

Amendment No.

CHAMBER ACTION

Senate

House

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1 Representative Kelly offered the following:

3 **Amendment (with title amendment)**

4 Remove everything after the enacting clause and insert:

5 Section 1. This act may be cited as the "Success in Early
6 Learning Act."

7 Section 2. Paragraph (a) of subsection (5) of section
8 411.01, Florida Statutes, is amended to read:

9 411.01 School readiness programs; early learning
10 coalitions.--

11 (5) CREATION OF EARLY LEARNING COALITIONS.--

12 (a) Early learning coalitions.--

13 1. The Agency for Workforce Innovation shall establish the
14 minimum number of children to be served by each early learning
15 coalition through the coalition's school readiness program. The
16 Agency for Workforce Innovation may only approve school

310773

4/24/2008 1:28 PM

Amendment No.

17 readiness plans in accordance with this minimum number. The
18 minimum number must be uniform for every early learning
19 coalition and must:

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

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

25
26 The Agency for Workforce Innovation shall adopt procedures for
27 merging early learning coalitions, including procedures for the
28 consolidation of merging coalitions, and for the early
29 termination of the terms of coalition members which are
30 necessary to accomplish the mergers. Each early learning
31 coalition must comply with the merger procedures and shall be
32 organized in accordance with this subparagraph by April 1, 2005.
33 By June 30, 2005, each coalition must complete the transfer of
34 powers, duties, functions, rules, records, personnel, property,
35 and unexpended balances of appropriations, allocations, and
36 other funds to the successor coalition, if applicable.

37 2. If an early learning coalition would serve fewer
38 children than the minimum number established under subparagraph
39 1., the coalition must merge with another county to form a
40 multicounty coalition. However, the Agency for Workforce
41 Innovation may authorize an early learning coalition to serve
42 fewer children than the minimum number established under
43 subparagraph 1., if:

310773

4/24/2008 1:28 PM

Amendment No.

44 a. The coalition demonstrates to the Agency for Workforce
45 Innovation that merging with another county or multicounty
46 region contiguous to the coalition would cause an extreme
47 hardship on the coalition;

48 b. The Agency for Workforce Innovation has determined
49 during the most recent annual review of the coalition's school
50 readiness plan, or through monitoring and performance
51 evaluations conducted under paragraph (4)(1), that the coalition
52 has substantially implemented its plan and substantially met the
53 performance standards and outcome measures adopted by the
54 agency; and

55 c. The coalition demonstrates to the Agency for Workforce
56 Innovation the coalition's ability to effectively and
57 efficiently implement the Voluntary Prekindergarten Education
58 Program.

59
60 If an early learning coalition fails or refuses to merge as
61 required by this subparagraph, the Agency for Workforce
62 Innovation may dissolve the coalition and temporarily contract
63 with a qualified entity to continue school readiness and
64 prekindergarten services in the coalition's county or
65 multicounty region until the coalition is reestablished through
66 resubmission of a school readiness plan and approval by the
67 agency.

68 3. Notwithstanding the provisions of subparagraphs 1. and
69 2., the early learning coalitions in Sarasota, Osceola, and
70 Santa Rosa Counties which were in operation on January 1, 2005,
71 are established and authorized to continue operation as

310773

4/24/2008 1:28 PM

Amendment No.

72 independent coalitions, and shall not be counted within the
73 limit of 30 coalitions established in subparagraph 1.

74 4. Each early learning coalition shall be composed of at
75 least 18 members but not more than 35 members. The Agency for
76 Workforce Innovation shall adopt standards establishing within
77 this range the minimum and maximum number of members that may be
78 appointed to an early learning coalition. These standards must
79 include variations for a coalition serving a multicounty region.
80 Each early learning coalition must comply with these standards.

81 5. The Governor shall appoint the chair and two other
82 members of each early learning coalition, who must each meet the
83 same qualifications as private sector business members appointed
84 by the coalition under subparagraph 7.

85 6. Each early learning coalition must include the
86 following members:

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

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

93 c. A regional workforce board executive director or his or
94 her designee.

95 d. A county health department director or his or her
96 designee.

