

By Senator Carlton

23-161H-05

1 A bill to be entitled

2 An act relating to early learning; creating

3 part V of ch. 1002, F.S.; creating the

4 Voluntary Prekindergarten Education Program;

5 implementing s. 1(b) and (c), Art. IX of the

6 State Constitution; providing definitions for

7 purposes of the program; providing eligibility

8 and enrollment requirements; authorizing

9 parents to enroll their children in a

10 school-year program delivered by a private

11 prekindergarten provider, a summer program

12 delivered by a public school or private

13 prekindergarten provider, or a school-year

14 program delivered by a public school; requiring

15 school districts to admit all eligible children

16 in the summer program; prohibiting specified

17 acts of discrimination and certain limits on

18 enrollment; specifying eligibility requirements

19 for private prekindergarten providers and

20 public schools that deliver the program;

21 requiring minimum hours for the program;

22 providing minimum requirements for

23 prekindergarten instructors; providing for the

24 adoption of rules; providing minimum and

25 maximum class sizes; requiring appropriate

26 adult supervision for prekindergarten classes;

27 requiring the Department of Education to

28 establish minimum standards for a credential

29 for prekindergarten directors and for emergent

30 literacy training courses for prekindergarten

31 instructors; requiring the credential and

1 course to provide training and resources
2 containing strategies that maximize the
3 program's benefits for students with
4 disabilities and other special needs; providing
5 that the credential and course satisfy certain
6 credentialing and training requirements;
7 providing limits on when a provider or school
8 may deliver the summer prekindergarten program;
9 specifying eligibility requirements for school
10 districts that deliver the school-year
11 prekindergarten program; providing legislative
12 intent; authorizing providers and schools to
13 select or design curricula used for the
14 program; directing the Department of Education
15 to adopt performance standards and approve
16 curricula under specified conditions; requiring
17 providers and schools to be placed on probation
18 and use the approved curricula under certain
19 circumstances; requiring improvement plans and
20 corrective actions from providers and schools
21 under certain circumstances; providing for the
22 removal of providers or schools that remain on
23 probation beyond specified time limits;
24 requiring early learning coalitions and school
25 districts to verify the compliance of private
26 prekindergarten providers and public schools;
27 authorizing the removal of providers and
28 schools for noncompliance or misconduct;
29 requiring interagency coordination for
30 monitoring providers; requiring the Department
31 of Education to adopt a statewide kindergarten

1 screening; requiring certain students to take
2 the statewide screening; specifying
3 requirements for screening instruments and
4 kindergarten readiness rates; directing the
5 State Board of Education to establish minimum
6 rates; providing funding and reporting
7 requirements; specifying the calculation of
8 per-student allocations; authorizing students
9 to withdraw, reenroll, and receive additional
10 per-student allocations under specified
11 conditions; providing for advance payments to
12 private prekindergarten providers and public
13 schools based upon student enrollment;
14 providing for the documentation and
15 certification of student attendance; requiring
16 parents to verify student attendance and
17 certify the choice of provider or school;
18 providing for the reconciliation of advance
19 payments based upon attendance; requiring
20 students to comply with attendance policies and
21 authorizing the dismissal of students for
22 noncompliance; requiring the Agency for
23 Workforce Innovation to adopt a uniform
24 attendance policy for funding purposes;
25 providing for administrative funds to be used
26 by early learning coalitions; prohibiting
27 certain fees or charges; limiting the use of
28 state funds; providing powers and duties of the
29 Department of Education and the Agency for
30 Workforce Innovation; requiring the department
31 and the agency to adopt procedures for the

1 Voluntary Prekindergarten Education Program;
2 creating the Florida Early Learning Advisory
3 Council; providing for the appointment and
4 membership of the advisory council; providing
5 membership and meeting requirements;
6 authorizing council members to receive per diem
7 and travel expenses; requiring the Agency for
8 Workforce Innovation to provide staff for the
9 advisory council; providing for the adoption of
10 rules; amending s. 411.01, F.S.; conforming
11 provisions to the transfer of the Florida
12 Partnership for School Readiness to the Agency
13 for Workforce Innovation; deleting provisions
14 for the appointment and membership of the
15 partnership; redesignating school readiness
16 coalitions as early learning coalitions;
17 deleting obsolete references to repealed
18 programs; deleting obsolete provisions
19 governing the phase in of school readiness
20 programs; deleting provisions governing the
21 measurement of school readiness, the school
22 readiness uniform screening, and
23 performance-based budgeting in school readiness
24 programs; specifying requirements for school
25 readiness performance standards; clarifying
26 rulemaking requirements; revising requirements
27 for school readiness programs; specifying that
28 school readiness programs must enhance the
29 progress of children in certain skills;
30 requiring early learning coalitions to obtain
31 certain health information before enrolling a

1 child in the school readiness program;
2 requiring the Agency for Workforce Innovation
3 to monitor and evaluate the performance of
4 early learning coalitions and to identify best
5 practices for the coalitions; requiring a
6 reduction in the number of coalitions in
7 accordance with specified standards; directing
8 the Agency for Workforce Innovation to adopt
9 procedures for the merger of coalitions;
10 providing exceptions; authorizing the Agency
11 for Workforce Innovation to dissolve a
12 coalition under specified conditions; revising
13 appointment and membership requirements for the
14 coalitions; specifying that certain members are
15 nonvoting; directing the Agency for Workforce
16 Innovation to adopt criteria for the
17 appointment of certain members; requiring each
18 coalition to specify terms of coalition
19 members; requiring a quorum of coalition
20 members; prohibiting coalition members from
21 voting under certain circumstances; providing a
22 definition for purposes of the single point of
23 entry; requiring early learning coalitions to
24 use a statewide information system; requiring
25 the Agency for Workforce Innovation to approve
26 payment rates and consider the access of
27 eligible children before approving proposals to
28 increase rates; prioritizing the use of school
29 readiness funds under certain circumstances;
30 deleting requirements for the minimum number of
31 children served; providing requirements for

1 developmentally appropriate curriculum used for
2 school readiness programs; authorizing
3 contracts for the continuation of school
4 readiness services under certain circumstances;
5 requiring the Agency for Workforce Innovation
6 to adopt criteria for the approval of school
7 readiness plans; revising requirements for
8 school readiness plans; providing requirements
9 for the approval and implementation of plan
10 revisions; revising competitive procurement
11 requirements for early learning coalitions;
12 authorizing the coalitions to designate
13 certified public accountants as fiscal agents;
14 clarifying age and income eligibility
15 requirements for school readiness programs;
16 revising eligibility requirements for certain
17 at-risk children; deleting a requirement for
18 consultation on performance standards and
19 outcome measures; revising funding
20 requirements; revising requirements for the
21 adoption of a formula for the allocation of
22 certain funds among the early learning
23 coalitions; specifying allocations for fiscal
24 year 2004-2005; deleting an obsolete provision
25 requiring a report; deleting the expiration of
26 eligibility requirements for certain children
27 from families receiving temporary cash
28 assistance; amending s. 11.45, F.S.;
29 authorizing the Auditor General to conduct
30 audits of the school readiness system; amending
31 s. 20.50, F.S.; creating the Office of Early

1 Learning within the Agency for Workforce
2 Innovation; requiring the office to administer
3 the school readiness system and operational
4 requirements of the Voluntary Prekindergarten
5 Education Program; amending s. 125.901, F.S.;
6 conforming provisions to changes made by the
7 act; amending ss. 216.133 and 216.136, F.S.;
8 redesignating the School Readiness Program
9 Estimating Conference as the Early Learning
10 Programs Estimating Conference; requiring the
11 estimating conference to develop certain
12 estimates and forecasts for the Voluntary
13 Prekindergarten Education Program; directing
14 the Agency for Workforce Innovation to provide
15 certain information to the estimating
16 conference; amending ss. 402.3016, 411.011,
17 411.226, 411.227, 1001.23, 1002.22, and
18 1003.54, F.S.; conforming provisions to the
19 transfer of the Florida Partnership for School
20 Readiness to the Agency for Workforce
21 Innovation and to the redesignation of the
22 school readiness coalitions as early learning
23 coalitions; authorizing the agency to adopt
24 rules; amending s. 1007.23, F.S.; requiring the
25 articulation of certain programs into credit
26 toward a postsecondary degree; abolishing the
27 Florida Partnership for School Readiness;
28 transferring all powers, rules, personnel, and
29 property of the partnership to the Agency for
30 Workforce Innovation; repealing ss. 411.012 and
31 1008.21, F.S., relating to the voluntary

1 universal prekindergarten education program and
2 the school readiness uniform screening;
3 providing appropriations and authorizing
4 additional positions; requiring that the
5 Executive Office of the Governor provide prior
6 notice to the Legislative Budget Commission of
7 allocations from the lump-sum appropriations to
8 appropriation categories; providing an
9 effective date.

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

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13 Section 1. Part V of chapter 1002, Florida Statutes,
14 consisting of sections 1002.51, 1002.53, 1002.55, 1002.57,
15 1002.59, 1002.61, 1002.63, 1002.65, 1002.67, 1002.69, 1002.71,
16 1002.73, 1002.75, 1002.77, and 1002.79, Florida Statutes, is
17 created to read:

18

PART V

19

VOLUNTARY PREKINDERGARTEN EDUCATION PROGRAM

20

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

21

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

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

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

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(4) "Prekindergarten instructor" means a teacher or
child care personnel as defined in s. 402.302 who provide

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1 instruction to students in the Voluntary Prekindergarten
2 Education Program.

3 (5) "Private prekindergarten provider" means a
4 provider other than a public school which is eligible to
5 deliver the school-year prekindergarten program under s.
6 1002.55 or the summer prekindergarten program under s.
7 1002.61.

8 1002.53 Voluntary Prekindergarten Education Program;
9 eligibility and enrollment.--

10 (1) There is created the Voluntary Prekindergarten
11 Education Program. The program shall take effect in each
12 county at the beginning of the 2005-2006 school year and shall
13 be organized, designed, and delivered in accordance with s.
14 1(b) and (c), Art. IX of the State Constitution.

15 (2) Each child who resides in this state who will have
16 attained the age of 4 years on or before September 1 of the
17 school year is eligible for the Voluntary Prekindergarten
18 Education Program during that school year. The child remains
19 eligible until the beginning of the school year for which the
20 child is eligible for admission to kindergarten in a public
21 school under s. 1003.21(1)(a)2. or until the child is admitted
22 to kindergarten, whichever occurs first.

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

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

27 (b) A summer prekindergarten program delivered by a
28 public school or private prekindergarten provider under s.
29 1002.61; or

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

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

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

11 (b) The application must be submitted on forms
12 prescribed by the Agency for Workforce Innovation and must be
13 accompanied by a certified copy of the child's birth
14 certificate. The forms must include a certification, in
15 substantially the form provided in s. 1002.71(6)(b)2., that
16 the parent chooses the private prekindergarten provider or
17 public school in accordance with this section and directs that
18 payments for the program be made to the provider or school.
19 The Agency for Workforce Innovation may authorize alternative
20 methods for submitting proof of the child's age in lieu of a
21 certified copy of the child's birth certificate.

22 (c) Each early learning coalition shall coordinate
23 with each of the school districts within the coalition's
24 county or multicounty region in the development of procedures
25 for enrolling children in prekindergarten programs delivered
26 by public schools.

27 (5) The early learning coalition shall provide each
28 parent enrolling a child in the Voluntary Prekindergarten
29 Education Program with a profile of every private
30 prekindergarten provider and public school delivering the
31 program within the coalition's county or multicounty region.

1 The profiles shall be provided to parents in a format
2 prescribed by the Agency for Workforce Innovation. The
3 profiles must include, at a minimum, the following information
4 about each provider and school:

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

7 (b) The provider's or school's kindergarten readiness
8 rate calculated in accordance with s. 1002.69, based upon the
9 most recent available results of the statewide kindergarten
10 screening.

11 (6)(a) A parent may enroll his or her child with any
12 private prekindergarten provider that is eligible to deliver
13 the Voluntary Prekindergarten Education Program under this
14 part; however, the provider may determine whether to admit any
15 child. An early learning coalition may not limit the number of
16 students admitted by any private prekindergarten provider for
17 enrollment in the program. However, this paragraph does not
18 authorize an early learning coalition to allow a provider to
19 exceed any staff-to-children ratio, square footage per child,
20 or other requirement imposed under ss. 402.301-402.319 as a
21 result of admissions in the prekindergarten program.

22 (b) A parent may enroll his or her child with any
23 public school within the school district which is eligible to
24 deliver the Voluntary Prekindergarten Education Program under
25 this part, subject to available space. Each school district
26 may limit the number of students admitted by any public school
27 for enrollment in the program; however, the school district
28 must provide for the admission of every eligible child within
29 the district whose parent enrolls the child in a summer
30 prekindergarten program delivered by a public school under s.
31 1002.61.

1 (c) Each private prekindergarten provider and public
2 school must comply with the antidiscrimination requirements of
3 42 U.S.C. s. 2000d, regardless of whether the provider or
4 school receives federal financial assistance. A private
5 prekindergarten provider or public school may not discriminate
6 against a parent or child, including the refusal to admit a
7 child for enrollment in the Voluntary Prekindergarten
8 Education Program, in violation of these antidiscrimination
9 requirements.

10 1002.55 School-year prekindergarten program delivered
11 by private prekindergarten providers.--

12 (1) Each early learning coalition shall administer the
13 Voluntary Prekindergarten Education Program at the county or
14 regional level for students enrolled under s. 1002.53(3)(a) in
15 a school-year prekindergarten program delivered by a private
16 prekindergarten provider.

17 (2) Each school-year prekindergarten program delivered
18 by a private prekindergarten provider must comprise at least
19 540 instructional hours.

20 (3) To be eligible to deliver the prekindergarten
21 program, a private prekindergarten provider must meet each of
22 the following requirements:

23 (a) The private prekindergarten provider must be a
24 child care facility licensed under s. 402.305, family day care
25 home licensed under s. 402.313, large family child care home
26 licensed under s. 402.3131, nonpublic school exempt from
27 licensure under s. 402.3025(2), or faith-based child care
28 provider exempt from licensure under s. 402.316.

29 (b) The private prekindergarten provider must:

30 1. Be accredited by an accrediting association that is
31 a member of the National Council for Private School

1 Accreditation, the Commission on International and
2 Trans-Regional Accreditation, or the Florida Association of
3 Academic Nonpublic Schools;

4 2. Hold a current Gold Seal Quality Care designation
5 under s. 402.281; or

6 3. Be licensed under s. 402.305, s. 402.313, or s.
7 402.3131 and demonstrate, before delivering the Voluntary
8 Prekindergarten Education Program, as verified by the early
9 learning coalition, that the provider meets each of the
10 requirements of the program under this part, including, but
11 not limited to, the requirements for credentials and
12 background screenings of prekindergarten instructors under
13 paragraphs (c) and (d), minimum and maximum class sizes under
14 paragraph (e), prekindergarten director credentials under
15 paragraph (f), and a developmentally appropriate curriculum
16 under s. 1002.67(2)(b).

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

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

22 a. A child development associate credential issued by
23 the National Credentialing Program of the Council for
24 Professional Recognition; or

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

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29 The Department of Children and Family Services may adopt rules
30 under ss. 120.536(1) and 120.54 which provide criteria and
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1 procedures for approving equivalent credentials under
2 sub-subparagraph b.

