

1 A bill to be entitled

2 An act relating to early learning; creating part V of ch.
3 1002, F.S.; creating the Voluntary Prekindergarten
4 Education Program; implementing s. 1(b) and (c), Art. IX
5 of the State Constitution; providing definitions for
6 purposes of the program; providing eligibility and
7 enrollment requirements; authorizing parents to enroll
8 their children in a school-year program delivered by a
9 private prekindergarten provider, a summer program
10 delivered by a public school or private prekindergarten
11 provider, or a school-year program delivered by a public
12 school; requiring school districts to admit all eligible
13 children in the summer program; prohibiting specified acts
14 of discrimination and certain limits on enrollment;
15 specifying eligibility requirements for private
16 prekindergarten providers and public schools that deliver
17 the program; requiring minimum hours for the program;
18 providing minimum requirements for prekindergarten
19 instructors; providing for the adoption of rules;
20 providing minimum and maximum class sizes; requiring
21 appropriate adult supervision for prekindergarten classes;
22 requiring the Department of Education to establish minimum
23 standards for a credential for prekindergarten directors
24 and for emergent literacy training courses for
25 prekindergarten instructors; requiring the credential and
26 course to provide training and resources containing
27 strategies that maximize the program's benefits for
28 students with disabilities and other special needs;
29 providing that the credential and course satisfy certain

30 | credentialing and training requirements; providing limits
31 | on when a provider or school may deliver the summer
32 | prekindergarten program; specifying eligibility
33 | requirements for school districts that deliver the school-
34 | year prekindergarten program; providing legislative
35 | intent; authorizing providers and schools to select or
36 | design curricula used for the program; directing the
37 | Department of Education to adopt performance standards and
38 | approve curricula under specified conditions; requiring
39 | providers and schools to be placed on probation and use
40 | the approved curricula under certain circumstances;
41 | requiring improvement plans and corrective actions from
42 | providers and schools under certain circumstances;
43 | providing for the removal of providers or schools that
44 | remain on probation beyond specified time limits;
45 | requiring early learning coalitions and school districts
46 | to verify the compliance of private prekindergarten
47 | providers and public schools; authorizing the removal of
48 | providers and schools for noncompliance or misconduct;
49 | requiring interagency coordination for monitoring
50 | providers; requiring the Department of Education to adopt
51 | a statewide kindergarten screening; requiring certain
52 | students to take the statewide screening; specifying
53 | requirements for screening instruments and kindergarten
54 | readiness rates; directing the State Board of Education to
55 | establish minimum rates; providing funding and reporting
56 | requirements; specifying the calculation of per-student
57 | allocations; authorizing students to withdraw, reenroll,
58 | and receive additional per-student allocations under

59 | specified conditions; providing for advance payments to
60 | private prekindergarten providers and public schools based
61 | upon student enrollment; providing for the documentation
62 | and certification of student attendance; requiring parents
63 | to verify student attendance and certify the choice of
64 | provider or school; providing for the reconciliation of
65 | advance payments based upon attendance; requiring students
66 | to comply with attendance policies and authorizing the
67 | dismissal of students for noncompliance; requiring the
68 | Agency for Workforce Innovation to adopt a uniform
69 | attendance policy for funding purposes; providing for
70 | administrative funds to be used by early learning
71 | coalitions; prohibiting certain fees or charges; limiting
72 | the use of state funds; providing powers and duties of the
73 | Department of Education and the Agency for Workforce
74 | Innovation; requiring the department and the agency to
75 | adopt procedures for the Voluntary Prekindergarten
76 | Education Program; creating the Florida Early Learning
77 | Advisory Council; providing for the appointment and
78 | membership of the advisory council; providing membership
79 | and meeting requirements; authorizing council members to
80 | receive per diem and travel expenses; requiring the Agency
81 | for Workforce Innovation to provide staff for the advisory
82 | council; providing for the adoption of rules; amending s.
83 | 411.01, F.S.; conforming provisions to the transfer of the
84 | Florida Partnership for School Readiness to the Agency for
85 | Workforce Innovation; deleting provisions for the
86 | appointment and membership of the partnership;
87 | redesignating school readiness coalitions as early

88 | learning coalitions; deleting obsolete references to
89 | repealed programs; deleting obsolete provisions governing
90 | the phase in of school readiness programs; deleting
91 | provisions governing the measurement of school readiness,
92 | the school readiness uniform screening, and performance-
93 | based budgeting in school readiness programs; specifying
94 | requirements for school readiness performance standards;
95 | clarifying rulemaking requirements; revising requirements
96 | for school readiness programs; specifying that school
97 | readiness programs must enhance the progress of children
98 | in certain skills; requiring early learning coalitions to
99 | obtain certain health information before enrolling a child
100 | in the school readiness program; requiring the Agency for
101 | Workforce Innovation to monitor and evaluate the
102 | performance of early learning coalitions and to identify
103 | best practices for the coalitions; requiring a reduction
104 | in the number of coalitions in accordance with specified
105 | standards; directing the Agency for Workforce Innovation
106 | to adopt procedures for the merger of coalitions;
107 | providing exceptions; authorizing the Agency for Workforce
108 | Innovation to dissolve a coalition under specified
109 | conditions; revising appointment and membership
110 | requirements for the coalitions; specifying that certain
111 | members are nonvoting; directing the Agency for Workforce
112 | Innovation to adopt criteria for the appointment of
113 | certain members; requiring each coalition to specify terms
114 | of coalition members; requiring a quorum of coalition
115 | members; prohibiting coalition members from voting under
116 | certain circumstances; providing a definition for purposes

117 of the single point of entry; requiring early learning
118 coalitions to use a statewide information system;
119 requiring the Agency for Workforce Innovation to approve
120 payment rates and consider the access of eligible children
121 before approving proposals to increase rates; prioritizing
122 the use of school readiness funds under certain
123 circumstances; deleting requirements for the minimum
124 number of children served; providing requirements for
125 developmentally appropriate curriculum used for school
126 readiness programs; authorizing contracts for the
127 continuation of school readiness services under certain
128 circumstances; requiring the Agency for Workforce
129 Innovation to adopt criteria for the approval of school
130 readiness plans; revising requirements for school
131 readiness plans; providing requirements for the approval
132 and implementation of plan revisions; revising competitive
133 procurement requirements for early learning coalitions;
134 authorizing the coalitions to designate certified public
135 accountants as fiscal agents; clarifying age and income
136 eligibility requirements for school readiness programs;
137 revising eligibility requirements for certain at-risk
138 children; deleting a requirement for consultation on
139 performance standards and outcome measures; revising
140 funding requirements; revising requirements for the
141 adoption of a formula for the allocation of certain funds
142 among the early learning coalitions; specifying
143 allocations for fiscal year 2004-2005; deleting an
144 obsolete provision requiring a report; deleting the
145 expiration of eligibility requirements for certain

146 children from families receiving temporary cash
147 assistance; amending s. 11.45, F.S.; authorizing the
148 Auditor General to conduct audits of the school readiness
149 system; amending s. 20.50, F.S.; creating the Office of
150 Early Learning within the Agency for Workforce Innovation;
151 requiring the office to administer the school readiness
152 system and operational requirements of the Voluntary
153 Prekindergarten Education Program; amending s. 125.901,
154 F.S.; conforming provisions to changes made by the act;
155 amending ss. 216.133 and 216.136, F.S.; redesignating the
156 School Readiness Program Estimating Conference as the
157 Early Learning Programs Estimating Conference; requiring
158 the estimating conference to develop certain estimates and
159 forecasts for the Voluntary Prekindergarten Education
160 Program; directing the Agency for Workforce Innovation to
161 provide certain information to the estimating conference;
162 amending ss. 402.3016, 411.011, 411.226, 411.227, 1001.23,
163 1002.22, and 1003.54, F.S.; conforming provisions to the
164 transfer of the Florida Partnership for School Readiness
165 to the Agency for Workforce Innovation and to the
166 redesignation of the school readiness coalitions as early
167 learning coalitions; authorizing the agency to adopt
168 rules; amending s. 1007.23, F.S.; requiring the
169 articulation of certain programs into credit toward a
170 postsecondary degree; abolishing the Florida Partnership
171 for School Readiness; transferring all powers, rules,
172 personnel, and property of the partnership to the Agency
173 for Workforce Innovation; repealing ss. 411.012 and
174 1008.21, F.S., relating to the voluntary universal

175 prekindergarten education program and the school readiness
 176 uniform screening; providing appropriations and
 177 authorizing additional positions; requiring that the
 178 Executive Office of the Governor provide prior notice to
 179 the Legislative Budget Commission of allocations from the
 180 lump-sum appropriations to appropriation categories;
 181 providing an effective date.

182

183 Be It Enacted by the Legislature of the State of Florida:

184

185 Section 1. Part V of chapter 1002, Florida Statutes,
 186 consisting of sections 1002.51, 1002.53, 1002.55, 1002.57,
 187 1002.59, 1002.61, 1002.63, 1002.65, 1002.67, 1002.69, 1002.71,
 188 1002.73, 1002.75, 1002.77, and 1002.79, Florida Statutes, is
 189 created to read:

190

PART V

191

VOLUNTARY PREKINDERGARTEN EDUCATION PROGRAM

192

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

193

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

194

(2) "Early learning coalition" or "coalition" means an
 195 early learning coalition created under s. 411.01.

196

(3) "Prekindergarten director" means an onsite person
 197 ultimately responsible for the overall operation of a private
 198 prekindergarten provider or, alternatively, of the provider's
 199 prekindergarten program, regardless of whether the person is the
 200 owner of the provider.

201

(4) "Prekindergarten instructor" means a teacher or child
 202 care personnel as defined in s. 402.302 who provide instruction
 203 to students in the Voluntary Prekindergarten Education Program.

204 (5) "Private prekindergarten provider" means a provider
205 other than a public school which is eligible to deliver the
206 school-year prekindergarten program under s. 1002.55 or the
207 summer prekindergarten program under s. 1002.61.

208 1002.53 Voluntary Prekindergarten Education Program;
209 eligibility and enrollment.--

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

215 (2) Each child who resides in this state who will have
216 attained the age of 4 years on or before September 1 of the
217 school year is eligible for the Voluntary Prekindergarten
218 Education Program during that school year. The child remains
219 eligible until the beginning of the school year for which the
220 child is eligible for admission to kindergarten in a public
221 school under s. 1003.21(1)(a)2. or until the child is admitted
222 to kindergarten, whichever occurs first.

223 (3) The parent of each child eligible under subsection (2)
224 may enroll the child in one of the following programs:

225 (a) A school-year prekindergarten program delivered by a
226 private prekindergarten provider under s. 1002.55;

227 (b) A summer prekindergarten program delivered by a public
228 school or private prekindergarten provider under s. 1002.61; or

229 (c) A school-year prekindergarten program delivered by a
230 public school, if offered by a school district that is eligible
231 under s. 1002.63.

232

233 Except as provided in s. 1002.71(4), a child may not enroll in
234 more than one of these programs.

235 (4) (a) Each parent enrolling a child in the Voluntary
236 Prekindergarten Education Program must complete and submit an
237 application to the early learning coalition through the single
238 point of entry established under s. 411.01.

239 (b) The application must be submitted on forms prescribed
240 by the Agency for Workforce Innovation and must be accompanied
241 by a certified copy of the child's birth certificate. The forms
242 must include a certification, in substantially the form provided
243 in s. 1002.71(6)(b)2., that the parent chooses the private
244 prekindergarten provider or public school in accordance with
245 this section and directs that payments for the program be made
246 to the provider or school. The Agency for Workforce Innovation
247 may authorize alternative methods for submitting proof of the
248 child's age in lieu of a certified copy of the child's birth
249 certificate.

250 (c) Each early learning coalition shall coordinate with
251 each of the school districts within the coalition's county or
252 multicounty region in the development of procedures for
253 enrolling children in prekindergarten programs delivered by
254 public schools.

255 (5) The early learning coalition shall provide each parent
256 enrolling a child in the Voluntary Prekindergarten Education
257 Program with a profile of every private prekindergarten provider
258 and public school delivering the program within the coalition's
259 county or multicounty region. The profiles shall be provided to
260 parents in a format prescribed by the Agency for Workforce
261 Innovation. The profiles must include, at a minimum, the

262 following information about each provider and school:

263 (a) The provider's or school's services, curriculum,
 264 instructor credentials, and instructor-to-student ratio; and

265 (b) The provider's or school's kindergarten readiness rate
 266 calculated in accordance with s. 1002.69, based upon the most
 267 recent available results of the statewide kindergarten
 268 screening.

269 (6) (a) A parent may enroll his or her child with any
 270 private prekindergarten provider that is eligible to deliver the
 271 Voluntary Prekindergarten Education Program under this part;
 272 however, the provider may determine whether to admit any child.
 273 An early learning coalition may not limit the number of students
 274 admitted by any private prekindergarten provider for enrollment
 275 in the program. However, this paragraph does not authorize an
 276 early learning coalition to allow a provider to exceed any
 277 staff-to-children ratio, square footage per child, or other
 278 requirement imposed under ss. 402.301-402.319 as a result of
 279 admissions in the prekindergarten program.

280 (b) A parent may enroll his or her child with any public
 281 school within the school district which is eligible to deliver
 282 the Voluntary Prekindergarten Education Program under this part,
 283 subject to available space. Each school district may limit the
 284 number of students admitted by any public school for enrollment
 285 in the program; however, the school district must provide for
 286 the admission of every eligible child within the district whose
 287 parent enrolls the child in a summer prekindergarten program
 288 delivered by a public school under s. 1002.61.

289 (c) Each private prekindergarten provider and public
 290 school must comply with the antidiscrimination requirements of

291 42 U.S.C. s. 2000d, regardless of whether the provider or school
 292 receives federal financial assistance. A private prekindergarten
 293 provider or public school may not discriminate against a parent
 294 or child, including the refusal to admit a child for enrollment
 295 in the Voluntary Prekindergarten Education Program, in violation
 296 of these antidiscrimination requirements.

297 1002.55 School-year prekindergarten program delivered by
 298 private prekindergarten providers.--

299 (1) Each early learning coalition shall administer the
 300 Voluntary Prekindergarten Education Program at the county or
 301 regional level for students enrolled under s. 1002.53(3)(a) in a
 302 school-year prekindergarten program delivered by a private
 303 prekindergarten provider.

304 (2) Each school-year prekindergarten program delivered by
 305 a private prekindergarten provider must comprise at least 540
 306 instructional hours.

307 (3) To be eligible to deliver the prekindergarten program,
 308 a private prekindergarten provider must meet each of the
 309 following requirements:

310 (a) The private prekindergarten provider must be a child
 311 care facility licensed under s. 402.305, family day care home
 312 licensed under s. 402.313, large family child care home licensed
 313 under s. 402.3131, nonpublic school exempt from licensure under
 314 s. 402.3025(2), or faith-based child care provider exempt from
 315 licensure under s. 402.316.

316 (b) The private prekindergarten provider must:

317 1. Be accredited by an accrediting association that is a
 318 member of the National Council for Private School Accreditation,
 319 the Commission on International and Trans-Regional

320 Accreditation, or the Florida Association of Academic Nonpublic
321 Schools;

322 2. Hold a current Gold Seal Quality Care designation under
323 s. 402.281; or

324 3. Be licensed under s. 402.305, s. 402.313, or s.
325 402.3131 and demonstrate, before delivering the Voluntary
326 Prekindergarten Education Program, as verified by the early
327 learning coalition, that the provider meets each of the
328 requirements of the program under this part, including, but not
329 limited to, the requirements for credentials and background
330 screenings of prekindergarten instructors under paragraphs (c)
331 and (d), minimum and maximum class sizes under paragraph (e),
332 prekindergarten director credentials under paragraph (f), and a
333 developmentally appropriate curriculum under s. 1002.67(2)(b).

334 (c) The private prekindergarten provider must have, for
335 each prekindergarten class, at least one prekindergarten
336 instructor who meets each of the following requirements:

337 1. The prekindergarten instructor must hold, at a minimum,
338 one of the following credentials:

339 a. A child development associate credential issued by the
340 National Credentialing Program of the Council for Professional
341 Recognition; or

342 b. A credential approved by the Department of Children and
343 Family Services as being equivalent to or greater than the
344 credential described in sub-subparagraph a.

345
346 The Department of Children and Family Services may adopt rules
347 under ss. 120.536(1) and 120.54 which provide criteria and
348 procedures for approving equivalent credentials under sub-

349 subparagraph b.

350 2. The prekindergarten instructor must successfully
351 complete an emergent literacy training course approved by the
352 department as meeting or exceeding the minimum standards adopted
353 under s. 1002.59. This subparagraph does not apply to a
354 prekindergarten instructor who successfully completes approved
355 training in early literacy and language development under s.
356 402.305(2)(d)5., s. 402.313(6), or s. 402.3131(5) before the
357 establishment of one or more emergent literacy training courses
358 under s. 1002.59 or April 1, 2005, whichever occurs later.

359 (d) Each prekindergarten instructor employed by the
360 private prekindergarten provider must be of good moral
361 character, must be screened using the level 2 screening
362 standards in s. 435.04 before employment and rescreened at least
363 once every 5 years, must be denied employment or terminated if
364 required under s. 435.06, and must not be ineligible to teach in
365 a public school because his or her educator certificate is
366 suspended or revoked.

