

By Senator Wise

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1 A bill to be entitled
2 An act relating to early learning; amending s.
3 39.0121, F.S.; deleting an obsolete reference to the
4 repealed subsidized child care program; amending s.
5 39.202, F.S.; replacing an obsolete reference to a
6 repealed program with an updated reference to the
7 school readiness program; authorizing county agencies
8 responsible for licensure or approval of child care
9 providers to be granted access to certain confidential
10 reports and records in cases of child abuse or
11 neglect; amending s. 39.5085, F.S.; deleting an
12 obsolete reference to a repealed program; amending s.
13 125.901, F.S.; reducing the number of members on the
14 governing board providing children's services within
15 certain counties; amending s. 383.14, F.S.; replacing
16 obsolete references to the former State Coordinating
17 Council for School Readiness Programs with updated
18 references to the agency; transferring, renumbering,
19 and amending s. 402.25, F.S.; updating an obsolete
20 reference to a repealed program; deleting obsolete
21 references relating to the repealed prekindergarten
22 early intervention program and Florida First Start
23 Program; amending s. 402.26, F.S.; revising
24 legislative intent; updating an obsolete reference to
25 a repealed program; amending s. 402.281, F.S.;
26 updating an obsolete reference to a former council;
27 requiring the Department of Children and Family
28 Services to consult with the agency regarding the
29 approval of accrediting associations for the Gold Seal

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30 Quality Care program; transferring, renumbering, and
31 amending s. 402.3018, F.S.; transferring
32 administration of the statewide toll-free Warm-Line
33 from the department to the agency; conforming
34 provisions; transferring, renumbering, and amending s.
35 402.3051, F.S.; revising procedures for child care
36 market rate reimbursement and child care grants;
37 transferring authority to establish the procedures
38 from the department to the agency; directing the
39 agency to adopt a prevailing market rate schedule for
40 child care services; revising definitions; prohibiting
41 the schedule from interfering with parental choice;
42 authorizing the agency to enter into contracts and
43 adopt rules; amending s. 402.313, F.S.; deleting
44 obsolete provisions authorizing the department to
45 license family day care homes participating in a
46 repealed program; amending s. 402.45, F.S.; updating
47 an obsolete reference relating to a former council;
48 directing the Department of Health to consult with the
49 agency regarding certain training provided for
50 contractors of the community resource mother or father
51 program; amending s. 409.1671, F.S.; clarifying that a
52 licensed foster home may be dually licensed as a child
53 care facility and receive certain payments for the
54 same child; deleting an obsolete reference to a
55 repealed program; amending s. 411.01, F.S.; revising
56 provisions relating to the School Readiness Act;
57 revising legislative intent; revising the duties and
58 responsibilities of the Agency for Workforce

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59 Innovation; extending the date by which early learning
60 coalitions must be organized; revising requirements
61 for parental choice; directing the agency to establish
62 a formula for allocating school readiness funds to
63 each county; providing for legislative notice and
64 review of the formula; amending s. 411.0101, F.S.;
65 revising requirements for services provided by the
66 statewide child care resource and referral network;
67 updating obsolete references to repealed programs;
68 amending s. 411.0102, F.S.; revising provisions
69 relating to the Child Care Executive Partnership Act;
70 updating obsolete references to repealed programs;
71 deleting provisions relating to the duties of each
72 early coalition board; amending s. 411.0105, F.S.;
73 revising lead agency responsibilities for
74 administration of certain federal provisions;
75 requiring the Department of Education to contract with
76 the agency; amending s. 411.203, F.S.; deleting an
77 obsolete reference to a repealed program; conforming
78 provisions; amending s. 411.221, F.S.; updating an
79 obsolete reference to a former council; amending ss.
80 445.024, 445.030, 490.014, and 491.014, F.S.; deleting
81 obsolete references to repealed programs; conforming
82 provisions to the repeal of the subsidized child care
83 case management program; amending ss. 1002.53,
84 1002.67, and 1002.71, F.S.; conforming provisions;
85 amending s. 1009.64, F.S.; deleting an obsolete
86 reference to a repealed program; repealing ss.
87 402.3135 and 402.3145, F.S., relating to the

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88 subsidized child care program case management program
89 and the subsidized child care transportation program;
90 transferring and renumbering s. 402.3016, F.S.,
91 relating to Early Head Start collaboration grants;
92 providing an effective date.

93

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

95

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

98 39.0121 Specific rulemaking authority.—Pursuant to the
99 requirements of s. 120.536, the department is specifically
100 authorized to adopt, amend, and repeal administrative rules
101 which implement or interpret law or policy, or describe the
102 procedure and practice requirements necessary to implement this
103 chapter, including, but not limited to, the following:

104 (7) Federal funding requirements and procedures; foster
105 care and adoption subsidies; and subsidized independent living~~r~~
106 ~~and subsidized child care.~~

107 Section 2. Paragraph (a) of subsection (2) of section
108 39.202, Florida Statutes, is amended to read:

109 39.202 Confidentiality of reports and records in cases of
110 child abuse or neglect.—

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

115 (a) Employees, authorized agents, or contract providers of
116 the department, the Department of Health, the Agency for Persons

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117 with Disabilities, or county agencies responsible for carrying
118 out:

- 119 1. Child or adult protective investigations;
- 120 2. Ongoing child or adult protective services;
- 121 3. Early intervention and prevention services;
- 122 4. Healthy Start services;
- 123 5. Licensure or approval of adoptive homes, foster homes,
124 child care facilities, facilities licensed under chapter 393, or
125 family day care homes or informal child care providers who
126 receive school readiness ~~subsidized child care~~ funding, or other
127 homes used to provide for the care and welfare of children; or
- 128 6. Services for victims of domestic violence when provided
129 by certified domestic violence centers working at the
130 department's request as case consultants or with shared clients.

131
132 Also, employees or agents of the Department of Juvenile Justice
133 responsible for the provision of services to children, pursuant
134 to chapters 984 and 985.

135 Section 3. Paragraph (f) of subsection (2) of section
136 39.5085, Florida Statutes, is amended to read:

137 39.5085 Relative Caregiver Program.—

138 (2)

139 (f) Within available funding, the Relative Caregiver
140 Program shall provide relative caregivers with family support
141 and preservation services, flexible funds in accordance with s.
142 409.165, ~~subsidized child care~~, and other available services in
143 order to support the child's safety, growth, and healthy
144 development. Children living with relative caregivers who are
145 receiving assistance under this section shall be eligible for

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146 Medicaid coverage.

147 Section 4. Paragraph (b) of subsection (1) of section
148 125.901, Florida Statutes, is amended to read:

149 125.901 Children's services; independent special district;
150 council; powers, duties, and functions.—

151 (1) Each county may by ordinance create an independent
152 special district, as defined in ss. 189.403(3) and
153 200.001(8)(e), to provide funding for children's services
154 throughout the county in accordance with this section. The
155 boundaries of such district shall be coterminous with the
156 boundaries of the county. The county governing body shall obtain
157 approval, by a majority vote of those electors voting on the
158 question, to annually levy ad valorem taxes which shall not
159 exceed the maximum millage rate authorized by this section. Any
160 district created pursuant to the provisions of this subsection
161 shall be required to levy and fix millage subject to the
162 provisions of s. 200.065. Once such millage is approved by the
163 electorate, the district shall not be required to seek approval
164 of the electorate in future years to levy the previously
165 approved millage.

166 (b) However, any county as defined in s. 125.011(1) may
167 instead have a governing board consisting of 20 ~~33~~ members,
168 including: the superintendent of schools; two representatives of
169 public postsecondary education institutions located in the
170 county; the county manager or the equivalent county officer; the
171 district administrator from the appropriate district of the
172 Department of Children and Family Services, or the
173 administrator's designee who is a member of the Senior
174 Management Service or the Selected Exempt Service; the director

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175 of the county health department or the director's designee; the
176 state attorney for the county or the state attorney's designee;
177 the chief judge assigned to juvenile cases, or another juvenile
178 judge who is the chief judge's designee and who shall sit as a
179 voting member of the board, except that the judge may not vote
180 or participate in setting ad valorem taxes under this section;
181 an individual who is selected by the board of the local United
182 Way or its equivalent; a member of a locally recognized faith-
183 based coalition, selected by that coalition; a member of the
184 local chamber of commerce, selected by that chamber or, if more
185 than one chamber exists within the county, a person selected by
186 a coalition of the local chambers; a member of the early
187 learning coalition, selected by that coalition; a representative
188 of a labor organization or union active in the county; a member
189 of a local alliance or coalition engaged in cross-system
190 planning for health and social service delivery in the county,
191 selected by that alliance or coalition; a member of the local
192 Parent-Teachers Association/Parent-Teacher-Student Association,
193 selected by that association; a youth representative selected by
194 the local school system's student government; a local school
195 board member appointed by the chair of the school board; the
196 mayor of the county or the mayor's designee; one member of the
197 county governing body, appointed by the chair of that body; a
198 member of the state Legislature who represents residents of the
199 county, selected by the chair of the local legislative
200 delegation; an elected official representing the residents of a
201 municipality in the county, selected by the county municipal
202 league; and 4 members-at-large, appointed to the council by the
203 majority of sitting council members. The remaining 7 members

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204 shall be appointed by the Governor in accordance with procedures
205 set forth in paragraph (a), except that the Governor may remove
206 a member for cause or upon the written petition of the council.
207 Appointments by the Governor must, to the extent reasonably
208 possible, represent the geographic and demographic diversity of
209 the population of the county. Members who are appointed to the
210 council by reason of their position are not subject to the
211 length of terms and limits on consecutive terms as provided in
212 this section. The remaining appointed members of the governing
213 board shall be appointed to serve 2-year terms, except that
214 those members appointed by the Governor shall be appointed to
215 serve 4-year terms, and the youth representative and the
216 legislative delegate shall be appointed to serve 1-year terms. A
217 member may be reappointed; however, a member may not serve for
218 more than three consecutive terms. A member is eligible to be
219 appointed again after a 2-year hiatus from the council.

220 Section 5. Subsections (1) and (2) of section 383.14,
221 Florida Statutes, are amended to read:

222 383.14 Screening for metabolic disorders, other hereditary
223 and congenital disorders, and environmental risk factors.—

224 (1) SCREENING REQUIREMENTS.—To help ensure access to the
225 maternal and child health care system, the Department of Health
226 shall promote the screening of all newborns born in Florida for
227 metabolic, hereditary, and congenital disorders known to result
228 in significant impairment of health or intellect, as screening
229 programs accepted by current medical practice become available
230 and practical in the judgment of the department. The department
231 shall also promote the identification and screening of all
232 newborns in this state and their families for environmental risk

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233 factors such as low income, poor education, maternal and family
234 stress, emotional instability, substance abuse, and other high-
235 risk conditions associated with increased risk of infant
236 mortality and morbidity to provide early intervention,
237 remediation, and prevention services, including, but not limited
238 to, parent support and training programs, home visitation, and
239 case management. Identification, prenatal ~~perinatal~~ screening,
240 and intervention efforts shall begin prior to and immediately
241 following the birth of the child by the attending health care
242 provider. Such efforts shall be conducted in hospitals, prenatal
243 ~~perinatal~~ centers, county health departments, school health
244 programs that provide prenatal care, and birthing centers, and
245 reported to the Office of Vital Statistics.