3 2. The prekindergarten instructor must successfully
4 complete an emergent literacy training course approved by the
5 department as meeting or exceeding the minimum standards
6 adopted under s. 1002.59. This subparagraph does not apply to
7 a prekindergarten instructor who successfully completes
8 approved training in early literacy and language development
9 under s. 402.305(2)(d)5., s. 402.313(6), or s. 402.3131(5)
10 before the establishment of one or more emergent literacy
11 training courses under s. 1002.59 or April 1, 2005, whichever
12 occurs later.

13 (d) Each prekindergarten instructor employed by the
14 private prekindergarten provider must be of good moral
15 character, must be screened using the level 2 screening
16 standards in s. 435.04 before employment and rescreened at
17 least once every 5 years, must be denied employment or
18 terminated if required under s. 435.06, and must not be
19 ineligible to teach in a public school because his or her
20 educator certificate is suspended or revoked.

21 (e) Each of the private prekindergarten provider's
22 prekindergarten classes must be composed of at least 4
23 students but may not exceed 18 students. In order to protect
24 the health and safety of students, each private
25 prekindergarten provider must also provide appropriate adult
26 supervision for students at all times. This paragraph does not
27 supersede any requirement imposed on a provider under ss.
28 402.301-402.319.

29 (f) Before the beginning of the 2006-2007 school year,
30 the private prekindergarten provider must have a
31 prekindergarten director who has a prekindergarten director

1 credential that is approved by the department as meeting or
2 exceeding the minimum standards adopted under s. 1002.57.
3 Successful completion of a child care facility director
4 credential under s. 402.305(2)(f) before the establishment of
5 the prekindergarten director credential under s. 1002.57 or
6 July 1, 2006, whichever occurs later, satisfies the
7 requirement for a prekindergarten director credential under
8 this paragraph.

9 (g) The private prekindergarten provider must register
10 with the early learning coalition on forms prescribed by the
11 Agency for Workforce Innovation.

12 (h) The private prekindergarten provider must deliver
13 the Voluntary Prekindergarten Education Program in accordance
14 with this part.

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

18 (a) A bachelor's or higher degree in early childhood
19 education, prekindergarten or primary education, preschool
20 education, or family and consumer science;

21 (b) A bachelor's or higher degree in elementary
22 education, if the prekindergarten instructor has been
23 certified to teach children any age from birth through 6th
24 grade, regardless of whether the instructor's educator
25 certificate is current, and if the instructor is not
26 ineligible to teach in a public school because his or her
27 educator certificate is suspended or revoked;

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

30 (d) An associate's or higher degree in an unrelated
31 field, at least 6 credit hours in early childhood education or

1 child development, and at least 480 hours of experience in
2 teaching or providing child care services for children any age
3 from birth through 8 years of age; or

4 (e) An educational credential approved by the
5 department as being equivalent to or greater than an
6 educational credential described in this subsection. The
7 department may adopt criteria and procedures for approving
8 equivalent educational credentials under this paragraph.

9 1002.57 Prekindergarten director credential.--

10 (1) By July 1, 2006, the department shall adopt
11 minimum standards for a credential for prekindergarten
12 directors of private prekindergarten providers delivering the
13 Voluntary Prekindergarten Education Program. The credential
14 must encompass requirements for education and onsite
15 experience.

16 (2) The educational requirements must include training
17 in the following:

18 (a) Professionally accepted standards for
19 prekindergarten programs, early learning, and strategies and
20 techniques to address the age-appropriate progress of
21 prekindergarten students in attaining the performance
22 standards adopted by the department under s. 1002.67;

23 (b) Strategies that allow students with disabilities
24 and other special needs to derive maximum benefit from the
25 Voluntary Prekindergarten Education Program; and

26 (c) Program administration and operations, including
27 management, organizational leadership, and financial and legal
28 issues.

29 (3) The prekindergarten director credential must meet
30 or exceed the requirements of the Department of Children and
31 Family Services for the child care facility director

1 credential under s. 402.305(2)(f), and successful completion
2 of the prekindergarten director credential satisfies these
3 requirements for the child care facility director credential.

4 (4) The department shall, to the maximum extent
5 practicable, award credit to a person who successfully
6 completes the child care facility director credential under s.
7 402.305(2)(f) for those requirements of the prekindergarten
8 director credential which are duplicative of requirements for
9 the child care facility director credential.

10 1002.59 Emergent literacy training courses.--By April
11 1, 2005, the department shall adopt minimum standards for one
12 or more training courses in emergent literacy for
13 prekindergarten instructors. Each course must comprise 5 clock
14 hours and provide instruction in strategies and techniques to
15 address the age-appropriate progress of prekindergarten
16 students in developing emergent literacy skills, including
17 oral communication, knowledge of print and letters, phonemic
18 and phonological awareness, and vocabulary and comprehension
19 development. Each course must also provide resources
20 containing strategies that allow students with disabilities
21 and other special needs to derive maximum benefit from the
22 Voluntary Prekindergarten Education Program. Successful
23 completion of an emergent literacy training course approved
24 under this section satisfies requirements for approved
25 training in early literacy and language development under ss.
26 402.305(2)(d)5., 402.313(6), and 402.3131(5).

27 1002.61 Summer prekindergarten program delivered by
28 public schools and private prekindergarten providers.--

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

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

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

10 (a) Comprise at least 300 instructional hours;

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

12 and

13 (c) Not deliver the program for a child earlier than
14 the summer immediately before the school year for which the
15 child is eligible for admission to kindergarten in a public
16 school under s. 1003.21(1)(a)2.

17 (3)(a) Each district school board shall determine
18 which public schools in the school district are eligible to
19 deliver the summer prekindergarten program. The school
20 district shall use educational facilities available in the
21 public schools during the summer term for the summer
22 prekindergarten program.

23 (b) Except as provided in this section, to be eligible
24 to deliver the summer prekindergarten program, a private
25 prekindergarten provider must meet each requirement in s.
26 1002.55.

27 (4) Notwithstanding ss. 1002.55(3)(c)1. and
28 1002.63(5), each public school and private prekindergarten
29 provider must have, for each prekindergarten class, at least
30 one prekindergarten instructor who:

31 (a) Is a certified teacher; or

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

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4 As used in this subsection, the term "certified teacher" means
5 a teacher holding a valid Florida educator certificate under
6 s. 1012.56 who has the qualifications required by the district
7 school board to instruct students in the summer
8 prekindergarten program. In selecting instructional staff for
9 the summer prekindergarten program, each school district shall
10 give priority to teachers who have experience or coursework in
11 early childhood education.

12 (5) Each prekindergarten instructor employed by a
13 public school or private prekindergarten provider delivering
14 the summer prekindergarten program must be of good moral
15 character, must be screened using the level 2 screening
16 standards in s. 435.04 before employment and rescreened at
17 least once every 5 years, must be denied employment or
18 terminated if required under s. 435.06, and must not be
19 ineligible to teach in a public school because his or her
20 educator certificate is suspended or revoked. This subsection
21 does not supersede employment requirements for instructional
22 personnel in public schools which are more stringent than the
23 requirements of this subsection.

24 (6) Notwithstanding ss. 1002.55(3)(e) and 1002.63(7),
25 each prekindergarten class in the summer prekindergarten
26 program, regardless of whether the class is a public school's
27 or private prekindergarten provider's class, must be composed
28 of at least 4 students but may not exceed 10 students. In
29 order to protect the health and safety of students, each
30 public school or private prekindergarten provider must also
31 provide appropriate adult supervision for students at all

1 times. This subsection does not supersede any requirement
2 imposed on a provider under ss. 402.301-402.319.

3 (7) Each public school delivering the summer
4 prekindergarten program must also:

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

7 (b) Deliver the Voluntary Prekindergarten Education
8 Program in accordance with this part.

9 1002.63 School-year prekindergarten program delivered
10 by public schools.--

11 (1) Each school district eligible under subsection (4)
12 may administer the Voluntary Prekindergarten Education Program
13 at the district level for students enrolled under s.
14 1002.53(3)(c) in a school-year prekindergarten program
15 delivered by a public school.

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

19 (3) The district school board of each school district
20 eligible under subsection (4) shall determine which public
21 schools in the district are eligible to deliver the
22 prekindergarten program during the school year.

23 (4) To be eligible to deliver the prekindergarten
24 program during the school year, each school district must meet
25 both of the following requirements:

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

28 1. Has reduced the average class size in each
29 classroom in accordance with s. 1003.03 and the schedule in s.
30 1(a), Art. IX of the State Constitution; and

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

8 (b) The Commissioner of Education must certify to the
9 State Board of Education that the department has reviewed the
10 school district's educational facilities, capital outlay
11 funds, and projected student enrollment and concurs with the
12 district school board's certification under paragraph (a).

13 (5) Each public school must have, for each
14 prekindergarten class, at least one prekindergarten instructor
15 who meets each requirement in s. 1002.55(3)(c) for a
16 prekindergarten instructor of a private prekindergarten
17 provider.

18 (6) Each prekindergarten instructor employed by a
19 public school delivering the school-year prekindergarten
20 program must be of good moral character, must be screened
21 using the level 2 screening standards in s. 435.04 before
22 employment and rescreened at least once every 5 years, must be
23 denied employment or terminated if required under s. 435.06,
24 and must not be ineligible to teach in a public school because
25 his or her educator certificate is suspended or revoked. This
26 subsection does not supersede employment requirements for
27 instructional personnel in public schools which are more
28 stringent than the requirements of this subsection.

29 (7) Each prekindergarten class in a public school
30 delivering the school-year prekindergarten program must be
31 composed of at least 4 students but may not exceed 18

1 students. In order to protect the health and safety of
2 students, each school must also provide appropriate adult
3 supervision for students at all times.

4 (8) Each public school delivering the school-year
5 prekindergarten program must:

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

8 (b) Deliver the Voluntary Prekindergarten Education
9 Program in accordance with this part.

10 1002.65 Professional credentials of prekindergarten
11 instructors; aspirational goals; legislative intent.--

12 (1) The Legislature recognizes that there is a strong
13 relationship between the skills and preparation of
14 prekindergarten instructors and the educational outcomes of
15 students in the Voluntary Prekindergarten Education Program.

16 (2) To improve these educational outcomes, the
17 Legislature intends that all prekindergarten instructors will
18 continue to improve their skills and preparation through
19 education and training, so that the following aspirational
20 goals will be achieved:

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

22 1. Each prekindergarten class will have at least one
23 prekindergarten instructor who holds an associate's or higher
24 degree in the field of early childhood education or child
25 development; and

26 2. For each prekindergarten class composed of 11 or
27 more students, in addition to a prekindergarten instructor who
28 meets the requirements of subparagraph 1., the class will have
29 at least one prekindergarten instructor who meets the
30 requirements of s. 1002.55(3)(c).

31

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

5 1002.67 Performance standards; curricula and
6 accountability.--

7 (1) By April 1, 2005, the department shall develop and
8 adopt performance standards for students in the Voluntary
9 Prekindergarten Education Program. The performance standards
10 must address the age-appropriate progress of students in the
11 development of:

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

14 (b) Emergent literacy skills, including oral
15 communication, knowledge of print and letters, phonemic and
16 phonological awareness, and vocabulary and comprehension
17 development.

18 (2)(a) Each private prekindergarten provider and
19 public school may select or design the curriculum that the
20 provider or school uses to implement the Voluntary
21 Prekindergarten Education Program, except as otherwise
22 required for a provider or school that is placed on probation
23 under paragraph (3)(c).

24 (b) Each private prekindergarten provider's and public
25 school's curriculum must be developmentally appropriate and
26 must:

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

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

1 3. Prepare students to be ready for kindergarten based
2 upon the statewide kindergarten screening administered under
3 s. 1002.69.

4 (c) The department shall review and approve curricula
5 for use by private prekindergarten providers and public
6 schools that are placed on probation under paragraph (3)(c).
7 The department shall maintain a list of the curricula approved
8 under this paragraph. Each approved curriculum must meet the
9 requirements of paragraph (b).

10 (3)(a) Each early learning coalition shall verify that
11 each private prekindergarten provider delivering the Voluntary
12 Prekindergarten Education Program within the coalition's
13 county or multicounty region complies with this part. Each
14 district school board shall verify that each public school
15 delivering the program within the school district complies
16 with this part.

17 (b) If a private prekindergarten provider or public
18 school fails or refuses to comply with this part, or if a
19 provider or school engages in misconduct, the Agency for
20 Workforce Innovation shall require the early learning
21 coalition to remove the provider, and the Department of
22 Education shall require the school district to remove the
23 school, from eligibility to deliver the Voluntary
24 Prekindergarten Education Program and receive state funds
25 under this part.

26 (c)1. If the kindergarten readiness rate of a private
27 prekindergarten provider or public school falls below the
28 minimum rate adopted by the State Board of Education as
29 satisfactory under s. 1002.69(6), the early learning coalition
30 or school district, as applicable, shall require the provider
31 or school to submit an improvement plan for approval by the

1 coalition or school district, as applicable, and to implement
2 the plan.

3 2. If a private prekindergarten provider or public
4 school fails to meet the minimum rate adopted by the State
5 Board of Education as satisfactory under s. 1002.69(6) for 2
6 consecutive years, the early learning coalition or school
7 district, as applicable, shall place the provider or school on
8 probation and must require the provider or school to take
9 certain corrective actions, including the use of a curriculum
10 approved by the department under paragraph (2)(c).

11 3. A private prekindergarten provider or public school
12 that is placed on probation must continue the corrective
13 actions required under subparagraph 2., including the use of a
14 curriculum approved by the department, until the provider or
15 school meets the minimum rate adopted by the State Board of
16 Education as satisfactory under s. 1002.69(6).

17 4. If a private prekindergarten provider or public
18 school remains on probation for 2 consecutive years and fails
19 to meet the minimum rate adopted by the State Board of
20 Education as satisfactory under s. 1002.69(6), the Agency for
21 Workforce Innovation shall require the early learning
22 coalition or the Department of Education shall require the
23 school district, as applicable, to remove the provider or
24 school from eligibility to deliver the Voluntary
25 Prekindergarten Education Program and receive state funds for
26 the program.

27 (d) Each early learning coalition, the Agency for
28 Workforce Innovation, and the department shall coordinate with
29 the Child Care Services Program Office of the Department of
30 Children and Family Services to minimize interagency
31 duplication of activities for monitoring private

1 prekindergarten providers for compliance with requirements of
2 the Voluntary Prekindergarten Education Program under this
3 part, the school readiness programs under s. 411.01, and the
4 licensing of providers under ss. 402.301-402.319.

5 1002.69 Statewide kindergarten screening; kindergarten
6 readiness rates.--

7 (1) The department shall adopt a statewide
8 kindergarten screening that assesses the readiness of each
9 student for kindergarten based upon the performance standards
10 adopted by the department under s. 1002.67(1) for the
11 Voluntary Prekindergarten Education Program. The department
12 shall require that each school district administer the
13 statewide kindergarten screening to each kindergarten student
14 in the school district within the first 30 school days of each
15 school year.

16 (2) The statewide kindergarten screening shall provide
17 objective data concerning each student's readiness for
18 kindergarten and progress in attaining the performance
19 standards adopted by the department under s. 1002.67(1).

20 (3) The statewide kindergarten screening shall
21 incorporate mechanisms for recognizing potential variations in
22 kindergarten readiness rates for students with disabilities.

