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LEGISLATIVE ACTION

Senate	.	House
Comm: FAV	.	
04/01/2009	.	
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	.	

The Committee on Commerce (Lynn) recommended the following:

Senate Amendment (with title amendment)

Delete everything after the enacting clause
and insert:

Section 1. Subsection (7) of section 39.0121, Florida
Statutes, is amended to read:

39.0121 Specific rulemaking authority.—Pursuant to the
requirements of s. 120.536, the department is specifically
authorized to adopt, amend, and repeal administrative rules
which implement or interpret law or policy, or describe the
procedure and practice requirements necessary to implement this
chapter, including, but not limited to, the following:



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13 (7) Federal funding requirements and procedures; foster
14 care and adoption subsidies; and subsidized independent living~~;~~
15 ~~and subsidized child care.~~

16 Section 2. Paragraph (a) of subsection (2) of section
17 39.202, Florida Statutes, is amended to read:

18 39.202 Confidentiality of reports and records in cases of
19 child abuse or neglect.—

20 (2) Except as provided in subsection (4), access to such
21 records, excluding the name of the reporter which shall be
22 released only as provided in subsection (5), shall be granted
23 only to the following persons, officials, and agencies:

24 (a) Employees, authorized agents, or contract providers of
25 the department, the Department of Health, the Agency for Persons
26 with Disabilities, or county agencies responsible for carrying
27 out:

- 28 1. Child or adult protective investigations;
- 29 2. Ongoing child or adult protective services;
- 30 3. Early intervention and prevention services;
- 31 4. Healthy Start services;

32 5. Licensure or approval of adoptive homes, foster homes,
33 child care facilities, facilities licensed under chapter 393, or
34 family day care homes or informal child care providers who
35 receive school readiness ~~subsidized child care~~ funding, or other
36 homes used to provide for the care and welfare of children; or

37 6. Services for victims of domestic violence when provided
38 by certified domestic violence centers working at the
39 department's request as case consultants or with shared clients.

40
41 Also, employees or agents of the Department of Juvenile Justice



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42 responsible for the provision of services to children, pursuant
43 to chapters 984 and 985.

44 Section 3. Paragraph (f) of subsection (2) of section
45 39.5085, Florida Statutes, is amended to read:

46 39.5085 Relative Caregiver Program.—

47 (2)

48 (f) Within available funding, the Relative Caregiver
49 Program shall provide relative caregivers with family support
50 and preservation services, flexible funds in accordance with s.
51 409.165, ~~subsidized child care~~, and other available services in
52 order to support the child's safety, growth, and healthy
53 development. Children living with relative caregivers who are
54 receiving assistance under this section shall be eligible for
55 Medicaid coverage.

56 Section 4. Paragraph (b) of subsection (1) and subsection
57 (2) of section 383.14, Florida Statutes, are amended to read:

58 383.14 Screening for metabolic disorders, other hereditary
59 and congenital disorders, and environmental risk factors.—

60 (1) SCREENING REQUIREMENTS.—To help ensure access to the
61 maternal and child health care system, the Department of Health
62 shall promote the screening of all newborns born in Florida for
63 metabolic, hereditary, and congenital disorders known to result
64 in significant impairment of health or intellect, as screening
65 programs accepted by current medical practice become available
66 and practical in the judgment of the department. The department
67 shall also promote the identification and screening of all
68 newborns in this state and their families for environmental risk
69 factors such as low income, poor education, maternal and family
70 stress, emotional instability, substance abuse, and other high-



71 risk conditions associated with increased risk of infant
72 mortality and morbidity to provide early intervention,
73 remediation, and prevention services, including, but not limited
74 to, parent support and training programs, home visitation, and
75 case management. Identification, perinatal screening, and
76 intervention efforts shall begin prior to and immediately
77 following the birth of the child by the attending health care
78 provider. Such efforts shall be conducted in hospitals,
79 perinatal centers, county health departments, school health
80 programs that provide prenatal care, and birthing centers, and
81 reported to the Office of Vital Statistics.

82 (b) *Postnatal screening.*—A risk factor analysis using the
83 department's designated risk assessment instrument shall also be
84 conducted as part of the medical screening process upon the
85 birth of a child and submitted to the department's Office of
86 Vital Statistics for recording and other purposes provided for
87 in this chapter. The department's screening process for risk
88 assessment shall include a scoring mechanism and procedures that
89 establish thresholds for notification, further assessment,
90 referral, and eligibility for services by professionals or
91 paraprofessionals consistent with the level of risk. Procedures
92 for developing and using the screening instrument, notification,
93 referral, and care coordination services, reporting
94 requirements, management information, and maintenance of a
95 computer-driven registry in the Office of Vital Statistics which
96 ensures privacy safeguards must be consistent with the
97 provisions and plans established under chapter 411, Pub. L. No.
98 99-457, and this chapter. Procedures established for reporting
99 information and maintaining a confidential registry must include



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100 a mechanism for a centralized information depository at the
101 state and county levels. The department shall coordinate with
102 existing risk assessment systems and information registries. The
103 department must ensure, to the maximum extent possible, that the
104 screening information registry is integrated with the
105 department's automated data systems, including the Florida On-
106 line Recipient Integrated Data Access (FLORIDA) system. Tests
107 and screenings must be performed by the State Public Health
108 Laboratory, in coordination with Children's Medical Services, at
109 such times and in such manner as is prescribed by the department
110 after consultation with the Genetics and Infant Screening
111 Advisory Council and the Agency for Workforce Innovation State
112 ~~Coordinating Council for School Readiness Programs.~~

113 (2) RULES.—After consultation with the Genetics and Newborn
114 Screening Advisory Council, the department shall adopt and
115 enforce rules requiring that every newborn in this state shall,
116 prior to becoming 1 week of age, be subjected to a test for
117 phenylketonuria and, at the appropriate age, be tested for such
118 other metabolic diseases and hereditary or congenital disorders
119 as the department may deem necessary from time to time. After
120 consultation with the Agency for Workforce Innovation State
121 ~~Coordinating Council for School Readiness Programs,~~ the
122 department shall also adopt and enforce rules requiring every
123 newborn in this state to be screened for environmental risk
124 factors that place children and their families at risk for
125 increased morbidity, mortality, and other negative outcomes. The
126 department shall adopt such additional rules as are found
127 necessary for the administration of this section and s. 383.145,
128 including rules providing definitions of terms, rules relating



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129 to the methods used and time or times for testing as accepted
130 medical practice indicates, rules relating to charging and
131 collecting fees for the administration of the newborn screening
132 program authorized by this section, rules for processing
133 requests and releasing test and screening results, and rules
134 requiring mandatory reporting of the results of tests and
135 screenings for these conditions to the department.

136 Section 5. Section 402.25, Florida Statutes, is
137 transferred, renumbered as section 411.0106, Florida Statutes,
138 and amended to read:

139 411.0106 ~~402.25~~ Infants and toddlers in state-funded
140 education and care programs; brain development activities.—Each
141 state-funded education and care program for children from birth
142 to 5 years of age must provide activities to foster brain
143 development in infants and toddlers. A program must provide an
144 environment that helps children attain the performance standards
145 adopted by the Agency for Workforce Innovation under s.

146 411.01(4)(d)8. and must be rich in language and music and filled
147 with objects of various colors, shapes, textures, and sizes to
148 stimulate visual, tactile, auditory, and linguistic senses in
149 the children and must include classical music and at least 30
150 minutes of reading to the children each day. A program may be
151 offered through an existing early childhood program such as
152 Healthy Start, the Title I program, the school readiness program
153 ~~contracted or directly operated subsidized child care, the~~
154 ~~prekindergarten early intervention program, Florida First Start,~~
155 the Head Start program, or a private child care program. A
156 program must provide training for the infants' and toddlers'
157 parents including direct dialogue and interaction between



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158 teachers and parents demonstrating the urgency of brain
159 development in the first year of a child's life. Family day care
160 centers are encouraged, but not required, to comply with this
161 section.

162 Section 6. Subsection (5) of section 402.26, Florida
163 Statutes, is amended to read:

164 402.26 Child care; legislative intent.—

165 (5) It is the further intent of the Legislature to provide
166 and make accessible child care opportunities for children at
167 risk, economically disadvantaged children, and other children
168 traditionally disenfranchised from society. In achieving this
169 intent, the Legislature shall develop early learning programs ~~a~~
170 ~~subsidized child care system~~, a range of child care options,
171 support services, and linkages with other programs to fully meet
172 the child care needs of this population.

173 Section 7. Subsection (2) of section 402.281, Florida
174 Statutes, is amended to read:

175 402.281 Gold Seal Quality Care program.—

176 (2) In developing the Gold Seal Quality Care program
177 standards, the department shall consult with the Department of
178 Education, the Agency for Workforce Innovation, the Florida Head
179 Start Directors Association, the Florida Association of Child
180 Care Management, the Florida Family Day Care Association, the
181 Florida Children's Forum, ~~the State Coordinating Council for~~
182 ~~School Readiness Programs~~, the Early Childhood Association of
183 Florida, the National Association for Child Development
184 Education, providers receiving exemptions under s. 402.316, and
185 parents, for the purpose of approving the accrediting
186 associations.



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187 Section 8. Section 402.3018, Florida Statutes, is
188 transferred, renumbered as section 411.01015, Florida Statutes,
189 and amended to read:

190 411.01015 ~~402.3018~~ Consultation to child care centers and
191 family day care homes regarding health, developmental,
192 disability, and special needs issues.-

193 (1) Contingent upon specific appropriations, the Agency for
194 Workforce Innovation shall administer ~~department is directed to~~
195 ~~contract with the statewide resource information and referral~~
196 ~~agency for~~ a statewide toll-free Warm-Line for the purpose of
197 providing assistance and consultation to child care centers and
198 family day care homes regarding health, developmental,
199 disability, and special needs issues of the children they are
200 serving, particularly children with disabilities and other
201 special needs.

202 (2) The purpose of the Warm-Line is to provide advice to
203 child care personnel concerning strategies, curriculum, and
204 environmental adaptations that allow a child with a disability
205 or special need to derive maximum benefit from ~~the~~ child care
206 services ~~experience~~.

207 (3) The Agency for Workforce Innovation ~~department~~ shall
208 annually inform child care centers and family day care homes of
209 the availability of this service through the child care resource
210 and referral network under s. 411.0101, ~~on an annual basis~~.

211 (4) Contingent upon specific appropriations, the Agency for
212 Workforce Innovation ~~department~~ shall expand, or contract for
213 the expansion of, the Warm-Line to maintain at least one Warm-
214 Line site in each early learning coalition service area ~~from one~~
215 ~~statewide site to one Warm-Line site in each child care resource~~



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216 ~~and referral agency region.~~

217 (5) Each regional Warm-Line shall provide assistance and
218 consultation to child care centers and family day care homes
219 regarding health, developmental, disability, and special needs
220 issues of the children they are serving, particularly children
221 with disabilities and other special needs. Regional Warm-Line
222 staff shall provide onsite technical assistance, when requested,
223 to assist child care centers and family day care homes with
224 inquiries relative to the strategies, curriculum, and
225 environmental adaptations the child care centers and family day
226 care homes may need as they serve children with disabilities and
227 other special needs.

228 Section 9. Section 402.3051, Florida Statutes, is
229 transferred, renumbered as section 411.01013, Florida Statutes,
230 and amended to read:

231 (Substantial rewording of section. See
232 s. 402.3051, F.S., for present text.)

233 411.01013 Prevailing market rate schedule.-

234 (1) As used in this section, the term:

235 (a) "Market rate" means the price that a child care
236 provider charges for daily, weekly, or monthly child care
237 services.