367 (e) Each of the private prekindergarten provider's
368 prekindergarten classes must be composed of at least 4 students
369 but may not exceed 18 students. In order to protect the health
370 and safety of students, each private prekindergarten provider
371 must also provide appropriate adult supervision for students at
372 all times and, for each prekindergarten class composed of 11 or
373 more students, must have, in addition to a prekindergarten
374 instructor who meets the requirements of paragraph (c), at least
375 one adult prekindergarten instructor who is not required to meet
376 those requirements but who must meet each requirement of
377 paragraph (d). This paragraph does not supersede any requirement

378 imposed on a provider under ss. 402.301-402.319.

379 (f) Before the beginning of the 2006-2007 school year, the
380 private prekindergarten provider must have a prekindergarten
381 director who has a prekindergarten director credential that is
382 approved by the department as meeting or exceeding the minimum
383 standards adopted under s. 1002.57. Successful completion of a
384 child care facility director credential under s. 402.305(2)(f)
385 before the establishment of the prekindergarten director
386 credential under s. 1002.57 or July 1, 2006, whichever occurs
387 later, satisfies the requirement for a prekindergarten director
388 credential under this paragraph.

389 (g) The private prekindergarten provider must register
390 with the early learning coalition on forms prescribed by the
391 Agency for Workforce Innovation.

392 (h) The private prekindergarten provider must deliver the
393 Voluntary Prekindergarten Education Program in accordance with
394 this part.

395 (4) A prekindergarten instructor, in lieu of the minimum
396 credentials and courses required under paragraph (3)(c), may
397 hold one of the following educational credentials:

398 (a) A bachelor's or higher degree in early childhood
399 education, prekindergarten or primary education, preschool
400 education, or family and consumer science;

401 (b) A bachelor's or higher degree in elementary education,
402 if the prekindergarten instructor has been certified to teach
403 children any age from birth through 6th grade, regardless of
404 whether the instructor's educator certificate is current, and if
405 the instructor is not ineligible to teach in a public school
406 because his or her educator certificate is suspended or revoked;

- 407 (c) An associate's or higher degree in child development;
408 (d) An associate's or higher degree in an unrelated field,
409 at least 6 credit hours in early childhood education or child
410 development, and at least 480 hours of experience in teaching or
411 providing child care services for children any age from birth
412 through 8 years of age; or
- 413 (e) An educational credential approved by the department
414 as being equivalent to or greater than an educational credential
415 described in this subsection. The department may adopt criteria
416 and procedures for approving equivalent educational credentials
417 under this paragraph.
- 418 1002.57 Prekindergarten director credential.--
- 419 (1) By July 1, 2006, the department shall adopt minimum
420 standards for a credential for prekindergarten directors of
421 private prekindergarten providers delivering the Voluntary
422 Prekindergarten Education Program. The credential must encompass
423 requirements for education and onsite experience.
- 424 (2) The educational requirements must include training in
425 the following:
- 426 (a) Professionally accepted standards for prekindergarten
427 programs, early learning, and strategies and techniques to
428 address the age-appropriate progress of prekindergarten students
429 in attaining the performance standards adopted by the department
430 under s. 1002.67;
- 431 (b) Strategies that allow students with disabilities and
432 other special needs to derive maximum benefit from the Voluntary
433 Prekindergarten Education Program; and
- 434 (c) Program administration and operations, including
435 management, organizational leadership, and financial and legal

436 issues.

437 (3) The prekindergarten director credential must meet or
438 exceed the requirements of the Department of Children and Family
439 Services for the child care facility director credential under
440 s. 402.305(2)(f), and successful completion of the
441 prekindergarten director credential satisfies these requirements
442 for the child care facility director credential.

443 (4) The department shall, to the maximum extent
444 practicable, award credit to a person who successfully completes
445 the child care facility director credential under s.
446 402.305(2)(f) for those requirements of the prekindergarten
447 director credential which are duplicative of requirements for
448 the child care facility director credential.

449 1002.59 Emergent literacy training courses.--By April 1,
450 2005, the department shall adopt minimum standards for one or
451 more training courses in emergent literacy for prekindergarten
452 instructors. Each course must comprise 5 clock hours and provide
453 instruction in strategies and techniques to address the age-
454 appropriate progress of prekindergarten students in developing
455 emergent literacy skills, including oral communication,
456 knowledge of print and letters, phonemic and phonological
457 awareness, and vocabulary and comprehension development. Each
458 course must also provide resources containing strategies that
459 allow students with disabilities and other special needs to
460 derive maximum benefit from the Voluntary Prekindergarten
461 Education Program. Successful completion of an emergent literacy
462 training course approved under this section satisfies
463 requirements for approved training in early literacy and
464 language development under ss. 402.305(2)(d)5., 402.313(6), and

465 402.3131(5).

466 1002.61 Summer prekindergarten program delivered by public
 467 schools and private prekindergarten providers.--

468 (1)(a) Each school district shall administer the Voluntary
 469 Prekindergarten Education Program at the district level for
 470 students enrolled under s. 1002.53(3)(b) in a summer
 471 prekindergarten program delivered by a public school.

472 (b) Each early learning coalition shall administer the
 473 Voluntary Prekindergarten Education Program at the county or
 474 regional level for students enrolled under s. 1002.53(3)(b) in a
 475 summer prekindergarten program delivered by a private
 476 prekindergarten provider.

477 (2) Each summer prekindergarten program delivered by a
 478 public school or private prekindergarten provider must:

479 (a) Comprise at least 300 instructional hours;

480 (b) Not begin earlier than May 1 of the school year; and

481 (c) Not deliver the program for a child earlier than the
 482 summer immediately before the school year for which the child is
 483 eligible for admission to kindergarten in a public school under
 484 s. 1003.21(1)(a)2.

485 (3)(a) Each district school board shall determine which
 486 public schools in the school district are eligible to deliver
 487 the summer prekindergarten program. The school district shall
 488 use educational facilities available in the public schools
 489 during the summer term for the summer prekindergarten program.

490 (b) Except as provided in this section, to be eligible to
 491 deliver the summer prekindergarten program, a private
 492 prekindergarten provider must meet each requirement in s.
 493 1002.55.

494 (4) Notwithstanding ss. 1002.55(3)(c)1. and 1002.63(5),
495 each public school and private prekindergarten provider must
496 have, for each prekindergarten class, at least one
497 prekindergarten instructor who:

498 (a) Is a certified teacher; or

499 (b) Holds one of the educational credentials specified in
500 s. 1002.55(4)(a) or (b).

501
502 As used in this subsection, the term "certified teacher" means a
503 teacher holding a valid Florida educator certificate under s.
504 1012.56 who has the qualifications required by the district
505 school board to instruct students in the summer prekindergarten
506 program. In selecting instructional staff for the summer
507 prekindergarten program, each school district shall give
508 priority to teachers who have experience or coursework in early
509 childhood education.

510 (5) Each prekindergarten instructor employed by a public
511 school or private prekindergarten provider delivering the summer
512 prekindergarten program must be of good moral character, must be
513 screened using the level 2 screening standards in s. 435.04
514 before employment and rescreened at least once every 5 years,
515 must be denied employment or terminated if required under s.
516 435.06, and must not be ineligible to teach in a public school
517 because his or her educator certificate is suspended or revoked.
518 This subsection does not supersede employment requirements for
519 instructional personnel in public schools which are more
520 stringent than the requirements of this subsection.

521 (6) Notwithstanding ss. 1002.55(3)(e) and 1002.63(7), each
522 prekindergarten class in the summer prekindergarten program,

523 regardless of whether the class is a public school's or private
524 prekindergarten provider's class, must be composed of at least 4
525 students but may not exceed 10 students. In order to protect the
526 health and safety of students, each public school or private
527 prekindergarten provider must also provide appropriate adult
528 supervision for students at all times. This subsection does not
529 supersede any requirement imposed on a provider under ss.
530 402.301-402.319.

531 (7) Each public school delivering the summer
532 prekindergarten program must also:

533 (a) Register with the early learning coalition on forms
534 prescribed by the Agency for Workforce Innovation; and

535 (b) Deliver the Voluntary Prekindergarten Education
536 Program in accordance with this part.

537 1002.63 School-year prekindergarten program delivered by
538 public schools.--

539 (1) Each school district eligible under subsection (4) may
540 administer the Voluntary Prekindergarten Education Program at
541 the district level for students enrolled under s. 1002.53(3)(c)
542 in a school-year prekindergarten program delivered by a public
543 school.

544 (2) Each school-year prekindergarten program delivered by
545 a public school must comprise at least 540 instructional hours.

546 (3) The district school board of each school district
547 eligible under subsection (4) shall determine which public
548 schools in the district are eligible to deliver the
549 prekindergarten program during the school year.

550 (4) To be eligible to deliver the prekindergarten program
551 during the school year, each school district must meet both of

552 the following requirements:

553 (a) The district school board must certify to the State
554 Board of Education that the school district:

555 1. Has reduced the average class size in each classroom in
556 accordance with s. 1003.03 and the schedule in s. 1(a), Art. IX
557 of the State Constitution; and

558 2. Has sufficient satisfactory educational facilities and
559 capital outlay funds to continue reducing the average class size
560 in each classroom in the district's elementary schools for each
561 year in accordance with the schedule for class-size reduction
562 and to achieve full compliance with the maximum class sizes in
563 s. 1(a), Art. IX of the State Constitution by the beginning of
564 the 2010-2011 school year.

565 (b) The Commissioner of Education must certify to the
566 State Board of Education that the department has reviewed the
567 school district's educational facilities, capital outlay funds,
568 and projected student enrollment and concurs with the district
569 school board's certification under paragraph (a).

570 (5) Each public school must have, for each prekindergarten
571 class, at least one prekindergarten instructor who meets each
572 requirement in s. 1002.55(3)(c) for a prekindergarten instructor
573 of a private prekindergarten provider.

574 (6) Each prekindergarten instructor employed by a public
575 school delivering the school-year prekindergarten program must
576 be of good moral character, must be screened using the level 2
577 screening standards in s. 435.04 before employment and
578 rescreened at least once every 5 years, must be denied
579 employment or terminated if required under s. 435.06, and must
580 not be ineligible to teach in a public school because his or her

581 educator certificate is suspended or revoked. This subsection
582 does not supersede employment requirements for instructional
583 personnel in public schools which are more stringent than the
584 requirements of this subsection.

585 (7) Each prekindergarten class in a public school
586 delivering the school-year prekindergarten program must be
587 composed of at least 4 students but may not exceed 18 students.
588 In order to protect the health and safety of students, each
589 school must also provide appropriate adult supervision for
590 students at all times and, for each prekindergarten class
591 composed of 11 or more students, must have, in addition to a
592 prekindergarten instructor who meets the requirements of s.
593 1002.55(3)(c), at least one adult prekindergarten instructor who
594 is not required to meet those requirements but who must meet
595 each requirement of subsection (6).

596 (8) Each public school delivering the school-year
597 prekindergarten program must:

598 (a) Register with the early learning coalition on forms
599 prescribed by the Agency for Workforce Innovation; and

600 (b) Deliver the Voluntary Prekindergarten Education
601 Program in accordance with this part.

602 1002.65 Professional credentials of prekindergarten
603 instructors; aspirational goals; legislative intent.--

604 (1) The Legislature recognizes that there is a strong
605 relationship between the skills and preparation of
606 prekindergarten instructors and the educational outcomes of
607 students in the Voluntary Prekindergarten Education Program.

608 (2) To improve these educational outcomes, the Legislature
609 intends that all prekindergarten instructors will continue to

610 improve their skills and preparation through education and
611 training, so that the following aspirational goals will be
612 achieved:

613 (a) By the 2010-2011 school year:

614 1. Each prekindergarten class will have at least one
615 prekindergarten instructor who holds an associate's or higher
616 degree in the field of early childhood education or child
617 development; and

618 2. For each prekindergarten class composed of 11 or more
619 students, in addition to a prekindergarten instructor who meets
620 the requirements of subparagraph 1., the class will have at
621 least one prekindergarten instructor who meets the requirements
622 of s. 1002.55(3)(c).

623 (b) By the 2013-2014 school year, each prekindergarten
624 class will have at least one prekindergarten instructor who
625 holds a bachelor's or higher degree in the field of early
626 childhood education or child development.

627 1002.67 Performance standards; curricula and
628 accountability.--

629 (1) By April 1, 2005, the department shall develop and
630 adopt performance standards for students in the Voluntary
631 Prekindergarten Education Program. The performance standards
632 must address the age-appropriate progress of students in the
633 development of:

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

636 (b) Emergent literacy skills, including oral
637 communication, knowledge of print and letters, phonemic and
638 phonological awareness, and vocabulary and comprehension

639 development.

640 (2) (a) Each private prekindergarten provider and public
641 school may select or design the curriculum that the provider or
642 school uses to implement the Voluntary Prekindergarten Education
643 Program, except as otherwise required for a provider or school
644 that is placed on probation under paragraph (3) (c).

645 (b) Each private prekindergarten provider's and public
646 school's curriculum must be developmentally appropriate and
647 must:

648 1. Be designed to prepare a student for early literacy;

649 2. Enhance the age-appropriate progress of students in
650 attaining the performance standards adopted by the department
651 under subsection (1); and

652 3. Prepare students to be ready for kindergarten based
653 upon the statewide kindergarten screening administered under s.
654 1002.69.

655 (c) The department shall review and approve curricula for
656 use by private prekindergarten providers and public schools that
657 are placed on probation under paragraph (3) (c). The department
658 shall maintain a list of the curricula approved under this
659 paragraph. Each approved curriculum must meet the requirements
660 of paragraph (b).

661 (3) (a) Each early learning coalition shall verify that
662 each private prekindergarten provider delivering the Voluntary
663 Prekindergarten Education Program within the coalition's county
664 or multicounty region complies with this part. Each district
665 school board shall verify that each public school delivering the
666 program within the school district complies with this part.

667 (b) If a private prekindergarten provider or public school

668 fails or refuses to comply with this part, or if a provider or
669 school engages in misconduct, the Agency for Workforce
670 Innovation shall require the early learning coalition to remove
671 the provider, and the Department of Education shall require the
672 school district to remove the school, from eligibility to
673 deliver the Voluntary Prekindergarten Education Program and
674 receive state funds under this part.

675 (c)1. If the kindergarten readiness rate of a private
676 prekindergarten provider or public school falls below the
677 minimum rate adopted by the State Board of Education as
678 satisfactory under s. 1002.69(6), the early learning coalition
679 or school district, as applicable, shall require the provider or
680 school to submit an improvement plan for approval by the
681 coalition or school district, as applicable, and to implement
682 the plan.

683 2. If a private prekindergarten provider or public school
684 fails to meet the minimum rate adopted by the State Board of
685 Education as satisfactory under s. 1002.69(6) for 2 consecutive
686 years, the early learning coalition or school district, as
687 applicable, shall place the provider or school on probation and
688 must require the provider or school to take certain corrective
689 actions, including the use of a curriculum approved by the
690 department under paragraph (2)(c).

691 3. A private prekindergarten provider or public school
692 that is placed on probation must continue the corrective actions
693 required under subparagraph 2., including the use of a
694 curriculum approved by the department, until the provider or
695 school meets the minimum rate adopted by the State Board of
696 Education as satisfactory under s. 1002.69(6).

697 4. If a private prekindergarten provider or public school
698 remains on probation for 2 consecutive years and fails to meet
699 the minimum rate adopted by the State Board of Education as
700 satisfactory under s. 1002.69(6), the Agency for Workforce
701 Innovation shall require the early learning coalition or the
702 Department of Education shall require the school district, as
703 applicable, to remove the provider or school from eligibility to
704 deliver the Voluntary Prekindergarten Education Program and
705 receive state funds for the program.

706 (d) Each early learning coalition, the Agency for
707 Workforce Innovation, and the department shall coordinate with
708 the Child Care Services Program Office of the Department of
709 Children and Family Services to minimize interagency duplication
710 of activities for monitoring private prekindergarten providers
711 for compliance with requirements of the Voluntary
712 Prekindergarten Education Program under this part, the school
713 readiness programs under s. 411.01, and the licensing of
714 providers under ss. 402.301-402.319.

715 1002.69 Statewide kindergarten screening; kindergarten
716 readiness rates.--

717 (1) The department shall adopt a statewide kindergarten
718 screening that assesses the readiness of each student for
719 kindergarten based upon the performance standards adopted by the
720 department under s. 1002.67(1) for the Voluntary Prekindergarten
721 Education Program. The department shall require that each school
722 district administer the statewide kindergarten screening to each
723 kindergarten student in the school district within the first 30
724 school days of each school year.

725 (2) The statewide kindergarten screening shall provide

726 objective data concerning each student's readiness for
727 kindergarten and progress in attaining the performance standards
728 adopted by the department under s. 1002.67(1).

729 (3) The statewide kindergarten screening shall incorporate
730 mechanisms for recognizing potential variations in kindergarten
731 readiness rates for students with disabilities.

732 (4) Each parent who enrolls his or her child in the
733 Voluntary Prekindergarten Education Program must submit the
734 child for the statewide kindergarten screening, regardless of
735 whether the child is admitted to kindergarten in a public school
736 or nonpublic school. Each school district shall designate sites
737 to administer the statewide kindergarten screening for children
738 admitted to kindergarten in a nonpublic school.

739 (5) The State Board of Education shall adopt procedures
740 for the department to annually calculate each private
741 prekindergarten provider's and public school's kindergarten
742 readiness rate, which must be expressed as the percentage of the
743 provider's or school's students who are assessed as ready for
744 kindergarten. The kindergarten readiness rates must be based
745 exclusively upon the results of the statewide kindergarten
746 screening for students completing the Voluntary Prekindergarten
747 Education Program, beginning with students completing the
748 program during the 2005-2006 school year who are administered
749 the statewide kindergarten screening during the 2006-2007 school
750 year. The rates must not include students who are not
751 administered the statewide kindergarten screening.