246 (a) *Prenatal screening.*—The department shall develop a
247 multilevel screening process that includes a risk assessment
248 instrument to identify women at risk for a preterm birth or
249 other high-risk condition. The primary health care provider
250 shall complete the risk assessment instrument and report the
251 results to the Office of Vital Statistics so that the woman may
252 immediately be notified and referred to appropriate health,
253 education, and social services.

254 (b) *Postnatal screening.*—A risk factor analysis using the
255 department's designated risk assessment instrument shall also be
256 conducted as part of the medical screening process upon the
257 birth of a child and submitted to the department's Office of
258 Vital Statistics for recording and other purposes provided for
259 in this chapter. The department's screening process for risk
260 assessment shall include a scoring mechanism and procedures that
261 establish thresholds for notification, further assessment,

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262 referral, and eligibility for services by professionals or
263 paraprofessionals consistent with the level of risk. Procedures
264 for developing and using the screening instrument, notification,
265 referral, and care coordination services, reporting
266 requirements, management information, and maintenance of a
267 computer-driven registry in the Office of Vital Statistics which
268 ensures privacy safeguards must be consistent with the
269 provisions and plans established under chapter 411, Pub. L. No.
270 99-457, and this chapter. Procedures established for reporting
271 information and maintaining a confidential registry must include
272 a mechanism for a centralized information depository at the
273 state and county levels. The department shall coordinate with
274 existing risk assessment systems and information registries. The
275 department must ensure, to the maximum extent possible, that the
276 screening information registry is integrated with the
277 department's automated data systems, including the Florida On-
278 line Recipient Integrated Data Access (FLORIDA) system. Tests
279 and screenings must be performed by the State Public Health
280 Laboratory, in coordination with Children's Medical Services, at
281 such times and in such manner as is prescribed by the department
282 after consultation with the Genetics and Infant Screening
283 Advisory Council and the Agency for Workforce Innovation ~~State~~
284 ~~Coordinating Council for School Readiness Programs.~~

285 (c) *Release of screening results.*—Notwithstanding any other
286 law to the contrary, the State Public Health Laboratory may
287 release, directly or through the Children's Medical Services
288 program, the results of a newborn's hearing and metabolic tests
289 or screening to the newborn's primary care physician.

290 (2) RULES.—After consultation with the Genetics and Newborn

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291 Screening Advisory Council, the department shall adopt and
 292 enforce rules requiring that every newborn in this state shall,
 293 prior to becoming 1 week of age, be subjected to a test for
 294 phenylketonuria and, at the appropriate age, be tested for such
 295 other metabolic diseases and hereditary or congenital disorders
 296 as the department may deem necessary from time to time. After
 297 consultation with the Agency for Workforce Innovation State
 298 ~~Coordinating Council for School Readiness Programs~~, the
 299 department shall also adopt and enforce rules requiring every
 300 newborn in this state to be screened for environmental risk
 301 factors that place children and their families at risk for
 302 increased morbidity, mortality, and other negative outcomes. The
 303 department shall adopt such additional rules as are found
 304 necessary for the administration of this section and s. 383.145,
 305 including rules providing definitions of terms, rules relating
 306 to the methods used and time or times for testing as accepted
 307 medical practice indicates, rules relating to charging and
 308 collecting fees for the administration of the newborn screening
 309 program authorized by this section, rules for processing
 310 requests and releasing test and screening results, and rules
 311 requiring mandatory reporting of the results of tests and
 312 screenings for these conditions to the department.

313 Section 6. Section 402.25, Florida Statutes, is
 314 transferred, renumbered as section 411.0106, Florida Statutes,
 315 and amended to read:

316 411.0106 ~~402.25~~ Infants and toddlers in state-funded
 317 education and care programs; brain development activities.—Each
 318 state-funded education and care program for children from birth
 319 to 5 years of age must provide activities to foster brain

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320 development in infants and toddlers. A program must provide an
 321 environment that helps children attain the performance standards
 322 adopted by the Agency for Workforce Innovation under s.
 323 411.01(4)(d)8. and must be rich in language and music and filled
 324 with objects of various colors, shapes, textures, and sizes to
 325 stimulate visual, tactile, auditory, and linguistic senses in
 326 the children and must include classical music and at least 30
 327 minutes of reading to the children each day. A program may be
 328 offered through an existing early childhood program such as
 329 Healthy Start, the Title I program, the school readiness program
 330 ~~contracted or directly operated subsidized child care, the~~
 331 ~~prekindergarten early intervention program, Florida First Start,~~
 332 the Head Start program, or a private child care program. A
 333 program must provide training for the infants' and toddlers'
 334 parents including direct dialogue and interaction between
 335 teachers and parents demonstrating the urgency of brain
 336 development in the first year of a child's life. Family day care
 337 centers are encouraged, but not required, to comply with this
 338 section.

339 Section 7. Subsection (5) of section 402.26, Florida
 340 Statutes, is amended to read:

341 402.26 Child care; legislative intent.—

342 (5) It is the further intent of the Legislature to provide
 343 and make accessible child care opportunities for children at
 344 risk, economically disadvantaged children, and other children
 345 traditionally disenfranchised from society. In achieving this
 346 intent, the Legislature shall develop early learning programs ~~a~~
 347 ~~subsidized child care system,~~ a range of child care options,
 348 support services, and linkages with other programs to fully meet

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349 the child care needs of this population.

350 Section 8. Subsection (2) of section 402.281, Florida
351 Statutes, is amended to read:

352 402.281 Gold Seal Quality Care program.—

353 (2) In developing the Gold Seal Quality Care program
354 standards, the department shall consult with the Department of
355 Education, the Agency for Workforce Innovation, the Florida Head
356 Start Directors Association, the Florida Association of Child
357 Care Management, the Florida Family Day Care Association, the
358 Florida Children's Forum, ~~the State Coordinating Council for~~
359 ~~School Readiness Programs~~, the Early Childhood Association of
360 Florida, the National Association for Child Development
361 Education, providers receiving exemptions under s. 402.316, and
362 parents, for the purpose of approving the accrediting
363 associations.

364 Section 9. Section 402.3018, Florida Statutes, is
365 transferred, renumbered as section 411.01015, Florida Statutes,
366 and amended to read:

367 411.01015 ~~402.3018~~ Consultation to child care centers and
368 family day care homes regarding health, developmental,
369 disability, and special needs issues.—

370 (1) Contingent upon specific appropriations, the Agency for
371 Workforce Innovation shall administer ~~department is directed to~~
372 ~~contract with the statewide resource information and referral~~
373 ~~agency for~~ a statewide toll-free Warm-Line for the purpose of
374 providing assistance and consultation to child care centers and
375 family day care homes regarding health, developmental,
376 disability, and special needs issues of the children they are
377 serving, particularly children with disabilities and other

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378 special needs.

379 (2) The purpose of the Warm-Line is to provide advice to
380 child care personnel concerning strategies, curriculum, and
381 environmental adaptations that allow a child to derive maximum
382 benefit from ~~the child care~~ services ~~experience~~.

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

386 (4) Contingent upon specific appropriations, the Agency for
387 Workforce Innovation ~~department~~ shall expand, or contract for
388 the expansion of, the Warm-Line to the early learning coalitions
389 ~~from one statewide site to one Warm-Line site in each child care~~
390 ~~resource and referral agency region~~.

391 (5) Each regional Warm-Line shall provide assistance and
392 consultation to child care centers and family day care homes
393 regarding health, developmental, disability, and special needs
394 issues of the children they are serving, particularly children
395 with disabilities and other special needs. Regional Warm-Line
396 staff shall provide onsite technical assistance, when requested,
397 to assist child care centers and family day care homes with
398 inquiries relative to the strategies, curriculum, and
399 environmental adaptations the child care centers and family day
400 care homes may need as they serve children with disabilities and
401 other special needs.

402 Section 10. Section 402.3051, Florida Statutes, is
403 transferred, renumbered as section 411.01013, Florida Statutes,
404 and amended to read:

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

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407 411.01013 Prevailing market rate schedule.-

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

409 (a) "Market rate" means the price that a child care
410 provider charges for daily, weekly, or monthly child care
411 services.

412 (b) "Prevailing market rate" means the annually determined
413 75th percentile of a reasonable frequency distribution of the
414 market rate in a predetermined geographic market at which child
415 care providers charge a person for child care services.

416 (2) The Agency for Workforce Innovation shall establish
417 procedures for the adoption of a prevailing market rate
418 schedule. The schedule must include, at a minimum, county-by-
419 county rates:

420 (a) At the prevailing market rate, plus the maximum rate
421 differential authorized in the General Appropriations Act, for
422 child care providers that hold a Gold Seal Quality Care
423 designation under s. 402.281.

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

426 (3) The prevailing market rate schedule, at a minimum,
427 must:

428 (a) Differentiate rates by the type of child care provider,
429 including, but not limited to, a child care facility licensed
430 under s. 402.305, a public or nonpublic school exempt from
431 licensure under s. 402.3025, a faith-based child care facility
432 exempt from licensure under s. 402.316, a large family child
433 care home licensed under s. 402.3131, a family day care home
434 licensed or registered under s. 402.313, or an after-school
435 program that is not defined as child care under rules adopted

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436 pursuant to s. 402.3045.

437 (b) Differentiate rates by the type of child care services
438 provided for children with special needs or risk categories,
439 infants, toddlers, preschool-age children, and school-age
440 children.

441 (c) Differentiate rates between full-time and part-time
442 child care services.

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

445 (4) The prevailing market rate schedule may not interfere
446 with the parental choice of child care providers under s.
447 411.01, regardless of available funding for the school readiness
448 program. The prevailing market rate schedule must be based
449 exclusively on the prices charged for child care services.

450 (5) The Agency for Workforce Innovation may contract with
451 one or more qualified entities to administer this section and
452 provide support and technical assistance for child care
453 providers.

454 (6) The Agency for Workforce Innovation may adopt rules
455 under ss. 120.536(1) and 120.54 to administer this section.

