

1 A bill to be entitled

2 An act relating to early childhood education; creating pt.  
3 V of ch. 1002, F.S., entitled "Voluntary Prekindergarten  
4 Education Program"; providing definitions; creating the  
5 Voluntary Prekindergarten Education Program (VPK Program)  
6 within the Department of Education to implement s. 1(b)  
7 and (c), Art. IX of the State Constitution; providing  
8 student eligibility and enrollment requirements; providing  
9 scholarship options and for issuance of scholarships;  
10 providing eligibility requirements for prekindergarten  
11 schools to participate in the VPK Program; providing  
12 educational requirements for prekindergarten directors of  
13 prekindergarten schools; providing requirements for a  
14 prekindergarten school teacher preparation and continuing  
15 education course; requiring adoption of VPK Program  
16 student performance standards; providing curriculum  
17 requirements and accountability standards; requiring  
18 adoption of a statewide kindergarten screening, and  
19 implementation of a screening instrument, to assess  
20 kindergarten readiness; providing funding, payment, and  
21 attendance requirements for prekindergarten schools;  
22 providing for administration of the VPK Program; providing  
23 department powers and duties; providing for an evaluation  
24 and adoption of curriculum standards for child development  
25 associate credentials; providing for interinstitutional  
26 articulation agreements; creating the Early Learning  
27 Advisory Council within the Agency for Workforce  
28 Innovation to provide advice on early childhood education

29 policy and administration of the VPK Program and early  
30 learning programs; providing council requirements;  
31 providing State Board of Education rulemaking authority;  
32 amending and renumbering s. 402.3017, F.S.; authorizing  
33 the department to contract for administration of  
34 scholarship initiatives for early childhood education  
35 personnel and for a program to encourage parental  
36 involvement; amending s. 411.01, F.S.; conforming  
37 provisions to the transfer of the powers and duties of the  
38 Florida Partnership for School Readiness to the Agency for  
39 Workforce Innovation and the abolishment of the  
40 partnership; redesignating school readiness programs as  
41 early learning programs and school readiness coalitions as  
42 early learning councils; providing duties of the Agency  
43 for Workforce Innovation with respect to administration of  
44 early learning programs at the statewide level, adoption  
45 of standards and outcome measures for early learning  
46 programs, and approval, coordination, and evaluation of  
47 early learning councils; providing for the organization of  
48 early learning councils and membership thereof; providing  
49 for administration and implementation of early learning  
50 programs by early learning councils; specifying  
51 requirements for, and elements of, early learning  
52 programs; requiring Agency for Workforce Innovation  
53 approval of early learning program plans submitted by  
54 early learning councils; specifying minimum standards and  
55 provisions for each early learning plan; providing  
56 requirements relating to the procurement of commodities or

57 | services, payment schedules, fiscal agents, and evaluation  
58 | of early learning programs and reporting thereof;  
59 | providing eligibility requirements for participation in  
60 | early learning programs; requiring early learning programs  
61 | to provide parental choice; requiring early learning  
62 | programs to meet performance standards and outcome  
63 | measures adopted by the Agency for Workforce Innovation;  
64 | providing for allocation of funds to early learning  
65 | councils by the Agency for Workforce Innovation and  
66 | specifying use of such funds; amending s. 11.45, F.S.;  
67 | authorizing the Auditor General to conduct audits of the  
68 | early learning system; amending s. 20.50, F.S.; creating  
69 | the Office of Early Childhood Education within the Agency  
70 | for Workforce Innovation to administer the early learning  
71 | system; amending s. 125.901, F.S.; conforming provisions;  
72 | amending ss. 216.133 and 216.136, F.S.; redesignating the  
73 | School Readiness Program Estimating Conference as the  
74 | Early Childhood Education Programs Estimating Conference;  
75 | requiring estimates and forecasts for early learning  
76 | programs and the VPK Program; amending s. 402.3016, F.S.;  
77 | conforming provisions; amending and renumbering s. 402.27,  
78 | F.S.; requiring the Agency for Workforce Innovation to  
79 | administer a statewide resource and referral network to  
80 | provide information for, and assistance in, the operation  
81 | of early learning councils and the VPK Program; including  
82 | a system of local resource and referral within the network  
83 | and specifying services to be provided; amending s.  
84 | 402.3018, F.S.; requiring the Agency for Workforce

85 Innovation to provide for a statewide toll-free Warm-Line;  
86 amending s. 409.178, F.S.; redesignating the Child Care  
87 Executive Partnership as the Business Partnership for  
88 Early Learning to be administered by the Agency for  
89 Workforce Innovation and providing for establishment of  
90 the Business Partnership for Early Learning Program;  
91 amending s. 402.25, F.S.; conforming provisions; amending  
92 s. 402.281, F.S.; redesignating the Gold Seal Quality Care  
93 program as the Gold Seal Quality program; specifying  
94 requirements for a Gold Seal Quality designation; amending  
95 ss. 402.3051, 402.315, and 212.08, F.S.; conforming  
96 provisions; amending s. 402.305, F.S.; revising  
97 requirements for an introductory course in child care for  
98 child care personnel; revising minimum staff credential  
99 requirements for child care personnel and providing  
100 rulemaking authority for equivalent credentials; amending  
101 ss. 383.14, 402.45, 411.011, 411.221, 411.226, 411.227,  
102 445.023, 490.014, 491.014, 624.91, 1001.23, 1002.22,  
103 1003.21, 1003.54, and 1006.03, F.S.; conforming  
104 provisions; requiring the Department of Education to  
105 submit to the Legislature recommendations for professional  
106 development programs for the VPK Program; repealing ss.  
107 402.30501, 411.012, and 1008.21, F.S., relating to  
108 modification of the introductory child care course for  
109 community college credit, the voluntary universal  
110 prekindergarten education program, and the school  
111 readiness uniform screening, respectively; abolishing the  
112 Florida Partnership for School Readiness and providing for

113 transfer of powers, duties, functions, rules, records,  
 114 personnel, property, and funds to the Agency for Workforce  
 115 Innovation; providing for the transfer of the TEACH Early  
 116 Childhood Project and the HIPPIY program from the Agency  
 117 for Workforce Innovation to the Department of Education;  
 118 prohibiting certain transfers without specific legislative  
 119 authority; providing that the VPK Program is a choice  
 120 option for parents and providers and not part of the  
 121 system of public education; providing effective dates.  
 122

123 Be It Enacted by the Legislature of the State of Florida:  
 124

125 Section 1. Part V of chapter 1002, Florida Statutes,  
 126 consisting of sections 1002.51, 1002.53, 1002.55, 1002.57,  
 127 1002.59, 1002.63, 1002.65, 1002.67, 1002.69, 1002.701, 1002.702,  
 128 1002.71, and 1002.75, is created to read:

129 PART V

130 VOLUNTARY PREKINDERGARTEN EDUCATION PROGRAM

131 1002.51 Definitions.--As used in this part, the term:

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

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

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

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

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

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

148       1002.53 Voluntary Prekindergarten Education Program;  
149 eligibility and enrollment.--

150       (1) There is created the Voluntary Prekindergarten  
151 Education Program (VPK Program) within the Department of  
152 Education. The program shall take effect at the beginning of the  
153 2005-2006 school year and shall be organized, designed, and  
154 delivered in accordance with s. 1(b) and (c), Art. IX of the  
155 State Constitution.

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

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

166       1. A scholarship for the child to attend any eligible VPK  
167 Program public, private, or faith-based prekindergarten school

168 of the parent's choice for a school year of 540 hours. The  
169 parent shall be responsible for the child's transportation and  
170 for additional hours or services desired for the child unless  
171 the child is eligible for subsidized services under the early  
172 learning program; or

173 2. A scholarship for the child to attend an intensive  
174 full-day, 310-hour prekindergarten summer school offered by an  
175 eligible VPK Program public, private, or faith-based school of  
176 the parent's choice. The parent shall be responsible for the  
177 child's transportation and for additional hours or services  
178 desired for the child unless the child is eligible for  
179 subsidized services under the early learning program.

180 (b) An additional scholarship option shall be available to  
181 the parent of a child who has participated in the option under  
182 subparagraph (a)1. who is a limited English proficient child and  
183 is assessed at the end of the 540-hour school year program as  
184 being in the lowest quartile of students in the state on a  
185 uniform prereadiness assessment instrument provided by the  
186 department. The parent of each such child may opt for the child  
187 to also attend the intensive prekindergarten summer school  
188 option under subparagraph (a)2.

189  
190 If the parent requests a scholarship for the child for the  
191 option under subparagraph (a)1., the option under subparagraph  
192 (a)2., or the option under paragraph (b), the scholarship shall  
193 be issued by a voucher or coupon or an electronic coupon or code  
194 in the name of the parent. The parent shall monthly present the  
195 voucher, coupon, or code to the eligible VPK Program

196 prekindergarten school of the parent's choice and, with  
197 verification of the child's enrollment in and continued  
198 attendance at the school, the prekindergarten school shall  
199 monthly submit the voucher, coupon, or code to the department  
200 and the department shall deposit the child's monthly scholarship  
201 payment in the school's account. The scholarship shall be in an  
202 amount set by the 2005 Legislature, annually adjusted for  
203 inflation in accordance with the Consumer Price Index. The  
204 parent is free to choose for the child any eligible VPK Program  
205 prekindergarten school with available space.

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

210 (b) The application must be submitted on forms prescribed  
211 by the department and must be accompanied by a certified copy of  
212 the child's birth certificate. The department may designate  
213 alternative methods for submitting proof of the child's age in  
214 lieu of a certified copy of the child's birth certificate.

215 (5) The department shall provide each parent enrolling a  
216 child in the VPK Program with a profile of every prekindergarten  
217 school delivering the program within the school district. The  
218 profiles shall be provided to parents in a format prescribed by  
219 the department. The profiles must include, at a minimum, the  
220 following information about each prekindergarten school:

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



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

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

233 1002.55 VPK Program delivered by prekindergarten  
234 schools.--

235 (1)(a) To be an eligible prekindergarten school in the VPK  
236 Program, the school must be a Florida public, private, or faith-  
237 based school that offers a literacy-based and numeracy-based  
238 foundation curriculum which emphasizes phonics, phonemic  
239 awareness, and vocabulary and is appropriate to prepare 4-year-  
240 old children for success upon entry into public school. A public  
241 school graded "D" or "F" shall not be eligible to participate in  
242 the VPK Program unless no other VPK Program prekindergarten  
243 school is located in the geographic area, in which case the  
244 public school graded "D" or "F" shall contract with a public  
245 school graded "A" or "B" or a private or faith-based VPK Program  
246 prekindergarten school to provide the prekindergarten program in  
247 the public school graded "D" or "F."

248 (b) The prekindergarten school shall maintain an accurate  
249 school profile containing the information required in s.  
250 1002.53(5) and other objective measures and keep this profile

251 readily available and easy to access and understand by parents  
252 of children attending the school and parents interested in the  
253 school for their child.

254 (c) The prekindergarten school shall provide the  
255 department evidence of its fiscal soundness and other evidence  
256 as required by the department pursuant to this part of its  
257 eligibility to participate in the VPK Program. The department  
258 may request a surety bond if necessary to ensure continued  
259 provision of prekindergarten education by the school.

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

262 (a)1. Be a public prekindergarten school pursuant to  
263 paragraph (1)(a); or

264 2. Be a private prekindergarten school, including:

265 a. A nonpublic school exempt from licensure under s.  
266 402.3025(2) that is accredited by an accrediting association  
267 recognized by the National Council for Private School  
268 Accreditation (NCPSA), the Commission on International and  
269 Trans-Regional Accreditation, or the Florida Association of  
270 Academic Nonpublic Schools (FAANS) or that has a current Gold  
271 Seal Quality designation;

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

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

276 d. A large family child care home licensed under s.  
277 402.3131 that has a current Gold Seal Quality designation; or

278 e. A religious-affiliated child care facility exempt from  
279 licensure under s. 402.316 that is accredited by an accrediting  
280 association recognized by the National Council for Private  
281 School Accreditation (NCPA), the Commission on International  
282 and Trans-Regional Accreditation, or the Florida Association of  
283 Academic Nonpublic Schools (FAANS) or that has a current Gold  
284 Seal Quality designation.

285

286 No public or private prekindergarten school participating in the  
287 VPK Program shall exceed the constitutionally established class  
288 size maximum of 18 students for each prekindergarten classroom.

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

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

293 a. A current child development associate credential issued  
294 by the National Credentialing Program of the Council for  
295 Professional Regulation; or

296 b. A current credential approved by the department as  
297 being equivalent to or greater than the credential described in  
298 sub-subparagraph a.

299

300 The State Board of Education may adopt rules that provide  
301 criteria and procedures for the approval of equivalent  
302 credentials under sub-subparagraph b.

303 2. The teacher must successfully complete an emerging  
304 literacy teacher preparation and continuing education course  
305 approved by the department as meeting or exceeding the minimum

306 standards adopted under s. 1002.59. This subparagraph does not  
307 apply to a teacher who successfully completes approved training  
308 in early literacy and language development under s.  
309 402.305(2)(d)4., s. 402.313(6), or s. 402.3131(5) before the  
310 establishment of the emerging literacy training course under s.  
311 1002.59 or January 1, 2005, whichever occurs later.

312 (c) Have a director who has a prekindergarten director  
313 credential that is approved by the department, which must  
314 include the child care facility director credential under s.  
315 402.305(2)(f) and additional minimum standards adopted under s.  
316 1002.57. A prekindergarten director who successfully completes a  
317 child care facility director credential under s. 402.305(2)(f)  
318 before the establishment of the prekindergarten director  
319 credential under s. 1002.57 or July 1, 2005, whichever occurs  
320 later, satisfies the requirement for a prekindergarten director  
321 credential under this paragraph.

322 (d) Register with the department on forms prescribed by  
323 the department.

324 (e) Deliver the prekindergarten education program in  
325 accordance with this part.

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

329 (a) A bachelor's or higher degree in early childhood  
330 education, prekindergarten or primary education, preschool  
331 education, or family and consumer science;

332 (b) A bachelor's or higher degree in elementary education  
333 if the teacher or child care personnel has been certified to

334 teach children any age from birth through grade 6, regardless of  
335 whether the teaching certificate is current;

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

337 (d) An associate's or higher degree in an unrelated field,

338 at least 6 credit hours in early childhood education or child  
339 development, and at least 480 hours' experience in teaching or  
340 providing child care services for children any age from birth  
341 through 8 years of age; or

342 (e) An educational credential approved by the department  
343 as being equivalent to or greater than an educational credential  
344 described in this subsection. The department shall adopt  
345 criteria and procedures for the approval of equivalent  
346 educational credentials under this paragraph, which shall  
347 include, but are not limited to, the emerging literacy  
348 preparation and continuing education course pursuant to s.  
349 1002.59.

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

352 1002.57 Prekindergarten director credential.--

353 (1) By July 1, 2005, the department, with the advice of  
354 the advisory council, shall adopt minimum standards for a  
355 credential for prekindergarten directors of prekindergarten  
356 schools delivering the VPK Program. The credential must  
357 encompass the director credential developed under s.  
358 402.305(2)(f) and additional requirements for education or  
359 onsite experience.

360 (2) Additional educational requirements must include  
361 training in professionally accepted standards for

362 prekindergarten programs, child development, and strategies and  
363 techniques to address the age-appropriate progress of  
364 prekindergarten students in attaining the performance standards  
365 adopted by the department under s. 1002.63.

366 1002.59 Emerging literacy prekindergarten school teacher  
367 preparation and continuing education course.--

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

377 (2) The teacher education and continuing education course  
378 must be designed with sufficient flexibility to accommodate the  
379 variety of curricula and teaching methodologies that may be used  
380 by public, private, and faith-based prekindergarten schools.

381 (3) The teacher preparation and continuing education  
382 course shall be provided to the department by May 1, 2005. By  
383 June 1, 2005, the department shall make the teacher preparation  
384 and continuing education course available to all VPK Program  
385 prekindergarten schools and teachers.

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

389       (5) The course shall comprise 5 clock hours and provide  
390 instruction in strategies and techniques to address the age-  
391 appropriate progress of prekindergarten students. The course  
392 must meet or exceed the requirements of the Department of  
393 Children and Family Services for approved training in early  
394 literacy and language development under ss. 402.305(2)(d)4.,  
395 402.313(6), and 402.3131(5), and successful completion of the  
396 course satisfies these requirements for approved training.

397       1002.63 Performance standards; curriculum and  
398 accountability.--

399       (1) By January 1, 2005, the department, with the advice of  
400 the advisory council, shall develop and adopt education  
401 performance standards for students in the VPK Program. The  
402 performance standards must address the age-appropriate progress  
403 of students in the development of:

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

406       (b) Emerging literacy skills, including oral  
407 communication, knowledge of print and letters, and phonological  
408 or phonemic awareness.

409       (2)(a) Each prekindergarten school may select or design  
410 the curriculum that the school uses to implement the VPK  
411 Program, except as otherwise required for a school that is  
412 placed on probation under paragraph (3)(c). Each school's  
413 curriculum must be designed to enhance the age-appropriate  
414 progress of students in attaining the performance standards  
415 adopted by the department under subsection (1).

416       (b) The department shall review and approve curricula for

417 use by schools that are placed on probation under paragraph  
418 (3)(c). The department shall maintain a list of the curricula  
419 approved under this paragraph. Each approved curriculum must be  
420 designed to:

421 1. Enhance the age-appropriate progress of students in  
422 attaining the performance standards adopted by the department  
423 under subsection (1).

424 2. Prepare students to be assessed as ready for  
425 kindergarten based upon the statewide kindergarten screening  
426 administered under s. 1002.65.

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

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

433 (c) Beginning with the kindergarten readiness rates for  
434 students completing the VPK Program during the 2005-2006 school  
435 year who are administered the statewide kindergarten screening  
436 during the 2006-2007 school year:

437 1. If less than 85 percent of the students in a  
438 prekindergarten school's prekindergarten program are assessed as  
439 ready for kindergarten based upon the statewide kindergarten  
440 screening, the department shall require the school to submit an  
441 improvement plan for approval and to implement the plan.

442 2. If a prekindergarten school fails to meet the 85-  
443 percent kindergarten readiness rate for 2 consecutive years, the  
444 department shall place the school on probation and must require



445 the school to take certain corrective actions, including the use  
446 of a curriculum approved by the department under paragraph  
447 (2)(b).

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

454 1002.65 Statewide kindergarten screening.--

455 (1) The department, with the advice of the advisory  
456 council, shall adopt a statewide kindergarten screening that  
457 assesses the readiness of each student for kindergarten based  
458 upon the performance standards for the VPK Program adopted by  
459 the department under s. 1002.63(1). The department shall require  
460 that each school district administer the statewide kindergarten  
461 screening to every kindergarten student in the school district  
462 within 30 school days after the student's entry into  
463 kindergarten.

464 (2) The statewide kindergarten screening shall provide  
465 objective data on each student's progress in attaining the  
466 performance standards adopted by the department under s.  
467 1002.63(1).

468 (3) The statewide kindergarten screening shall incorporate  
469 mechanisms for recognizing potential variations in kindergarten  
470 readiness rates for children with disabilities.

471 (4)(a) During the 2004-2005 school year, the department  
472 shall implement a statewide kindergarten screening instrument

473 that measures emerging phonemic awareness and phonics skills  
474 which are valid and reliable predictors of later reading  
475 performance.

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

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

482 (d) The Legislature shall review, at the 2007 Regular  
483 Session, the baseline data obtained under the statewide  
484 kindergarten screening instrument implemented under paragraph  
485 (a) and the 85-percent kindergarten readiness rate in s.  
486 1002.63(3)(c). The kindergarten screening instrument implemented  
487 by the department under paragraph (a) shall be used to calculate  
488 the kindergarten readiness rates for students completing the VPK  
489 Program during the 2005-2006 school year and for subsequent  
490 school years.

491 1002.67 Funding; financial and attendance reporting.--

492 (1) The department shall pay prekindergarten schools  
493 monthly for the VPK Program from funds provided in the General  
494 Appropriations Act for that purpose. A prekindergarten school  
495 must, in order to receive payment, certify student attendance  
496 each month to the department and submit a voucher or coupon or  
497 electronic coupon or code verifying the parent's continuing  
498 choice for the child to attend the school. The department shall  
499 contract for a payment system that contains maximum automation  
500 while providing flexibility for direct parental provider choice

501 and that contains built-in safeguards to minimize fraudulent  
502 conduct.