238 (b) "Prevailing market rate" means the annually determined
239 75th percentile of a reasonable frequency distribution of the
240 market rate in a predetermined geographic market at which child
241 care providers charge a person for child care services.

242 (2) The Agency for Workforce Innovation shall establish
243 procedures for the adoption of a prevailing market rate
244 schedule. The schedule must include, at a minimum, county-by-



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245 county rates:

246 (a) At the prevailing market rate, plus the maximum rate
247 for child care providers that hold a Gold Seal Quality Care
248 designation under s. 402.281.

249 (b) At the prevailing market rate for child care providers
250 that do not hold a Gold Seal Quality Care designation.

251 (3) The prevailing market rate schedule, at a minimum,
252 must:

253 (a) Differentiate rates by the type of child care provider,
254 including, but not limited to, a child care facility licensed
255 under s. 402.305, a public or nonpublic school exempt from
256 licensure under s. 402.3025, a faith-based child care facility
257 exempt from licensure under s. 402.316, a large family child
258 care home licensed under s. 402.3131, a family day care home
259 licensed or registered under s. 402.313, or an after-school
260 program that is not defined as child care under rules adopted
261 pursuant to s. 402.3045.

262 (b) Differentiate rates by the type of child care services
263 provided for children with special needs or risk categories,
264 infants, toddlers, preschool-age children, and school-age
265 children.

266 (c) Differentiate rates between full-time and part-time
267 child care services.

268 (d) Consider discounted rates for child care services for
269 multiple children in a single family.

270 (4) The prevailing market rate schedule may not interfere
271 with the parental choice of child care providers under s.
272 411.01, regardless of available funding for the school readiness
273 program. The prevailing market rate schedule must be based



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274 exclusively on the prices charged for child care services.

275 (5) The Agency for Workforce Innovation may contract with
276 one or more qualified entities to administer this section and
277 provide support and technical assistance for child care
278 providers.

279 (6) The Agency for Workforce Innovation may adopt rules
280 pursuant to ss. 120.536(1) and 120.54 to administer this
281 section.

282 Section 10. Subsection (1) of section 402.313, Florida
283 Statutes, is amended to read:

284 402.313 Family day care homes.—

285 (1) Family day care homes shall be licensed under this act
286 if they are presently being licensed under an existing county
287 licensing ordinance, ~~if they are participating in the subsidized~~
288 ~~child care program,~~ or if the board of county commissioners
289 passes a resolution that family day care homes be licensed. ~~If~~
290 ~~no county authority exists for the licensing of a family day~~
291 ~~care home, the department shall have the authority to license~~
292 ~~family day care homes under contract for the purchase of service~~
293 ~~system in the subsidized child care program.~~

294 (a) If not subject to license, family day care homes shall
295 register annually with the department, providing the following
296 information:

- 297 1. The name and address of the home.
- 298 2. The name of the operator.
- 299 3. The number of children served.
- 300 4. Proof of a written plan to provide at least one other
301 competent adult to be available to substitute for the operator
302 in an emergency. This plan shall include the name, address, and



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303 telephone number of the designated substitute.

304 5. Proof of screening and background checks.

305 6. Proof of successful completion of the 30-hour training
306 course, as evidenced by passage of a competency examination,
307 which shall include:

308 a. State and local rules and regulations that govern child
309 care.

310 b. Health, safety, and nutrition.

311 c. Identifying and reporting child abuse and neglect.

312 d. Child development, including typical and atypical
313 language development; and cognitive, motor, social, and self-
314 help skills development.

315 e. Observation of developmental behaviors, including using
316 a checklist or other similar observation tools and techniques to
317 determine a child's developmental level.

318 f. Specialized areas, including early literacy and language
319 development of children from birth to 5 years of age, as
320 determined by the department, for owner-operators of family day
321 care homes.

322 7. Proof that immunization records are kept current.

323 8. Proof of completion of the required continuing education
324 units or clock hours.

325 (b) A family day care home ~~not participating in the~~
326 ~~subsidized child care program~~ may volunteer to be licensed under
327 ~~the provisions of~~ this act.

328 (c) The department may provide technical assistance to
329 counties and family day care home providers to enable counties
330 and family day care providers to achieve compliance with family
331 day care homes standards.



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332 Section 11. Subsection (3) of section 402.315, Florida
333 Statutes, is amended to read:

334 402.315 Funding; license fees.—

335 (3) The department shall collect a fee for any license it
336 issues for a child care facility pursuant to ss. 402.305,
337 402.313, and 402.3131 ~~s. 402.308~~.

338 (a) For child care facilities licensed pursuant to s.
339 402.305, such fee shall be \$1 per child based on the licensed
340 capacity of the facility, except that the minimum fee shall be
341 \$25 per facility center and the maximum fee shall be \$100 per
342 facility center.

343 (b) For family day care homes registered pursuant to s.
344 402.313, such fee shall be \$25.

345 (c) For family day care homes licensed pursuant to s.
346 402.313, such fee shall be \$50.

347 (d) For large family child care homes licensed pursuant to
348 s. 402.3131, such fee shall be \$60.

349 Section 12. Subsection (6) of section 402.45, Florida
350 Statutes, is amended to read:

351 402.45 Community resource mother or father program.—

352 (6) Individuals under contract to provide community
353 resource mother or father services shall participate in
354 preservice and ongoing training as determined by the Department
355 of Health in consultation with the Agency for Workforce
356 Innovation State Coordinating Council for School Readiness
357 ~~Programs~~. A community resource mother or father shall not be
358 assigned a client caseload until all preservice training
359 requirements are completed.

360 Section 13. Paragraph (c) of subsection (5) of section



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361 409.1671, Florida Statutes, is amended to read:

362 409.1671 Foster care and related services; outsourcing.-

363 (5)

364 (c) A foster home ~~dually~~ licensed ~~home~~ under this section
365 may shall be dually licensed as a child care facility under
366 chapter 402 and may eligible to receive both an out-of-home care
367 payment and, to the extent permitted under federal law, school
368 readiness funding a subsidized child care payment for the same
369 child ~~pursuant to federal law~~. The department may adopt
370 ~~administrative~~ rules necessary to administer this paragraph.

371 Section 14. Paragraphs (a), (d), (e), (f), (g), and (h) of
372 subsection (2) and subsections (4) through (11) of section
373 411.01, Florida Statutes, are amended to read:

374 411.01 School readiness programs; early learning
375 coalitions.-

376 (2) LEGISLATIVE INTENT.-

377 (a) The Legislature recognizes that school readiness
378 programs increase children's chances of achieving future
379 educational success and becoming productive members of society.
380 It is the intent of the Legislature that the programs be
381 developmentally appropriate, research-based, involve the parent
382 ~~parents~~ as a ~~their~~ child's first teacher, serve as preventive
383 measures for children at risk of future school failure, enhance
384 the educational readiness of eligible children, and support
385 family education. Each school readiness program shall provide
386 the elements necessary to prepare at-risk children for school,
387 including health screening and referral and an appropriate
388 educational program.

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



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390 administrative staff ~~at the state level~~ for school readiness
391 programs be kept to the minimum necessary to administer the
392 duties of the Agency for Workforce Innovation and early learning
393 coalitions, ~~as the school readiness programs are to be~~
394 ~~regionally designed, operated, and managed, with the Agency for~~
395 ~~Workforce Innovation developing school readiness program~~
396 ~~performance standards and outcome measures and approving and~~
397 ~~reviewing early learning coalitions and school readiness plans.~~

398 ~~(e) It is the intent of the Legislature that appropriations~~
399 ~~for combined school readiness programs shall not be less than~~
400 ~~the programs would receive in any fiscal year on an uncombined~~
401 ~~basis.~~

402 ~~(e)-(f)~~ It is the intent of the Legislature that the school
403 readiness program coordinate and operate in conjunction with the
404 district school systems. However, it is also the intent of the
405 Legislature that the school readiness program not be construed
406 as part of the system of free public schools but rather as a
407 separate program for children under the age of kindergarten
408 eligibility, funded separately from the system of free public
409 schools, utilizing a mandatory sliding fee scale, and providing
410 an integrated and seamless system of school readiness services
411 for the state's birth-to-kindergarten population.

412 ~~(g) It is the intent of the Legislature that the federal~~
413 ~~child care income tax credit be preserved for school readiness~~
414 ~~programs.~~

415 ~~(f)-(h)~~ It is the intent of the Legislature that school
416 readiness services ~~shall~~ be an integrated and seamless program
417 ~~system~~ of services with a developmentally appropriate education
418 component for the state's eligible birth-to-kindergarten



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419 population described in subsection (6) and ~~shall~~ not be
420 construed as part of the seamless K-20 education system.

421 (4) AGENCY FOR WORKFORCE INNOVATION.—

422 (a) The Agency for Workforce Innovation shall administer
423 school readiness programs at the state level and shall
424 coordinate with the early learning coalitions in providing
425 school readiness services on a full-day, full-year, full-choice
426 basis to the extent possible in order to enable parents to work
427 and be financially self-sufficient.

428 (b) The Agency for Workforce Innovation shall:

429 1. Coordinate the birth-to-kindergarten services for
430 children who are eligible under subsection (6) and the
431 programmatic, administrative, and fiscal standards under this
432 section for all public providers of school readiness programs.

433 ~~2. Continue to provide unified leadership for school~~
434 ~~readiness through early learning coalitions.~~

435 ~~2.3.~~ Focus on improving the educational quality of all
436 program providers participating in publicly funded school
437 readiness programs.

438 (c) For purposes of administration of the federal Child
439 Care and Development Fund, 45 C.F.R. parts 98 and 99, the Agency
440 for Workforce Innovation is ~~may be~~ designated by the Governor as
441 the lead agency and, ~~if so designated,~~ shall comply with the
442 lead agency responsibilities under federal law.

443 (d) The Agency for Workforce Innovation shall:

444 1. Be responsible for the prudent use of all public and
445 private funds in accordance with all legal and contractual
446 requirements.

447 2. Provide final approval and biannually ~~periodic~~ review of



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448 early learning coalitions and school readiness plans.
449 3. ~~Establish~~ Provide leadership for the enhancement of
450 ~~school readiness in this state by aggressively establishing a~~
451 unified approach to the state's efforts toward enhancement of
452 school readiness. In support of this effort, the Agency for
453 Workforce Innovation may adopt ~~develop and implement~~ specific
454 system support service strategies that address the state's
455 school readiness programs. An early learning coalition shall
456 amend its school readiness plan to conform to the specific
457 system support service strategies adopted by the Agency for
458 Workforce Innovation. System support services shall include, but
459 are not limited to:
460 a. Child care resource and referral services;
461 b. Warm-Line services;
462 c. Eligibility determinations;
463 d. Child performance standards;
464 e. Child screening and assessment;
465 f. Developmentally appropriate curricula;
466 g. Health and safety requirements;
467 h. Statewide data system requirements; and
468 i. Rating and improving systems.
469 4. Safeguard the effective use of federal, state, local,
470 and private resources to achieve the highest possible level of
471 school readiness for the children in this state.
472 5. Adopt a rule establishing criteria for the expenditure
473 of funds designated for the purpose of funding activities to
474 improve the quality of child care within the state in accordance
475 with s. 658G of the federal Child Care and Development Block
476 Grant. The rule shall establish criteria by which coalitions may



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477 implement locally developed quality programs. Before
478 implementing a locally developed quality program, the rule shall
479 require that a coalition demonstrate that it has solicited and
480 received comments regarding the proposed quality program from
481 the local community and that implementation of the locally
482 developed quality program conforms to the coalition's school
483 readiness plan.