456 Section 11. Subsection (1) of section 402.313, Florida
457 Statutes, is amended to read:

458 402.313 Family day care homes.—

459 (1) Family day care homes shall be licensed under this act
460 if they are presently being licensed under an existing county
461 licensing ordinance, ~~if they are participating in the subsidized~~
462 ~~child care program,~~ or if the board of county commissioners
463 passes a resolution that family day care homes be licensed. ~~If~~
464 ~~no county authority exists for the licensing of a family day~~

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465 ~~care home, the department shall have the authority to license~~
466 ~~family day care homes under contract for the purchase of service~~
467 ~~system in the subsidized child care program.~~

468 (a) If not subject to license, family day care homes shall
469 register annually with the department, providing the following
470 information:

- 471 1. The name and address of the home.
- 472 2. The name of the operator.
- 473 3. The number of children served.
- 474 4. Proof of a written plan to provide at least one other
475 competent adult to be available to substitute for the operator
476 in an emergency. This plan shall include the name, address, and
477 telephone number of the designated substitute.
- 478 5. Proof of screening and background checks.
- 479 6. Proof of successful completion of the 30-hour training
480 course, as evidenced by passage of a competency examination,
481 which shall include:
 - 482 a. State and local rules and regulations that govern child
483 care.
 - 484 b. Health, safety, and nutrition.
 - 485 c. Identifying and reporting child abuse and neglect.
 - 486 d. Child development, including typical and atypical
487 language development; and cognitive, motor, social, and self-
488 help skills development.
 - 489 e. Observation of developmental behaviors, including using
490 a checklist or other similar observation tools and techniques to
491 determine a child's developmental level.
 - 492 f. Specialized areas, including early literacy and language
493 development of children from birth to 5 years of age, as

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494 determined by the department, for owner-operators of family day
495 care homes.

496 7. Proof that immunization records are kept current.

497 8. Proof of completion of the required continuing education
498 units or clock hours.

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

502 (c) The department may provide technical assistance to
503 counties and family day care home providers to enable counties
504 and family day care providers to achieve compliance with family
505 day care homes standards.

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

508 402.45 Community resource mother or father program.—

509 (6) Individuals under contract to provide community
510 resource mother or father services shall participate in
511 preservice and ongoing training as determined by the Department
512 of Health in consultation with the Agency for Workforce
513 Innovation State Coordinating Council for School Readiness
514 ~~Programs~~. A community resource mother or father shall not be
515 assigned a client caseload until all preservice training
516 requirements are completed.

517 Section 13. Paragraph (c) of subsection (5) of section
518 409.1671, Florida Statutes, is amended to read:

519 409.1671 Foster care and related services; outsourcing.—

520 (5)

521 (c) A foster home ~~dually~~ licensed ~~home~~ under this section
522 may shall be dually licensed as a child care facility under

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523 chapter 402 and may ~~eligible to~~ receive both an out-of-home care
524 payment and, to the extent permitted under federal law, school
525 readiness funding ~~a subsidized child care payment~~ for the same
526 child ~~pursuant to federal law~~. The department may adopt
527 ~~administrative~~ rules necessary to administer this paragraph.

528 Section 14. Paragraphs (a), (d), (e), (f), (g), and (h) of
529 subsection (2) and subsections (4) through (11) of section
530 411.01, Florida Statutes, are amended to read:

531 411.01 School readiness programs; early learning
532 coalitions.—

533 (2) LEGISLATIVE INTENT.—

534 (a) The Legislature recognizes that school readiness
535 programs increase children's chances of achieving future
536 educational success and becoming productive members of society.
537 It is the intent of the Legislature that the programs be
538 developmentally appropriate, research-based, involve the parent
539 ~~parents~~ as a ~~their~~ child's first teacher, serve as preventive
540 measures for children at risk of future school failure, enhance
541 the educational readiness of eligible children, and support
542 family education. Each school readiness program shall provide
543 the elements necessary to prepare at-risk children for school,
544 including health screening and referral and an appropriate
545 educational program.

546 (d) It is the intent of the Legislature that the
547 administrative staff ~~at the state level~~ for school readiness
548 programs be kept to the minimum necessary to administer the
549 duties of the Agency for Workforce Innovation and early learning
550 coalitions, ~~as the school readiness programs are to be~~
551 ~~regionally designed, operated, and managed, with the Agency for~~

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552 ~~Workforce Innovation developing school readiness program~~
553 ~~performance standards and outcome measures and approving and~~
554 ~~reviewing early learning coalitions and school readiness plans.~~

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

559 ~~(e)-(f)~~ (f) It is the intent of the Legislature that the school
560 readiness program coordinate and operate in conjunction with the
561 district school systems. However, it is also the intent of the
562 Legislature that the school readiness program not be construed
563 as part of the system of free public schools but rather as a
564 separate program for children under the age of kindergarten
565 eligibility, funded separately from the system of free public
566 schools, utilizing a mandatory sliding fee scale, and providing
567 an integrated and seamless system of school readiness services
568 for the state's birth-to-kindergarten population.

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

572 ~~(f)-(h)~~ (f) It is the intent of the Legislature that school
573 readiness services ~~shall~~ be an integrated and seamless program
574 ~~system~~ of services with a developmentally appropriate education
575 component for the state's eligible birth-to-kindergarten
576 population described in subsection (6) and ~~shall~~ not be
577 construed as part of the seamless K-20 education system.

578 (4) AGENCY FOR WORKFORCE INNOVATION.—

579 (a) The Agency for Workforce Innovation shall administer
580 school readiness programs at the state level and shall

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581 coordinate with the early learning coalitions in providing
582 school readiness services on a full-day, full-year, full-choice
583 basis to the extent possible in order to enable parents to work
584 and be financially self-sufficient.

585 (b) The Agency for Workforce Innovation shall:

586 1. Administer through early learning coalitions ~~Coordinate~~
587 the birth-to-kindergarten services for children who are eligible
588 under subsection (6) and the programmatic, administrative, and
589 fiscal standards under this section for all public providers of
590 school readiness programs.

591 ~~2. Continue to provide unified leadership for school~~
592 ~~readiness through early learning coalitions.~~

593 ~~2.3.~~ Focus on improving the educational quality of all
594 program providers participating in publicly funded school
595 readiness programs.

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

601 (d) The Agency for Workforce Innovation shall:

602 1. Be responsible for the prudent use of all public and
603 private funds in accordance with all legal and contractual
604 requirements.

605 2. Provide final approval and biannually ~~periodic~~ review of
606 early learning coalitions and school readiness plans.

607 3. Establish ~~Provide leadership for the enhancement of~~
608 ~~school readiness in this state by aggressively establishing a~~
609 unified approach to the state's efforts toward enhancement of

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610 school readiness. In support of this effort, the Agency for
611 Workforce Innovation may adopt ~~develop and implement~~ specific
612 strategies that address the state's school readiness programs.
613 An early learning coalition shall amend its school readiness
614 plan to conform to the specific strategies adopted by the Agency
615 for Workforce Innovation.

616 4. Safeguard the effective use of federal, state, local,
617 and private resources to achieve the highest possible level of
618 school readiness for the children in this state.

619 5. Provide technical assistance to early learning
620 coalitions in a manner determined by the Agency for Workforce
621 Innovation based upon information obtained by the agency from
622 any of the following sources, including, but not limited to,
623 public input, government reports, private interest group
624 reports, agency monitoring visits, and coalition requests for
625 service.

626 ~~6. Assess gaps in service.~~

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

629 ~~6.8.~~ Develop and adopt performance standards and outcome
630 measures for school readiness programs. The performance
631 standards must address the age-appropriate progress of children
632 in the development of ~~the~~ school readiness skills ~~required under~~
633 ~~paragraph (j)~~. The performance standards for children from birth
634 to 5 ~~3~~ years of age in school readiness programs must be
635 integrated with the performance standards adopted by the
636 Department of Education for children in the Voluntary
637 Prekindergarten Education Program under s. 1002.67.

638 (e) The Agency for Workforce Innovation may adopt rules

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639 under ss. 120.536(1) and 120.54 to administer the provisions of
640 law conferring duties upon the agency, including, but not
641 limited to, rules governing the administration preparation and
642 implementation of the school readiness programs system, the
643 collection of data, the approval of early learning coalitions
644 and school readiness plans, the provision of a method whereby an
645 early learning coalition may serve two or more counties, the
646 award of incentives to early learning coalitions, child
647 performance standards, child outcome measures and assessment for
648 School Readiness Children, parent eligibility processes, child
649 care resource and referral, and the issuance of waivers, and the
650 implementation of the federal Child Care and Development Fund
651 Plan.

652 (f) The Agency for Workforce Innovation shall have all
653 powers necessary to administer this section, including, but not
654 limited to, the power to receive and accept grants, loans, or
655 advances of funds from any public or private agency and to
656 receive and accept from any source contributions of money,
657 property, labor, or any other thing of value, to be held, used,
658 and applied for purposes of this section.

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

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

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668 (i) The Agency for Workforce Innovation shall coordinate
669 the efforts toward school readiness in this state and provide
670 independent policy analyses, data analyses, and recommendations
671 to the Governor, the State Board of Education, and the
672 Legislature.

673 (j) The Agency for Workforce Innovation shall require that
674 ~~each early learning coalition's~~ school readiness programs
675 ~~program must~~, at a minimum, enhance the age-appropriate progress
676 of each child in attaining the performance standards adopted
677 under paragraph (d)8. and in the development of the following
678 school readiness skills:

- 679 1. Compliance with rules, limitations, and routines.
- 680 2. Ability to perform tasks.
- 681 3. Interactions with adults.
- 682 4. Interactions with peers.
- 683 5. Ability to cope with challenges.
- 684 6. Self-help skills.
- 685 7. Ability to express the child's needs.
- 686 8. Verbal communication skills.
- 687 9. Problem-solving skills.
- 688 10. Following of verbal directions.
- 689 11. Demonstration of curiosity, persistence, and
690 exploratory behavior.
- 691 12. Interest in books and other printed materials.
- 692 13. Paying attention to stories.
- 693 14. Participation in art and music activities.
- 694 15. Ability to identify colors, geometric shapes, letters
695 of the alphabet, numbers, and spatial and temporal
696 relationships.

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697
698 Within 30 days after enrollment ~~The Agency for Workforce~~
699 ~~Innovation shall also require that, before a child is enrolled~~
700 ~~in the an early learning coalition's~~ school readiness program,
701 the early learning coalition must obtain, or ensure that the
702 program provider obtains, ~~information is obtained by the~~
703 ~~coalition or the school readiness provider~~ regarding the child's
704 immunizations, physical development, and other health
705 requirements as necessary, including appropriate vision and
706 hearing screening and examinations.

707 (k) The Agency for Workforce Innovation shall conduct
708 studies and planning activities related to the overall
709 improvement and effectiveness of the outcome measures adopted by
710 the agency for school readiness programs and the specific
711 strategies to address the state's school readiness programs
712 adopted by the Agency for Workforce Innovation in accordance
713 with subparagraph (d)3.

714 (l) The Agency for Workforce Innovation shall monitor and
715 evaluate the performance of each early learning coalition in
716 administering the school readiness program, implementing the
717 coalition's school readiness plan, and administering the
718 Voluntary Prekindergarten Education Program. These monitoring
719 and performance evaluations must include, at a minimum, onsite
720 monitoring of each coalition's finances, management, operations,
721 and programs.