97 e. A children's services council or juvenile welfare board
98 chair or executive director, if applicable, who shall be a
99 nonvoting member if the council or board is the fiscal agent of
310773

4/24/2008 1:28 PM

Amendment No.

100 the coalition or if the council or board contracts with and
101 receives funds from the coalition for any purpose other than
102 rent.

103 f. An agency head of a local licensing agency as defined
104 in s. 402.302, where applicable.

105 g. A president of a community college or his or her
106 designee.

107 h. One member appointed by a board of county
108 commissioners.

109 i. A central agency administrator, where applicable, who
110 shall be a nonvoting member.

111 j. A Head Start director, who shall be a nonvoting member.

112 k. A representative of private child care providers,
113 including family day care homes, who shall be a nonvoting
114 member.

115 l. A representative of faith-based child care providers,
116 who shall be a nonvoting member.

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

120 7. Including the members appointed by the Governor under
121 subparagraph 5., more than one-third of the members of each
122 early learning coalition must be private sector business members
123 who do not have, and none of whose relatives as defined in s.
124 112.3143 has, a substantial financial interest in the design or
125 delivery of the Voluntary Prekindergarten Education Program
126 created under part V of chapter 1002 or the coalition's school
127 readiness program. To meet this requirement an early learning

310773

4/24/2008 1:28 PM

Amendment No.

128 coalition must appoint additional members from a list of
129 nominees submitted to the coalition by a chamber of commerce or
130 economic development council within the geographic region served
131 by the coalition. The Agency for Workforce Innovation shall
132 establish criteria for appointing private sector business
133 members. These criteria must include standards for determining
134 whether a member or relative has a substantial financial
135 interest in the design or delivery of the Voluntary
136 Prekindergarten Education Program or the coalition's school
137 readiness program.

138 8. A majority of the voting membership of an early
139 learning coalition constitutes a quorum required to conduct the
140 business of the coalition. An early learning coalition board may
141 use any method of telecommunications to conduct meetings,
142 including establishing a quorum through telecommunications,
143 provided that the public is given proper notice of a
144 telecommunications meeting and reasonable access to observe and,
145 when appropriate, participate.

146 9. A voting member of an early learning coalition may not
147 appoint a designee to act in his or her place, except as
148 otherwise provided in this paragraph. A voting member may send a
149 representative to coalition meetings, but that representative
150 does not have voting privileges. When a district administrator
151 for the Department of Children and Family Services appoints a
152 designee to an early learning coalition, the designee is the
153 voting member of the coalition, and any individual attending in
154 the designee's place, including the district administrator, does
155 not have voting privileges.

310773

4/24/2008 1:28 PM

Amendment No.

156 10. Each member of an early learning coalition is subject
157 to ss. 112.313, 112.3135, and 112.3143. For purposes of s.
158 112.3143(3)(a), each voting member is a local public officer who
159 must abstain from voting when a voting conflict exists.

160 11. For purposes of tort liability, each member or
161 employee of an early learning coalition shall be governed by s.
162 768.28.

163 12. An early learning coalition serving a multicounty
164 region must include representation from each county.

165 13. Each early learning coalition shall establish terms
166 for all appointed members of the coalition. The terms must be
167 staggered and must be a uniform length that does not exceed 4
168 years per term. Appointed members may serve a maximum of two
169 consecutive terms. When a vacancy occurs in an appointed
170 position, the coalition must advertise the vacancy.

171 Section 3. Section 402.27, Florida Statutes, is renumbered
172 as section 411.0101, Florida Statutes, and amended to read:

173 411.0101 ~~402.27~~ Child care and early childhood resource
174 and referral.--The Agency for Workforce Innovation ~~Department of~~
175 ~~Children and Family Services~~ shall establish a statewide child
176 care resource and referral network. Preference shall be given to
177 using the already established early learning coalitions ~~central~~
178 ~~agencies for subsidized child care~~ as the child care resource
179 and referral agency. If an early learning coalition ~~the agency~~
180 cannot comply with the requirements to offer the resource
181 information component or does not want to offer that service,
182 the early learning coalition ~~Department of Children and Family~~
183 ~~Services~~ shall select the resource information agency based upon
310773

4/24/2008 1:28 PM

Amendment No.