503 (2)(a) Each parent enrolling his or her child in the VPK  
504 Program must agree to comply with the attendance policy of the  
505 prekindergarten school. Upon enrollment of the child, the  
506 prekindergarten school must provide the child's parent with a  
507 copy of the school's attendance policy.

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

510 (c) The department shall adopt procedures for documenting  
511 the attendance of students in the VPK Program. The procedures  
512 must provide requirements for the adjustment of a  
513 prekindergarten school's funding when a student has more than  
514 five consecutive unexcused absences during a month.

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

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

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

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

526 (4) State funds provided for the VPK Program may not be  
527 used for the transportation of students to and from the program.  
528 A parent is responsible for the transportation of his or her

529 child to and from the VPK Program. However, nothing shall  
530 prohibit a prekindergarten school from opting to provide  
531 transportation scholarships.

532 1002.69 Department of Education; Choice Office; powers and  
533 duties.--

534 (1) The Choice Office of the Department of Education, with  
535 the advice of the advisory council, shall contract with a  
536 program administrator to administer the VPK Program at the  
537 statewide level. The program administrator shall administer the  
538 program effectively and efficiently in accordance with this  
539 part.

540 (2) The department shall adopt procedures for:

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

543 (b) Providing parents with profiles of prekindergarten  
544 schools under s. 1002.53.

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

547 (d) Approving prekindergarten director credentials under  
548 ss. 1002.55 and 1002.57.

549 (e) Approving emerging literacy prekindergarten school  
550 teacher preparation and continuing education courses under ss.  
551 1002.55 and 1002.59.

552 (f) Verifying the compliance of prekindergarten schools,  
553 and removing schools from eligibility to deliver the program for  
554 noncompliance, under s. 1002.63.

555 (g) Approving improvement plans of prekindergarten schools  
556 under s. 1002.63.

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

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

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

562 (k) Documenting and certifying student attendance and  
563 continuing parental choice under s. 1002.67.

564 (l) Reenrolling students dismissed by a prekindergarten  
565 school for noncompliance with the school's attendance policy  
566 under s. 1002.67.

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

568  
569 Such procedures shall, through interagency agreement with state  
570 or local agencies, make use of existing data or information  
571 whenever feasible.

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

574 (a) Impose requirements on a prekindergarten school that  
575 does not deliver the VPK Program or receive state funds under  
576 this part.

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

579 (c) Administer powers and duties assigned to the Agency  
580 for Workforce Innovation or an early learning council under s.  
581 411.01.

582 1002.701 Child development associate and child development  
583 associate equivalent training capacity.--

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

596       (2)(a) The State Board of Education shall adopt rules  
597 establishing curriculum standards for the approval and renewal  
598 of child development associate and child development associate  
599 equivalent credential programs.

600       (b) The curriculum standards for the child development  
601 associate equivalent credential shall include a requirement to  
602 successfully complete a competency-based examination for which a  
603 professional certificate will be awarded. The curriculum  
604 standards and renewal requirements for the state-approved child  
605 development associate equivalent credential must include  
606 literacy education, effective practices for increasing parental  
607 involvement, and strategies to meet the needs of non-English-  
608 speaking children and children with disabilities. Universities,  
609 community colleges, school districts, and private providers may  
610 provide training for professional development. Professional  
611 development shall encourage VPK Program teachers to improve

612 their skills through education and training toward the  
613 completion of an associate's degree in early childhood education  
614 or child development and with the goal of completing a  
615 bachelor's degree in early childhood education or child  
616 development.

617 1002.702 Articulation.--The State Board of Education shall  
618 develop guidelines for the articulation required in this section  
619 which maximize local flexibility in developing  
620 interinstitutional articulation agreements while ensuring that  
621 students in the field of early learning have the ability to  
622 proceed toward their higher educational and professional  
623 objectives. The State Board of Education shall adopt a rule for  
624 a statewide articulation agreement in which:

625 (1) Successful completion of the 45-clock-hour  
626 introductory course under s. 402.305(2)(d) shall reduce the  
627 number of hours required for the equivalent state-approved child  
628 development associate credential by 45 hours. The specific  
629 competencies into which the hours articulate shall be determined  
630 by the State Board of Education.

631 (2) Successful completion of a child development associate  
632 credential or an equivalent state-approved child development  
633 associate credential that includes the emerging literacy teacher  
634 preparation and continuing education course under s. 1002.59  
635 shall articulate into a minimum of 8 community college credit  
636 hours in early childhood education. The specific courses into  
637 which the credits articulate shall be determined by the local  
638 community college.

639       (3) Successful completion of an associate degree in early  
640 childhood education shall articulate into the appropriate state  
641 university baccalaureate degree program.

642       1002.71 Early Learning Advisory Council.--

643       (1) There is created the Early Learning Advisory Council,  
644 administratively housed within the Agency for Workforce  
645 Innovation. The purpose of the advisory council is to advise the  
646 Department of Education and the Agency for Workforce Innovation  
647 on early childhood education policy, including advice relating  
648 to administration of the VPK Program under this part and the  
649 early learning programs under s. 411.01.

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

652       (a) Twelve members appointed by the Governor, comprised of  
653 representatives of:

654       1. Parents.

655       2. State university presidents.

656       3. Community college presidents.

657       4. Private postsecondary educational institution  
658 presidents.

659       5. District school superintendents.

660       6. Florida Association of Academic Nonpublic Schools  
661 (FAANS).

662       7. Early learning council chairs.

663       8. Prekindergarten schools specializing in children with  
664 disabilities.

665       9. Faith-based prekindergarten schools.

666       10. Private prekindergarten schools.



667 11. Family day care homes that provide prekindergarten  
668 education.

669 12. Chambers of commerce.

670 (b) Two members appointed by, and who serve at the  
671 pleasure of, the President of the Senate and two members  
672 appointed by, and who serve at the pleasure of, the Speaker of  
673 the House of Representatives, who must each meet the same  
674 qualifications as private-sector business members appointed to  
675 an early learning council under s. 411.01(5)(a)6.

676  
677 The advisory council shall elect its chair annually by majority  
678 vote. The members appointed under this subsection must be  
679 geographically and demographically representative of the state.  
680 The members shall be appointed to terms of 3 years each, except  
681 that, to establish staggered terms, one-half of the members  
682 shall be appointed to initial terms of 2 years each. Members may  
683 serve a maximum of two consecutive terms.

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

687 (4)(a) Each member of the advisory council shall serve  
688 without compensation but is entitled to per diem and travel  
689 expenses for attendance at council meetings as provided in s.  
690 112.061.

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

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

695           (5) The Agency for Workforce Innovation shall provide  
 696 staff and administrative support for the advisory council.  
 697           1002.75 Rulemaking authority.--The State Board of  
 698 Education shall adopt rules under ss. 120.536(1) and 120.54 to  
 699 administer the provisions of this part that confer duties upon  
 700 the department. However, the inclusion of eligible private and  
 701 faith-based options for the VPK Program available to the state's  
 702 4-year-old children does not expand any regulatory authority to  
 703 impose any additional regulation of private and faith-based  
 704 prekindergarten schools beyond those reasonably necessary to  
 705 enforce requirements expressly set forth in this part. The  
 706 rulemaking authority in this section does not apply to any  
 707 prekindergarten school that chooses not to participate in the  
 708 VPK Program. The state board shall adopt initial rules for the  
 709 VPK Program by January 1, 2005.

710           Section 2. Section 402.3017, Florida Statutes, is  
 711 renumbered as section 1002.73, Florida Statutes, and amended to  
 712 read:

713           1002.73 402.3017 Teacher Education and Compensation Helps  
 714 (TEACH) Early Childhood Project or other scholarship  
 715 initiatives; Home Instruction for Parents of Preschool  
 716 Youngsters (HIPPI) program.--

717           ~~(1) The Legislature finds that the level of early child~~  
 718 ~~care teacher education and training is a key predictor for~~  
 719 ~~determining program quality. The Legislature also finds that low~~  
 720 ~~wages for child care workers prevent many from obtaining~~  
 721 ~~increased training and education and contribute to high turnover~~  
 722 ~~rates. The Legislature therefore intends to help fund a program~~

723 ~~which links teacher training and education to compensation and~~  
724 ~~commitment to the field of early childhood education.~~

725 (1)(2) The department may ~~of Children and Family Services~~  
726 ~~is authorized to~~ contract for the administration of the Teacher  
727 Education and Compensation Helps (TEACH) Early Childhood Project  
728 or other scholarship initiatives. The project shall be based  
729 upon the national model and shall provide scholarship program,  
730 ~~which provides~~ educational scholarships to early childhood  
731 education personnel ~~caregivers and administrators of early~~  
732 ~~childhood programs, family day care homes, and large family~~  
733 ~~child care homes.~~

734 (2) The department may contract for the administration of  
735 the Home Instruction for Parents of Preschool Youngsters (HIPPY)  
736 program. The program shall be based on its national model and  
737 encourage parental involvement in early learning programs by  
738 providing parents with assistance in preparing their children  
739 for school.

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

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

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

747 411.01 Early learning programs; early learning councils  
748 ~~Florida Partnership for School readiness; school readiness~~  
749 ~~coalitions.--~~

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

753 (2) LEGISLATIVE INTENT.--

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

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

770 (c) It is the intent of the Legislature that early  
 771 learning ~~school-readiness~~ programs not exist as isolated  
 772 programs, but build upon existing services and work in  
 773 cooperation with other programs for young children, and that  
 774 early learning ~~school-readiness~~ programs be coordinated ~~and~~  
 775 ~~funding integrated~~ to achieve full effectiveness.

776 (d) It is the intent of the Legislature that the  
 777 administrative staff at the state level for early learning

778 ~~school readiness~~ programs be kept to the minimum necessary to  
779 administer ~~carry out~~ the duties of the Agency for Workforce  
780 Innovation Florida Partnership for School Readiness, as the  
781 early learning school readiness programs are to be regionally  
782 ~~locally~~ designed, operated, and managed, with the Agency for  
783 Workforce Innovation Florida Partnership for School Readiness  
784 ~~adopting a system for measuring school readiness;~~ developing  
785 early learning school readiness program performance standards  
786 and, ~~outcome measures measurements, and data design and review;~~  
787 and approving and reviewing early learning councils and early  
788 learning local school readiness coalitions and plans.

789 (e) It is the intent of the Legislature that  
790 appropriations for combined early learning school readiness  
791 programs shall not be less than the programs would receive in  
792 any fiscal year on an uncombined basis.

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

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

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

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

818 ~~(a) The school readiness program shall be phased in on a~~  
819 ~~coalition-by-coalition basis. Each coalition's school readiness~~  
820 ~~program shall have available to it funding from all the~~  
821 ~~coalition's early education and child care programs that are~~  
822 ~~funded with state, federal, lottery, or local funds, including~~  
823 ~~but not limited to Florida First Start programs, Even Start~~  
824 ~~literacy programs, prekindergarten early intervention programs,~~  
825 ~~Head Start programs, programs offered by public and private~~  
826 ~~providers of child care, migrant prekindergarten programs, Title~~  
827 ~~I programs, subsidized child care programs, and teen parent~~  
828 ~~programs, together with any additional funds appropriated or~~  
829 ~~obtained for purposes of this section. These programs and their~~  
830 ~~funding streams shall be components of the coalition's~~  
831 ~~integrated school readiness program, with the goal of preparing~~  
832 ~~children for success in school.~~

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

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

836 ~~(b)2. Create any obligation to provide publicly funded~~  
837 ~~early learning school-readiness programs or services beyond~~  
838 ~~those authorized by the Legislature.~~

839 ~~(4) AGENCY FOR WORKFORCE INNOVATION FLORIDA PARTNERSHIP~~  
840 ~~FOR SCHOOL READINESS.--~~

841 ~~(a) The Agency for Workforce Innovation shall Florida~~  
842 ~~Partnership for School Readiness was created to fulfill three~~  
843 ~~major purposes: to administer early learning programs at the~~  
844 ~~statewide level and shall school-readiness program services that~~  
845 ~~help parents prepare eligible children for school; to coordinate~~  
846 ~~the early learning councils in providing early learning~~  
847 ~~provision of school-readiness services on a full-day, full-year,~~  
848 ~~full-choice basis to the extent possible in order to enable~~  
849 ~~parents to work and be financially self-sufficient; and to~~  
850 ~~establish a uniform screening instrument to be implemented by~~  
851 ~~the Department of Education and administered by the school~~  
852 ~~districts upon entry into kindergarten to assess the readiness~~  
853 ~~for school of all children. Readiness for kindergarten is the~~  
854 ~~outcome measure of the success of each school-readiness program~~  
855 ~~that receives state or federal funds. The partnership is~~  
856 ~~assigned to the Agency for Workforce Innovation for~~  
857 ~~administrative purposes.~~

858 ~~(b) The Agency for Workforce Innovation Florida~~  
859 ~~Partnership for School Readiness shall:~~

860 1. Coordinate the birth-to-kindergarten services for  
861 children who are eligible under ~~pursuant to~~ subsection (6) and  
862 the programmatic, administrative, and fiscal standards under  
863 ~~pursuant to~~ this section for all public providers of early  
864 learning school readiness programs.

865 2. Continue to provide unified leadership for early  
866 learning school readiness through early learning councils ~~local~~  
867 ~~school readiness coalitions~~.

868 3. Focus on improving the educational quality of all  
869 publicly funded early learning ~~school readiness~~ programs.

870 ~~(c)1. The Florida Partnership for School Readiness shall~~  
871 ~~include the Lieutenant Governor, the Commissioner of Education,~~  
872 ~~the Secretary of Children and Family Services, and the Secretary~~  
873 ~~of Health, or their designees, and the chair of the Child Care~~  
874 ~~Executive Partnership Board, and the chairperson of the Board of~~  
875 ~~Directors of Workforce Florida, Inc. When the Lieutenant~~  
876 ~~Governor or an agency head appoints a designee, the designee~~  
877 ~~must be an individual who attends consistently, and, in the~~  
878 ~~event that the Lieutenant Governor or agency head and his or her~~  
879 ~~designee both attend a meeting, only one of them may vote.~~

880 2. ~~The partnership shall also include 14 members of the~~  
881 ~~public who shall be business, community, and civic leaders in~~  
882 ~~the state who are not elected to public office. These members~~  
883 ~~and their families must not have a direct contract with any~~  
884 ~~local coalition to provide school readiness services. The~~  
885 ~~members must be geographically and demographically~~  
886 ~~representative of the state. Each member shall be appointed by~~  
887 ~~the Governor from a list of nominees submitted by the President~~



888 ~~of the Senate and the Speaker of the House of Representatives.~~  
889 ~~By July 1, 2001, four members shall be appointed as follows: two~~  
890 ~~members shall be from the child care industry, one representing~~  
891 ~~the private for-profit sector appointed by the Governor from a~~  
892 ~~list of two nominees submitted by the President of the Senate~~  
893 ~~and one representing faith-based providers appointed by the~~  
894 ~~Governor from a list of two nominees submitted by the Speaker of~~  
895 ~~the House of Representatives; and two members shall be from the~~  
896 ~~business community, one appointed by the Governor from a list of~~  
897 ~~two nominees submitted by the President of the Senate and one~~  
898 ~~appointed by the Governor from a list of two nominees submitted~~  
899 ~~by the Speaker of the House of Representatives. Members shall be~~  
900 ~~appointed to 4-year terms of office. The members of the~~  
901 ~~partnership shall elect a chairperson annually from the~~  
902 ~~nongovernmental members of the partnership. Any vacancy on the~~  
903 ~~partnership shall be filled in the same manner as the original~~  
904 ~~appointment.~~

905 ~~(d) The partnership shall meet at least quarterly but may~~  
906 ~~meet as often as it deems necessary to carry out its duties and~~  
907 ~~responsibilities. Members of the partnership shall participate~~  
908 ~~without proxy at the quarterly meetings. The partnership may~~  
909 ~~take official action by a majority vote of the members present~~  
910 ~~at any meeting at which a quorum is present.~~

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

915           ~~(f) Members of the partnership shall serve without~~  
 916 ~~compensation but are entitled to reimbursement for per diem and~~  
 917 ~~travel expenses incurred in the performance of their duties as~~  
 918 ~~provided in s. 112.061, and reimbursement for other reasonable,~~  
 919 ~~necessary, and actual expenses.~~

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

922           ~~(h) The partnership shall appoint an executive director~~  
 923 ~~who shall serve at the pleasure of the Governor. The executive~~  
 924 ~~director shall perform the duties assigned to him or her by the~~  
 925 ~~partnership. The executive director shall be responsible for~~  
 926 ~~hiring, subject to the approval of the partnership, all~~  
 927 ~~employees and staff members, who shall serve under his or her~~  
 928 ~~direction and control.~~

929           ~~(c)(i)~~ For purposes of administration of the federal Child  
 930 Care and Development Fund, 45 C.F.R. parts 98 and 99, the Agency  
 931 for Workforce Innovation partnership may be designated by the  
 932 Governor as the lead agency, and, if so designated, shall comply  
 933 with the lead agency responsibilities under ~~pursuant to~~ federal  
 934 law.

935           ~~(d)(j)~~ The Agency for Workforce Innovation Florida  
 936 Partnership for School Readiness is the principal organization  
 937 responsible for the enhancement of school readiness for the  
 938 state's children, and shall:

- 939           1. Be responsible for the prudent use of all public and
- 940 private funds in accordance with all legal and contractual
- 941 requirements.

942           2. Provide final approval and periodic review of early  
943 learning councils ~~coalitions~~ and early learning plans.

944           3. Provide leadership for the enhancement of early  
945 learning ~~school readiness~~ in this state by aggressively  
946 establishing a unified approach to the state's efforts toward  
947 enhancement of early learning ~~school readiness~~. In support of  
948 this effort, the Agency for Workforce Innovation ~~partnership~~ may  
949 develop and implement specific strategies that address the  
950 state's early learning ~~school readiness~~ programs.

951           4. Safeguard the effective use of federal, state, local,  
952 and private resources to achieve the highest possible level of  
953 early learning ~~school readiness~~ for the ~~state's~~ children in this  
954 state.

955           5. Provide technical assistance to early learning councils  
956 ~~coalitions~~.

957           6. Assess gaps in service.

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

960           8.a. ~~Adopt a system for measuring school readiness that~~  
961 ~~provides objective data regarding the expectations for school~~  
962 ~~readiness, and establish a method for collecting the data and~~  
963 ~~guidelines for using the data. The measurement, the data~~  
964 ~~collection, and the use of the data must serve the statewide~~  
965 ~~school readiness goal. The criteria for determining which data~~  
966 ~~to collect should be the usefulness of the data to state~~  
967 ~~policymakers and local program administrators in administering~~  
968 ~~programs and allocating state funds, and must include the~~  
969 ~~tracking of school readiness system information back to~~

970 ~~individual school readiness programs to assist in determining~~  
971 ~~program effectiveness.~~

972 ~~b. Adopt a system for evaluating the performance of~~  
973 ~~students through the third grade to compare the performance of~~  
974 ~~those who participated in school readiness programs with the~~  
975 ~~performance of students who did not participate in school~~  
976 ~~readiness programs in order to identify strategies for continued~~  
977 ~~successful student performance.~~

978 8.9. ~~Develop and adopt, with the advice of the Early~~  
979 ~~Learning Advisory Council created under s. 1002.71 and the~~  
980 ~~Department of Education, performance standards and outcome~~  
981 ~~measures for early learning programs. The performance standards~~  
982 ~~must address the age-appropriate progress of children in the~~  
983 ~~development of the early learning skills required under~~  
984 ~~paragraph (j). The Agency for Workforce Innovation shall~~  
985 ~~integrate the performance standards for early learning programs~~  
986 ~~into the education performance standards for the VPK Program~~  
987 ~~adopted by the Department of Education under s. 1002.63.~~

988 ~~(e)(k)~~ The Agency for Workforce Innovation partnership may  
989 adopt rules under ss. 120.536(1) and 120.54 necessary to  
990 administer the provisions of law conferring duties upon the  
991 agency, including, but not limited this section which relate to,  
992 rules governing the preparation preparing and implementation of  
993 implementing the early learning system for school readiness, the  
994 collection of collecting data, the approval of early learning  
995 councils and early learning approving local school readiness  
996 coalitions and plans, the provision of providing a method  
997 whereby an early learning council may a coalition can serve two

998 or more counties, the award of ~~awarding~~ incentives to early  
 999 learning councils ~~coalitions~~, and the issuance of ~~issuing~~  
 1000 waivers.