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

725 (m) ~~(n)~~ The Agency for Workforce Innovation shall submit an

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726 annual report of its activities conducted under this section to
 727 the Governor, ~~the executive director of the Florida Healthy Kids~~
 728 ~~Corporation~~, the President of the Senate, the Speaker of the
 729 House of Representatives, and the minority leaders of both
 730 houses of the Legislature. In addition, the Agency for Workforce
 731 Innovation's reports and recommendations shall be made available
 732 to ~~the State Board of Education~~, the Florida Early Learning
 733 Advisory Council and, other appropriate state agencies and
 734 entities, ~~district school boards, central agencies, and county~~
 735 ~~health departments~~. The annual report must provide an analysis
 736 of school readiness activities across the state, including the
 737 number of children who were served in the programs.

738 (n) ~~(e)~~ The Agency for Workforce Innovation shall work with
 739 the early learning coalitions to ensure availability of training
 740 and support for parent ~~increase parents' training for and~~
 741 involvement in ~~their~~ children's early preschool education and to
 742 provide family literacy activities and services ~~programs~~.

743 (5) CREATION OF EARLY LEARNING COALITIONS.-

744 (a) *Early learning coalitions*.-

745 1. The Agency for Workforce Innovation shall establish the
 746 minimum number of children to be served by each early learning
 747 coalition through the coalition's school readiness program. The
 748 Agency for Workforce Innovation may only approve school
 749 readiness plans in accordance with this minimum number. The
 750 minimum number must be uniform for every early learning
 751 coalition and must:

- 752 a. Permit 20 ~~30~~ or fewer coalitions to be established; and
 753 b. Require each coalition to serve at least 3,000 ~~2,000~~
 754 children based upon the average number of all children served

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755 per month through the coalition's school readiness program
756 during the previous 12 months.

757

758 The Agency for Workforce Innovation shall adopt procedures for
759 merging early learning coalitions, including procedures for the
760 consolidation of merging coalitions, and for the early
761 termination of the terms of coalition members which are
762 necessary to accomplish the mergers. Each early learning
763 coalition must comply with the merger procedures and shall be
764 organized in accordance with this subparagraph by April 1, 2010
765 ~~2005~~. By June 30, 2005, each coalition must complete the
766 transfer of powers, duties, functions, rules, records,
767 personnel, property, and unexpended balances of appropriations,
768 allocations, and other funds to the successor coalition, if
769 applicable.

770 2. If an early learning coalition would serve fewer
771 children than the minimum number established under subparagraph
772 1., the coalition must merge with another county to form a
773 multicounty coalition. However, the Agency for Workforce
774 Innovation may authorize an early learning coalition to serve
775 fewer children than the minimum number established under
776 subparagraph 1., if:

777 a. The coalition demonstrates to the Agency for Workforce
778 Innovation that merging with another county or multicounty
779 region contiguous to the coalition would cause an extreme
780 hardship on the coalition;

781 b. The Agency for Workforce Innovation has determined
782 during the most recent annual review of the coalition's school
783 readiness plan, or through monitoring and performance

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784 evaluations conducted under paragraph (4)(1), that the coalition
785 has substantially implemented its plan and substantially met the
786 performance standards and outcome measures adopted by the
787 agency; and

788 c. The coalition demonstrates to the Agency for Workforce
789 Innovation the coalition's ability to effectively and
790 efficiently implement the Voluntary Prekindergarten Education
791 Program.

792
793 If an early learning coalition fails or refuses to merge as
794 required by this subparagraph, the Agency for Workforce
795 Innovation may dissolve the coalition and temporarily contract
796 with a qualified entity to continue school readiness and
797 prekindergarten services in the coalition's county or
798 multicounty region until the agency reestablishes the coalition
799 and a new is reestablished through resubmission of a school
800 readiness plan has been approved and approval by the agency.

801 ~~3. Notwithstanding the provisions of subparagraphs 1. and~~
802 ~~2., the early learning coalitions in Sarasota, Osceola, and~~
803 ~~Santa Rosa Counties which were in operation on January 1, 2005,~~
804 ~~are established and authorized to continue operation as~~
805 ~~independent coalitions, and shall not be counted within the~~
806 ~~limit of 30 coalitions established in subparagraph 1.~~

807 3.4. Each early learning coalition shall be composed of at
808 least 10 ~~18~~ members but not more than 18 ~~35~~ members. The Agency
809 for Workforce Innovation shall adopt standards establishing
810 within this range the minimum and maximum number of members that
811 may be appointed to an early learning coalition. These standards
812 must include variations for a coalition serving a multicounty

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813 region. Each early learning coalition must comply with these
814 standards.

815 ~~4.5.~~ The Governor shall appoint the chair ~~and two other~~
816 ~~members~~ of each early learning coalition, who must each meet the
817 same qualifications as private sector business members appointed
818 by the coalition under subparagraph 7.

819 ~~5.6.~~ Each early learning coalition must include the
820 following members:

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

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

827 c. A regional workforce board executive director or his or
828 her designee.

829 ~~d. A county health department director or his or her~~
830 ~~designee.~~

831 ~~d.e.~~ A children's services council or juvenile welfare
832 board chair or executive director, if applicable, who shall be a
833 nonvoting member if the council or board is the fiscal agent of
834 the coalition or if the council or board contracts with and
835 receives funds from the coalition for any purpose other than
836 rent.

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

839 ~~f.g.~~ A president of a community college or his or her
840 designee.

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

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

844 ~~g.j.~~ A Head Start director, who shall be a nonvoting
845 member.

846 ~~h.k.~~ A representative of private child care providers,
847 including family day care homes, ~~who shall be a nonvoting~~
848 ~~member.~~

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

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

854 ~~6.7.~~ Including the chair ~~members~~ appointed by the Governor
855 under subparagraph 5., more than one-third of the members of
856 each early learning coalition must be private sector business
857 members who do not have, and none of whose relatives as defined
858 in s. 112.3143 has, a substantial financial interest in the
859 design or delivery of the Voluntary Prekindergarten Education
860 Program created under part V of chapter 1002 or the coalition's
861 school readiness program. To meet this requirement an early
862 learning coalition must appoint additional members ~~from a list~~
863 ~~of nominees submitted to the coalition by a chamber of commerce~~
864 ~~or economic development council within the geographic region~~
865 ~~served by the coalition.~~ The Agency for Workforce Innovation
866 shall establish criteria for appointing private sector business
867 members. These criteria must include standards for determining
868 whether a member or relative has a substantial financial
869 interest in the design or delivery of the Voluntary
870 Prekindergarten Education Program or the coalition's school

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871 readiness program.

872 ~~7.8.~~ A majority of the voting membership of an early
873 learning coalition constitutes a quorum required to conduct the
874 business of the coalition. An early learning coalition board may
875 use any method of telecommunications to conduct meetings,
876 including establishing a quorum through telecommunications,
877 provided that the public is given proper notice of a
878 telecommunications meeting and reasonable access to observe and,
879 when appropriate, participate.

880 ~~8.9.~~ A voting member of an early learning coalition may not
881 appoint a designee to act in his or her place, except as
882 otherwise provided in this paragraph. A voting member may send a
883 representative to coalition meetings, but that representative
884 does not have voting privileges. When a district administrator
885 for the Department of Children and Family Services appoints a
886 designee to an early learning coalition, the designee is the
887 voting member of the coalition, and any individual attending in
888 the designee's place, including the district administrator, does
889 not have voting privileges.

890 ~~9.10.~~ Each member of an early learning coalition is subject
891 to ss. 112.313, 112.3135, and 112.3143. For purposes of s.
892 112.3143(3)(a), each voting member is a local public officer who
893 must abstain from voting when a voting conflict exists.

894 ~~10.11.~~ For purposes of tort liability, each member or
895 employee of an early learning coalition shall be governed by s.
896 768.28.

897 ~~11.12.~~ An early learning coalition serving a multicounty
898 region must include representation from each county.

899 ~~12.13.~~ Each early learning coalition shall establish terms

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900 for all appointed members of the coalition. The terms must be
901 staggered and must be a uniform length that does not exceed 4
902 years per term. Coalition chairs shall be appointed for 4 years
903 in conjunction with their membership of the Early Learning
904 Advisory Council under s. 20.052. Appointed members may serve a
905 maximum of two consecutive terms. When a vacancy occurs in an
906 appointed position, the coalition must advertise the vacancy.

907 (b) *Program administration; extended services*
908 ~~participation.~~—The school readiness program shall be ~~established~~
909 ~~for children from birth to the beginning of the school year for~~
910 ~~which a child is eligible for admission to kindergarten in a~~
911 ~~public school under s. 1003.21(1)(a)2.~~ The program shall be
912 administered by the Agency for Workforce Innovation through an
913 early learning coalition. Within funding limitations, the early
914 learning coalition, along with all program providers, shall make
915 reasonable efforts to accommodate the needs of children for
916 extended-day and extended-year services without compromising the
917 quality of the program.

918 (c) *Program expectations.*—

919 1. The school readiness program must meet the following
920 expectations:

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

926 b. The program must provide extended-day and extended-year
927 services to the maximum extent possible to meet the needs of
928 parents who work.

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929 c. There must be coordinated staff development and teaching
930 opportunities.

931 d. There must be expanded access to community services and
932 resources for families to help achieve economic self-
933 sufficiency.

934 e. There must be a single point of entry and unified
935 waiting list. As used in this sub-subparagraph, the term "single
936 point of entry" means an integrated information system that
937 allows a parent to enroll his or her child in the school
938 readiness program at various locations throughout a the county
939 ~~or multicounty region served by an early learning coalition,~~
940 that may allow a parent to enroll his or her child by telephone
941 or through an Internet website, and that uses a unified waiting
942 list to track eligible children waiting for enrollment in the
943 school readiness program. The Agency for Workforce Innovation
944 shall establish through technology a single statewide
945 information system that each coalition must use for the purposes
946 of managing the integrates each early learning coalition's
947 single point of entry, tracking children's progress,
948 coordinating services among stakeholders, determining
949 eligibility, tracking child attendance, and streamlining
950 administrative processes for providers and early learning
951 coalitions ~~and each coalition must use the statewide system.~~

952 f. The Agency for Workforce Innovation must consider the
953 access of eligible children to the school readiness program, as
954 demonstrated in part by waiting lists, before approving a
955 proposed increase in payment rates submitted by an early
956 learning coalition. In addition, early learning coalitions shall
957 use school readiness funds made available due to enrollment

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958 shifts from school readiness programs to the Voluntary
959 Prekindergarten Education Program for increasing the number of
960 children served in school readiness programs before increasing
961 payment rates.

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

964 ~~g.h.~~ The program must meet all state licensing guidelines,
965 where applicable.

966 2. Each ~~The~~ early learning coalition must implement a
967 comprehensive program of school readiness services in accordance
968 with the rules adopted by the agency which ~~that~~ enhance the
969 cognitive, social, and physical development of children to
970 achieve the performance standards and outcome measures ~~adopted~~
971 ~~by the agency for Workforce Innovation~~. At a minimum, these
972 programs must contain the following elements:

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

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

978 c. An age-appropriate assessment of each child's
979 development.

