067 conference principals in a timely manner.

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2068 (b) Principals.--The Executive Office of the Governor, the
 2069 Director of Economic and Demographic Research, and professional
 2070 staff who have forecasting expertise from ~~the Florida~~
 2071 ~~Partnership for School Readiness~~, the Agency for Workforce
 2072 Innovation, the Department of Children and Family Services, the
 2073 Department of Education, the Senate, and the House of
 2074 Representatives, or their designees, are the principals of the
 2075 Early Childhood Education Programs ~~School Readiness Program~~
 2076 Estimating Conference. The principal representing the Executive
 2077 Office of the Governor shall preside over sessions of the
 2078 conference.

2079 Section 9. Effective November 1, 2004, section 402.3016,
 2080 Florida Statutes, is amended to read:

2081 402.3016 Early Head Start collaboration grants.--

2082 (1) Contingent upon specific appropriations, the Agency
 2083 for Workforce Innovation ~~Florida Partnership for School~~
 2084 ~~Readiness~~ shall establish a program to award collaboration
 2085 grants to assist local agencies in securing Early Head Start
 2086 programs through Early Head Start program federal grants. The
 2087 collaboration grants shall provide the required matching funds
 2088 for public and private nonprofit agencies that have been
 2089 approved for Early Head Start program federal grants.

2090 (2) Public and private nonprofit agencies providing Early
 2091 Head Start programs applying for collaborative grants must:

2092 (a) Ensure quality performance by meeting the requirements
 2093 in the Head Start program performance standards and other
 2094 applicable rules and regulations;

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2095 (b) Ensure collaboration with other service providers at
2096 the local level; and

2097 (c) Ensure that a comprehensive array of health,
2098 nutritional, and other services are provided to the program's
2099 pregnant women and very young children, and their families.

2100 (3) The Agency for Workforce Innovation ~~partnership~~ shall
2101 report to the Legislature on an annual basis the number of
2102 agencies receiving Early Head Start collaboration grants and the
2103 number of children served.

2104 (4) The Agency for Workforce Innovation ~~partnership~~ may
2105 adopt rules under ss. 120.536(1) and 120.54 as necessary for the
2106 award of collaboration grants to competing agencies and the
2107 administration of the collaboration grants program under this
2108 section.

2109 Section 10. Effective November 1, 2004, section 402.27,
2110 Florida Statutes, is renumbered as section 411.015, Florida
2111 Statutes, and amended to read:

2112 411.015 ~~402.27~~ ~~Child care and early childhood~~ Resource and
2113 referral.--The Agency for Workforce Innovation ~~Department of~~
2114 ~~Children and Family Services~~ shall administer all functions of
2115 ~~establish~~ a statewide ~~child care~~ resource and referral network,
2116 in consultation with the Department of Education's program
2117 administrator for the VPK Program, that the agency determines
2118 necessary for efficient operation of the early learning councils
2119 and the VPK Program. The network shall be composed of statewide
2120 resource and referral and a system of local resource and
2121 referral contracted through the Agency for Workforce Innovation.
2122 ~~Preference shall be given to using the already established~~

2123 ~~central agencies for subsidized child care as the child care~~
 2124 ~~resource and referral agency. If the agency cannot comply with~~
 2125 ~~the requirements to offer the resource information component or~~
 2126 ~~does not want to offer that service, the department of Children~~
 2127 ~~and Family Services shall select the resource information agency~~
 2128 ~~based upon a request for proposal. Each early learning council~~
 2129 ~~shall establish its local at least one child care resource and~~
 2130 ~~referral agency must be established in the county or multicounty~~
 2131 ~~area served by the council each district of the department, but~~
 2132 ~~no more than one may be established in any county. Child care~~
 2133 ~~Resource and referral agencies shall provide the following~~
 2134 ~~services:~~

2135 (1) Identification of existing public and private early
 2136 childhood education providers ~~child care and early childhood~~
 2137 ~~education services, including child care services by public and~~
 2138 ~~private employers, and the development of a database resource~~
 2139 ~~file of providers those services. These providers services may~~
 2140 ~~include early childhood education providers that are licensed,~~
 2141 ~~exempt from licensure, or registered; providers participating in~~
 2142 ~~the VPK Program; providers participating in a council's early~~
 2143 ~~learning programs; family day care, public and private child~~
 2144 ~~care programs, Head Start; prekinderergarten early intervention~~
 2145 ~~programs, special education programs for prekinderergarten~~
 2146 ~~handicapped children with disabilities; services for children~~
 2147 ~~with developmental disabilities; full-time and part-time~~
 2148 ~~programs; before-school and after-school programs; vacation~~
 2149 ~~care programs; parent education; welfare transition programs;~~
 2150 ~~the WAGES Program, and related family support services. The~~

2151 database information ~~resource file~~ shall include, but is not ~~be~~
2152 limited to:

2153 (a) Type of early childhood education provider ~~program~~.

2154 (b) Hours of service.

2155 (c) Ages of children served.

2156 (d) Number of children served.

2157 (e) Significant program information.

2158 (f) Fees and eligibility for services.

2159 (g) Availability of transportation.

2160 (2) The establishment of a referral process that ~~which~~
2161 responds to parental need for information and that ~~which~~ is
2162 provided with full recognition of the confidentiality rights of
2163 parents. Resource and referral may only ~~programs shall~~ make
2164 referrals to licensed early childhood education providers,
2165 except that a referral may ~~child care facilities~~. Referrals
2166 ~~shall~~ be made to an unlicensed provider ~~child care facility or~~
2167 ~~arrangement only if~~ the provider is not required to ~~there is no~~
2168 ~~requirement that the facility or arrangement~~ be licensed.

2169 (3) Maintenance of ongoing documentation of requests for
2170 service tabulated through the internal referral process. The
2171 following documentation of requests for service shall be
2172 maintained by the council's ~~all child care~~ resource and referral
2173 agencies:

2174 (a) Number of calls and contacts to the council's resource
2175 ~~child care information~~ and referral ~~agency component~~ by type of
2176 early childhood education provider ~~service~~ requested.

2177 (b) Ages of children for whom service is ~~was~~ requested.

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2178 (c) Time category of early childhood education ~~child care~~
2179 requests for each child.

2180 (d) Special time category, such as nights, weekends, and
2181 swing shifts ~~shift~~.

2182 (e) Reason that early childhood education ~~the child care~~
2183 is needed.

2184 (f) Name of the employer and primary focus of the
2185 business.

2186 (4) Provision of technical assistance to existing and
2187 potential providers of early childhood education ~~child care~~
2188 ~~services~~. This assistance may include:

2189 (a) Information on initiating new early childhood
2190 education ~~child care~~ services, zoning, and program and budget
2191 development and assistance in finding the ~~such~~ information from
2192 other sources.

2193 (b) Information and resources that assist ~~which help~~
2194 existing early childhood education ~~child care services~~ providers
2195 to maximize their ability to serve children and parents in their
2196 community.

2197 (c) Information and incentives that may ~~which could~~ help
2198 existing or planned early childhood education ~~child care~~
2199 services offered by public or private employers seeking to
2200 maximize their ability to serve the children of their ~~working~~
2201 ~~parent~~ employees who are working parents in their community,
2202 through contractual or other funding arrangements with
2203 businesses.

2204 (5) Assistance to families and employers in applying for
2205 various early childhood education programs, ~~sources of subsidy~~

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2206 including, but not limited to, the VPK Program or a council's
 2207 early learning program ~~subsidized child care~~, Head Start,
 2208 ~~prekindergarten early intervention programs, Project~~
 2209 ~~Independence~~, private scholarships, and the federal child and
 2210 dependent care tax credit.

2211 (6) Assistance to state agencies in determining the
 2212 prevailing market rate for early childhood education ~~child care~~.

2213 (7) Assistance in negotiating discounts or other special
 2214 arrangements with early childhood education ~~child care~~
 2215 providers.