1001 (f)(1) The Agency for Workforce Innovation Florida  
 1002 ~~Partnership for School Readiness~~ shall have all powers necessary  
 1003 to administer ~~carry out the purposes of~~ this section, including,  
 1004 but not limited to, the power to receive and accept grants,  
 1005 loans, or advances of funds from any public or private agency  
 1006 and to receive and accept from any source contributions of  
 1007 money, property, labor, or any other thing of value, to be held,  
 1008 used, and applied for the purposes of this section.

1009 (g) Except as otherwise provided by law, the Agency for  
 1010 Workforce Innovation does not have authority to:

1011 1. Impose requirements on a child care or early childhood  
 1012 education provider that does not deliver services under an early  
 1013 learning program or receive state or federal funds under this  
 1014 section.

1015 2. Administer powers and duties assigned to the Department  
 1016 of Education under part V of chapter 1002.

1017 (h)(m) The Agency for Workforce Innovation Florida  
 1018 ~~Partnership for School Readiness~~ shall have a budget for the  
 1019 early learning system, which ~~and~~ shall be financed through an  
 1020 annual appropriation made for purposes of this section ~~purpose~~  
 1021 in the General Appropriations Act.

1022 (i)(n) The Agency for Workforce Innovation, with the  
 1023 advice of the Early Learning Advisory Council, partnership shall  
 1024 coordinate the efforts toward early learning ~~school readiness~~ in  
 1025 this state and provide independent policy analyses and

1026 recommendations to the Governor, the State Board of Education,  
1027 and the Legislature.

1028 ~~(j)(e)~~ The Agency for Workforce Innovation, with the  
1029 advice of the Early Learning Advisory Council, shall require  
1030 each early learning council's early learning program to, at a  
1031 minimum, enhance the age-appropriate progress of each child in  
1032 the development of ~~The partnership shall prepare and submit to~~  
1033 ~~the State Board of Education a system for measuring school~~  
1034 ~~readiness. The system must include a uniform screening, which~~  
1035 ~~shall provide objective data regarding the following early~~  
1036 learning skills expectations for school readiness which shall  
1037 include, at a minimum:

1038 ~~1. The child's immunizations and other health requirements~~  
1039 ~~as necessary, including appropriate vision and hearing screening~~  
1040 ~~and examinations.~~

1041 ~~1.2. The child's Physical development.~~

1042 ~~2.3. The child's Compliance with rules, limitations, and~~  
1043 ~~routines.~~

1044 ~~3.4. The child's Ability to perform tasks.~~

1045 ~~4.5. The child's Interactions with adults.~~

1046 ~~5.6. The child's Interactions with peers.~~

1047 ~~6.7. The child's Ability to cope with challenges.~~

1048 ~~7.8. The child's Self-help skills.~~

1049 ~~8.9. The child's Ability to express~~ the child's ~~his or her~~  
1050 ~~needs.~~

1051 ~~9.10. The child's Verbal communication skills.~~

1052 ~~10.11. The child's Problem-solving skills.~~

1053 ~~11.12. The child's Following of verbal directions.~~

1054        ~~12.13.~~ The child's Demonstration of curiosity,  
1055 persistence, and exploratory behavior.

1056        ~~13.14.~~ The child's Interest in books and other printed  
1057 materials.

1058        ~~14.15.~~ The child's Paying attention to stories.

1059        ~~15.16.~~ The child's Participation in art and music  
1060 activities.

1061        ~~16.17.~~ The child's Ability to identify colors, geometric  
1062 shapes, letters of the alphabet, numbers, and spatial and  
1063 temporal relationships.

1064  
1065 To enhance progress in the development of the early learning  
1066 skills specified in this paragraph, each early learning  
1067 council's early learning program shall ensure that, prior to a  
1068 child's enrollment in an early learning program, information  
1069 regarding a child's immunizations and physical development and  
1070 other health information as necessary, including appropriate  
1071 vision and hearing screening and examinations, is obtained.

1072        ~~(p) The partnership shall prepare a plan for implementing~~  
1073 ~~the system for measuring school readiness in such a way that all~~  
1074 ~~children in this state will undergo the uniform screening~~  
1075 ~~established by the partnership when they enter kindergarten.~~  
1076 ~~Children who enter public school for the first time in first~~  
1077 ~~grade must undergo a uniform screening approved by the~~  
1078 ~~partnership for use in first grade. Because children with~~  
1079 ~~disabilities may not be able to meet all of the identified~~  
1080 ~~expectations for school readiness, the plan for measuring school~~  
1081 ~~readiness shall incorporate mechanisms for recognizing the~~

1082 ~~potential variations in expectations for school readiness when~~  
1083 ~~servng children with disabilities and shall provide for~~  
1084 ~~communities to serve children with disabilities.~~

1085 (k)(q) The Agency for Workforce Innovation partnership  
1086 shall conduct studies and planning activities related to the  
1087 overall improvement and effectiveness of the outcome school  
1088 readiness measures adopted by the agency for early learning  
1089 programs.

1090 (l) The Agency for Workforce Innovation, with the advice  
1091 of the Early Learning Advisory Council, shall adopt and  
1092 administer a quality-assurance system. The Agency for Workforce  
1093 Innovation shall use the quality-assurance system to monitor and  
1094 evaluate the performance of each early learning council in  
1095 administering the early learning program and implementing the  
1096 council's early learning plan. The quality-assurance system must  
1097 include, at a minimum, onsite monitoring of each council's  
1098 finances, management, operations, and programs.

1099 (m) The Agency for Workforce Innovation, with the advice  
1100 of the Early Learning Advisory Council, shall identify best  
1101 practices of early learning councils in order to improve the  
1102 outcomes of early learning programs.

1103 ~~(r) The partnership shall establish procedures for~~  
1104 ~~performance-based budgeting in school readiness programs.~~

1105 (n)(s) The Agency for Workforce Innovation partnership  
1106 shall submit an annual report of its activities conducted under  
1107 this section to the Governor, the executive director of the  
1108 Florida Healthy Kids Corporation, the President of the Senate,  
1109 the Speaker of the House of Representatives, and the minority



1110 | leaders of both houses of the Legislature. In addition, the  
1111 | Agency for Workforce Innovation's ~~partnership's~~ reports and  
1112 | recommendations shall be made available to the State Board of  
1113 | Education, the Early Learning Advisory Council, other  
1114 | appropriate state agencies and entities, district school boards,  
1115 | central agencies ~~for child care~~, and county health departments.  
1116 | The annual report must provide an analysis of early learning  
1117 | ~~school readiness~~ activities across the state, including the  
1118 | number of children who were served in the programs ~~and the~~  
1119 | ~~number of children who were ready for school.~~

1120 |       (o)(t) The Agency for Workforce Innovation ~~partnership~~  
1121 | shall work with early learning councils ~~school readiness~~  
1122 | ~~coalitions~~ to increase parents' training for and involvement in  
1123 | their children's preschool education and to provide family  
1124 | literacy activities and programs.

1125 |  
1126 | ~~To ensure that the system for measuring school readiness is~~  
1127 | ~~comprehensive and appropriate statewide, as the system is~~  
1128 | ~~developed and implemented, the partnership must consult with~~  
1129 | ~~representatives of district school systems, providers of public~~  
1130 | ~~and private child care, health care providers, large and small~~  
1131 | ~~employers, experts in education for children with disabilities,~~  
1132 | ~~and experts in child development.~~

1133 |       (5) CREATION OF EARLY LEARNING COUNCILS ~~SCHOOL READINESS~~  
1134 | ~~COALITIONS.--~~

1135 |       (a) Early learning councils ~~School readiness coalitions.--~~

1136 |       1. The Agency for Workforce Innovation, with the advice of  
1137 | the Early Learning Advisory Council, shall establish the minimum

1138 number of children younger than kindergarten eligibility to be  
1139 served by each early learning council through the council's  
1140 early learning program. The Agency for Workforce Innovation may  
1141 only approve early learning plans in accordance with this  
1142 minimum number. The minimum number must be uniform for every  
1143 early learning council and must:

1144 a. Permit 28 or fewer councils to be established which, to  
1145 the maximum extent practicable, have regions that are  
1146 coterminous with community college service regions.

1147 b. Require each council to serve at least 1,500 children  
1148 younger than kindergarten eligibility as defined in s. 1002.51.

1149  
1150 Each early learning council shall be organized in accordance  
1151 with this subparagraph by January 1, 2005. No school readiness  
1152 coalition may become a provider of direct services, including  
1153 eligibility determination, resource and referral, training and  
1154 technical assistance, and provider payments, unless the decision  
1155 to provide such service was officially made by the coalition  
1156 prior to January 1, 2004.

1157 2.1. If an early learning council a coalition's plan would  
1158 serve fewer less than 400 birth-to-kindergarten age children  
1159 than the minimum number established under subparagraph 1., the  
1160 council coalition must either join with another county to form a  
1161 multicounty council coalition, enter an agreement with a fiscal  
1162 agent to serve more than one coalition, or demonstrate to the  
1163 partnership its ability to effectively and efficiently implement  
1164 its plan as a single county coalition and meet all required  
1165 performance standards and outcome measures.

1166        3. The Agency for Workforce Innovation, with the advice of  
1167 the Early Learning Advisory Council, shall adopt standards  
1168 establishing the minimum number and the maximum number of  
1169 members that may be appointed to an early learning council.  
1170 These standards shall include variations for a council serving a  
1171 multicounty region. Each early learning council must comply with  
1172 these standards.

1173        4. The Governor shall appoint a majority of the members,  
1174 including the chair, of each early learning council.

1175        5.2. ~~Each early learning council coalition shall have at~~  
1176 ~~least 18 but not more than 25 members and such members must~~  
1177 include the following members:

1178        a. A Department of Children and Family Services district  
1179 administrator or his or her designee who is authorized to make  
1180 decisions on behalf of the department.

1181        b. A district superintendent of schools or his or her  
1182 designee who is authorized to make decisions on behalf of the  
1183 district.

1184        c. A regional workforce ~~development~~ board executive chair  
1185 ~~or director or his or her designee, where applicable.~~

1186        d. A county health department director or his or her  
1187 designee.

1188        e. A children's services council or juvenile welfare board  
1189 chair or executive director, if applicable.

1190        f. An agency head of a local child-care licensing agency  
1191 as defined in s. 402.302, where applicable head.

1192           g. A president of a community college or his or her  
 1193 designee ~~One member appointed by a Department of Children and~~  
 1194 ~~Family Services district administrator.~~

1195           h. One member appointed by a board of county  
 1196 commissioners.

1197           ~~i. One member appointed by a district school board.~~

1198           i.j. A central child care agency administrator, where  
 1199 applicable.

1200           ~~j.k.~~ A Head Start director.

1201           k.l. A representative of private child care providers,  
 1202 including family day care homes.

1203           l.m. A representative of faith-based child care providers.

1204           m. A representative of a program serving children with  
 1205 disabilities.

1206           6. More than one-third of the ~~coalition~~ members of each  
 1207 early learning council must be private-sector business members  
 1208 who do not have, and none of whose relatives as defined in s.  
 1209 112.3143 have, a substantial financial interest in the design or  
 1210 delivery of the VPK Program created under part V of chapter 1002  
 1211 or the council's early learning program ~~from the private sector,~~  
 1212 ~~and neither they nor their families may earn an income from the~~  
 1213 ~~early education and child care industry.~~ To meet this  
 1214 requirement, an early learning council ~~a coalition~~ must appoint  
 1215 additional members pursuant to guidelines and procedures  
 1216 promulgated by the Agency for Workforce Innovation ~~from a list~~  
 1217 ~~of nominees presented to the coalition by a chamber of commerce~~  
 1218 ~~or economic development council within the geographic area of~~  
 1219 ~~the coalition.~~ The Agency for Workforce Innovation shall adopt

1220 criteria for the appointment of private-sector business members.  
1221 These criteria must include standards for determining whether a  
1222 member or relative has a substantial financial interest in the  
1223 design or delivery of the VPK Program or the council's early  
1224 learning program.

1225 7.3. A ~~No~~ member of an early learning council ~~a coalition~~  
1226 may not appoint a designee to act in his or her place ~~except as~~  
1227 otherwise provided in this paragraph. A member may send a  
1228 representative to council ~~coalition~~ meetings, but that  
1229 representative ~~does not~~ ~~will~~ have ~~no~~ voting privileges. When a  
1230 district superintendent of schools, ~~or~~ a district administrator  
1231 for the Department of Children and Family Services, a regional  
1232 workforce board executive director, a county health department  
1233 director, or a president of a community college appoints a  
1234 designee to an early learning council ~~a school-readiness~~  
1235 ~~coalition~~, the designee ~~is~~ ~~will be~~ the voting member of the  
1236 council ~~coalition~~, and any individual attending in the  
1237 designee's ~~his or her~~ place, including the district  
1238 administrator, ~~or~~ superintendent, workforce board executive  
1239 director, health department director, or community college  
1240 president, does not ~~will~~ have ~~no~~ voting privileges.

1241 8.4. Each member ~~Members~~ of an early learning council is  
1242 ~~the coalition~~ are subject to ss. 112.313, 112.3135, and 112.3143  
1243 ~~the ethics provisions in part III of chapter 112. For purposes~~  
1244 of s. 112.3143(3)(a), each member is a local public officer who  
1245 must abstain from voting when a voting conflict exists.

1246 9.5. For the purposes of tort liability, each member or  
1247 employee of an early learning council ~~the members of the school~~

1248 ~~readiness coalition and its employees~~ shall be governed by s.  
 1249 768.28.

1250 10.6. An early learning council serving a multicounty  
 1251 region ~~coalitions~~ shall include representation from each county.

1252 11.7. Each early learning council shall establish ~~The~~  
 1253 terms ~~for~~ ~~of~~ all appointed members of the council, where  
 1254 appropriate. The terms ~~coalition~~ must be staggered and must be a  
 1255 uniform length that does not exceed 4 years per term. Appointed  
 1256 members may serve a maximum of two consecutive terms. When a  
 1257 vacancy occurs in an appointed position, the council ~~coalition~~  
 1258 must advertise the vacancy.

1259 (b) Program participation.--The early learning school  
 1260 ~~readiness~~ program shall be established for children younger than  
 1261 those eligible for ~~from birth to 5 years of age or until the~~  
 1262 ~~child enters~~ kindergarten as defined in s. 1002.51. The program  
 1263 shall be administered by the early learning council ~~school~~  
 1264 ~~readiness coalition.~~ Within funding limitations, the early  
 1265 learning council ~~school readiness coalition~~, along with all  
 1266 providers, shall make reasonable efforts to accommodate the  
 1267 needs of children for extended-day and extended-year services  
 1268 without compromising the quality of the program.

1269 (c) Program expectations.--

1270 1. The early learning ~~school readiness~~ program must meet  
 1271 the following expectations:

1272 a. The program must, at a minimum, enhance the age-  
 1273 appropriate progress of each child in the development of the  
 1274 early learning skills required under paragraph (4)(j) ~~prepare~~  
 1275 ~~preschool children to enter kindergarten ready to learn, as~~

1276 measured by the performance standards and outcome measures  
1277 adopted ~~criteria established~~ by the Agency for Workforce  
1278 Innovation Florida Partnership for School Readiness.

1279 b. The program must provide extended-day and extended-year  
1280 services to the maximum extent possible to meet the needs of  
1281 parents who work.

1282 c. There must be coordinated staff development and  
1283 teaching opportunities.

1284 d. There must be expanded access to community services and  
1285 resources for families to help achieve economic self-  
1286 sufficiency.

1287 e. There must be a single point of entry and unified  
1288 waiting list. As used in this sub-subparagraph, the term "single  
1289 point of entry" means an integrated information system that  
1290 allows a parent to enroll his or her child in the early learning  
1291 program at various locations throughout the county or  
1292 multicounty region served by an early learning council, that may  
1293 allow a parent to enroll his or her child by telephone or  
1294 through an Internet website, and that uses a unified waiting  
1295 list to track eligible children waiting for enrollment in the  
1296 early learning program. The Agency for Workforce Innovation  
1297 shall establish a single statewide information system that  
1298 integrates each early learning council's single point of entry,  
1299 and each council must use the statewide system. The Agency for  
1300 Workforce Innovation shall make the single statewide information  
1301 system available to the Department of Education for purposes of  
1302 the VPK Program under part V of chapter 1002.

1303           f. The access of eligible children to the early learning  
1304 program, as demonstrated in part by waiting lists, must be  
1305 considered by the Agency for Workforce Innovation before it  
1306 approves a proposed increase in payment rates submitted by an  
1307 early learning council ~~As long as funding or eligible~~  
1308 ~~populations do not decrease, the program must serve at least as~~  
1309 ~~many children as were served prior to implementation of the~~  
1310 ~~program.~~

1311           g. There must be a community plan to address the needs of  
1312 all eligible children.

1313           h. The program must meet all state licensing guidelines,  
1314 where applicable.

1315           2. The early learning council ~~school readiness coalition~~  
1316 must implement a comprehensive program of early learning  
1317 ~~readiness~~ services that enhance the cognitive, social, and  
1318 physical development of children to achieve the performance  
1319 standards and outcome measures adopted ~~specified~~ by the Agency  
1320 for Workforce Innovation ~~partnership~~. At a minimum, these  
1321 programs must contain the following elements:

1322           a. Developmentally appropriate curriculum designed to  
1323 enhance the age-appropriate progress of children in attaining  
1324 the performance standards adopted by the Agency for Workforce  
1325 Innovation under subparagraph (4)(d)8.

1326           b. A character development program to develop basic  
1327 values.

1328           c. An age-appropriate assessment of each child's  
1329 development.



1330 d. A pretest administered to children when they enter a  
 1331 program and a posttest administered to children when they leave  
 1332 the program.

1333 e. An appropriate staff-to-children ~~staff-to-child~~ ratio.

1334 f. A healthy ~~healthful~~ and safe environment.

1335 g. A resource and referral network to assist parents in  
 1336 making an informed choice.

1337 (d) Implementation.--

1338 1. An early learning council may not implement the early  
 1339 learning school readiness program ~~is to be phased in.~~ until the  
 1340 council is authorized through coalition ~~implements its plan,~~ the  
 1341 ~~county shall continue to receive the services identified in~~  
 1342 ~~subsection (3) through the various agencies that would be~~  
 1343 ~~responsible for delivering those services under current law.~~  
 1344 ~~Plan implementation is subject to approval of the~~ council's  
 1345 early learning coalition ~~and the plan by the~~ Agency for  
 1346 Workforce Innovation Florida Partnership for School Readiness.

1347 2. Each early learning council ~~school readiness coalition~~  
 1348 shall develop a plan for implementing the early learning school  
 1349 ~~readiness~~ program to meet the requirements of this section and  
 1350 the performance standards and outcome measures adopted  
 1351 established by the Agency for Workforce Innovation ~~partnership.~~  
 1352 ~~The plan must include a written description of the role of the~~  
 1353 ~~program in the coalition's effort to meet the first state~~  
 1354 ~~education goal, readiness to start school, including a~~  
 1355 ~~description of the plan to involve the prekindergarten early~~  
 1356 ~~intervention programs, Head Start Programs, programs offered by~~  
 1357 ~~public or private providers of child care, preschool programs~~

1358 ~~for children with disabilities, programs for migrant children,~~  
1359 ~~Title I programs, subsidized child care programs, and teen~~  
1360 ~~parent programs.~~ The plan must also demonstrate how the program  
1361 will ensure that each 3-year-old and 4-year-old child in a  
1362 publicly funded early learning school readiness program receives  
1363 scheduled activities and instruction designed to enhance the  
1364 age-appropriate progress of the ~~prepare~~ children in attaining  
1365 the performance standards adopted by the Agency for Workforce  
1366 Innovation under subparagraph (4)(d)8 ~~to enter kindergarten~~  
1367 ~~ready to learn.~~ Before ~~Prior to~~ implementation of the early  
1368 learning program, the early learning council school readiness  
1369 ~~coalition~~ must submit the plan to the Agency for Workforce  
1370 Innovation partnership for approval. The Agency for Workforce  
1371 Innovation partnership may approve the plan, reject the plan, or  
1372 approve the plan with conditions. The Agency for Workforce  
1373 Innovation Florida Partnership for School Readiness shall review  
1374 early learning coalition plans at least annually.