484 ~~6.5.~~ Provide technical assistance to early learning
485 coalitions in a manner determined by the Agency for Workforce
486 Innovation based upon information obtained by the agency from
487 any of the following sources, including, but not limited to,
488 public input, government reports, private interest group
489 reports, agency monitoring visits, and coalition requests for
490 service.

491 ~~6. Assess gaps in service.~~

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

494 ~~7.8.~~ Develop and adopt performance standards and outcome
495 measures for school readiness programs. The performance
496 standards must address the age-appropriate progress of children
497 in the development of ~~the~~ school readiness skills ~~required under~~
498 ~~paragraph (j).~~ The performance standards for children from birth
499 to 5 ~~3~~ years of age in school readiness programs must be
500 integrated with the performance standards adopted by the
501 Department of Education for children in the Voluntary
502 Prekindergarten Education Program under s. 1002.67.

503 (e) The Agency for Workforce Innovation may adopt rules
504 under ss. 120.536(1) and 120.54 to administer the provisions of
505 law conferring duties upon the agency, including, but not



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506 limited to, rules governing the administration of system support
507 services preparation and implementation of the school readiness
508 programs system, the collection of data, the approval of early
509 learning coalitions and school readiness plans, the provision of
510 a method whereby an early learning coalition may serve two or
511 more counties, the award of incentives to early learning
512 coalitions, child performance standards, child outcome measures,
513 ~~and~~ the issuance of waivers, and the implementation of the
514 federal Child Care and Development Fund Plan.

515 (f) The Agency for Workforce Innovation shall have all
516 powers necessary to administer this section, including, but not
517 limited to, the power to receive and accept grants, loans, or
518 advances of funds from any public or private agency and to
519 receive and accept from any source contributions of money,
520 property, labor, or any other thing of value, to be held, used,
521 and applied for purposes of this section.

522 (g) Except as provided by law, the Agency for Workforce
523 Innovation may not impose requirements on a child care or early
524 childhood education provider that does not deliver services
525 under the a school readiness programs program or receive state
526 or federal funds under this section.

527 (h) The Agency for Workforce Innovation shall have a budget
528 for ~~the~~ school readiness programs system, which shall be
529 financed through an annual appropriation made for purposes of
530 this section in the General Appropriations Act.

531 (i) The Agency for Workforce Innovation shall coordinate
532 the efforts toward school readiness in this state and provide
533 independent policy analyses, data analyses, and recommendations
534 to the Governor, the State Board of Education, and the



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535 Legislature.

536 (j) The Agency for Workforce Innovation shall require that
537 ~~each early learning coalition's~~ school readiness programs
538 ~~program must,~~ at a minimum, enhance the age-appropriate progress
539 of each child in attaining the performance standards adopted
540 under subparagraph (d)8. and in the development of the following
541 school readiness skills:

- 542 1. Compliance with rules, limitations, and routines.
- 543 2. Ability to perform tasks.
- 544 3. Interactions with adults.
- 545 4. Interactions with peers.
- 546 5. Ability to cope with challenges.
- 547 6. Self-help skills.
- 548 7. Ability to express the child's needs.
- 549 8. Verbal communication skills.
- 550 9. Problem-solving skills.
- 551 10. Following of verbal directions.
- 552 11. Demonstration of curiosity, persistence, and
553 exploratory behavior.
- 554 12. Interest in books and other printed materials.
- 555 13. Paying attention to stories.
- 556 14. Participation in art and music activities.
- 557 15. Ability to identify colors, geometric shapes, letters
558 of the alphabet, numbers, and spatial and temporal
559 relationships.

560
561 Within 30 days after enrollment ~~The Agency for Workforce~~
562 ~~Innovation shall also require that, before a child is enrolled~~
563 in the ~~an early learning coalition's~~ school readiness program,



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564 the early learning coalition must obtain, or ensure that the
565 programs provider obtains, ~~information is obtained by the~~
566 ~~coalition or the school readiness provider~~ regarding the child's
567 immunizations, physical development, and other health
568 requirements as necessary, including appropriate vision and
569 hearing screening and examinations.

570 (k) The Agency for Workforce Innovation shall conduct
571 studies and planning activities related to the overall
572 improvement and effectiveness of the outcome measures adopted by
573 the agency for school readiness programs and the specific system
574 support service strategies to address the state's school
575 readiness programs adopted by the Agency for Workforce
576 Innovation in accordance with subparagraph (d)3.

577 (l) The Agency for Workforce Innovation shall monitor and
578 evaluate the performance of each early learning coalition in
579 administering the school readiness program, implementing the
580 coalition's school readiness plan, and administering the
581 Voluntary Prekindergarten Education Program. These monitoring
582 and performance evaluations must include, at a minimum, onsite
583 monitoring of each coalition's finances, management, operations,
584 and programs.

585 ~~(m) The Agency for Workforce Innovation shall identify best~~
586 ~~practices of early learning coalitions in order to improve the~~
587 ~~outcomes of school readiness programs.~~

588 (m) ~~(n)~~ The Agency for Workforce Innovation shall submit an
589 annual report of its activities conducted under this section to
590 the Governor, ~~the executive director of the Florida Healthy Kids~~
591 ~~Corporation,~~ the President of the Senate, the Speaker of the
592 House of Representatives, and the minority leaders of both



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593 houses of the Legislature. In addition, the Agency for Workforce
594 Innovation's reports and recommendations shall be made available
595 to ~~the State Board of Education,~~ the Florida Early Learning
596 Advisory Council and, other appropriate state agencies and
597 entities, ~~district school boards, central agencies, and county~~
598 ~~health departments~~. The annual report must provide an analysis
599 of school readiness activities across the state, including the
600 number of children who were served in the programs.

601 (n) ~~(o)~~ The Agency for Workforce Innovation shall work with
602 the early learning coalitions to ensure availability of training
603 and support for parent ~~increase parents' training for and~~
604 involvement in ~~their~~ children's early preschool education and to
605 provide family literacy activities and services ~~programs~~.

606 (5) CREATION OF EARLY LEARNING COALITIONS.-

607 (a) *Early learning coalitions*.-

608 1. The Agency for Workforce Innovation shall establish the
609 minimum number of children to be served by each early learning
610 coalition through the coalition's school readiness program. The
611 Agency for Workforce Innovation may only approve school
612 readiness plans in accordance with this minimum number. The
613 minimum number must be uniform for every early learning
614 coalition and must:

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

616 b. Require each coalition to serve at least 3,000 ~~2,000~~
617 children based upon the average number of all children served
618 per month through the coalition's school readiness program
619 during the previous 12 months.

620
621 The Agency for Workforce Innovation shall adopt procedures for



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622 merging early learning coalitions, including procedures for the
623 consolidation of merging coalitions, and for the early
624 termination of the terms of coalition members which are
625 necessary to accomplish the mergers. Each early learning
626 coalition must comply with the merger procedures and shall be
627 organized in accordance with this subparagraph by July 1, 2010
628 ~~April 1, 2005~~. By October 1, 2010 ~~June 30, 2005~~, each coalition
629 must complete the transfer of powers, duties, functions, rules,
630 records, personnel, property, and unexpended balances of
631 appropriations, allocations, and other funds to the successor
632 coalition, if applicable. In addition, each coalition must make
633 accommodations for the transfer or discharge of all contractual
634 obligations.

635 2. If an early learning coalition would serve fewer
636 children than the minimum number established under subparagraph
637 1., the coalition must merge with another county to form a
638 multicounty coalition. However, the Agency for Workforce
639 Innovation may authorize an early learning coalition to serve
640 fewer children than the minimum number established under
641 subparagraph 1., if:

642 a. The coalition demonstrates to the Agency for Workforce
643 Innovation that merging with another county or multicounty
644 region contiguous to the coalition would cause an extreme
645 hardship on the coalition;

646 b. The Agency for Workforce Innovation has determined
647 during the most recent annual review of the coalition's school
648 readiness plan, or through monitoring and performance
649 evaluations conducted under paragraph (4)(1), that the coalition
650 has substantially implemented its plan and substantially met the



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651 performance standards and outcome measures adopted by the
652 agency; and

653 c. The coalition demonstrates to the Agency for Workforce
654 Innovation the coalition's ability to effectively and
655 efficiently implement the Voluntary Prekindergarten Education
656 Program.

657
658 If an early learning coalition fails or refuses to merge as
659 required by this subparagraph, the Agency for Workforce
660 Innovation may dissolve the coalition and temporarily contract
661 with a qualified entity to continue school readiness and
662 prekindergarten services in the coalition's county or
663 multicounty region until the agency reestablishes the coalition
664 and a new is reestablished through resubmission of a school
665 readiness plan has been approved and approval by the agency.

666 ~~3. Notwithstanding the provisions of subparagraphs 1. and~~
667 ~~2., the early learning coalitions in Sarasota, Osceola, and~~
668 ~~Santa Rosa Counties which were in operation on January 1, 2005,~~
669 ~~are established and authorized to continue operation as~~
670 ~~independent coalitions, and shall not be counted within the~~
671 ~~limit of 30 coalitions established in subparagraph 1.~~

672 3.4. Each early learning coalition shall be composed of at
673 least 15 ~~18~~ members but not more than 25 ~~35~~ members and not more
674 than 18 voting members. The Agency for Workforce Innovation
675 shall adopt standards establishing within this range the minimum
676 and maximum number of members that may be appointed to an early
677 learning coalition. These standards must include variations for
678 a coalition serving a multicounty region. Each early learning
679 coalition must comply with these standards.



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680 ~~4.5.~~ The Governor shall appoint the chair ~~and two other~~
681 ~~members~~ of each early learning coalition, who must each meet the
682 same qualifications as private sector business members appointed
683 by the coalition under subparagraph 7.

684 ~~5.6.~~ Each early learning coalition must include the
685 following members:

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

689 b. A district superintendent of schools or his or her
690 designee who is authorized to make decisions on behalf of the
691 district, ~~who shall be a nonvoting member.~~

692 c. A regional workforce board executive director or his or
693 her designee, who shall be a nonvoting member.

694 ~~d. A county health department director or his or her~~
695 ~~designee.~~

696 ~~d.e.~~ A children's services council or juvenile welfare
697 board chair or executive director, ~~if applicable, who shall be a~~
698 ~~nonvoting member if the council or board is the fiscal agent of~~
699 ~~the coalition or if the council or board contracts with and~~
700 ~~receives funds from the coalition for any purpose other than~~
701 ~~rent.~~

702 ~~e.f.~~ An agency head of a local licensing agency as defined
703 in s. 402.302, where applicable.

704 ~~f.g.~~ A president of a community college or his or her
705 designee.

706 ~~h. One member appointed by a board of county commissioners.~~

707 ~~i. A central agency administrator, where applicable, who~~
708 ~~shall be a nonvoting member.~~



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709 ~~g.j.~~ A Head Start director, ~~who shall be a nonvoting~~
710 ~~member.~~

711 ~~h.k.~~ A representative of private child care providers,
712 including family day care homes, ~~who shall be a nonvoting~~
713 ~~member.~~

714 ~~i.l.~~ A representative of faith-based child care providers,
715 ~~who shall be a nonvoting member.~~

716 ~~j.m.~~ A representative of programs for children with
717 disabilities under the federal Individuals with Disabilities
718 Education Act, who shall be a nonvoting member.