2216 (8) Information and assistance to local interagency
 2217 councils coordinating services for prekindergarten ~~handicapped~~
 2218 children with disabilities.

2219 (9) Assistance to families in identifying summer
 2220 recreation camp and summer day camp programs and in evaluating
 2221 the health and safety qualities of summer recreation camp, ~~and~~
 2222 summer day camp, ~~programs and in evaluating the health and~~
 2223 ~~safety qualities of~~ summer camp programs. Subject to legislative
 2224 ~~Contingent upon specific~~ appropriation, a checklist of important
 2225 health and safety qualities that parents may ~~can~~ use to choose
 2226 their summer camp programs shall be developed and distributed in
 2227 a manner that will reach parents interested in these ~~such~~
 2228 programs for their children.

2229 (10) ~~A child care facility licensed under s. 402.305 and~~
 2230 ~~licensed and registered family day care homes must provide the~~
 2231 ~~statewide child care and resource and referral agencies with~~ The
 2232 following information annually for each licensed or registered
 2233 early childhood education provider:

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- 2234 (a) Type of each childhood education provider ~~program~~.
- 2235 (b) Hours of service.
- 2236 (c) Ages of children served.
- 2237 (d) Fees and eligibility for services.

2238 Section 11. Effective November 1, 2004, subsections (1),
 2239 (3), and (4) of section 402.3018, Florida Statutes, are amended
 2240 to read:

2241 402.3018 Consultation to child care centers and family day
 2242 care homes regarding health, developmental, disability, and
 2243 special needs issues.--

2244 (1) Contingent upon specific appropriations, the Agency
 2245 for Workforce Innovation shall provide ~~department is directed to~~
 2246 ~~contract with the statewide resource information and referral~~
 2247 ~~agency~~ for a statewide toll-free Warm-Line for the purpose of
 2248 providing assistance and consultation to child care centers and
 2249 family day care homes regarding health, developmental,
 2250 disability, and special needs issues of the children they are
 2251 serving, particularly children with disabilities and other
 2252 special needs.

2253 (3) The Agency for Workforce Innovation ~~department~~ shall
 2254 inform child care centers and family day care homes of the
 2255 availability of this service, on an annual basis.

2256 (4) Contingent upon specific appropriations, the Agency
 2257 for Workforce Innovation ~~department~~ shall expand or contract for
 2258 the expansion of the Warm-Line from one statewide site to one
 2259 Warm-Line site in each ~~child care~~ resource and referral ~~agency~~
 2260 region.

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2261 Section 12. Effective November 1, 2004, section 409.178,
2262 Florida Statutes, is amended to read:

2263 409.178 Business Child Care Executive Partnership for
2264 Early Learning Act; findings and intent; grant; limitation;
2265 rules.--

2266 ~~(1) This section may be cited as the "Child Care Executive~~
2267 ~~Partnership Act."~~

2268 ~~(2)(a) The Legislature finds that when private employers~~
2269 ~~provide onsite child care or provide other child care benefits,~~
2270 ~~they benefit by improved recruitment and higher retention rates~~
2271 ~~for employees, lower absenteeism, and improved employee morale.~~
2272 ~~The Legislature also finds that there are many ways in which~~
2273 ~~private employers can provide child care assistance to~~
2274 ~~employees: information and referral, vouchering, employer~~
2275 ~~contribution to child care programs, and onsite care. Private~~
2276 ~~employers can offer child care as part of a menu of employee~~
2277 ~~benefits. The Legislature recognizes that flexible compensation~~
2278 ~~programs providing a child care option are beneficial to the~~
2279 ~~private employer through increased productivity, to the private~~
2280 ~~employee in knowing that his or her children are being cared for~~
2281 ~~in a safe and nurturing environment, and to the state in more~~
2282 ~~dollars being available for purchasing power and investment.~~

2283 ~~(b) It is the intent of the Legislature to promote~~
2284 ~~public/private partnerships to ensure that the children of the~~
2285 ~~state be provided safe and enriching child care at any time, but~~
2286 ~~especially while parents work to remain self-sufficient. It is~~
2287 ~~the intent of the Legislature that private employers be~~
2288 ~~encouraged to participate in the future of this state by~~

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2289 ~~providing employee child care benefits. Further, it is the~~
 2290 ~~intent of the Legislature to encourage private employers to~~
 2291 ~~explore innovative ways to assist employees to obtain quality~~
 2292 ~~child care.~~

2293 ~~(c) The Legislature further recognizes that many parents~~
 2294 ~~need assistance in paying the full costs of quality child care.~~
 2295 ~~The public and private sectors, by working in partnership, can~~
 2296 ~~promote and improve access to quality child care and early~~
 2297 ~~education for children of working families who need it.~~
 2298 ~~Therefore, a more formal mechanism is necessary to stimulate the~~
 2299 ~~establishment of public-private partnerships. It is the intent~~
 2300 ~~of the Legislature to expand the availability of scholarship~~
 2301 ~~options for working families by providing incentives for~~
 2302 ~~employers to contribute to meeting the needs of their employees'~~
 2303 ~~families through matching public dollars available for child~~
 2304 ~~care.~~

2305 ~~(1)(a)(3)~~ There is created a body ~~politic~~ and corporate,
 2306 known as the Business Child Care Executive Partnership for Early
 2307 Learning, which shall establish and govern the Business Child
 2308 Care Executive Partnership for Early Learning Program.

2309 ~~(b)~~ The purpose of the Business Child Care Executive
 2310 Partnership for Early Learning Program is to use ~~utilize~~ state
 2311 and federal funds as incentives for matching local funds derived
 2312 from local governments, employers, charitable foundations, and
 2313 other sources, in order ~~so~~ that ~~Florida~~ communities in this
 2314 state may create local flexible partnerships with employers.

2315 ~~(c)~~ The Business Child Care Executive Partnership for
 2316 Early Learning Program funds shall be used at the discretion of

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2317 local communities to meet the needs of working parents. An early
 2318 learning ~~A child care~~ purchasing pool shall be developed with
 2319 ~~the~~ state, federal, and local funds to provide subsidies to low-
 2320 income working parents whose family income does not exceed 200
 2321 percent of the federal poverty level ~~who are eligible for~~
 2322 ~~subsidized child care~~ with a dollar-for-dollar match from
 2323 employers, local government, and other matching contributions.
 2324 The funds used from the early learning ~~child care~~ purchasing
 2325 pool must be used to supplement or extend the use of existing
 2326 public or private funds.

2327 ~~(2)(4)~~ The Business Child Care Executive Partnership for
 2328 Early Learning, staffed by the Agency for Workforce Innovation
 2329 ~~department~~, shall consist of a representative of the Executive
 2330 Office of the Governor and nine members of the corporate or
 2331 early learning ~~child care~~ community, appointed by the Governor.

2332 (a) Members shall serve for a period of 4 years, except
 2333 that the representative of the Executive Office of the Governor
 2334 shall serve at the pleasure of the Governor.

2335 (b) The Business Child Care Executive Partnership for
 2336 Early Learning shall be chaired by a member chosen by a majority
 2337 vote and shall meet at least quarterly and at other times upon
 2338 the call of the chair.

2339 (c) Members shall serve without compensation, but may be
 2340 reimbursed for per diem and travel expenses in accordance with
 2341 s. 112.061.

2342 (d) The Business Child Care Executive Partnership for
 2343 Early Learning shall have all the powers and authority, not
 2344 explicitly prohibited by law statute, necessary to administer

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2345 ~~carry out and effectuate the purposes of this section, as well~~
 2346 ~~as the functions, duties, and responsibilities of the~~
 2347 ~~partnership,~~ including, but not limited to, the following:

2348 1. Assisting in the formulation and coordination of the
 2349 state's early learning ~~child care~~ policy.

2350 2. Adopting an official seal.

2351 3. Soliciting, accepting, receiving, investing, and
 2352 expending funds from public or private sources.