1375 3. If the Agency for Workforce Innovation determines  
1376 during the annual review of early learning plans, or through  
1377 monitoring and performance evaluations conducted under the  
1378 quality-assurance system, that an early learning council has not  
1379 substantially implemented its plan or has not substantially met  
1380 the performance standards and outcome measures adopted by the  
1381 agency, the agency may reject the council's plan and contract  
1382 with a qualified entity to continue early learning services in  
1383 the council's county or multicounty region until the council is  
1384 reestablished through resubmission of an early learning plan and  
1385 approval by the agency.

1386        4.3- The Agency for Workforce Innovation, with the advice  
1387 of the Early Learning Advisory Council, shall adopt criteria for  
1388 the approval of early learning plans. The criteria must be  
1389 consistent with the performance standards and outcome measures  
1390 adopted by the agency and must require each approved plan to ~~for~~  
1391 ~~the school readiness program must~~ include the following minimum  
1392 standards and provisions:

1393        a. A sliding fee scale establishing a copayment for  
1394 parents based upon their ability to pay, which is the same for  
1395 all program providers, to be implemented and reflected in each  
1396 program's budget.

1397        b. A choice of settings and locations in licensed,  
1398 registered, religious-exempt, or school-based programs to be  
1399 provided to parents.

1400        c. Instructional staff who have completed the training  
1401 course as required in s. 402.305(2)(d)1., as well as staff who  
1402 have additional training or credentials as required by the  
1403 Agency for Workforce Innovation partnership. The plan must  
1404 provide a method for assuring the qualifications of all  
1405 personnel in all program settings.

1406        d. Specific eligibility priorities for children within the  
1407 early learning council's coalition's county or multicounty  
1408 region in accordance with ~~pursuant to~~ subsection (6).

1409        e. Performance standards and outcome measures adopted  
1410 established by the Agency for Workforce Innovation partnership  
1411 ~~or alternatively, standards and outcome measures to be used~~  
1412 ~~until such time as the partnership adopts such standards and~~  
1413 ~~outcome measures.~~

1414 f. Payment Reimbursement rates adopted ~~that have been~~  
 1415 ~~developed~~ by the early learning council and approved by the  
 1416 Agency for Workforce Innovation coalition. Payment Reimbursement  
 1417 rates shall not have the effect of limiting parental choice or  
 1418 creating standards or levels of services that have not been  
 1419 authorized by the Legislature.

1420 g. Systems support services, including a central agency,  
 1421 ~~child care~~ resource and referral, eligibility determinations,  
 1422 training of providers, and parent support and involvement.

1423 h. Direct enhancement services to families and children.  
 1424 System support and direct enhancement services shall be in  
 1425 addition to payments for the placement of children in early  
 1426 learning school readiness programs.

1427 i. The A business organization of the early learning  
 1428 council plan, which must include the council's articles of  
 1429 incorporation and bylaws if the council is organized as a  
 1430 corporation. If the council is not organized as a corporation or  
 1431 other business entity, the plan must include the contract with a  
 1432 fiscal school readiness agent if the coalition is not a legally  
 1433 established corporate entity. An early learning council  
 1434 Coalitions may contract with other early learning councils  
 1435 coalitions to achieve efficiency in multicounty multiple-county  
 1436 services, and these such contracts may be part of the council's  
 1437 early learning coalition's business plan.

1438 j. Strategies to meet the needs of unique populations,  
 1439 such as migrant workers.

1440

1441 As part of the early learning plan, the early learning council  
1442 ~~coalition~~ may request the Governor to apply for a waiver to  
1443 allow the council ~~coalition~~ to administer the Head Start Program  
1444 to accomplish the purposes of the early learning school  
1445 ~~readiness~~ program. If an early learning ~~any school readiness~~  
1446 plan demonstrates ~~can demonstrate~~ that specific statutory goals  
1447 may ~~can~~ be achieved more effectively by using procedures that  
1448 require modification of existing rules, policies, or procedures,  
1449 a request for a waiver to the Agency for Workforce Innovation  
1450 ~~partnership~~ may be submitted ~~made~~ as part of the plan. Upon  
1451 review, the Agency for Workforce Innovation ~~partnership~~ may  
1452 grant the proposed modification.

1453 5.4. Persons with an early childhood teaching certificate  
1454 may provide support and supervision to other staff in the early  
1455 learning school readiness program.

1456 6.5. An early learning council ~~The coalition~~ may not  
1457 implement its early learning plan until the council ~~it~~ submits  
1458 the plan to and receives approval from the Agency for Workforce  
1459 Innovation partnership. Once the plan is ~~has been~~ approved, the  
1460 plan and the services provided under the plan shall be  
1461 controlled by the early learning council ~~coalition rather than~~  
1462 ~~by the state agencies or departments~~. The plan shall be reviewed  
1463 and revised as necessary, but at least annually ~~biennially~~. An  
1464 early learning council may not implement the revisions until the  
1465 council submits the revised plan to and receives approval from  
1466 the Agency for Workforce Innovation. If the agency rejects a  
1467 revised plan, the council must continue to operate under its  
1468 prior approved plan.

1469        7.6. ~~Sections~~ ~~The following statutes will not apply to~~  
1470 ~~local coalitions with approved plans: ss. 125.901(2)(a)3.,~~  
1471 ~~411.221, and 411.232~~ do not apply to an early learning council  
1472 with an approved early learning plan. To facilitate innovative  
1473 practices and to allow the regional ~~local~~ establishment of early  
1474 learning school readiness programs, an early learning council a  
1475 ~~school readiness coalition~~ may apply to the Governor and Cabinet  
1476 for a waiver of, and the Governor and Cabinet may waive, any of  
1477 the provisions of ss. 411.223, 411.232, and 1003.54 if the  
1478 waiver is necessary for implementation of the council's early  
1479 learning coalition's school readiness plan.

1480        8.7. Two or more counties may join for purposes the  
1481 ~~purpose~~ of planning and implementing an early learning a school  
1482 ~~readiness~~ program.

1483        9.8. An early learning council ~~a coalition~~ may, subject to  
1484 approval ~~by~~ of the Agency for Workforce Innovation ~~partnership~~  
1485 as part of the council's early learning ~~coalition's~~ plan,  
1486 receive subsidized child care funds for all children eligible  
1487 for any federal subsidized child care program ~~and be the~~  
1488 ~~provider of the program services.~~

1489        10.9. An early learning council ~~Coalitions~~ ~~are~~  
1490 ~~authorized to~~ enter into multiparty contracts with multicounty  
1491 service providers in order to meet the needs of unique  
1492 populations such as migrant workers.

1493        (e) Requests for proposals; payment schedule.--

1494        1. ~~At least once every 3 years, beginning July 1, 2001,~~  
1495 Each early learning council ~~coalition~~ must comply with ~~follow~~  
1496 ~~the competitive procurement requirements of s. 287.057 for the~~

1497 procurement of commodities or contractual services from the  
1498 funds described in paragraph (9)(d) school-readiness programs.  
1499 The period of a contract for purchase of these commodities or  
1500 contractual services, together with any renewal of the original  
1501 contract, may not exceed 3 years.

1502 2. Each early learning council ~~coalition~~ shall adopt  
1503 ~~develop~~ a payment schedule that encompasses all programs funded  
1504 by the council under this section ~~that coalition~~. The payment  
1505 schedule must take into consideration the relevant market rate,  
1506 must include the projected number of children to be served, and  
1507 must be submitted for approval by ~~to~~ the Agency for Workforce  
1508 Innovation partnership ~~for information~~. Informal child care  
1509 arrangements shall be reimbursed at not more than 50 percent of  
1510 the rate developed for a family day care home ~~childcare~~.

1511 (f) Requirements relating to fiscal agents.--If an early  
1512 learning council ~~the local coalition~~ is not a legally organized  
1513 as a corporation or other business ~~established corporate~~ entity,  
1514 the council ~~coalition~~ must designate a fiscal agent, which may  
1515 be a public entity or a private nonprofit organization. The  
1516 fiscal agent must ~~shall be required to~~ provide financial and  
1517 administrative services under ~~pursuant to a contract or~~  
1518 ~~agreement~~ with the early learning council ~~school-readiness~~  
1519 ~~coalition~~. The fiscal agent may not provide direct early  
1520 childhood education or child care services; however, a fiscal  
1521 agent may provide those such services upon written request of  
1522 the early learning council ~~coalition~~ to the Agency for Workforce  
1523 Innovation partnership ~~and upon the approval of the such~~ request  
1524 by the agency ~~partnership~~. The cost of the financial and

1525 administrative services shall be negotiated between the fiscal  
1526 agent and the early learning council ~~school readiness coalition~~.  
1527 If the fiscal agent is a provider of early childhood education  
1528 and child care programs, the contract must specify that the  
1529 fiscal agent shall ~~will~~ act on policy direction from the early  
1530 learning council ~~coalition~~ and must ~~will~~ not receive policy  
1531 direction from its own corporate board regarding disbursement of  
1532 the early learning council's ~~coalition~~ funds. The fiscal agent  
1533 shall disburse funds in accordance with the early learning  
1534 council's approved early learning ~~coalition school readiness~~  
1535 plan and based on billing and disbursement procedures approved  
1536 by the Agency for Workforce Innovation ~~partnership~~. The fiscal  
1537 agent must conform to all data-reporting requirements  
1538 established by the Agency for Workforce Innovation ~~partnership~~.

1539 (g) Evaluation and annual report.--Each early learning  
1540 council ~~school readiness coalition~~ shall conduct an evaluation  
1541 of the effectiveness of the early learning ~~school readiness~~  
1542 program, including performance standards and outcome measures,  
1543 and shall provide an annual report and fiscal statement to the  
1544 Agency for Workforce Innovation ~~Florida Partnership for School~~  
1545 ~~Readiness~~. This report must conform to the content and format  
1546 specifications set by the Agency for Workforce Innovation  
1547 ~~Florida Partnership for School Readiness~~. The Agency for  
1548 Workforce Innovation ~~partnership~~ must include an analysis of the  
1549 early learning councils' ~~coalition~~ reports in the agency's ~~its~~  
1550 annual report.

1551 (6) PROGRAM ELIGIBILITY.--Each early learning council's  
1552 early learning ~~The school readiness~~ program shall be established



1553 for children younger than those eligible for ~~under the age of~~  
1554 kindergarten as defined in s. 1002.51 ~~eligibility~~. Priority for  
1555 participation in the early learning ~~school readiness~~ program  
1556 shall be given to children age 3 years to school entry who are  
1557 served by the Family Safety Program Office of the Department of  
1558 Children and Family Services or a community-based lead agency  
1559 under ~~pursuant to~~ chapter 39 and for whom child care is needed  
1560 to minimize risk of further abuse, neglect, or abandonment.  
1561 Other eligible populations include children who meet one or more  
1562 of the following criteria:

1563 (a) Children under the age of kindergarten eligibility who  
1564 are:

1565 1. Children determined to be at risk of abuse, neglect, or  
1566 exploitation who are currently clients of the Family Safety  
1567 Program Office of the Department of Children and Family Services  
1568 but who are not otherwise given priority under this subsection.

1569 2.1. Children at risk of welfare dependency, including  
1570 economically disadvantaged children, children of participants in  
1571 the welfare transition program, children of migrant farmworkers,  
1572 and children of teen parents.

1573 3.2. Children of working families whose family income does  
1574 not exceed 150 percent of the federal poverty level.

1575 4.3. Children for whom the state is paying a relative  
1576 caregiver payment under s. 39.5085.

1577 (b) Three-year-old children and 4-year-old children who  
1578 may not be economically disadvantaged but who have disabilities,  
1579 have been served in a specific part-time or combination of part-  
1580 time exceptional education programs with required special

1581 services, aids, or equipment, and were previously reported for  
1582 funding part time with the Florida Education Finance Program as  
1583 exceptional students.

1584 (c) Economically disadvantaged children, children with  
1585 disabilities, and children at risk of future school failure,  
1586 from birth to 4 years of age, who are served at home through  
1587 home visitor programs and intensive parent education programs  
1588 ~~such as the Florida First Start Program.~~

1589 (d) Children who meet federal and state eligibility  
1590 requirements ~~for eligibility~~ for the migrant preschool program  
1591 but who do not meet the criteria of economically disadvantaged.  
1592

1593 As used in this subsection, the term ~~An~~ "economically  
1594 disadvantaged" child means a child whose family income does not  
1595 exceed ~~is below~~ 150 percent of the federal poverty level.  
1596 Notwithstanding any change in a family's economic status, but  
1597 subject to additional family contributions in accordance with  
1598 the sliding fee scale, a child who meets the eligibility  
1599 requirements upon initial registration for the program remains  
1600 ~~shall be considered~~ eligible until the child reaches  
1601 kindergarten eligibility as defined in s. 1002.51 ~~age~~.

1602 (7) PARENTAL CHOICE.--

1603 (a) The early learning ~~school readiness~~ program shall  
1604 provide parental choice through ~~pursuant to~~ a purchase service  
1605 order that ensures, to the maximum extent possible, flexibility  
1606 in early learning ~~school readiness~~ programs and payment  
1607 arrangements. According to federal regulations requiring  
1608 parental choice, a parent may choose an informal child care

1609 arrangement. The purchase order must bear the name of the  
1610 beneficiary and the program provider and, when redeemed, must  
1611 bear the signature of both the beneficiary and an authorized  
1612 representative of the provider.

1613 (b) If it is determined that a provider has provided any  
1614 cash to the beneficiary in return for receiving the purchase  
1615 order, the early learning council coalition or its fiscal agent  
1616 shall refer the matter to the Division of Public Assistance  
1617 Fraud for investigation.

1618 (c) The office of the Chief Financial Officer shall  
1619 establish an electronic transfer system for the disbursement of  
1620 funds in accordance with this subsection. Each early learning  
1621 council School readiness coalitions shall fully implement the  
1622 electronic funds transfer system within 2 years after ~~plan~~  
1623 approval of the council's early learning plan unless a waiver is  
1624 obtained from the Agency for Workforce Innovation partnership.

1625 (8) STANDARDS; OUTCOME MEASURES.--All publicly funded  
1626 early learning school readiness programs must ~~shall be required~~  
1627 ~~to~~ meet the performance standards and outcome measures adopted  
1628 ~~developed and approved~~ by the Agency for Workforce Innovation  
1629 partnership. The Agency for Workforce Innovation shall consult  
1630 with the Office of Program Policy Analysis and Government  
1631 Accountability ~~shall provide consultation to the partnership~~ in  
1632 the development of the measures and standards. These performance  
1633 standards and outcome measures shall apply ~~be applicable~~ on a  
1634 statewide basis.

1635 (9) FUNDING; EARLY LEARNING SCHOOL READINESS PROGRAM.--

1636 (a) It is the intent of this section to establish an  
 1637 integrated and quality seamless service delivery system for all  
 1638 publicly funded early childhood education and child care  
 1639 programs operating in this state.

1640 (b) ~~Notwithstanding s. 20.50:~~

1641 1. The Agency for Workforce Innovation shall administer  
 1642 early learning school readiness funds, plans, and policies  
 1643 ~~pursuant to the contract with the Florida Partnership for School~~  
 1644 ~~Readiness~~ and shall prepare and submit a unified budget request  
 1645 for the early learning system school readiness program in  
 1646 accordance with chapter 216.

1647 2. All instructions to early learning councils for the  
 1648 administration of this section ~~local school readiness coalitions~~  
 1649 shall emanate from the Agency for Workforce Innovation in  
 1650 accordance with the ~~pursuant to~~ policies of the Legislature,  
 1651 ~~plans of the Florida Partnership for School Readiness, and the~~  
 1652 ~~contract between the Florida Partnership for School Readiness~~  
 1653 ~~and the agency.~~

1654 (c) The Agency for Workforce Innovation shall adopt  
 1655 ~~prepare a~~ formula ~~plan that provides~~ for the allocation among  
 1656 the early learning councils ~~distribution and expenditure~~ of all  
 1657 state and federal early learning school readiness funds for  
 1658 children participating in public or private early learning  
 1659 ~~school readiness~~ programs based upon ~~an~~ equity and performance  
 1660 ~~funding formula~~. The allocation formula must ~~plan shall~~ be  
 1661 submitted to the Governor and the Legislative Budget Commission.  
 1662 Upon approval, the Legislative Budget Commission shall authorize  
 1663 the allocation ~~transfer~~ of funds by ~~to~~ the Agency for Workforce

1664 Innovation ~~for distribution~~ in accordance with the provisions of  
1665 the allocation formula.

1666 (d) All state ~~funds budgeted for a county for the programs~~  
1667 ~~specified in subsection (3), along with the pro rata share of~~  
1668 ~~the state administrative costs of those programs in the amount~~  
1669 ~~as determined by the partnership, all federal, funds and~~  
1670 required local maintenance-of-effort or matching funds provided  
1671 to an early learning council for a county for programs specified  
1672 in subsection (3), and any additional funds appropriated or  
1673 ~~obtained~~ for purposes of this section, shall be used by  
1674 ~~transferred for the benefit of the council coalition~~ for  
1675 implementation of its early learning plan, including the hiring  
1676 of staff to effectively operate the council's early learning  
1677 ~~coalition's school readiness~~ program. As part of plan approval  
1678 and periodic plan review, the Agency for Workforce Innovation  
1679 ~~partnership~~ shall require that administrative costs be kept to  
1680 the minimum necessary for efficient and effective administration  
1681 of the early learning plan, but total administrative  
1682 expenditures must ~~shall~~ not exceed 5 percent unless specifically  
1683 waived by the Agency for Workforce Innovation partnership. The  
1684 Agency for Workforce Innovation partnership shall annually  
1685 report to the Legislature any problems relating to  
1686 administrative costs.

1687 (e) The Agency for Workforce Innovation partnership shall  
1688 annually distribute, to the maximum extent practicable, all  
1689 eligible funds provided under this section as block grants to  
1690 the early learning councils ~~assist coalitions in integrating~~  
1691 ~~services and funding to develop a quality service delivery~~

1692 ~~system. Subject to appropriation, the partnership may also~~  
1693 ~~provide financial awards to coalitions demonstrating success in~~  
1694 ~~merging and integrating funding streams to serve children and~~  
1695 ~~school readiness programs.~~

1696 (f) State funds appropriated for the early learning school  
1697 ~~readiness~~ program may not be used for the construction of new  
1698 facilities or the purchase of buses. The Agency for Workforce  
1699 Innovation partnership shall present to the Legislature  
1700 recommendations for providing necessary transportation services  
1701 for early learning school readiness programs.

1702 (g) All cost savings and all revenues received through a  
1703 mandatory sliding fee scale shall be used to help fund each  
1704 early learning council's early learning the local school  
1705 ~~readiness~~ program.

1706 ~~(10) SCHOOL READINESS UNIFORM SCREENING.--~~The Department  
1707 ~~of Education shall implement a school readiness uniform~~  
1708 ~~screening, including a pilot program during the 2001-2002 school~~  
1709 ~~year, to validate the system recommended by the Florida~~  
1710 ~~Partnership for School Readiness as part of a comprehensive~~  
1711 ~~evaluation design. Beginning with the 2002-2003 school year, the~~  
1712 ~~department shall require that all school districts administer~~  
1713 ~~the school readiness uniform screening to each kindergarten~~  
1714 ~~student in the district school system upon the student's entry~~  
1715 ~~into kindergarten. Children who enter public school for the~~  
1716 ~~first time in first grade must undergo a uniform screening~~  
1717 ~~adopted for use in first grade. The department shall incorporate~~  
1718 ~~school readiness data into the K-20 data warehouse for~~  
1719 ~~longitudinal tracking. Notwithstanding s. 1002.22, the~~

1720 ~~department shall provide the partnership and the Agency for~~  
1721 ~~Workforce Innovation with complete and full access to~~  
1722 ~~kindergarten uniform screening data at the student, school,~~  
1723 ~~district, and state levels in a format that will enable the~~  
1724 ~~partnership and the agency to prepare reports needed by state~~  
1725 ~~policymakers and local school readiness coalitions to access~~  
1726 ~~progress toward school readiness goals and provide input for~~  
1727 ~~continuous improvement of local school readiness services and~~  
1728 ~~programs.~~

1729 ~~(11) REPORTS.--The Office of Program Policy Analysis and~~  
1730 ~~Government Accountability shall assess the implementation,~~  
1731 ~~efficiency, and outcomes of the school readiness program and~~  
1732 ~~report its findings to the President of the Senate and the~~  
1733 ~~Speaker of the House of Representatives by January 1, 2002.~~  
1734 ~~Subsequent reviews shall be conducted at the direction of the~~  
1735 ~~Joint Legislative Auditing Committee.~~

1736 ~~(10)(12)~~ CONFLICTING PROVISIONS.--In the event of a  
1737 conflict between ~~the provisions of~~ this section and federal  
1738 requirements, the federal requirements shall control.