719 ~~6.7.~~ Including the chair ~~members~~ appointed by the Governor
720 under subparagraph 5., more than one-third of the members of
721 each early learning coalition must be private sector business
722 members who do not have, and none of whose relatives as defined
723 in s. 112.3143 has, a substantial financial interest in the
724 design or delivery of the Voluntary Prekindergarten Education
725 Program created under part V of chapter 1002 or the coalition's
726 school readiness program. To meet this requirement an early
727 learning coalition must appoint additional members ~~from a list~~
728 ~~of nominees submitted to the coalition by a chamber of commerce~~
729 ~~or economic development council within the geographic region~~
730 ~~served by the coalition.~~ The Agency for Workforce Innovation
731 shall establish criteria for appointing private sector business
732 members. These criteria must include standards for determining
733 whether a member or relative has a substantial financial
734 interest in the design or delivery of the Voluntary
735 Prekindergarten Education Program or the coalition's school
736 readiness program.

737 ~~7.8.~~ A majority of the voting membership of an early



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738 learning coalition constitutes a quorum required to conduct the
739 business of the coalition. An early learning coalition board may
740 use any method of telecommunications to conduct meetings,
741 including establishing a quorum through telecommunications,
742 provided that the public is given proper notice of a
743 telecommunications meeting and reasonable access to observe and,
744 when appropriate, participate.

745 ~~8.9.~~ A voting member of an early learning coalition may not
746 appoint a designee to act in his or her place, except as
747 otherwise provided in this paragraph. A voting member may send a
748 representative to coalition meetings, but that representative
749 does not have voting privileges. When a district administrator
750 for the Department of Children and Family Services appoints a
751 designee to an early learning coalition, the designee is the
752 voting member of the coalition, and any individual attending in
753 the designee's place, including the district administrator, does
754 not have voting privileges.

755 ~~9.10.~~ Each member of an early learning coalition is subject
756 to ss. 112.313, 112.3135, and 112.3143. For purposes of s.
757 112.3143(3)(a), each voting member is a local public officer who
758 must abstain from voting when a voting conflict exists.

759 ~~10.11.~~ For purposes of tort liability, each member or
760 employee of an early learning coalition shall be governed by s.
761 768.28.

762 ~~11.12.~~ An early learning coalition serving a multicounty
763 region must include representation from each county.

764 ~~12.13.~~ Each early learning coalition shall establish terms
765 for all appointed members of the coalition. The terms must be
766 staggered and must be a uniform length that does not exceed 4



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767 years per term. Coalition chairs shall be appointed for 4 years
768 in conjunction with their membership of the Early Learning
769 Advisory Council under s. 20.052. Appointed members may serve a
770 maximum of two consecutive terms. When a vacancy occurs in an
771 appointed position, the coalition must advertise the vacancy.

772 ~~(b) Program participation.—The school readiness program~~
773 ~~shall be established for children from birth to the beginning of~~
774 ~~the school year for which a child is eligible for admission to~~
775 ~~kindergarten in a public school under s. 1003.21(1)(a)2. The~~
776 ~~program shall be administered by the early learning coalition.~~
777 ~~Within funding limitations, the early learning coalition, along~~
778 ~~with all providers, shall make reasonable efforts to accommodate~~
779 ~~the needs of children for extended-day and extended-year~~
780 ~~services without compromising the quality of the program.~~

781 (b) Limitation.—Except as provided by law, the early
782 learning coalitions may not impose requirements on a child care
783 or early childhood education provider that does not deliver
784 services under the school readiness programs or receive state,
785 federal, required maintenance of effort, or matching funds under
786 this section.

787 (c) Program expectations.—

788 1. The school readiness program must meet the following
789 expectations:

790 a. The program must, at a minimum, enhance the age-
791 appropriate progress of each child in attaining the development
792 ~~of the school readiness skills required under paragraph (4)(j),~~
793 ~~as measured by the performance standards and outcome measures~~
794 adopted by the Agency for Workforce Innovation.

795 b. The program must provide extended-day and extended-year



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796 services to the maximum extent possible without compromising the
797 quality of the program to meet the needs of parents who work.

798 c. There must be coordinated staff development and teaching
799 opportunities.

800 d. There must be expanded access to community services and
801 resources for families to help achieve economic self-
802 sufficiency.

803 e. There must be a single point of entry and unified
804 waiting list. As used in this sub-subparagraph, the term "single
805 point of entry" means an integrated information system that
806 allows a parent to enroll his or her child in the school
807 readiness program at various locations throughout a the county
808 or multicounty region served by an early learning coalition,
809 that may allow a parent to enroll his or her child by telephone
810 or through an Internet website, and that uses a unified waiting
811 list to track eligible children waiting for enrollment in the
812 school readiness program. The Agency for Workforce Innovation
813 shall establish through technology a single statewide
814 information system that each coalition must use for the purposes
815 of managing the integrates each early learning coalition's
816 single point of entry, tracking children's progress,
817 coordinating services among stakeholders, determining
818 eligibility, tracking child attendance, and streamlining
819 administrative processes for providers and early learning
820 coalitions and each coalition must use the statewide system.

821 f. The Agency for Workforce Innovation must consider the
822 access of eligible children to the school readiness program, as
823 demonstrated in part by waiting lists, before approving a
824 proposed increase in payment rates submitted by an early



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825 learning coalition. In addition, early learning coalitions shall
826 use school readiness funds made available due to enrollment
827 shifts from school readiness programs to the Voluntary
828 Prekindergarten Education Program for increasing the number of
829 children served in school readiness programs before increasing
830 payment rates.

831 ~~g. There must be a community plan to address the needs of~~
832 ~~all eligible children.~~

833 ~~g.h.~~ The program must meet all state licensing guidelines,
834 where applicable.

835 h. The program must ensure that minimum standards for child
836 discipline practices are age appropriate. Pursuant to s.
837 402.305(12), such standards must provide that children not be
838 subjected to discipline that is severe, humiliating, or
839 frightening and may not be associated with food, rest, or
840 toileting. Spanking or any other form of physical punishment is
841 prohibited.

842 2. Each ~~The~~ early learning coalition must implement a
843 comprehensive program of school readiness services in accordance
844 with the rules adopted by the agency which ~~that~~ enhance the
845 cognitive, social, and physical development of children to
846 achieve the performance standards and outcome measures ~~adopted~~
847 ~~by the agency for Workforce Innovation~~. At a minimum, these
848 programs must contain the following system support service
849 elements:

850 a. Developmentally appropriate curriculum designed to
851 enhance the age-appropriate progress of children in attaining
852 the performance standards adopted by the Agency for Workforce
853 Innovation under subparagraph (4) (d) 6. ~~(d) 8.~~



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854 b. A character development program to develop basic values.

855 c. An age-appropriate screening ~~assessment~~ of each child's
856 development.

857 d. An age-appropriate assessment ~~A pretest~~ administered to
858 children when they enter a program and an age-appropriate
859 assessment ~~a posttest~~ administered to children when they leave
860 the program.

861 e. An appropriate staff-to-children ratio, pursuant to s.
862 402.305(4) or s. 402.302(7) or (8), as applicable, and as
863 verified pursuant to s. 402.311.

864 f. A healthy and safe environment.

865 g. A resource and referral network established under s.
866 411.0101 to assist parents in making an informed choice and a
867 regional Warm-Line under s. 411.01015.

868 (d) *Implementation.*—

869 1. An early learning coalition may not implement the school
870 readiness program until the coalition is authorized through
871 approval of the coalition's school readiness plan by the Agency
872 for Workforce Innovation.

873 2. Each early learning coalition shall coordinate with one
874 another to implement a comprehensive program of school readiness
875 services which enhances the cognitive, social, physical, and
876 moral character of the children to achieve the performance
877 standards and outcome measures, helps families achieve economic
878 self sufficiency, and reduces agency duplication. Such program
879 must contain, at a minimum, the following elements: ~~develop a~~
880 plan for implementing

881 a. Implement the school readiness program to meet the
882 requirements of this section and the system support services



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883 performance standards and outcome measures adopted by the Agency
884 for Workforce Innovation.

885 b. ~~The plan must~~ Demonstrate how the program will ensure
886 that each ~~3-year-old and 4-year-old~~ child from birth through 5
887 years of age in a publicly funded school readiness program
888 receives scheduled activities and instruction designed to
889 enhance the age-appropriate progress of the children in
890 attaining the performance standards adopted by the Agency for
891 Workforce Innovation under subparagraph (4)(d)8.

892
893 Before implementing the school readiness program, the early
894 learning coalition must submit the plan to the Agency for
895 Workforce Innovation for approval. The Agency for Workforce
896 Innovation may approve the plan, reject the plan, or approve the
897 plan with conditions. The Agency for Workforce Innovation shall
898 review school readiness plans at least biannually ~~annually~~.

899 3. If the Agency for Workforce Innovation determines during
900 the annual review of school readiness plans, or through
901 monitoring and performance evaluations conducted under paragraph
902 (4)(1), that an early learning coalition has not substantially
903 implemented its plan, has not substantially met the performance
904 standards and outcome measures adopted by the agency, or has not
905 effectively administered the school readiness program or
906 Voluntary Prekindergarten Education Program, the Agency for
907 Workforce Innovation may dissolve the coalition and temporarily
908 contract with a qualified entity to continue school readiness
909 and prekindergarten services in the coalition's county or
910 multicounty region until the agency reestablishes the coalition
911 and a new ~~the coalition is reestablished through resubmission of~~



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912 a school readiness plan has been approved in accordance with the
913 rules adopted and approval by the agency.

914 4. The Agency for Workforce Innovation shall adopt rules
915 establishing criteria for the approval of school readiness
916 plans. The criteria must be consistent with the system support
917 services, performance standards, and outcome measures adopted by
918 the agency and must require each approved plan to include the
919 following minimum standards and provisions for the school
920 readiness program:

921 a. A community plan that addresses the needs of all
922 children and providers within the coalition's county or
923 multicounty region.

924 b.a. A sliding fee scale establishing a copayment for
925 parents based upon their ability to pay, which is the same for
926 all program providers, ~~to be implemented and reflected in each~~
927 ~~program's budget.~~

928 c.b. A choice of settings and locations in licensed,
929 registered, religious-exempt, or school-based programs to be
930 provided to parents.

931 d.e. Instructional staff who have completed the training
932 course as required in s. 402.305(2)(d)1., s. 402.313(1)(a)6., or
933 s. 402.3131(3), as applicable, as well as requirements for staff
934 who have additional training or credentials pursuant to s.
935 402.305 as required by the Agency for Workforce Innovation. The
936 rules plan must provide a method for assuring the qualifications
937 of all personnel in all program settings in collaboration with
938 the Department of Children and Family Services.

939 e.d. Specific eligibility priorities for children ~~within~~
940 ~~the early learning coalition's county or multicounty region in~~



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941 accordance with subsection (6).

942 ~~f.e.~~ Performance standards and outcome measures adopted by
943 the Agency for Workforce Innovation.

944 ~~g.f.~~ The adoption of payment rates that adopted by the
945 ~~early learning coalition and approved by the Agency for~~
946 ~~Workforce Innovation. Payment rates~~ may not have the effect of
947 limiting parental choice or creating standards or levels of
948 services that have not been authorized by the Legislature or
949 Federal Government.

950 ~~g.~~ ~~Systems support services, including a central agency,~~
951 ~~child care resource and referral, eligibility determinations,~~
952 ~~training of providers, and parent support and involvement.~~

953 h. Direct enhancement services for ~~to~~ families and
954 children. System support and direct enhancement services shall
955 be in addition to payments for the placement of children in
956 school readiness programs. Direct enhancement services for
957 families may include parent training and involvement activities
958 and strategies to meet the needs of unique populations and local
959 eligibility priorities. Enhancement services for children may
960 include provider supports and professional development approved
961 in their plan by the Agency for Workforce Innovation.