23 (4) Each parent who enrolls his or her child in the
24 Voluntary Prekindergarten Education Program must submit the
25 child for the statewide kindergarten screening, regardless of
26 whether the child is admitted to kindergarten in a public
27 school or nonpublic school. Each school district shall
28 designate sites to administer the statewide kindergarten
29 screening for children admitted to kindergarten in a nonpublic
30 school.

31

1 (5) The State Board of Education shall adopt
2 procedures for the department to annually calculate each
3 private prekindergarten provider's and public school's
4 kindergarten readiness rate, which must be expressed as the
5 percentage of the provider's or school's students who are
6 assessed as ready for kindergarten. The kindergarten readiness
7 rates must be based exclusively upon the results of the
8 statewide kindergarten screening for students completing the
9 Voluntary Prekindergarten Education Program, beginning with
10 students completing the program during the 2005-2006 school
11 year who are administered the statewide kindergarten screening
12 during the 2006-2007 school year. The rates must not include
13 students who are not administered the statewide kindergarten
14 screening.

15 (6)(a) The State Board of Education shall periodically
16 adopt a minimum kindergarten readiness rate that, if achieved
17 by a private prekindergarten provider or public school, would
18 demonstrate the provider's or school's satisfactory delivery
19 of the Voluntary Prekindergarten Education Program.

20 (b) The minimum rate must not exceed the rate at which
21 more than 15 percent of the kindergarten readiness rates of
22 all private prekindergarten providers and public schools
23 delivering the Voluntary Prekindergarten Education Program in
24 the state would fall below the minimum rate.

25 1002.71 Funding; financial and attendance reporting.--

26 (1) Funds appropriated for the Voluntary
27 Prekindergarten Education Program may be used only for the
28 program in accordance with this part. If the student
29 enrollment in the program for a fiscal year exceeds the
30 estimated enrollment upon which the appropriation for that
31 fiscal year is provided, thereby causing a shortfall, funds

1 appropriated to the program for the subsequent fiscal year
2 must be used first to fund the shortfall.

3 (2) A full-time equivalent student in the Voluntary
4 Prekindergarten Education Program shall be calculated as
5 follows:

6 (a) For a student in a school-year prekindergarten
7 program delivered by a private prekindergarten provider: 540
8 instructional hours.

9 (b) For a student in a summer prekindergarten program
10 delivered by a public school or private prekindergarten
11 provider: 300 instructional hours.

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

14
15 Except as provided in subsection (4), a student may not be
16 reported for funding purposes as more than one full-time
17 equivalent student.

18 (3)(a) The base student allocation per full-time
19 equivalent student in the Voluntary Prekindergarten Education
20 Program shall be provided in the General Appropriations Act
21 and shall be equal for each student, regardless of whether the
22 student is enrolled in a school-year prekindergarten program
23 delivered by a private prekindergarten provider, a summer
24 prekindergarten program delivered by a public school or
25 private prekindergarten provider, or a school-year
26 prekindergarten program delivered by a public school.

27 (b) Each county's allocation per full-time equivalent
28 student in the Voluntary Prekindergarten Education Program
29 shall be calculated annually by multiplying the base student
30 allocation provided in the General Appropriations Act by the
31 county's district cost differential provided in s. 1011.62(2).

1 Each private prekindergarten provider and public school shall
2 be paid in accordance with the county's allocation per
3 full-time equivalent student.

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

5 (a) A child who, for any of the prekindergarten
6 programs listed in s. 1002.53(3), has not completed more than
7 10 percent of the hours authorized to be reported for funding
8 under subsection (2) may withdraw from the program for good
9 cause, reenroll in one of the programs, and be reported for
10 funding purposes as a full-time equivalent student in the
11 program for which the child is reenrolled.

12 (b) A child who has not substantially completed any of
13 the prekindergarten programs listed in s. 1002.53(3) may
14 withdraw from the program due to an extreme hardship that is
15 beyond the child's or parent's control, reenroll in one of the
16 programs, and be reported for funding purposes as a full-time
17 equivalent student in the program for which the child is
18 reenrolled.

19
20 A child may reenroll only once in a prekindergarten program
21 under this section. A child who reenrolls in a prekindergarten
22 program under this subsection may not subsequently withdraw
23 from the program and reenroll. The Agency for Workforce
24 Innovation shall establish criteria specifying whether a good
25 cause exists for a child to withdraw from a program under
26 paragraph (a), whether a child has substantially completed a
27 program under paragraph (b), and whether an extreme hardship
28 exists which is beyond the child's or parent's control under
29 paragraph (b).

30 (5)(a) Each early learning coalition shall maintain
31 through the single point of entry established under s. 411.01

1 a current database of the students enrolled in the Voluntary
2 Prekindergarten Education Program for each county within the
3 coalition's region.

4 (b) The Agency for Workforce Innovation shall adopt
5 procedures for the payment of private prekindergarten
6 providers and public schools delivering the Voluntary
7 Prekindergarten Education Program. The procedures shall
8 provide for the advance payment of providers and schools based
9 upon student enrollment in the program, the certification of
10 student attendance, and the reconciliation of advance payments
11 in accordance with the uniform attendance policy adopted under
12 paragraph (6)(d). The procedures shall provide for the monthly
13 distribution of funds by the Agency for Workforce Innovation
14 to the early learning coalitions for payment by the coalitions
15 to private prekindergarten providers and public schools. The
16 department shall transfer to the Agency for Workforce
17 Innovation at least once each quarter the funds available for
18 payment to private prekindergarten providers and public
19 schools in accordance with this paragraph from the funds
20 appropriated for that purpose.

21 (6)(a) Each parent enrolling his or her child in the
22 Voluntary Prekindergarten Education Program must agree to
23 comply with the attendance policy of the private
24 prekindergarten provider or district school board, as
25 applicable. Upon enrollment of the child, the private
26 prekindergarten provider or public school, as applicable, must
27 provide the child's parent with a copy of the provider's or
28 school district's attendance policy, as applicable.

29 (b)1. Each private prekindergarten provider's and
30 district school board's attendance policy must require the
31 parent of each student in the Voluntary Prekindergarten

1 Education Program to verify, each month, the student's
2 attendance on the prior month's certified student attendance.

3 2. The parent must submit the verification of the
4 student's attendance to the private prekindergarten provider
5 or public school on forms prescribed by the Agency for
6 Workforce Innovation. The forms must include, in addition to
7 the verification of the student's attendance, a certification,
8 in substantially the following form, that the parent continues
9 to choose the private prekindergarten provider or public
10 school in accordance with s. 1002.53 and directs that payments
11 for the program be made to the provider or school:

12
13 VERIFICATION OF STUDENT'S ATTENDANCE

14 AND CERTIFICATION OF PARENTAL CHOICE

15
16 I, . . . (Name of Parent) . . . , swear (or affirm) that my
17 child, . . . (Name of Student) . . . , attended the Voluntary
18 Prekindergarten Education Program on the days listed above and
19 certify that I continue to choose . . . (Name of Provider or
20 School) . . . to deliver the program for my child and direct
21 that program funds be paid to the provider or school for my
22 child.

23 . . . (Signature of Parent) . . .

24 . . . (Date) . . .

25
26 3. The private prekindergarten provider or public
27 school must keep each original signed form for at least 2
28 years. Each private prekindergarten provider must permit the
29 early learning coalition, and each public school must permit
30 the school district, to inspect the original signed forms
31 during normal business hours. The Agency for Workforce

1 Innovation shall adopt procedures for early learning
2 coalitions and school districts to review the original signed
3 forms against the certified student attendance. The review
4 procedures shall provide for the use of selective inspection
5 techniques, including, but not limited to, random sampling.
6 Each early learning coalition and school district must comply
7 with the review procedures.

8 (c) A private prekindergarten provider or school
9 district, as applicable, may dismiss a student who does not
10 comply with the provider's or district's attendance policy. A
11 student dismissed under this paragraph is not removed from the
12 Voluntary Prekindergarten Education Program and may continue
13 in the program through reenrollment with another private
14 prekindergarten provider or public school. Notwithstanding s.
15 1002.53(6)(b), a school district is not required to provide
16 for the admission of a student dismissed under this paragraph.

17 (d) The Agency for Workforce Innovation shall adopt,
18 for funding purposes, a uniform attendance policy for the
19 Voluntary Prekindergarten Education Program. The attendance
20 policy must apply statewide and apply equally to all private
21 prekindergarten providers and public schools. The attendance
22 policy must establish a minimum requirement for student
23 attendance and include the following provisions:

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

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

31

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

5
6 The uniform attendance policy shall be used only for funding
7 purposes and does not prohibit a private prekindergarten
8 provider or public school from adopting and enforcing its
9 attendance policy under paragraphs (a) and (c).

10 (7) The Agency for Workforce Innovation shall require
11 that administrative expenditures be kept to the minimum
12 necessary for efficient and effective administration of the
13 Voluntary Prekindergarten Education Program. Each early
14 learning coalition may retain and expend no more than 5
15 percent of the funds paid by the coalition to private
16 prekindergarten providers and public schools under paragraph
17 (5)(b). Funds retained by an early learning coalition under
18 this subsection may be used only for administering the
19 Voluntary Prekindergarten Education Program and may not be
20 used for the school readiness program or other programs.

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

23 (a) Require payment of a fee or charge for services
24 provided for a child enrolled in the Voluntary Prekindergarten
25 Education Program during a period reported for funding
26 purposes; or

27 (b) Require a child to enroll for, or require the
28 payment of any fee or charge for, supplemental services as a
29 condition of admitting a child for enrollment in the Voluntary
30 Prekindergarten Education Program.

31

1 (9) A parent is responsible for the transportation of
2 his or her child to and from the Voluntary Prekindergarten
3 Education Program, regardless of whether the program is
4 delivered by a private prekindergarten provider or a public
5 school. However, a provider or school may use part of the
6 funds it is paid under paragraph (5)(b) for transporting
7 students to and from the program. A student enrolled in the
8 Voluntary Prekindergarten Education Program may not be
9 reported under s. 1011.68 for student transportation funds.

10 1002.73 Department of Education; powers and duties;
11 accountability requirements.--

12 (1) The department shall administer the accountability
13 requirements of the Voluntary Prekindergarten Education
14 Program at the state level.

15 (2) The department shall adopt procedures for the
16 department's:

17 (a) Approval of prekindergarten director credentials
18 under ss. 1002.55 and 1002.57.

19 (b) Approval of emergent literacy training courses
20 under ss. 1002.55 and 1002.59.

21 (c) Certification of school districts that are
22 eligible to deliver the school-year prekindergarten program
23 under s. 1002.63.

24 (d) Administration of the statewide kindergarten
25 screening and calculation of kindergarten readiness rates
26 under s. 1002.69.

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

31

1 1002.75 Agency for Workforce Innovation; powers and
2 duties; operational requirements.--

3 (1) The Agency for Workforce Innovation shall
4 administer the operational requirements of the Voluntary
5 Prekindergarten Education Program at the state level.

6 (2) The Agency for Workforce Innovation shall adopt
7 procedures governing the administration of the Voluntary
8 Prekindergarten Education Program by the early learning
9 coalitions and school districts for:

10 (a) Enrolling children in and determining the
11 eligibility of children for the Voluntary Prekindergarten
12 Education Program under s. 1002.53.

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

15 (c) Registering private prekindergarten providers and
16 public schools to deliver the program under ss. 1002.55,
17 1002.61, and 1002.63.

18 (d) Determining the eligibility of private
19 prekindergarten providers to deliver the program under ss.
20 1002.55 and 1002.61.

21 (e) Verifying the compliance of private
22 prekindergarten providers and public schools and removing
23 providers or schools from eligibility to deliver the program
24 due to noncompliance or misconduct as provided in s. 1002.67.

25 (f) Paying private prekindergarten providers and
26 public schools under s. 1002.71.

27 (g) Documenting and certifying student enrollment and
28 student attendance under s. 1002.71.

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

31

1 (i) Reenrolling students dismissed by a private
2 prekindergarten provider or public school for noncompliance
3 with the provider's or school district's attendance policy
4 under s. 1002.71.

5 (3) The Agency for Workforce Innovation shall adopt,
6 in consultation with and subject to approval by the
7 department, procedures governing the administration of the
8 Voluntary Prekindergarten Education Program by the early
9 learning coalitions and school districts for:

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

12 (b) Placing private prekindergarten providers and
13 public schools on probation and requiring corrective actions
14 under s. 1002.67.

15 (c) Removing a private prekindergarten provider or
16 public school from eligibility to deliver the program due to
17 the provider's or school's remaining on probation beyond the
18 time permitted under s. 1002.67.

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

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

27 1002.77 Florida Early Learning Advisory Council.--

28 (1) There is created the Florida Early Learning
29 Advisory Council within the Agency for Workforce Innovation.
30 The purpose of the advisory council is to submit
31 recommendations to the department and the Agency for Workforce

1 Innovation on the early learning policy of this state,
2 including recommendations relating to administration of the
3 Voluntary Prekindergarten Education Program under this part
4 and the school readiness programs under s. 411.01.

5 (2) The advisory council shall be composed of the
6 following members:

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

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

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

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

14
15 The chair of the advisory council appointed by the Governor
16 and the members appointed by the presiding officers of the
17 Legislature must each have a background in early learning.

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

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

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

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

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

31 1002.79 Rulemaking authority.--

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

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

7 Section 2. Section 411.01, Florida Statutes, is
8 amended to read:

9 411.01 ~~Florida Partnership for~~ School readiness
10 programs; early learning ~~school readiness~~ coalitions.--

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

13 (2) LEGISLATIVE INTENT.--

14 (a) The Legislature recognizes that school readiness
15 programs increase children's chances of achieving future
16 educational success and becoming productive members of
17 society. It is the intent of the Legislature that the ~~such~~
18 programs be developmentally appropriate, research-based,
19 involve parents as their child's first teacher, serve as
20 preventive measures for children at risk of future school
21 failure, enhance the educational readiness of eligible
22 children, and support family education. Each school readiness
23 program shall provide the elements necessary to prepare
24 at-risk children for school, including health screening and
25 referral and an appropriate educational program.

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

30 (c) It is the intent of the Legislature that school
31 readiness programs not exist as isolated programs, but build

1 upon existing services and work in cooperation with other
2 programs for young children, and that school readiness
3 programs be coordinated ~~and funding integrated~~ to achieve full
4 effectiveness.

5 (d) It is the intent of the Legislature that the
6 administrative staff at the state level for school readiness
7 programs be kept to the minimum necessary to administer ~~carry~~
8 ~~out~~ the duties of the Agency for Workforce Innovation Florida
9 ~~Partnership for School Readiness~~, as the school readiness
10 programs are to be regionally ~~locally~~ designed, operated, and
11 managed, with the Agency for Workforce Innovation Florida
12 ~~Partnership for School Readiness~~ ~~adopting a system for~~
13 ~~measuring school readiness~~; developing school readiness
14 program performance standards and, ~~outcome~~ measures
15 ~~measurements, and data design and review~~; and approving and
16 reviewing early learning coalitions and local ~~local~~ school readiness
17 ~~coalitions and plans~~.

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

22 (f) It is the intent of the Legislature that the
23 school readiness program coordinate and operate in conjunction
24 with the district school systems. However, it is also the
25 intent of the Legislature that the school readiness program
26 not be construed as part of the system of free public schools
27 but rather as a separate program for children under the age of
28 kindergarten eligibility, funded separately from the system of
29 free public schools, utilizing a mandatory sliding fee scale,
30 and providing an integrated and seamless system of school
31

1 readiness services for the state's birth-to-kindergarten
2 population.