752 (6) (a) The State Board of Education shall periodically
753 adopt a minimum kindergarten readiness rate that, if achieved by
754 a private prekindergarten provider or public school, would

755 demonstrate the provider's or school's satisfactory delivery of
756 the Voluntary Prekindergarten Education Program.

757 (b) The minimum rate must not exceed the rate at which
758 more than 15 percent of the kindergarten readiness rates of all
759 private prekindergarten providers and public schools delivering
760 the Voluntary Prekindergarten Education Program in the state
761 would fall below the minimum rate.

762 1002.71 Funding; financial and attendance reporting.--

763 (1) Funds appropriated for the Voluntary Prekindergarten
764 Education Program may be used only for the program in accordance
765 with this part. If the student enrollment in the program for a
766 fiscal year exceeds the estimated enrollment upon which the
767 appropriation for that fiscal year is provided, thereby causing
768 a shortfall, funds appropriated to the program for the
769 subsequent fiscal year must be used first to fund the shortfall.

770 (2) A full-time equivalent student in the Voluntary
771 Prekindergarten Education Program shall be calculated as
772 follows:

773 (a) For a student in a school-year prekindergarten program
774 delivered by a private prekindergarten provider: 540
775 instructional hours.

776 (b) For a student in a summer prekindergarten program
777 delivered by a public school or private prekindergarten
778 provider: 300 instructional hours.

779 (c) For a student in a school-year prekindergarten program
780 delivered by a public school: 540 instructional hours.

781
782 Except as provided in subsection (4), a student may not be
783 reported for funding purposes as more than one full-time

784 equivalent student.

785 (3) (a) The base student allocation per full-time
786 equivalent student in the Voluntary Prekindergarten Education
787 Program shall be provided in the General Appropriations Act and
788 shall be equal for each student, regardless of whether the
789 student is enrolled in a school-year prekindergarten program
790 delivered by a private prekindergarten provider, a summer
791 prekindergarten program delivered by a public school or private
792 prekindergarten provider, or a school-year prekindergarten
793 program delivered by a public school.

794 (b) Each county's allocation per full-time equivalent
795 student in the Voluntary Prekindergarten Education Program shall
796 be calculated annually by multiplying the base student
797 allocation provided in the General Appropriations Act by the
798 county's district cost differential provided in s. 1011.62(2).
799 Each private prekindergarten provider and public school shall be
800 paid in accordance with the county's allocation per full-time
801 equivalent student.

802 (4) Notwithstanding s. 1002.53(3) and subsection (2):

803 (a) A child who, for any of the prekindergarten programs
804 listed in s. 1002.53(3), has not completed more than 10 percent
805 of the hours authorized to be reported for funding under
806 subsection (2) may withdraw from the program for good cause,
807 reenroll in one of the programs, and be reported for funding
808 purposes as a full-time equivalent student in the program for
809 which the child is reenrolled.

810 (b) A child who has not substantially completed any of the
811 prekindergarten programs listed in s. 1002.53(3) may withdraw
812 from the program due to an extreme hardship that is beyond the

813 child's or parent's control, reenroll in one of the programs,
814 and be reported for funding purposes as a full-time equivalent
815 student in the program for which the child is reenrolled.

816
817 A child may reenroll only once in a prekindergarten program
818 under this section. A child who reenrolls in a prekindergarten
819 program under this subsection may not subsequently withdraw from
820 the program and reenroll. The Agency for Workforce Innovation
821 shall establish criteria specifying whether a good cause exists
822 for a child to withdraw from a program under paragraph (a),
823 whether a child has substantially completed a program under
824 paragraph (b), and whether an extreme hardship exists which is
825 beyond the child's or parent's control under paragraph (b).

826 (5) (a) Each early learning coalition shall maintain
827 through the single point of entry established under s. 411.01 a
828 current database of the students enrolled in the Voluntary
829 Prekindergarten Education Program for each county within the
830 coalition's region.

831 (b) The Agency for Workforce Innovation shall adopt
832 procedures for the payment of private prekindergarten providers
833 and public schools delivering the Voluntary Prekindergarten
834 Education Program. The procedures shall provide for the advance
835 payment of providers and schools based upon student enrollment
836 in the program, the certification of student attendance, and the
837 reconciliation of advance payments in accordance with the
838 uniform attendance policy adopted under paragraph (6) (d). The
839 procedures shall provide for the monthly distribution of funds
840 by the Agency for Workforce Innovation to the early learning
841 coalitions for payment by the coalitions to private

842 prekindergarten providers and public schools. The department
843 shall transfer to the Agency for Workforce Innovation at least
844 once each quarter the funds available for payment to private
845 prekindergarten providers and public schools in accordance with
846 this paragraph from the funds appropriated for that purpose.

847 (6) (a) Each parent enrolling his or her child in the
848 Voluntary Prekindergarten Education Program must agree to comply
849 with the attendance policy of the private prekindergarten
850 provider or district school board, as applicable. Upon
851 enrollment of the child, the private prekindergarten provider or
852 public school, as applicable, must provide the child's parent
853 with a copy of the provider's or school district's attendance
854 policy, as applicable.

855 (b)1. Each private prekindergarten provider's and district
856 school board's attendance policy must require the parent of each
857 student in the Voluntary Prekindergarten Education Program to
858 verify, each month, the student's attendance on the prior
859 month's certified student attendance.

860 2. The parent must submit the verification of the
861 student's attendance to the private prekindergarten provider or
862 public school on forms prescribed by the Agency for Workforce
863 Innovation. The forms must include, in addition to the
864 verification of the student's attendance, a certification, in
865 substantially the following form, that the parent continues to
866 choose the private prekindergarten provider or public school in
867 accordance with s. 1002.53 and directs that payments for the
868 program be made to the provider or school:

869

870

VERIFICATION OF STUDENT'S ATTENDANCE

AND CERTIFICATION OF PARENTAL CHOICE

871
872
873 I, . . . (Name of Parent) . . . , swear (or affirm) that my
874 child, . . . (Name of Student) . . . , attended the Voluntary
875 Prekindergarten Education Program on the days listed above and
876 certify that I continue to choose . . . (Name of Provider or
877 School) . . . to deliver the program for my child and direct
878 that program funds be paid to the provider or school for my
879 child.

880 . . . (Signature of Parent) . . .

881 . . . (Date) . . .

882
883 3. The private prekindergarten provider or public school
884 must keep each original signed form for at least 2 years. Each
885 private prekindergarten provider must permit the early learning
886 coalition, and each public school must permit the school
887 district, to inspect the original signed forms during normal
888 business hours. The Agency for Workforce Innovation shall adopt
889 procedures for early learning coalitions and school districts to
890 review the original signed forms against the certified student
891 attendance. The review procedures shall provide for the use of
892 selective inspection techniques, including, but not limited to,
893 random sampling. Each early learning coalition and school
894 district must comply with the review procedures.

895 (c) A private prekindergarten provider or school district,
896 as applicable, may dismiss a student who does not comply with
897 the provider's or district's attendance policy. A student
898 dismissed under this paragraph is not removed from the Voluntary
899 Prekindergarten Education Program and may continue in the

900 program through reenrollment with another private
901 prekindergarten provider or public school. Notwithstanding s.
902 1002.53(6)(b), a school district is not required to provide for
903 the admission of a student dismissed under this paragraph.

904 (d) The Agency for Workforce Innovation shall adopt, for
905 funding purposes, a uniform attendance policy for the Voluntary
906 Prekindergarten Education Program. The attendance policy must
907 apply statewide and apply equally to all private prekindergarten
908 providers and public schools. The attendance policy must
909 establish a minimum requirement for student attendance and
910 include the following provisions:

911 1. A student who meets the minimum requirement may be
912 reported as a full-time equivalent student for funding purposes.

913 2. A student who does not meet the minimum requirement may
914 be reported only as a fractional part of a full-time equivalent
915 student, reduced pro rata based on the student's attendance.

916 3. A student who does not meet the minimum requirement may
917 be reported as a full-time equivalent student if the student is
918 absent for good cause in accordance with exceptions specified in
919 the uniform attendance policy.

920
921 The uniform attendance policy shall be used only for funding
922 purposes and does not prohibit a private prekindergarten
923 provider or public school from adopting and enforcing its
924 attendance policy under paragraphs (a) and (c).

925 (7) The Agency for Workforce Innovation shall require that
926 administrative expenditures be kept to the minimum necessary for
927 efficient and effective administration of the Voluntary
928 Prekindergarten Education Program. Each early learning coalition

929 may retain and expend no more than 5 percent of the funds paid
 930 by the coalition to private prekindergarten providers and public
 931 schools under paragraph (5) (b). Funds retained by an early
 932 learning coalition under this subsection may be used only for
 933 administering the Voluntary Prekindergarten Education Program
 934 and may not be used for the school readiness program or other
 935 programs.

936 (8) Except as otherwise expressly authorized by law, a
 937 private prekindergarten provider or public school may not:

938 (a) Require payment of a fee or charge for services
 939 provided for a child enrolled in the Voluntary Prekindergarten
 940 Education Program during a period reported for funding purposes;
 941 or

942 (b) Require a child to enroll for, or require the payment
 943 of any fee or charge for, supplemental services as a condition
 944 of admitting a child for enrollment in the Voluntary
 945 Prekindergarten Education Program.

946 (9) A parent is responsible for the transportation of his
 947 or her child to and from the Voluntary Prekindergarten Education
 948 Program, regardless of whether the program is delivered by a
 949 private prekindergarten provider or a public school. However, a
 950 provider or school may use part of the funds it is paid under
 951 paragraph (5) (b) for transporting students to and from the
 952 program. A student enrolled in the Voluntary Prekindergarten
 953 Education Program may not be reported under s. 1011.68 for
 954 student transportation funds.

955 1002.73 Department of Education; powers and duties;
 956 accountability requirements.--

957 (1) The department shall administer the accountability

958 requirements of the Voluntary Prekindergarten Education Program
959 at the state level.

960 (2) The department shall adopt procedures for the
961 department's:

962 (a) Approval of prekindergarten director credentials under
963 ss. 1002.55 and 1002.57.

964 (b) Approval of emergent literacy training courses under
965 ss. 1002.55 and 1002.59.

966 (c) Certification of school districts that are eligible to
967 deliver the school-year prekindergarten program under s.
968 1002.63.

969 (d) Administration of the statewide kindergarten screening
970 and calculation of kindergarten readiness rates under s.
971 1002.69.

972 (3) Except as provided by law, the department may not
973 impose requirements on a private prekindergarten provider that
974 does not deliver the Voluntary Prekindergarten Education Program
975 or receive state funds under this part.

976 1002.75 Agency for Workforce Innovation; powers and
977 duties; operational requirements.--

978 (1) The Agency for Workforce Innovation shall administer
979 the operational requirements of the Voluntary Prekindergarten
980 Education Program at the state level.

981 (2) The Agency for Workforce Innovation shall adopt
982 procedures governing the administration of the Voluntary
983 Prekindergarten Education Program by the early learning
984 coalitions and school districts for:

985 (a) Enrolling children in and determining the eligibility
986 of children for the Voluntary Prekindergarten Education Program

987 under s. 1002.53.

988 (b) Providing parents with profiles of private
 989 prekindergarten providers and public schools under s. 1002.53.

990 (c) Registering private prekindergarten providers and
 991 public schools to deliver the program under ss. 1002.55,
 992 1002.61, and 1002.63.

993 (d) Determining the eligibility of private prekindergarten
 994 providers to deliver the program under ss. 1002.55 and 1002.61.

995 (e) Verifying the compliance of private prekindergarten
 996 providers and public schools and removing providers or schools
 997 from eligibility to deliver the program due to noncompliance or
 998 misconduct as provided in s. 1002.67.

999 (f) Paying private prekindergarten providers and public
 1000 schools under s. 1002.71.

1001 (g) Documenting and certifying student enrollment and
 1002 student attendance under s. 1002.71.

1003 (h) Reconciling advance payments in accordance with the
 1004 uniform attendance policy under s. 1002.71.

1005 (i) Reenrolling students dismissed by a private
 1006 prekindergarten provider or public school for noncompliance with
 1007 the provider's or school district's attendance policy under s.
 1008 1002.71.

1009 (3) The Agency for Workforce Innovation shall adopt, in
 1010 consultation with and subject to approval by the department,
 1011 procedures governing the administration of the Voluntary
 1012 Prekindergarten Education Program by the early learning
 1013 coalitions and school districts for:

1014 (a) Approving improvement plans of private prekindergarten
 1015 providers and public schools under s. 1002.67.

1016 (b) Placing private prekindergarten providers and public
1017 schools on probation and requiring corrective actions under s.
1018 1002.67.

1019 (c) Removing a private prekindergarten provider or public
1020 school from eligibility to deliver the program due to the
1021 provider's or school's remaining on probation beyond the time
1022 permitted under s. 1002.67.

1023 (4) The Agency for Workforce Innovation shall also adopt
1024 procedures for the agency's distribution of funds to early
1025 learning coalitions under s. 1002.71.

1026 (5) Except as provided by law, the Agency for Workforce
1027 Innovation may not impose requirements on a private
1028 prekindergarten provider or public school that does not deliver
1029 the Voluntary Prekindergarten Education Program or receive state
1030 funds under this part.

1031 1002.77 Florida Early Learning Advisory Council.--

1032 (1) There is created the Florida Early Learning Advisory
1033 Council within the Agency for Workforce Innovation. The purpose
1034 of the advisory council is to submit recommendations to the
1035 department and the Agency for Workforce Innovation on the early
1036 learning policy of this state, including recommendations
1037 relating to administration of the Voluntary Prekindergarten
1038 Education Program under this part and the school readiness
1039 programs under s. 411.01.

1040 (2) The advisory council shall be composed of the
1041 following members:

1042 (a) The chair of the advisory council who shall be
1043 appointed by and serve at the pleasure of the Governor.

1044 (b) The chair of each early learning coalition.

1045 (c) One member who shall be appointed by and serve at the
1046 pleasure of the President of the Senate.

1047 (d) One member who shall be appointed by and serve at the
1048 pleasure of the Speaker of the House of Representatives.

1049
1050 The chair of the advisory council appointed by the Governor and
1051 the members appointed by the presiding officers of the
1052 Legislature must each have a background in early learning.

1053 (3) The advisory council shall meet at least quarterly but
1054 may meet as often as necessary to carry out its duties and
1055 responsibilities.

1056 (4) (a) Each member of the advisory council shall serve
1057 without compensation but is entitled to receive reimbursement
1058 for per diem and travel expenses for attendance at council
1059 meetings as provided in s. 112.061.

1060 (b) Each member of the advisory council is subject to the
1061 ethics provisions in part III of chapter 112.

1062 (c) For purposes of tort liability, each member of the
1063 advisory council shall be governed by s. 768.28.

1064 (5) The Agency for Workforce Innovation shall provide
1065 staff and administrative support for the advisory council.

1066 1002.79 Rulemaking authority.--

1067 (1) The State Board of Education shall adopt rules under
1068 ss. 120.536(1) and 120.54 to administer the provisions of this
1069 part conferring duties upon the department.

1070 (2) The Agency for Workforce Innovation shall adopt rules
1071 under ss. 120.536(1) and 120.54 to administer the provisions of
1072 this part conferring duties upon the agency.

1073 Section 2. Section 411.01, Florida Statutes, is amended to

1074 read:

1075 411.01 ~~Florida Partnership for~~ School readiness programs;
 1076 early learning ~~school readiness~~ coalitions.--

1077 (1) SHORT TITLE.--This section may be cited as the "School
 1078 Readiness Act."

1079 (2) LEGISLATIVE INTENT.--

1080 (a) The Legislature recognizes that school readiness
 1081 programs increase children's chances of achieving future
 1082 educational success and becoming productive members of society.
 1083 It is the intent of the Legislature that the ~~such~~ programs be
 1084 developmentally appropriate, research-based, involve parents as
 1085 their child's first teacher, serve as preventive measures for
 1086 children at risk of future school failure, enhance the
 1087 educational readiness of eligible children, and support family
 1088 education. Each school readiness program shall provide the
 1089 elements necessary to prepare at-risk children for school,
 1090 including health screening and referral and an appropriate
 1091 educational program.

1092 (b) It is the intent of the Legislature that school
 1093 readiness programs be operated on a full-day, year-round basis
 1094 to the maximum extent possible to enable parents to work and
 1095 become financially self-sufficient.

1096 (c) It is the intent of the Legislature that school
 1097 readiness programs not exist as isolated programs, but build
 1098 upon existing services and work in cooperation with other
 1099 programs for young children, and that school readiness programs
 1100 be coordinated ~~and funding integrated~~ to achieve full
 1101 effectiveness.

1102 (d) It is the intent of the Legislature that the

1103 administrative staff at the state level for school readiness
1104 programs be kept to the minimum necessary to administer ~~carry~~
1105 ~~out~~ the duties of the Agency for Workforce Innovation Florida
1106 ~~Partnership for School Readiness~~, as the school readiness
1107 programs are to be regionally ~~locally~~ designed, operated, and
1108 managed, with the Agency for Workforce Innovation Florida
1109 ~~Partnership for School Readiness~~ ~~adopting a system for measuring~~
1110 ~~school readiness~~, developing school readiness program
1111 performance standards and, ~~outcome measures~~ measurements, ~~and~~
1112 ~~data design and review~~, and approving and reviewing early
1113 learning coalitions and ~~local~~ school readiness ~~coalitions and~~
1114 plans.