184 a request for proposal pursuant to s. 411.01(5)(e)1. At least
185 one child care resource and referral agency must be established
186 in each early learning coalition's county or multicounty region
187 ~~district of the department, but no more than one may be~~
188 ~~established in any county~~. Child care resource and referral
189 agencies shall provide the following services:

190 (1) Identification of existing public and private child
191 care and early childhood education services, including child
192 care services by public and private employers, and the
193 development of a resource file of those services. These services
194 may include family day care, public and private child care
195 programs, head start, prekindergarten early intervention
196 programs, special education programs for prekindergarten
197 handicapped children, services for children with developmental
198 disabilities, full-time and part-time programs, before-school
199 and after-school programs, vacation care programs, parent
200 education, the WAGES Program, and related family support
201 services. The resource file shall include, but not be limited
202 to:

- 203 (a) Type of program.
204 (b) Hours of service.
205 (c) Ages of children served.
206 (d) Number of children served.
207 (e) Significant program information.
208 (f) Fees and eligibility for services.
209 (g) Availability of transportation.
- 210 (2) The establishment of a referral process which responds
211 to parental need for information and which is provided with full

310773

4/24/2008 1:28 PM

Amendment No.

212 recognition of the confidentiality rights of parents. Resource
213 and referral programs shall make referrals to licensed child
214 care facilities. Referrals shall be made to an unlicensed child
215 care facility or arrangement only if there is no requirement
216 that the facility or arrangement be licensed.

217 (3) Maintenance of ongoing documentation of requests for
218 service tabulated through the internal referral process. The
219 following documentation of requests for service shall be
220 maintained by all child care resource and referral agencies:

221 (a) Number of calls and contacts to the child care
222 information and referral agency component by type of service
223 requested.

224 (b) Ages of children for whom service was requested.

225 (c) Time category of child care requests for each child.

226 (d) Special time category, such as nights, weekends, and
227 swing shift.

228 (e) Reason that the child care is needed.

229 (f) Name of the employer and primary focus of the
230 business.

231 (4) Provision of technical assistance to existing and
232 potential providers of child care services. This assistance may
233 include:

234 (a) Information on initiating new child care services,
235 zoning, and program and budget development and assistance in
236 finding such information from other sources.

237 (b) Information and resources which help existing child
238 care services providers to maximize their ability to serve
239 children and parents in their community.

310773

4/24/2008 1:28 PM

Amendment No.

240 (c) Information and incentives which could help existing
241 or planned child care services offered by public or private
242 employers seeking to maximize their ability to serve the
243 children of their working parent employees in their community,
244 through contractual or other funding arrangements with
245 businesses.

246 (5) Assistance to families and employers in applying for
247 various sources of subsidy including, but not limited to,
248 subsidized child care, head start, prekindergarten early
249 intervention programs, Project Independence, private
250 scholarships, and the federal dependent care tax credit.

251 (6) Assistance to state agencies in determining the market
252 rate for child care.

253 (7) Assistance in negotiating discounts or other special
254 arrangements with child care providers.

255 (8) Information and assistance to local interagency
256 councils coordinating services for prekindergarten handicapped
257 children.

258 (9) Assistance to families in identifying summer
259 recreation camp and summer day camp programs and in evaluating
260 the health and safety qualities of summer recreation camp and
261 summer day camp programs and in evaluating the health and safety
262 qualities of summer camp programs. Contingent upon specific
263 appropriation, a checklist of important health and safety
264 qualities that parents can use to choose their summer camp
265 programs shall be developed and distributed in a manner that
266 will reach parents interested in such programs for their
267 children.

310773

4/24/2008 1:28 PM

Amendment No.

268 (10) A child care facility licensed under s. 402.305 and
269 licensed and registered family day care homes must provide the
270 statewide child care and resource and referral agencies with the
271 following information annually:

- 272 (a) Type of program.
273 (b) Hours of service.
274 (c) Ages of children served.
275 (d) Fees and eligibility for services.

276 (11) The Agency for Workforce Innovation shall adopt any
277 rules necessary for the implementation and administration of
278 this section.