962 i. The business organization of the early learning
963 coalition, which must include the coalition's articles of
964 incorporation and bylaws if the coalition is organized as a
965 corporation. If the coalition is not organized as a corporation
966 or other business entity, the plan must include the contract
967 with a fiscal agent. An early learning coalition may contract
968 with other coalitions to achieve efficiency in multicounty
969 services, and these contracts may be part of the coalition's



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970 school readiness plan.

971 j. The implementation of locally developed quality programs
972 in accordance with the requirements adopted by the agency under
973 s. 411.01(4)(d)5.

974 ~~j. Strategies to meet the needs of unique populations, such~~
975 ~~as migrant workers.~~

976
977 ~~As part of the school readiness plan, The Agency for Workforce~~
978 ~~Innovation early learning coalition may request the Governor to~~
979 ~~apply for a waiver to allow the coalition to administer the Head~~
980 ~~Start Program to accomplish the purposes of the school readiness~~
981 ~~program. If a school readiness plan demonstrates that specific~~
982 ~~statutory goals can be achieved more effectively by using~~
983 ~~procedures that require modification of existing rules,~~
984 ~~policies, or procedures, a request for a waiver to the Agency~~
985 ~~for Workforce Innovation may be submitted as part of the plan.~~
986 ~~Upon review, the Agency for Workforce Innovation may grant the~~
987 ~~proposed modification.~~

988 5. Persons with an early childhood teaching certificate may
989 provide support and supervision to other staff in the school
990 readiness program.

991 6. An early learning coalition may not implement its school
992 readiness plan until it submits the plan to and receives
993 approval from the Agency for Workforce Innovation. Once the plan
994 is approved, the plan and the services provided under the plan
995 shall be controlled by the early learning coalition. The plan
996 shall be reviewed and revised as necessary, but at least
997 biennially. An early learning coalition may not implement the
998 revisions until the coalition submits the revised plan to and



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999 receives approval from the Agency for Workforce Innovation. If
1000 the Agency for Workforce Innovation rejects a revised plan, the
1001 coalition must continue to operate under its prior approved
1002 plan.

1003 7. Sections 125.901(2)(a)3., 411.221, and 411.232 do not
1004 apply to ~~an early learning coalition with an approved school~~
1005 ~~readiness programs plan.~~ The Agency for Workforce Innovation To
1006 ~~facilitate innovative practices and to allow the regional~~
1007 ~~establishment of school readiness programs, an early learning~~
1008 ~~coalition~~ may apply to the Governor and Cabinet for a waiver of,
1009 and the Governor and Cabinet may waive, any of the provisions of
1010 ss. 411.223, 411.232, and 1003.54, if the waiver is necessary
1011 for implementation of ~~the coalition's~~ school readiness programs
1012 plan.

1013 8. Two or more coalitions ~~counties~~ may join for purposes of
1014 planning and implementing a school readiness program.

1015 ~~9. An early learning coalition may, subject to approval by~~
1016 ~~The Agency for Workforce Innovation as part of the coalition's~~
1017 ~~school readiness plan, receive subsidized child care funds for~~
1018 ~~all children eligible for any federal subsidized child care~~
1019 ~~program.~~

1020 ~~10. An early learning coalition may enter into multiparty~~
1021 ~~contracts with multicounty service providers in order to meet~~
1022 ~~the needs of unique populations such as migrant workers.~~

1023 (e) *Requests for proposals; payment schedule.*-

1024 1. Each early learning coalition must comply with the
1025 procurement and expenditure procedures adopted by the Agency for
1026 Workforce Innovation, including, but not limited to, applying
1027 the procurement and expenditure procedures required by federal



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1028 law for the expenditure of federal funds s. 287.057 for the
1029 procurement of commodities or contractual services from the
1030 funds described in paragraph (9) (d). The period of a contract
1031 for purchase of these commodities or contractual services,
1032 together with any renewal of the original contract, may not
1033 exceed 3 years.

1034 2. Each early learning coalition shall adopt a payment
1035 schedule that encompasses all programs funded by the coalition
1036 under this section. The payment schedule must take into
1037 consideration the prevailing relevant market rate schedule
1038 adopted under s. 411.01013, must include the projected number of
1039 children to be served, and must be submitted for approval by the
1040 Agency for Workforce Innovation. An early learning coalition may
1041 not plan, devise, or implement any process that differentiates
1042 payment rates, except for the processes under s. 411.01013. The
1043 payment rate for an informal child care arrangement may not
1044 exceed arrangements shall be reimbursed at not more than 50
1045 percent of the rate adopted developed for a family day care
1046 home.

1047 ~~(f) Requirements relating to fiscal agents. If an early~~
1048 ~~learning coalition is not legally organized as a corporation or~~
1049 ~~other business entity, the coalition must designate a fiscal~~
1050 ~~agent, which may be a public entity, a private nonprofit~~
1051 ~~organization, or a certified public accountant who holds a~~
1052 ~~license under chapter 473. The fiscal agent must provide~~
1053 ~~financial and administrative services under a contract with the~~
1054 ~~early learning coalition. The fiscal agent may not provide~~
1055 ~~direct early childhood education or child care services;~~
1056 ~~however, a fiscal agent may provide those services upon written~~



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1057 ~~request of the early learning coalition to the Agency for~~
1058 ~~Workforce Innovation and upon the approval of the request by the~~
1059 ~~agency. The cost of the financial and administrative services~~
1060 ~~shall be negotiated between the fiscal agent and the early~~
1061 ~~learning coalition. If the fiscal agent is a provider of early~~
1062 ~~childhood education and child care programs, the contract must~~
1063 ~~specify that the fiscal agent shall act on policy direction from~~
1064 ~~the early learning coalition and must not receive policy~~
1065 ~~direction from its own corporate board regarding disbursement of~~
1066 ~~the coalition's funds. The fiscal agent shall disburse funds in~~
1067 ~~accordance with the early learning coalition's approved school~~
1068 ~~readiness plan and based on billing and disbursement procedures~~
1069 ~~approved by the Agency for Workforce Innovation. The fiscal~~
1070 ~~agent must conform to all data-reporting requirements~~
1071 ~~established by the Agency for Workforce Innovation.~~

1072 ~~(f)~~ (g) Evaluation and annual report.—Each early learning
1073 coalition shall conduct an evaluation of its implementation the
1074 ~~effectiveness~~ of the school readiness program, including system
1075 support services, performance standards, and outcome measures,
1076 and shall provide an annual report and fiscal statement to the
1077 Agency for Workforce Innovation. This report must also include
1078 an evaluation of the effectiveness of its direct enhancement
1079 services and conform to the content and format specifications
1080 adopted ~~set~~ by the Agency for Workforce Innovation. The Agency
1081 for Workforce Innovation must include an analysis of the early
1082 learning coalitions' reports in the agency's annual report.

1083 (6) PROGRAM ELIGIBILITY.—~~The~~ Each ~~early learning~~
1084 ~~coalition's~~ school readiness program is ~~shall be~~ established for
1085 children from birth to the beginning of the school year for



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1086 which a child is eligible for admission to kindergarten in a
1087 public school under s. 1003.21(1)(a)2. or who are eligible for
1088 any federal subsidized child care program. Each early learning
1089 coalition shall give priority for participation in the school
1090 readiness program as follows:

1091 (a) Priority shall be given first to a child from a family
1092 in which there is an adult receiving temporary cash assistance
1093 who is subject to federal work requirements.

1094 (b) Priority shall be given next to a child who is eligible
1095 for a school readiness program but who has not yet entered
1096 children age 3 years to school, entry who is are served by the
1097 Family Safety Program Office of the Department of Children and
1098 Family Services or a community-based lead agency under chapter
1099 39 or chapter 409, and for whom child care is needed to minimize
1100 risk of further abuse, neglect, or abandonment.

1101 (c) Subsequent priority shall be given to a child ~~other~~
1102 eligible populations include children who meets ~~meet~~ one or more
1103 of the following criteria:

1104 1. ~~(a)~~ A child who is younger than ~~Children under~~ the age of
1105 kindergarten eligibility and ~~who are~~:

1106 1. ~~Children determined to be at risk of abuse, neglect, or~~
1107 ~~exploitation who are currently clients of the Family Safety~~
1108 ~~Program Office of the Department of Children and Family~~
1109 ~~Services, but who are not otherwise given priority under this~~
1110 ~~subsection.~~

1111 a.2. ~~Is Children~~ at risk of welfare dependency, including
1112 an economically disadvantaged child children, a child children
1113 of a participant participants in the welfare transition program,
1114 a child of a migratory agricultural worker children of migrant



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1115 ~~farmworkers, or a child and children~~ of a teen parent ~~parents~~.

1116 ~~b.3. Is a member~~ Children of a working family that is
1117 economically disadvantaged ~~families whose family income does not~~
1118 ~~exceed 150 percent of the federal poverty level.~~

1119 ~~c.4. Children~~ For whom financial assistance is provided
1120 through the state ~~is paying a~~ Relative Caregiver Program ~~payment~~
1121 ~~under s. 39.5085.~~

1122 ~~2.(b) A 3-year-old child or Three-year-old children~~ and 4-
1123 year-old child ~~children~~ who may not be economically
1124 disadvantaged but who has a disability; has ~~have disabilities,~~
1125 ~~have~~ been served in a specific part-time exceptional education
1126 program or a combination of part-time exceptional education
1127 programs with required special services, aids, or equipment;;
1128 and was ~~were~~ previously reported for funding part time under
1129 ~~with~~ the Florida Education Finance Program as an exceptional
1130 student ~~students~~.

1131 ~~3.(c) An economically disadvantaged~~ child ~~children,~~ a child
1132 ~~children~~ with a disability ~~disabilities,~~ or a child ~~and children~~
1133 at risk of future school failure, from birth to 4 years of age,
1134 who is ~~are~~ served at home through a home visitor program
1135 ~~programs~~ and an intensive parent education program ~~programs~~.

1136 ~~4.(d) A child~~ Children who meets ~~meet~~ federal and state
1137 eligibility requirements for the migrant preschool program but
1138 who is ~~do~~ not ~~meet the criteria of~~ economically disadvantaged.

1139
1140 As used in this paragraph ~~subsection,~~ the term "economically
1141 disadvantaged" ~~child~~ means having a ~~child whose~~ family income
1142 that does not exceed 150 percent of the federal poverty level.
1143 Notwithstanding any change in a family's economic status, but



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1144 subject to additional family contributions in accordance with
1145 the sliding fee scale, a child who meets the eligibility
1146 requirements upon initial registration for the program remains
1147 eligible until the beginning of the school year for which the
1148 child is eligible for admission to kindergarten in a public
1149 school under s. 1003.21(1)(a)2.

1150 (7) PARENTAL CHOICE.—

1151 (a) As used in this subsection, the term "payment
1152 certificate" means a child care certificate as defined in 45
1153 C.F.R. s. 98.2.

1154 (b) The school readiness program shall, in accordance with
1155 45 C.F.R. s. 98.30, provide parental choice through a payment
1156 certificate ~~purchase service order~~ that ensures, to the maximum
1157 extent possible, flexibility in the school readiness program
1158 ~~programs~~ and payment arrangements. ~~According to federal~~
1159 ~~regulations requiring parental choice, a parent may choose an~~
1160 ~~informal child care arrangement.~~ The payment certificate
1161 ~~purchase order~~ must bear the names ~~name~~ of the beneficiary and
1162 the program provider and, when redeemed, must bear the
1163 signatures ~~signature~~ of both the beneficiary and an authorized
1164 representative of the provider.