2353 4. Contracting with public or private entities as
 2354 necessary.

2355 5. Approving an annual budget.

2356 6. Carrying forward any unexpended state appropriations
 2357 into succeeding fiscal years.

2358 7. Providing a report to the Governor, the Speaker of the
 2359 House of Representatives, and the President of the Senate, on or
 2360 before December 1 of each year.

2361 ~~(3)(5)~~(a) The Legislature shall consider the
 2362 recommendations from the Business Partnership for Early Learning
 2363 annually to determine the amount of state funds ~~or federal low-~~
 2364 ~~income child care moneys~~ which shall be used to create the
 2365 Business Child Care Executive Partnership for Early Learning
 2366 Program early learning ~~child care~~ purchasing pools in counties
 2367 chosen by the Business Child Care Executive Partnership for
 2368 Early Learning. A purchasing pool must be created in, ~~provided~~
 2369 ~~that~~ at least two ~~of the~~ counties with ~~have~~ populations of ~~no~~
 2370 ~~more than~~ 300,000 or fewer persons. The Legislature shall
 2371 annually review the effectiveness of the early learning ~~child~~
 2372 ~~care~~ purchasing pool program and reevaluate the percentage of

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2373 additional state ~~or federal~~ funds, if any, that may ~~can~~ be used
2374 for the program's expansion.

2375 (b) To ensure a seamless service delivery and ease of
2376 access for families, the Business Partnership for Early Learning
2377 may contract with early learning councils, community coordinated
2378 child care agencies, or the Agency for Workforce Innovation to
2379 ~~state resource and referral agency shall~~ administer the ~~child~~
2380 ~~care~~ purchasing pool funds.

2381 (c) The Agency for Workforce Innovation ~~department,~~ in
2382 conjunction with the Business Child Care Executive Partnership
2383 for Early Learning, shall develop procedures for disbursement of
2384 funds through the ~~child care~~ purchasing pools. In order to be
2385 considered for funding, an early learning council ~~the community~~
2386 ~~coordinated child care agency or the statewide resource and~~
2387 ~~referral agency~~ must commit to:

2388 1. Matching the state purchasing pool funds on a dollar-
2389 for-dollar basis; and

2390 2. Expending only those state ~~public~~ funds that ~~which~~ are
2391 matched by employers, local government, and other matching
2392 contributors who contribute to the purchasing pool. Parents
2393 shall also pay a fee, which must ~~shall be~~ not be less than the
2394 amount identified in the ~~department's subsidized child care~~
2395 sliding fee scale adopted by the early learning council.

2396 (d) Each early learning council shall ~~community~~
2397 ~~coordinated child care agency~~ shall be required to establish a
2398 community ~~child care~~ task force for each ~~child care~~ purchasing
2399 pool. The task force must be composed of employers, parents,
2400 private early learning ~~child care~~ providers, and one

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2401 representative from the local children's services council, if
 2402 one exists in the area of the purchasing pool. The early
 2403 learning council shall ~~community coordinated child care agency~~
 2404 ~~is expected to~~ recruit the task force members from existing
 2405 ~~child care~~ councils, commissions, or task forces already
 2406 operating in the area of a purchasing pool. A majority of the
 2407 task force shall consist of employers. Each task force shall
 2408 develop a plan for the use of ~~child care~~ purchasing pool funds.
 2409 The plan must demonstrate ~~show~~ how many children will be served
 2410 by the purchasing pool, how many will be new to receiving early
 2411 learning ~~child care~~ services, and how the early learning council
 2412 ~~community coordinated child care agency~~ intends to attract new
 2413 employers and their employees to the program.

2414 (4)(6) The Agency for Workforce Innovation ~~Department of~~
 2415 ~~Children and Family Services~~ shall adopt any rules to administer
 2416 ~~necessary for the implementation and administration of~~ this
 2417 section.

2418 Section 13. Effective November 1, 2004, section 402.25,
 2419 Florida Statutes, is amended to read:

2420 402.25 Infants and toddlers in state-funded early learning
 2421 ~~education and care~~ programs; brain development activities.--Each
 2422 state-funded early learning ~~education and care~~ program for
 2423 children from birth to 5 years of age must provide activities to
 2424 foster brain development in infants and toddlers. Each A program
 2425 must provide an environment rich in language and music and
 2426 filled with objects of various colors, shapes, textures, and
 2427 sizes to stimulate visual, tactile, auditory, and linguistic
 2428 senses in a child ~~the children and must include classical music~~

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2429 ~~and at least 30 minutes of reading to the children each day. A~~
 2430 ~~program may be offered through an existing early childhood~~
 2431 ~~program such as Healthy Start, the Title I program, contracted~~
 2432 ~~or directly operated subsidized child care, the prekindergarten~~
 2433 ~~early intervention program, Florida First Start, the Head Start~~
 2434 ~~program, or a private child care program. A program must also~~
 2435 provide training for the infants' and toddlers' parents
 2436 including direct dialogue and interaction between teachers and
 2437 parents demonstrating the urgency of brain development in the
 2438 first year of a child's life. A family child day care home is
 2439 ~~centers are~~ encouraged, but not required, to comply with this
 2440 section.

2441 Section 14. Section 402.281, Florida Statutes, is amended
 2442 to read:

2443 402.281 Gold Seal Quality ~~Care~~ program.--

2444 (1) Child care centers facilities, large family child care
 2445 homes, or family child day care homes that are accredited by an
 2446 ~~a nationally recognized~~ accrediting association whose standards
 2447 substantially meet or exceed the National Association for the
 2448 Education of Young Children (NAEYC), the National Association of
 2449 Family Child Care, ~~and~~ the National Early Childhood Program
 2450 Accreditation Commission, or the National Council for Private
 2451 School Accreditation (NCPA) shall receive a separate "Gold Seal
 2452 Quality ~~Care~~" designation to operate as a gold seal child care
 2453 center facility, a gold seal large family child care home, or a
 2454 gold seal family child day care home.

2455 (2) In determining whether an accrediting association
 2456 meets ~~developing the~~ Gold Seal Quality ~~Care~~ program standards,

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2457 | the department shall consult with the Department of Education,
 2458 | the Florida Head Start Directors Association, the Florida
 2459 | Association of Child Care Management, the Florida Family Day
 2460 | Care Association, ~~the Florida Children's Forum, the State~~
 2461 | ~~Coordinating Council for School Readiness Programs,~~ the Early
 2462 | Childhood Association of Florida, the National Association for
 2463 | Child Development Education, early childhood education providers
 2464 | receiving exemptions under s. 402.316, and parents, for the
 2465 | purpose of approving the accrediting associations.

2466 | Section 15. Subsection (2) of section 402.3051, Florida
 2467 | Statutes, is amended to read:

2468 | 402.3051 Child care market rate reimbursement; child care
 2469 | grants.--

2470 | (2) The department shall establish procedures to reimburse
 2471 | licensed, exempt, or registered child care providers who hold a
 2472 | Gold Seal Quality ~~Care~~ designation at the market rate for child
 2473 | care services for children who are eligible to receive
 2474 | subsidized child care; and licensed, exempt, or registered child
 2475 | care providers at the prevailing market rate for child care
 2476 | services for children who are eligible to receive subsidized
 2477 | child care, unless prohibited by federal law under s. 402.3015.
 2478 | The department shall establish procedures to reimburse providers
 2479 | of unregulated child care at not more than 50 percent of the
 2480 | market rate. The payment system may not interfere with the
 2481 | parents' decision as to the appropriate child care arrangement,
 2482 | regardless of the level of available funding for child care. The
 2483 | child care program assessment tool may not be used to determine
 2484 | reimbursement rates.

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2485 Section 16. Subsection (5) of section 402.315, Florida
2486 Statutes, is amended to read:

2487 402.315 Funding; license fees.--

2488 (5) All moneys collected by the department for child care
2489 licensing shall be held in a trust fund of the department to be
2490 reallocated to the department during the following fiscal year
2491 to fund child care licensing activities, including the Gold Seal
2492 Quality ~~Care~~ program created pursuant to s. 402.281.