3 (g) It is the intent of the Legislature that the
4 federal child care income tax credit be preserved for school
5 readiness programs.

6 (h) It is the intent of the Legislature that school
7 readiness services shall be an integrated and seamless system
8 of services with a developmentally appropriate education
9 component for the state's eligible birth-to-kindergarten
10 population described in subsection (6) and shall not be
11 construed as part of the seamless K-20 education system ~~except~~
12 ~~for the administration of the uniform screening system upon~~
13 ~~entry into kindergarten.~~

14 (3) PARENTAL PARTICIPATION IN SCHOOL READINESS
15 PROGRAMS PROGRAM.--

16 ~~(a) The school readiness program shall be phased in on~~
17 ~~a coalition by coalition basis. Each coalition's school~~
18 ~~readiness program shall have available to it funding from all~~
19 ~~the coalition's early education and child care programs that~~
20 ~~are funded with state, federal, lottery, or local funds,~~
21 ~~including but not limited to Florida First Start programs,~~
22 ~~Even Start literacy programs, prekindergarten early~~
23 ~~intervention programs, Head Start programs, programs offered~~
24 ~~by public and private providers of child care, migrant~~
25 ~~prekindergarten programs, Title I programs, subsidized child~~
26 ~~care programs, and teen parent programs, together with any~~
27 ~~additional funds appropriated or obtained for purposes of this~~
28 ~~section. These programs and their funding streams shall be~~
29 ~~components of the coalition's integrated school readiness~~
30 ~~program, with the goal of preparing children for success in~~
31 ~~school.~~

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

3 ~~(a)1-~~ Relieve parents and guardians of their own
4 obligations to prepare ~~ready~~ their children for school; or

5 ~~(b)2-~~ Create any obligation to provide publicly funded
6 school readiness programs or services beyond those authorized
7 by the Legislature.

8 (4) AGENCY FOR WORKFORCE INNOVATION FLORIDA
9 ~~PARTNERSHIP FOR SCHOOL READINESS.--~~

10 (a) The Agency for Workforce Innovation shall Florida
11 ~~Partnership for School Readiness was created to fulfill three~~
12 ~~major purposes: to administer school readiness programs at the~~
13 ~~state level and shall program services that help parents~~
14 ~~prepare eligible children for school; to coordinate the early~~
15 ~~learning coalitions in providing provision of school readiness~~
16 ~~services on a full-day, full-year, full-choice basis to the~~
17 ~~extent possible in order to enable parents to work and be~~
18 ~~financially self-sufficient; and to establish a uniform~~
19 ~~screening instrument to be implemented by the Department of~~
20 ~~Education and administered by the school districts upon entry~~
21 ~~into kindergarten to assess the readiness for school of all~~
22 ~~children. Readiness for kindergarten is the outcome measure of~~
23 ~~the success of each school readiness program that receives~~
24 ~~state or federal funds. The partnership is assigned to the~~
25 ~~Agency for Workforce Innovation for administrative purposes.~~

26 (b) The Agency for Workforce Innovation Florida
27 ~~Partnership for School Readiness shall:~~

28 1. Coordinate the birth-to-kindergarten services for
29 children who are eligible under ~~pursuant to~~ subsection (6) and
30 the programmatic, administrative, and fiscal standards under
31

1 ~~pursuant to~~ this section for all public providers of school
2 readiness programs.

3 2. Continue to provide unified leadership for school
4 readiness through early learning ~~local school readiness~~
5 coalitions.

6 3. Focus on improving the educational quality of all
7 publicly funded school readiness programs.

8 ~~(c)1. The Florida Partnership for School Readiness~~
9 ~~shall include the Lieutenant Governor, the Commissioner of~~
10 ~~Education, the Secretary of Children and Family Services, and~~
11 ~~the Secretary of Health, or their designees, and the chair of~~
12 ~~the Child Care Executive Partnership Board, and the~~
13 ~~chairperson of the Board of Directors of Workforce Florida,~~
14 ~~Inc. When the Lieutenant Governor or an agency head appoints a~~
15 ~~designee, the designee must be an individual who attends~~
16 ~~consistently, and, in the event that the Lieutenant Governor~~
17 ~~or agency head and his or her designee both attend a meeting,~~
18 ~~only one of them may vote.~~

19 ~~2. The partnership shall also include 14 members of~~
20 ~~the public who shall be business, community, and civic leaders~~
21 ~~in the state who are not elected to public office. These~~
22 ~~members and their families must not have a direct contract~~
23 ~~with any local coalition to provide school readiness services.~~
24 ~~The members must be geographically and demographically~~
25 ~~representative of the state. Each member shall be appointed by~~
26 ~~the Governor from a list of nominees submitted by the~~
27 ~~President of the Senate and the Speaker of the House of~~
28 ~~Representatives. By July 1, 2001, four members shall be~~
29 ~~appointed as follows: two members shall be from the child care~~
30 ~~industry, one representing the private for profit sector~~
31 ~~appointed by the Governor from a list of two nominees~~

1 ~~submitted by the President of the Senate and one representing~~
2 ~~faith based providers appointed by the Governor from a list of~~
3 ~~two nominees submitted by the Speaker of the House of~~
4 ~~Representatives; and two members shall be from the business~~
5 ~~community, one appointed by the Governor from a list of two~~
6 ~~nominees submitted by the President of the Senate and one~~
7 ~~appointed by the Governor from a list of two nominees~~
8 ~~submitted by the Speaker of the House of Representatives.~~
9 ~~Members shall be appointed to 4 year terms of office. The~~
10 ~~members of the partnership shall elect a chairperson annually~~
11 ~~from the nongovernmental members of the partnership. Any~~
12 ~~vacancy on the partnership shall be filled in the same manner~~
13 ~~as the original appointment.~~

14 ~~(d) The partnership shall meet at least quarterly but~~
15 ~~may meet as often as it deems necessary to carry out its~~
16 ~~duties and responsibilities. Members of the partnership shall~~
17 ~~participate without proxy at the quarterly meetings. The~~
18 ~~partnership may take official action by a majority vote of the~~
19 ~~members present at any meeting at which a quorum is present.~~

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

24 ~~(f) Members of the partnership shall serve without~~
25 ~~compensation but are entitled to reimbursement for per diem~~
26 ~~and travel expenses incurred in the performance of their~~
27 ~~duties as provided in s. 112.061, and reimbursement for other~~
28 ~~reasonable, necessary, and actual expenses.~~

29 ~~(g) For the purposes of tort liability, the members of~~
30 ~~the partnership and its employees shall be governed by s.~~
31 ~~768.28.~~

1 ~~(h) The partnership shall appoint an executive~~
2 ~~director who shall serve at the pleasure of the Governor. The~~
3 ~~executive director shall perform the duties assigned to him or~~
4 ~~her by the partnership. The executive director shall be~~
5 ~~responsible for hiring, subject to the approval of the~~
6 ~~partnership, all employees and staff members, who shall serve~~
7 ~~under his or her direction and control.~~

8 ~~(c)(i)~~ For purposes of administration of the federal
9 Child Care and Development Fund, 45 C.F.R. parts 98 and 99,
10 the Agency for Workforce Innovation ~~partnership~~ may be
11 designated by the Governor as the lead agency⁷ and₇ if so
12 designated₇ shall comply with the lead agency responsibilities
13 under ~~pursuant to~~ federal law.

14 ~~(d)(j)~~ The Agency for Workforce Innovation Florida
15 ~~Partnership for School Readiness is the principal organization~~
16 ~~responsible for the enhancement of school readiness for the~~
17 ~~state's children, and shall:~~

18 1. Be responsible for the prudent use of all public
19 and private funds in accordance with all legal and contractual
20 requirements.

21 2. Provide final approval and periodic review of early
22 learning coalitions and school readiness plans.

23 3. Provide leadership for the enhancement of school
24 readiness in this state by aggressively establishing a unified
25 approach to the state's efforts toward enhancement of school
26 readiness. In support of this effort, the Agency for Workforce
27 Innovation ~~partnership~~ may develop and implement specific
28 strategies that address the state's school readiness programs.

29 4. Safeguard the effective use of federal, state,
30 local, and private resources to achieve the highest possible
31

1 level of school readiness for the ~~state's~~ children in this
2 state.

3 5. Provide technical assistance to early learning
4 coalitions.

5 6. Assess gaps in service.

6 7. Provide technical assistance to counties that form
7 a multicounty region served by an early learning coalition.

8 ~~8.a. Adopt a system for measuring school readiness~~
9 ~~that provides objective data regarding the expectations for~~
10 ~~school readiness, and establish a method for collecting the~~
11 ~~data and guidelines for using the data. The measurement, the~~
12 ~~data collection, and the use of the data must serve the~~
13 ~~statewide school readiness goal. The criteria for determining~~
14 ~~which data to collect should be the usefulness of the data to~~
15 ~~state policymakers and local program administrators in~~
16 ~~administering programs and allocating state funds, and must~~
17 ~~include the tracking of school readiness system information~~
18 ~~back to individual school readiness programs to assist in~~
19 ~~determining program effectiveness.~~

20 ~~b. Adopt a system for evaluating the performance of~~
21 ~~students through the third grade to compare the performance of~~
22 ~~those who participated in school readiness programs with the~~
23 ~~performance of students who did not participate in school~~
24 ~~readiness programs in order to identify strategies for~~
25 ~~continued successful student performance.~~

26 ~~8.9.~~ Develop and adopt performance standards and
27 outcome measures for school readiness programs. The
28 performance standards must address the age-appropriate
29 progress of children in the development of the school
30 readiness skills required under paragraph (j). The performance
31 standards for children from birth to 3 years of age in school

1 readiness programs must be integrated with the performance
2 standards adopted by the Department of Education for children
3 in the Voluntary Prekindergarten Education Program under s.
4 1002.67.

5 ~~(e)(k)~~ The Agency for Workforce Innovation partnership
6 may adopt rules under ss. 120.536(1) and 120.54 ~~necessary~~ to
7 administer the provisions of law conferring duties upon the
8 agency, including, but not limited this section which relate
9 to, rules governing the preparation preparing and
10 implementation of implementing the system for school readiness
11 system, the collection of collecting data, the approval of
12 early learning approving local school readiness coalitions and
13 school readiness plans, the provision of providing a method
14 whereby an early learning a coalition may can serve two or
15 more counties, the award of awarding incentives to early
16 learning coalitions, and the issuance of issuing waivers.

17 ~~(f)(l)~~ The Agency for Workforce Innovation Florida
18 ~~Partnership for School Readiness~~ shall have all powers
19 necessary to administer ~~carry out the purposes of~~ this
20 section, including, but not limited to, the power to receive
21 and accept grants, loans, or advances of funds from any public
22 or private agency and to receive and accept from any source
23 contributions of money, property, labor, or any other thing of
24 value, to be held, used, and applied for ~~the~~ purposes of this
25 section.

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

31

1 ~~(h)(m)~~ The Agency for Workforce Innovation Florida
2 ~~Partnership for School Readiness~~ shall have a budget for the
3 school readiness system, which ~~and~~ shall be financed through
4 an annual appropriation made for purposes of this section
5 ~~purpose~~ in the General Appropriations Act.

6 ~~(i)(n)~~ The Agency for Workforce Innovation ~~partnership~~
7 shall coordinate the efforts toward school readiness in this
8 state and provide independent policy analyses and
9 recommendations to the Governor, the State Board of Education,
10 and the Legislature.

11 ~~(j)(o)~~ The Agency for Workforce Innovation shall
12 require that each early learning coalition's ~~The partnership~~
13 ~~shall prepare and submit to the State Board of Education a~~
14 ~~system for measuring school readiness~~ program. ~~The system~~
15 must, at a minimum, enhance the age-appropriate progress of
16 each child in the development of ~~include a uniform screening,~~
17 ~~which shall provide objective data regarding the following~~
18 ~~expectations for school readiness~~ skills ~~which shall include,~~
19 ~~at a minimum:~~

20 ~~1. The child's immunizations and other health~~
21 ~~requirements as necessary, including appropriate vision and~~
22 ~~hearing screening and examinations.~~

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

24 ~~1.3. The child's~~ Compliance with rules, limitations,
25 and routines.

26 ~~2.4. The child's~~ Ability to perform tasks.

27 ~~3.5. The child's~~ Interactions with adults.

28 ~~4.6. The child's~~ Interactions with peers.

29 ~~5.7. The child's~~ Ability to cope with challenges.

30 ~~6.8. The child's~~ Self-help skills.

31

1 ~~7.9. The child's~~ Ability to express the child's ~~his or~~
2 ~~her~~ needs.

3 ~~8.10. The child's~~ Verbal communication skills.

4 ~~9.11. The child's~~ Problem-solving skills.

5 ~~10.12. The child's~~ Following of verbal directions.

6 ~~11.13. The child's~~ Demonstration of curiosity,
7 persistence, and exploratory behavior.

8 ~~12.14. The child's~~ Interest in books and other printed
9 materials.

10 ~~13.15. The child's~~ Paying attention to stories.

11 ~~14.16. The child's~~ Participation in art and music
12 activities.

13 ~~15.17. The child's~~ Ability to identify colors,
14 geometric shapes, letters of the alphabet, numbers, and
15 spatial and temporal relationships.

16
17 The Agency for Workforce Innovation shall also require that,
18 before a child is enrolled in an early learning coalition's
19 school readiness program, the coalition must ensure that
20 information is obtained by the coalition or the school
21 readiness provider regarding the child's immunizations,
22 physical development, and other health requirements as
23 necessary, including appropriate vision and hearing screening
24 and examinations.

25 ~~(p) The partnership shall prepare a plan for~~
26 ~~implementing the system for measuring school readiness in such~~
27 ~~a way that all children in this state will undergo the uniform~~
28 ~~screening established by the partnership when they enter~~
29 ~~kindergarten. Children who enter public school for the first~~
30 ~~time in first grade must undergo a uniform screening approved~~
31 ~~by the partnership for use in first grade. Because children~~

1 ~~with disabilities may not be able to meet all of the~~
2 ~~identified expectations for school readiness, the plan for~~
3 ~~measuring school readiness shall incorporate mechanisms for~~
4 ~~recognizing the potential variations in expectations for~~
5 ~~school readiness when serving children with disabilities and~~
6 ~~shall provide for communities to serve children with~~
7 ~~disabilities.~~

8 (k)(q) The Agency for Workforce Innovation partnership
9 shall conduct studies and planning activities related to the
10 overall improvement and effectiveness of the outcome school
11 readiness measures adopted by the agency for school readiness
12 programs.

13 (l) The Agency for Workforce Innovation shall monitor
14 and evaluate the performance of each early learning coalition
15 in administering the school readiness program, implementing
16 the coalition's school readiness plan, and administering the
17 Voluntary Prekindergarten Education Program. These monitoring
18 and performance evaluations must include, at a minimum, onsite
19 monitoring of each coalition's finances, management,
20 operations, and programs.