1165 (c) ~~(b)~~ If it is determined that a provider has given
1166 ~~provided~~ any cash to the beneficiary in return for receiving a
1167 payment certificate ~~the purchase order~~, the early learning
1168 coalition or its fiscal agent shall refer the matter to the
1169 Division of Public Assistance Fraud for investigation.

1170 (d) ~~(c)~~ The office of the Chief Financial Officer shall
1171 establish an electronic transfer system for the disbursement of
1172 funds in accordance with this subsection. Each early learning



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1173 coalition shall fully implement the electronic funds transfer
1174 system within 2 years after approval of the coalition's school
1175 readiness plan, unless a waiver is obtained from the Agency for
1176 Workforce Innovation.

1177 (8) STANDARDS; OUTCOME MEASURES.—A program provider
1178 participating in the All school readiness program programs must
1179 meet the performance standards and outcome measures adopted by
1180 the Agency for Workforce Innovation.

1181 (9) FUNDING; SCHOOL READINESS PROGRAM.—

1182 (a) It is the intent of this section to establish an
1183 integrated and quality seamless service delivery system for all
1184 publicly funded early childhood education and child care
1185 programs operating in this state.

1186 (b)1. The Agency for Workforce Innovation shall administer
1187 school readiness funds, plans, and policies and shall prepare
1188 and submit a unified budget request for the school readiness
1189 system in accordance with chapter 216.

1190 2. All instructions to early learning coalitions for
1191 administering this section shall emanate from the Agency for
1192 Workforce Innovation in accordance with the policies of the
1193 Legislature.

1194 (c) The Agency for Workforce Innovation, subject to
1195 legislative notice and review under s. 216.177, shall establish
1196 ~~recommend~~ a formula for the allocation ~~among the early learning~~
1197 ~~coalitions~~ of all state and federal school readiness funds
1198 provided for children participating in the public or private
1199 school readiness program, whether served by a public or private
1200 provider, programs based upon equity for each county and
1201 ~~performance~~. The allocation formula must be submitted to the



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1202 Governor, the chair of the Senate Ways and Means Committee or
1203 its successor, and the chair of the House of Representatives
1204 Fiscal Council or its successor no later than January 1 of each
1205 year. If the Legislature specifies ~~shall specify in the annual~~
1206 ~~General Appropriations Act any changes to from~~ the allocation
1207 formula, methodology for the prior fiscal year which must be
1208 ~~used by~~ the Agency for Workforce Innovation shall allocate funds
1209 as specified in allocating the appropriations provided in the
1210 General Appropriations Act.

1211 (d) All state, federal, and required local maintenance-of-
1212 effort, or matching funds provided to an early learning
1213 coalition for purposes of this section shall be used by the
1214 ~~coalition~~ for implementation of its approved school readiness
1215 plan, including the hiring of staff to effectively operate the
1216 coalition's school readiness program. As part of plan approval
1217 and periodic plan review, The Agency for Workforce Innovation
1218 shall require that administrative costs be kept to the minimum
1219 necessary for efficient and effective administration of the
1220 school readiness plan, but total administrative expenditures
1221 must not exceed 5 percent unless specifically waived by the
1222 Agency for Workforce Innovation. The Agency for Workforce
1223 Innovation shall annually report to the Legislature any problems
1224 relating to administrative costs.

1225 (e) The Agency for Workforce Innovation shall annually
1226 ~~distribute, to a maximum extent practicable,~~ all eligible funds
1227 provided under this section as block grants to the early
1228 learning coalitions in accordance with the terms and conditions
1229 specified by the agency.

1230 (f) State funds appropriated for the school readiness



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1231 program may not be used for the construction of new facilities
1232 or the purchase of buses. ~~The Agency for Workforce Innovation~~
1233 ~~shall present to the Legislature recommendations for providing~~
1234 ~~necessary transportation services for school readiness programs.~~

1235 (g) All cost savings and all revenues received through a
1236 mandatory sliding fee scale shall be used to help fund each
1237 early learning coalition's school readiness program.

1238 (10) CONFLICTING PROVISIONS.—~~If In the event of~~ a conflict
1239 exists between this section and federal requirements, the
1240 federal requirements shall control.

1241 ~~(11) PLACEMENTS.—Notwithstanding any other provision of~~
1242 ~~this section to the contrary, the first children to be placed in~~
1243 ~~the school readiness program shall be those from families~~
1244 ~~receiving temporary cash assistance and subject to federal work~~
1245 ~~requirements. Subsequent placements shall be made in accordance~~
1246 ~~with subsection (6).~~

1247 Section 15. Section 411.0101, Florida Statutes, is amended
1248 to read:

1249 411.0101 Child care and early childhood resource and
1250 referral.—

1251 (1) As a part of the school readiness programs, the Agency
1252 for Workforce Innovation shall establish a statewide child care
1253 resource and referral network that is unbiased and provides
1254 referrals to families for child care. Preference shall be given
1255 to using the already established early learning coalitions as
1256 the child care resource and referral agencies ~~agency~~. If an
1257 early learning coalition cannot comply with the requirements to
1258 offer the resource information component or does not want to
1259 offer that service, the early learning coalition shall select



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1260 the resource and referral information agency for its county or
1261 multicounty region based upon a request for proposal pursuant to
1262 s. 411.01(5)(e)1.

1263 (2) At least one child care resource and referral agency
1264 must be established in each early learning coalition's county or
1265 multicounty region. The Agency for Workforce Innovation shall
1266 adopt rules regarding accessibility of child care resource and
1267 referral services offered through child care resource and
1268 referral agencies in each county or multicounty region which
1269 include, at a minimum, required hours of operation, methods by
1270 which parents may request services, and child care resource and
1271 referral staff training requirements.

1272 (3) Child care resource and referral agencies shall provide
1273 the following services:

1274 (a) ~~(1)~~ Identification of existing public and private child
1275 care and early childhood education services, including child
1276 care services by public and private employers, and the
1277 development of a resource file of those services through the
1278 single statewide information system developed by the Agency for
1279 Workforce Innovation under s. 411.01(5)(b)1.e. These services
1280 may include family day care, public and private child care
1281 programs, the Voluntary Prekindergarten Education Program, Head
1282 Start, the school readiness program prekindergarten early
1283 intervention programs, special education programs for
1284 prekindergarten handicapped children who have disabilities,
1285 services for children with developmental disabilities, full-time
1286 and part-time programs, before-school and after-school programs,
1287 vacation care programs, parent education, the WAGES Program, and
1288 related family support services. The resource file shall



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1289 include, but not be limited to:

1290 1.~~(a)~~ Type of program.

1291 2.~~(b)~~ Hours of service.

1292 3.~~(c)~~ Ages of children served.

1293 4.~~(d)~~ Number of children served.

1294 5.~~(e)~~ Significant program information.

1295 6.~~(f)~~ Fees and eligibility for services.

1296 7.~~(g)~~ Availability of transportation.

1297 (b)~~(2)~~ The establishment of a referral process that ~~which~~
1298 responds to parental need for information and that ~~which~~ is
1299 provided with full recognition of the confidentiality rights of
1300 parents. The resource and referral network ~~programs~~ shall make
1301 referrals to legally operating ~~licensed~~ child care facilities.
1302 Referrals may not ~~shall~~ be made to a ~~an unlicensed~~ child care
1303 facility that is operating illegally ~~or arrangement only if~~
1304 ~~there is no requirement that the facility or arrangement be~~
1305 ~~licensed.~~

1306 (c)~~(3)~~ Maintenance of ongoing documentation of requests for
1307 service tabulated through the internal referral process through
1308 the single statewide information system. The following
1309 documentation of requests for service shall be maintained by the
1310 ~~all~~ child care resource and referral network ~~agencies~~:

1311 1.~~(a)~~ Number of calls and contacts to the child care
1312 resource information and referral network ~~agency~~ component by
1313 type of service requested.

1314 2.~~(b)~~ Ages of children for whom service was requested.

1315 3.~~(c)~~ Time category of child care requests for each child.

1316 4.~~(d)~~ Special time category, such as nights, weekends, and
1317 swing shift.



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1318 ~~5.(e)~~ Reason that the child care is needed.
1319 ~~6.(f)~~ Name of the employer and primary focus of the
1320 business.
1321 ~~(d)(4)~~ Provision of technical assistance to existing and
1322 potential providers of child care services. This assistance may
1323 include:
1324 ~~1.(a)~~ Information on initiating new child care services,
1325 zoning, and program and budget development and assistance in
1326 finding such information from other sources.
1327 ~~2.(b)~~ Information and resources which help existing child
1328 care services providers to maximize their ability to serve
1329 children and parents in their community.
1330 ~~3.(e)~~ Information and incentives that may ~~which could~~ help
1331 existing or planned child care services offered by public or
1332 private employers seeking to maximize their ability to serve the
1333 children of their working parent employees in their community,
1334 through contractual or other funding arrangements with
1335 businesses.
1336 ~~(e)(5)~~ Assistance to families and employers in applying for
1337 various sources of subsidy including, but not limited to, the
1338 Voluntary Prekindergarten Education Program, the school
1339 readiness program, subsidized child care, Head Start,
1340 prekindergarten early intervention programs, Project
1341 Independence, private scholarships, and the federal child and
1342 dependent care tax credit.
1343 ~~(6)~~ ~~Assistance to state agencies in determining the market~~
1344 ~~rate for child care.~~
1345 ~~(f)(7)~~ Assistance in negotiating discounts or other special
1346 arrangements with child care providers.



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1347 (g)~~(8)~~ Information and assistance to local interagency
1348 councils coordinating services for prekindergarten ~~handicapped~~
1349 children who have disabilities.

1350 (h)~~(9)~~ Assistance to families in identifying summer
1351 recreation camp and summer day camp programs, ~~and in~~ evaluating
1352 the health and safety qualities of summer recreation camp and
1353 summer day camp programs, ~~and in~~ evaluating the health and
1354 safety qualities of summer camp programs. Contingent upon
1355 specific appropriation, a checklist of important health and
1356 safety qualities that parents can use to choose their summer
1357 camp programs shall be developed and distributed in a manner
1358 that will reach parents interested in such programs for their
1359 children.

1360 (i)~~(10)~~ A child care facility licensed under s. 402.305 and
1361 licensed and registered family day care homes must provide the
1362 statewide child care and resource and referral network ~~agencies~~
1363 with the following information annually:

- 1364 1.~~(a)~~ Type of program.
1365 2.~~(b)~~ Hours of service.
1366 3.~~(c)~~ Ages of children served.
1367 4.~~(d)~~ Fees and eligibility for services.

1368 (4)~~(11)~~ The Agency for Workforce Innovation shall adopt any
1369 rules necessary for the implementation and administration of
1370 this section.

1371 Section 16. Subsection (3), paragraph (b) of subsection
1372 (4), and paragraphs (c) and (d) of subsection (5) of section
1373 411.0102, Florida Statutes, are amended to read:

1374 411.0102 Child Care Executive Partnership Act; findings and
1375 intent; grant; limitation; rules.-



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1376 (3) There is created a body politic and corporate known as
1377 the Child Care Executive Partnership which shall establish and
1378 govern the Child Care Executive Partnership Program. The purpose
1379 of the Child Care Executive Partnership Program is to utilize
1380 state and federal funds as incentives for matching local funds
1381 derived from local governments, employers, charitable
1382 foundations, and other sources, so that Florida communities may
1383 create local flexible partnerships with employers. The Child
1384 Care Executive Partnership Program funds shall be used at the
1385 discretion of local communities to meet the needs of working
1386 parents. A child care purchasing pool shall be developed with
1387 the state, federal, and local funds to provide subsidies to low-
1388 income working parents whose family income does not exceed the
1389 allowable income for any federally subsidized child care program
1390 ~~who are eligible for subsidized child care~~ with a dollar-for-
1391 dollar match from employers, local government, and other
1392 matching contributions. The funds used from the child care
1393 purchasing pool must be used to supplement or extend the use of
1394 existing public or private funds.