1739 ~~(11)(13)~~ PLACEMENTS.--Notwithstanding any other provision  
1740 of this section to the contrary, and for fiscal year 2004-2005  
1741 ~~2003-2004~~ only, the first children to be placed in the early  
1742 learning school readiness program shall be those from families  
1743 receiving temporary cash assistance and subject to federal work  
1744 requirements. Subsequent placements shall be made in accordance  
1745 with subsection (6) ~~pursuant to the provisions of this section.~~  
1746 ~~This subsection expires July 1, 2004.~~

1747 Section 4. Effective November 1, 2004, paragraph (a) of  
 1748 subsection (3) of section 11.45, Florida Statutes, is amended to  
 1749 read:

1750 11.45 Definitions; duties; authorities; reports; rules.--

1751 (3) AUTHORITY FOR AUDITS AND OTHER ENGAGEMENTS.--

1752 (a) The Auditor General may, by ~~pursuant to~~ his or her own  
 1753 authority, or at the direction of the Legislative Auditing  
 1754 Committee, conduct audits or other engagements as determined  
 1755 appropriate by the Auditor General of:

1756 1. The accounts and records of any governmental entity  
 1757 created or established by law.

1758 2. The information technology programs, activities,  
 1759 functions, or systems of any governmental entity created or  
 1760 established by law.

1761 3. The accounts and records of any charter school created  
 1762 or established by law.

1763 4. The accounts and records of any direct-support  
 1764 organization or citizen support organization created or  
 1765 established by law. The Auditor General may ~~is authorized to~~  
 1766 require and receive any records from the direct-support  
 1767 organization or citizen support organization, or from its  
 1768 independent auditor.

1769 5. The public records associated with any appropriation  
 1770 made by the General Appropriations Act to a nongovernmental  
 1771 agency, corporation, or person. All records of a nongovernmental  
 1772 agency, corporation, or person for ~~with respect to~~ the receipt  
 1773 and expenditure of the ~~such an~~ appropriation are ~~shall be~~ public



1774 records and shall be treated in the same manner as other public  
1775 records ~~are~~ under general law.

1776 6. State financial assistance provided to any nonstate  
1777 entity.

1778 7. The Tobacco Settlement Financing Corporation created  
1779 under ~~pursuant to~~ s. 215.56005.

1780 8. The Florida Virtual School created under ~~pursuant to~~ s.  
1781 1002.37.

1782 9. Any purchases of federal surplus lands for use as sites  
1783 for correctional facilities as described in s. 253.037.

1784 10. Enterprise Florida, Inc., including any of its boards,  
1785 advisory committees, or similar groups created by Enterprise  
1786 Florida, Inc., and programs. The audit report may not reveal the  
1787 identity of any person who has anonymously made a donation to  
1788 Enterprise Florida, Inc., under ~~pursuant to~~ this subparagraph.  
1789 The identity of a donor or prospective donor to Enterprise  
1790 Florida, Inc., who desires to remain anonymous and all  
1791 information identifying the ~~such~~ donor or prospective donor are  
1792 confidential and exempt from ~~the provisions of~~ s. 119.07(1) and  
1793 s. 24(a), Art. I of the State Constitution. The ~~Such~~ anonymity  
1794 shall be maintained in the auditor's report.

1795 11. The Florida Development Finance Corporation or the  
1796 capital development board or the programs or entities created by  
1797 the board. The audit or report may not reveal the identity of  
1798 any person who has anonymously made a donation to the board  
1799 under ~~pursuant to~~ this subparagraph. The identity of a donor or  
1800 prospective donor to the board who desires to remain anonymous  
1801 and all information identifying the ~~such~~ donor or prospective

1802 donor are confidential and exempt from ~~the provisions of~~ s.  
 1803 119.07(1) and s. 24(a), Art. I of the State Constitution. The  
 1804 ~~Such~~ anonymity shall be maintained in the auditor's report.

1805 12. The records pertaining to the use of funds from  
 1806 voluntary contributions on a motor vehicle registration  
 1807 application or on a driver's license application authorized  
 1808 under ~~pursuant to~~ ss. 320.023 and 322.081.

1809 13. The records pertaining to the use of funds from the  
 1810 sale of specialty license plates described in chapter 320.

1811 14. The transportation corporations under contract with  
 1812 the Department of Transportation that are acting on behalf of  
 1813 the state to secure and obtain rights-of-way for urgently needed  
 1814 transportation systems and to assist in the planning and design  
 1815 of the ~~such~~ systems under ~~pursuant to~~ ss. 339.401-339.421.

1816 15. The acquisitions and divestitures related to the  
 1817 Florida Communities Trust Program created under ~~pursuant to~~  
 1818 chapter 380.

1819 16. The Florida Water Pollution Control Financing  
 1820 Corporation created under ~~pursuant to~~ s. 403.1837.

1821 17. The early learning system, including the early  
 1822 learning councils, Florida Partnership for School Readiness  
 1823 created under ~~pursuant to~~ s. 411.01.

1824 18. The Florida Special Disability Trust Fund Financing  
 1825 Corporation created under ~~pursuant to~~ s. 440.49.

1826 19. Workforce Florida, Inc., or the programs or entities  
 1827 created by Workforce Florida, Inc., created under ~~pursuant to~~ s.  
 1828 445.004.

1829           20. The corporation defined in s. 455.32 which ~~that~~ is  
1830 under contract with the Department of Business and Professional  
1831 Regulation to provide administrative, investigative,  
1832 examination, licensing, and prosecutorial support services in  
1833 accordance with ~~the provisions of~~ s. 455.32 and the practice act  
1834 of the relevant profession.

1835           21. The Florida Engineers Management Corporation created  
1836 under ~~pursuant to~~ chapter 471.

1837           22. The Investment Fraud Restoration Financing Corporation  
1838 created under ~~pursuant to~~ chapter 517.

1839           23. The books and records of any permit holder that  
1840 conducts race meetings or jai alai exhibitions under chapter  
1841 550.

1842           24. The corporation defined in part II of chapter 946,  
1843 cited ~~known~~ as the Prison Rehabilitative Industries and  
1844 Diversified Enterprises, Inc., or PRIDE Enterprises.

1845           Section 5. Effective November 1, 2004, subsection (2) of  
1846 section 20.50, Florida Statutes, is amended to read:

1847           20.50 Agency for Workforce Innovation.--There is created  
1848 the Agency for Workforce Innovation within the Department of  
1849 Management Services. The agency shall be a separate budget  
1850 entity, and the director of the agency shall be the agency head  
1851 for all purposes. The agency shall not be subject to control,  
1852 supervision, or direction by the Department of Management  
1853 Services in any manner, including, but not limited to,  
1854 personnel, purchasing, transactions involving real or personal  
1855 property, and budgetary matters.

1856 (2) The Agency for Workforce Innovation is ~~shall be~~ the  
1857 ~~designated~~ administrative agency designated for receipt of  
1858 federal workforce development grants and other federal funds.  
1859 The agency, ~~and~~ shall administer ~~carry out~~ the duties and  
1860 responsibilities assigned by the Governor under each federal  
1861 grant assigned to the agency. The agency shall be a separate  
1862 budget entity and shall expend each revenue source as provided  
1863 by federal and state law and as provided in plans developed by  
1864 and agreements with Workforce Florida, Inc. The agency shall  
1865 prepare and submit as a separate budget entity a unified budget  
1866 request for workforce development, in accordance with chapter  
1867 216 for, and in conjunction with, Workforce Florida, Inc., and  
1868 its board. The head of the agency is the director of Workforce  
1869 Innovation, who shall be appointed by the Governor. The  
1870 accountability and reporting functions of the agency shall be  
1871 administered by the director or his or her designee. ~~Included in~~  
1872 These functions shall include ~~are~~ budget management, financial  
1873 management, audit, performance management standards and  
1874 controls, assessing outcomes of service delivery, and financial  
1875 administration of workforce programs under ~~pursuant to~~ s.  
1876 445.004(5) and (9). ~~Within the agency's overall organizational~~  
1877 ~~structure,~~ The agency shall include the following offices within  
1878 its organizational structure, which shall have the specified  
1879 responsibilities:

1880 (a) The Office of Workforce Services shall administer the  
1881 unemployment compensation program, the Rapid Response program,  
1882 the Work Opportunity Tax Credit program, the Alien Labor  
1883 Certification program, and any other programs that are delivered

1884 directly by agency staff rather than through the one-stop  
1885 delivery system. The office shall be directed by the Deputy  
1886 Director for Workforce Services, who shall be appointed by and  
1887 serve at the pleasure of the director.

1888 (b) The Office of Program Support and Accountability shall  
1889 administer state merit system program staff within the workforce  
1890 service delivery system, under the ~~pursuant to~~ policies of  
1891 Workforce Florida, Inc. The office is ~~shall be~~ responsible for  
1892 delivering services through the one-stop delivery system and for  
1893 ensuring that participants in welfare transition programs  
1894 receive case management services, diversion assistance, support  
1895 services, including ~~subsidized~~ child care and transportation  
1896 services, Medicaid services, and transition assistance to enable  
1897 them to succeed in the workforce. The office is ~~shall~~ also ~~be~~  
1898 responsible for program quality assurance, grants and contract  
1899 management, contracting, financial management, and reporting.  
1900 The office shall be directed by the Deputy Director for Program  
1901 Support and Accountability, who shall be appointed by and serve  
1902 at the pleasure of the director. The office is ~~shall be~~  
1903 responsible for:

1904 1. Establishing monitoring, quality assurance, and quality  
1905 improvement systems that routinely assess the quality and  
1906 effectiveness of contracted programs and services.

1907 2. Annual review of each regional workforce board and  
1908 administrative entity to ensure that adequate systems of  
1909 reporting and control are in place; that, ~~and~~ monitoring,  
1910 quality assurance, and quality improvement activities are

1911 conducted routinely; ~~7~~ and that corrective action is taken to  
1912 eliminate deficiencies.

1913 (c) The Office of Early Childhood Education shall  
1914 administer the early learning system in accordance with s.  
1915 411.01. The office shall be directed by the Deputy Director for  
1916 Early Childhood Education, who shall be appointed by and serve  
1917 at the pleasure of the director.

1918 (d)(e) The Office of Agency Support Services is ~~shall be~~  
1919 responsible for procurement, human resource services, and  
1920 information services including delivering information on labor  
1921 markets, employment, occupations, and performance, and shall  
1922 implement and maintain information systems that are required for  
1923 the effective operation of the one-stop delivery system and the  
1924 early learning ~~school readiness services~~ system, including, but  
1925 not limited to, those systems described in s. 445.009. The  
1926 office shall ~~will~~ be directed by ~~under the direction of~~ the  
1927 Deputy Director for Agency Support Services, who shall be  
1928 appointed by and serve at the pleasure of the director. The  
1929 office is ~~shall be~~ responsible for establishing:

1930 1. Information systems and controls that report reliable,  
1931 timely and accurate fiscal and performance data for assessing  
1932 outcomes, service delivery, and financial administration of  
1933 workforce programs under ~~pursuant to~~ s. 445.004(5) and (9).

1934 2. Information systems that support service integration  
1935 and case management by providing for case tracking for  
1936 participants in welfare transition programs.

1937 3. Information systems that support the early learning  
1938 system ~~school readiness services~~.

1939        (e)~~(d)~~ The Unemployment Appeals Commission, authorized by  
1940 s. 443.012, is ~~shall~~ not be subject to the control, supervision,  
1941 or direction by the Agency for Workforce Innovation in the  
1942 performance of its powers and duties but shall receive any and  
1943 all support and assistance from the agency that is ~~may be~~  
1944 required for the performance of its duties.

1945        Section 6. Effective November 1, 2004, paragraph (b) of  
1946 subsection (1) of section 125.901, Florida Statutes, is amended  
1947 to read:

1948        125.901 Children's services; independent special district;  
1949 council; powers, duties, and functions.--

1950        (1) Each county may by ordinance create an independent  
1951 special district, as defined in ss. 189.403(3) and  
1952 200.001(8)(e), to provide funding for children's services  
1953 throughout the county in accordance with this section. The  
1954 boundaries of such district shall be coterminous with the  
1955 boundaries of the county. The county governing body shall obtain  
1956 approval, by a majority vote of those electors voting on the  
1957 question, to annually levy ad valorem taxes which shall not  
1958 exceed the maximum millage rate authorized by this section. Any  
1959 district created pursuant to the provisions of this subsection  
1960 shall be required to levy and fix millage subject to the  
1961 provisions of s. 200.065. Once such millage is approved by the  
1962 electorate, the district shall not be required to seek approval  
1963 of the electorate in future years to levy the previously  
1964 approved millage.

1965        (b) However, any county as defined in s. 125.011(1) may  
1966 instead have a governing board consisting of 33 members,

1967 including: the superintendent of schools; two representatives of  
 1968 public postsecondary education institutions located in the  
 1969 county; the county manager or the equivalent county officer; the  
 1970 district administrator from the appropriate district of the  
 1971 Department of Children and Family Services, or the  
 1972 administrator's designee who is a member of the Senior  
 1973 Management Service or the Selected Exempt Service; the director  
 1974 of the county health department or the director's designee; the  
 1975 state attorney for the county or the state attorney's designee;  
 1976 the chief judge assigned to juvenile cases, or another juvenile  
 1977 judge who is the chief judge's designee and who shall sit as a  
 1978 voting member of the board, except that the judge may not vote  
 1979 or participate in setting ad valorem taxes under this section;  
 1980 an individual who is selected by the board of the local United  
 1981 Way or its equivalent; a member of a locally recognized faith-  
 1982 based coalition, selected by that coalition; a member of the  
 1983 local chamber of commerce, selected by that chamber or, if more  
 1984 than one chamber exists within the county, a person selected by  
 1985 a coalition of the local chambers; a member of the early  
 1986 learning council ~~local school readiness coalition~~, selected by  
 1987 that council ~~coalition~~; a representative of a labor organization  
 1988 or union active in the county; a member of a local alliance or  
 1989 coalition engaged in cross-system planning for health and social  
 1990 service delivery in the county, selected by that alliance or  
 1991 coalition; a member of the local Parent-Teachers  
 1992 Association/Parent-Teacher-Student Association, selected by that  
 1993 association; a youth representative selected by the local school  
 1994 system's student government; a local school board member



1995 appointed by the chair of the school board; the mayor of the  
1996 county or the mayor's designee; one member of the county  
1997 governing body, appointed by the chair of that body; a member of  
1998 the state Legislature who represents residents of the county,  
1999 selected by the chair of the local legislative delegation; an  
2000 elected official representing the residents of a municipality in  
2001 the county, selected by the county municipal league; and 4  
2002 members-at-large, appointed to the council by the majority of  
2003 sitting council members. The remaining 7 members shall be  
2004 appointed by the Governor in accordance with procedures set  
2005 forth in paragraph (a), except that the Governor may remove a  
2006 member for cause or upon the written petition of the council.  
2007 Appointments by the Governor must, to the extent reasonably  
2008 possible, represent the geographic and demographic diversity of  
2009 the population of the county. Members who are appointed to the  
2010 council by reason of their position are not subject to the  
2011 length of terms and limits on consecutive terms as provided in  
2012 this section. The remaining appointed members of the governing  
2013 board shall be appointed to serve 2-year terms, except that  
2014 those members appointed by the Governor shall be appointed to  
2015 serve 4-year terms, and the youth representative and the  
2016 legislative delegate shall be appointed to serve 1-year terms. A  
2017 member may be reappointed; however, a member may not serve for  
2018 more than three consecutive terms. A member is eligible to be  
2019 appointed again after a 2-year hiatus from the council.

2020 Section 7. Effective November 1, 2004, subsection (1) of  
2021 section 216.133, Florida Statutes, is amended to read:

2022 216.133 Definitions; ss. 216.133-216.137.--As used in ss.  
 2023 216.133-216.137:

2024 (1) "Consensus estimating conference" includes the  
 2025 Economic Estimating Conference, the Demographic Estimating  
 2026 Conference, the Revenue Estimating Conference, the Education  
 2027 Estimating Conference, the Criminal Justice Estimating  
 2028 Conference, the Juvenile Justice Estimating Conference, the  
 2029 Child Welfare System Estimating Conference, the Occupational  
 2030 Forecasting Conference, the Early Childhood Education Programs  
 2031 ~~School Readiness Program~~ Estimating Conference, the Self-  
 2032 Insurance Estimating Conference, the Florida Retirement System  
 2033 Actuarial Assumption Conference, and the Social Services  
 2034 Estimating Conference.

2035 Section 8. Effective November 1, 2004, subsection (10) of  
 2036 section 216.136, Florida Statutes, is amended to read:

2037 216.136 Consensus estimating conferences; duties and  
 2038 principals.--

2039 (10) EARLY CHILDHOOD EDUCATION PROGRAMS ~~SCHOOL READINESS~~  
 2040 ~~PROGRAM~~ ESTIMATING CONFERENCE.--

2041 (a) Duties.--

2042 1. The Early Childhood Education Programs ~~School Readiness~~  
 2043 ~~Program~~ Estimating Conference shall develop estimates and  
 2044 forecasts of the unduplicated count of children eligible for  
 2045 early learning ~~school readiness~~ programs in accordance with the  
 2046 standards of eligibility established in s. 411.01(6), and of  
 2047 children eligible for the VPK Program in accordance with s.  
 2048 1002.53(2), as the conference determines are needed to support  
 2049 the state planning, budgeting, and appropriations processes.

2050           2. The Agency for Workforce Innovation ~~Florida Partnership~~  
 2051 ~~for School Readiness~~ shall provide information on needs and  
 2052 waiting lists for early learning programs ~~school readiness~~  
 2053 ~~program services~~ requested by the Early Childhood Education  
 2054 Programs School Readiness Program Estimating Conference or  
 2055 individual conference principals in a timely manner.

2056           3. The Department of Education shall provide information  
 2057 on needs for the VPK Program as requested by the Early Childhood  
 2058 Education Programs Estimating Conference or individual  
 2059 conference principals in a timely manner.

2060           (b) Principals.--The Executive Office of the Governor, the  
 2061 Director of Economic and Demographic Research, and professional  
 2062 staff who have forecasting expertise from ~~the Florida~~  
 2063 ~~Partnership for School Readiness~~, the Agency for Workforce  
 2064 Innovation, the Department of Children and Family Services, the  
 2065 Department of Education, the Senate, and the House of  
 2066 Representatives, or their designees, are the principals of the  
 2067 Early Childhood Education Programs ~~School Readiness Program~~  
 2068 Estimating Conference. The principal representing the Executive  
 2069 Office of the Governor shall preside over sessions of the  
 2070 conference.

2071           Section 9. Effective November 1, 2004, section 402.3016,  
 2072 Florida Statutes, is amended to read:

2073           402.3016 Early Head Start collaboration grants.--

2074           (1) Contingent upon specific appropriations, the Agency  
 2075 for Workforce Innovation ~~Florida Partnership for School~~  
 2076 ~~Readiness~~ shall establish a program to award collaboration  
 2077 grants to assist local agencies in securing Early Head Start

2078 | programs through Early Head Start program federal grants. The  
 2079 | collaboration grants shall provide the required matching funds  
 2080 | for public and private nonprofit agencies that have been  
 2081 | approved for Early Head Start program federal grants.

2082 |         (2) Public and private nonprofit agencies providing Early  
 2083 | Head Start programs applying for collaborative grants must:

2084 |             (a) Ensure quality performance by meeting the requirements  
 2085 | in the Head Start program performance standards and other  
 2086 | applicable rules and regulations;

2087 |             (b) Ensure collaboration with other service providers at  
 2088 | the local level; and

2089 |             (c) Ensure that a comprehensive array of health,  
 2090 | nutritional, and other services are provided to the program's  
 2091 | pregnant women and very young children, and their families.