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

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

26 (n)(s) The Agency for Workforce Innovation partnership
27 shall submit an annual report of its activities conducted
28 under this section to the Governor, the executive director of
29 the Florida Healthy Kids Corporation, the President of the
30 Senate, the Speaker of the House of Representatives, and the
31 minority leaders of both houses of the Legislature. In

1 addition, the Agency for Workforce Innovation's partnership's
2 reports and recommendations shall be made available to the
3 State Board of Education, the Florida Early Learning Advisory
4 Council, other appropriate state agencies and entities,
5 district school boards, central agencies ~~for child care~~, and
6 county health departments. The annual report must provide an
7 analysis of school readiness activities across the state,
8 including the number of children who were served in the
9 programs ~~and the number of children who were ready for school.~~

10 ~~(o)(t)~~ The Agency for Workforce Innovation partnership
11 shall work with the early learning school readiness coalitions
12 to increase parents' training for and involvement in their
13 children's preschool education and to provide family literacy
14 activities and programs.

15
16 ~~To ensure that the system for measuring school readiness is~~
17 ~~comprehensive and appropriate statewide, as the system is~~
18 ~~developed and implemented, the partnership must consult with~~
19 ~~representatives of district school systems, providers of~~
20 ~~public and private child care, health care providers, large~~
21 ~~and small employers, experts in education for children with~~
22 ~~disabilities, and experts in child development.~~

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

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

26 1. The Agency for Workforce Innovation shall establish
27 the minimum number of children to be served by each early
28 learning coalition through the coalition's school readiness
29 program. The Agency for Workforce Innovation may only approve
30 school readiness plans in accordance with this minimum number.

31

1 The minimum number must be uniform for every early learning
2 coalition and must:

3 a. Permit 30 or fewer coalitions to be established;
4 and

5 b. Require each coalition to serve at least 2,000
6 children based upon the average number of all children served
7 per month through the coalition's school readiness program
8 during the previous 12 months.

9
10 The Agency for Workforce Innovation shall adopt procedures for
11 merging early learning coalitions, including procedures for
12 the consolidation of merging coalitions, and for the early
13 termination of the terms of coalition members which are
14 necessary to accomplish the mergers. Each early learning
15 coalition must comply with the merger procedures and shall be
16 organized in accordance with this subparagraph by April 1,
17 2005. By June 30, 2005, each coalition must complete the
18 transfer of powers, duties, functions, rules, records,
19 personnel, property, and unexpended balances of
20 appropriations, allocations, and other funds to the successor
21 coalition, if applicable.

22 2.1. If an early learning coalition ~~a coalition's plan~~
23 would serve ~~fewer less than 400 birth to kindergarten age~~
24 children ~~than the minimum number established under~~
25 subparagraph 1., the coalition must merge ~~either join~~ with
26 another county to form a multicounty coalition. ~~However, the~~
27 Agency for Workforce Innovation may authorize an early
28 learning coalition to serve fewer children than the minimum
29 number established under subparagraph 1., if:

30 a. The coalition demonstrates to the Agency for
31 Workforce Innovation that merging with another county or

1 multicounty region contiguous to the coalition would cause an
2 extreme hardship on the coalition;

3 b. The Agency for Workforce Innovation has determined
4 during the most recent annual review of the coalition's school
5 readiness plan, or through monitoring and performance
6 evaluations conducted under paragraph (4)(1), that the
7 coalition has substantially implemented its plan and
8 substantially met the performance standards and outcome
9 measures adopted by the agency; and

10 c. The coalition demonstrates to the Agency for
11 Workforce Innovation the coalition's, ~~enter an agreement with~~
12 ~~a fiscal agent to serve more than one coalition, or~~
13 ~~demonstrate to the partnership its ability to effectively and~~
14 ~~efficiently implement the Voluntary Prekindergarten Education~~
15 ~~Program its plan as a single county coalition and meet all~~
16 ~~required performance standards and outcome measures.~~

17
18 If an early learning coalition fails or refuses to merge as
19 required by this subparagraph, the Agency for Workforce
20 Innovation may dissolve the coalition and temporarily contract
21 with a qualified entity to continue school readiness and
22 prekindergarten services in the coalition's county or
23 multicounty region until the coalition is reestablished
24 through resubmission of a school readiness plan and approval
25 by the agency.

26 3. Each early learning coalition shall be composed of
27 at least 18 members but not more than 35 members. The Agency
28 for Workforce Innovation shall adopt standards establishing
29 within this range the minimum and maximum number of members
30 that may be appointed to an early learning coalition. These
31 standards must include variations for a coalition serving a

1 multicounty region. Each early learning coalition must comply
2 with these standards.

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

7 5.2. Each early learning coalition ~~shall have at least~~
8 ~~18 but not more than 25 members and such members~~ must include
9 the following members:

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

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

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

18 d. A county health department director or his or her
19 designee.

20 e. A children's services council or juvenile welfare
21 board chair or executive director, if applicable, who shall be
22 a nonvoting member if the council or board is the fiscal agent
23 of the coalition or if the council or board contracts with and
24 receives funds from the coalition.

25 f. An agency head of a local child care licensing
26 agency as defined in s. 402.302, where applicable ~~head.~~

27 g. A president of a community college or his or her
28 designee.

29 ~~g. One member appointed by a Department of Children~~
30 ~~and Family Services district administrator.~~

31

1 h. One member appointed by a board of county
2 commissioners.

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

4 i.j. A central child care agency administrator, where
5 applicable, who shall be a nonvoting member.

6 ~~i.k. A Head Start director, who shall be a nonvoting~~
7 member.

8 ~~k.l. A representative of private child care providers,~~
9 including family day care homes, who shall be a nonvoting
10 member.

11 ~~l.m. A representative of faith-based child care~~
12 providers, who shall be a nonvoting member.

13 m. A representative of programs for children with
14 disabilities under the federal Individuals with Disabilities
15 Education Act, who shall be a nonvoting member.

16 6. Including the members appointed by the Governor
17 under subparagraph 4., more than one-third of the ~~coalition~~
18 members of each early learning coalition must be
19 private-sector business members who do not have, and none of
20 whose relatives as defined in s. 112.3143 has, a substantial
21 financial interest in the design or delivery of the Voluntary
22 Prekindergarten Education Program created under part V of
23 chapter 1002 or the coalition's school readiness program from
24 the private sector, and neither they nor their families may
25 earn an income from the early education and child care
26 industry. To meet this requirement an early learning a
27 coalition must appoint additional members from a list of
28 nominees submitted ~~presented~~ to the coalition by a chamber of
29 commerce or economic development council within the geographic
30 region served by ~~area~~ of the coalition. The Agency for
31 Workforce Innovation shall establish criteria for appointing

1 private-sector business members. These criteria must include
2 standards for determining whether a member or relative has a
3 substantial financial interest in the design or delivery of
4 the Voluntary Prekindergarten Education Program or the
5 coalition's school readiness program.

6 7. A majority of the voting membership of an early
7 learning coalition constitutes a quorum required to conduct
8 the business of the coalition.

9 8.3- A voting ~~no~~ member of an early learning a
10 coalition may not appoint a designee to act in his or her
11 place, except as otherwise provided in this paragraph. A
12 voting member may send a representative to coalition meetings,
13 but that representative does not will have ~~no~~ voting
14 privileges. When ~~a district superintendent of schools or a~~
15 district administrator for the Department of Children and
16 Family Services appoints a designee to an early learning a
17 ~~school readiness~~ coalition, the designee is will be the voting
18 member of the coalition, and any individual attending in the
19 ~~designee's his or her~~ place, including the district
20 administrator ~~or superintendent~~, does not will have ~~no~~ voting
21 privileges.

22 9.4- ~~Each member~~ Members of an early learning the
23 coalition ~~is are~~ subject to ss. 112.313, 112.3135, and
24 ~~112.3143 the ethics provisions in part III of chapter 112. For~~
25 ~~purposes of s. 112.3143(3)(a), each voting member is a local~~
26 ~~public officer who must abstain from voting when a voting~~
27 ~~conflict exists.~~

28 10.5- For ~~the~~ purposes of tort liability, each member
29 ~~or employee of an early learning the members of the school~~
30 ~~readiness coalition and its employees~~ shall be governed by s.
31 768.28.

1 ~~11.6.~~ An early learning coalition serving a
2 multicounty region must ~~coalitions shall~~ include
3 representation from each county.

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

10 (b) Program participation.--The school readiness
11 program shall be established for children from birth to the
12 beginning of the school year for which a child is eligible for
13 admission to 5 years of age or until the child enters
14 kindergarten in a public school under s. 1003.21(1)(a)2. The
15 program shall be administered by the early learning school
16 ~~readiness~~ coalition. Within funding limitations, the early
17 learning school readiness coalition, along with all providers,
18 shall make reasonable efforts to accommodate the needs of
19 children for extended-day and extended-year services without
20 compromising the quality of the program.

21 (c) Program expectations.--

22 1. The school readiness program must meet the
23 following expectations:

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

1 b. The program must provide extended-day and
2 extended-year services to the maximum extent possible to meet
3 the needs of parents who work.

4 c. There must be coordinated staff development and
5 teaching opportunities.

6 d. There must be expanded access to community services
7 and resources for families to help achieve economic
8 self-sufficiency.

9 e. There must be a single point of entry and unified
10 waiting list. As used in this sub-subparagraph, the term
11 "single point of entry" means an integrated information system
12 that allows a parent to enroll his or her child in the school
13 readiness program at various locations throughout the county
14 or multicounty region served by an early learning coalition,
15 that may allow a parent to enroll his or her child by
16 telephone or through an Internet website, and that uses a
17 unified waiting list to track eligible children waiting for
18 enrollment in the school readiness program. The Agency for
19 Workforce Innovation shall establish a single statewide
20 information system that integrates each early learning
21 coalition's single point of entry, and each coalition must use
22 the statewide system.

23 f. The Agency for Workforce Innovation must consider
24 the access of eligible children to the school readiness
25 program, as demonstrated in part by waiting lists, before
26 approving a proposed increase in payment rates submitted by an
27 early learning coalition. In addition, early learning
28 coalitions shall use school readiness funds made available due
29 to enrollment shifts from school readiness programs to the
30 Voluntary Prekindergarten Education Program for increasing the
31

1 number of children served in school readiness programs before
2 increasing payment rates.

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

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

8 h. The program must meet all state licensing
9 guidelines, where applicable.

10 2. The early learning ~~school readiness~~ coalition must
11 implement a comprehensive program of school readiness services
12 that enhance the cognitive, social, and physical development
13 of children to achieve the performance standards and outcome
14 measures adopted ~~specified~~ by the Agency for Workforce
15 Innovation ~~partnership~~. At a minimum, these programs must
16 contain the following elements:

17 a. Developmentally appropriate curriculum designed to
18 enhance the age-appropriate progress of children in attaining
19 the performance standards adopted by the Agency for Workforce
20 Innovation under subparagraph (4)(d)8.

21 b. A character development program to develop basic
22 values.

23 c. An age-appropriate assessment of each child's
24 development.

25 d. A pretest administered to children when they enter
26 a program and a posttest administered to children when they
27 leave the program.

28 e. An appropriate staff-to-children ~~staff to child~~
29 ratio.

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

31

1 g. A resource and referral network to assist parents
2 in making an informed choice.

3 (d) Implementation.--

4 1. An early learning coalition may not implement the
5 school readiness program ~~is to be phased in.~~ until the
6 coalition is authorized implements its plan, ~~the county shall~~
7 ~~continue to receive the services identified in subsection (3)~~
8 ~~through the various agencies that would be responsible for~~
9 ~~delivering those services under current law. Plan~~
10 ~~implementation is subject to~~ approval of the coalition's
11 school readiness coalition and the plan by the Agency for
12 Workforce Innovation Florida Partnership for School Readiness.

13 2. Each early learning school readiness coalition
14 shall develop a plan for implementing the school readiness
15 program to meet the requirements of this section and the
16 performance standards and outcome measures adopted ~~established~~
17 by the Agency for Workforce Innovation partnership. ~~The plan~~
18 ~~must include a written description of the role of the program~~
19 ~~in the coalition's effort to meet the first state education~~
20 ~~goal, readiness to start school, including a description of~~
21 ~~the plan to involve the prekindergarten early intervention~~
22 ~~programs, Head Start Programs, programs offered by public or~~
23 ~~private providers of child care, preschool programs for~~
24 ~~children with disabilities, programs for migrant children,~~
25 ~~Title I programs, subsidized child care programs, and teen~~
26 ~~parent programs.~~ The plan must ~~also~~ demonstrate how the
27 program will ensure that each 3-year-old and 4-year-old child
28 in a publicly funded school readiness program receives
29 scheduled activities and instruction designed to enhance the
30 age-appropriate progress of the ~~prepare~~ children in attaining
31 the performance standards adopted by the Agency for Workforce

1 Innovation under subparagraph (4)(d)8. to enter kindergarten
2 ready to learn. Before implementing ~~Prior to implementation of~~
3 the school readiness program, the early learning school
4 ~~readiness~~ coalition must submit the plan to the Agency for
5 Workforce Innovation partnership for approval. The Agency for
6 Workforce Innovation partnership may approve the plan, reject
7 the plan, or approve the plan with conditions. The Agency for
8 Workforce Innovation Florida Partnership for School Readiness
9 shall review school readiness coalition plans at least
10 annually.

11 3. If the Agency for Workforce Innovation determines
12 during the annual review of school readiness plans, or through
13 monitoring and performance evaluations conducted under
14 paragraph (4)(1), that an early learning coalition has not
15 substantially implemented its plan, has not substantially met
16 the performance standards and outcome measures adopted by the
17 agency, or has not effectively administered the school
18 readiness program or Voluntary Prekindergarten Education
19 Program, the Agency for Workforce Innovation may dissolve the
20 coalition and temporarily contract with a qualified entity to
21 continue school readiness and prekindergarten services in the
22 coalition's county or multicounty region until the coalition
23 is reestablished through resubmission of a school readiness
24 plan and approval by the agency.

25 4.3- The Agency for Workforce Innovation shall adopt
26 criteria for the approval of school readiness plans. The
27 criteria must be consistent with the performance standards and
28 outcome measures adopted by the agency and must require each
29 approved plan to for the school readiness program must include
30 the following minimum standards and provisions:
31

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

5 b. A choice of settings and locations in licensed,
6 registered, religious-exempt, or school-based programs to be
7 provided to parents.

8 c. Instructional staff who have completed the training
9 course as required in s. 402.305(2)(d)1., as well as staff who
10 have additional training or credentials as required by the
11 Agency for Workforce Innovation partnership. The plan must
12 provide a method for assuring the qualifications of all
13 personnel in all program settings.

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

17 e. Performance standards and outcome measures adopted
18 ~~established~~ by the Agency for Workforce Innovation partnership
19 ~~or alternatively, standards and outcome measures to be used~~
20 ~~until such time as the partnership adopts such standards and~~
21 ~~outcome measures.~~

22 f. Payment Reimbursement rates adopted ~~that have been~~
23 ~~developed~~ by the early learning coalition and approved by the
24 Agency for Workforce Innovation. Payment Reimbursement rates
25 may shall not have the effect of limiting parental choice or
26 creating standards or levels of services that have not been
27 authorized by the Legislature.

28 g. Systems support services, including a central
29 agency, child care resource and referral, eligibility
30 determinations, training of providers, and parent support and
31 involvement.

1 h. Direct enhancement services to families and
2 children. System support and direct enhancement services shall
3 be in addition to payments for the placement of children in
4 school readiness programs.