2493 Section 17. Paragraph (m) of subsection (5) of section
2494 212.08, Florida Statutes, is amended to read:

2495 212.08 Sales, rental, use, consumption, distribution, and
2496 storage tax; specified exemptions.--The sale at retail, the
2497 rental, the use, the consumption, the distribution, and the
2498 storage to be used or consumed in this state of the following
2499 are hereby specifically exempt from the tax imposed by this
2500 chapter.

2501 (5) EXEMPTIONS; ACCOUNT OF USE.--

2502 (m) Educational materials purchased by certain child care
2503 facilities.--Educational materials, such as glue, paper, paints,
2504 crayons, unique craft items, scissors, books, and educational
2505 toys, purchased by a child care facility that meets the
2506 standards delineated in s. 402.305, is licensed under s.
2507 402.308, holds a current Gold Seal Quality ~~Care~~ designation
2508 pursuant to s. 402.281, and provides basic health insurance to
2509 all employees are exempt from the taxes imposed by this chapter.
2510 For purposes of this paragraph, the term "basic health
2511 insurance" shall be defined and promulgated in rules developed
2512 jointly by the Department of Children and Family Services, the

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2513 Agency for Health Care Administration, and the Financial
2514 Services Commission.

2515 Section 18. Paragraph (d) of subsection (2) and subsection
2516 (3) of section 402.305, Florida Statutes, are amended to read:

2517 402.305 Licensing standards; child care facilities.--

2518 (2) PERSONNEL.--Minimum standards for child care personnel
2519 shall include minimum requirements as to:

2520 (d) Minimum training requirements for child care
2521 personnel.

2522 1. Such minimum standards for training shall ensure that
2523 all child care personnel take an approved 45-clock-hour ~~40-~~
2524 ~~clock-hour~~ introductory course in child care, which course
2525 covers at least the following topic areas:

2526 a. State and local rules and regulations which govern
2527 child care.

2528 b. Health, safety, and nutrition.

2529 c. Identifying and reporting child abuse and neglect.

2530 d. Child development, including typical and atypical
2531 language, cognitive, motor, social, and self-help skills
2532 development.

2533 e. Observation of developmental behaviors, including using
2534 a checklist or other similar observation tools and techniques to
2535 determine the child's developmental age level.

2536 f. Specialized areas, including computer technology for
2537 professional and classroom use and early literacy and language
2538 development of children from birth to 5 years of age, as
2539 determined by the department, for owner-operators and child care
2540 personnel of a child care facility.

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2541
2542 Within 90 days after employment, child care personnel shall
2543 begin training to meet the training requirements. Child care
2544 personnel shall successfully complete such training within 1
2545 year after the date on which the training began, as evidenced by
2546 passage of a competency examination. Successful completion of
2547 the 45-clock-hour ~~40-clock-hour~~ introductory course shall
2548 articulate into community college credit in early childhood
2549 education, pursuant to ss. 1007.24 and 1007.25. Exemption from
2550 all or a portion of the required training shall be granted to
2551 child care personnel based upon educational credentials or
2552 passage of competency examinations. Child care personnel
2553 possessing a 2-year degree or higher that includes 6 college
2554 credit hours in early childhood development or child growth and
2555 development, or a child development associate credential or an
2556 equivalent state-approved child development associate
2557 credential, or a child development associate waiver certificate
2558 shall be automatically exempted from the training requirements
2559 in sub-subparagraphs b., d., and e.

2560 2. The introductory course in child care shall stress, to
2561 the extent possible, an interdisciplinary approach to the study
2562 of children.

2563 3. On an annual basis in order to further their child care
2564 skills and, if appropriate, administrative skills, child care
2565 personnel who have fulfilled the requirements for the child care
2566 training shall be required to take an additional 1 continuing
2567 education unit of approved inservice training, or 10 clock hours
2568 of equivalent training, as determined by the department.

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2569 4. Child care personnel shall be required to complete 0.5
2570 continuing education unit of approved training or 5 clock hours
2571 of equivalent training, as determined by the department, in
2572 early literacy and language development of children from birth
2573 to 5 years of age one time. The year that this training is
2574 completed, it shall fulfill the 0.5 continuing education unit or
2575 5 clock hours of the annual training required in subparagraph 3.

2576 5. Procedures for ensuring the training of qualified child
2577 care professionals to provide training of child care personnel,
2578 including onsite training, shall be included in the minimum
2579 standards. It is recommended that the state community child care
2580 coordination agencies (central agencies) be contracted by the
2581 department to coordinate such training when possible. Other
2582 district educational resources, such as community colleges and
2583 vocational-technical programs, can be designated in such areas
2584 where central agencies may not exist or are determined not to
2585 have the capability to meet the coordination requirements set
2586 forth by the department.

2587 6. Training requirements shall not apply to certain
2588 occasional or part-time support staff, including, but not
2589 limited to, swimming instructors, piano teachers, dance
2590 instructors, and gymnastics instructors.

2591 7. The department shall evaluate or contract for an
2592 evaluation for the general purpose of determining the status of
2593 and means to improve staff training requirements and testing
2594 procedures. The evaluation shall be conducted every 2 years. The
2595 evaluation shall include, but not be limited to, determining the
2596 availability, quality, scope, and sources of current staff

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2597 training; determining the need for specialty training; and
 2598 determining ways to increase inservice training and ways to
 2599 increase the accessibility, quality, and cost-effectiveness of
 2600 current and proposed staff training. The evaluation methodology
 2601 shall include a reliable and valid survey of child care
 2602 personnel.

2603 8. The child care operator shall be required to take basic
 2604 training in serving children with disabilities within 5 years
 2605 after employment, either as a part of the introductory training
 2606 or the annual 8 hours of inservice training.

2607 (3) MINIMUM STAFF CREDENTIALS.--~~By July 1, 1996,~~ For every
 2608 20 children in a licensed child care facility, beginning with
 2609 the first child, if the facility operates 8 hours or more per
 2610 week, one of the child care personnel in the facility must have:

2611 (a) A current national child development associate
 2612 credential;

2613 (b) A ~~child care professional~~ credential, ~~unless the~~
 2614 ~~department determines that such child care professional~~
 2615 ~~credential is not~~ equivalent to the current national ~~or greater~~
 2616 ~~than~~ a child development associate credential; or

2617 (c) A credential that is equivalent to or greater than the
 2618 credential required in paragraph (a) or paragraph (b).

2619
 2620 The department shall establish by rule those hours of operation,
 2621 such as during rest periods and transitional periods, when this
 2622 subsection does not apply. The State Board of Education may
 2623 adopt rules under ss. 120.536(1) and 120.54 establishing
 2624 standards and procedures for the approval of credentials

2625 equivalent to the national child development associate
 2626 credential. The Department of Education shall review and approve
 2627 the child development associate equivalent credentials.

2628 Section 19. Paragraph (b) of subsection (1) and subsection
 2629 (2) of section 383.14, Florida Statutes, are amended to read:

2630 383.14 Screening for metabolic disorders, other hereditary
 2631 and congenital disorders, and environmental risk factors.--

2632 (1) SCREENING REQUIREMENTS.--To help ensure access to the
 2633 maternal and child health care system, the Department of Health
 2634 shall promote the screening of all infants born in Florida for
 2635 phenylketonuria and other metabolic, hereditary, and congenital
 2636 disorders known to result in significant impairment of health or
 2637 intellect, as screening programs accepted by current medical
 2638 practice become available and practical in the judgment of the
 2639 department. The department shall also promote the identification
 2640 and screening of all infants born in this state and their
 2641 families for environmental risk factors such as low income, poor
 2642 education, maternal and family stress, emotional instability,
 2643 substance abuse, and other high-risk conditions associated with
 2644 increased risk of infant mortality and morbidity to provide
 2645 early intervention, remediation, and prevention services,
 2646 including, but not limited to, parent support and training
 2647 programs, home visitation, and case management. Identification,
 2648 perinatal screening, and intervention efforts shall begin prior
 2649 to and immediately following the birth of the child by the
 2650 attending health care provider. Such efforts shall be conducted
 2651 in hospitals, perinatal centers, county health departments,

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2652 school health programs that provide prenatal care, and birthing
2653 centers, and reported to the Office of Vital Statistics.