2092 |         (3) The Agency for Workforce Innovation ~~partnership~~ shall  
 2093 | report to the Legislature on an annual basis the number of  
 2094 | agencies receiving Early Head Start collaboration grants and the  
 2095 | number of children served.

2096 |         (4) The Agency for Workforce Innovation ~~partnership~~ may  
 2097 | adopt rules under ss. 120.536(1) and 120.54 as necessary for the  
 2098 | award of collaboration grants to competing agencies and the  
 2099 | administration of the collaboration grants program under this  
 2100 | section.

2101 |         Section 10. Effective November 1, 2004, section 402.27,  
 2102 | Florida Statutes, is renumbered as section 411.015, Florida  
 2103 | Statutes, and amended to read:

2104 |             411.015 ~~402.27~~ ~~Child care and early childhood~~ Resource and  
 2105 | referral.--The Agency for Workforce Innovation ~~Department of~~

2106 ~~Children and Family Services~~ shall administer all functions of  
2107 ~~establish~~ a statewide ~~child care~~ resource and referral network,  
2108 in consultation with the Department of Education's program  
2109 administrator for the VPK Program, that the agency determines  
2110 necessary for efficient operation of the early learning councils  
2111 and the VPK Program. The network shall be composed of statewide  
2112 resource and referral and a system of local resource and  
2113 referral contracted through the Agency for Workforce Innovation.  
2114 ~~Preference shall be given to using the already established~~  
2115 ~~central agencies for subsidized child care as the child care~~  
2116 ~~resource and referral agency. If the agency cannot comply with~~  
2117 ~~the requirements to offer the resource information component or~~  
2118 ~~does not want to offer that service, the department of Children~~  
2119 ~~and Family Services shall select the resource information agency~~  
2120 ~~based upon a request for proposal. Each early learning council~~  
2121 shall establish its local at least one child care resource and  
2122 referral agency must be established in the county or multicounty  
2123 area served by the council each district of the department, but  
2124 ~~no more than one may be established in any county. Child care~~  
2125 ~~Resource and referral agencies~~ shall provide the following  
2126 services:

2127 (1) Identification of existing public and private early  
2128 childhood education providers ~~child care and early childhood~~  
2129 ~~education services, including child care services by public and~~  
2130 ~~private employers,~~ and the development of a database resource  
2131 file of providers those services. These providers services may  
2132 include early childhood education providers that are licensed,  
2133 exempt from licensure, or registered; providers participating in

2134 the VPK Program; providers participating in a council's early  
 2135 learning programs; family day care, public and private child  
 2136 care programs, Head Start; ~~prekindergarten early intervention~~  
 2137 programs, special education programs for prekindergarten  
 2138 handicapped children with disabilities; services for children  
 2139 with developmental disabilities; full-time and part-time  
 2140 programs; before-school and after-school programs; vacation  
 2141 care programs; parent education; welfare transition programs;  
 2142 the WAGES Program, and related family support services. The  
 2143 database information resource file shall include, but is not be  
 2144 limited to:

- 2145 (a) Type of early childhood education provider program.
- 2146 (b) Hours of service.
- 2147 (c) Ages of children served.
- 2148 (d) Number of children served.
- 2149 (e) Significant program information.
- 2150 (f) Fees and eligibility for services.
- 2151 (g) Availability of transportation.

2152 (2) The establishment of a referral process that ~~which~~  
 2153 ~~responds to parental need for information and that which~~ is  
 2154 provided with full recognition of the confidentiality rights of  
 2155 parents. Resource and referral may only ~~programs shall~~ make  
 2156 referrals to licensed early childhood education providers,  
 2157 except that a referral may ~~child care facilities. Referrals~~  
 2158 ~~shall be made to an unlicensed provider child care facility or~~  
 2159 ~~arrangement only if~~ the provider is not required to ~~there is no~~  
 2160 ~~requirement that the facility or arrangement be licensed.~~

2161 (3) Maintenance of ongoing documentation of requests for  
2162 service tabulated through the internal referral process. The  
2163 following documentation of requests for service shall be  
2164 maintained by the council's ~~all child care~~ resource and referral  
2165 ~~agencies~~:

2166 (a) Number of calls and contacts to the council's resource  
2167 ~~child care information~~ and referral ~~agency component~~ by type of  
2168 early childhood education provider service requested.

2169 (b) Ages of children for whom service is ~~was~~ requested.

2170 (c) Time category of early childhood education ~~child care~~  
2171 requests for each child.

2172 (d) Special time category, such as nights, weekends, and  
2173 swing shifts ~~shift~~.

2174 (e) Reason that early childhood education ~~the child care~~  
2175 is needed.

2176 (f) Name of the employer and primary focus of the  
2177 business.

2178 (4) Provision of technical assistance to existing and  
2179 potential providers of early childhood education ~~child care~~  
2180 ~~services~~. This assistance may include:

2181 (a) Information on initiating new early childhood  
2182 education ~~child care~~ services, zoning, and program and budget  
2183 development and assistance in finding the ~~such~~ information from  
2184 other sources.

2185 (b) Information and resources that assist ~~which help~~  
2186 existing early childhood education ~~child care services~~ providers  
2187 to maximize their ability to serve children and parents in their  
2188 community.

2189 (c) Information and incentives that may ~~which could~~ help  
 2190 existing or planned early childhood education ~~child-care~~  
 2191 services offered by public or private employers seeking to  
 2192 maximize their ability to serve the children of their ~~working~~  
 2193 ~~parent~~ employees who are working parents in their community,  
 2194 through contractual or other funding arrangements with  
 2195 businesses.

2196 (5) Assistance to families and employers in applying for  
 2197 various early childhood education programs, ~~sources of subsidy~~  
 2198 including, but not limited to, the VPK Program or a council's  
 2199 early learning program ~~subsidized child-care~~, Head Start,  
 2200 ~~prekindergarten early intervention programs~~, Project  
 2201 ~~Independence~~, private scholarships, and the federal child and  
 2202 dependent care tax credit.

2203 (6) Assistance to state agencies in determining the  
 2204 prevailing market rate for early childhood education ~~child-care~~.

2205 (7) Assistance in negotiating discounts or other special  
 2206 arrangements with early childhood education ~~child-care~~  
 2207 providers.

2208 (8) Information and assistance to local interagency  
 2209 councils coordinating services for prekindergarten ~~handicapped~~  
 2210 children with disabilities.

2211 (9) Assistance to families in identifying summer  
 2212 recreation camp and summer day camp programs and in evaluating  
 2213 the health and safety qualities of summer recreation camp, ~~and~~  
 2214 summer day camp, ~~programs and in evaluating the health and~~  
 2215 ~~safety qualities of~~ summer camp programs. Subject to legislative  
 2216 ~~Contingent upon specific~~ appropriation, a checklist of important



2217 health and safety qualities that parents may ~~can~~ use to choose  
 2218 their summer camp programs shall be developed and distributed in  
 2219 a manner that will reach parents interested in these ~~such~~  
 2220 programs for their children.

2221 (10) ~~A child care facility licensed under s. 402.305 and~~  
 2222 ~~licensed and registered family day care homes must provide the~~  
 2223 ~~statewide child care and resource and referral agencies with~~ The  
 2224 following information annually for each licensed or registered  
 2225 early childhood education provider:

2226 (a) Type of each childhood education provider ~~program~~.

2227 (b) Hours of service.

2228 (c) Ages of children served.

2229 (d) Fees and eligibility for services.

2230 Section 11. Effective November 1, 2004, subsections (1),  
 2231 (3), and (4) of section 402.3018, Florida Statutes, are amended  
 2232 to read:

2233 402.3018 Consultation to child care centers and family day  
 2234 care homes regarding health, developmental, disability, and  
 2235 special needs issues.--

2236 (1) Contingent upon specific appropriations, the Agency  
 2237 for Workforce Innovation shall provide ~~department is directed to~~  
 2238 ~~contract with the statewide resource information and referral~~  
 2239 ~~agency~~ for a statewide toll-free Warm-Line for the purpose of  
 2240 providing assistance and consultation to child care centers and  
 2241 family day care homes regarding health, developmental,  
 2242 disability, and special needs issues of the children they are  
 2243 serving, particularly children with disabilities and other  
 2244 special needs.

2245 (3) The Agency for Workforce Innovation ~~department~~ shall  
 2246 inform child care centers and family day care homes of the  
 2247 availability of this service, on an annual basis.

2248 (4) Contingent upon specific appropriations, the Agency  
 2249 for Workforce Innovation ~~department~~ shall expand or contract for  
 2250 the expansion of the Warm-Line from one statewide site to one  
 2251 Warm-Line site in each ~~child care~~ resource and referral ~~agency~~  
 2252 region.

2253 Section 12. Effective November 1, 2004, section 409.178,  
 2254 Florida Statutes, is amended to read:

2255 409.178 Business Child Care Executive Partnership for  
 2256 Early Learning Act; findings and intent; grant; limitation;  
 2257 rules.--

2258 ~~(1) This section may be cited as the "Child Care Executive~~  
 2259 ~~Partnership Act."~~

2260 ~~(2)(a) The Legislature finds that when private employers~~  
 2261 ~~provide onsite child care or provide other child care benefits,~~  
 2262 ~~they benefit by improved recruitment and higher retention rates~~  
 2263 ~~for employees, lower absenteeism, and improved employee morale.~~  
 2264 ~~The Legislature also finds that there are many ways in which~~  
 2265 ~~private employers can provide child care assistance to~~  
 2266 ~~employees: information and referral, vouchering, employer~~  
 2267 ~~contribution to child care programs, and onsite care. Private~~  
 2268 ~~employers can offer child care as part of a menu of employee~~  
 2269 ~~benefits. The Legislature recognizes that flexible compensation~~  
 2270 ~~programs providing a child care option are beneficial to the~~  
 2271 ~~private employer through increased productivity, to the private~~  
 2272 ~~employee in knowing that his or her children are being cared for~~

2273 ~~in a safe and nurturing environment, and to the state in more~~  
2274 ~~dollars being available for purchasing power and investment.~~

2275 ~~(b) It is the intent of the Legislature to promote~~  
2276 ~~public/private partnerships to ensure that the children of the~~  
2277 ~~state be provided safe and enriching child care at any time, but~~  
2278 ~~especially while parents work to remain self-sufficient. It is~~  
2279 ~~the intent of the Legislature that private employers be~~  
2280 ~~encouraged to participate in the future of this state by~~  
2281 ~~providing employee child care benefits. Further, it is the~~  
2282 ~~intent of the Legislature to encourage private employers to~~  
2283 ~~explore innovative ways to assist employees to obtain quality~~  
2284 ~~child care.~~

2285 ~~(c) The Legislature further recognizes that many parents~~  
2286 ~~need assistance in paying the full costs of quality child care.~~  
2287 ~~The public and private sectors, by working in partnership, can~~  
2288 ~~promote and improve access to quality child care and early~~  
2289 ~~education for children of working families who need it.~~  
2290 ~~Therefore, a more formal mechanism is necessary to stimulate the~~  
2291 ~~establishment of public-private partnerships. It is the intent~~  
2292 ~~of the Legislature to expand the availability of scholarship~~  
2293 ~~options for working families by providing incentives for~~  
2294 ~~employers to contribute to meeting the needs of their employees'~~  
2295 ~~families through matching public dollars available for child~~  
2296 ~~care.~~

2297 ~~(1)(a)(3)~~ There is created a body politic and corporate,  
2298 known as the Business Child Care Executive Partnership for Early  
2299 Learning, which shall establish and govern the Business Child  
2300 Care Executive Partnership for Early Learning Program.

2301           **(b)** The purpose of the ~~Business Child Care Executive~~  
2302 Partnership for Early Learning Program is to ~~use~~ utilize state  
2303 and federal funds as incentives for matching local funds derived  
2304 from local governments, employers, charitable foundations, and  
2305 other sources, in order ~~so~~ that ~~Florida~~ communities in this  
2306 state may create local flexible partnerships with employers.

2307           **(c)** The ~~Business Child Care Executive~~ Partnership for  
2308 Early Learning Program funds shall be used at the discretion of  
2309 local communities to meet the needs of working parents. An early  
2310 learning ~~A child care~~ purchasing pool shall be developed with  
2311 ~~the~~ state, federal, and local funds to provide subsidies to low-  
2312 income working parents whose family income does not exceed 200  
2313 percent of the federal poverty level ~~who are eligible for~~  
2314 ~~subsidized child care~~ with a dollar-for-dollar match from  
2315 employers, local government, and other matching contributions.  
2316 The funds used from the early learning ~~child care~~ purchasing  
2317 pool must be used to supplement or extend the use of existing  
2318 public or private funds.

2319           **(2)(4)** The ~~Business Child Care Executive~~ Partnership for  
2320 Early Learning, staffed by the Agency for Workforce Innovation  
2321 ~~department~~, shall consist of a representative of the Executive  
2322 Office of the Governor and nine members of the corporate or  
2323 early learning ~~child care~~ community, appointed by the Governor.

2324           (a) Members shall serve for a period of 4 years, except  
2325 that the representative of the Executive Office of the Governor  
2326 shall serve at the pleasure of the Governor.

2327           (b) The ~~Business Child Care Executive~~ Partnership for  
2328 Early Learning shall be chaired by a member chosen by a majority

2329 | vote and shall meet at least quarterly and at other times upon  
 2330 | the call of the chair.

2331 | (c) Members shall serve without compensation, but may be  
 2332 | reimbursed for per diem and travel expenses in accordance with  
 2333 | s. 112.061.

2334 | (d) The Business Child Care Executive Partnership for  
 2335 | Early Learning shall have all the powers and authority, not  
 2336 | explicitly prohibited by law statute, necessary to administer  
 2337 | ~~carry out and effectuate the purposes of this section, as well~~  
 2338 | ~~as the functions, duties, and responsibilities of the~~  
 2339 | ~~partnership~~, including, but not limited to, the following:

2340 | 1. Assisting in the formulation and coordination of the  
 2341 | state's early learning ~~child care~~ policy.

2342 | 2. Adopting an official seal.

2343 | 3. Soliciting, accepting, receiving, investing, and  
 2344 | expending funds from public or private sources.

2345 | 4. Contracting with public or private entities as  
 2346 | necessary.

2347 | 5. Approving an annual budget.

2348 | 6. Carrying forward any unexpended state appropriations  
 2349 | into succeeding fiscal years.

2350 | 7. Providing a report to the Governor, the Speaker of the  
 2351 | House of Representatives, and the President of the Senate, on or  
 2352 | before December 1 of each year.

2353 | ~~(3)(5)~~(a) The Legislature shall consider the  
 2354 | recommendations from the Business Partnership for Early Learning  
 2355 | annually to determine the amount of state funds ~~or federal low-~~  
 2356 | ~~income child care moneys~~ which shall be used to create the

2357 Business Child Care Executive Partnership for Early Learning  
2358 Program early learning child care purchasing pools in counties  
2359 chosen by the Business Child Care Executive Partnership for  
2360 Early Learning. A purchasing pool must be created in, ~~provided~~  
2361 ~~that~~ at least two of the counties with have populations of ~~no~~  
2362 ~~more than~~ 300,000 or fewer persons. The Legislature shall  
2363 annually review the effectiveness of the early learning child  
2364 ~~care~~ purchasing pool program and reevaluate the percentage of  
2365 additional state ~~or federal~~ funds, if any, that may can be used  
2366 for the program's expansion.

2367 (b) To ensure a seamless service delivery and ease of  
2368 access for families, the Business Partnership for Early Learning  
2369 may contract with early learning councils, community coordinated  
2370 child care agencies, or the Agency for Workforce Innovation to  
2371 ~~state resource and referral agency shall~~ administer the child  
2372 ~~care~~ purchasing pool funds.

2373 (c) The Agency for Workforce Innovation department, in  
2374 conjunction with the Business Child Care Executive Partnership  
2375 for Early Learning, shall develop procedures for disbursement of  
2376 funds through the ~~child care~~ purchasing pools. In order to be  
2377 considered for funding, an early learning council ~~the community~~  
2378 ~~coordinated child care agency or the statewide resource and~~  
2379 ~~referral agency~~ must commit to:

2380 1. Matching the state purchasing pool funds on a dollar-  
2381 for-dollar basis; and

2382 2. Expending only those state public funds that which are  
2383 matched by employers, local government, and other matching  
2384 contributors who contribute to the purchasing pool. Parents

2385 shall also pay a fee, which must ~~shall be~~ not be less than the  
2386 amount identified in the ~~department's subsidized child care~~  
2387 sliding fee scale adopted by the early learning council.

2388 (d) Each early learning council ~~community~~  
2389 ~~coordinated child care agency~~ shall be required to establish a  
2390 community ~~child care~~ task force for each ~~child care~~ purchasing  
2391 pool. The task force must be composed of employers, parents,  
2392 private early learning ~~child care~~ providers, and one  
2393 representative from the local children's services council, if  
2394 one exists in the area of the purchasing pool. The early  
2395 learning council shall ~~community coordinated child care agency~~  
2396 ~~is expected to~~ recruit the task force members from existing  
2397 ~~child care~~ councils, commissions, or task forces already  
2398 operating in the area of a purchasing pool. A majority of the  
2399 task force shall consist of employers. Each task force shall  
2400 develop a plan for the use of ~~child care~~ purchasing pool funds.  
2401 The plan must demonstrate ~~show~~ how many children will be served  
2402 by the purchasing pool, how many will be new to receiving early  
2403 learning ~~child care~~ services, and how the early learning council  
2404 ~~community coordinated child care agency~~ intends to attract new  
2405 employers and their employees to the program.

2406 ~~(4)(6)~~ The Agency for Workforce Innovation ~~Department of~~  
2407 ~~Children and Family Services~~ shall adopt any rules to administer  
2408 ~~necessary for the implementation and administration of this~~  
2409 section.

2410 Section 13. Effective November 1, 2004, section 402.25,  
2411 Florida Statutes, is amended to read:

2412           402.25 Infants and toddlers in state-funded early learning  
2413 ~~education and care~~ programs; brain development activities.--Each  
2414 state-funded early learning ~~education and care~~ program for  
2415 children from birth to 5 years of age must provide activities to  
2416 foster brain development in infants and toddlers. Each A program  
2417 must provide an environment rich in language and music and  
2418 filled with objects of various colors, shapes, textures, and  
2419 sizes to stimulate visual, tactile, auditory, and linguistic  
2420 senses in a child ~~the children and must include classical music~~  
2421 ~~and at least 30 minutes of reading to the children each day. A~~  
2422 ~~program may be offered through an existing early childhood~~  
2423 ~~program such as Healthy Start, the Title I program, contracted~~  
2424 ~~or directly operated subsidized child care, the prekindergarten~~  
2425 ~~early intervention program, Florida First Start, the Head Start~~  
2426 ~~program, or a private child care program. A program must also~~  
2427 provide training for the infants' and toddlers' parents  
2428 including direct dialogue and interaction between teachers and  
2429 parents demonstrating the urgency of brain development in the  
2430 first year of a child's life. A family child ~~day~~ care home is  
2431 ~~centers~~ are encouraged, but not required, to comply with this  
2432 section.

2433           Section 14. Section 402.281, Florida Statutes, is amended  
2434 to read:

2435           402.281 Gold Seal Quality ~~Care~~ program.--

2436           (1) Child care centers ~~facilities~~, large family child care  
2437 homes, or family child ~~day~~ care homes that are accredited by an  
2438 ~~a nationally recognized~~ accrediting association whose standards  
2439 substantially meet or exceed the National Association for the



2440 Education of Young Children (NAEYC), the National Association of  
 2441 Family Child Care, ~~and~~ the National Early Childhood Program  
 2442 Accreditation Commission, or the National Council for Private  
 2443 School Accreditation (NCPSA) shall receive a separate "Gold Seal  
 2444 Quality ~~Care~~" designation to operate as a gold seal child care  
 2445 center facility, a gold seal large family child care home, or a  
 2446 gold seal family child day care home.

2447 (2) In determining whether an accrediting association  
 2448 meets ~~developing the~~ Gold Seal Quality ~~Care~~ program standards,  
 2449 the department shall consult with the Department of Education,  
 2450 the Florida Head Start Directors Association, the Florida  
 2451 Association of Child Care Management, the Florida Family Day  
 2452 Care Association, ~~the Florida Children's Forum, the State~~  
 2453 ~~Coordinating Council for School Readiness Programs,~~ the Early  
 2454 Childhood Association of Florida, the National Association for  
 2455 Child Development Education, early childhood education providers  
 2456 receiving exemptions under s. 402.316, and parents, for the  
 2457 purpose of approving the accrediting associations.