980 d. A pretest administered to children when they enter a
981 program and a posttest administered to children when they leave
982 the program.

983 e. An appropriate staff-to-children ratio, pursuant to s.
984 402.305(4) or s. 402.302(7) or (8), as applicable, and as
985 verified pursuant to s. 402.311.

986 f. A healthy and safe environment.

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987 g. A resource and referral network established under s.
988 411.0101 to assist parents in making an informed choice and a
989 regional warm line under s. 411.01015.

990 (d) *Implementation.*—

991 1. An early learning coalition may not implement the school
992 readiness program until the coalition is authorized through
993 approval of the coalition's school readiness plan by the Agency
994 for Workforce Innovation.

995 2. Each early learning coalition shall coordinate with one
996 another to implement a comprehensive program of school readiness
997 services which enhances the cognitive, social, physical, and
998 moral character of the children to achieve the performance
999 standards and outcome measures, helps families achieve economic
1000 self sufficiency, and reduces agency duplication. Such program
1001 must contain, at a minimum, the following elements: ~~develop a~~
1002 plan for implementing

1003 a. Implement the school readiness program to meet the
1004 requirements of this section and the performance standards and
1005 outcome measures adopted by the Agency for Workforce Innovation.

1006 b. ~~The plan must~~ Demonstrate how the program will ensure
1007 that each 3-year-old and 4-year-old child in a publicly funded
1008 school readiness program receives scheduled activities and
1009 instruction designed to enhance the age-appropriate progress of
1010 the children in attaining the performance standards adopted by
1011 the Agency for Workforce Innovation under subparagraph (4)(d)8.

1012
1013 Before implementing the school readiness program, the early
1014 learning coalition must submit the plan to the Agency for
1015 Workforce Innovation for approval. The Agency for Workforce

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1016 Innovation may approve the plan, reject the plan, or approve the
1017 plan with conditions. The Agency for Workforce Innovation shall
1018 review school readiness plans at least annually.

1019 3. If the Agency for Workforce Innovation determines during
1020 the annual review of school readiness plans, or through
1021 monitoring and performance evaluations conducted under paragraph
1022 (4)(1), that an early learning coalition has not substantially
1023 implemented its plan, has not substantially met the performance
1024 standards and outcome measures adopted by the agency, or has not
1025 effectively administered the school readiness program or
1026 Voluntary Prekindergarten Education Program, the Agency for
1027 Workforce Innovation may dissolve the coalition and temporarily
1028 contract with a qualified entity to continue school readiness
1029 and prekindergarten services in the coalition's county or
1030 multicounty region until the agency reestablishes the coalition
1031 and a new the coalition is reestablished through resubmission of
1032 a school readiness plan has been approved in accordance with the
1033 rules adopted and approval by the agency.

1034 4. The Agency for Workforce Innovation shall adopt rules
1035 establishing criteria for the approval of school readiness
1036 plans. The criteria must be consistent with the performance
1037 standards and outcome measures adopted by the agency and must
1038 require each approved plan to include the following minimum
1039 standards and provisions for the school readiness program:

1040 a. A community plan that addresses the needs of all
1041 eligible children and providers within the coalition's county or
1042 multicounty region.

1043 b.a. A sliding fee scale establishing a copayment for
1044 parents based upon their ability to pay, which is the same for

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1045 all program providers, ~~to be implemented and reflected in each~~
1046 ~~program's budget.~~

1047 ~~c.b.~~ A choice of settings and locations in licensed,
1048 registered, religious-exempt, or school-based programs to be
1049 provided to parents.

1050 ~~d.e.~~ Instructional staff who have completed the training
1051 course as required in s. 402.305(2)(d)1., s. 402.313(1)(a)6., or
1052 s. 402.3131(3), as applicable, as well as requirements for staff
1053 who have additional training or credentials pursuant to s.
1054 402.305 as required by the Agency for Workforce Innovation. The
1055 rules plan must provide a method for assuring the qualifications
1056 of all personnel in all program settings in collaboration with
1057 the Department of Children and Family Services.

1058 ~~e.d.~~ Specific eligibility priorities for children ~~within~~
1059 ~~the early learning coalition's county or multicounty region in~~
1060 accordance with subsection (6).

1061 ~~f.e.~~ Performance standards and outcome measures adopted by
1062 the Agency for Workforce Innovation.

1063 ~~g.f.~~ The adoption of payment rates that adopted by the
1064 ~~early learning coalition and approved by the Agency for~~
1065 ~~Workforce Innovation. Payment rates may not have the effect of~~
1066 limiting parental choice or creating standards or levels of
1067 services that have not been authorized by the Legislature or
1068 Federal Government.

1069 ~~h.g.~~ Systems support services, including, but not limited
1070 to, a central agency, child care resource and referral,
1071 eligibility determinations, training of providers, and parent
1072 support and involvement, statewide quality assurance policies,
1073 and initiatives and strategies to meet the needs of unique

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1074 populations, such as migratory agricultural workers.

1075 ~~i.h.~~ Direct enhancement services to families and children.
1076 System support and direct enhancement services shall be in
1077 addition to payments for the placement of children in school
1078 readiness programs. Enhancement services to families may include
1079 parent training and involvement activities and strategies to
1080 meet the needs of unique populations and local eligibility
1081 priorities. Enhancement services to children may include
1082 provider supports, professional development, and other services
1083 and payments approved in their plan by the Agency for Workforce
1084 Innovation.

1085 ~~j.i.~~ The business organization of the early learning
1086 coalition, which must include the coalition's articles of
1087 incorporation and bylaws if the coalition is organized as a
1088 corporation. If the coalition is not organized as a corporation
1089 or other business entity, the plan must include the contract
1090 with a fiscal agent. An early learning coalition may contract
1091 with other coalitions to achieve efficiency in multicounty
1092 services, and these contracts may be part of the coalition's
1093 school readiness plan.

1094 ~~j. Strategies to meet the needs of unique populations, such~~
1095 ~~as migrant workers.~~

1096
1097 ~~As part of the school readiness plan, The Agency for Workforce~~
1098 ~~Innovation early learning coalition may request the Governor to~~
1099 ~~apply for a waiver to allow the coalition to administer the Head~~
1100 ~~Start Program to accomplish the purposes of the school readiness~~
1101 ~~program. If a school readiness plan demonstrates that specific~~
1102 ~~statutory goals can be achieved more effectively by using~~

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1103 ~~procedures that require modification of existing rules,~~
1104 ~~policies, or procedures, a request for a waiver to the Agency~~
1105 ~~for Workforce Innovation may be submitted as part of the plan.~~
1106 ~~Upon review, the Agency for Workforce Innovation may grant the~~
1107 ~~proposed modification.~~

1108 5. Persons with an early childhood teaching certificate may
1109 provide support and supervision to other staff in the school
1110 readiness program.

1111 6. An early learning coalition may not implement its school
1112 readiness plan until it submits the plan to and receives
1113 approval from the Agency for Workforce Innovation. Once the plan
1114 is approved, the plan and the services provided under the plan
1115 shall be controlled by the early learning coalition. The plan
1116 shall be reviewed and revised as necessary, but at least
1117 biennially. An early learning coalition may not implement the
1118 revisions until the coalition submits the revised plan to and
1119 receives approval from the Agency for Workforce Innovation. If
1120 the Agency for Workforce Innovation rejects a revised plan, the
1121 coalition must continue to operate under its prior approved
1122 plan.

1123 7. Sections 125.901(2)(a)3., 411.221, and 411.232 do not
1124 apply to ~~an early learning coalition with an approved school~~
1125 ~~readiness programs plan.~~ The Agency for Workforce Innovation ~~To~~
1126 ~~facilitate innovative practices and to allow the regional~~
1127 ~~establishment of school readiness programs, an early learning~~
1128 ~~coalition~~ may apply to the Governor and Cabinet for a waiver of,
1129 and the Governor and Cabinet may waive, any of the provisions of
1130 ss. 411.223, 411.232, and 1003.54, if the waiver is necessary
1131 for implementation of ~~the coalition's~~ school readiness programs

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1132 plan.

1133 8. Two or more coalitions ~~counties~~ may join for purposes of
1134 planning and implementing a school readiness program.

1135 ~~9. An early learning coalition may, subject to approval by~~
1136 ~~The Agency for Workforce Innovation as part of the coalition's~~
1137 ~~school readiness plan, receive subsidized child care funds for~~
1138 ~~all children eligible for any federal subsidized child care~~
1139 ~~program.~~

1140 ~~10. An early learning coalition may enter into multiparty~~
1141 ~~contracts with multicounty service providers in order to meet~~
1142 ~~the needs of unique populations such as migrant workers.~~

1143 (e) *Requests for proposals; payment schedule.*—

1144 1. Each early learning coalition must comply with the
1145 procurement and expenditure procedures adopted by the Agency for
1146 Workforce Innovation, including, but not limited to, applying
1147 the procurement and expenditure procedures required by federal
1148 law for the expenditure of federal funds s. 287.057 for the
1149 procurement of commodities or contractual services from the
1150 funds described in paragraph (9) (d). The period of a contract
1151 for purchase of these commodities or contractual services,
1152 together with any renewal of the original contract, may not
1153 exceed 3 years.

1154 2. Each early learning coalition shall adopt a payment
1155 schedule that encompasses all programs funded ~~by the coalition~~
1156 under this section. The payment schedule must take into
1157 consideration the prevailing relevant market rate schedule
1158 adopted under s. 411.01013 and, must include the projected
1159 number of children to be served, and must be submitted for
1160 approval by the Agency for Workforce Innovation. An early

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1161 learning coalition may not plan, devise, or implement any
1162 process that differentiates payment rates, except for the
1163 processes under s. 411.01013. The payment rate for an informal
1164 child care arrangement may not exceed arrangements shall be
1165 reimbursed at not more than 50 percent of the rate adopted
1166 developed for a family day care home.

1167 ~~(f) Requirements relating to fiscal agents. If an early~~
1168 ~~learning coalition is not legally organized as a corporation or~~
1169 ~~other business entity, the coalition must designate a fiscal~~
1170 ~~agent, which may be a public entity, a private nonprofit~~
1171 ~~organization, or a certified public accountant who holds a~~
1172 ~~license under chapter 473. The fiscal agent must provide~~
1173 ~~financial and administrative services under a contract with the~~
1174 ~~early learning coalition. The fiscal agent may not provide~~
1175 ~~direct early childhood education or child care services;~~
1176 ~~however, a fiscal agent may provide those services upon written~~
1177 ~~request of the early learning coalition to the Agency for~~
1178 ~~Workforce Innovation and upon the approval of the request by the~~
1179 ~~agency. The cost of the financial and administrative services~~
1180 ~~shall be negotiated between the fiscal agent and the early~~
1181 ~~learning coalition. If the fiscal agent is a provider of early~~
1182 ~~childhood education and child care programs, the contract must~~
1183 ~~specify that the fiscal agent shall act on policy direction from~~
1184 ~~the early learning coalition and must not receive policy~~
1185 ~~direction from its own corporate board regarding disbursement of~~
1186 ~~the coalition's funds. The fiscal agent shall disburse funds in~~
1187 ~~accordance with the early learning coalition's approved school~~
1188 ~~readiness plan and based on billing and disbursement procedures~~
1189 ~~approved by the Agency for Workforce Innovation. The fiscal~~

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1190 ~~agent must conform to all data reporting requirements~~
1191 ~~established by the Agency for Workforce Innovation.~~

1192 (f) ~~(g)~~ *Evaluation and annual report.*—Each early learning
1193 coalition shall conduct an evaluation of its implementation ~~the~~
1194 ~~effectiveness~~ of the school readiness program, including
1195 performance standards and outcome measures, and shall provide an
1196 annual report and fiscal statement to the Agency for Workforce
1197 Innovation. This report must conform to the content and format
1198 specifications adopted ~~set~~ by the Agency for Workforce
1199 Innovation. The Agency for Workforce Innovation must include an
1200 analysis of the early learning coalitions' reports in the
1201 agency's annual report.