1395 (4) The Child Care Executive Partnership, staffed by the
1396 Agency for Workforce Innovation, shall consist of a
1397 representative of the Executive Office of the Governor and nine
1398 members of the corporate or child care community, appointed by
1399 the Governor.

1400 (b) The Child Care Executive Partnership shall be chaired
1401 by a member chosen by a majority vote and shall meet at least
1402 quarterly and at other times upon the call of the chair. The
1403 Child Care Executive Partnership may use any method of
1404 telecommunications to conduct meetings, including establishing a



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1405 quorum through telecommunications, only if the public is given
1406 proper notice of a telecommunications meeting and reasonable
1407 access to observe and, when appropriate, participate.

1408 (5)

1409 (c) The Agency for Workforce Innovation, in conjunction
1410 with the Child Care Executive Partnership, shall develop
1411 procedures for disbursement of funds through the child care
1412 purchasing pools. In order to be considered for funding, an
1413 early learning coalition or the Agency for Workforce Innovation
1414 must commit to:

1415 1. Matching the state purchasing pool funds on a dollar-
1416 for-dollar basis; and

1417 2. Expending only those public funds which are matched by
1418 employers, local government, and other matching contributors who
1419 contribute to the purchasing pool. Parents shall also pay a fee,
1420 which may not shall be ~~not~~ less than the amount identified in
1421 the early learning coalition's school readiness program
1422 ~~subsidized child care~~ sliding fee scale.

1423 (d) Each early learning coalition board shall ~~be required~~
1424 ~~to establish a community child care task force for each child~~
1425 ~~care purchasing pool. The task force must be composed of~~
1426 ~~employers, parents, private child care providers, and one~~
1427 ~~representative from the local children's services council, if~~
1428 ~~one exists in the area of the purchasing pool. The early~~
1429 ~~learning coalition is expected to recruit the task force members~~
1430 ~~from existing child care councils, commissions, or task forces~~
1431 ~~already operating in the area of a purchasing pool. A majority~~
1432 ~~of the task force shall consist of employers. Each task force~~
1433 ~~shall~~ develop a plan for the use of child care purchasing pool



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1434 funds. The plan must show how many children will be served by
1435 the purchasing pool, how many will be new to receiving child
1436 care services, and how the early learning coalition intends to
1437 attract new employers and their employees to the program.

1438 Section 17. Section 411.0105, Florida Statutes, is amended
1439 to read:

1440 411.0105 Early Learning Opportunities Act and Even Start
1441 Family Literacy Programs; lead agency.—

1442 (1) For purposes of administration of the federal Early
1443 Learning Opportunities Act, 20 U.S.C. ss. 9401-9413, the Agency
1444 for Workforce Innovation is designated as the lead agency and
1445 must comply with the lead agency responsibilities under law.

1446 (2) (a) For purposes of administration of ~~and~~ the federal
1447 William F. Goodling Even Start Family Literacy Programs, 20
1448 U.S.C. ss. 6381-6381k pursuant to Pub. L. No. 106-554, the
1449 Department of Education Agency for Workforce Innovation is
1450 designated as the lead agency and must comply with the lead
1451 agency responsibilities under ~~pursuant to~~ federal law.

1452 (b) The Department of Education shall enter into an
1453 interagency agreement with the Agency for Workforce Innovation
1454 for administration of the federal William F. Goodling Even Start
1455 Family Literacy Programs.

1456 Section 18. Paragraph (b) of subsection (8) of section
1457 411.203, Florida Statutes, is amended to read:

1458 411.203 Continuum of comprehensive services.—The Department
1459 of Education and the Department of Health and Rehabilitative
1460 Services shall utilize the continuum of prevention and early
1461 assistance services for high-risk pregnant women and for high-
1462 risk and handicapped children and their families, as outlined in



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1463 this section, as a basis for the intraagency and interagency
1464 program coordination, monitoring, and analysis required in this
1465 chapter. The continuum shall be the guide for the comprehensive
1466 statewide approach for services for high-risk pregnant women and
1467 for high-risk and handicapped children and their families, and
1468 may be expanded or reduced as necessary for the enhancement of
1469 those services. Expansion or reduction of the continuum shall be
1470 determined by intraagency or interagency findings and agreement,
1471 whichever is applicable. Implementation of the continuum shall
1472 be based upon applicable eligibility criteria, availability of
1473 resources, and interagency prioritization when programs impact
1474 both agencies, or upon single agency prioritization when
1475 programs impact only one agency. The continuum shall include,
1476 but not be limited to:

1477 (8) SUPPORT SERVICES FOR ALL EXPECTANT PARENTS AND PARENTS
1478 OF HIGH-RISK CHILDREN.—

1479 (b) Child care and early childhood programs, including, but
1480 not limited to, ~~subsidized child care~~, licensed ~~nonsubsidized~~
1481 child care facilities, family day care homes, therapeutic child
1482 care, Head Start, and preschool programs in public and private
1483 schools.

1484 Section 19. Subsection (2) of section 411.221, Florida
1485 Statutes, is amended to read:

1486 411.221 Prevention and early assistance strategic plan;
1487 agency responsibilities.—

1488 (2) The strategic plan and subsequent plan revisions shall
1489 incorporate and otherwise utilize, to the fullest extent
1490 possible, the evaluation findings and recommendations from
1491 intraagency, independent third-party, field projects, and



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1492 reports issued by the Auditor General or the Office of Program
1493 Policy Analysis and Government Accountability, as well as the
1494 recommendations of the Agency for Workforce Innovation State
1495 Coordinating Council for School Readiness Programs.

1496 Section 20. Paragraph (c) of subsection (4) of section
1497 445.024, Florida Statutes, is amended to read:

1498 445.024 Work requirements.—

1499 (4) PRIORITIZATION OF WORK REQUIREMENTS.—Regional workforce
1500 boards shall require participation in work activities to the
1501 maximum extent possible, subject to federal and state funding.
1502 If funds are projected to be insufficient to allow full-time
1503 work activities by all program participants who are required to
1504 participate in work activities, regional workforce boards shall
1505 screen participants and assign priority based on the following:

1506 (c) A participant who has access to ~~subsidized or~~
1507 ~~unsubsidized~~ child care services may be assigned priority for
1508 work activities.

1509
1510 Regional workforce boards may limit a participant's weekly work
1511 requirement to the minimum required to meet federal work
1512 activity requirements. Regional workforce boards may develop
1513 screening and prioritization procedures based on the allocation
1514 of resources, the availability of community resources, the
1515 provision of supportive services, or the work activity needs of
1516 the service area.

1517 Section 21. Subsection (2) of section 445.030, Florida
1518 Statutes, is amended to read:

1519 445.030 Transitional education and training.—In order to
1520 assist former recipients of temporary cash assistance who are



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1521 working or actively seeking employment in continuing their
1522 training and upgrading their skills, education, or training,
1523 support services may be provided for up to 2 years after the
1524 family is no longer receiving temporary cash assistance. This
1525 section does not constitute an entitlement to transitional
1526 education and training. If funds are not sufficient to provide
1527 services under this section, the board of directors of Workforce
1528 Florida, Inc., may limit or otherwise prioritize transitional
1529 education and training.

1530 (2) Regional workforce boards may authorize child care or
1531 other support services in addition to services provided in
1532 conjunction with employment. For example, a participant who is
1533 employed full time may receive ~~subsidized~~ child care services
1534 related to that employment and may also receive additional
1535 ~~subsidized~~ child care services in conjunction with training to
1536 upgrade the participant's skills.

1537 Section 22. Paragraph (a) of subsection (2) of section
1538 490.014, Florida Statutes, is amended to read:

1539 490.014 Exemptions.—

1540 (2) No person shall be required to be licensed or
1541 provisionally licensed under this chapter who:

1542 (a) Is a salaried employee of a government agency; a
1543 developmental disability facility or program; a mental health,
1544 alcohol, or drug abuse facility operating under chapter 393,
1545 chapter 394, or chapter 397; the statewide ~~subsidized child care~~
1546 ~~program, subsidized child care case management program, or child~~
1547 care resource and referral network ~~program~~ operating under s.
1548 411.0101 ~~pursuant to chapter 402~~; a child-placing or child-
1549 caring agency licensed pursuant to chapter 409; a domestic



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1550 violence center certified pursuant to chapter 39; an accredited
1551 academic institution; or a research institution, if such
1552 employee is performing duties for which he or she was trained
1553 and hired solely within the confines of such agency, facility,
1554 or institution, so long as the employee is not held out to the
1555 public as a psychologist pursuant to s. 490.012(1)(a).

1556 Section 23. Paragraph (a) of subsection (4) of section
1557 491.014, Florida Statutes, is amended to read:

1558 491.014 Exemptions.—

1559 (4) No person shall be required to be licensed,
1560 provisionally licensed, registered, or certified under this
1561 chapter who:

1562 (a) Is a salaried employee of a government agency; a
1563 developmental disability facility or program; a, mental health,
1564 alcohol, or drug abuse facility operating under chapter 393,
1565 chapter 394, or chapter 397; the statewide ~~subsidized child care~~
1566 ~~program, subsidized child care case management program, or child~~
1567 ~~care resource and referral network program~~ operating under s.
1568 411.0101 ~~pursuant to chapter 402~~; a child-placing or child-
1569 caring agency licensed pursuant to chapter 409; a domestic
1570 violence center certified pursuant to chapter 39; an accredited
1571 academic institution; or a research institution, if such
1572 employee is performing duties for which he or she was trained
1573 and hired solely within the confines of such agency, facility,
1574 or institution, so long as the employee is not held out to the
1575 public as a clinical social worker, mental health counselor, or
1576 marriage and family therapist.

1577 Section 24. Subsections (5) and (6) of section 1002.53,
1578 Florida Statutes, are amended to read:



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1579 1002.53 Voluntary Prekindergarten Education Program;
1580 eligibility and enrollment.—

1581 (5) The early learning coalition shall provide each parent
1582 enrolling a child in the Voluntary Prekindergarten Education
1583 Program with a profile of every private prekindergarten provider
1584 and public school delivering the program within the ~~coalition's~~
1585 county where the child is being enrolled ~~or multicounty region~~.
1586 The profiles shall be provided to parents in a format prescribed
1587 by the Agency for Workforce Innovation. The profiles must
1588 include, at a minimum, the following information about each
1589 provider and school:

1590 (a) The provider's or school's services, curriculum,
1591 instructor credentials, and instructor-to-student ratio; and

1592 (b) The provider's or school's kindergarten readiness rate
1593 calculated in accordance with s. 1002.69, based upon the most
1594 recent available results of the statewide kindergarten
1595 screening.

1596 (6) (a) A parent may enroll his or her child with any
1597 private prekindergarten provider that is eligible to deliver the
1598 Voluntary Prekindergarten Education Program under this part;
1599 however, the provider may determine whether to admit any child.
1600 An early learning coalition may not limit the number of students
1601 admitted by any private prekindergarten provider for enrollment
1602 in the program. However, this paragraph does not authorize an
1603 early learning coalition to allow a provider to exceed any
1604 staff-to-children ratio, square footage per child, or other
1605 requirement imposed under ss. 402.301-402.319 as a result of
1606 admissions in the prekindergarten program.