2458 Section 15. Subsection (2) of section 402.3051, Florida  
 2459 Statutes, is amended to read:

2460 402.3051 Child care market rate reimbursement; child care  
 2461 grants.--

2462 (2) The department shall establish procedures to reimburse  
 2463 licensed, exempt, or registered child care providers who hold a  
 2464 Gold Seal Quality ~~Care~~ designation at the market rate for child  
 2465 care services for children who are eligible to receive  
 2466 subsidized child care; and licensed, exempt, or registered child  
 2467 care providers at the prevailing market rate for child care

2468 services for children who are eligible to receive subsidized  
 2469 child care, unless prohibited by federal law under s. 402.3015.  
 2470 The department shall establish procedures to reimburse providers  
 2471 of unregulated child care at not more than 50 percent of the  
 2472 market rate. The payment system may not interfere with the  
 2473 parents' decision as to the appropriate child care arrangement,  
 2474 regardless of the level of available funding for child care. The  
 2475 child care program assessment tool may not be used to determine  
 2476 reimbursement rates.

2477 Section 16. Subsection (5) of section 402.315, Florida  
 2478 Statutes, is amended to read:

2479 402.315 Funding; license fees.--

2480 (5) All moneys collected by the department for child care  
 2481 licensing shall be held in a trust fund of the department to be  
 2482 reallocated to the department during the following fiscal year  
 2483 to fund child care licensing activities, including the Gold Seal  
 2484 Quality Care program created pursuant to s. 402.281.

2485 Section 17. Paragraph (m) of subsection (5) of section  
 2486 212.08, Florida Statutes, is amended to read:

2487 212.08 Sales, rental, use, consumption, distribution, and  
 2488 storage tax; specified exemptions.--The sale at retail, the  
 2489 rental, the use, the consumption, the distribution, and the  
 2490 storage to be used or consumed in this state of the following  
 2491 are hereby specifically exempt from the tax imposed by this  
 2492 chapter.

2493 (5) EXEMPTIONS; ACCOUNT OF USE.--

2494 (m) Educational materials purchased by certain child care  
 2495 facilities.--Educational materials, such as glue, paper, paints,

2496 | crayons, unique craft items, scissors, books, and educational  
 2497 | toys, purchased by a child care facility that meets the  
 2498 | standards delineated in s. 402.305, is licensed under s.  
 2499 | 402.308, holds a current Gold Seal Quality ~~Care~~ designation  
 2500 | pursuant to s. 402.281, and provides basic health insurance to  
 2501 | all employees are exempt from the taxes imposed by this chapter.  
 2502 | For purposes of this paragraph, the term "basic health  
 2503 | insurance" shall be defined and promulgated in rules developed  
 2504 | jointly by the Department of Children and Family Services, the  
 2505 | Agency for Health Care Administration, and the Financial  
 2506 | Services Commission.

2507 | Section 18. Paragraph (d) of subsection (2) and subsection  
 2508 | (3) of section 402.305, Florida Statutes, are amended to read:

2509 | 402.305 Licensing standards; child care facilities.--

2510 | (2) PERSONNEL.--Minimum standards for child care personnel  
 2511 | shall include minimum requirements as to:

2512 | (d) Minimum training requirements for child care  
 2513 | personnel.

2514 | 1. Such minimum standards for training shall ensure that  
 2515 | all child care personnel take an approved 45-clock-hour ~~40-~~  
 2516 | ~~clock-hour~~ introductory course in child care, which course  
 2517 | covers at least the following topic areas:

2518 | a. State and local rules and regulations which govern  
 2519 | child care.

2520 | b. Health, safety, and nutrition.

2521 | c. Identifying and reporting child abuse and neglect.

2522 d. Child development, including typical and atypical  
 2523 language, cognitive, motor, social, and self-help skills  
 2524 development.

2525 e. Observation of developmental behaviors, including using  
 2526 a checklist or other similar observation tools and techniques to  
 2527 determine the child's developmental age level.

2528 f. Specialized areas, including computer technology for  
 2529 professional and classroom use and early literacy and language  
 2530 development of children from birth to 5 years of age, as  
 2531 determined by the department, for owner-operators and child care  
 2532 personnel of a child care facility.

2533  
 2534 Within 90 days after employment, child care personnel shall  
 2535 begin training to meet the training requirements. Child care  
 2536 personnel shall successfully complete such training within 1  
 2537 year after the date on which the training began, as evidenced by  
 2538 passage of a competency examination. Successful completion of  
 2539 the 45-clock-hour ~~40-clock-hour~~ introductory course shall  
 2540 articulate into community college credit in early childhood  
 2541 education, pursuant to ss. 1007.24 and 1007.25. Exemption from  
 2542 all or a portion of the required training shall be granted to  
 2543 child care personnel based upon educational credentials or  
 2544 passage of competency examinations. Child care personnel  
 2545 possessing a 2-year degree or higher that includes 6 college  
 2546 credit hours in early childhood development or child growth and  
 2547 development, or a child development associate credential or an  
 2548 equivalent state-approved child development associate  
 2549 credential, or a child development associate waiver certificate

2550 shall be automatically exempted from the training requirements  
2551 in sub-subparagraphs b., d., and e.

2552 2. The introductory course in child care shall stress, to  
2553 the extent possible, an interdisciplinary approach to the study  
2554 of children.

2555 3. On an annual basis in order to further their child care  
2556 skills and, if appropriate, administrative skills, child care  
2557 personnel who have fulfilled the requirements for the child care  
2558 training shall be required to take an additional 1 continuing  
2559 education unit of approved inservice training, or 10 clock hours  
2560 of equivalent training, as determined by the department.

2561 4. Child care personnel shall be required to complete 0.5  
2562 continuing education unit of approved training or 5 clock hours  
2563 of equivalent training, as determined by the department, in  
2564 early literacy and language development of children from birth  
2565 to 5 years of age one time. The year that this training is  
2566 completed, it shall fulfill the 0.5 continuing education unit or  
2567 5 clock hours of the annual training required in subparagraph 3.

2568 5. Procedures for ensuring the training of qualified child  
2569 care professionals to provide training of child care personnel,  
2570 including onsite training, shall be included in the minimum  
2571 standards. It is recommended that the state community child care  
2572 coordination agencies (central agencies) be contracted by the  
2573 department to coordinate such training when possible. Other  
2574 district educational resources, such as community colleges and  
2575 vocational-technical programs, can be designated in such areas  
2576 where central agencies may not exist or are determined not to

2577 | have the capability to meet the coordination requirements set  
2578 | forth by the department.

2579 |         6. Training requirements shall not apply to certain  
2580 | occasional or part-time support staff, including, but not  
2581 | limited to, swimming instructors, piano teachers, dance  
2582 | instructors, and gymnastics instructors.

2583 |         7. The department shall evaluate or contract for an  
2584 | evaluation for the general purpose of determining the status of  
2585 | and means to improve staff training requirements and testing  
2586 | procedures. The evaluation shall be conducted every 2 years. The  
2587 | evaluation shall include, but not be limited to, determining the  
2588 | availability, quality, scope, and sources of current staff  
2589 | training; determining the need for specialty training; and  
2590 | determining ways to increase inservice training and ways to  
2591 | increase the accessibility, quality, and cost-effectiveness of  
2592 | current and proposed staff training. The evaluation methodology  
2593 | shall include a reliable and valid survey of child care  
2594 | personnel.

2595 |         8. The child care operator shall be required to take basic  
2596 | training in serving children with disabilities within 5 years  
2597 | after employment, either as a part of the introductory training  
2598 | or the annual 8 hours of inservice training.

2599 |         (3) MINIMUM STAFF CREDENTIALS.--~~By July 1, 1996,~~ For every  
2600 | 20 children in a licensed child care facility, beginning with  
2601 | the first child, if the facility operates 8 hours or more per  
2602 | week, one of the child care personnel in the facility must have:

2603 |         (a) A current national child development associate  
2604 | credential;

2605 (b) A ~~child care professional~~ credential, ~~unless the~~  
2606 ~~department determines that such child care professional~~  
2607 ~~credential is not~~ equivalent to the current national ~~or greater~~  
2608 ~~than~~ a child development associate credential; or

2609 (c) A credential that is equivalent to or greater than the  
2610 credential required in paragraph (a) or paragraph (b).

2611  
2612 The department shall establish by rule those hours of operation,  
2613 such as during rest periods and transitional periods, when this  
2614 subsection does not apply. The State Board of Education may  
2615 adopt rules under ss. 120.536(1) and 120.54 establishing  
2616 standards and procedures for the approval of credentials  
2617 equivalent to the national child development associate  
2618 credential. The Department of Education shall review and approve  
2619 the child development associate equivalent credentials.

2620 Section 19. Paragraph (b) of subsection (1) and subsection  
2621 (2) of section 383.14, Florida Statutes, are amended to read:

2622 383.14 Screening for metabolic disorders, other hereditary  
2623 and congenital disorders, and environmental risk factors.--

2624 (1) SCREENING REQUIREMENTS.--To help ensure access to the  
2625 maternal and child health care system, the Department of Health  
2626 shall promote the screening of all infants born in Florida for  
2627 phenylketonuria and other metabolic, hereditary, and congenital  
2628 disorders known to result in significant impairment of health or  
2629 intellect, as screening programs accepted by current medical  
2630 practice become available and practical in the judgment of the  
2631 department. The department shall also promote the identification  
2632 and screening of all infants born in this state and their

2633 families for environmental risk factors such as low income, poor  
2634 education, maternal and family stress, emotional instability,  
2635 substance abuse, and other high-risk conditions associated with  
2636 increased risk of infant mortality and morbidity to provide  
2637 early intervention, remediation, and prevention services,  
2638 including, but not limited to, parent support and training  
2639 programs, home visitation, and case management. Identification,  
2640 perinatal screening, and intervention efforts shall begin prior  
2641 to and immediately following the birth of the child by the  
2642 attending health care provider. Such efforts shall be conducted  
2643 in hospitals, perinatal centers, county health departments,  
2644 school health programs that provide prenatal care, and birthing  
2645 centers, and reported to the Office of Vital Statistics.

2646 (b) Postnatal screening.--A risk factor analysis using the  
2647 department's designated risk assessment instrument shall also be  
2648 conducted as part of the medical screening process upon the  
2649 birth of a child and submitted to the department's Office of  
2650 Vital Statistics for recording and other purposes provided for  
2651 in this chapter. The department's screening process for risk  
2652 assessment shall include a scoring mechanism and procedures that  
2653 establish thresholds for notification, further assessment,  
2654 referral, and eligibility for services by professionals or  
2655 paraprofessionals consistent with the level of risk. Procedures  
2656 for developing and using the screening instrument, notification,  
2657 referral, and care coordination services, reporting  
2658 requirements, management information, and maintenance of a  
2659 computer-driven registry in the Office of Vital Statistics which  
2660 ensures privacy safeguards must be consistent with the



2661 provisions and plans established under chapter 411, Pub. L. No.  
2662 99-457, and this chapter. Procedures established for reporting  
2663 information and maintaining a confidential registry must include  
2664 a mechanism for a centralized information depository at the  
2665 state and county levels. The department shall coordinate with  
2666 existing risk assessment systems and information registries. The  
2667 department must ensure, to the maximum extent possible, that the  
2668 screening information registry is integrated with the  
2669 department's automated data systems, including the Florida On-  
2670 line Recipient Integrated Data Access (FLORIDA) system. Tests  
2671 and screenings must be performed by the State Public Health  
2672 Laboratory, in coordination with Children's Medical Services, at  
2673 such times and in such manner as is prescribed by the department  
2674 after consultation with the Genetics and Infant Screening  
2675 Advisory Council ~~and the State Coordinating Council for School~~  
2676 ~~Readiness Programs.~~

2677 (2) RULES.--After consultation with the Genetics and  
2678 Infant Screening Advisory Council, the department shall adopt  
2679 and enforce rules requiring that every infant born in this state  
2680 shall, prior to becoming 2 weeks of age, be subjected to a test  
2681 for phenylketonuria and, at the appropriate age, be tested for  
2682 such other metabolic diseases and hereditary or congenital  
2683 disorders as the department may deem necessary from time to  
2684 time. ~~After consultation with the State Coordinating Council for~~  
2685 ~~School Readiness Programs,~~ The department shall also adopt and  
2686 enforce rules requiring every infant born in this state to be  
2687 screened for environmental risk factors that place children and  
2688 their families at risk for increased morbidity, mortality, and

2689 other negative outcomes. The department shall adopt such  
 2690 additional rules as are found necessary for the administration  
 2691 of this section, including rules providing definitions of terms,  
 2692 rules relating to the methods used and time or times for testing  
 2693 as accepted medical practice indicates, rules relating to  
 2694 charging and collecting fees for screenings authorized by this  
 2695 section, and rules requiring mandatory reporting of the results  
 2696 of tests and screenings for these conditions to the department.

2697 Section 20. Subsection (6) of section 402.45, Florida  
 2698 Statutes, is amended to read:

2699 402.45 Community resource mother or father program.--

2700 (6) Individuals under contract to provide community  
 2701 resource mother or father services shall participate in  
 2702 preservice and ongoing training as determined by the Department  
 2703 of Health ~~in consultation with the State Coordinating Council~~  
 2704 ~~for School Readiness Programs~~. A community resource mother or  
 2705 father shall not be assigned a client caseload until all  
 2706 preservice training requirements are completed.

2707 Section 21. Effective November 1, 2004, section 411.011,  
 2708 Florida Statutes, is amended to read:

2709 411.011 Records of children in early learning school  
 2710 ~~readiness~~ programs.--The individual records of children enrolled  
 2711 in early learning school readiness programs provided under s.  
 2712 411.01, when held in the possession of the early learning  
 2713 council school readiness coalition or the Agency for Workforce  
 2714 Innovation Florida Partnership for School Readiness, are  
 2715 confidential and exempt from ~~the provisions of~~ s. 119.07 and s.  
 2716 24(a), Art. I of the State Constitution. For ~~the~~ purposes of

2717 | this section, records include assessment data, health data,  
2718 | records of teacher observations, and identifying data, including  
2719 | the child's social security number. A parent, guardian, or  
2720 | individual acting as a parent in the absence of a parent or  
2721 | guardian has the right to inspect and review the individual  
2722 | early learning ~~school readiness~~ program record of his or her  
2723 | child and to obtain a copy of the record. Early learning ~~School~~  
2724 | ~~readiness~~ records may be released to the United States Secretary  
2725 | of Education, the United States Secretary of Health and Human  
2726 | Services, and the Comptroller General of the United States for  
2727 | the purpose of federal audits; to individuals or organizations  
2728 | conducting studies for institutions to develop, validate, or  
2729 | administer assessments or improve instruction; to accrediting  
2730 | organizations in order to carry out their accrediting functions;  
2731 | to appropriate parties in connection with an emergency if the  
2732 | information is necessary to protect the health or safety of the  
2733 | student or other individuals; to the Auditor General in  
2734 | connection with his or her official functions; to a court of  
2735 | competent jurisdiction in compliance with an order of that court  
2736 | in accordance with ~~pursuant to~~ a lawfully issued subpoena; and  
2737 | to parties to an interagency agreement among early learning  
2738 | councils ~~school readiness coalitions~~, local governmental  
2739 | agencies, providers of early learning ~~school readiness~~ programs,  
2740 | state agencies, and the Agency for Workforce Innovation ~~Florida~~  
2741 | ~~Partnership for School Readiness~~ for the purpose of implementing  
2742 | the early learning ~~school readiness~~ program. Agencies,  
2743 | organizations, or individuals that receive early learning ~~school~~  
2744 | ~~readiness~~ records in order to carry out their official functions

2745 must protect the data in a manner that does ~~will~~ not permit the  
 2746 personal identification of students and their parents by persons  
 2747 other than those authorized to receive the records. This section  
 2748 is subject to the Open Government Sunset Review Act of 1995 in  
 2749 accordance with s. 119.15 and shall stand repealed on October 2,  
 2750 2005, unless reviewed and saved from repeal through reenactment  
 2751 by the Legislature.

2752 Section 22. Subsection (2) of section 411.221, Florida  
 2753 Statutes, is amended to read:

2754 411.221 Prevention and early assistance strategic plan;  
 2755 agency responsibilities.--

2756 (2) The strategic plan and subsequent plan revisions shall  
 2757 incorporate and otherwise utilize, to the fullest extent  
 2758 possible, the evaluation findings and recommendations from  
 2759 intraagency, independent third-party, field projects, and  
 2760 reports issued by the Auditor General or the Office of Program  
 2761 Policy Analysis and Government Accountability, ~~as well as the~~  
 2762 ~~recommendations of the State Coordinating Council for School~~  
 2763 ~~Readiness Programs.~~

2764 Section 23. Effective November 1, 2004, paragraph (e) of  
 2765 subsection (2) and paragraph (e) of subsection (3) of section  
 2766 411.226, Florida Statutes, are amended to read:

2767 411.226 Learning Gateway.--

2768 (2) LEARNING GATEWAY STEERING COMMITTEE.--

2769 (e) To support and facilitate system improvements, the  
 2770 steering committee must consult with representatives from the  
 2771 Department of Education, the Department of Health, the Agency  
 2772 for Workforce Innovation ~~Florida Partnership for School~~

2773 ~~Readiness~~, the Department of Children and Family Services, the  
2774 Agency for Health Care Administration, the Department of  
2775 Juvenile Justice, and the Department of Corrections and with the  
2776 director of the Learning Development and Evaluation Center of  
2777 Florida Agricultural and Mechanical University.

2778 (3) LEARNING GATEWAY DEMONSTRATION PROJECTS.--

2779 (e) The demonstration projects shall recommend to the  
2780 steering committee the linking or combining of some or all of  
2781 the local planning bodies, including early learning councils  
2782 ~~school-readiness-coalitions~~, Healthy Start coalitions, Part C  
2783 advisory councils, Department of Children and Family Services  
2784 community alliances, and other boards or councils that have a  
2785 primary focus on services for children from birth to age 9, to  
2786 the extent allowed by federal regulations, if such changes would  
2787 improve coordination and reduce unnecessary duplication of  
2788 effort.

2789 Section 24. Effective November 1, 2004, paragraph (d) of  
2790 subsection (1), paragraphs (a), (d), and (f) of subsection (2),  
2791 and paragraph (c) of subsection (3) of section 411.227, Florida  
2792 Statutes, are amended to read:

2793 411.227 Components of the Learning Gateway.--The Learning  
2794 Gateway system consists of the following components:

2795 (1) COMMUNITY EDUCATION STRATEGIES AND FAMILY-ORIENTED  
2796 ACCESS.--

2797 (d) In collaboration with other local resources, the  
2798 demonstration projects shall develop public awareness strategies  
2799 to disseminate information about developmental milestones,  
2800 precursors of learning problems and other developmental delays,

2801 and the service system that is available. The information should  
2802 target parents of children from birth through age 9 and should  
2803 be distributed to parents, health care providers, and caregivers  
2804 of children from birth through age 9. A variety of media should  
2805 be used as appropriate, such as print, television, radio, and a  
2806 community-based Internet website, as well as opportunities such  
2807 as those presented by parent visits to physicians for well-child  
2808 checkups. The Learning Gateway Steering Committee shall provide  
2809 technical assistance to the local demonstration projects in  
2810 developing and distributing educational materials and  
2811 information.

2812 1. Public awareness strategies targeting parents of  
2813 children from birth through age 5 shall be designed to provide  
2814 information to public and private preschool programs, early  
2815 learning ~~childcare~~ providers, pediatricians, parents, and local  
2816 businesses and organizations. These strategies should include  
2817 information on the early learning ~~school readiness~~ performance  
2818 standards ~~for kindergarten~~ adopted by the Agency for Workforce  
2819 Innovation School Readiness Partnership Board.

2820 2. Public awareness strategies targeting parents of  
2821 children from ages 6 through 9 must be designed to disseminate  
2822 training materials and brochures to parents and public and  
2823 private school personnel, and must be coordinated with the local  
2824 school board and the appropriate school advisory committees in  
2825 the demonstration projects. The materials should contain  
2826 information on state and district proficiency levels for grades  
2827 K-3.