1202 (6) PROGRAM ELIGIBILITY.—The ~~Each~~ ~~early learning~~
1203 ~~coalition's~~ school readiness program is ~~shall be~~ established for
1204 children from birth to the beginning of the school year for
1205 which a child is eligible for admission to kindergarten in a
1206 public school under s. 1003.21(1)(a)2. or who is eligible for
1207 any federal subsidized child care program. Each early learning
1208 coalition shall give priority for participation in the school
1209 readiness program as follows:

1210 (a) Priority shall be given first to a child from a family
1211 in which there is an adult receiving temporary cash assistance
1212 who is subject to federal work requirements.

1213 (b) Priority shall be given next to a child who is eligible
1214 for a school readiness program but who has not yet entered
1215 ~~children age 3 years to school,~~ entry who is ~~are~~ served by the
1216 Family Safety Program Office of the Department of Children and
1217 Family Services or a community-based lead agency under chapter
1218 39, and for whom child care is needed to minimize risk of

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1219 further abuse, neglect, or abandonment.

1220 (c) Subsequent priority shall be given to a child ~~Other~~
 1221 ~~eligible populations include children who meets meet~~ one or more
 1222 of the following criteria:

1223 1.(a) A child who is younger than ~~Children under~~ the age of
 1224 kindergarten eligibility and ~~who are~~:

1225 a.1. Is not included for priority in paragraph (b) but is
 1226 ~~Children~~ determined to be at risk of abuse, neglect, or
 1227 exploitation and is ~~who are~~ currently a client ~~clients~~ of the
 1228 Family Safety Program Office of the Department of Children and
 1229 Family Services, ~~but who are not otherwise given priority under~~
 1230 ~~this subsection.~~

1231 b.2. Is ~~Children~~ at risk of welfare dependency, including
 1232 an economically disadvantaged child ~~children~~, a child ~~children~~
 1233 of a participant ~~participants~~ in the welfare transition program,
 1234 a child of a migratory agricultural worker ~~children of migrant~~
 1235 ~~farmworkers~~, or a child ~~and children~~ of a teen parent ~~parents~~.

1236 c.3. Is a member ~~Children~~ of a working family that is
 1237 economically disadvantaged ~~families whose family income does not~~
 1238 ~~exceed 150 percent of the federal poverty level.~~

1239 d.4. Children For whom financial assistance is provided
 1240 through the state is paying a Relative Caregiver Program ~~payment~~
 1241 ~~under s. 39.5085.~~

1242 2.(b) A 3-year-old child or ~~Three-year-old children and 4-~~
 1243 ~~year-old~~ child ~~children~~ who may not be economically
 1244 disadvantaged but who has a disability; has ~~have disabilities,~~
 1245 ~~have~~ been served in a specific part-time exceptional education
 1246 program or a combination of part-time exceptional education
 1247 programs with required special services, aids, or equipment;

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1248 and ~~was~~ were previously reported for funding part time under
 1249 ~~with~~ the Florida Education Finance Program as an exceptional
 1250 student ~~students~~.

1251 3.~~(e)~~ An economically disadvantaged child ~~children~~, a child
 1252 ~~children~~ with a disability ~~disabilities~~, or a child ~~and children~~
 1253 at risk of future school failure, from birth to 4 years of age,
 1254 who is ~~are~~ served at home through a home visitor program
 1255 ~~programs~~ and an intensive parent education program ~~programs~~.

1256 4.~~(d)~~ A child ~~Children~~ who meets ~~meet~~ federal and state
 1257 eligibility requirements for the migrant preschool program but
 1258 who is ~~do~~ not ~~meet the criteria of~~ economically disadvantaged.
 1259

1260 As used in this paragraph ~~subsection~~, the term "economically
 1261 disadvantaged" ~~child~~ means having a ~~child whose~~ family income
 1262 that does not exceed 150 percent of the federal poverty level.
 1263 Notwithstanding any change in a family's economic status, but
 1264 subject to additional family contributions in accordance with
 1265 the sliding fee scale, a child who meets the eligibility
 1266 requirements upon initial registration for the program remains
 1267 eligible until the beginning of the school year for which the
 1268 child is eligible for admission to kindergarten in a public
 1269 school under s. 1003.21(1)(a)2.

1270 (7) PARENTAL CHOICE.—

1271 (a) As used in this subsection, the term "payment
 1272 certificate" means a child care certificate as defined in 45
 1273 C.F.R. s. 98.2.

1274 (b) The school readiness program shall, in accordance with
 1275 45 C.F.R. s. 98.30, provide parental choice through a payment
 1276 certificate ~~purchase service order~~ that ensures, to the maximum

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1277 extent possible, flexibility in the school readiness program
1278 ~~programs~~ and payment arrangements. ~~According to federal~~
1279 ~~regulations requiring parental choice, a parent may choose an~~
1280 ~~informal child care arrangement.~~ The payment certificate
1281 ~~purchase order~~ must bear the names ~~name~~ of the beneficiary and
1282 the program provider and, when redeemed, must bear the
1283 signatures ~~signature~~ of both the beneficiary and an authorized
1284 representative of the provider.

1285 (c) ~~(b)~~ If it is determined that a provider has given
1286 ~~provided~~ any cash to the beneficiary in return for receiving a
1287 payment certificate ~~the purchase order~~, the early learning
1288 coalition or its fiscal agent shall refer the matter to the
1289 Division of Public Assistance Fraud for investigation.

1290 (d) ~~(e)~~ The office of the Chief Financial Officer shall
1291 establish an electronic transfer system for the disbursement of
1292 funds in accordance with this subsection. Each early learning
1293 coalition shall fully implement the electronic funds transfer
1294 system within 2 years after approval of the coalition's school
1295 readiness plan, unless a waiver is obtained from the Agency for
1296 Workforce Innovation.

1297 (8) STANDARDS; OUTCOME MEASURES.—A program provider
1298 participating in the ~~All~~ school readiness program ~~programs~~ must
1299 meet the performance standards and outcome measures adopted by
1300 the Agency for Workforce Innovation.

1301 (9) FUNDING; SCHOOL READINESS PROGRAM.—

1302 (a) It is the intent of this section to establish an
1303 integrated and quality seamless service delivery system for all
1304 publicly funded early childhood education and child care
1305 programs operating in this state.

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1306 (b)1. The Agency for Workforce Innovation shall administer
1307 school readiness funds, plans, and policies and shall prepare
1308 and submit a unified budget request for the school readiness
1309 system in accordance with chapter 216.

1310 2. All instructions to early learning coalitions for
1311 administering this section shall emanate from the Agency for
1312 Workforce Innovation in accordance with the policies of the
1313 Legislature.

1314 (c) The Agency for Workforce Innovation, subject to
1315 legislative notice and review under s. 216.177, shall establish
1316 ~~recommend~~ a formula for the allocation ~~among the early learning~~
1317 ~~coalitions~~ of all state and federal school readiness funds
1318 provided for children participating in the public or private
1319 school readiness program, whether served by a public or private
1320 provider, programs based upon equity for each county and
1321 ~~performance~~. The allocation formula must be submitted to the
1322 Governor, the chair of the Senate Ways and Means Committee or
1323 its successor, and the chair of the House of Representatives
1324 Fiscal Council or its successor no later than January 1 of each
1325 year. If the Legislature specifies ~~shall specify in the annual~~
1326 ~~General Appropriations Act any changes to~~ from the allocation
1327 formula, methodology for the prior fiscal year which must be
1328 ~~used by~~ the Agency for Workforce Innovation shall allocate funds
1329 as specified in allocating the appropriations provided in the
1330 General Appropriations Act.

1331 (d) All state, federal, and required local maintenance-of-
1332 effort or matching funds provided to an early learning coalition
1333 for purposes of this section shall be used ~~by the coalition~~ for
1334 implementation of the its school readiness program plan,

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1335 including the hiring of staff to effectively operate the
1336 coalition's school readiness program. As part of plan approval
1337 and periodic plan review, The Agency for Workforce Innovation
1338 shall require that administrative costs be kept to the minimum
1339 necessary for efficient and effective administration of the
1340 school readiness plan, but total administrative expenditures
1341 must not exceed 5 percent unless specifically waived by the
1342 Agency for Workforce Innovation. The Agency for Workforce
1343 Innovation shall annually report to the Legislature any problems
1344 relating to administrative costs.

1345 (e) The Agency for Workforce Innovation shall annually
1346 ~~distribute, to a maximum extent practicable,~~ all eligible funds
1347 provided under this section as block grants to the early
1348 learning coalitions in accordance with the terms and conditions
1349 specified by the agency.

1350 (f) State funds appropriated for the school readiness
1351 program may not be used for the construction of new facilities
1352 or the purchase of buses. ~~The Agency for Workforce Innovation~~
1353 ~~shall present to the Legislature recommendations for providing~~
1354 ~~necessary transportation services for school readiness programs.~~

1355 (g) All cost savings and all revenues received through a
1356 mandatory sliding fee scale shall be used to help fund each
1357 early learning coalition's school readiness program.

1358 (10) CONFLICTING PROVISIONS.—In the event of a conflict
1359 between this section and federal requirements, the federal
1360 requirements shall control.

1361 ~~(11) PLACEMENTS.—Notwithstanding any other provision of~~
1362 ~~this section to the contrary, the first children to be placed in~~
1363 ~~the school readiness program shall be those from families~~

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1364 ~~receiving temporary cash assistance and subject to federal work~~
1365 ~~requirements. Subsequent placements shall be made in accordance~~
1366 ~~with subsection (6).~~

1367 Section 15. Section 411.0101, Florida Statutes, is amended
1368 to read:

1369 411.0101 Child care and early childhood resource and
1370 referral.—The Agency for Workforce Innovation shall establish a
1371 statewide child care resource and referral network that is
1372 unbiased and provides referrals to families for child care.