2654 (b) Postnatal screening.--A risk factor analysis using the
2655 department's designated risk assessment instrument shall also be
2656 conducted as part of the medical screening process upon the
2657 birth of a child and submitted to the department's Office of
2658 Vital Statistics for recording and other purposes provided for
2659 in this chapter. The department's screening process for risk
2660 assessment shall include a scoring mechanism and procedures that
2661 establish thresholds for notification, further assessment,
2662 referral, and eligibility for services by professionals or
2663 paraprofessionals consistent with the level of risk. Procedures
2664 for developing and using the screening instrument, notification,
2665 referral, and care coordination services, reporting
2666 requirements, management information, and maintenance of a
2667 computer-driven registry in the Office of Vital Statistics which
2668 ensures privacy safeguards must be consistent with the
2669 provisions and plans established under chapter 411, Pub. L. No.
2670 99-457, and this chapter. Procedures established for reporting
2671 information and maintaining a confidential registry must include
2672 a mechanism for a centralized information depository at the
2673 state and county levels. The department shall coordinate with
2674 existing risk assessment systems and information registries. The
2675 department must ensure, to the maximum extent possible, that the
2676 screening information registry is integrated with the
2677 department's automated data systems, including the Florida On-
2678 line Recipient Integrated Data Access (FLORIDA) system. Tests
2679 and screenings must be performed by the State Public Health

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2680 Laboratory, in coordination with Children's Medical Services, at
 2681 such times and in such manner as is prescribed by the department
 2682 after consultation with the Genetics and Infant Screening
 2683 Advisory Council ~~and the State Coordinating Council for School~~
 2684 ~~Readiness Programs.~~

2685 (2) RULES.--After consultation with the Genetics and
 2686 Infant Screening Advisory Council, the department shall adopt
 2687 and enforce rules requiring that every infant born in this state
 2688 shall, prior to becoming 2 weeks of age, be subjected to a test
 2689 for phenylketonuria and, at the appropriate age, be tested for
 2690 such other metabolic diseases and hereditary or congenital
 2691 disorders as the department may deem necessary from time to
 2692 time. ~~After consultation with the State Coordinating Council for~~
 2693 ~~School Readiness Programs,~~ The department shall also adopt and
 2694 enforce rules requiring every infant born in this state to be
 2695 screened for environmental risk factors that place children and
 2696 their families at risk for increased morbidity, mortality, and
 2697 other negative outcomes. The department shall adopt such
 2698 additional rules as are found necessary for the administration
 2699 of this section, including rules providing definitions of terms,
 2700 rules relating to the methods used and time or times for testing
 2701 as accepted medical practice indicates, rules relating to
 2702 charging and collecting fees for screenings authorized by this
 2703 section, and rules requiring mandatory reporting of the results
 2704 of tests and screenings for these conditions to the department.

2705 Section 20. Subsection (6) of section 402.45, Florida
 2706 Statutes, is amended to read:

2707 402.45 Community resource mother or father program.--

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2708 (6) Individuals under contract to provide community
 2709 resource mother or father services shall participate in
 2710 preservice and ongoing training as determined by the Department
 2711 of Health ~~in consultation with the State Coordinating Council~~
 2712 ~~for School Readiness Programs~~. A community resource mother or
 2713 father shall not be assigned a client caseload until all
 2714 preservice training requirements are completed.

2715 Section 21. Effective November 1, 2004, section 411.011,
 2716 Florida Statutes, is amended to read:

2717 411.011 Records of children in early learning ~~school~~
 2718 ~~readiness~~ programs.--The individual records of children enrolled
 2719 in early learning ~~school readiness~~ programs provided under s.
 2720 411.01, when held in the possession of the early learning
 2721 council ~~school readiness coalition~~ or the Agency for Workforce
 2722 Innovation ~~Florida Partnership for School Readiness~~, are
 2723 confidential and exempt from ~~the provisions of~~ s. 119.07 and s.
 2724 24(a), Art. I of the State Constitution. For ~~the~~ purposes of
 2725 this section, records include assessment data, health data,
 2726 records of teacher observations, and identifying data, including
 2727 the child's social security number. A parent, guardian, or
 2728 individual acting as a parent in the absence of a parent or
 2729 guardian has the right to inspect and review the individual
 2730 early learning ~~school readiness~~ program record of his or her
 2731 child and to obtain a copy of the record. Early learning ~~School~~
 2732 ~~readiness~~ records may be released to the United States Secretary
 2733 of Education, the United States Secretary of Health and Human
 2734 Services, and the Comptroller General of the United States for
 2735 the purpose of federal audits; to individuals or organizations

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2736 | conducting studies for institutions to develop, validate, or
 2737 | administer assessments or improve instruction; to accrediting
 2738 | organizations in order to carry out their accrediting functions;
 2739 | to appropriate parties in connection with an emergency if the
 2740 | information is necessary to protect the health or safety of the
 2741 | student or other individuals; to the Auditor General in
 2742 | connection with his or her official functions; to a court of
 2743 | competent jurisdiction in compliance with an order of that court
 2744 | in accordance with ~~pursuant to~~ a lawfully issued subpoena; and
 2745 | to parties to an interagency agreement among early learning
 2746 | councils ~~school readiness coalitions~~, local governmental
 2747 | agencies, providers of early learning ~~school readiness~~ programs,
 2748 | state agencies, and the Agency for Workforce Innovation Florida
 2749 | ~~Partnership for School Readiness~~ for the purpose of implementing
 2750 | the early learning ~~school readiness~~ program. Agencies,
 2751 | organizations, or individuals that receive early learning ~~school~~
 2752 | ~~readiness~~ records in order to carry out their official functions
 2753 | must protect the data in a manner that does ~~will~~ not permit the
 2754 | personal identification of students and their parents by persons
 2755 | other than those authorized to receive the records. This section
 2756 | is subject to the Open Government Sunset Review Act of 1995 in
 2757 | accordance with s. 119.15 and shall stand repealed on October 2,
 2758 | 2005, unless reviewed and saved from repeal through reenactment
 2759 | by the Legislature.

2760 | Section 22. Subsection (2) of section 411.221, Florida
 2761 | Statutes, is amended to read:

2762 | 411.221 Prevention and early assistance strategic plan;
 2763 | agency responsibilities.--

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2764 (2) The strategic plan and subsequent plan revisions shall
 2765 incorporate and otherwise utilize, to the fullest extent
 2766 possible, the evaluation findings and recommendations from
 2767 intraagency, independent third-party, field projects, and
 2768 reports issued by the Auditor General or the Office of Program
 2769 Policy Analysis and Government Accountability, ~~as well as the~~
 2770 ~~recommendations of the State Coordinating Council for School~~
 2771 ~~Readiness Programs.~~

2772 Section 23. Effective November 1, 2004, paragraph (e) of
 2773 subsection (2) and paragraph (e) of subsection (3) of section
 2774 411.226, Florida Statutes, are amended to read:

2775 411.226 Learning Gateway.--

2776 (2) LEARNING GATEWAY STEERING COMMITTEE.--

2777 (e) To support and facilitate system improvements, the
 2778 steering committee must consult with representatives from the
 2779 Department of Education, the Department of Health, the Agency
 2780 for Workforce Innovation ~~Florida Partnership for School~~
 2781 ~~Readiness~~, the Department of Children and Family Services, the
 2782 Agency for Health Care Administration, the Department of
 2783 Juvenile Justice, and the Department of Corrections and with the
 2784 director of the Learning Development and Evaluation Center of
 2785 Florida Agricultural and Mechanical University.