279 Section 4. Section 409.178, Florida Statutes, is
280 renumbered as section 411.0102, Florida Statutes, and subsection
281 (4), paragraphs (b), (c), and (d) of subsection (5), and
282 subsection (6) of that section are amended to read:

283 411.0102 ~~409.178~~ Child Care Executive Partnership Act;
284 findings and intent; grant; limitation; rules.--

285 (4) The Child Care Executive Partnership, staffed by the
286 Agency for Workforce Innovation ~~department~~, shall consist of a
287 representative of the Executive Office of the Governor and nine
288 members of the corporate or child care community, appointed by
289 the Governor.

290 (a) Members shall serve for a period of 4 years, except
291 that the representative of the Executive Office of the Governor
292 shall serve at the pleasure of the Governor.

293 (b) The Child Care Executive Partnership shall be chaired
294 by a member chosen by a majority vote and shall meet at least
295 quarterly and at other times upon the call of the chair.

310773

4/24/2008 1:28 PM

Amendment No.

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

299 (d) The Child Care Executive Partnership shall have all
300 the powers and authority, not explicitly prohibited by statute,
301 necessary to carry out and effectuate the purposes of this
302 section, as well as the functions, duties, and responsibilities
303 of the partnership, including, but not limited to, the
304 following:

305 1. Assisting in the formulation and coordination of the
306 state's child care policy.

307 2. Adopting an official seal.

308 3. Soliciting, accepting, receiving, investing, and
309 expending funds from public or private sources.

310 4. Contracting with public or private entities as
311 necessary.

312 5. Approving an annual budget.

313 6. Carrying forward any unexpended state appropriations
314 into succeeding fiscal years.

315 7. Providing a report to the Governor, the Speaker of the
316 House of Representatives, and the President of the Senate, on or
317 before December 1 of each year.

318 (5)

319 (b) To ensure a seamless service delivery and ease of
320 access for families, an early learning coalition ~~the community~~
321 ~~coordinated child care agencies~~ or the ~~state resource and~~
322 ~~referral~~ Agency for Workforce Innovation shall administer the
323 child care purchasing pool funds.

310773

4/24/2008 1:28 PM

Amendment No.

324 (c) The Agency for Workforce Innovation ~~department~~, in
325 conjunction with the Child Care Executive Partnership, shall
326 develop procedures for disbursement of funds through the child
327 care purchasing pools. In order to be considered for funding, an
328 early learning coalition ~~the community coordinated child care~~
329 ~~agency~~ or the ~~statewide resource and referral~~ Agency for
330 Workforce Innovation must commit to:

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

333 2. Expending only those public funds which are matched by
334 employers, local government, and other matching contributors who
335 contribute to the purchasing pool. Parents shall also pay a fee,
336 which shall be not less than the amount identified in the early
337 learning coalition's ~~department's~~ subsidized child care sliding
338 fee scale.

339 (d) Each early learning coalition ~~community coordinated~~
340 ~~child care agency~~ shall be required to establish a community
341 child care task force for each child care purchasing pool. The
342 task force must be composed of employers, parents, private child
343 care providers, and one representative from the local children's
344 services council, if one exists in the area of the purchasing
345 pool. The early learning coalition ~~community coordinated child~~
346 ~~care agency~~ is expected to recruit the task force members from
347 existing child care councils, commissions, or task forces
348 already operating in the area of a purchasing pool. A majority
349 of the task force shall consist of employers. Each task force
350 shall develop a plan for the use of child care purchasing pool
351 funds. The plan must show how many children will be served by

310773

4/24/2008 1:28 PM

Amendment No.

352 the purchasing pool, how many will be new to receiving child
353 care services, and how the early learning coalition ~~community~~
354 ~~coordinated child care agency~~ intends to attract new employers
355 and their employees to the program.

356 (6) The Agency for Workforce Innovation ~~Department of~~
357 ~~Children and Family Services~~ shall adopt any rules necessary for
358 the implementation and administration of this section.