1373 Preference shall be given to using the already established early
1374 learning coalitions as the child care resource and referral
1375 agency. If an early learning coalition cannot comply with the
1376 requirements to offer the resource information component or does
1377 not want to offer that service, the early learning coalition
1378 shall select the resource information agency based upon a
1379 request for proposal pursuant to s. 411.01(5)(e)1. At least one
1380 child care resource and referral agency must be established in
1381 each early learning coalition's county or multicounty region.
1382 Child care resource and referral agencies shall provide the
1383 following services:

1384 (1) Identification of existing public and private child
1385 care and early childhood education services, including child
1386 care services by public and private employers, and the
1387 development of a resource file of those services. These services
1388 may include family day care, public and private child care
1389 programs, the Voluntary Prekindergarten Education Program, Head
1390 Start, the school readiness program ~~prekindergarten early~~
1391 ~~intervention programs~~, special education programs for
1392 prekindergarten ~~handicapped~~ children who have disabilities,

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1393 services for children with developmental disabilities, full-time
 1394 and part-time programs, before-school and after-school programs,
 1395 vacation care programs, parent education, the WAGES Program, and
 1396 related family support services. The resource file shall
 1397 include, but not be limited to:

- 1398 (a) Type of program.
- 1399 (b) Hours of service.
- 1400 (c) Ages of children served.
- 1401 (d) Number of children served.
- 1402 (e) Significant program information.
- 1403 (f) Fees and eligibility for services.
- 1404 (g) Availability of transportation.

1405 (2) The establishment of a referral process that ~~which~~
 1406 responds to parental need for information and that ~~which~~ is
 1407 provided with full recognition of the confidentiality rights of
 1408 parents. The resource and referral network ~~programs~~ shall make
 1409 referrals to legally operating ~~licensed~~ child care facilities.
 1410 Referrals may not ~~shall~~ be made to a ~~an~~ unlicensed child care
 1411 facility that is operating illegally ~~or arrangement only if~~
 1412 ~~there is no requirement that the facility or arrangement be~~
 1413 ~~licensed~~.

1414 (3) Maintenance of ongoing documentation of requests for
 1415 service tabulated through the internal referral process. The
 1416 following documentation of requests for service shall be
 1417 maintained by the ~~all~~ child care resource and referral network
 1418 agencies:

- 1419 (a) Number of calls and contacts to the child care resource
 1420 ~~information~~ and referral network ~~agency component~~ by type of
 1421 service requested.

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- 1422 (b) Ages of children for whom service was requested.
- 1423 (c) Time category of child care requests for each child.
- 1424 (d) Special time category, such as nights, weekends, and
1425 swing shift.
- 1426 (e) Reason that the child care is needed.
- 1427 (f) Name of the employer and primary focus of the business.
- 1428 (4) Provision of technical assistance to existing and
1429 potential providers of child care services. This assistance may
1430 include:
- 1431 (a) Information on initiating new child care services,
1432 zoning, and program and budget development and assistance in
1433 finding such information from other sources.
- 1434 (b) Information and resources that ~~which~~ help existing
1435 child care services providers to maximize their ability to serve
1436 children and parents in their community.
- 1437 (c) Information and incentives that may ~~which could~~ help
1438 existing or planned child care services offered by public or
1439 private employers seeking to maximize their ability to serve the
1440 children of their working parent employees in their community,
1441 through contractual or other funding arrangements with
1442 businesses.
- 1443 (5) Assistance to families and employers in applying for
1444 various sources of subsidy including, but not limited to, the
1445 Voluntary Prekindergarten Education Program, the school
1446 readiness program ~~subsidized child care~~, Head Start,
1447 ~~prekindergarten early intervention programs~~, Project
1448 Independence, private scholarships, and the federal child and
1449 dependent care tax credit.
- 1450 ~~(6) Assistance to state agencies in determining the market~~

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1451 ~~rate for child care.~~

1452 (6)~~(7)~~ Assistance in negotiating discounts or other special
1453 arrangements with child care providers.

1454 (7)~~(8)~~ Information and assistance to local interagency
1455 councils coordinating services for prekindergarten ~~handicapped~~
1456 children who have disabilities.

1457 (8)~~(9)~~ Assistance to families in identifying summer
1458 recreation camp and summer day camp programs, and~~in~~ evaluating
1459 the health and safety qualities of summer recreation camp and
1460 summer day camp programs, and ~~in~~ evaluating the health and
1461 safety qualities of summer camp programs. Contingent upon
1462 specific appropriation, a checklist of important health and
1463 safety qualities that parents can use to choose their summer
1464 camp programs shall be developed and distributed in a manner
1465 that will reach parents interested in such programs for their
1466 children.

1467 (9)~~(10)~~ A child care facility licensed under s. 402.305 and
1468 licensed and registered family day care homes must provide the
1469 statewide child care and resource and referral network ~~agencies~~
1470 with the following information annually:

- 1471 (a) Type of program.
1472 (b) Hours of service.
1473 (c) Ages of children served.
1474 (d) Fees and eligibility for services.

1475 (10)~~(11)~~ The Agency for Workforce Innovation shall adopt
1476 any rules necessary for the implementation and administration of
1477 this section.

1478 Section 16. Subsection (3) and paragraphs (c) and (d) of
1479 subsection (5) of section 411.0102, Florida Statutes, are

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1480 amended to read:

1481 411.0102 Child Care Executive Partnership Act; findings and
1482 intent; grant; limitation; rules.-

1483 (3) There is created a body politic and corporate known as
1484 the Child Care Executive Partnership which shall establish and
1485 govern the Child Care Executive Partnership Program. The purpose
1486 of the Child Care Executive Partnership Program is to utilize
1487 state and federal funds as incentives for matching local funds
1488 derived from local governments, employers, charitable
1489 foundations, and other sources, so that Florida communities may
1490 create local flexible partnerships with employers. The Child
1491 Care Executive Partnership Program funds shall be used at the
1492 discretion of local communities to meet the needs of working
1493 parents. A child care purchasing pool shall be developed with
1494 the state, federal, and local funds to provide subsidies to low-
1495 income working parents whose family income does not exceed the
1496 allowable income for any federally subsidized child care program
1497 ~~who are eligible for subsidized child care~~ with a dollar-for-
1498 dollar match from employers, local government, and other
1499 matching contributions. The funds used from the child care
1500 purchasing pool must be used to supplement or extend the use of
1501 existing public or private funds.

1502 (5)

1503 (c) The Agency for Workforce Innovation, in conjunction
1504 with the Child Care Executive Partnership, shall develop
1505 procedures for disbursement of funds through the child care
1506 purchasing pools. In order to be considered for funding, an
1507 early learning coalition or the Agency for Workforce Innovation
1508 must commit to:

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1509 1. Matching the state purchasing pool funds on a dollar-
1510 for-dollar basis; and

1511 2. Expending only those public funds which are matched by
1512 employers, local government, and other matching contributors who
1513 contribute to the purchasing pool. Parents shall also pay a fee,
1514 which may not ~~shall~~ be ~~not~~ less than the amount identified in
1515 the early learning coalition's school readiness program
1516 ~~subsidized child care~~ sliding fee scale.

1517 (d) Each early learning coalition board shall ~~be required~~
1518 ~~to establish a community child care task force for each child~~
1519 ~~care purchasing pool. The task force must be composed of~~
1520 ~~employers, parents, private child care providers, and one~~
1521 ~~representative from the local children's services council, if~~
1522 ~~one exists in the area of the purchasing pool. The early~~
1523 ~~learning coalition is expected to recruit the task force members~~
1524 ~~from existing child care councils, commissions, or task forces~~
1525 ~~already operating in the area of a purchasing pool. A majority~~
1526 ~~of the task force shall consist of employers. Each task force~~
1527 ~~shall~~ develop a plan for the use of child care purchasing pool
1528 funds. The plan must show how many children will be served by
1529 the purchasing pool, how many will be new to receiving child
1530 care services, and how the early learning coalition intends to
1531 attract new employers and their employees to the program.

1532 Section 17. Section 411.0105, Florida Statutes, is amended
1533 to read:

1534 411.0105 Early Learning Opportunities Act and Even Start
1535 Family Literacy Programs; lead agency.—

1536 (1) For purposes of administration of the federal Early
1537 Learning Opportunities Act, 20 U.S.C. ss. 9401-9413, the Agency

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1538 for Workforce Innovation is designated as the lead agency and
1539 must comply with the lead agency responsibilities under law.

1540 (2) (a) For purposes of administration of ~~and~~ the federal
1541 William F. Goodling Even Start Family Literacy Programs, 20
1542 U.S.C. ss. 6381-6381k ~~pursuant to Pub. L. No. 106-554, the~~
1543 Department of Education Agency for Workforce Innovation is
1544 designated as the lead agency and must comply with the lead
1545 agency responsibilities under ~~pursuant to~~ federal law.

1546 (b) The Department of Education shall contract with the
1547 Agency for Workforce Innovation for administration of the
1548 federal William F. Goodling Even Start Family Literacy Programs.

1549 Section 18. Paragraph (b) of subsection (8) of section
1550 411.203, Florida Statutes, is amended to read:

1551 411.203 Continuum of comprehensive services.—The Department
1552 of Education and the Department of Health and Rehabilitative
1553 Services shall utilize the continuum of prevention and early
1554 assistance services for high-risk pregnant women and for high-
1555 risk and handicapped children and their families, as outlined in
1556 this section, as a basis for the intraagency and interagency
1557 program coordination, monitoring, and analysis required in this
1558 chapter. The continuum shall be the guide for the comprehensive
1559 statewide approach for services for high-risk pregnant women and
1560 for high-risk and handicapped children and their families, and
1561 may be expanded or reduced as necessary for the enhancement of
1562 those services. Expansion or reduction of the continuum shall be
1563 determined by intraagency or interagency findings and agreement,
1564 whichever is applicable. Implementation of the continuum shall
1565 be based upon applicable eligibility criteria, availability of
1566 resources, and interagency prioritization when programs impact

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1567 both agencies, or upon single agency prioritization when
 1568 programs impact only one agency. The continuum shall include,
 1569 but not be limited to:

1570 (8) SUPPORT SERVICES FOR ALL EXPECTANT PARENTS AND PARENTS
 1571 OF HIGH-RISK CHILDREN.—

1572 (b) Child care and early childhood programs, including, but
 1573 not limited to, ~~subsidized child care,~~ licensed ~~nonsubsidized~~
 1574 child care facilities, family day care homes, therapeutic child
 1575 care, Head Start, and preschool programs in public and private
 1576 schools.