1115 (e) It is the intent of the Legislature that
1116 appropriations for combined school readiness programs shall not
1117 be less than the programs would receive in any fiscal year on an
1118 uncombined basis.

1119 (f) It is the intent of the Legislature that the school
1120 readiness program coordinate and operate in conjunction with the
1121 district school systems. However, it is also the intent of the
1122 Legislature that the school readiness program not be construed
1123 as part of the system of free public schools but rather as a
1124 separate program for children under the age of kindergarten
1125 eligibility, funded separately from the system of free public
1126 schools, utilizing a mandatory sliding fee scale, and providing
1127 an integrated and seamless system of school readiness services
1128 for the state's birth-to-kindergarten population.

1129 (g) It is the intent of the Legislature that the federal
1130 child care income tax credit be preserved for school readiness
1131 programs.

1132 (h) It is the intent of the Legislature that school
 1133 readiness services shall be an integrated and seamless system of
 1134 services with a developmentally appropriate education component
 1135 for the state's eligible birth-to-kindergarten population
 1136 described in subsection (6) and shall not be construed as part
 1137 of the seamless K-20 education system ~~except for the~~
 1138 ~~administration of the uniform screening system upon entry into~~
 1139 ~~kindergarten.~~

1140 (3) PARENTAL PARTICIPATION IN SCHOOL READINESS PROGRAMS
 1141 PROGRAM. --

1142 ~~(a) The school readiness program shall be phased in on a~~
 1143 ~~coalition by coalition basis. Each coalition's school readiness~~
 1144 ~~program shall have available to it funding from all the~~
 1145 ~~coalition's early education and child care programs that are~~
 1146 ~~funded with state, federal, lottery, or local funds, including~~
 1147 ~~but not limited to Florida First Start programs, Even Start~~
 1148 ~~literacy programs, prekindergarten early intervention programs,~~
 1149 ~~Head Start programs, programs offered by public and private~~
 1150 ~~providers of child care, migrant prekindergarten programs, Title~~
 1151 ~~I programs, subsidized child care programs, and teen parent~~
 1152 ~~programs, together with any additional funds appropriated or~~
 1153 ~~obtained for purposes of this section. These programs and their~~
 1154 ~~funding streams shall be components of the coalition's~~
 1155 ~~integrated school readiness program, with the goal of preparing~~
 1156 ~~children for success in school.~~

1157 ~~(b) Nothing contained in This section does not act is~~
 1158 ~~intended to:~~

1159 ~~(a)1.~~ (a) Relieve parents and guardians of their own
 1160 obligations to prepare ~~ready~~ their children for school; or

1161 (b)2- Create any obligation to provide publicly funded
 1162 school readiness programs or services beyond those authorized by
 1163 the Legislature.

1164 (4) AGENCY FOR WORKFORCE INNOVATION ~~FLORIDA PARTNERSHIP~~
 1165 ~~FOR SCHOOL READINESS.~~ --

1166 (a) The Agency for Workforce Innovation shall ~~Florida~~
 1167 ~~Partnership for School Readiness~~ was created to fulfill three
 1168 ~~major purposes: to~~ administer school readiness programs at the
 1169 state level and shall ~~program services that help parents prepare~~
 1170 ~~eligible children for school; to~~ coordinate the early learning
 1171 coalitions in providing ~~provision of~~ school readiness services
 1172 on a full-day, full-year, full-choice basis to the extent
 1173 possible in order to enable parents to work and be financially
 1174 self-sufficient; ~~and to establish a uniform screening instrument~~
 1175 ~~to be implemented by the Department of Education and~~
 1176 ~~administered by the school districts upon entry into~~
 1177 ~~kindergarten to assess the readiness for school of all children.~~
 1178 ~~Readiness for kindergarten is the outcome measure of the success~~
 1179 ~~of each school readiness program that receives state or federal~~
 1180 ~~funds. The partnership is assigned to the Agency for Workforce~~
 1181 ~~Innovation for administrative purposes.~~

1182 (b) The Agency for Workforce Innovation ~~Florida~~
 1183 ~~Partnership for School Readiness~~ shall:

1184 1. Coordinate the birth-to-kindergarten services for
 1185 children who are eligible under ~~pursuant to~~ subsection (6) and
 1186 the programmatic, administrative, and fiscal standards under
 1187 ~~pursuant to~~ this section for all public providers of school
 1188 readiness programs.

1189 2. Continue to provide unified leadership for school

1190 readiness through early learning ~~local school readiness~~
1191 coalitions.

1192 3. Focus on improving the educational quality of all
1193 publicly funded school readiness programs.

1194 ~~(c)1. The Florida Partnership for School Readiness shall~~
1195 ~~include the Lieutenant Governor, the Commissioner of Education,~~
1196 ~~the Secretary of Children and Family Services, and the Secretary~~
1197 ~~of Health, or their designees, and the chair of the Child Care~~
1198 ~~Executive Partnership Board, and the chairperson of the Board of~~
1199 ~~Directors of Workforce Florida, Inc. When the Lieutenant~~
1200 ~~Governor or an agency head appoints a designee, the designee~~
1201 ~~must be an individual who attends consistently, and, in the~~
1202 ~~event that the Lieutenant Governor or agency head and his or her~~
1203 ~~designee both attend a meeting, only one of them may vote.~~

1204 2. ~~The partnership shall also include 14 members of the~~
1205 ~~public who shall be business, community, and civic leaders in~~
1206 ~~the state who are not elected to public office. These members~~
1207 ~~and their families must not have a direct contract with any~~
1208 ~~local coalition to provide school readiness services. The~~
1209 ~~members must be geographically and demographically~~
1210 ~~representative of the state. Each member shall be appointed by~~
1211 ~~the Governor from a list of nominees submitted by the President~~
1212 ~~of the Senate and the Speaker of the House of Representatives.~~
1213 ~~By July 1, 2001, four members shall be appointed as follows: two~~
1214 ~~members shall be from the child care industry, one representing~~
1215 ~~the private for-profit sector appointed by the Governor from a~~
1216 ~~list of two nominees submitted by the President of the Senate~~
1217 ~~and one representing faith based providers appointed by the~~
1218 ~~Governor from a list of two nominees submitted by the Speaker of~~

1219 ~~the House of Representatives; and two members shall be from the~~
1220 ~~business community, one appointed by the Governor from a list of~~
1221 ~~two nominees submitted by the President of the Senate and one~~
1222 ~~appointed by the Governor from a list of two nominees submitted~~
1223 ~~by the Speaker of the House of Representatives. Members shall be~~
1224 ~~appointed to 4 year terms of office. The members of the~~
1225 ~~partnership shall elect a chairperson annually from the~~
1226 ~~nongovernmental members of the partnership. Any vacancy on the~~
1227 ~~partnership shall be filled in the same manner as the original~~
1228 ~~appointment.~~

1229 ~~(d) The partnership shall meet at least quarterly but may~~
1230 ~~meet as often as it deems necessary to carry out its duties and~~
1231 ~~responsibilities. Members of the partnership shall participate~~
1232 ~~without proxy at the quarterly meetings. The partnership may~~
1233 ~~take official action by a majority vote of the members present~~
1234 ~~at any meeting at which a quorum is present.~~

1235 ~~(e) Members of the partnership are subject to the ethics~~
1236 ~~provisions in part III of chapter 112, and no member may derive~~
1237 ~~any financial benefit from the funds administered by the Florida~~
1238 ~~Partnership for School Readiness.~~

1239 ~~(f) Members of the partnership shall serve without~~
1240 ~~compensation but are entitled to reimbursement for per diem and~~
1241 ~~travel expenses incurred in the performance of their duties as~~
1242 ~~provided in s. 112.061, and reimbursement for other reasonable,~~
1243 ~~necessary, and actual expenses.~~

1244 ~~(g) For the purposes of tort liability, the members of the~~
1245 ~~partnership and its employees shall be governed by s. 768.28.~~

1246 ~~(h) The partnership shall appoint an executive director~~
1247 ~~who shall serve at the pleasure of the Governor. The executive~~

1248 ~~director shall perform the duties assigned to him or her by the~~
1249 ~~partnership. The executive director shall be responsible for~~
1250 ~~hiring, subject to the approval of the partnership, all~~
1251 ~~employees and staff members, who shall serve under his or her~~
1252 ~~direction and control.~~

1253 (c)(i) For purposes of administration of the federal Child
1254 Care and Development Fund, 45 C.F.R. parts 98 and 99, the Agency
1255 for Workforce Innovation partnership may be designated by the
1256 Governor as the lead agency, and, if so designated, shall comply
1257 with the lead agency responsibilities under ~~pursuant to~~ federal
1258 law.

1259 (d)(j) The Agency for Workforce Innovation Florida
1260 ~~Partnership for School Readiness is the principal organization~~
1261 ~~responsible for the enhancement of school readiness for the~~
1262 ~~state's children, and shall:~~

1263 1. Be responsible for the prudent use of all public and
1264 private funds in accordance with all legal and contractual
1265 requirements.

1266 2. Provide final approval and periodic review of early
1267 learning coalitions and school readiness plans.

1268 3. Provide leadership for the enhancement of school
1269 readiness in this state by aggressively establishing a unified
1270 approach to the state's efforts toward enhancement of school
1271 readiness. In support of this effort, the Agency for Workforce
1272 Innovation partnership may develop and implement specific
1273 strategies that address the state's school readiness programs.

1274 4. Safeguard the effective use of federal, state, local,
1275 and private resources to achieve the highest possible level of
1276 school readiness for the ~~state's~~ children in this state.

- 1277 5. Provide technical assistance to early learning
1278 coalitions.
- 1279 6. Assess gaps in service.
- 1280 7. Provide technical assistance to counties that form a
1281 multicounty region served by an early learning coalition.
- 1282 ~~8.a. Adopt a system for measuring school readiness that~~
1283 ~~provides objective data regarding the expectations for school~~
1284 ~~readiness, and establish a method for collecting the data and~~
1285 ~~guidelines for using the data. The measurement, the data~~
1286 ~~collection, and the use of the data must serve the statewide~~
1287 ~~school readiness goal. The criteria for determining which data~~
1288 ~~to collect should be the usefulness of the data to state~~
1289 ~~policy makers and local program administrators in administering~~
1290 ~~programs and allocating state funds, and must include the~~
1291 ~~tracking of school readiness system information back to~~
1292 ~~individual school readiness programs to assist in determining~~
1293 ~~program effectiveness.~~
- 1294 ~~b. Adopt a system for evaluating the performance of~~
1295 ~~students through the third grade to compare the performance of~~
1296 ~~those who participated in school readiness programs with the~~
1297 ~~performance of students who did not participate in school~~
1298 ~~readiness programs in order to identify strategies for continued~~
1299 ~~successful student performance.~~
- 1300 ~~8.9.~~ Develop and adopt performance standards and outcome
1301 measures for school readiness programs. The performance
1302 standards must address the age-appropriate progress of children
1303 in the development of the school readiness skills required under
1304 paragraph (j). The performance standards for children from birth
1305 to 3 years of age in school readiness programs must be

1306 integrated with the performance standards adopted by the
 1307 Department of Education for children in the Voluntary
 1308 Prekindergarten Education Program under s. 1002.67.

1309 (e)-(k) The Agency for Workforce Innovation ~~partnership~~ may
 1310 adopt rules under ss. 120.536(1) and 120.54 ~~necessary~~ to
 1311 administer the provisions of law conferring duties upon the
 1312 agency, including, but not limited ~~this section which relate to,~~
 1313 rules governing the preparation ~~preparing~~ and implementation of
 1314 implementing the system ~~for~~ school readiness system, the
 1315 collection of ~~collecting~~ data, the approval of early learning
 1316 approving local school readiness coalitions and school readiness
 1317 plans, the provision of ~~providing~~ a method whereby an early
 1318 learning a coalition may ~~can~~ serve two or more counties, the
 1319 award of ~~awarding~~ incentives to early learning coalitions, and
 1320 the issuance of ~~issuing~~ waivers.

1321 (f)-(l) The Agency for Workforce Innovation ~~Florida~~
 1322 Partnership for School Readiness shall have all powers necessary
 1323 to administer ~~carry out the purposes of~~ this section, including,
 1324 but not limited to, the power to receive and accept grants,
 1325 loans, or advances of funds from any public or private agency
 1326 and to receive and accept from any source contributions of
 1327 money, property, labor, or any other thing of value, to be held,
 1328 used, and applied for ~~the~~ purposes of this section.

1329 (g) Except as provided by law, the Agency for Workforce
 1330 Innovation may not impose requirements on a child care or early
 1331 childhood education provider that does not deliver services
 1332 under a school readiness program or receive state or federal
 1333 funds under this section.

1334 (h)-(m) The Agency for Workforce Innovation ~~Florida~~

1335 ~~Partnership for School Readiness~~ shall have a budget for the
1336 school readiness system, which ~~and~~ shall be financed through an
1337 annual appropriation made for purposes of this section ~~purpose~~
1338 in the General Appropriations Act.

1339 ~~(i)-(n)~~ The Agency for Workforce Innovation partnership
1340 shall coordinate the efforts toward school readiness in this
1341 state and provide independent policy analyses and
1342 recommendations to the Governor, the State Board of Education,
1343 and the Legislature.

1344 ~~(j)-(e)~~ The Agency for Workforce Innovation shall require
1345 that each early learning coalition's ~~The partnership shall~~
1346 ~~prepare and submit to the State Board of Education a system for~~
1347 ~~measuring~~ school readiness program. ~~The system must, at a~~
1348 minimum, enhance the age-appropriate progress of each child in
1349 the development of ~~include a uniform screening, which shall~~
1350 ~~provide objective data regarding the following expectations for~~
1351 school readiness skills ~~which shall include, at a minimum:~~

1352 ~~1. The child's immunizations and other health requirements~~
1353 ~~as necessary, including appropriate vision and hearing screening~~
1354 ~~and examinations.~~

1355 ~~2. The child's physical development.~~

1356 ~~1.3.~~ The child's Compliance with rules, limitations, and
1357 routines.

1358 ~~2.4.~~ The child's Ability to perform tasks.

1359 ~~3.5.~~ The child's Interactions with adults.

1360 ~~4.6.~~ The child's Interactions with peers.

1361 ~~5.7.~~ The child's Ability to cope with challenges.

1362 ~~6.8.~~ The child's Self-help skills.

1363 ~~7.9.~~ The child's Ability to express the child's ~~his or her~~

1364 needs.

1365 ~~8.10. The child's~~ Verbal communication skills.

1366 ~~9.11. The child's~~ Problem-solving skills.

1367 ~~10.12. The child's~~ Following of verbal directions.

1368 ~~11.13. The child's~~ Demonstration of curiosity,
1369 persistence, and exploratory behavior.

1370 ~~12.14. The child's~~ Interest in books and other printed
1371 materials.

1372 ~~13.15. The child's~~ Paying attention to stories.

1373 ~~14.16. The child's~~ Participation in art and music
1374 activities.

1375 ~~15.17. The child's~~ Ability to identify colors, geometric
1376 shapes, letters of the alphabet, numbers, and spatial and
1377 temporal relationships.

1378

1379 The Agency for Workforce Innovation shall also require that,
1380 before a child is enrolled in an early learning coalition's
1381 school readiness program, the coalition must ensure that
1382 information is obtained by the coalition or the school readiness
1383 provider regarding the child's immunizations, physical
1384 development, and other health requirements as necessary,
1385 including appropriate vision and hearing screening and
1386 examinations.

1387 ~~(p) The partnership shall prepare a plan for implementing~~
1388 ~~the system for measuring school readiness in such a way that all~~
1389 ~~children in this state will undergo the uniform screening~~
1390 ~~established by the partnership when they enter kindergarten.~~
1391 ~~Children who enter public school for the first time in first~~
1392 ~~grade must undergo a uniform screening approved by the~~

1393 ~~partnership for use in first grade. Because children with~~
1394 ~~disabilities may not be able to meet all of the identified~~
1395 ~~expectations for school readiness, the plan for measuring school~~
1396 ~~readiness shall incorporate mechanisms for recognizing the~~
1397 ~~potential variations in expectations for school readiness when~~
1398 ~~servicing children with disabilities and shall provide for~~
1399 ~~communities to serve children with disabilities.~~

1400 (k) (q) The Agency for Workforce Innovation partnership
1401 shall conduct studies and planning activities related to the
1402 overall improvement and effectiveness of the outcome school
1403 readiness measures adopted by the agency for school readiness
1404 programs.

1405 (l) The Agency for Workforce Innovation shall monitor and
1406 evaluate the performance of each early learning coalition in
1407 administering the school readiness program, implementing the
1408 coalition's school readiness plan, and administering the
1409 Voluntary Prekindergarten Education Program. These monitoring
1410 and performance evaluations must include, at a minimum, onsite
1411 monitoring of each coalition's finances, management, operations,
1412 and programs.

1413 (m) The Agency for Workforce Innovation shall identify
1414 best practices of early learning coalitions in order to improve
1415 the outcomes of school readiness programs.