359 Section 5. Subsection (3) of section 1002.55, Florida
360 Statutes, is amended to read:

361 1002.55 School-year prekindergarten program delivered by
362 private prekindergarten providers.--

363 (3) To be eligible to deliver the prekindergarten program,
364 a private prekindergarten provider must meet each of the
365 following requirements:

366 (a) The private prekindergarten provider must be a child
367 care facility licensed under s. 402.305, family day care home
368 licensed under s. 402.313, large family child care home licensed
369 under s. 402.3131, nonpublic school exempt from licensure under
370 s. 402.3025(2), or faith-based child care provider exempt from
371 licensure under s. 402.316.

372 (b) The private prekindergarten provider must:

373 1. Be accredited by an accrediting association that is a
374 member of the National Council for Private School Accreditation,
375 the Commission on International and Trans-Regional
376 Accreditation, or the Florida Association of Academic Nonpublic
377 Schools and have written accreditation standards that meet or
378 exceed the state's licensing requirements under s. 402.305, s.

310773

4/24/2008 1:28 PM

Amendment No.

379 402.313, or s. 402.3131 and require at least one on-site visit
380 to the provider or school before accreditation is granted;

381 2. Hold a current Gold Seal Quality Care designation under
382 s. 402.281; or

383 3. Be licensed under s. 402.305, s. 402.313, or s.
384 402.3131 and demonstrate, before delivering the Voluntary
385 Prekindergarten Education Program, as verified by the early
386 learning coalition, that the provider meets each of the
387 requirements of the program under this part, including, but not
388 limited to, the requirements for credentials and background
389 screenings of prekindergarten instructors under paragraphs (c)
390 and (d), minimum and maximum class sizes under paragraph (f)~~(e)~~,
391 prekindergarten director credentials under paragraph (g)~~(f)~~, and
392 a developmentally appropriate curriculum under s. 1002.67(2)(b).

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

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

398 a. A child development associate credential issued by the
399 National Credentialing Program of the Council for Professional
400 Recognition; or

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

404
405 The Department of Children and Family Services may adopt rules
406 under ss. 120.536(1) and 120.54 which provide criteria and
310773

4/24/2008 1:28 PM

Amendment No.

407 procedures for approving equivalent credentials under sub-
408 subparagraph b.

409 2. The prekindergarten instructor must successfully
410 complete an emergent literacy training course approved by the
411 department as meeting or exceeding the minimum standards adopted
412 under s. 1002.59. This subparagraph does not apply to a
413 prekindergarten instructor who successfully completes approved
414 training in early literacy and language development under s.
415 402.305(2)(d)5., s. 402.313(6), or s. 402.3131(5) before the
416 establishment of one or more emergent literacy training courses
417 under s. 1002.59 or April 1, 2005, whichever occurs later.

418 (d) Each prekindergarten instructor employed by the
419 private prekindergarten provider must be of good moral
420 character, must be screened using the level 2 screening
421 standards in s. 435.04 before employment and rescreened at least
422 once every 5 years, must be denied employment or terminated if
423 required under s. 435.06, and must not be ineligible to teach in
424 a public school because his or her educator certificate is
425 suspended or revoked.

426 (e) A private prekindergarten provider may assign a
427 substitute instructor to temporarily replace a credentialed
428 instructor if the credentialed instructor assigned to a
429 prekindergarten class is absent, as long as the substitute
430 instructor is of good moral character and has been screened in
431 accordance with level 2 background screening requirements in
432 chapter 435. The Agency for Workforce Innovation shall adopt
433 rules to implement this paragraph which shall include required
434 qualifications of substitute instructors and the circumstances

310773

4/24/2008 1:28 PM

Amendment No.

435 and time limits for which a private prekindergarten provider may
436 assign a substitute instructor.

437 ~~(f)~~(e) Each of the private prekindergarten provider's
438 prekindergarten classes must be composed of at least 4 students
439 but may not exceed 18 students. In order to protect the health
440 and safety of students, each private prekindergarten provider
441 must also provide appropriate adult supervision for students at
442 all times and, for each prekindergarten class composed of 11 or
443 more students, must have, in addition to a prekindergarten
444 instructor who meets the requirements of paragraph (c), at least
445 one adult prekindergarten instructor who is not required to meet
446 those requirements but who must meet each requirement of
447 paragraph (d). This paragraph does not supersede any requirement
448 imposed on a provider under ss. 402.301-402.319.