2786 (3) LEARNING GATEWAY DEMONSTRATION PROJECTS.--

2787 (e) The demonstration projects shall recommend to the
 2788 steering committee the linking or combining of some or all of
 2789 the local planning bodies, including early learning councils
 2790 ~~school readiness coalitions~~, Healthy Start coalitions, Part C
 2791 advisory councils, Department of Children and Family Services

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2792 community alliances, and other boards or councils that have a
 2793 primary focus on services for children from birth to age 9, to
 2794 the extent allowed by federal regulations, if such changes would
 2795 improve coordination and reduce unnecessary duplication of
 2796 effort.

2797 Section 24. Effective November 1, 2004, paragraph (d) of
 2798 subsection (1), paragraphs (a), (d), and (f) of subsection (2),
 2799 and paragraph (c) of subsection (3) of section 411.227, Florida
 2800 Statutes, are amended to read:

2801 411.227 Components of the Learning Gateway.--The Learning
 2802 Gateway system consists of the following components:

2803 (1) COMMUNITY EDUCATION STRATEGIES AND FAMILY-ORIENTED
 2804 ACCESS.--

2805 (d) In collaboration with other local resources, the
 2806 demonstration projects shall develop public awareness strategies
 2807 to disseminate information about developmental milestones,
 2808 precursors of learning problems and other developmental delays,
 2809 and the service system that is available. The information should
 2810 target parents of children from birth through age 9 and should
 2811 be distributed to parents, health care providers, and caregivers
 2812 of children from birth through age 9. A variety of media should
 2813 be used as appropriate, such as print, television, radio, and a
 2814 community-based Internet website, as well as opportunities such
 2815 as those presented by parent visits to physicians for well-child
 2816 checkups. The Learning Gateway Steering Committee shall provide
 2817 technical assistance to the local demonstration projects in
 2818 developing and distributing educational materials and
 2819 information.

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2820 1. Public awareness strategies targeting parents of
 2821 children from birth through age 5 shall be designed to provide
 2822 information to public and private preschool programs, early
 2823 learning ~~childcare~~ providers, pediatricians, parents, and local
 2824 businesses and organizations. These strategies should include
 2825 information on the early learning ~~school readiness~~ performance
 2826 standards ~~for kindergarten~~ adopted by the Agency for Workforce
 2827 Innovation School Readiness Partnership Board.

2828 2. Public awareness strategies targeting parents of
 2829 children from ages 6 through 9 must be designed to disseminate
 2830 training materials and brochures to parents and public and
 2831 private school personnel, and must be coordinated with the local
 2832 school board and the appropriate school advisory committees in
 2833 the demonstration projects. The materials should contain
 2834 information on state and district proficiency levels for grades
 2835 K-3.

2836 (2) SCREENING AND DEVELOPMENTAL MONITORING.--

2837 (a) In coordination with the Agency for Workforce
 2838 Innovation Partnership for School Readiness, the Department of
 2839 Education, and the Florida Pediatric Society, and using
 2840 information learned from the local demonstration projects, the
 2841 Learning Gateway Steering Committee shall establish guidelines
 2842 for screening children from birth through age 9. The guidelines
 2843 should incorporate recent research on the indicators most likely
 2844 to predict early learning problems, mild developmental delays,
 2845 child-specific precursors of school failure, and other related
 2846 developmental indicators in the domains of cognition;

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2847 communication; attention; perception; behavior; and social,
2848 emotional, sensory, and motor functioning.

2849 (d) Using the screening guidelines developed by the
2850 steering committee, the demonstration projects shall develop
2851 strategies to increase early identification of precursors to
2852 learning problems and learning disabilities through providing
2853 parents the option of improved screening and referral practices
2854 within public and private early care and education programs and
2855 K-3 public and private school settings. Strategies may include
2856 training and technical assistance teams to assist program
2857 providers and teachers. The program shall collaborate
2858 appropriately with the early learning councils ~~school readiness~~
2859 ~~coalitions~~, local school boards, and other community resources
2860 in arranging training and technical assistance for early
2861 identification and screening with parental consent.

2862 (f) Based on technical assistance and support provided by
2863 the steering committee and in conjunction with the early
2864 learning councils ~~school readiness coalitions~~ and other
2865 appropriate entities, demonstration projects shall develop a
2866 system to log the number of children screened, assessed, and
2867 referred for services. After development and testing, tracking
2868 should be supported by a standard electronic data system for
2869 screening and assessment information.

2870 (3) EARLY EDUCATION, SERVICES AND SUPPORTS.--

2871 (c) The steering committee, in cooperation with the
2872 Department of Children and Family Services, the Department of
2873 Education, and the Agency for Workforce Innovation ~~Florida~~
2874 ~~Partnership for School Readiness~~, shall identify the elements of

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2875 | an effective research-based curriculum for early care and
2876 | education programs.

2877 | Section 25. Effective November 1, 2004, subsection (4) of
2878 | section 445.023, Florida Statutes, is amended to read:

2879 | 445.023 Program for dependent care for families with
2880 | children with special needs.--

2881 | (4) In addition to early learning ~~school-readiness~~
2882 | services provided under s. 411.01, dependent care may be
2883 | provided for children age 13 years and older who are in need of
2884 | care due to disability and where such care is needed for the
2885 | parent to accept or continue employment or otherwise participate
2886 | in work activities. The amount of subsidy shall be consistent
2887 | with the rates for special needs child care established by the
2888 | department. Dependent care needed for employment may be provided
2889 | as transitional services for up to 2 years after eligibility for
2890 | temporary cash assistance ends.

2891 | Section 26. Effective November 1, 2004, paragraph (a) of
2892 | subsection (2) of section 490.014, Florida Statutes, is amended
2893 | to read:

2894 | 490.014 Exemptions.--

2895 | (2) No person shall be required to be licensed or
2896 | provisionally licensed under this chapter who:

2897 | (a) Is a salaried employee of a government agency;
2898 | developmental services program, mental health, alcohol, or drug
2899 | abuse facility operating pursuant to chapter 393, chapter 394,
2900 | or chapter 397; subsidized child care program, subsidized child
2901 | care case management program, or ~~child-care~~ resource and
2902 | referral ~~program~~ operating pursuant to chapter 411 ~~402~~; child-

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2903 placing or child-caring agency licensed pursuant to chapter 409;
 2904 domestic violence center certified pursuant to chapter 39;
 2905 accredited academic institution; or research institution, if
 2906 such employee is performing duties for which he or she was
 2907 trained and hired solely within the confines of such agency,
 2908 facility, or institution, so long as the employee is not held
 2909 out to the public as a psychologist pursuant to s.
 2910 490.012(1)(a).

2911 Section 27. Effective November 1, 2004, paragraph (a) of
 2912 subsection (4) of section 491.014, Florida Statutes, is amended
 2913 to read:

2914 491.014 Exemptions.--

2915 (4) No person shall be required to be licensed,
 2916 provisionally licensed, registered, or certified under this
 2917 chapter who:

2918 (a) Is a salaried employee of a government agency;
 2919 developmental services program, mental health, alcohol, or drug
 2920 abuse facility operating pursuant to chapter 393, chapter 394,
 2921 or chapter 397; subsidized child care program, subsidized child
 2922 care case management program, or ~~child-care~~ resource and
 2923 referral ~~program~~ operating pursuant to chapter 411 ~~402~~; child-
 2924 placing or child-caring agency licensed pursuant to chapter 409;
 2925 domestic violence center certified pursuant to chapter 39;
 2926 accredited academic institution; or research institution, if
 2927 such employee is performing duties for which he or she was
 2928 trained and hired solely within the confines of such agency,
 2929 facility, or institution, so long as the employee is not held

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2930 out to the public as a clinical social worker, mental health
2931 counselor, or marriage and family therapist.