5 i. The ~~A~~ business organization of the early learning
6 coalition plan, which must include the coalition's articles of
7 incorporation and bylaws if the coalition is organized as a
8 corporation. If the coalition is not organized as a
9 corporation or other business entity, the plan must include
10 the contract with a fiscal ~~school readiness~~ agent ~~if the~~
11 ~~coalition is not a legally established corporate entity. An~~
12 early learning coalition ~~Coalitions~~ may contract with other
13 coalitions to achieve efficiency in multicounty
14 ~~multiple county~~ services, and these ~~such~~ contracts may be part
15 of the coalition's school readiness ~~business~~ plan.

16 j. Strategies to meet the needs of unique populations,
17 such as migrant workers.

18
19 As part of the school readiness plan, the early learning
20 coalition may request the Governor to apply for a waiver to
21 allow the coalition to administer the Head Start Program to
22 accomplish the purposes of the school readiness program. If a
23 ~~any~~ school readiness plan demonstrates ~~can demonstrate~~ that
24 specific statutory goals can be achieved more effectively by
25 using procedures that require modification of existing rules,
26 policies, or procedures, a request for a waiver to the Agency
27 for Workforce Innovation ~~partnership~~ may be submitted ~~made~~ as
28 part of the plan. Upon review, the Agency for Workforce
29 Innovation ~~partnership~~ may grant the proposed modification.

1 ~~5.4.~~ Persons with an early childhood teaching
2 certificate may provide support and supervision to other staff
3 in the school readiness program.

4 ~~6.5.~~ An early learning ~~The~~ coalition may not implement
5 its school readiness plan until it submits the plan to and
6 receives approval from the Agency for Workforce Innovation
7 ~~partnership~~. Once the plan ~~is~~ has been approved, the plan and
8 the services provided under the plan shall be controlled by
9 the early learning coalition ~~rather than by the state agencies~~
10 ~~or departments~~. The plan shall be reviewed and revised as
11 necessary, but at least biennially. An early learning
12 coalition may not implement the revisions until the coalition
13 submits the revised plan to and receives approval from the
14 Agency for Workforce Innovation. If the Agency for Workforce
15 Innovation rejects a revised plan, the coalition must continue
16 to operate under its prior approved plan.

17 ~~7.6.~~ Sections ~~The following statutes will not apply to~~
18 ~~local coalitions with approved plans: ss. 125.901(2)(a)3.,~~
19 411.221, and 411.232 do not apply to an early learning
20 coalition with an approved school readiness plan. To
21 facilitate innovative practices and to allow the regional
22 ~~local~~ establishment of school readiness programs, an early
23 learning a school readiness coalition may apply to the
24 Governor and Cabinet for a waiver of, and the Governor and
25 Cabinet may waive, any of the provisions of ss. 411.223,
26 411.232, and 1003.54, if the waiver is necessary for
27 implementation of the coalition's school readiness plan.

28 ~~8.7.~~ Two or more counties may join for purposes ~~the~~
29 ~~purpose~~ of planning and implementing a school readiness
30 program.
31

1 ~~9.8.~~ An early learning ~~A~~ coalition may, subject to
2 approval ~~by~~ ~~of~~ the Agency for Workforce Innovation ~~partnership~~
3 as part of the coalition's school readiness plan, receive
4 subsidized child care funds for all children eligible for any
5 federal subsidized child care program ~~and be the provider of~~
6 ~~the program services.~~

7 ~~10.9.~~ An early learning coalition may ~~Coalitions are~~
8 ~~authorized to~~ enter into multiparty contracts with multicounty
9 service providers in order to meet the needs of unique
10 populations such as migrant workers.

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

12 1. ~~At least once every 3 years, beginning July 1,~~
13 ~~2001,~~ Each early learning coalition must comply with follow
14 ~~the competitive procurement requirements of s. 287.057 for the~~
15 procurement of commodities or contractual services from the
16 funds described in paragraph (9)(d) school readiness programs.
17 The period of a contract for purchase of these commodities or
18 contractual services, together with any renewal of the
19 original contract, may not exceed 3 years.

20 2. Each early learning coalition shall adopt ~~develop~~ a
21 payment schedule that encompasses all programs funded by the
22 ~~that~~ coalition under this section. The payment schedule must
23 take into consideration the relevant market rate, must include
24 the projected number of children to be served, and must be
25 submitted for approval by ~~to~~ the Agency for Workforce
26 Innovation ~~partnership for information~~. Informal child care
27 arrangements shall be reimbursed at not more than 50 percent
28 of the rate developed for a family day care home ~~childcare~~.

29 (f) Requirements relating to fiscal agents.--If an
30 early learning ~~the local~~ coalition is not ~~a~~ legally organized
31 as a corporation or other business ~~established corporate~~

1 entity, the coalition must designate a fiscal agent, which may
2 be a public entity, ~~or~~ a private nonprofit organization, or a
3 certified public accountant who holds a license under chapter
4 473. The fiscal agent must ~~shall be required to~~ provide
5 financial and administrative services under ~~pursuant to~~ a
6 contract ~~or agreement~~ with the early learning school readiness
7 coalition. The fiscal agent may not provide direct early
8 childhood education or child care services; however, a fiscal
9 agent may provide those ~~such~~ services upon written request of
10 the early learning coalition to the Agency for Workforce
11 Innovation partnership and upon the approval of the ~~such~~
12 request by the agency partnership. The cost of the financial
13 and administrative services shall be negotiated between the
14 fiscal agent and the early learning school readiness
15 coalition. If the fiscal agent is a provider of early
16 childhood education and child care programs, the contract must
17 specify that the fiscal agent shall ~~will~~ act on policy
18 direction from the early learning coalition and must ~~will~~ not
19 receive policy direction from its own corporate board
20 regarding disbursement of the coalition's ~~coalition~~ funds. The
21 fiscal agent shall disburse funds in accordance with the early
22 learning coalition's approved ~~coalition~~ school readiness plan
23 and based on billing and disbursement procedures approved by
24 the Agency for Workforce Innovation partnership. The fiscal
25 agent must conform to all data-reporting requirements
26 established by the Agency for Workforce Innovation
27 partnership.

28 (g) Evaluation and annual report.--Each early learning
29 ~~school readiness~~ coalition shall conduct an evaluation of the
30 effectiveness of the school readiness program, including
31 performance standards and outcome measures, and shall provide

1 an annual report and fiscal statement to the Agency for
2 Workforce Innovation Florida Partnership for School Readiness.
3 This report must conform to the content and format
4 specifications set by the Agency for Workforce Innovation
5 Florida Partnership for School Readiness. The Agency for
6 Workforce Innovation partnership must include an analysis of
7 the early learning coalitions' coalition reports in the
8 agency's its annual report.

9 (6) PROGRAM ELIGIBILITY.--Each early learning
10 coalition's ~~The~~ school readiness program shall be established
11 for children from birth to the beginning of the school year
12 for which a child is eligible for admission to under the age
13 of kindergarten in a public school under s. 1003.21(1)(a)2.
14 ~~eligibility~~. Priority for participation in the school
15 readiness program shall be given to children age 3 years to
16 school entry who are served by the Family Safety Program
17 Office of the Department of Children and Family Services or a
18 community-based lead agency under pursuant to chapter 39 and
19 for whom child care is needed to minimize risk of further
20 abuse, neglect, or abandonment. Other eligible populations
21 include children who meet one or more of the following
22 criteria:

23 (a) Children under the age of kindergarten eligibility
24 who are:

25 1. Children determined to be at risk of abuse,
26 neglect, or exploitation who are currently clients of the
27 Family Safety Program Office of the Department of Children and
28 Family Services, but who are not otherwise given priority
29 under this subsection.

30 2.1- Children at risk of welfare dependency, including
31 economically disadvantaged children, children of participants

1 in the welfare transition program, children of migrant
2 farmworkers, and children of teen parents.

3 ~~3.2-~~ Children of working families whose family income
4 does not exceed 150 percent of the federal poverty level.

5 ~~4.3-~~ Children for whom the state is paying a relative
6 caregiver payment under s. 39.5085.

7 (b) Three-year-old children and 4-year-old children
8 who may not be economically disadvantaged but who have
9 disabilities, have been served in a specific part-time or
10 combination of part-time exceptional education programs with
11 required special services, aids, or equipment, and were
12 previously reported for funding part time with the Florida
13 Education Finance Program as exceptional students.

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

19 (d) Children who meet federal and state eligibility
20 requirements ~~for eligibility~~ for the migrant preschool program
21 but who do not meet the criteria of economically
22 disadvantaged.

23
24 As used in this subsection, the term "economically
25 disadvantaged" child means a child whose family income does
26 not exceed is below 150 percent of the federal poverty level.
27 Notwithstanding any change in a family's economic status, but
28 subject to additional family contributions in accordance with
29 the sliding fee scale, a child who meets the eligibility
30 requirements upon initial registration for the program remains
31 ~~shall be considered~~ eligible until the beginning of the school

1 year for which the child is eligible for admission to reaches
2 kindergarten in a public school under s. 1003.21(1)(a)2. age-

3 (7) PARENTAL CHOICE.--

4 (a) The school readiness program shall provide
5 parental choice through ~~pursuant to~~ a purchase service order
6 that ensures, to the maximum extent possible, flexibility in
7 school readiness programs and payment arrangements. According
8 to federal regulations requiring parental choice, a parent may
9 choose an informal child care arrangement. The purchase order
10 must bear the name of the beneficiary and the program provider
11 and, when redeemed, must bear the signature of both the
12 beneficiary and an authorized representative of the provider.

13 (b) If it is determined that a provider has provided
14 any cash to the beneficiary in return for receiving the
15 purchase order, the early learning coalition or its fiscal
16 agent shall refer the matter to the Division of Public
17 Assistance Fraud for investigation.

18 (c) The office of the Chief Financial Officer shall
19 establish an electronic transfer system for the disbursement
20 of funds in accordance with this subsection. Each early
21 learning coalition ~~School readiness coalitions~~ shall fully
22 implement the electronic funds transfer system within 2 years
23 after ~~plan~~ approval of the coalition's school readiness plan,
24 unless a waiver is obtained from the Agency for Workforce
25 Innovation ~~partnership~~.

26 (8) STANDARDS; OUTCOME MEASURES.--All ~~publicly funded~~
27 school readiness programs must ~~shall be required to~~ meet the
28 performance standards and outcome measures adopted ~~developed~~
29 ~~and approved~~ by the Agency for Workforce Innovation
30 ~~partnership. The Office of Program Policy Analysis and~~
31 ~~Government Accountability shall provide consultation to the~~

1 ~~partnership in the development of the measures and standards.~~
2 ~~These performance standards and outcome measures shall be~~
3 ~~applicable on a statewide basis.~~

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

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

9 (b) ~~Notwithstanding s. 20.50+~~

10 1. The Agency for Workforce Innovation shall
11 administer school readiness funds, plans, and policies
12 ~~pursuant to the contract with the Florida Partnership for~~
13 ~~School Readiness~~ and shall prepare and submit a unified budget
14 request for the school readiness system program in accordance
15 with chapter 216.

16 2. All instructions to early learning local school
17 ~~readiness~~ coalitions for administering this section shall
18 emanate from the Agency for Workforce Innovation in accordance
19 with the ~~pursuant to~~ policies of the Legislature, ~~plans of the~~
20 ~~Florida Partnership for School Readiness, and the contract~~
21 ~~between the Florida Partnership for School Readiness and the~~
22 ~~agency.~~

23 (c) The Agency for Workforce Innovation shall adopt
24 ~~prepare a formula plan that provides~~ for the allocation among
25 the early learning coalitions distribution and expenditure of
26 all state and federal school readiness funds for children
27 participating in public or private school readiness programs
28 based upon ~~an~~ equity and performance ~~funding formula~~. The
29 allocation formula must plan shall be submitted to the
30 Governor and the Legislative Budget Commission. Upon approval,
31 the Legislative Budget Commission shall authorize ~~the transfer~~

1 ~~of funds to~~ the Agency for Workforce Innovation to distribute
2 funds for distribution in accordance with the allocation
3 ~~provisions of the~~ formula. For fiscal year 2004-2005, the
4 Agency for Workforce Innovation shall allocate funds to the
5 early learning coalitions consistent with the fiscal year
6 2003-2004 funding allocations to the school readiness
7 coalitions.

8 (d) All state ~~funds budgeted for a county for the~~
9 ~~programs specified in subsection (3), along with the pro rata~~
10 ~~share of the state administrative costs of those programs in~~
11 ~~the amount as determined by the partnership, all federal,~~
12 ~~funds and required local maintenance-of-effort or matching~~
13 ~~funds provided to an early learning coalition for a county for~~
14 ~~programs specified in subsection (3), and any additional funds~~
15 ~~appropriated or obtained~~ for purposes of this section, ~~shall~~
16 be used by ~~transferred for the benefit of~~ the coalition for
17 implementation of its school readiness plan, including the
18 hiring of staff to effectively operate the coalition's school
19 readiness program. As part of plan approval and periodic plan
20 review, the Agency for Workforce Innovation partnership shall
21 require that administrative costs be kept to the minimum
22 necessary for efficient and effective administration of the
23 school readiness plan, but total administrative expenditures
24 must shall not exceed 5 percent unless specifically waived by
25 the Agency for Workforce Innovation partnership. The Agency
26 for Workforce Innovation partnership shall annually report to
27 the Legislature any problems relating to administrative costs.

28 (e) The Agency for Workforce Innovation partnership
29 shall annually distribute, to a maximum extent practicable,
30 all eligible funds provided under this section as block grants
31 to the early learning assist coalitions ~~in integrating~~

1 ~~services and funding to develop a quality service delivery~~
2 ~~system. Subject to appropriation, the partnership may also~~
3 ~~provide financial awards to coalitions demonstrating success~~
4 ~~in merging and integrating funding streams to serve children~~
5 ~~and school readiness programs.~~

6 (f) State funds appropriated for the school readiness
7 program may not be used for the construction of new facilities
8 or the purchase of buses. The Agency for Workforce Innovation
9 ~~partnership~~ shall present to the Legislature recommendations
10 for providing necessary transportation services for school
11 readiness programs.

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

15 ~~(10) SCHOOL READINESS UNIFORM SCREENING. The~~
16 ~~Department of Education shall implement a school readiness~~
17 ~~uniform screening, including a pilot program during the~~
18 ~~2001-2002 school year, to validate the system recommended by~~
19 ~~the Florida Partnership for School Readiness as part of a~~
20 ~~comprehensive evaluation design. Beginning with the 2002-2003~~
21 ~~school year, the department shall require that all school~~
22 ~~districts administer the school readiness uniform screening to~~
23 ~~each kindergarten student in the district school system upon~~
24 ~~the student's entry into kindergarten. Children who enter~~
25 ~~public school for the first time in first grade must undergo a~~
26 ~~uniform screening adopted for use in first grade. The~~
27 ~~department shall incorporate school readiness data into the~~
28 ~~K-20 data warehouse for longitudinal tracking. Notwithstanding~~
29 ~~s. 1002.22, the department shall provide the partnership and~~
30 ~~the Agency for Workforce Innovation with complete and full~~
31 ~~access to kindergarten uniform screening data at the student,~~

1 ~~school, district, and state levels in a format that will~~
2 ~~enable the partnership and the agency to prepare reports~~
3 ~~needed by state policymakers and local school readiness~~
4 ~~coalitions to access progress toward school readiness goals~~
5 ~~and provide input for continuous improvement of local school~~
6 ~~readiness services and programs.~~

7 ~~(11) REPORTS. The Office of Program Policy Analysis~~
8 ~~and Government Accountability shall assess the implementation,~~
9 ~~efficiency, and outcomes of the school readiness program and~~
10 ~~report its findings to the President of the Senate and the~~
11 ~~Speaker of the House of Representatives by January 1, 2002.~~
12 ~~Subsequent reviews shall be conducted at the direction of the~~
13 ~~Joint Legislative Auditing Committee.~~

14 ~~(10)(12) CONFLICTING PROVISIONS.--~~In the event of a
15 conflict between ~~the provisions~~ of this section and federal
16 requirements, the federal requirements shall control.