1416 ~~(r) The partnership shall establish procedures for~~
1417 ~~performance based budgeting in school readiness programs.~~

1418 (n) (s) The Agency for Workforce Innovation partnership
1419 shall submit an annual report of its activities conducted under
1420 this section to the Governor, the executive director of the
1421 Florida Healthy Kids Corporation, the President of the Senate,

1422 the Speaker of the House of Representatives, and the minority
 1423 leaders of both houses of the Legislature. In addition, the
 1424 Agency for Workforce Innovation's partnership's reports and
 1425 recommendations shall be made available to the State Board of
 1426 Education, the Florida Early Learning Advisory Council, other
 1427 appropriate state agencies and entities, district school boards,
 1428 central agencies ~~for child care~~, and county health departments.
 1429 The annual report must provide an analysis of school readiness
 1430 activities across the state, including the number of children
 1431 who were served in the programs ~~and the number of children who~~
 1432 ~~were ready for school.~~

1433 (o) ~~(t)~~ The Agency for Workforce Innovation partnership
 1434 shall work with the early learning school readiness coalitions
 1435 to increase parents' training for and involvement in their
 1436 children's preschool education and to provide family literacy
 1437 activities and programs.

1438
 1439 ~~To ensure that the system for measuring school readiness is~~
 1440 ~~comprehensive and appropriate statewide, as the system is~~
 1441 ~~developed and implemented, the partnership must consult with~~
 1442 ~~representatives of district school systems, providers of public~~
 1443 ~~and private child care, health care providers, large and small~~
 1444 ~~employers, experts in education for children with disabilities,~~
 1445 ~~and experts in child development.~~

1446 (5) CREATION OF EARLY LEARNING SCHOOL READINESS
 1447 COALITIONS.--

1448 (a) Early learning School readiness coalitions.--

1449 1. The Agency for Workforce Innovation shall establish the
 1450 minimum number of children to be served by each early learning

1451 coalition through the coalition's school readiness program. The
1452 Agency for Workforce Innovation may only approve school
1453 readiness plans in accordance with this minimum number. The
1454 minimum number must be uniform for every early learning
1455 coalition and must:

1456 a. Permit 30 or fewer coalitions to be established; and
1457 b. Require each coalition to serve at least 2,000 children
1458 based upon the average number of all children served per month
1459 through the coalition's school readiness program during the
1460 previous 12 months.

1461
1462 The Agency for Workforce Innovation shall adopt procedures for
1463 merging early learning coalitions, including procedures for the
1464 consolidation of merging coalitions, and for the early
1465 termination of the terms of coalition members which are
1466 necessary to accomplish the mergers. Each early learning
1467 coalition must comply with the merger procedures and shall be
1468 organized in accordance with this subparagraph by April 1, 2005.
1469 By June 30, 2005, each coalition must complete the transfer of
1470 powers, duties, functions, rules, records, personnel, property,
1471 and unexpended balances of appropriations, allocations, and
1472 other funds to the successor coalition, if applicable.

1473 2.1. If an early learning coalition a coalition's plan
1474 would serve fewer less than 400 birth to kindergarten age
1475 children than the minimum number established under subparagraph
1476 1., the coalition must merge either join with another county to
1477 form a multicounty coalition. However, the Agency for Workforce
1478 Innovation may authorize an early learning coalition to serve
1479 fewer children than the minimum number established under

1480 subparagraph 1., if:

1481 a. The coalition demonstrates to the Agency for Workforce
1482 Innovation that merging with another county or multicounty
1483 region contiguous to the coalition would cause an extreme
1484 hardship on the coalition;

1485 b. The Agency for Workforce Innovation has determined
1486 during the most recent annual review of the coalition's school
1487 readiness plan, or through monitoring and performance
1488 evaluations conducted under paragraph (4)(1), that the coalition
1489 has substantially implemented its plan and substantially met the
1490 performance standards and outcome measures adopted by the
1491 agency; and

1492 c. The coalition demonstrates to the Agency for Workforce
1493 Innovation the coalition's, ~~enter an agreement with a fiscal~~
1494 ~~agent to serve more than one coalition, or demonstrate to the~~
1495 ~~partnership its ability to effectively and efficiently implement~~
1496 ~~the Voluntary Prekindergarten Education Program its plan as a~~
1497 ~~single county coalition and meet all required performance~~
1498 ~~standards and outcome measures.~~

1499

1500 If an early learning coalition fails or refuses to merge as
1501 required by this subparagraph, the Agency for Workforce
1502 Innovation may dissolve the coalition and temporarily contract
1503 with a qualified entity to continue school readiness and
1504 prekindergarten services in the coalition's county or
1505 multicounty region until the coalition is reestablished through
1506 resubmission of a school readiness plan and approval by the
1507 agency.

1508 3. Each early learning coalition shall be composed of at

1509 least 18 members but not more than 35 members. The Agency for
1510 Workforce Innovation shall adopt standards establishing within
1511 this range the minimum and maximum number of members that may be
1512 appointed to an early learning coalition. These standards must
1513 include variations for a coalition serving a multicounty region.
1514 Each early learning coalition must comply with these standards.

1515 4. The Governor shall appoint the chair and two other
1516 members of each early learning coalition, who must each meet the
1517 same qualifications as private-sector business members appointed
1518 by the coalition under subparagraph 6.

1519 5.2- ~~Each early learning coalition shall have at least 18~~
1520 ~~but not more than 25 members and such members~~ must include the
1521 following members:

1522 a. A Department of Children and Family Services district
1523 administrator or his or her designee who is authorized to make
1524 decisions on behalf of the department.

1525 b. A district superintendent of schools or his or her
1526 designee who is authorized to make decisions on behalf of the
1527 district, who shall be a nonvoting member.

1528 c. A regional workforce ~~development~~ board executive chair
1529 ~~or director~~ or his or her designee, where applicable.

1530 d. A county health department director or his or her
1531 designee.

1532 e. A children's services council or juvenile welfare board
1533 chair or executive director, if applicable, who shall be a
1534 nonvoting member if the council or board is the fiscal agent of
1535 the coalition or if the council or board contracts with and
1536 receives funds from the coalition.

1537 f. An agency head of a local ~~child-care~~ licensing agency

1538 as defined in s. 402.302, where applicable head.

1539 g. A president of a community college or his or her

1540 designee.

1541 ~~g. One member appointed by a Department of Children and~~

1542 ~~Family Services district administrator.~~

1543 h. One member appointed by a board of county

1544 commissioners.

1545 ~~i. One member appointed by a district school board.~~

1546 i.j. A central child care agency administrator, where

1547 applicable, who shall be a nonvoting member.

1548 ~~j.k. A Head Start director, who shall be a nonvoting~~

1549 ~~member.~~

1550 ~~k.l. A representative of private child care providers,~~

1551 ~~including family day care homes, who shall be a nonvoting~~

1552 ~~member.~~

1553 ~~l.m. A representative of faith-based child care providers,~~

1554 ~~who shall be a nonvoting member.~~

1555 m. A representative of programs for children with

1556 disabilities under the federal Individuals with Disabilities

1557 Education Act, who shall be a nonvoting member.

1558 6. Including the members appointed by the Governor under

1559 subparagraph 4., more than one-third of the coalition members of

1560 each early learning coalition must be private-sector business

1561 members who do not have, and none of whose relatives as defined

1562 in s. 112.3143 has, a substantial financial interest in the

1563 design or delivery of the Voluntary Prekindergarten Education

1564 Program created under part V of chapter 1002 or the coalition's

1565 school readiness program from the private sector, and neither

1566 ~~they nor their families may earn an income from the early~~

1567 ~~education and child care industry.~~ To meet this requirement an
1568 early learning a coalition must appoint additional members from
1569 a list of nominees submitted ~~presented~~ to the coalition by a
1570 chamber of commerce or economic development council within the
1571 geographic region served by ~~area of~~ the coalition. The Agency
1572 for Workforce Innovation shall establish criteria for appointing
1573 private-sector business members. These criteria must include
1574 standards for determining whether a member or relative has a
1575 substantial financial interest in the design or delivery of the
1576 Voluntary Prekindergarten Education Program or the coalition's
1577 school readiness program.

1578 7. A majority of the voting membership of an early
1579 learning coalition constitutes a quorum required to conduct the
1580 business of the coalition.

1581 8.3- A voting ~~no~~ member of an early learning a coalition
1582 may not appoint a designee to act in his or her place, except as
1583 otherwise provided in this paragraph. A voting member may send a
1584 representative to coalition meetings, but that representative
1585 does not ~~will~~ have ~~no~~ voting privileges. When a ~~district~~
1586 ~~superintendent of schools~~ or a district administrator for the
1587 Department of Children and Family Services appoints a designee
1588 to an early learning ~~a school readiness~~ coalition, the designee
1589 is ~~will be~~ the voting member of the coalition, and any
1590 individual attending in the designee's ~~his or her~~ place,
1591 including the district administrator ~~or superintendent~~, does not
1592 ~~will~~ have ~~no~~ voting privileges.

1593 9.4- Each member ~~Members~~ of an early learning ~~the~~
1594 coalition is ~~are~~ subject to ss. 112.313, 112.3135, and 112.3143
1595 ~~the ethics provisions in part III of chapter 112.~~ For purposes

1596 of s. 112.3143(3)(a), each voting member is a local public
 1597 officer who must abstain from voting when a voting conflict
 1598 exists.

1599 ~~10.5.~~ For the purposes of tort liability, each member or
 1600 employee of an early learning ~~the members of the school~~
 1601 ~~readiness coalition and its employees~~ shall be governed by s.
 1602 768.28.

1603 ~~11.6.~~ An early learning coalition serving a multicounty
 1604 region must ~~coalitions shall~~ include representation from each
 1605 county.

1606 ~~12.7.~~ Each early learning coalition shall establish ~~The~~
 1607 terms for ~~of~~ all appointed members of the coalition. The terms
 1608 must be staggered and must be a uniform length that does not
 1609 exceed 4 years per term. Appointed members may serve a maximum
 1610 of two consecutive terms. When a vacancy occurs in an appointed
 1611 position, the coalition must advertise the vacancy.

1612 (b) Program participation.--The school readiness program
 1613 shall be established for children from birth to the beginning of
 1614 the school year for which a child is eligible for admission to 5
 1615 ~~years of age or until the child enters kindergarten~~ in a public
 1616 school under s. 1003.21(1)(a)2. The program shall be
 1617 administered by the early learning ~~school readiness~~ coalition.
 1618 Within funding limitations, the early learning ~~school readiness~~
 1619 coalition, along with all providers, shall make reasonable
 1620 efforts to accommodate the needs of children for extended-day
 1621 and extended-year services without compromising the quality of
 1622 the program.

1623 (c) Program expectations.--

1624 1. The school readiness program must meet the following

1625 expectations:

1626 a. The program must, at a minimum, enhance the age-
1627 appropriate progress of each child in the development of the
1628 school readiness skills required under paragraph (4)(j) ~~prepare~~
1629 ~~preschool children to enter kindergarten ready to learn~~, as
1630 measured by the performance standards and outcome measures
1631 adopted ~~criteria established~~ by the Agency for Workforce
1632 Innovation ~~Florida Partnership for School Readiness~~.

1633 b. The program must provide extended-day and extended-year
1634 services to the maximum extent possible to meet the needs of
1635 parents who work.

1636 c. There must be coordinated staff development and
1637 teaching opportunities.

1638 d. There must be expanded access to community services and
1639 resources for families to help achieve economic self-
1640 sufficiency.

1641 e. There must be a single point of entry and unified
1642 waiting list. As used in this sub-subparagraph, the term "single
1643 point of entry" means an integrated information system that
1644 allows a parent to enroll his or her child in the school
1645 readiness program at various locations throughout the county or
1646 multicounty region served by an early learning coalition, that
1647 may allow a parent to enroll his or her child by telephone or
1648 through an Internet website, and that uses a unified waiting
1649 list to track eligible children waiting for enrollment in the
1650 school readiness program. The Agency for Workforce Innovation
1651 shall establish a single statewide information system that
1652 integrates each early learning coalition's single point of
1653 entry, and each coalition must use the statewide system.

1654 f. The Agency for Workforce Innovation must consider the
1655 access of eligible children to the school readiness program, as
1656 demonstrated in part by waiting lists, before approving a
1657 proposed increase in payment rates submitted by an early
1658 learning coalition. In addition, early learning coalitions shall
1659 use school readiness funds made available due to enrollment
1660 shifts from school readiness programs to the Voluntary
1661 Prekindergarten Education Program for increasing the number of
1662 children served in school readiness programs before increasing
1663 payment rates.

1664 ~~f. As long as funding or eligible populations do not~~
1665 ~~decrease, the program must serve at least as many children as~~
1666 ~~were served prior to implementation of the program.~~

1667 g. There must be a community plan to address the needs of
1668 all eligible children.

1669 h. The program must meet all state licensing guidelines,
1670 where applicable.

1671 2. The early learning school readiness coalition must
1672 implement a comprehensive program of school readiness services
1673 that enhance the cognitive, social, and physical development of
1674 children to achieve the performance standards and outcome
1675 measures adopted specified by the Agency for Workforce
1676 Innovation partnership. At a minimum, these programs must
1677 contain the following elements:

1678 a. Developmentally appropriate curriculum designed to
1679 enhance the age-appropriate progress of children in attaining
1680 the performance standards adopted by the Agency for Workforce
1681 Innovation under subparagraph (4) (d) 8.

1682 b. A character development program to develop basic

1683 values.

1684 c. An age-appropriate assessment of each child's

1685 development.

1686 d. A pretest administered to children when they enter a

1687 program and a posttest administered to children when they leave

1688 the program.

1689 e. An appropriate staff-to-children ~~staff-to-child~~ ratio.

1690 f. A healthy ~~healthful~~ and safe environment.

1691 g. A resource and referral network to assist parents in

1692 making an informed choice.

1693 (d) Implementation.--

1694 1. An early learning coalition may not implement the

1695 school readiness program ~~is to be phased in.~~ until the coalition

1696 is authorized ~~implements its plan, the county shall continue to~~

1697 ~~receive the services identified in subsection (3) through the~~

1698 ~~various agencies that would be responsible for delivering those~~

1699 ~~services under current law. Plan implementation is subject to~~

1700 approval of the coalition's school readiness ~~coalition and the~~

1701 plan by the Agency for Workforce Innovation Florida Partnership

1702 ~~for School Readiness.~~

1703 2. Each early learning ~~school readiness~~ coalition shall

1704 develop a plan for implementing the school readiness program to

1705 meet the requirements of this section and the performance

1706 standards and outcome measures adopted ~~established~~ by the Agency

1707 for Workforce Innovation ~~partnership~~. ~~The plan must include a~~

1708 ~~written description of the role of the program in the~~

1709 ~~coalition's effort to meet the first state education goal,~~

1710 ~~readiness to start school, including a description of the plan~~

1711 ~~to involve the prekindergarten early intervention programs, Head~~

1712 ~~Start Programs, programs offered by public or private providers~~
1713 ~~of child care, preschool programs for children with~~
1714 ~~disabilities, programs for migrant children, Title I programs,~~
1715 ~~subsidized child care programs, and teen parent programs. The~~
1716 ~~plan must also demonstrate how the program will ensure that each~~
1717 ~~3-year-old and 4-year-old child in a publicly funded school~~
1718 ~~readiness program receives scheduled activities and instruction~~
1719 ~~designed to enhance the age-appropriate progress of the prepare~~
1720 ~~children in attaining the performance standards adopted by the~~
1721 ~~Agency for Workforce Innovation under subparagraph (4)(d)8. to~~
1722 ~~enter kindergarten ready to learn. Before implementing Prior to~~
1723 ~~implementation of the school readiness program, the early~~
1724 ~~learning school readiness coalition must submit the plan to the~~
1725 ~~Agency for Workforce Innovation partnership for approval. The~~
1726 ~~Agency for Workforce Innovation partnership may approve the~~
1727 ~~plan, reject the plan, or approve the plan with conditions. The~~
1728 ~~Agency for Workforce Innovation Florida Partnership for School~~
1729 ~~Readiness shall review school readiness coalition plans at least~~
1730 ~~annually.~~

1731 3. If the Agency for Workforce Innovation determines
1732 during the annual review of school readiness plans, or through
1733 monitoring and performance evaluations conducted under paragraph
1734 (4)(1), that an early learning coalition has not substantially
1735 implemented its plan, has not substantially met the performance
1736 standards and outcome measures adopted by the agency, or has not
1737 effectively administered the school readiness program or
1738 Voluntary Prekindergarten Education Program, the Agency for
1739 Workforce Innovation may dissolve the coalition and temporarily
1740 contract with a qualified entity to continue school readiness

1741 and prekindergarten services in the coalition's county or
1742 multicounty region until the coalition is reestablished through
1743 resubmission of a school readiness plan and approval by the
1744 agency.

1745 4.3- The Agency for Workforce Innovation shall adopt
1746 criteria for the approval of school readiness plans. The
1747 criteria must be consistent with the performance standards and
1748 outcome measures adopted by the agency and must require each
1749 approved plan to ~~for the school readiness program must~~ include
1750 the following minimum standards and provisions:

1751 a. A sliding fee scale establishing a copayment for
1752 parents based upon their ability to pay, which is the same for
1753 all program providers, to be implemented and reflected in each
1754 program's budget.

1755 b. A choice of settings and locations in licensed,
1756 registered, religious-exempt, or school-based programs to be
1757 provided to parents.

1758 c. Instructional staff who have completed the training
1759 course as required in s. 402.305(2)(d)1., as well as staff who
1760 have additional training or credentials as required by the
1761 Agency for Workforce Innovation ~~partnership~~. The plan must
1762 provide a method for assuring the qualifications of all
1763 personnel in all program settings.

1764 d. Specific eligibility priorities for children within the
1765 early learning coalition's county or multicounty region in
1766 accordance with ~~pursuant to~~ subsection (6).