1607 (b) A parent may enroll his or her child with any public



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1608 school within the school district which is eligible to deliver
1609 the Voluntary Prekindergarten Education Program under this part,
1610 subject to available space. Each school district may limit the
1611 number of students admitted by any public school for enrollment
1612 in the program; however, the school district must provide for
1613 the admission of every eligible child within the district whose
1614 parent enrolls the child in a summer prekindergarten program
1615 delivered by a public school under s. 1002.61.

1616 (c) Each private prekindergarten provider and public school
1617 must comply with the antidiscrimination requirements of 42
1618 U.S.C. s. 2000d, regardless of whether the provider or school
1619 receives federal financial assistance. A private prekindergarten
1620 provider or public school may not discriminate against a parent
1621 or child, including the refusal to admit a child for enrollment
1622 in the Voluntary Prekindergarten Education Program, in violation
1623 of these antidiscrimination requirements.

1624 (d) Notwithstanding s. 1002.55(3)(b), each private
1625 prekindergarten provider and public school must have
1626 disciplinary policies that prohibit children from being
1627 subjected to discipline that is severe, humiliating,
1628 frightening, or associated with food, rest, toileting, spanking
1629 or any other form of physical punishment as provided in s.
1630 402.305(12).

1631 Section 25. Paragraph (c) of subsection (3) of section
1632 1002.67, Florida Statutes, is amended to read:

1633 1002.67 Performance standards; curricula and
1634 accountability.—

1635 (3)

1636 (c)1. If the kindergarten readiness rate of a private



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1637 prekindergarten provider or public school falls below the
1638 minimum rate adopted by the State Board of Education as
1639 satisfactory under s. 1002.69(6), the early learning coalition
1640 or school district, as applicable, shall require the provider or
1641 school to submit an improvement plan for approval by the
1642 coalition or school district, as applicable, and to implement
1643 the plan.

1644 2. If a private prekindergarten provider or public school
1645 fails to meet the minimum rate adopted by the State Board of
1646 Education as satisfactory under s. 1002.69(6) for 2 consecutive
1647 years, the early learning coalition or school district, as
1648 applicable, shall place the provider or school on probation and
1649 must require the provider or school to take certain corrective
1650 actions, including the use of a curriculum approved by the
1651 department under paragraph (2)(c).

1652 3. A private prekindergarten provider or public school that
1653 is placed on probation must continue the corrective actions
1654 required under subparagraph 2., including the use of a
1655 curriculum approved by the department, until the provider or
1656 school meets the minimum rate adopted by the State Board of
1657 Education as satisfactory under s. 1002.69(6).

1658 4. If a private prekindergarten provider or public school
1659 remains on probation for 2 consecutive years and fails to meet
1660 the minimum rate adopted by the State Board of Education as
1661 satisfactory under s. 1002.69(6), the Agency for Workforce
1662 Innovation shall require the early learning coalition or the
1663 Department of Education shall require the school district, ~~as~~
1664 ~~applicable,~~ to remove, as applicable, the provider or school
1665 from eligibility to deliver the Voluntary Prekindergarten



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1666 Education Program and receive state funds for the program.
1667 Section 26. Paragraph (b) of subsection (6) of section
1668 1002.71, Florida Statutes, is amended to read:
1669 1002.71 Funding; financial and attendance reporting.-
1670 (6)
1671 (b)1. Each private prekindergarten provider's and district
1672 school board's attendance policy must require the parent of each
1673 student in the Voluntary Prekindergarten Education Program to
1674 verify, each month, the student's attendance on the prior
1675 month's certified student attendance.

1676 2. The parent must submit the verification of the student's
1677 attendance to the private prekindergarten provider or public
1678 school on forms prescribed by the Agency for Workforce
1679 Innovation. The forms must include, in addition to the
1680 verification of the student's attendance, a certification, in
1681 substantially the following form, that the parent continues to
1682 choose the private prekindergarten provider or public school in
1683 accordance with s. 1002.53 and directs that payments for the
1684 program be made to the provider or school:

1685
1686 VERIFICATION OF STUDENT'S ATTENDANCE
1687 AND CERTIFICATION OF PARENTAL CHOICE
1688

1689 I, ...(Name of Parent)..., swear (or affirm) that my
1690 child,...(Name of Student)..., attended the Voluntary
1691 Prekindergarten Education Program on the days listed above and
1692 certify that I continue to choose ...(Name of Provider or
1693 School)... to deliver the program for my child and direct that
1694 program funds be paid to the provider or school for my child.



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1695
1696 ...(Signature of Parent)...
1697 ...(Date)...

1698
1699 3. The private prekindergarten provider or public school
1700 must keep each original signed form for at least 2 years. Each
1701 private prekindergarten provider must permit the early learning
1702 coalition, and each public school must permit the school
1703 district, to inspect the original signed forms during normal
1704 business hours. The Agency for Workforce Innovation shall adopt
1705 procedures for early learning coalitions and school districts to
1706 review the original signed forms against the certified student
1707 attendance. The review procedures shall provide for the use of
1708 selective inspection techniques, including, but not limited to,
1709 random sampling. Each early learning coalition and the school
1710 districts ~~district~~ must comply with the review procedures.

1711 Section 27. Paragraph (b) of subsection (4) of section
1712 1009.64, Florida Statutes, is amended to read:

1713 1009.64 Certified Education Paraprofessional Welfare
1714 Transition Program.—

1715 (4) The agencies shall complete an implementation plan that
1716 addresses at least the following recommended components of the
1717 program:

1718 (b) A budget for use of incentive funding to provide
1719 motivation to participants to succeed and excel. The budget for
1720 incentive funding includes:

1721 1. Funds allocated by the Legislature directly for the
1722 program.

1723 2. Funds that may be made available from the federal



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1724 Workforce Investment Act based on client eligibility or
1725 requested waivers to make the clients eligible.

1726 3. Funds made available by implementation strategies that
1727 would make maximum use of work supplementation funds authorized
1728 by federal law.

1729 4. Funds authorized by strategies to lengthen participants'
1730 eligibility for federal programs such as Medicaid, ~~subsidized~~
1731 child care services, and transportation.

1732
1733 Incentives may include a stipend during periods of college
1734 classroom training, a bonus and recognition for a high grade-
1735 point average, child care and prekindergarten services for
1736 children of participants, and services to increase a
1737 participant's ability to advance to higher levels of employment.
1738 Nonfinancial incentives should include providing a mentor or
1739 tutor, and service incentives should continue and increase for
1740 any participant who plans to complete the baccalaureate degree
1741 and become a certified teacher. Services may be provided in
1742 accordance with family choice by community colleges and school
1743 district career centers, through family service centers and
1744 full-service schools, or under contract with providers through
1745 central agencies.

1746 Section 28. Sections 402.3135 and 402.3145, Florida
1747 Statutes, are repealed.

1748 Section 29. Section 402.3016, Florida Statutes, is
1749 transferred and renumbered as section 411.0104, Florida
1750 Statutes.

1751 Section 30. This act shall take effect July 1, 2009.

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1753 ===== T I T L E A M E N D M E N T =====

1754 And the title is amended as follows:

1755 Delete everything before the enacting clause

1756 and insert:

1757 A bill to be entitled

1758 An act relating to early learning; amending s.

1759 39.0121, F.S.; deleting an obsolete reference to the

1760 repealed subsidized child care program; amending s.

1761 39.202, F.S.; replacing an obsolete reference to a

1762 repealed program with an updated reference to the

1763 school readiness program; authorizing county agencies

1764 responsible for licensure or approval of child care

1765 providers to be granted access to certain confidential

1766 reports and records in cases of child abuse or

1767 neglect; amending s. 39.5085, F.S.; deleting an

1768 obsolete reference to a repealed program; amending s.

1769 383.14, F.S.; replacing obsolete references to the

1770 former State Coordinating Council for School Readiness

1771 Programs with updated references to the Agency for

1772 Workforce Innovation; transferring, renumbering, and

1773 amending s. 402.25, F.S.; updating an obsolete

1774 reference to a repealed program; deleting obsolete

1775 references relating to the repealed prekindergarten

1776 early intervention program and Florida First Start

1777 Program; amending s. 402.26, F.S.; revising

1778 legislative intent; updating an obsolete reference to

1779 a repealed program; amending s. 402.281, F.S.;

1780 updating an obsolete reference to a former council;

1781 requiring the Department of Children and Family



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1782 Services to consult with the Agency for Workforce
1783 Innovation regarding the approval of accrediting
1784 associations for the Gold Seal Quality Care program;
1785 transferring, renumbering, and amending s. 402.3018,
1786 F.S.; transferring administration of the statewide
1787 toll-free Warm-Line from the department to the agency;
1788 conforming provisions; transferring, renumbering, and
1789 amending s. 402.3051, F.S.; revising procedures for
1790 child care market rate reimbursement and child care
1791 grants; transferring authority to establish the
1792 procedures from the department to the agency;
1793 directing the agency to adopt a prevailing market rate
1794 schedule for child care services; revising
1795 definitions; prohibiting the schedule from interfering
1796 with parental choice; authorizing the agency to enter
1797 into contracts and adopt rules; amending s. 402.313,
1798 F.S.; deleting obsolete provisions authorizing the
1799 department to license family day care homes
1800 participating in a repealed program; amending s.
1801 402.315, F.S.; revising provisions relating to fees
1802 collected for child care facilities; amending s.
1803 402.45, F.S.; updating an obsolete reference relating
1804 to a former council; directing the Department of
1805 Health to consult with the agency regarding certain
1806 training provided for contractors of the community
1807 resource mother or father program; amending s.
1808 409.1671, F.S.; clarifying that a licensed foster home
1809 may be dually licensed as a child care facility and
1810 receive certain payments for the same child; deleting



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1811 an obsolete reference to a repealed program; amending
1812 s. 411.01, F.S.; revising provisions relating to the
1813 School Readiness Act; revising legislative intent;
1814 revising the duties and responsibilities of the Agency
1815 for Workforce Innovation; extending the date by which
1816 early learning coalitions must be organized; revising
1817 requirements for parental choice; directing the agency
1818 to establish a formula for allocating school readiness
1819 funds to each county; providing for legislative notice
1820 and review of the formula; amending s. 411.0101, F.S.;
1821 revising requirements for services provided by the
1822 statewide child care resource and referral network;
1823 updating obsolete references to repealed programs;
1824 amending s. 411.0102, F.S.; revising provisions
1825 relating to the Child Care Executive Partnership Act;
1826 updating obsolete references to repealed programs;
1827 deleting provisions relating to the duties of each
1828 early coalition board; amending s. 411.0105, F.S.;
1829 revising lead agency responsibilities for
1830 administration of certain federal provisions;
1831 requiring the Department of Education to contract with
1832 the agency; amending s. 411.203, F.S.; deleting an
1833 obsolete reference to a repealed program; conforming
1834 provisions; amending s. 411.221, F.S.; updating an
1835 obsolete reference to a former council; amending ss.
1836 445.024, 445.030, 490.014, and 491.014, F.S.; deleting
1837 obsolete references to repealed programs; conforming
1838 provisions to the repeal of the subsidized child care
1839 case management program; amending ss. 1002.53,



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1840 1002.67, and 1002.71, F.S.; conforming provisions to
1841 changes made by the act; amending s. 1009.64, F.S.;
1842 deleting an obsolete reference to a repealed program;
1843 repealing ss. 402.3135 and 402.3145, F.S., relating to
1844 the subsidized child care program case management
1845 program and the subsidized child care transportation
1846 program; transferring and renumbering s. 402.3016,
1847 F.S., relating to Early Head Start collaboration
1848 grants; providing an effective date.