17 ~~(11)(13) PLACEMENTS.--~~Notwithstanding any other
18 provision of this section to the contrary, ~~and for fiscal year~~
19 ~~2004-2005 only,~~ the first children to be placed in the school
20 readiness program shall be those from families receiving
21 temporary cash assistance and subject to federal work
22 requirements. Subsequent placements shall be made in
23 accordance with subsection (6) ~~pursuant to the provisions of~~
24 ~~this section. This subsection expires July 1, 2005.~~

25 Section 3. Paragraph (p) of subsection (3) of section
26 11.45, Florida Statutes, is amended to read:

27 11.45 Definitions; duties; authorities; reports;
28 rules.--

29 (3) AUTHORITY FOR AUDITS AND OTHER ENGAGEMENTS.--The
30 Auditor General may, pursuant to his or her own authority, or
31 at the direction of the Legislative Auditing Committee,

1 | conduct audits or other engagements as determined appropriate
2 | by the Auditor General of:

3 | (p) The school readiness system, including the early
4 | learning coalitions, Florida Partnership for School Readiness
5 | created under ~~pursuant to~~ s. 411.01.

6 | Section 4. Subsection (2) of section 20.50, Florida
7 | Statutes, is amended to read:

8 | 20.50 Agency for Workforce Innovation.--There is
9 | created the Agency for Workforce Innovation within the
10 | Department of Management Services. The agency shall be a
11 | separate budget entity, and the director of the agency shall
12 | be the agency head for all purposes. The agency shall not be
13 | subject to control, supervision, or direction by the
14 | Department of Management Services in any manner, including,
15 | but not limited to, personnel, purchasing, transactions
16 | involving real or personal property, and budgetary matters.

17 | (2) The Agency for Workforce Innovation ~~is shall be~~
18 | ~~the designated~~ administrative agency designated for receipt of
19 | federal workforce development grants and other federal funds.
20 | The agency, ~~and shall administer carry out~~ the duties and
21 | responsibilities assigned by the Governor under each federal
22 | grant assigned to the agency. The agency shall be a separate
23 | budget entity and shall expend each revenue source as provided
24 | by federal and state law and as provided in plans developed by
25 | and agreements with Workforce Florida, Inc. The agency shall
26 | prepare and submit as a separate budget entity a unified
27 | budget request for workforce development, in accordance with
28 | chapter 216 for, and in conjunction with, Workforce Florida,
29 | Inc., and its board. The head of the agency is the director of
30 | Workforce Innovation, who shall be appointed by the Governor.
31 | The accountability and reporting functions of the agency shall

1 be administered by the director or his or her designee.

2 ~~Included in~~ These functions shall include ~~are~~ budget
3 management, financial management, audit, performance
4 management standards and controls, assessing outcomes of
5 service delivery, and financial administration of workforce
6 programs under ~~pursuant to~~ s. 445.004(5) and (9). ~~Within the~~
7 ~~agency's overall organizational structure,~~ The agency shall
8 include the following offices within its organizational
9 structure, which shall have the specified responsibilities:

10 (a) The Office of Workforce Services shall administer
11 the unemployment compensation program, the Rapid Response
12 program, the Work Opportunity Tax Credit program, the Alien
13 Labor Certification program, and any other programs that are
14 delivered directly by agency staff rather than through the
15 one-stop delivery system. The office shall be directed by the
16 Deputy Director for Workforce Services, who shall be appointed
17 by and serve at the pleasure of the director.

18 (b) The Office of Program Support and Accountability
19 shall administer state merit system program staff within the
20 workforce service delivery system, under the ~~pursuant to~~
21 policies of Workforce Florida, Inc. The office ~~is shall be~~
22 responsible for delivering services through the one-stop
23 delivery system and for ensuring that participants in welfare
24 transition programs receive case management services,
25 diversion assistance, support services, including ~~subsidized~~
26 child care and transportation services, Medicaid services, and
27 transition assistance to enable them to succeed in the
28 workforce. The office ~~is shall~~ also ~~be~~ responsible for program
29 quality assurance, grants and contract management,
30 contracting, financial management, and reporting. The office
31 shall be directed by the Deputy Director for Program Support

1 and Accountability, who shall be appointed by and serve at the
2 pleasure of the director. The office ~~is shall be~~ responsible
3 for:

4 1. Establishing monitoring, quality assurance, and
5 quality improvement systems that routinely assess the quality
6 and effectiveness of contracted programs and services.

7 2. Annual review of each regional workforce board and
8 administrative entity to ensure that adequate systems of
9 reporting and control are in place; ~~that, and~~ monitoring,
10 quality assurance, and quality improvement activities are
11 conducted routinely; ~~and~~ that corrective action is taken to
12 eliminate deficiencies.

13 (c) The Office of Early Learning shall administer the
14 school readiness system in accordance with s. 411.01 and the
15 operational requirements of the Voluntary Prekindergarten
16 Education Program in accordance with part V of chapter 1002.
17 The office shall be directed by the Deputy Director for Early
18 Learning, who shall be appointed by and serve at the pleasure
19 of the director.

20 ~~(d)(e)~~ The Office of Agency Support Services ~~is shall~~
21 ~~be~~ responsible for procurement, human resource services, and
22 information services including delivering information on labor
23 markets, employment, occupations, and performance, and shall
24 implement and maintain information systems that are required
25 for the effective operation of the one-stop delivery system
26 and the school readiness ~~services~~ system, including, but not
27 limited to, those systems described in s. 445.009. The office
28 shall will be directed by ~~under the direction of~~ the Deputy
29 Director for Agency Support Services, who shall be appointed
30 by and serve at the pleasure of the director. The office is
31 ~~shall be~~ responsible for establishing:

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

6 2. Information systems that support service
7 integration and case management by providing for case tracking
8 for participants in welfare transition programs.

9 3. Information systems that support the school
10 readiness system ~~services~~.

11 ~~(e)(d)~~ The Unemployment Appeals Commission, authorized
12 by s. 443.012, is ~~shall~~ not ~~be~~ subject to ~~the~~ control,
13 supervision, or direction by the Agency for Workforce
14 Innovation in the performance of its powers and duties but
15 shall receive any and all support and assistance from the
16 agency that is ~~may be~~ required for the performance of its
17 duties.

18 Section 5. Paragraph (b) of subsection (1) of section
19 125.901, Florida Statutes, is amended to read:

20 125.901 Children's services; independent special
21 district; council; powers, duties, and functions.--

22 (1) Each county may by ordinance create an independent
23 special district, as defined in ss. 189.403(3) and
24 200.001(8)(e), to provide funding for children's services
25 throughout the county in accordance with this section. The
26 boundaries of such district shall be coterminous with the
27 boundaries of the county. The county governing body shall
28 obtain approval, by a majority vote of those electors voting
29 on the question, to annually levy ad valorem taxes which shall
30 not exceed the maximum millage rate authorized by this
31 section. Any district created pursuant to the provisions of

1 | this subsection shall be required to levy and fix millage
2 | subject to the provisions of s. 200.065. Once such millage is
3 | approved by the electorate, the district shall not be required
4 | to seek approval of the electorate in future years to levy the
5 | previously approved millage.

6 | (b) However, any county as defined in s. 125.011(1)
7 | may instead have a governing board consisting of 33 members,
8 | including: the superintendent of schools; two representatives
9 | of public postsecondary education institutions located in the
10 | county; the county manager or the equivalent county officer;
11 | the district administrator from the appropriate district of
12 | the Department of Children and Family Services, or the
13 | administrator's designee who is a member of the Senior
14 | Management Service or the Selected Exempt Service; the
15 | director of the county health department or the director's
16 | designee; the state attorney for the county or the state
17 | attorney's designee; the chief judge assigned to juvenile
18 | cases, or another juvenile judge who is the chief judge's
19 | designee and who shall sit as a voting member of the board,
20 | except that the judge may not vote or participate in setting
21 | ad valorem taxes under this section; an individual who is
22 | selected by the board of the local United Way or its
23 | equivalent; a member of a locally recognized faith-based
24 | coalition, selected by that coalition; a member of the local
25 | chamber of commerce, selected by that chamber or, if more than
26 | one chamber exists within the county, a person selected by a
27 | coalition of the local chambers; a member of the early
28 | learning local school readiness ~~coalition~~, selected by that
29 | coalition; a representative of a labor organization or union
30 | active in the county; a member of a local alliance or
31 | coalition engaged in cross-system planning for health and

1 | social service delivery in the county, selected by that
2 | alliance or coalition; a member of the local Parent-Teachers
3 | Association/Parent-Teacher-Student Association, selected by
4 | that association; a youth representative selected by the local
5 | school system's student government; a local school board
6 | member appointed by the chair of the school board; the mayor
7 | of the county or the mayor's designee; one member of the
8 | county governing body, appointed by the chair of that body; a
9 | member of the state Legislature who represents residents of
10 | the county, selected by the chair of the local legislative
11 | delegation; an elected official representing the residents of
12 | a municipality in the county, selected by the county municipal
13 | league; and 4 members-at-large, appointed to the council by
14 | the majority of sitting council members. The remaining 7
15 | members shall be appointed by the Governor in accordance with
16 | procedures set forth in paragraph (a), except that the
17 | Governor may remove a member for cause or upon the written
18 | petition of the council. Appointments by the Governor must, to
19 | the extent reasonably possible, represent the geographic and
20 | demographic diversity of the population of the county. Members
21 | who are appointed to the council by reason of their position
22 | are not subject to the length of terms and limits on
23 | consecutive terms as provided in this section. The remaining
24 | appointed members of the governing board shall be appointed to
25 | serve 2-year terms, except that those members appointed by the
26 | Governor shall be appointed to serve 4-year terms, and the
27 | youth representative and the legislative delegate shall be
28 | appointed to serve 1-year terms. A member may be reappointed;
29 | however, a member may not serve for more than three
30 | consecutive terms. A member is eligible to be appointed again
31 | after a 2-year hiatus from the council.

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

3 216.133 Definitions; ss. 216.133-216.137.--As used in
4 ss. 216.133-216.137:

5 (1) "Consensus estimating conference" includes the
6 Economic Estimating Conference, the Demographic Estimating
7 Conference, the Revenue Estimating Conference, the Education
8 Estimating Conference, the Criminal Justice Estimating
9 Conference, the Juvenile Justice Estimating Conference, the
10 Child Welfare System Estimating Conference, the Occupational
11 Forecasting Conference, the Early Learning Programs School
12 ~~Readiness Program~~ Estimating Conference, the Self-Insurance
13 Estimating Conference, the Florida Retirement System Actuarial
14 Assumption Conference, and the Social Services Estimating
15 Conference.

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

18 216.136 Consensus estimating conferences; duties and
19 principals.--

20 (10) EARLY LEARNING PROGRAMS SCHOOL READINESS PROGRAM
21 ESTIMATING CONFERENCE.--

22 (a) Duties.--

23 1. The Early Learning Programs School Readiness
24 ~~Program~~ Estimating Conference shall develop estimates and
25 forecasts of the unduplicated count of children eligible for
26 school readiness programs in accordance with the standards of
27 eligibility established in s. 411.01(6), and of children
28 eligible for the Voluntary Prekindergarten Education Program
29 in accordance with s. 1002.53(2), as the conference determines
30 are needed to support the state planning, budgeting, and
31 appropriations processes.

1 2. The Agency for Workforce Innovation Florida
2 ~~Partnership for School Readiness~~ shall provide information on
3 needs and waiting lists for school readiness programs, and
4 information on the needs for the Voluntary Prekindergarten
5 Education Program, as program services requested by the Early
6 Learning Programs School Readiness Program Estimating
7 Conference or individual conference principals in a timely
8 manner.

9 (b) Principals.--The Executive Office of the Governor,
10 the Director of Economic and Demographic Research, and
11 professional staff who have forecasting expertise from ~~the~~
12 ~~Florida Partnership for School Readiness~~, the Agency for
13 Workforce Innovation, the Department of Children and Family
14 Services, the Department of Education, the Senate, and the
15 House of Representatives, or their designees, are the
16 principals of the Early Learning Programs School Readiness
17 ~~Program~~ Estimating Conference. The principal representing the
18 Executive Office of the Governor shall preside over sessions
19 of the conference.

20 Section 8. Section 402.3016, Florida Statutes, is
21 amended to read:

22 402.3016 Early Head Start collaboration grants.--

23 (1) Contingent upon specific appropriations, the
24 Agency for Workforce Innovation Florida Partnership for School
25 ~~Readiness~~ shall establish a program to award collaboration
26 grants to assist local agencies in securing Early Head Start
27 programs through Early Head Start program federal grants. The
28 collaboration grants shall provide the required matching funds
29 for public and private nonprofit agencies that have been
30 approved for Early Head Start program federal grants.

31

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

4 (a) Ensure quality performance by meeting the
5 requirements in the Head Start program performance standards
6 and other applicable rules and regulations;

7 (b) Ensure collaboration with other service providers
8 at the local level; and

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

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

16 (4) The Agency for Workforce Innovation ~~partnership~~
17 may adopt rules under ss. 120.536(1) and 120.54 as necessary
18 for the award of collaboration grants to competing agencies
19 and the administration of the collaboration grants program
20 under this section.

21 Section 9. Section 411.011, Florida Statutes, is
22 amended to read:

23 411.011 Records of children in school readiness
24 programs.--The individual records of children enrolled in
25 school readiness programs provided under s. 411.01, when held
26 in the possession of the early learning ~~school readiness~~
27 coalition or the Agency for Workforce Innovation Florida
28 ~~Partnership for School Readiness~~, are confidential and exempt
29 from ~~the provisions of~~ s. 119.07 and s. 24(a), Art. I of the
30 State Constitution. For ~~the~~ purposes of this section, records
31 include assessment data, health data, records of teacher

1 observations, and identifying data, including the child's
2 social security number. A parent, guardian, or individual
3 acting as a parent in the absence of a parent or guardian has
4 the right to inspect and review the individual school
5 readiness program record of his or her child and to obtain a
6 copy of the record. School readiness records may be released
7 to the United States Secretary of Education, the United States
8 Secretary of Health and Human Services, and the Comptroller
9 General of the United States for the purpose of federal
10 audits; to individuals or organizations conducting studies for
11 institutions to develop, validate, or administer assessments
12 or improve instruction; to accrediting organizations in order
13 to carry out their accrediting functions; to appropriate
14 parties in connection with an emergency if the information is
15 necessary to protect the health or safety of the student or
16 other individuals; to the Auditor General in connection with
17 his or her official functions; to a court of competent
18 jurisdiction in compliance with an order of that court in
19 accordance with ~~pursuant to~~ a lawfully issued subpoena; and to
20 parties to an interagency agreement among early learning
21 ~~school readiness~~ coalitions, local governmental agencies,
22 providers of school readiness programs, state agencies, and
23 the Agency for Workforce Innovation Florida Partnership for
24 ~~School Readiness~~ for the purpose of implementing the school
25 readiness program. Agencies, organizations, or individuals
26 that receive school readiness records in order to carry out
27 their official functions must protect the data in a manner
28 that does ~~will~~ not permit the personal identification of
29 students and their parents by persons other than those
30 authorized to receive the records. This section is subject to
31 the Open Government Sunset Review Act of 1995 in accordance

1 with s. 119.15 and shall stand repealed on October 2, 2005,
2 unless reviewed and saved from repeal through reenactment by
3 the Legislature.