449 ~~(g)~~(f) Before the beginning of the 2006-2007 school year,
450 the private prekindergarten provider must have a prekindergarten
451 director who has a prekindergarten director credential that is
452 approved by the department as meeting or exceeding the minimum
453 standards adopted under s. 1002.57. Successful completion of a
454 child care facility director credential under s. 402.305(2)(f)
455 before the establishment of the prekindergarten director
456 credential under s. 1002.57 or July 1, 2006, whichever occurs
457 later, satisfies the requirement for a prekindergarten director
458 credential under this paragraph.

459 ~~(h)~~(g) The private prekindergarten provider must register
460 with the early learning coalition on forms prescribed by the
461 Agency for Workforce Innovation.

310773

4/24/2008 1:28 PM

Amendment No.

462 (i) ~~(h)~~ The private prekindergarten provider must deliver
463 the Voluntary Prekindergarten Education Program in accordance
464 with this part.

465 Section 6. Section 1002.61, Florida Statutes, is amended
466 to read:

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

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

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

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

480 (a) Comprise at least 300 instructional hours;

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

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

486 (3) (a) Each district school board shall determine which
487 public schools in the school district are eligible to deliver
488 the summer prekindergarten program. The school district shall

310773

4/24/2008 1:28 PM

Amendment No.

489 use educational facilities available in the public schools
490 during the summer term for the summer prekindergarten program.

491 (b) Except as provided in this section, to be eligible to
492 deliver the summer prekindergarten program, a private
493 prekindergarten provider must meet each requirement in s.
494 1002.55.

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

499 (a) Is a certified teacher; or

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

502

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

511 (5) Each prekindergarten instructor employed by a public
512 school or private prekindergarten provider delivering the summer
513 prekindergarten program must be of good moral character, must be
514 screened using the level 2 screening standards in s. 435.04
515 before employment and rescreened at least once every 5 years,
516 must be denied employment or terminated if required under s.

310773

4/24/2008 1:28 PM

Amendment No.

517 435.06, and must not be ineligible to teach in a public school
518 because his or her educator certificate is suspended or revoked.
519 This subsection does not supersede employment requirements for
520 instructional personnel in public schools which are more
521 stringent than the requirements of this subsection.

522 (6) A public school or private prekindergarten provider
523 may assign a substitute instructor to temporarily replace a
524 credentialed instructor if the credentialed instructor assigned
525 to a prekindergarten class is absent, as long as the substitute
526 instructor is of good moral character and has been screened in
527 accordance with level 2 background screening requirements in
528 chapter 435. This subsection does not supersede employment
529 requirements for instructional personnel in public schools which
530 are more stringent than the requirements of this subsection. The
531 Agency for Workforce Innovation shall adopt rules to implement
532 this subsection which shall include required qualifications of
533 substitute instructors and the circumstances and time limits for
534 which a public school or private prekindergarten provider may
535 assign a substitute instructor.

536 (7)-(6) Notwithstanding ss. 1002.55(3)(f)-(e) and
537 1002.63(8)-(7), each prekindergarten class in the summer
538 prekindergarten program, regardless of whether the class is a
539 public school's or private prekindergarten provider's class,
540 must be composed of at least 4 students but may not exceed 10
541 students. In order to protect the health and safety of students,
542 each public school or private prekindergarten provider must also
543 provide appropriate adult supervision for students at all times.

310773

4/24/2008 1:28 PM

Amendment No.

544 This subsection does not supersede any requirement imposed on a
545 provider under ss. 402.301-402.319.

546 ~~(8)-(7)~~ Each public school delivering the summer
547 prekindergarten program must also:

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

550 (b) Deliver the Voluntary Prekindergarten Education
551 Program in accordance with this part.

552 Section 7. Section 1002.63, Florida Statutes, is amended
553 to read:

554 1002.63 School-year prekindergarten program delivered by
555 public schools.--

556 (1) Each school district eligible under subsection (4) may
557 administer the Voluntary Prekindergarten Education Program at
558 the district level for students enrolled under s. 1002.53(3)(c)
559 in a school-year prekindergarten program delivered by a public
560 school.