1767 e. Performance standards and outcome measures adopted
1768 ~~established~~ by the Agency for Workforce Innovation ~~partnership~~
1769 ~~or alternatively, standards and outcome measures to be used~~

1770 ~~until such time as the partnership adopts such standards and~~
 1771 ~~outcome measures.~~

1772 f. Payment Reimbursement rates adopted ~~that have been~~
 1773 ~~developed~~ by the early learning coalition and approved by the
 1774 Agency for Workforce Innovation. Payment Reimbursement rates may
 1775 ~~shall~~ not have the effect of limiting parental choice or
 1776 creating standards or levels of services that have not been
 1777 authorized by the Legislature.

1778 g. Systems support services, including a central agency,
 1779 child care resource and referral, eligibility determinations,
 1780 training of providers, and parent support and involvement.

1781 h. Direct enhancement services to families and children.
 1782 System support and direct enhancement services shall be in
 1783 addition to payments for the placement of children in school
 1784 readiness programs.

1785 i. The A business organization of the early learning
 1786 coalition plan, which must include the coalition's articles of
 1787 incorporation and bylaws if the coalition is organized as a
 1788 corporation. If the coalition is not organized as a corporation
 1789 or other business entity, the plan must include the contract
 1790 with a fiscal school readiness agent if the coalition is not a
 1791 legally established corporate entity. An early learning
 1792 coalition Coalitions may contract with other coalitions to
 1793 achieve efficiency in multicounty multiple-county services, and
 1794 these such contracts may be part of the coalition's school
 1795 readiness business plan.

1796 j. Strategies to meet the needs of unique populations,
 1797 such as migrant workers.

1798

1799 As part of the school readiness plan, the early learning
 1800 coalition may request the Governor to apply for a waiver to
 1801 allow the coalition to administer the Head Start Program to
 1802 accomplish the purposes of the school readiness program. If a
 1803 ~~any~~ school readiness plan demonstrates ~~can demonstrate~~ that
 1804 specific statutory goals can be achieved more effectively by
 1805 using procedures that require modification of existing rules,
 1806 policies, or procedures, a request for a waiver to the Agency
 1807 for Workforce Innovation partnership may be submitted ~~made~~ as
 1808 part of the plan. Upon review, the Agency for Workforce
 1809 Innovation partnership may grant the proposed modification.

1810 ~~5.4.~~ Persons with an early childhood teaching certificate
 1811 may provide support and supervision to other staff in the school
 1812 readiness program.

1813 ~~6.5.~~ An early learning ~~The~~ coalition may not implement its
 1814 school readiness plan until it submits the plan to and receives
 1815 approval from the Agency for Workforce Innovation partnership.
 1816 Once the plan is ~~has been~~ approved, the plan and the services
 1817 provided under the plan shall be controlled by the early
 1818 learning coalition ~~rather than by the state agencies or~~
 1819 ~~departments~~. The plan shall be reviewed and revised as
 1820 necessary, but at least biennially. An early learning coalition
 1821 may not implement the revisions until the coalition submits the
 1822 revised plan to and receives approval from the Agency for
 1823 Workforce Innovation. If the Agency for Workforce Innovation
 1824 rejects a revised plan, the coalition must continue to operate
 1825 under its prior approved plan.

1826 ~~7.6.~~ Sections ~~The following statutes will not apply to~~
 1827 ~~local coalitions with approved plans: ss. 125.901(2)(a)3.,~~

1828 411.221, and 411.232 do not apply to an early learning coalition
1829 with an approved school readiness plan. To facilitate innovative
1830 practices and to allow the regional ~~local~~ establishment of
1831 school readiness programs, an early learning ~~a school readiness~~
1832 coalition may apply to the Governor and Cabinet for a waiver of,
1833 and the Governor and Cabinet may waive, any of the provisions of
1834 ss. 411.223, 411.232, and 1003.54, if the waiver is necessary
1835 for implementation of the coalition's school readiness plan.

1836 ~~8.7.~~ Two or more counties may join for purposes ~~the~~
1837 ~~purpose~~ of planning and implementing a school readiness program.

1838 ~~9.8.~~ An early learning ~~A~~ coalition may, subject to
1839 approval ~~by~~ ~~of~~ the Agency for Workforce Innovation ~~partnership~~
1840 as part of the coalition's school readiness plan, receive
1841 subsidized child care funds for all children eligible for any
1842 federal subsidized child care program ~~and be the provider of the~~
1843 ~~program services.~~

1844 ~~10.9.~~ An early learning coalition may ~~Coalitions are~~
1845 ~~authorized to~~ enter into multiparty contracts with multicounty
1846 service providers in order to meet the needs of unique
1847 populations such as migrant workers.

1848 (e) Requests for proposals; payment schedule.--

1849 1. ~~At least once every 3 years, beginning July 1, 2001,~~
1850 Each early learning coalition must comply with ~~follow the~~
1851 ~~competitive procurement requirements of s. 287.057 for the~~
1852 procurement of commodities or contractual services from the
1853 funds described in paragraph (9) (d) school readiness programs.
1854 The period of a contract for purchase of these commodities or
1855 contractual services, together with any renewal of the original
1856 contract, may not exceed 3 years.

1857 2. Each early learning coalition shall adopt ~~develop~~ a
1858 payment schedule that encompasses all programs funded by the
1859 ~~that~~ coalition under this section. The payment schedule must
1860 take into consideration the relevant market rate, must include
1861 the projected number of children to be served, and must be
1862 submitted for approval by ~~to~~ the Agency for Workforce Innovation
1863 ~~partnership for information~~. Informal child care arrangements
1864 shall be reimbursed at not more than 50 percent of the rate
1865 developed for a family day care home ~~childcare~~.

1866 (f) Requirements relating to fiscal agents.--If an early
1867 learning ~~the local~~ coalition is not a legally organized as a
1868 corporation or other business ~~established corporate~~ entity, the
1869 coalition must designate a fiscal agent, which may be a public
1870 entity, ~~or~~ a private nonprofit organization, or a certified
1871 public accountant who holds a license under chapter 473. The
1872 fiscal agent must ~~shall be required to~~ provide financial and
1873 administrative services under ~~pursuant to~~ a contract ~~or~~
1874 ~~agreement~~ with the early learning school readiness coalition.
1875 The fiscal agent may not provide direct early childhood
1876 education or child care services; however, a fiscal agent may
1877 provide those ~~such~~ services upon written request of the early
1878 learning coalition to the Agency for Workforce Innovation
1879 ~~partnership~~ and upon the approval of the ~~such~~ request by the
1880 agency ~~partnership~~. The cost of the financial and administrative
1881 services shall be negotiated between the fiscal agent and the
1882 early learning ~~school readiness~~ coalition. If the fiscal agent
1883 is a provider of early childhood education and child care
1884 programs, the contract must specify that the fiscal agent shall
1885 ~~will~~ act on policy direction from the early learning coalition

1886 and must ~~will~~ not receive policy direction from its own
 1887 corporate board regarding disbursal of the coalition's ~~coalition~~
 1888 funds. The fiscal agent shall disburse funds in accordance with
 1889 the early learning coalition's approved ~~coalition~~ school
 1890 readiness plan and based on billing and disbursement procedures
 1891 approved by the Agency for Workforce Innovation ~~partnership~~. The
 1892 fiscal agent must conform to all data-reporting requirements
 1893 established by the Agency for Workforce Innovation ~~partnership~~.

1894 (g) Evaluation and annual report.--Each early learning
 1895 ~~school readiness~~ coalition shall conduct an evaluation of the
 1896 effectiveness of the school readiness program, including
 1897 performance standards and outcome measures, and shall provide an
 1898 annual report and fiscal statement to the Agency for Workforce
 1899 Innovation Florida Partnership for School Readiness. This report
 1900 must conform to the content and format specifications set by the
 1901 Agency for Workforce Innovation Florida Partnership for School
 1902 Readiness. The Agency for Workforce Innovation ~~partnership~~ must
 1903 include an analysis of the early learning coalitions' ~~coalition~~
 1904 reports in the agency's ~~its~~ annual report.

1905 (6) PROGRAM ELIGIBILITY.--Each early learning coalition's
 1906 ~~The~~ school readiness program shall be established for children
 1907 from birth to the beginning of the school year for which a child
 1908 is eligible for admission to under the age of kindergarten in a
 1909 public school under s. 1003.21(1)(a)2. eligibility. Priority for
 1910 participation in the school readiness program shall be given to
 1911 children age 3 years to school entry who are served by the
 1912 Family Safety Program Office of the Department of Children and
 1913 Family Services or a community-based lead agency under ~~pursuant~~
 1914 ~~to~~ chapter 39 and for whom child care is needed to minimize risk

1915 of further abuse, neglect, or abandonment. Other eligible
 1916 populations include children who meet one or more of the
 1917 following criteria:

1918 (a) Children under the age of kindergarten eligibility who
 1919 are:

1920 1. Children determined to be at risk of abuse, neglect, or
 1921 exploitation who are currently clients of the Family Safety
 1922 Program Office of the Department of Children and Family
 1923 Services, but who are not otherwise given priority under this
 1924 subsection.

1925 ~~2.1-~~ Children at risk of welfare dependency, including
 1926 economically disadvantaged children, children of participants in
 1927 the welfare transition program, children of migrant farmworkers,
 1928 and children of teen parents.

1929 ~~3.2-~~ Children of working families whose family income does
 1930 not exceed 150 percent of the federal poverty level.

1931 ~~4.3-~~ Children for whom the state is paying a relative
 1932 caregiver payment under s. 39.5085.

1933 (b) Three-year-old children and 4-year-old children who
 1934 may not be economically disadvantaged but who have disabilities,
 1935 have been served in a specific part-time or combination of part-
 1936 time exceptional education programs with required special
 1937 services, aids, or equipment, and were previously reported for
 1938 funding part time with the Florida Education Finance Program as
 1939 exceptional students.

1940 (c) Economically disadvantaged children, children with
 1941 disabilities, and children at risk of future school failure,
 1942 from birth to 4 years of age, who are served at home through
 1943 home visitor programs and intensive parent education programs

1944 ~~such as the Florida First Start Program.~~

1945 (d) Children who meet federal and state eligibility
 1946 requirements ~~for eligibility~~ for the migrant preschool program
 1947 but who do not meet the criteria of economically disadvantaged.

1948
 1949 As used in this subsection, the term ~~An~~ "economically
 1950 disadvantaged" child means a child whose family income does not
 1951 exceed ~~is below~~ 150 percent of the federal poverty level.

1952 Notwithstanding any change in a family's economic status, but
 1953 subject to additional family contributions in accordance with
 1954 the sliding fee scale, a child who meets the eligibility
 1955 requirements upon initial registration for the program remains
 1956 ~~shall be considered~~ eligible until the beginning of the school
 1957 year for which the child is eligible for admission to ~~reaches~~
 1958 kindergarten in a public school under s. 1003.21(1)(a)2. ~~age.~~

1959 (7) PARENTAL CHOICE.--

1960 (a) The school readiness program shall provide parental
 1961 choice through ~~pursuant to~~ a purchase service order that
 1962 ensures, to the maximum extent possible, flexibility in school
 1963 readiness programs and payment arrangements. According to
 1964 federal regulations requiring parental choice, a parent may
 1965 choose an informal child care arrangement. The purchase order
 1966 must bear the name of the beneficiary and the program provider
 1967 and, when redeemed, must bear the signature of both the
 1968 beneficiary and an authorized representative of the provider.

1969 (b) If it is determined that a provider has provided any
 1970 cash to the beneficiary in return for receiving the purchase
 1971 order, the early learning coalition or its fiscal agent shall
 1972 refer the matter to the Division of Public Assistance Fraud for

1973 investigation.

1974 (c) The office of the Chief Financial Officer shall
 1975 establish an electronic transfer system for the disbursement of
 1976 funds in accordance with this subsection. Each early learning
 1977 coalition ~~School readiness coalitions~~ shall fully implement the
 1978 electronic funds transfer system within 2 years after ~~plan~~
 1979 approval of the coalition's school readiness plan, unless a
 1980 waiver is obtained from the Agency for Workforce Innovation
 1981 partnership.

1982 (8) STANDARDS; OUTCOME MEASURES.--All ~~publicly funded~~
 1983 school readiness programs must ~~shall be required to~~ meet the
 1984 performance standards and outcome measures adopted ~~developed and~~
 1985 ~~approved~~ by the Agency for Workforce Innovation ~~partnership~~. The
 1986 ~~Office of Program Policy Analysis and Government Accountability~~
 1987 ~~shall provide consultation to the partnership in the development~~
 1988 ~~of the measures and standards. These performance standards and~~
 1989 ~~outcome measures shall be applicable on a statewide basis.~~

1990 (9) FUNDING; SCHOOL READINESS PROGRAM.--

1991 (a) It is the intent of this section to establish an
 1992 integrated and quality seamless service delivery system for all
 1993 publicly funded early childhood education and child care
 1994 programs operating in this state.

1995 (b) ~~Notwithstanding s. 20.50:~~

1996 1. The Agency for Workforce Innovation shall administer
 1997 school readiness funds, plans, and policies ~~pursuant to the~~
 1998 ~~contract with the Florida Partnership for School Readiness and~~
 1999 shall prepare and submit a unified budget request for the school
 2000 readiness system ~~program~~ in accordance with chapter 216.

2001 2. All instructions to early learning ~~local school~~

2002 ~~readiness~~ coalitions for administering this section shall
 2003 emanate from the Agency for Workforce Innovation in accordance
 2004 with the ~~pursuant to~~ policies of the Legislature, ~~plans of the~~
 2005 ~~Florida Partnership for School Readiness, and the contract~~
 2006 ~~between the Florida Partnership for School Readiness and the~~
 2007 ~~agency.~~

2008 (c) The Agency for Workforce Innovation shall adopt
 2009 ~~prepare a~~ formula plan that provides for the allocation among
 2010 the early learning coalitions distribution and expenditure of
 2011 all state and federal school readiness funds for children
 2012 participating in public or private school readiness programs
 2013 based upon ~~an~~ equity and performance ~~funding~~ formula. The
 2014 allocation formula must ~~plan shall~~ be submitted to the Governor
 2015 and the Legislative Budget Commission. Upon approval, the
 2016 Legislative Budget Commission shall authorize ~~the transfer of~~
 2017 ~~funds to~~ the Agency for Workforce Innovation to distribute funds
 2018 ~~for distribution~~ in accordance with the allocation provisions of
 2019 ~~the~~ formula. For fiscal year 2004-2005, the Agency for Workforce
 2020 Innovation shall allocate funds to the early learning coalitions
 2021 consistent with the fiscal year 2003-2004 funding allocations to
 2022 the school readiness coalitions.

2023 (d) All state ~~funds budgeted for a county for the programs~~
 2024 ~~specified in subsection (3), along with the pro rata share of~~
 2025 ~~the state administrative costs of those programs in the amount~~
 2026 ~~as determined by the partnership, all federal, funds and~~
 2027 required local maintenance-of-effort or matching funds provided
 2028 to an early learning coalition for a county for programs
 2029 ~~specified in subsection (3), and any additional funds~~
 2030 ~~appropriated or obtained~~ for purposes of this section, shall be

2031 used by ~~transferred for the benefit of~~ the coalition for
 2032 implementation of its school readiness plan, including the
 2033 hiring of staff to effectively operate the coalition's school
 2034 readiness program. As part of plan approval and periodic plan
 2035 review, the Agency for Workforce Innovation ~~partnership~~ shall
 2036 require that administrative costs be kept to the minimum
 2037 necessary for efficient and effective administration of the
 2038 school readiness plan, but total administrative expenditures
 2039 must ~~shall~~ not exceed 5 percent unless specifically waived by
 2040 the Agency for Workforce Innovation ~~partnership~~. The Agency for
 2041 Workforce Innovation ~~partnership~~ shall annually report to the
 2042 Legislature any problems relating to administrative costs.

2043 (e) The Agency for Workforce Innovation ~~partnership~~ shall
 2044 annually distribute, to a maximum extent practicable, all
 2045 eligible funds provided under this section as block grants to
 2046 the early learning ~~assist~~ ~~coalitions in integrating services and~~
 2047 ~~funding to develop a quality service delivery system. Subject to~~
 2048 ~~appropriation, the partnership may also provide financial awards~~
 2049 ~~to coalitions demonstrating success in merging and integrating~~
 2050 ~~funding streams to serve children and school readiness programs.~~

2051 (f) State funds appropriated for the school readiness
 2052 program may not be used for the construction of new facilities
 2053 or the purchase of buses. The Agency for Workforce Innovation
 2054 ~~partnership~~ shall present to the Legislature recommendations for
 2055 providing necessary transportation services for school readiness
 2056 programs.

2057 (g) All cost savings and all revenues received through a
 2058 mandatory sliding fee scale shall be used to help fund each
 2059 early learning coalition's ~~the local~~ school readiness program.