4 Section 10. Paragraph (e) of subsection (2) of section
5 411.226, Florida Statutes, is amended to read:

6 411.226 Learning Gateway.--

7 (2) LEARNING GATEWAY STEERING COMMITTEE.--

8 (e) To support and facilitate system improvements, the
9 steering committee must consult with representatives from the
10 Department of Education, the Department of Health, the Agency
11 for Workforce Innovation ~~Florida Partnership for School~~
12 ~~Readiness~~, the Department of Children and Family Services, the
13 Agency for Health Care Administration, the Department of
14 Juvenile Justice, and the Department of Corrections and with
15 the director of the Learning Development and Evaluation Center
16 of Florida Agricultural and Mechanical University.

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

20 411.227 Components of the Learning Gateway.--The
21 Learning Gateway system consists of the following components:

22 (1) COMMUNITY EDUCATION STRATEGIES AND FAMILY-ORIENTED
23 ACCESS.--

24 (d) In collaboration with other local resources, the
25 demonstration projects shall develop public awareness
26 strategies to disseminate information about developmental
27 milestones, precursors of learning problems and other
28 developmental delays, and the service system that is
29 available. The information should target parents of children
30 from birth through age 9 and should be distributed to parents,
31 health care providers, and caregivers of children from birth

1 through age 9. A variety of media should be used as
2 appropriate, such as print, television, radio, and a
3 community-based Internet website, as well as opportunities
4 such as those presented by parent visits to physicians for
5 well-child checkups. The Learning Gateway Steering Committee
6 shall provide technical assistance to the local demonstration
7 projects in developing and distributing educational materials
8 and information.

9 1. Public awareness strategies targeting parents of
10 children from birth through age 5 shall be designed to provide
11 information to public and private preschool programs, child
12 care ~~childcare~~ providers, pediatricians, parents, and local
13 businesses and organizations. These strategies should include
14 information on the school readiness performance standards ~~for~~
15 ~~kindergarten~~ adopted by the Agency for Workforce Innovation
16 ~~School Readiness Partnership Board~~.

17 2. Public awareness strategies targeting parents of
18 children from ages 6 through 9 must be designed to disseminate
19 training materials and brochures to parents and public and
20 private school personnel, and must be coordinated with the
21 local school board and the appropriate school advisory
22 committees in the demonstration projects. The materials should
23 contain information on state and district proficiency levels
24 for grades K-3.

25 (2) SCREENING AND DEVELOPMENTAL MONITORING.--

26 (a) In coordination with the Agency for Workforce
27 Innovation Partnership for School Readiness, the Department of
28 Education, and the Florida Pediatric Society, and using
29 information learned from the local demonstration projects, the
30 Learning Gateway Steering Committee shall establish guidelines
31 for screening children from birth through age 9. The

1 guidelines should incorporate recent research on the
2 indicators most likely to predict early learning problems,
3 mild developmental delays, child-specific precursors of school
4 failure, and other related developmental indicators in the
5 domains of cognition; communication; attention; perception;
6 behavior; and social, emotional, sensory, and motor
7 functioning.

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

9 (c) The steering committee, in cooperation with the
10 Department of Children and Family Services, the Department of
11 Education, and the Agency for Workforce Innovation Florida
12 ~~Partnership for School Readiness~~, shall identify the elements
13 of an effective research-based curriculum for early care and
14 education programs.

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

17 1001.23 Specific powers and duties of the Department
18 of Education.--In addition to all other duties assigned to it
19 by law or by rule of the State Board of Education, the
20 department shall:

21 (1) Adopt the statewide kindergarten ~~school readiness~~
22 ~~uniform screening developed by the Florida Partnership for~~
23 ~~School Readiness~~, in accordance with s. 1002.69 ~~the criteria~~
24 ~~itemized in chapter 1008~~.

25 Section 13. Paragraph (d) of subsection (3) of section
26 1002.22, Florida Statutes, is amended to read:

27 1002.22 Student records and reports; rights of parents
28 and students; notification; penalty.--

29 (3) RIGHTS OF PARENT OR STUDENT.--The parent of any
30 student who attends or has attended any public school, career
31 center, or public postsecondary educational institution shall

1 | have the following rights with respect to any records or
2 | reports created, maintained, and used by any public
3 | educational institution in the state. However, whenever a
4 | student has attained 18 years of age, or is attending a
5 | postsecondary educational institution, the permission or
6 | consent required of, and the rights accorded to, the parents
7 | of the student shall thereafter be required of and accorded to
8 | the student only, unless the student is a dependent student of
9 | such parents as defined in 26 U.S.C. s. 152 (s. 152 of the
10 | Internal Revenue Code of 1954). The State Board of Education
11 | shall adopt rules whereby parents or students may exercise
12 | these rights:

13 | (d) Right of privacy.--Every student has ~~shall have~~ a
14 | right of privacy with respect to the educational records kept
15 | on him or her. Personally identifiable records or reports of a
16 | student, and any personal information contained therein, are
17 | confidential and exempt from ~~the provisions of~~ s. 119.07(1). A
18 | state or local educational agency, board, public school,
19 | career center, or public postsecondary educational institution
20 | may not permit the release of such records, reports, or
21 | information without the written consent of the student's
22 | parent, or of the student himself or herself if he or she is
23 | qualified as provided in this subsection, to any individual,
24 | agency, or organization. However, personally identifiable
25 | records or reports of a student may be released to the
26 | following persons or organizations without the consent of the
27 | student or the student's parent:

28 | 1. Officials of schools, school systems, career
29 | centers, or public postsecondary educational institutions in
30 | which the student seeks or intends to enroll; and a copy of
31 |

1 such records or reports shall be furnished to the parent or
2 student upon request.

3 2. Other school officials, including teachers within
4 the educational institution or agency, who have legitimate
5 educational interests in the information contained in the
6 records.

7 3. The United States Secretary of Education, the
8 Director of the National Institute of Education, the Assistant
9 Secretary for Education, the Comptroller General of the United
10 States, or state or local educational authorities who are
11 authorized to receive such information subject to the
12 conditions set forth in applicable federal statutes and
13 regulations of the United States Department of Education, or
14 in applicable state statutes and rules of the State Board of
15 Education.

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

18 5. Individuals or organizations conducting studies for
19 or on behalf of an institution or a board of education for the
20 purpose of developing, validating, or administering predictive
21 tests, administering student aid programs, or improving
22 instruction, if the ~~such~~ studies are conducted in ~~such~~ a
23 manner that does ~~as will~~ not permit the personal
24 identification of students and their parents by persons other
25 than representatives of such organizations and if the ~~such~~
26 information will be destroyed when no longer needed for the
27 purpose of conducting such studies.

28 6. Accrediting organizations, in order to carry out
29 their accrediting functions.

30
31

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

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

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

11 10. The Auditor General and the Office of Program
12 Policy Analysis and Government Accountability in connection
13 with their official functions; however, except when the
14 collection of personally identifiable information is
15 specifically authorized by law, any data collected by the
16 Auditor General and the Office of Program Policy Analysis and
17 Government Accountability is confidential and exempt from ~~the~~
18 ~~provisions of~~ s. 119.07(1) and shall be protected in ~~such~~ a
19 way that does as will not permit the personal identification
20 of students and their parents by other than the Auditor
21 General, the Office of Program Policy Analysis and Government
22 Accountability, and their staff, and the ~~such~~ personally
23 identifiable data shall be destroyed when no longer needed for
24 the Auditor General's and the Office of Program Policy
25 Analysis and Government Accountability's official use.

26 11.a. A court of competent jurisdiction in compliance
27 with an order of that court or the attorney of record in
28 accordance with ~~pursuant to~~ a lawfully issued subpoena, upon
29 the condition that the student and the student's parent are
30 notified of the order or subpoena in advance of compliance
31 therewith by the educational institution or agency.

1 b. A person or entity in accordance with ~~pursuant to~~ a
2 court of competent jurisdiction in compliance with an order of
3 that court or the attorney of record pursuant to a lawfully
4 issued subpoena, upon the condition that the student, or his
5 or her parent if the student is either a minor and not
6 attending a postsecondary educational institution or a
7 dependent of such parent as defined in 26 U.S.C. s. 152 (s.
8 152 of the Internal Revenue Code of 1954), is notified of the
9 order or subpoena in advance of compliance therewith by the
10 educational institution or agency.

11 12. Credit bureaus, in connection with an agreement
12 for financial aid that the student has executed, if the
13 ~~provided that such~~ information is ~~may be~~ disclosed only to the
14 extent necessary to enforce the terms or conditions of the
15 financial aid agreement. Credit bureaus shall not release any
16 information obtained under ~~pursuant to~~ this paragraph to any
17 person.

18 13. Parties to an interagency agreement among the
19 Department of Juvenile Justice, school and law enforcement
20 authorities, and other signatory agencies for the purpose of
21 reducing juvenile crime and especially motor vehicle theft by
22 promoting cooperation and collaboration, and the sharing of
23 appropriate information in a joint effort to improve school
24 safety, to reduce truancy and in-school and out-of-school
25 suspensions, and to support alternatives to in-school and
26 out-of-school suspensions and expulsions that provide
27 structured and well-supervised educational programs
28 supplemented by a coordinated overlay of other appropriate
29 services designed to correct behaviors that lead to truancy,
30 suspensions, and expulsions, and that support students in
31 successfully completing their education. Information provided

1 in furtherance of the ~~such~~ interagency agreements is intended
2 solely for use in determining the appropriate programs and
3 services for each juvenile or the juvenile's family, or for
4 coordinating the delivery of the ~~such~~ programs and services,
5 and as such is inadmissible in any court proceedings before
6 ~~prior to~~ a dispositional hearing unless written consent is
7 provided by a parent or other responsible adult on behalf of
8 the juvenile.

9 14. Consistent with the Family Educational Rights and
10 Privacy Act, the Department of Children and Family Services or
11 a community-based care lead agency acting on behalf of the
12 Department of Children and Family Services, as appropriate.

13

14 This paragraph does not prohibit any educational institution
15 from publishing and releasing to the general public directory
16 information relating to a student if the institution elects to
17 do so. However, no educational institution shall release, to
18 any individual, agency, or organization that is not listed in
19 subparagraphs 1.-14., directory information relating to the
20 student body in general or a portion thereof unless it is
21 normally published for the purpose of release to the public in
22 general. Any educational institution making directory
23 information public shall give public notice of the categories
24 of information that it has designated as directory information
25 for ~~with respect to~~ all students attending the institution and
26 shall allow a reasonable period of time after the ~~such~~ notice
27 has been given for a parent or student to inform the
28 institution in writing that any or all of the information
29 designated should not be released.

30 Section 14. Paragraph (c) of subsection (3) of section
31 1003.54, Florida Statutes, is amended to read:

1 1003.54 Teenage parent programs.--

2 (3)

3 (c) Provision for necessary child care, health care,
4 social services, parent education, and transportation shall be
5 ancillary service components of teenage parent programs.
6 Ancillary services may be provided through the coordination of
7 existing programs and services and through joint agreements
8 between district school boards and early learning local school
9 ~~readiness~~ coalitions or other appropriate public and private
10 providers.

11 Section 15. Subsection (5) is added to section
12 1007.23, Florida Statutes, to read:

13 1007.23 Statewide articulation agreement.--

14 (5) The articulation agreement must guarantee the
15 articulation of 9 credit hours toward a postsecondary degree
16 in early childhood education for programs approved by the
17 State Board of Education which:

18 (a) Award a child development associate credential
19 issued by the National Credentialing Program of the Council
20 for Professional Recognition or award a credential approved
21 under s. 1002.55(3)(c)1.b. or s. 402.305(3)(c) as being
22 equivalent to the child development associate credential; and

23 (b) Include training in emergent literacy which meets
24 or exceeds the minimum standards for training courses for
25 prekindergarten instructors of the Voluntary Prekindergarten
26 Education Program in s. 1002.59.

27 Section 16. (1) The Florida Partnership for School
28 Readiness is abolished. All powers, duties, functions, rules,
29 records, personnel, property, and unexpended balances of
30 appropriations, allocations, and other funds of the Florida
31 Partnership for School Readiness are transferred by a type two

1 transfer, as defined in section 20.06(2), Florida Statutes, to
2 the Agency for Workforce Innovation.

3 (2) This act does not abolish the school readiness
4 coalitions but redesignates the coalitions as early learning
5 coalitions and, effective April 1, 2005, requires a reduction
6 in the number of coalitions. All powers, duties, functions,
7 rules, records, personnel, property, and unexpended balances
8 of appropriations, allocations, and other funds of each school
9 readiness coalition are not transferred but shall be retained
10 by the early learning coalition upon its redesignation from a
11 school readiness coalition to an early learning coalition.

12 Section 17. Sections 411.012 and 1008.21, Florida
13 Statutes, are repealed.

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

20 (2) The sums of \$4,218,010 from recurring general
21 revenue and \$5,275,000 from nonrecurring general revenue are
22 appropriated in lump sum to, and 20 additional positions are
23 authorized for, the Agency for Workforce Innovation for
24 purposes of administering the Voluntary Prekindergarten
25 Education Program during the 2004-2005 fiscal year. From these
26 nonrecurring funds, \$100,000 is provided for the Agency for
27 Workforce Innovation to evaluate the potential of using
28 electronic technology to administer and maintain attendance
29 information and provider payment processes for the program.
30 The Agency for Workforce Innovation shall submit a report of
31 its recommendations to the Governor, the President of the

1 Senate, and the Speaker of the House of Representatives by
2 September 1, 2006. The recommendations must include the
3 recurring annual operating costs associated with the use of
4 any electronic technology that is recommended in the report.

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

11 Section 19. Notwithstanding the provisions of section
12 216.177, Florida Statutes, which require a 14-day notice for
13 interim budget actions, and pursuant to section 216.351,
14 Florida Statutes, the Executive Office of the Governor shall
15 provide notice of the allocation of the lump-sum
16 appropriations authorized by this act into traditional
17 appropriation categories to the chair and vice chair of the
18 Legislative Budget Commission at least 3 working days before
19 the effective date of the allocation.

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

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SENATE SUMMARY

Creates part V of ch. 1002, F.S., to implement the Voluntary Prekindergarten Education Program required by the State Constitution. Provides eligibility and application requirements. Provides for early learning coalitions and the Agency for Workforce Innovation to coordinate the prekindergarten services delivered by private prekindergarten providers. Specifies requirements for private prekindergarten providers. Requires the Department of Education to adopt minimum standards for prekindergarten instructors. Provides for a summer prekindergarten program. Provides requirements for the school-year prekindergarten program offered by school districts. Provides for funding the program through the General Appropriations Act and for calculating a student allocation. Creates the Florida Early Learning Advisory Council within the Agency for Workforce Innovation. (See bill for details.)