1577 Section 19. Subsection (2) of section 411.221, Florida
 1578 Statutes, is amended to read:

1579 411.221 Prevention and early assistance strategic plan;
 1580 agency responsibilities.—

1581 (2) The strategic plan and subsequent plan revisions shall
 1582 incorporate and otherwise utilize, to the fullest extent
 1583 possible, the evaluation findings and recommendations from
 1584 intraagency, independent third-party, field projects, and
 1585 reports issued by the Auditor General or the Office of Program
 1586 Policy Analysis and Government Accountability, as well as the
 1587 recommendations of the Agency for Workforce Innovation State
 1588 ~~Coordinating Council for School Readiness Programs.~~

1589 Section 20. Paragraph (c) of subsection (4) of section
 1590 445.024, Florida Statutes, is amended to read:

1591 445.024 Work requirements.—

1592 (4) PRIORITIZATION OF WORK REQUIREMENTS.—Regional workforce
 1593 boards shall require participation in work activities to the
 1594 maximum extent possible, subject to federal and state funding.
 1595 If funds are projected to be insufficient to allow full-time

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1596 work activities by all program participants who are required to
1597 participate in work activities, regional workforce boards shall
1598 screen participants and assign priority based on the following:

1599 (c) A participant who has access to ~~subsidized or~~
1600 ~~unsubsidized~~ child care services may be assigned priority for
1601 work activities.

1602
1603 Regional workforce boards may limit a participant's weekly work
1604 requirement to the minimum required to meet federal work
1605 activity requirements. Regional workforce boards may develop
1606 screening and prioritization procedures based on the allocation
1607 of resources, the availability of community resources, the
1608 provision of supportive services, or the work activity needs of
1609 the service area.

1610 Section 21. Subsection (2) of section 445.030, Florida
1611 Statutes, is amended to read:

1612 445.030 Transitional education and training.—In order to
1613 assist former recipients of temporary cash assistance who are
1614 working or actively seeking employment in continuing their
1615 training and upgrading their skills, education, or training,
1616 support services may be provided for up to 2 years after the
1617 family is no longer receiving temporary cash assistance. This
1618 section does not constitute an entitlement to transitional
1619 education and training. If funds are not sufficient to provide
1620 services under this section, the board of directors of Workforce
1621 Florida, Inc., may limit or otherwise prioritize transitional
1622 education and training.

1623 (2) Regional workforce boards may authorize child care or
1624 other support services in addition to services provided in

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1625 conjunction with employment. For example, a participant who is
1626 employed full time may receive ~~subsidized~~ child care services
1627 related to that employment and may also receive additional
1628 ~~subsidized~~ child care services in conjunction with training to
1629 upgrade the participant's skills.

1630 Section 22. Paragraph (a) of subsection (2) of section
1631 490.014, Florida Statutes, is amended to read:

1632 490.014 Exemptions.—

1633 (2) No person shall be required to be licensed or
1634 provisionally licensed under this chapter who:

1635 (a) Is a salaried employee of a government agency; a
1636 developmental disability facility or program; a, mental health,
1637 alcohol, or drug abuse facility operating under chapter 393,
1638 chapter 394, or chapter 397; the statewide ~~subsidized child care~~
1639 ~~program, subsidized child care case management program, or child~~
1640 ~~care resource and referral~~ network ~~program~~ operating under s.
1641 411.0101 ~~pursuant to chapter 402~~; a child-placing or child-
1642 caring agency licensed pursuant to chapter 409; a domestic
1643 violence center certified pursuant to chapter 39; an accredited
1644 academic institution; or a research institution, if such
1645 employee is performing duties for which he or she was trained
1646 and hired solely within the confines of such agency, facility,
1647 or institution, so long as the employee is not held out to the
1648 public as a psychologist pursuant to s. 490.012(1)(a).

1649 Section 23. Paragraph (a) of subsection (4) of section
1650 491.014, Florida Statutes, is amended to read:

1651 491.014 Exemptions.—

1652 (4) No person shall be required to be licensed,
1653 provisionally licensed, registered, or certified under this

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1654 chapter who:

1655 (a) Is a salaried employee of a government agency; a
1656 developmental disability facility or program; a mental health,
1657 alcohol, or drug abuse facility operating under chapter 393,
1658 chapter 394, or chapter 397; the statewide ~~subsidized child care~~
1659 ~~program, subsidized child care case management program, or child~~
1660 care resource and referral network ~~program~~ operating under s.
1661 411.0101 ~~pursuant to chapter 402~~; a child-placing or child-
1662 caring agency licensed pursuant to chapter 409; a domestic
1663 violence center certified pursuant to chapter 39; an accredited
1664 academic institution; or a research institution, if such
1665 employee is performing duties for which he or she was trained
1666 and hired solely within the confines of such agency, facility,
1667 or institution, so long as the employee is not held out to the
1668 public as a clinical social worker, mental health counselor, or
1669 marriage and family therapist.

1670 Section 24. Subsection (5) of section 1002.53, Florida
1671 Statutes, is amended to read:

1672 1002.53 Voluntary Prekindergarten Education Program;
1673 eligibility and enrollment.—

1674 (5) The early learning coalition shall provide each parent
1675 enrolling a child in the Voluntary Prekindergarten Education
1676 Program with a profile of every private prekindergarten provider
1677 and public school delivering the program within the ~~coalition's~~
1678 county where the child is being enrolled ~~or multicounty region~~.
1679 The profiles shall be provided to parents in a format prescribed
1680 by the Agency for Workforce Innovation. The profiles must
1681 include, at a minimum, the following information about each
1682 provider and school:

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1683 (a) The provider's or school's services, curriculum,
1684 instructor credentials, and instructor-to-student ratio; and

1685 (b) The provider's or school's kindergarten readiness rate
1686 calculated in accordance with s. 1002.69, based upon the most
1687 recent available results of the statewide kindergarten
1688 screening.

1689 Section 25. Paragraph (c) of subsection (3) of section
1690 1002.67, Florida Statutes, is amended to read:

1691 1002.67 Performance standards; curricula and
1692 accountability.—

1693 (3)

1694 (c)1. If the kindergarten readiness rate of a private
1695 prekindergarten provider or public school falls below the
1696 minimum rate adopted by the State Board of Education as
1697 satisfactory under s. 1002.69(6), the early learning coalition
1698 or school district, as applicable, shall require the provider or
1699 school to submit an improvement plan for approval by the
1700 coalition or school district, as applicable, and to implement
1701 the plan.

1702 2. If a private prekindergarten provider or public school
1703 fails to meet the minimum rate adopted by the State Board of
1704 Education as satisfactory under s. 1002.69(6) for 2 consecutive
1705 years, the early learning coalition or school district, as
1706 applicable, shall place the provider or school on probation and
1707 must require the provider or school to take certain corrective
1708 actions, including the use of a curriculum approved by the
1709 department under paragraph (2)(c).

1710 3. A private prekindergarten provider or public school that
1711 is placed on probation must continue the corrective actions

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1712 required under subparagraph 2., including the use of a
1713 curriculum approved by the department, until the provider or
1714 school meets the minimum rate adopted by the State Board of
1715 Education as satisfactory under s. 1002.69(6).

1716 4. If a private prekindergarten provider or public school
1717 remains on probation for 2 consecutive years and fails to meet
1718 the minimum rate adopted by the State Board of Education as
1719 satisfactory under s. 1002.69(6), the Agency for Workforce
1720 Innovation shall remove, ~~require the early learning coalition~~ or
1721 the Department of Education shall require the school district,
1722 ~~as applicable~~, to remove, as applicable, the provider or school
1723 from eligibility to deliver the Voluntary Prekindergarten
1724 Education Program and receive state funds for the program.

1725 Section 26. Paragraph (b) of subsection (6) of section
1726 1002.71, Florida Statutes, is amended to read:

1727 1002.71 Funding; financial and attendance reporting.—

1728 (6)

1729 (b)1. Each private prekindergarten provider's and district
1730 school board's attendance policy must require the parent of each
1731 student in the Voluntary Prekindergarten Education Program to
1732 verify, each month, the student's attendance on the prior
1733 month's certified student attendance.

1734 2. The parent must submit the verification of the student's
1735 attendance to the private prekindergarten provider or public
1736 school on forms prescribed by the Agency for Workforce
1737 Innovation. The forms must include, in addition to the
1738 verification of the student's attendance, a certification, in
1739 substantially the following form, that the parent continues to
1740 choose the private prekindergarten provider or public school in

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1741 accordance with s. 1002.53 and directs that payments for the
1742 program be made to the provider or school:

1743
1744 VERIFICATION OF STUDENT'S ATTENDANCE
1745 AND CERTIFICATION OF PARENTAL CHOICE
1746

1747 I, ...(Name of Parent)..., swear (or affirm) that my child,
1748 ...(Name of Student)..., attended the Voluntary Prekindergarten
1749 Education Program on the days listed above and certify that I
1750 continue to choose ...(Name of Provider or School)... to
1751 deliver the program for my child and direct that program funds
1752 be paid to the provider or school for my child.

1753 ...(Signature of Parent)...

1754 ...(Date)...

1755
1756 3. The private prekindergarten provider or public school
1757 must keep each original signed form for at least 2 years. Each
1758 private prekindergarten provider must permit the early learning
1759 coalition, and each public school must permit the school
1760 district, to inspect the original signed forms during normal
1761 business hours. The Agency for Workforce Innovation shall adopt
1762 procedures for early learning coalitions and school districts to
1763 review the original signed forms against the certified student
1764 attendance. The review procedures shall provide for the use of
1765 selective inspection techniques, including, but not limited to,
1766 random sampling. Each early learning coalition and the school
1767 districts ~~district~~ must comply with the review procedures.

1768 Section 27. Paragraph (b) of subsection (4) of section
1769 1009.64, Florida Statutes, is amended to read:

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1770 1009.64 Certified Education Paraprofessional Welfare
1771 Transition Program.—

1772 (4) The agencies shall complete an implementation plan that
1773 addresses at least the following recommended components of the
1774 program:

1775 (b) A budget for use of incentive funding to provide
1776 motivation to participants to succeed and excel. The budget for
1777 incentive funding includes:

1778 1. Funds allocated by the Legislature directly for the
1779 program.

1780 2. Funds that may be made available from the federal
1781 Workforce Investment Act based on client eligibility or
1782 requested waivers to make the clients eligible.

1783 3. Funds made available by implementation strategies that
1784 would make maximum use of work supplementation funds authorized
1785 by federal law.

1786 4. Funds authorized by strategies to lengthen participants'
1787 eligibility for federal programs such as Medicaid, ~~subsidized~~
1788 child care services, and transportation.

1789
1790 Incentives may include a stipend during periods of college
1791 classroom training, a bonus and recognition for a high grade-
1792 point average, child care and prekindergarten services for
1793 children of participants, and services to increase a
1794 participant's ability to advance to higher levels of employment.
1795 Nonfinancial incentives should include providing a mentor or
1796 tutor, and service incentives should continue and increase for
1797 any participant who plans to complete the baccalaureate degree
1798 and become a certified teacher. Services may be provided in

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1799 accordance with family choice by community colleges and school
1800 district career centers, through family service centers and
1801 full-service schools, or under contract with providers through
1802 central agencies.

1803 Section 28. Sections 402.3135 and 402.3145, Florida
1804 Statutes, are repealed.

1805 Section 29. Section 402.3016, Florida Statutes, is
1806 transferred and renumbered as section 411.0104, Florida
1807 Statutes.

1808 Section 30. This act shall take effect July 1, 2009.