2060 ~~(10) SCHOOL READINESS UNIFORM SCREENING. The Department~~
2061 ~~of Education shall implement a school readiness uniform~~
2062 ~~screening, including a pilot program during the 2001-2002 school~~
2063 ~~year, to validate the system recommended by the Florida~~
2064 ~~Partnership for School Readiness as part of a comprehensive~~
2065 ~~evaluation design. Beginning with the 2002-2003 school year, the~~
2066 ~~department shall require that all school districts administer~~
2067 ~~the school readiness uniform screening to each kindergarten~~
2068 ~~student in the district school system upon the student's entry~~
2069 ~~into kindergarten. Children who enter public school for the~~
2070 ~~first time in first grade must undergo a uniform screening~~
2071 ~~adopted for use in first grade. The department shall incorporate~~
2072 ~~school readiness data into the K-20 data warehouse for~~
2073 ~~longitudinal tracking. Notwithstanding s. 1002.22, the~~
2074 ~~department shall provide the partnership and the Agency for~~
2075 ~~Workforce Innovation with complete and full access to~~
2076 ~~kindergarten uniform screening data at the student, school,~~
2077 ~~district, and state levels in a format that will enable the~~
2078 ~~partnership and the agency to prepare reports needed by state~~
2079 ~~policymakers and local school readiness coalitions to access~~
2080 ~~progress toward school readiness goals and provide input for~~
2081 ~~continuous improvement of local school readiness services and~~
2082 ~~programs.~~

2083 ~~(11) REPORTS. The Office of Program Policy Analysis and~~
2084 ~~Government Accountability shall assess the implementation,~~
2085 ~~efficiency, and outcomes of the school readiness program and~~
2086 ~~report its findings to the President of the Senate and the~~
2087 ~~Speaker of the House of Representatives by January 1, 2002.~~
2088 ~~Subsequent reviews shall be conducted at the direction of the~~

2089 ~~Joint Legislative Auditing Committee.~~

2090 (10)~~(12)~~ CONFLICTING PROVISIONS.--In the event of a
 2091 conflict between ~~the provisions of~~ this section and federal
 2092 requirements, the federal requirements shall control.

2093 (11)~~(13)~~ PLACEMENTS.--Notwithstanding any other provision
 2094 of this section to the contrary, ~~and for fiscal year 2004-2005~~
 2095 ~~only~~, the first children to be placed in the school readiness
 2096 program shall be those from families receiving temporary cash
 2097 assistance and subject to federal work requirements. Subsequent
 2098 placements shall be made in accordance with subsection (6)
 2099 ~~pursuant to the provisions of this section. This subsection~~
 2100 ~~expires July 1, 2005.~~

2101 Section 3. Paragraph (p) of subsection (3) of section
 2102 11.45, Florida Statutes, is amended to read:

2103 11.45 Definitions; duties; authorities; reports; rules.--

2104 (3) AUTHORITY FOR AUDITS AND OTHER ENGAGEMENTS.--The
 2105 Auditor General may, pursuant to his or her own authority, or at
 2106 the direction of the Legislative Auditing Committee, conduct
 2107 audits or other engagements as determined appropriate by the
 2108 Auditor General of:

2109 (p) The school readiness system, including the early
 2110 learning coalitions, Florida Partnership for School Readiness
 2111 created under ~~pursuant to~~ s. 411.01.

2112 Section 4. Subsection (2) of section 20.50, Florida
 2113 Statutes, is amended to read:

2114 20.50 Agency for Workforce Innovation.--There is created
 2115 the Agency for Workforce Innovation within the Department of
 2116 Management Services. The agency shall be a separate budget
 2117 entity, and the director of the agency shall be the agency head

2118 for all purposes. The agency shall not be subject to control,
 2119 supervision, or direction by the Department of Management
 2120 Services in any manner, including, but not limited to,
 2121 personnel, purchasing, transactions involving real or personal
 2122 property, and budgetary matters.

2123 (2) The Agency for Workforce Innovation is ~~shall be~~ the
 2124 ~~designated~~ administrative agency designated for receipt of
 2125 federal workforce development grants and other federal funds.
 2126 The agency, ~~and~~ shall administer ~~carry out~~ the duties and
 2127 responsibilities assigned by the Governor under each federal
 2128 grant assigned to the agency. The agency shall be a separate
 2129 budget entity and shall expend each revenue source as provided
 2130 by federal and state law and as provided in plans developed by
 2131 and agreements with Workforce Florida, Inc. The agency shall
 2132 prepare and submit as a separate budget entity a unified budget
 2133 request for workforce development, in accordance with chapter
 2134 216 for, and in conjunction with, Workforce Florida, Inc., and
 2135 its board. The head of the agency is the director of Workforce
 2136 Innovation, who shall be appointed by the Governor. The
 2137 accountability and reporting functions of the agency shall be
 2138 administered by the director or his or her designee. ~~Included in~~
 2139 These functions shall include ~~are~~ budget management, financial
 2140 management, audit, performance management standards and
 2141 controls, assessing outcomes of service delivery, and financial
 2142 administration of workforce programs under ~~pursuant to~~ s.
 2143 445.004(5) and (9). ~~Within the agency's overall organizational~~
 2144 ~~structure,~~ The agency shall include the following offices within
 2145 its organizational structure, which shall have the specified
 2146 responsibilities:

2147 (a) The Office of Workforce Services shall administer the
 2148 unemployment compensation program, the Rapid Response program,
 2149 the Work Opportunity Tax Credit program, the Alien Labor
 2150 Certification program, and any other programs that are delivered
 2151 directly by agency staff rather than through the one-stop
 2152 delivery system. The office shall be directed by the Deputy
 2153 Director for Workforce Services, who shall be appointed by and
 2154 serve at the pleasure of the director.

2155 (b) The Office of Program Support and Accountability shall
 2156 administer state merit system program staff within the workforce
 2157 service delivery system, under the ~~pursuant to~~ policies of
 2158 Workforce Florida, Inc. The office is ~~shall be~~ responsible for
 2159 delivering services through the one-stop delivery system and for
 2160 ensuring that participants in welfare transition programs
 2161 receive case management services, diversion assistance, support
 2162 services, including ~~subsidized~~ child care and transportation
 2163 services, Medicaid services, and transition assistance to enable
 2164 them to succeed in the workforce. The office is ~~shall~~ also be
 2165 responsible for program quality assurance, grants and contract
 2166 management, contracting, financial management, and reporting.
 2167 The office shall be directed by the Deputy Director for Program
 2168 Support and Accountability, who shall be appointed by and serve
 2169 at the pleasure of the director. The office is ~~shall be~~
 2170 responsible for:

2171 1. Establishing monitoring, quality assurance, and quality
 2172 improvement systems that routinely assess the quality and
 2173 effectiveness of contracted programs and services.

2174 2. Annual review of each regional workforce board and
 2175 administrative entity to ensure that adequate systems of

2176 reporting and control are in place; that, ~~and~~ monitoring,
 2177 quality assurance, and quality improvement activities are
 2178 conducted routinely; ~~;~~ and that corrective action is taken to
 2179 eliminate deficiencies.

2180 (c) The Office of Early Learning shall administer the
 2181 school readiness system in accordance with s. 411.01 and the
 2182 operational requirements of the Voluntary Prekindergarten
 2183 Education Program in accordance with part V of chapter 1002. The
 2184 office shall be directed by the Deputy Director for Early
 2185 Learning, who shall be appointed by and serve at the pleasure of
 2186 the director.

2187 (d) ~~(e)~~ The Office of Agency Support Services is ~~shall be~~
 2188 responsible for procurement, human resource services, and
 2189 information services including delivering information on labor
 2190 markets, employment, occupations, and performance, and shall
 2191 implement and maintain information systems that are required for
 2192 the effective operation of the one-stop delivery system and the
 2193 school readiness ~~services~~ system, including, but not limited to,
 2194 those systems described in s. 445.009. The office shall ~~will~~ be
 2195 directed by ~~under the direction of~~ the Deputy Director for
 2196 Agency Support Services, who shall be appointed by and serve at
 2197 the pleasure of the director. The office is ~~shall be~~ responsible
 2198 for establishing:

2199 1. Information systems and controls that report reliable,
 2200 timely and accurate fiscal and performance data for assessing
 2201 outcomes, service delivery, and financial administration of
 2202 workforce programs under ~~pursuant to~~ s. 445.004(5) and (9).

2203 2. Information systems that support service integration
 2204 and case management by providing for case tracking for

2205 participants in welfare transition programs.

2206 3. Information systems that support the school readiness
 2207 system ~~services~~.

2208 (e)~~(d)~~ The Unemployment Appeals Commission, authorized by
 2209 s. 443.012, is ~~shall~~ not ~~be~~ subject to ~~the~~ control, supervision,
 2210 or direction by the Agency for Workforce Innovation in the
 2211 performance of its powers and duties but shall receive any and
 2212 all support and assistance from the agency that is ~~may be~~
 2213 required for the performance of its duties.

2214 Section 5. Paragraph (b) of subsection (1) of section
 2215 125.901, Florida Statutes, is amended to read:

2216 125.901 Children's services; independent special district;
 2217 council; powers, duties, and functions.--

2218 (1) Each county may by ordinance create an independent
 2219 special district, as defined in ss. 189.403(3) and
 2220 200.001(8)(e), to provide funding for children's services
 2221 throughout the county in accordance with this section. The
 2222 boundaries of such district shall be coterminous with the
 2223 boundaries of the county. The county governing body shall obtain
 2224 approval, by a majority vote of those electors voting on the
 2225 question, to annually levy ad valorem taxes which shall not
 2226 exceed the maximum millage rate authorized by this section. Any
 2227 district created pursuant to the provisions of this subsection
 2228 shall be required to levy and fix millage subject to the
 2229 provisions of s. 200.065. Once such millage is approved by the
 2230 electorate, the district shall not be required to seek approval
 2231 of the electorate in future years to levy the previously
 2232 approved millage.

2233 (b) However, any county as defined in s. 125.011(1) may

2234 instead have a governing board consisting of 33 members,
 2235 including: the superintendent of schools; two representatives of
 2236 public postsecondary education institutions located in the
 2237 county; the county manager or the equivalent county officer; the
 2238 district administrator from the appropriate district of the
 2239 Department of Children and Family Services, or the
 2240 administrator's designee who is a member of the Senior
 2241 Management Service or the Selected Exempt Service; the director
 2242 of the county health department or the director's designee; the
 2243 state attorney for the county or the state attorney's designee;
 2244 the chief judge assigned to juvenile cases, or another juvenile
 2245 judge who is the chief judge's designee and who shall sit as a
 2246 voting member of the board, except that the judge may not vote
 2247 or participate in setting ad valorem taxes under this section;
 2248 an individual who is selected by the board of the local United
 2249 Way or its equivalent; a member of a locally recognized faith-
 2250 based coalition, selected by that coalition; a member of the
 2251 local chamber of commerce, selected by that chamber or, if more
 2252 than one chamber exists within the county, a person selected by
 2253 a coalition of the local chambers; a member of the early
 2254 learning ~~local school readiness~~ coalition, selected by that
 2255 coalition; a representative of a labor organization or union
 2256 active in the county; a member of a local alliance or coalition
 2257 engaged in cross-system planning for health and social service
 2258 delivery in the county, selected by that alliance or coalition;
 2259 a member of the local Parent-Teachers Association/Parent-
 2260 Teacher-Student Association, selected by that association; a
 2261 youth representative selected by the local school system's
 2262 student government; a local school board member appointed by the

2263 chair of the school board; the mayor of the county or the
 2264 mayor's designee; one member of the county governing body,
 2265 appointed by the chair of that body; a member of the state
 2266 Legislature who represents residents of the county, selected by
 2267 the chair of the local legislative delegation; an elected
 2268 official representing the residents of a municipality in the
 2269 county, selected by the county municipal league; and 4 members-
 2270 at-large, appointed to the council by the majority of sitting
 2271 council members. The remaining 7 members shall be appointed by
 2272 the Governor in accordance with procedures set forth in
 2273 paragraph (a), except that the Governor may remove a member for
 2274 cause or upon the written petition of the council. Appointments
 2275 by the Governor must, to the extent reasonably possible,
 2276 represent the geographic and demographic diversity of the
 2277 population of the county. Members who are appointed to the
 2278 council by reason of their position are not subject to the
 2279 length of terms and limits on consecutive terms as provided in
 2280 this section. The remaining appointed members of the governing
 2281 board shall be appointed to serve 2-year terms, except that
 2282 those members appointed by the Governor shall be appointed to
 2283 serve 4-year terms, and the youth representative and the
 2284 legislative delegate shall be appointed to serve 1-year terms. A
 2285 member may be reappointed; however, a member may not serve for
 2286 more than three consecutive terms. A member is eligible to be
 2287 appointed again after a 2-year hiatus from the council.

2288 Section 6. Subsection (1) of section 216.133, Florida
 2289 Statutes, is amended to read:

2290 216.133 Definitions; ss. 216.133-216.137.--As used in ss.
 2291 216.133-216.137:

2292 (1) "Consensus estimating conference" includes the
 2293 Economic Estimating Conference, the Demographic Estimating
 2294 Conference, the Revenue Estimating Conference, the Education
 2295 Estimating Conference, the Criminal Justice Estimating
 2296 Conference, the Juvenile Justice Estimating Conference, the
 2297 Child Welfare System Estimating Conference, the Occupational
 2298 Forecasting Conference, the Early Learning Programs ~~School~~
 2299 ~~Readiness Program~~ Estimating Conference, the Self-Insurance
 2300 Estimating Conference, the Florida Retirement System Actuarial
 2301 Assumption Conference, and the Social Services Estimating
 2302 Conference.

2303 Section 7. Subsection (10) of section 216.136, Florida
 2304 Statutes, is amended to read:

2305 216.136 Consensus estimating conferences; duties and
 2306 principals.--

2307 (10) EARLY LEARNING PROGRAMS ~~SCHOOL READINESS PROGRAM~~
 2308 ESTIMATING CONFERENCE.--

2309 (a) Duties.--

2310 1. The Early Learning Programs ~~School Readiness Program~~
 2311 Estimating Conference shall develop estimates and forecasts of
 2312 the unduplicated count of children eligible for school readiness
 2313 programs in accordance with the standards of eligibility
 2314 established in s. 411.01(6), and of children eligible for the
 2315 Voluntary Prekindergarten Education Program in accordance with
 2316 s. 1002.53(2), as the conference determines are needed to
 2317 support the state planning, budgeting, and appropriations
 2318 processes.

2319 2. The Agency for Workforce Innovation ~~Florida Partnership~~
 2320 ~~for School Readiness~~ shall provide information on needs and

2321 waiting lists for school readiness programs, and information on
 2322 the needs for the Voluntary Prekindergarten Education Program,
 2323 as ~~program services~~ requested by the Early Learning Programs
 2324 ~~School Readiness Program~~ Estimating Conference or individual
 2325 conference principals in a timely manner.

2326 (b) Principals.--The Executive Office of the Governor, the
 2327 Director of Economic and Demographic Research, and professional
 2328 staff who have forecasting expertise from ~~the Florida~~
 2329 ~~Partnership for School Readiness,~~ the Agency for Workforce
 2330 Innovation, the Department of Children and Family Services, the
 2331 Department of Education, the Senate, and the House of
 2332 Representatives, or their designees, are the principals of the
 2333 Early Learning Programs ~~School Readiness Program~~ Estimating
 2334 Conference. The principal representing the Executive Office of
 2335 the Governor shall preside over sessions of the conference.

2336 Section 8. Section 402.3016, Florida Statutes, is amended
 2337 to read:

2338 402.3016 Early Head Start collaboration grants.--

2339 (1) Contingent upon specific appropriations, the Agency
 2340 for Workforce Innovation ~~Florida Partnership for School~~
 2341 ~~Readiness~~ shall establish a program to award collaboration
 2342 grants to assist local agencies in securing Early Head Start
 2343 programs through Early Head Start program federal grants. The
 2344 collaboration grants shall provide the required matching funds
 2345 for public and private nonprofit agencies that have been
 2346 approved for Early Head Start program federal grants.

2347 (2) Public and private nonprofit agencies providing Early
 2348 Head Start programs applying for collaborative grants must:

2349 (a) Ensure quality performance by meeting the requirements

2350 in the Head Start program performance standards and other
2351 applicable rules and regulations;

2352 (b) Ensure collaboration with other service providers at
2353 the local level; and

2354 (c) Ensure that a comprehensive array of health,
2355 nutritional, and other services are provided to the program's
2356 pregnant women and very young children, and their families.

2357 (3) The Agency for Workforce Innovation ~~partnership~~ shall
2358 report to the Legislature on an annual basis the number of
2359 agencies receiving Early Head Start collaboration grants and the
2360 number of children served.

2361 (4) The Agency for Workforce Innovation ~~partnership~~ may
2362 adopt rules under ss. 120.536(1) and 120.54 as necessary for the
2363 award of collaboration grants to competing agencies and the
2364 administration of the collaboration grants program under this
2365 section.

2366 Section 9. Section 411.011, Florida Statutes, is amended
2367 to read:

2368 411.011 Records of children in school readiness
2369 programs.--The individual records of children enrolled in school
2370 readiness programs provided under s. 411.01, when held in the
2371 possession of the early learning ~~school readiness~~ coalition or
2372 the Agency for Workforce Innovation ~~Florida Partnership for~~
2373 ~~School Readiness~~, are confidential and exempt from the
2374 ~~provisions of~~ s. 119.07 and s. 24(a), Art. I of the State
2375 Constitution. For ~~the~~ purposes of this section, records include
2376 assessment data, health data, records of teacher observations,
2377 and identifying data, including the child's social security
2378 number. A parent, guardian, or individual acting as a parent in

2379 the absence of a parent or guardian has the right to inspect and
 2380 review the individual school readiness program record of his or
 2381 her child and to obtain a copy of the record. School readiness
 2382 records may be released to the United States Secretary of
 2383 Education, the United States Secretary of Health and Human
 2384 Services, and the Comptroller General of the United States for
 2385 the purpose of federal audits; to individuals or organizations
 2386 conducting studies for institutions to develop, validate, or
 2387 administer assessments or improve instruction; to accrediting
 2388 organizations in order to carry out their accrediting functions;
 2389 to appropriate parties in connection with an emergency if the
 2390 information is necessary to protect the health or safety of the
 2391 student or other individuals; to the Auditor General in
 2392 connection with his or her official functions; to a court of
 2393 competent jurisdiction in compliance with an order of that court
 2394 in accordance with ~~pursuant to~~ a lawfully issued subpoena; and
 2395 to parties to an interagency agreement among early learning
 2396 ~~school readiness~~ coalitions, local governmental agencies,
 2397 providers of school readiness programs, state agencies, and the
 2398 Agency for Workforce Innovation Florida Partnership for School
 2399 ~~Readiness~~ for the purpose of implementing the school readiness
 2400 program. Agencies, organizations, or individuals that receive
 2401 school readiness records in order to carry out their official
 2402 functions must protect the data in a manner that does ~~will~~ not
 2403 permit the personal identification of students and their parents
 2404 by persons other than those authorized to receive the records.
 2405 This section is subject to the Open Government Sunset Review Act
 2406 of 1995 in accordance with s. 119.15 and shall stand repealed on
 2407 October 2, 2005, unless reviewed and saved from repeal through

2408 reenactment by the Legislature.