2932 Section 28. Effective November 1, 2004, paragraph (a) of
2933 subsection (2) of section 624.91, Florida Statutes, is amended
2934 to read:

2935 624.91 The Florida Healthy Kids Corporation Act.--

2936 (2) LEGISLATIVE INTENT.--

2937 (a) The Legislature finds that increased access to health
2938 care services could improve children's health and reduce the
2939 incidence and costs of childhood illness and disabilities among
2940 children in this state. Many children do not have comprehensive,
2941 affordable health care services available. It is the intent of
2942 the Legislature that the Florida Healthy Kids Corporation
2943 provide comprehensive health insurance coverage to these ~~such~~
2944 children. The corporation is encouraged to cooperate with any
2945 existing health service programs funded by the public or the
2946 private sector and to work cooperatively with the Agency for
2947 Workforce Innovation Florida Partnership for School Readiness.

2948 Section 29. Subsection (1) of section 1001.23, Florida
2949 Statutes, is amended to read:

2950 1001.23 Specific powers and duties of the Department of
2951 Education.--In addition to all other duties assigned to it by
2952 law or by rule of the State Board of Education, the department
2953 shall:

2954 (1) Adopt the statewide kindergarten ~~school readiness~~
2955 ~~uniform~~ screening developed by the ~~Florida Partnership for~~
2956 ~~School Readiness~~, in accordance with s. 1002.65 ~~the criteria~~
2957 ~~itemized in chapter 1008~~.

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2958 Section 30. Effective November 1, 2004, paragraph (d) of
2959 subsection (3) of section 1002.22, Florida Statutes, is amended
2960 to read:

2961 1002.22 Student records and reports; rights of parents and
2962 students; notification; penalty.--

2963 (3) RIGHTS OF PARENT OR STUDENT.--The parent of any
2964 student who attends or has attended any public school, area
2965 technical center, or public postsecondary educational
2966 institution shall have the following rights with respect to any
2967 records or reports created, maintained, and used by any public
2968 educational institution in the state. However, whenever a
2969 student has attained 18 years of age, or is attending a
2970 postsecondary educational institution, the permission or consent
2971 required of, and the rights accorded to, the parents of the
2972 student shall thereafter be required of and accorded to the
2973 student only, unless the student is a dependent student of such
2974 parents as defined in 26 U.S.C. s. 152 (s. 152 of the Internal
2975 Revenue Code of 1954). The State Board of Education shall adopt
2976 rules whereby parents or students may exercise these rights:

2977 (d) Right of privacy.--Every student has ~~shall have~~ a
2978 right of privacy with respect to the educational records kept on
2979 him or her. Personally identifiable records or reports of a
2980 student, and any personal information contained therein, are
2981 confidential and exempt from ~~the provisions of~~ s. 119.07(1). No
2982 state or local educational agency, board, public school,
2983 technical center, or public postsecondary educational
2984 institution shall permit the release of the ~~such~~ records,
2985 reports, or information without the written consent of the

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2986 student's parent, or of the student himself or herself if he or
 2987 she is qualified as provided in this subsection, to any
 2988 individual, agency, or organization. However, personally
 2989 identifiable records or reports of a student may be released to
 2990 the following persons or organizations without the consent of
 2991 the student or the student's parent:

2992 1. Officials of schools, school systems, technical
 2993 centers, or public postsecondary educational institutions in
 2994 which the student seeks or intends to enroll; and a copy of the
 2995 ~~such~~ records or reports shall be furnished to the parent or
 2996 student upon request.

2997 2. Other school officials, including teachers within the
 2998 educational institution or agency, who have legitimate
 2999 educational interests in the information contained in the
 3000 records.

3001 3. The United States Secretary of Education, the Director
 3002 of the National Institute of Education, the Assistant Secretary
 3003 for Education, the Comptroller General of the United States, or
 3004 state or local educational authorities who are authorized to
 3005 receive such information subject to the conditions set forth in
 3006 applicable federal statutes and regulations of the United States
 3007 Department of Education, or in applicable state statutes and
 3008 rules of the State Board of Education.

3009 4. Other school officials, in connection with a student's
 3010 application for or receipt of financial aid.

3011 5. Individuals or organizations conducting studies for or
 3012 on behalf of an institution or a board of education for the
 3013 purpose of developing, validating, or administering predictive

3014 tests, administering student aid programs, or improving
 3015 instruction, if the ~~such~~ studies are conducted in ~~such~~ a manner
 3016 that does ~~as will~~ not permit the personal identification of
 3017 students and their parents by persons other than representatives
 3018 of the ~~such~~ organizations and if the ~~such~~ information will be
 3019 destroyed when no longer needed for the purpose of conducting
 3020 the ~~such~~ studies.

3021 6. Accrediting organizations, in order to carry out their
 3022 accrediting functions.

3023 7. Early learning councils ~~School readiness coalitions~~ and
 3024 the Agency for Workforce Innovation ~~Florida Partnership for~~
 3025 ~~School Readiness~~ in order to carry out their assigned duties.

3026 8. For use as evidence in student expulsion hearings
 3027 conducted by a district school board under ~~pursuant to the~~
 3028 ~~provisions of~~ chapter 120.

3029 9. Appropriate parties in connection with an emergency, if
 3030 knowledge of the information in the student's educational
 3031 records is necessary to protect the health or safety of the
 3032 student or other individuals.

3033 10. The Auditor General and the Office of Program Policy
 3034 Analysis and Government Accountability in connection with their
 3035 official functions; however, except when the collection of
 3036 personally identifiable information is specifically authorized
 3037 by law, any data collected by the Auditor General and the Office
 3038 of Program Policy Analysis and Government Accountability is
 3039 confidential and exempt from ~~the provisions of~~ s. 119.07(1) and
 3040 shall be protected in ~~such~~ a way that does ~~as will~~ not permit
 3041 the personal identification of students and their parents by

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3042 other than the Auditor General, the Office of Program Policy
 3043 Analysis and Government Accountability, and their staff, and the
 3044 ~~such~~ personally identifiable data shall be destroyed when no
 3045 longer needed for the Auditor General's and the Office of
 3046 Program Policy Analysis and Government Accountability's official
 3047 use.

3048 11.a. A court of competent jurisdiction in compliance with
 3049 an order of that court or the attorney of record in accordance
 3050 with ~~pursuant to~~ a lawfully issued subpoena, upon the condition
 3051 that the student and the student's parent are notified of the
 3052 order or subpoena in advance of compliance therewith by the
 3053 educational institution or agency.

3054 b. A person or entity pursuant to a court of competent
 3055 jurisdiction in compliance with an order of that court or the
 3056 attorney of record in accordance with ~~pursuant to~~ a lawfully
 3057 issued subpoena, upon the condition that the student, or his or
 3058 her parent if the student is either a minor and not attending a
 3059 postsecondary educational institution or a dependent of such
 3060 parent as defined in 26 U.S.C. s. 152 (s. 152 of the Internal
 3061 Revenue Code of 1954), is notified of the order or subpoena in
 3062 advance of compliance therewith by the educational institution
 3063 or agency.

3064 12. Credit bureaus, in connection with an agreement for
 3065 financial aid that the student has executed, if the ~~provided~~
 3066 ~~that such~~ information is ~~may be~~ disclosed only to the extent
 3067 necessary to enforce the terms or conditions of the financial
 3068 aid agreement. Credit bureaus shall not release any information
 3069 obtained under ~~pursuant to~~ this paragraph to any person.