2828 (2) SCREENING AND DEVELOPMENTAL MONITORING.--

2829           (a) In coordination with the Agency for Workforce  
2830 Innovation Partnership for School Readiness, the Department of  
2831 Education, and the Florida Pediatric Society, and using  
2832 information learned from the local demonstration projects, the  
2833 Learning Gateway Steering Committee shall establish guidelines  
2834 for screening children from birth through age 9. The guidelines  
2835 should incorporate recent research on the indicators most likely  
2836 to predict early learning problems, mild developmental delays,  
2837 child-specific precursors of school failure, and other related  
2838 developmental indicators in the domains of cognition;  
2839 communication; attention; perception; behavior; and social,  
2840 emotional, sensory, and motor functioning.

2841           (d) Using the screening guidelines developed by the  
2842 steering committee, the demonstration projects shall develop  
2843 strategies to increase early identification of precursors to  
2844 learning problems and learning disabilities through providing  
2845 parents the option of improved screening and referral practices  
2846 within public and private early care and education programs and  
2847 K-3 public and private school settings. Strategies may include  
2848 training and technical assistance teams to assist program  
2849 providers and teachers. The program shall collaborate  
2850 appropriately with the early learning councils ~~school readiness~~  
2851 ~~coalitions~~, local school boards, and other community resources  
2852 in arranging training and technical assistance for early  
2853 identification and screening with parental consent.

2854           (f) Based on technical assistance and support provided by  
2855 the steering committee and in conjunction with the early  
2856 learning councils ~~school readiness coalitions~~ and other

2857 appropriate entities, demonstration projects shall develop a  
2858 system to log the number of children screened, assessed, and  
2859 referred for services. After development and testing, tracking  
2860 should be supported by a standard electronic data system for  
2861 screening and assessment information.

2862 (3) EARLY EDUCATION, SERVICES AND SUPPORTS.--

2863 (c) The steering committee, in cooperation with the  
2864 Department of Children and Family Services, the Department of  
2865 Education, and the Agency for Workforce Innovation Florida  
2866 ~~Partnership for School Readiness~~, shall identify the elements of  
2867 an effective research-based curriculum for early care and  
2868 education programs.

2869 Section 25. Effective November 1, 2004, subsection (4) of  
2870 section 445.023, Florida Statutes, is amended to read:

2871 445.023 Program for dependent care for families with  
2872 children with special needs.--

2873 (4) In addition to early learning ~~school readiness~~  
2874 services provided under s. 411.01, dependent care may be  
2875 provided for children age 13 years and older who are in need of  
2876 care due to disability and where such care is needed for the  
2877 parent to accept or continue employment or otherwise participate  
2878 in work activities. The amount of subsidy shall be consistent  
2879 with the rates for special needs child care established by the  
2880 department. Dependent care needed for employment may be provided  
2881 as transitional services for up to 2 years after eligibility for  
2882 temporary cash assistance ends.



2883 Section 26. Effective November 1, 2004, paragraph (a) of  
 2884 subsection (2) of section 490.014, Florida Statutes, is amended  
 2885 to read:

2886 490.014 Exemptions.--

2887 (2) No person shall be required to be licensed or  
 2888 provisionally licensed under this chapter who:

2889 (a) Is a salaried employee of a government agency;  
 2890 developmental services program, mental health, alcohol, or drug  
 2891 abuse facility operating pursuant to chapter 393, chapter 394,  
 2892 or chapter 397; subsidized child care program, subsidized child  
 2893 care case management program, or ~~child-care~~ resource and  
 2894 referral ~~program~~ operating pursuant to chapter 411 402; child-  
 2895 placing or child-caring agency licensed pursuant to chapter 409;  
 2896 domestic violence center certified pursuant to chapter 39;  
 2897 accredited academic institution; or research institution, if  
 2898 such employee is performing duties for which he or she was  
 2899 trained and hired solely within the confines of such agency,  
 2900 facility, or institution, so long as the employee is not held  
 2901 out to the public as a psychologist pursuant to s.

2902 490.012(1)(a).

2903 Section 27. Effective November 1, 2004, paragraph (a) of  
 2904 subsection (4) of section 491.014, Florida Statutes, is amended  
 2905 to read:

2906 491.014 Exemptions.--

2907 (4) No person shall be required to be licensed,  
 2908 provisionally licensed, registered, or certified under this  
 2909 chapter who:

2910 (a) Is a salaried employee of a government agency;  
 2911 developmental services program, mental health, alcohol, or drug  
 2912 abuse facility operating pursuant to chapter 393, chapter 394,  
 2913 or chapter 397; subsidized child care program, subsidized child  
 2914 care case management program, or ~~child-care~~ resource and  
 2915 referral ~~program~~ operating pursuant to chapter 411 ~~402~~; child-  
 2916 placing or child-caring agency licensed pursuant to chapter 409;  
 2917 domestic violence center certified pursuant to chapter 39;  
 2918 accredited academic institution; or research institution, if  
 2919 such employee is performing duties for which he or she was  
 2920 trained and hired solely within the confines of such agency,  
 2921 facility, or institution, so long as the employee is not held  
 2922 out to the public as a clinical social worker, mental health  
 2923 counselor, or marriage and family therapist.

2924 Section 28. Effective November 1, 2004, paragraph (a) of  
 2925 subsection (2) of section 624.91, Florida Statutes, is amended  
 2926 to read:

2927 624.91 The Florida Healthy Kids Corporation Act.--

2928 (2) LEGISLATIVE INTENT.--

2929 (a) The Legislature finds that increased access to health  
 2930 care services could improve children's health and reduce the  
 2931 incidence and costs of childhood illness and disabilities among  
 2932 children in this state. Many children do not have comprehensive,  
 2933 affordable health care services available. It is the intent of  
 2934 the Legislature that the Florida Healthy Kids Corporation  
 2935 provide comprehensive health insurance coverage to these ~~such~~  
 2936 children. The corporation is encouraged to cooperate with any  
 2937 existing health service programs funded by the public or the

2938 private sector and to work cooperatively with the Agency for  
 2939 Workforce Innovation Florida Partnership for School Readiness.

2940 Section 29. Subsection (1) of section 1001.23, Florida  
 2941 Statutes, is amended to read:

2942 1001.23 Specific powers and duties of the Department of  
 2943 Education.--In addition to all other duties assigned to it by  
 2944 law or by rule of the State Board of Education, the department  
 2945 shall:

2946 (1) Adopt the statewide kindergarten school readiness  
 2947 ~~uniform screening developed by the Florida Partnership for~~  
 2948 ~~School Readiness~~, in accordance with s. 1002.65 ~~the criteria~~  
 2949 ~~itemized in chapter 1008~~.

2950 Section 30. Effective November 1, 2004, paragraph (d) of  
 2951 subsection (3) of section 1002.22, Florida Statutes, is amended  
 2952 to read:

2953 1002.22 Student records and reports; rights of parents and  
 2954 students; notification; penalty.--

2955 (3) RIGHTS OF PARENT OR STUDENT.--The parent of any  
 2956 student who attends or has attended any public school, area  
 2957 technical center, or public postsecondary educational  
 2958 institution shall have the following rights with respect to any  
 2959 records or reports created, maintained, and used by any public  
 2960 educational institution in the state. However, whenever a  
 2961 student has attained 18 years of age, or is attending a  
 2962 postsecondary educational institution, the permission or consent  
 2963 required of, and the rights accorded to, the parents of the  
 2964 student shall thereafter be required of and accorded to the  
 2965 student only, unless the student is a dependent student of such

2966 parents as defined in 26 U.S.C. s. 152 (s. 152 of the Internal  
2967 Revenue Code of 1954). The State Board of Education shall adopt  
2968 rules whereby parents or students may exercise these rights:

2969 (d) Right of privacy.--Every student has ~~shall have~~ a  
2970 right of privacy with respect to the educational records kept on  
2971 him or her. Personally identifiable records or reports of a  
2972 student, and any personal information contained therein, are  
2973 confidential and exempt from ~~the provisions of~~ s. 119.07(1). No  
2974 state or local educational agency, board, public school,  
2975 technical center, or public postsecondary educational  
2976 institution shall permit the release of the ~~such~~ records,  
2977 reports, or information without the written consent of the  
2978 student's parent, or of the student himself or herself if he or  
2979 she is qualified as provided in this subsection, to any  
2980 individual, agency, or organization. However, personally  
2981 identifiable records or reports of a student may be released to  
2982 the following persons or organizations without the consent of  
2983 the student or the student's parent:

2984 1. Officials of schools, school systems, technical  
2985 centers, or public postsecondary educational institutions in  
2986 which the student seeks or intends to enroll; and a copy of the  
2987 ~~such~~ records or reports shall be furnished to the parent or  
2988 student upon request.

2989 2. Other school officials, including teachers within the  
2990 educational institution or agency, who have legitimate  
2991 educational interests in the information contained in the  
2992 records.

2993           3. The United States Secretary of Education, the Director  
 2994 of the National Institute of Education, the Assistant Secretary  
 2995 for Education, the Comptroller General of the United States, or  
 2996 state or local educational authorities who are authorized to  
 2997 receive such information subject to the conditions set forth in  
 2998 applicable federal statutes and regulations of the United States  
 2999 Department of Education, or in applicable state statutes and  
 3000 rules of the State Board of Education.

3001           4. Other school officials, in connection with a student's  
 3002 application for or receipt of financial aid.

3003           5. Individuals or organizations conducting studies for or  
 3004 on behalf of an institution or a board of education for the  
 3005 purpose of developing, validating, or administering predictive  
 3006 tests, administering student aid programs, or improving  
 3007 instruction, if the ~~such~~ studies are conducted in ~~such~~ a manner  
 3008 that does as will not permit the personal identification of  
 3009 students and their parents by persons other than representatives  
 3010 of the ~~such~~ organizations and if the ~~such~~ information will be  
 3011 destroyed when no longer needed for the purpose of conducting  
 3012 the ~~such~~ studies.

3013           6. Accrediting organizations, in order to carry out their  
 3014 accrediting functions.

3015           7. Early learning councils ~~School readiness coalitions~~ and  
 3016 the Agency for Workforce Innovation ~~Florida Partnership for~~  
 3017 ~~School Readiness~~ in order to carry out their assigned duties.

3018           8. For use as evidence in student expulsion hearings  
 3019 conducted by a district school board under ~~pursuant to the~~  
 3020 ~~provisions of~~ chapter 120.

3021 9. Appropriate parties in connection with an emergency, if  
 3022 knowledge of the information in the student's educational  
 3023 records is necessary to protect the health or safety of the  
 3024 student or other individuals.

3025 10. The Auditor General and the Office of Program Policy  
 3026 Analysis and Government Accountability in connection with their  
 3027 official functions; however, except when the collection of  
 3028 personally identifiable information is specifically authorized  
 3029 by law, any data collected by the Auditor General and the Office  
 3030 of Program Policy Analysis and Government Accountability is  
 3031 confidential and exempt from ~~the provisions of~~ s. 119.07(1) and  
 3032 shall be protected in ~~such~~ a way that does as will not permit  
 3033 the personal identification of students and their parents by  
 3034 other than the Auditor General, the Office of Program Policy  
 3035 Analysis and Government Accountability, and their staff, and the  
 3036 ~~such~~ personally identifiable data shall be destroyed when no  
 3037 longer needed for the Auditor General's and the Office of  
 3038 Program Policy Analysis and Government Accountability's official  
 3039 use.

3040 11.a. A court of competent jurisdiction in compliance with  
 3041 an order of that court or the attorney of record in accordance  
 3042 with ~~pursuant to~~ a lawfully issued subpoena, upon the condition  
 3043 that the student and the student's parent are notified of the  
 3044 order or subpoena in advance of compliance therewith by the  
 3045 educational institution or agency.

3046 b. A person or entity pursuant to a court of competent  
 3047 jurisdiction in compliance with an order of that court or the  
 3048 attorney of record in accordance with ~~pursuant to~~ a lawfully

3049 | issued subpoena, upon the condition that the student, or his or  
3050 | her parent if the student is either a minor and not attending a  
3051 | postsecondary educational institution or a dependent of such  
3052 | parent as defined in 26 U.S.C. s. 152 (s. 152 of the Internal  
3053 | Revenue Code of 1954), is notified of the order or subpoena in  
3054 | advance of compliance therewith by the educational institution  
3055 | or agency.

3056 |         12. Credit bureaus, in connection with an agreement for  
3057 | financial aid that the student has executed, if the provided  
3058 | ~~that such~~ information is ~~may be~~ disclosed only to the extent  
3059 | necessary to enforce the terms or conditions of the financial  
3060 | aid agreement. Credit bureaus shall not release any information  
3061 | obtained under ~~pursuant to~~ this paragraph to any person.

3062 |         13. Parties to an interagency agreement among the  
3063 | Department of Juvenile Justice, school and law enforcement  
3064 | authorities, and other signatory agencies for the purpose of  
3065 | reducing juvenile crime and especially motor vehicle theft by  
3066 | promoting cooperation and collaboration, and the sharing of  
3067 | appropriate information in a joint effort to improve school  
3068 | safety, to reduce truancy and in-school and out-of-school  
3069 | suspensions, and to support alternatives to in-school and out-  
3070 | of-school suspensions and expulsions that provide structured and  
3071 | well-supervised educational programs supplemented by a  
3072 | coordinated overlay of other appropriate services designed to  
3073 | correct behaviors that lead to truancy, suspensions, and  
3074 | expulsions, and that support students in successfully completing  
3075 | their education. Information provided in furtherance of the such  
3076 | interagency agreements is intended solely for use in determining

3077 | the appropriate programs and services for each juvenile or the  
3078 | juvenile's family, or for coordinating the delivery of the ~~such~~  
3079 | programs and services, and as such is inadmissible in any court  
3080 | proceedings before ~~prior to~~ a dispositional hearing unless  
3081 | written consent is provided by a parent or other responsible  
3082 | adult on behalf of the juvenile.

3083 |  
3084 | This paragraph does not prohibit any educational institution  
3085 | from publishing and releasing to the general public directory  
3086 | information relating to a student if the institution elects to  
3087 | do so. However, no educational institution shall release, to any  
3088 | individual, agency, or organization that is not listed in  
3089 | subparagraphs 1.-13., directory information relating to the  
3090 | student body in general or a portion thereof unless it is  
3091 | normally published for the purpose of release to the public in  
3092 | general. Any educational institution making directory  
3093 | information public shall give public notice of the categories of  
3094 | information that it has designated as directory information for  
3095 | ~~with respect to~~ all students attending the institution and shall  
3096 | allow a reasonable period of time after the ~~such~~ notice has been  
3097 | given for a parent or student to inform the institution in  
3098 | writing that any or all of the information designated should not  
3099 | be released.

3100 |       Section 31. Effective November 1, 2004, paragraph (e) of  
3101 | subsection (1) of section 1003.21, Florida Statutes, is amended  
3102 | to read:

3103 |       1003.21 School attendance.--

3104 |       (1)



3105 (e) Consistent with rules adopted by the State Board of  
3106 Education, children with disabilities who have attained the age  
3107 of 3 years shall be eligible for admission to public special  
3108 education programs and for related services under rules adopted  
3109 by the district school board. Exceptional children who are deaf  
3110 or hard of hearing, visually impaired, dual sensory impaired,  
3111 severely physically handicapped, trainable mentally handicapped,  
3112 or profoundly handicapped, or who have established conditions,  
3113 or exhibit developmental delays, below age 3 may be eligible for  
3114 special programs; or, if enrolled in other early learning ~~school~~  
3115 ~~readiness~~ programs, they may be eligible for supplemental  
3116 instruction. Rules for the identification of established  
3117 conditions for children birth through 2 years of age and  
3118 developmental delays for children birth through 5 years of age  
3119 must be adopted by the State Board of Education.

3120 Section 32. Effective November 1, 2004, paragraph (c) of  
3121 subsection (3) of section 1003.54, Florida Statutes, is amended  
3122 to read:

3123 1003.54 Teenage parent programs.--

3124 (3)

3125 (c) Provision for necessary child care, health care,  
3126 social services, parent education, and transportation shall be  
3127 ancillary service components of teenage parent programs.  
3128 Ancillary services may be provided through the coordination of  
3129 existing programs and services and through joint agreements  
3130 between district school boards and early learning councils ~~local~~  
3131 ~~school readiness coalitions~~ or other appropriate public and  
3132 private providers.

3133 Section 33. Effective November 1, 2004, subsection (4) of  
3134 section 1006.03, Florida Statutes, is amended to read:

3135 1006.03 Diagnostic and learning resource centers.--

3136 (4) Diagnostic and learning resource centers may assist  
3137 districts in providing testing and evaluation services for  
3138 infants and preschool children with or at risk of developing  
3139 disabilities, and may assist districts in providing  
3140 interdisciplinary training and resources to parents of infants  
3141 and preschool children with or at risk of developing  
3142 disabilities and to early learning ~~school-readiness~~ programs.

3143 Section 34. By January 15, 2005, the Department of  
3144 Education, with the advice of the Early Learning Advisory  
3145 Council created under s. 1002.71, Florida Statutes, shall submit  
3146 recommendations to the President of the Senate and the Speaker  
3147 of the House of Representatives on professional development  
3148 programs for the VPK Program. The recommendations must comprise  
3149 options for the professional development of prekindergarten  
3150 directors, teachers, and child development associate and child  
3151 development associate equivalent personnel. The recommendations  
3152 shall address curricula and appropriate delivery systems for the  
3153 programs and shall consider the use of Internet-based  
3154 applications for instruction or assessment. The recommendations  
3155 must also include the estimated costs of the professional  
3156 development programs, including nonrecurring startup costs and  
3157 recurring operational costs.

3158 Section 35. Sections 402.30501, 411.012, and 1008.21,  
3159 Florida Statutes, are repealed.

3160           Section 36. (1) Effective November 1, 2004, the Florida  
3161 Partnership for School Readiness is abolished. All powers,  
3162 duties, functions, rules, records, personnel, property, and  
3163 unexpended balances of appropriations, allocations, and other  
3164 funds of the Florida Partnership for School Readiness are  
3165 transferred, effective November 1, 2004, by a type two transfer,  
3166 as defined in s. 20.06(2), Florida Statutes, to the Agency for  
3167 Workforce Innovation.

3168           (2) Notwithstanding section 37 of this act, all powers,  
3169 duties, functions, rules, records, personnel, property, and  
3170 unexpended balances of appropriations, allocations, and other  
3171 funds of the Teach Education and Compensation Helps (TEACH)  
3172 Early Childhood Project are transferred by a type two transfer,  
3173 as defined in s. 20.06(2), Florida Statutes, from the Agency for  
3174 Workforce Innovation to the Department of Education.

3175           (3) Notwithstanding section 37 of this act, all powers,  
3176 duties, functions, rules, records, personnel, property, and  
3177 unexpended balances of appropriations, allocations, and other  
3178 funds of the Home Instruction for Parents of Preschool  
3179 Youngsters (HIPPY) program are transferred by a type two  
3180 transfer, as defined in s. 20.06(2), Florida Statutes, from the  
3181 Agency for Workforce Innovation to the Department of Education.

3182           Section 37. (1) Notwithstanding any other law to the  
3183 contrary, the Agency for Workforce Innovation shall not transfer  
3184 to the Department of Education, through an interagency agreement  
3185 or through any other means, any of the agency's powers, duties,  
3186 functions, rules, records, personnel, property, or unexpended  
3187 balances of appropriations, allocations, or other funds which

3188 are provided for administration of s. 411.01, Florida Statutes,  
3189 without specific legislative authority by express reference to  
3190 this section.

3191 (2) Notwithstanding any other law to the contrary, the  
3192 Department of Children and Family Services shall not transfer to  
3193 the Department of Education, through an interagency agreement or  
3194 through any other means, any of the department's powers, duties,  
3195 functions, rules, records, personnel, property, or unexpended  
3196 balances of appropriations, allocations, or other funds which  
3197 are provided for the Child Care Services Program Office or for  
3198 administration of ss. 402.25-402.319, Florida Statutes, without  
3199 specific legislative authority by express reference to this  
3200 section.

3201 Section 38. The Voluntary Prekindergarten Education  
3202 Program (VPK Program) created by this act is a choice option for  
3203 both parents and providers in which public, private, and faith-  
3204 based providers may opt to participate or not to participate. As  
3205 such, the VPK Program is not part of the system of public  
3206 education and shall not be subject to collective bargaining.

3207 Section 39. Except as otherwise provided herein, this act  
3208 shall take effect upon becoming a law.