2409 Section 10. Paragraph (e) of subsection (2) of section
2410 411.226, Florida Statutes, is amended to read:

2411 411.226 Learning Gateway.--

2412 (2) LEARNING GATEWAY STEERING COMMITTEE.--

2413 (e) To support and facilitate system improvements, the
2414 steering committee must consult with representatives from the
2415 Department of Education, the Department of Health, the Agency
2416 for Workforce Innovation Florida Partnership for School
2417 Readiness, the Department of Children and Family Services, the
2418 Agency for Health Care Administration, the Department of
2419 Juvenile Justice, and the Department of Corrections and with the
2420 director of the Learning Development and Evaluation Center of
2421 Florida Agricultural and Mechanical University.

2422 Section 11. Paragraph (d) of subsection (1), paragraph (a)
2423 of subsection (2), and paragraph (c) of subsection (3) of
2424 section 411.227, Florida Statutes, are amended to read:

2425 411.227 Components of the Learning Gateway.--The Learning
2426 Gateway system consists of the following components:

2427 (1) COMMUNITY EDUCATION STRATEGIES AND FAMILY-ORIENTED
2428 ACCESS.--

2429 (d) In collaboration with other local resources, the
2430 demonstration projects shall develop public awareness strategies
2431 to disseminate information about developmental milestones,
2432 precursors of learning problems and other developmental delays,
2433 and the service system that is available. The information should
2434 target parents of children from birth through age 9 and should
2435 be distributed to parents, health care providers, and caregivers
2436 of children from birth through age 9. A variety of media should

2437 be used as appropriate, such as print, television, radio, and a
2438 community-based Internet website, as well as opportunities such
2439 as those presented by parent visits to physicians for well-child
2440 checkups. The Learning Gateway Steering Committee shall provide
2441 technical assistance to the local demonstration projects in
2442 developing and distributing educational materials and
2443 information.

2444 1. Public awareness strategies targeting parents of
2445 children from birth through age 5 shall be designed to provide
2446 information to public and private preschool programs, child care
2447 ~~childcare~~ providers, pediatricians, parents, and local
2448 businesses and organizations. These strategies should include
2449 information on the school readiness performance standards ~~for~~
2450 ~~kindergarten~~ adopted by the Agency for Workforce Innovation
2451 ~~School Readiness Partnership Board~~.

2452 2. Public awareness strategies targeting parents of
2453 children from ages 6 through 9 must be designed to disseminate
2454 training materials and brochures to parents and public and
2455 private school personnel, and must be coordinated with the local
2456 school board and the appropriate school advisory committees in
2457 the demonstration projects. The materials should contain
2458 information on state and district proficiency levels for grades
2459 K-3.

2460 (2) SCREENING AND DEVELOPMENTAL MONITORING.--

2461 (a) In coordination with the Agency for Workforce
2462 Innovation Partnership for School Readiness, the Department of
2463 Education, and the Florida Pediatric Society, and using
2464 information learned from the local demonstration projects, the
2465 Learning Gateway Steering Committee shall establish guidelines

2466 for screening children from birth through age 9. The guidelines
 2467 should incorporate recent research on the indicators most likely
 2468 to predict early learning problems, mild developmental delays,
 2469 child-specific precursors of school failure, and other related
 2470 developmental indicators in the domains of cognition;
 2471 communication; attention; perception; behavior; and social,
 2472 emotional, sensory, and motor functioning.

2473 (3) EARLY EDUCATION, SERVICES AND SUPPORTS.--

2474 (c) The steering committee, in cooperation with the
 2475 Department of Children and Family Services, the Department of
 2476 Education, and the Agency for Workforce Innovation Florida
 2477 ~~Partnership for School Readiness~~, shall identify the elements of
 2478 an effective research-based curriculum for early care and
 2479 education programs.

2480 Section 12. Subsection (1) of section 1001.23, Florida
 2481 Statutes, is amended to read:

2482 1001.23 Specific powers and duties of the Department of
 2483 Education.--In addition to all other duties assigned to it by
 2484 law or by rule of the State Board of Education, the department
 2485 shall:

2486 (1) Adopt the statewide kindergarten ~~school readiness~~
 2487 ~~uniform~~ screening ~~developed by the Florida Partnership for~~
 2488 ~~School Readiness~~, in accordance with s. 1002.69 ~~the criteria~~
 2489 ~~itemized in chapter 1008~~.

2490 Section 13. Paragraph (d) of subsection (3) of section
 2491 1002.22, Florida Statutes, is amended to read:

2492 1002.22 Student records and reports; rights of parents and
 2493 students; notification; penalty.--

2494 (3) RIGHTS OF PARENT OR STUDENT.--The parent of any

2495 student who attends or has attended any public school, career
2496 center, or public postsecondary educational institution shall
2497 have the following rights with respect to any records or reports
2498 created, maintained, and used by any public educational
2499 institution in the state. However, whenever a student has
2500 attained 18 years of age, or is attending a postsecondary
2501 educational institution, the permission or consent required of,
2502 and the rights accorded to, the parents of the student shall
2503 thereafter be required of and accorded to the student only,
2504 unless the student is a dependent student of such parents as
2505 defined in 26 U.S.C. s. 152 (s. 152 of the Internal Revenue Code
2506 of 1954). The State Board of Education shall adopt rules whereby
2507 parents or students may exercise these rights:

2508 (d) Right of privacy.--Every student has ~~shall have~~ a
2509 right of privacy with respect to the educational records kept on
2510 him or her. Personally identifiable records or reports of a
2511 student, and any personal information contained therein, are
2512 confidential and exempt from ~~the provisions of~~ s. 119.07(1). A
2513 state or local educational agency, board, public school, career
2514 center, or public postsecondary educational institution may not
2515 permit the release of such records, reports, or information
2516 without the written consent of the student's parent, or of the
2517 student himself or herself if he or she is qualified as provided
2518 in this subsection, to any individual, agency, or organization.
2519 However, personally identifiable records or reports of a student
2520 may be released to the following persons or organizations
2521 without the consent of the student or the student's parent:

2522 1. Officials of schools, school systems, career centers,
2523 or public postsecondary educational institutions in which the

2524 student seeks or intends to enroll; and a copy of such records
 2525 or reports shall be furnished to the parent or student upon
 2526 request.

2527 2. Other school officials, including teachers within the
 2528 educational institution or agency, who have legitimate
 2529 educational interests in the information contained in the
 2530 records.

2531 3. The United States Secretary of Education, the Director
 2532 of the National Institute of Education, the Assistant Secretary
 2533 for Education, the Comptroller General of the United States, or
 2534 state or local educational authorities who are authorized to
 2535 receive such information subject to the conditions set forth in
 2536 applicable federal statutes and regulations of the United States
 2537 Department of Education, or in applicable state statutes and
 2538 rules of the State Board of Education.

2539 4. Other school officials, in connection with a student's
 2540 application for or receipt of financial aid.

2541 5. Individuals or organizations conducting studies for or
 2542 on behalf of an institution or a board of education for the
 2543 purpose of developing, validating, or administering predictive
 2544 tests, administering student aid programs, or improving
 2545 instruction, if the ~~such~~ studies are conducted in ~~such~~ a manner
 2546 that does ~~as will~~ not permit the personal identification of
 2547 students and their parents by persons other than representatives
 2548 of such organizations and if the ~~such~~ information will be
 2549 destroyed when no longer needed for the purpose of conducting
 2550 such studies.

2551 6. Accrediting organizations, in order to carry out their
 2552 accrediting functions.

2553 7. Early learning ~~School readiness~~ coalitions and the
2554 Agency for Workforce Innovation ~~Florida Partnership for School~~
2555 ~~Readiness~~ in order to carry out their assigned duties.

2556 8. For use as evidence in student expulsion hearings
2557 conducted by a district school board under ~~pursuant to the~~
2558 ~~provisions of~~ chapter 120.

2559 9. Appropriate parties in connection with an emergency, if
2560 knowledge of the information in the student's educational
2561 records is necessary to protect the health or safety of the
2562 student or other individuals.

2563 10. The Auditor General and the Office of Program Policy
2564 Analysis and Government Accountability in connection with their
2565 official functions; however, except when the collection of
2566 personally identifiable information is specifically authorized
2567 by law, any data collected by the Auditor General and the Office
2568 of Program Policy Analysis and Government Accountability is
2569 confidential and exempt from ~~the provisions of~~ s. 119.07(1) and
2570 shall be protected in ~~such~~ a way that does ~~as will~~ not permit
2571 the personal identification of students and their parents by
2572 other than the Auditor General, the Office of Program Policy
2573 Analysis and Government Accountability, and their staff, and the
2574 ~~such~~ personally identifiable data shall be destroyed when no
2575 longer needed for the Auditor General's and the Office of
2576 Program Policy Analysis and Government Accountability's official
2577 use.

2578 11.a. A court of competent jurisdiction in compliance with
2579 an order of that court or the attorney of record in accordance
2580 with ~~pursuant to~~ a lawfully issued subpoena, upon the condition
2581 that the student and the student's parent are notified of the

2582 order or subpoena in advance of compliance therewith by the
 2583 educational institution or agency.

2584 b. A person or entity in accordance with ~~pursuant to a~~
 2585 court of competent jurisdiction in compliance with an order of
 2586 that court or the attorney of record pursuant to a lawfully
 2587 issued subpoena, upon the condition that the student, or his or
 2588 her parent if the student is either a minor and not attending a
 2589 postsecondary educational institution or a dependent of such
 2590 parent as defined in 26 U.S.C. s. 152 (s. 152 of the Internal
 2591 Revenue Code of 1954), is notified of the order or subpoena in
 2592 advance of compliance therewith by the educational institution
 2593 or agency.

2594 12. Credit bureaus, in connection with an agreement for
 2595 financial aid that the student has executed, if the ~~provided~~
 2596 ~~that such~~ information is ~~may be~~ disclosed only to the extent
 2597 necessary to enforce the terms or conditions of the financial
 2598 aid agreement. Credit bureaus shall not release any information
 2599 obtained under ~~pursuant to~~ this paragraph to any person.

2600 13. Parties to an interagency agreement among the
 2601 Department of Juvenile Justice, school and law enforcement
 2602 authorities, and other signatory agencies for the purpose of
 2603 reducing juvenile crime and especially motor vehicle theft by
 2604 promoting cooperation and collaboration, and the sharing of
 2605 appropriate information in a joint effort to improve school
 2606 safety, to reduce truancy and in-school and out-of-school
 2607 suspensions, and to support alternatives to in-school and out-
 2608 of-school suspensions and expulsions that provide structured and
 2609 well-supervised educational programs supplemented by a
 2610 coordinated overlay of other appropriate services designed to

2611 correct behaviors that lead to truancy, suspensions, and
 2612 expulsions, and that support students in successfully completing
 2613 their education. Information provided in furtherance of the ~~such~~
 2614 interagency agreements is intended solely for use in determining
 2615 the appropriate programs and services for each juvenile or the
 2616 juvenile's family, or for coordinating the delivery of the ~~such~~
 2617 programs and services, and as such is inadmissible in any court
 2618 proceedings before ~~prior to~~ a dispositional hearing unless
 2619 written consent is provided by a parent or other responsible
 2620 adult on behalf of the juvenile.

2621 14. Consistent with the Family Educational Rights and
 2622 Privacy Act, the Department of Children and Family Services or a
 2623 community-based care lead agency acting on behalf of the
 2624 Department of Children and Family Services, as appropriate.

2625
 2626 This paragraph does not prohibit any educational institution
 2627 from publishing and releasing to the general public directory
 2628 information relating to a student if the institution elects to
 2629 do so. However, no educational institution shall release, to
 2630 any individual, agency, or organization that is not listed in
 2631 subparagraphs 1.-14., directory information relating to the
 2632 student body in general or a portion thereof unless it is
 2633 normally published for the purpose of release to the public in
 2634 general. Any educational institution making directory
 2635 information public shall give public notice of the categories of
 2636 information that it has designated as directory information for
 2637 ~~with respect to~~ all students attending the institution and shall
 2638 allow a reasonable period of time after the ~~such~~ notice has been
 2639 given for a parent or student to inform the institution in

2640 writing that any or all of the information designated should not
 2641 be released.

2642 Section 14. Paragraph (c) of subsection (3) of section
 2643 1003.54, Florida Statutes, is amended to read:

2644 1003.54 Teenage parent programs.--

2645 (3)

2646 (c) Provision for necessary child care, health care,
 2647 social services, parent education, and transportation shall be
 2648 ancillary service components of teenage parent programs.

2649 Ancillary services may be provided through the coordination of
 2650 existing programs and services and through joint agreements
 2651 between district school boards and early learning local school
 2652 ~~readiness~~ coalitions or other appropriate public and private
 2653 providers.

2654 Section 15. Subsection (5) is added to section 1007.23,
 2655 Florida Statutes, to read:

2656 1007.23 Statewide articulation agreement.--

2657 (5) The articulation agreement must guarantee the
 2658 articulation of 9 credit hours toward a postsecondary degree in
 2659 early childhood education for programs approved by the State
 2660 Board of Education which:

2661 (a) Award a child development associate credential issued
 2662 by the National Credentialing Program of the Council for
 2663 Professional Recognition or award a credential approved under s.
 2664 1002.55(3)(c)1.b. or s. 402.305(3)(c) as being equivalent to the
 2665 child development associate credential; and

2666 (b) Include training in emergent literacy which meets or
 2667 exceeds the minimum standards for training courses for
 2668 prekindergarten instructors of the Voluntary Prekindergarten

2669 Education Program in s. 1002.59.

2670 Section 16. (1) The Florida Partnership for School
 2671 Readiness is abolished. All powers, duties, functions, rules,
 2672 records, personnel, property, and unexpended balances of
 2673 appropriations, allocations, and other funds of the Florida
 2674 Partnership for School Readiness are transferred by a type two
 2675 transfer, as defined in section 20.06(2), Florida Statutes, to
 2676 the Agency for Workforce Innovation.

2677 (2) This act does not abolish the school readiness
 2678 coalitions but redesignates the coalitions as early learning
 2679 coalitions and, effective April 1, 2005, requires a reduction in
 2680 the number of coalitions. All powers, duties, functions, rules,
 2681 records, personnel, property, and unexpended balances of
 2682 appropriations, allocations, and other funds of each school
 2683 readiness coalition are not transferred but shall be retained by
 2684 the early learning coalition upon its redesignation from a
 2685 school readiness coalition to an early learning coalition.

2686 Section 17. Sections 411.012 and 1008.21, Florida
 2687 Statutes, are repealed.

2688 Section 18. (1) The sums of \$1,090,399 from recurring
 2689 general revenue and \$975,000 from nonrecurring general revenue
 2690 are appropriated in lump sum to, and 17 additional positions are
 2691 authorized for, the Department of Education for purposes of
 2692 administering the Voluntary Prekindergarten Education Program
 2693 during the 2004-2005 fiscal year.

2694 (2) The sums of \$4,218,010 from recurring general revenue
 2695 and \$5,275,000 from nonrecurring general revenue are
 2696 appropriated in lump sum to, and 20 additional positions are
 2697 authorized for, the Agency for Workforce Innovation for purposes

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2698 of administering the Voluntary Prekindergarten Education Program
2699 during the 2004-2005 fiscal year. From these nonrecurring funds,
2700 \$100,000 is provided for the Agency for Workforce Innovation to
2701 evaluate the potential of using electronic technology to
2702 administer and maintain attendance information and provider
2703 payment processes for the program. The Agency for Workforce
2704 Innovation shall submit a report of its recommendations to the
2705 Governor, the President of the Senate, and the Speaker of the
2706 House of Representatives by September 1, 2006. The
2707 recommendations must include the recurring annual operating
2708 costs associated with the use of any electronic technology that
2709 is recommended in the report.

2710 (3) The sums of \$80,193 from recurring general revenue and
2711 \$140,037 from nonrecurring general revenue are appropriated in
2712 lump sum to, and 5.5 additional positions are authorized for,
2713 the Department of Children and Family Services for purposes of
2714 administering the Voluntary Prekindergarten Education Program
2715 during the 2004-2005 fiscal year.

2716 Section 19. Notwithstanding the provisions of section
2717 216.177, Florida Statutes, which require a 14-day notice for
2718 interim budget actions, and pursuant to section 216.351, Florida
2719 Statutes, the Executive Office of the Governor shall provide
2720 notice of the allocation of the lump-sum appropriations
2721 authorized by this act into traditional appropriation categories
2722 to the chair and vice chair of the Legislative Budget Commission
2723 at least 3 working days before the effective date of the
2724 allocation.

2725 Section 20. This act shall take effect upon becoming a
2726 law.