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3070 13. Parties to an interagency agreement among the
3071 Department of Juvenile Justice, school and law enforcement
3072 authorities, and other signatory agencies for the purpose of
3073 reducing juvenile crime and especially motor vehicle theft by
3074 promoting cooperation and collaboration, and the sharing of
3075 appropriate information in a joint effort to improve school
3076 safety, to reduce truancy and in-school and out-of-school
3077 suspensions, and to support alternatives to in-school and out-
3078 of-school suspensions and expulsions that provide structured and
3079 well-supervised educational programs supplemented by a
3080 coordinated overlay of other appropriate services designed to
3081 correct behaviors that lead to truancy, suspensions, and
3082 expulsions, and that support students in successfully completing
3083 their education. Information provided in furtherance of the such
3084 interagency agreements is intended solely for use in determining
3085 the appropriate programs and services for each juvenile or the
3086 juvenile's family, or for coordinating the delivery of the such
3087 programs and services, and as such is inadmissible in any court
3088 proceedings before ~~prior to~~ a dispositional hearing unless
3089 written consent is provided by a parent or other responsible
3090 adult on behalf of the juvenile.

3091
3092 This paragraph does not prohibit any educational institution
3093 from publishing and releasing to the general public directory
3094 information relating to a student if the institution elects to
3095 do so. However, no educational institution shall release, to any
3096 individual, agency, or organization that is not listed in
3097 subparagraphs 1.-13., directory information relating to the

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3098 student body in general or a portion thereof unless it is
 3099 normally published for the purpose of release to the public in
 3100 general. Any educational institution making directory
 3101 information public shall give public notice of the categories of
 3102 information that it has designated as directory information for
 3103 ~~with respect to~~ all students attending the institution and shall
 3104 allow a reasonable period of time after the ~~such~~ notice has been
 3105 given for a parent or student to inform the institution in
 3106 writing that any or all of the information designated should not
 3107 be released.

3108 Section 31. Effective November 1, 2004, paragraph (e) of
 3109 subsection (1) of section 1003.21, Florida Statutes, is amended
 3110 to read:

3111 1003.21 School attendance.--

3112 (1)

3113 (e) Consistent with rules adopted by the State Board of
 3114 Education, children with disabilities who have attained the age
 3115 of 3 years shall be eligible for admission to public special
 3116 education programs and for related services under rules adopted
 3117 by the district school board. Exceptional children who are deaf
 3118 or hard of hearing, visually impaired, dual sensory impaired,
 3119 severely physically handicapped, trainable mentally handicapped,
 3120 or profoundly handicapped, or who have established conditions,
 3121 or exhibit developmental delays, below age 3 may be eligible for
 3122 special programs; or, if enrolled in other early learning school
 3123 ~~readiness~~ programs, they may be eligible for supplemental
 3124 instruction. Rules for the identification of established
 3125 conditions for children birth through 2 years of age and

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3126 developmental delays for children birth through 5 years of age
3127 must be adopted by the State Board of Education.

3128 Section 32. Effective November 1, 2004, paragraph (c) of
3129 subsection (3) of section 1003.54, Florida Statutes, is amended
3130 to read:

3131 1003.54 Teenage parent programs.--

3132 (3)

3133 (c) Provision for necessary child care, health care,
3134 social services, parent education, and transportation shall be
3135 ancillary service components of teenage parent programs.
3136 Ancillary services may be provided through the coordination of
3137 existing programs and services and through joint agreements
3138 between district school boards and early learning councils ~~local~~
3139 ~~school readiness coalitions~~ or other appropriate public and
3140 private providers.

3141 Section 33. Effective November 1, 2004, subsection (4) of
3142 section 1006.03, Florida Statutes, is amended to read:

3143 1006.03 Diagnostic and learning resource centers.--

3144 (4) Diagnostic and learning resource centers may assist
3145 districts in providing testing and evaluation services for
3146 infants and preschool children with or at risk of developing
3147 disabilities, and may assist districts in providing
3148 interdisciplinary training and resources to parents of infants
3149 and preschool children with or at risk of developing
3150 disabilities and to early learning ~~school readiness~~ programs.

3151 Section 34. By January 15, 2005, the Department of
3152 Education, with the advice of the Early Learning Advisory
3153 Council created under s. 1002.71, Florida Statutes, shall submit

3154 recommendations to the President of the Senate and the Speaker
3155 of the House of Representatives on professional development
3156 programs for the VPK Program. The recommendations must comprise
3157 options for the professional development of prekindergarten
3158 directors, teachers, and child development associate and child
3159 development associate equivalent personnel. The recommendations
3160 shall address curricula and appropriate delivery systems for the
3161 programs and shall consider the use of Internet-based
3162 applications for instruction or assessment. The recommendations
3163 must also include the estimated costs of the professional
3164 development programs, including nonrecurring startup costs and
3165 recurring operational costs.

3166 Section 35. Sections 402.30501, 411.012, and 1008.21,
3167 Florida Statutes, are repealed.

3168 Section 36. (1) Effective November 1, 2004, the Florida
3169 Partnership for School Readiness is abolished. All powers,
3170 duties, functions, rules, records, personnel, property, and
3171 unexpended balances of appropriations, allocations, and other
3172 funds of the Florida Partnership for School Readiness are
3173 transferred, effective November 1, 2004, by a type two transfer,
3174 as defined in s. 20.06(2), Florida Statutes, to the Agency for
3175 Workforce Innovation.

3176 (2) This act does not abolish the school readiness
3177 coalitions but, effective November 1, 2004, redesignates the
3178 coalitions as early learning councils and, effective January 1,
3179 2005, requires a reduction in the number of councils. All
3180 powers, duties, functions, rules, records, personnel, property,
3181 and unexpended balances of appropriations, allocations, and

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3182 other funds of each school readiness coalition are not
 3183 transferred but shall be retained by the coalition upon its
 3184 redesignation as an early learning council.

3185 (3) Notwithstanding section 37 of this act, all powers,
 3186 duties, functions, rules, records, personnel, property, and
 3187 unexpended balances of appropriations, allocations, and other
 3188 funds of the Teach Education and Compensation Helps (TEACH)
 3189 Early Childhood Project are transferred by a type two transfer,
 3190 as defined in s. 20.06(2), Florida Statutes, from the Agency for
 3191 Workforce Innovation to the Department of Education.

3192 (4) Notwithstanding section 37 of this act, all powers,
 3193 duties, functions, rules, records, personnel, property, and
 3194 unexpended balances of appropriations, allocations, and other
 3195 funds of the Home Instruction for Parents of Preschool
 3196 Youngsters (HIPPY) program are transferred by a type two
 3197 transfer, as defined in s. 20.06(2), Florida Statutes, from the
 3198 Agency for Workforce Innovation to the Department of Education.

3199 Section 37. (1) Notwithstanding any other law to the
 3200 contrary, the Agency for Workforce Innovation shall not transfer
 3201 to the Department of Education, through an interagency agreement
 3202 or through any other means, any of the agency's powers, duties,
 3203 functions, rules, records, personnel, property, or unexpended
 3204 balances of appropriations, allocations, or other funds which
 3205 are provided for administration of s. 411.01, Florida Statutes,
 3206 without specific legislative authority by express reference to
 3207 this section.

3208 (2) Notwithstanding any other law to the contrary, the
 3209 Department of Children and Family Services shall not transfer to

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3210 | the Department of Education, through an interagency agreement or
 3211 | through any other means, any of the department's powers, duties,
 3212 | functions, rules, records, personnel, property, or unexpended
 3213 | balances of appropriations, allocations, or other funds which
 3214 | are provided for the Child Care Services Program Office or for
 3215 | administration of ss. 402.25-402.319, Florida Statutes, without
 3216 | specific legislative authority by express reference to this
 3217 | section.

3218 | Section 38. The Voluntary Prekindergarten Education
 3219 | Program (VPK Program) created by this act is a choice option for
 3220 | both parents and providers in which public, private, and faith-
 3221 | based providers may opt to participate or not to participate. As
 3222 | such, the VPK Program is not part of the system of public
 3223 | education and shall not be subject to collective bargaining.

3224 | Section 39. Except as otherwise provided herein, this act
 3225 | shall take effect upon becoming a law.