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

563 (3) The district school board of each school district
564 eligible under subsection (4) shall determine which public
565 schools in the district are eligible to deliver the
566 prekindergarten program during the school year.

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

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

310773

4/24/2008 1:28 PM

Amendment No.

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

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

582 (b) The Commissioner of Education must certify to the
583 State Board of Education that the department has reviewed the
584 school district's educational facilities, capital outlay funds,
585 and projected student enrollment and concurs with the district
586 school board's certification under paragraph (a).

587 (5) Each public school must have, for each prekindergarten
588 class, at least one prekindergarten instructor who meets each
589 requirement in s. 1002.55(3)(c) for a prekindergarten instructor
590 of a private prekindergarten provider.

591 (6) Each prekindergarten instructor employed by a public
592 school delivering the school-year prekindergarten program must
593 be of good moral character, must be screened using the level 2
594 screening standards in s. 435.04 before employment and
595 rescreened at least once every 5 years, must be denied
596 employment or terminated if required under s. 435.06, and must
597 not be ineligible to teach in a public school because his or her
598 educator certificate is suspended or revoked. This subsection
599 does not supersede employment requirements for instructional

310773

4/24/2008 1:28 PM

Amendment No.

600 personnel in public schools which are more stringent than the
601 requirements of this subsection.

602 (7) A public school prekindergarten provider may assign a
603 substitute instructor to temporarily replace a credentialed
604 instructor if the credentialed instructor assigned to a
605 prekindergarten class is absent, as long as the substitute
606 instructor is of good moral character and has been screened in
607 accordance with level 2 background screening requirements in
608 chapter 435. This subsection does not supersede employment
609 requirements for instructional personnel in public schools which
610 are more stringent than the requirements of this subsection. The
611 Agency for Workforce Innovation shall adopt rules to implement
612 this subsection which shall include required qualifications of
613 substitute instructors and the circumstances and time limits for
614 which a public school prekindergarten provider may assign a
615 substitute instructor.

616 (8)(7) Each prekindergarten class in a public school
617 delivering the school-year prekindergarten program must be
618 composed of at least 4 students but may not exceed 18 students.
619 In order to protect the health and safety of students, each
620 school must also provide appropriate adult supervision for
621 students at all times and, for each prekindergarten class
622 composed of 11 or more students, must have, in addition to a
623 prekindergarten instructor who meets the requirements of s.
624 1002.55(3)(c), at least one adult prekindergarten instructor who
625 is not required to meet those requirements but who must meet
626 each requirement of subsection (6).

310773

4/24/2008 1:28 PM

Amendment No.

627 ~~(9)~~(8) Each public school delivering the school-year
628 prekindergarten program must:

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

631 (b) Deliver the Voluntary Prekindergarten Education
632 Program in accordance with this part.

633 Section 8. This act shall take effect July 1, 2008.

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T I T L E A M E N D M E N T

638

Remove the entire title and insert:

639

A bill to be entitled

640

An act relating to early learning; providing a short title;

641

amending s. 411.01, F.S.; revising provisions relating to

642

membership of early learning coalitions; authorizing use of

643

telecommunication methods in conducting early learning coalition

644

board meetings; amending and renumbering s. 402.27, F.S.;

645

transferring requirements for the establishment of a statewide

646

child care resource and referral network by the Department of

647

Children and Family Services to the Agency for Workforce

648

Innovation; providing for use of early learning coalitions as

649

child care resource and referral agencies; requiring rulemaking;

650

amending and renumbering s. 409.178, F.S.; transferring duties

651

of the Department of Children and Family Services with respect

652

to the Child Care Executive Partnership Program to the Agency

653

for Workforce Innovation and early learning coalitions;

654

requiring rulemaking; amending ss. 1002.55, 1002.61, and

310773

4/24/2008 1:28 PM

HOUSE AMENDMENT

Bill No. HB 879

Amendment No.

655 1002.63, F.S., relating to the Voluntary Prekindergarten
656 Education Program; providing additional accreditation standards
657 for private prekindergarten providers; providing requirements
658 for assignment of substitute instructors; requiring rulemaking;
659 conforming cross-references; providing an effective date.

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310773

4/24/2008 1:28 PM