

By the Committee on Commerce; and 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4           repealed subsidized child care program; amending s.  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6           repealed program with an updated reference to the  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12          obsolete reference to a repealed program; amending s.  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          383.14, F.S.; replacing obsolete references to the  
14          former State Coordinating Council for School Readiness  
15          Programs with updated references to the Agency for  
16          Workforce Innovation; transferring, renumbering, and  
17          amending s. 402.25, F.S.; updating an obsolete  
18          reference to a repealed program; deleting obsolete  
19          references relating to the repealed prekindergarten  
20          early intervention program and Florida First Start  
21          Program; amending s. 402.26, F.S.; revising  
22          legislative intent; updating an obsolete reference to  
23          a repealed program; amending s. 402.281, F.S.;  
24          updating an obsolete reference to a former council;  
25          requiring the Department of Children and Family  
26          Services to consult with the Agency for Workforce  
27          Innovation regarding the approval of accrediting  
28          associations for the Gold Seal Quality Care program;  
29          transferring, renumbering, and amending s. 402.3018,

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30 F.S.; transferring administration of the statewide  
31 toll-free Warm-Line from the department to the agency;  
32 conforming provisions; transferring, renumbering, and  
33 amending s. 402.3051, F.S.; revising procedures for  
34 child care market rate reimbursement and child care  
35 grants; transferring authority to establish the  
36 procedures from the department to the agency;  
37 directing the agency to adopt a prevailing market rate  
38 schedule for child care services; revising  
39 definitions; prohibiting the schedule from interfering  
40 with parental choice; authorizing the agency to enter  
41 into contracts and adopt rules; amending s. 402.313,  
42 F.S.; deleting obsolete provisions authorizing the  
43 department to license family day care homes  
44 participating in a repealed program; amending s.  
45 402.315, F.S.; revising provisions relating to fees  
46 collected for child care facilities; amending s.  
47 402.45, F.S.; updating an obsolete reference relating  
48 to a former council; directing the Department of  
49 Health to consult with the agency regarding certain  
50 training provided for contractors of the community  
51 resource mother or father program; amending s.  
52 409.1671, F.S.; clarifying that a licensed foster home  
53 may be dually licensed as a child care facility and  
54 receive certain payments for the same child; deleting  
55 an obsolete reference to a repealed program; amending  
56 s. 411.01, F.S.; revising provisions relating to the  
57 School Readiness Act; revising legislative intent;  
58 revising the duties and responsibilities of the Agency

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59 for Workforce Innovation; extending the date by which  
60 early learning coalitions must be organized; revising  
61 requirements for parental choice; directing the agency  
62 to establish a formula for allocating school readiness  
63 funds to each county; providing for legislative notice  
64 and 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 to  
85 changes made by the act; amending s. 1009.64, F.S.;  
86 deleting an obsolete reference to a repealed program;  
87 repealing ss. 402.3135 and 402.3145, F.S., relating to

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88 the subsidized child care program case management  
89 program and the subsidized child care transportation  
90 program; transferring and renumbering s. 402.3016,  
91 F.S., relating to Early Head Start collaboration  
92 grants; 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) and subsection  
148 (2) of section 383.14, Florida Statutes, are amended to read:

149 383.14 Screening for metabolic disorders, other hereditary  
150 and congenital disorders, and environmental risk factors.—

151 (1) SCREENING REQUIREMENTS.—To help ensure access to the  
152 maternal and child health care system, the Department of Health  
153 shall promote the screening of all newborns born in Florida for  
154 metabolic, hereditary, and congenital disorders known to result  
155 in significant impairment of health or intellect, as screening  
156 programs accepted by current medical practice become available  
157 and practical in the judgment of the department. The department  
158 shall also promote the identification and screening of all  
159 newborns in this state and their families for environmental risk  
160 factors such as low income, poor education, maternal and family  
161 stress, emotional instability, substance abuse, and other high-  
162 risk conditions associated with increased risk of infant  
163 mortality and morbidity to provide early intervention,  
164 remediation, and prevention services, including, but not limited  
165 to, parent support and training programs, home visitation, and  
166 case management. Identification, perinatal screening, and  
167 intervention efforts shall begin prior to and immediately  
168 following the birth of the child by the attending health care  
169 provider. Such efforts shall be conducted in hospitals,  
170 perinatal centers, county health departments, school health  
171 programs that provide prenatal care, and birthing centers, and  
172 reported to the Office of Vital Statistics.

173 (b) *Postnatal screening*.—A risk factor analysis using the  
174 department's designated risk assessment instrument shall also be

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175 conducted as part of the medical screening process upon the  
176 birth of a child and submitted to the department's Office of  
177 Vital Statistics for recording and other purposes provided for  
178 in this chapter. The department's screening process for risk  
179 assessment shall include a scoring mechanism and procedures that  
180 establish thresholds for notification, further assessment,  
181 referral, and eligibility for services by professionals or  
182 paraprofessionals consistent with the level of risk. Procedures  
183 for developing and using the screening instrument, notification,  
184 referral, and care coordination services, reporting  
185 requirements, management information, and maintenance of a  
186 computer-driven registry in the Office of Vital Statistics which  
187 ensures privacy safeguards must be consistent with the  
188 provisions and plans established under chapter 411, Pub. L. No.  
189 99-457, and this chapter. Procedures established for reporting  
190 information and maintaining a confidential registry must include  
191 a mechanism for a centralized information depository at the  
192 state and county levels. The department shall coordinate with  
193 existing risk assessment systems and information registries. The  
194 department must ensure, to the maximum extent possible, that the  
195 screening information registry is integrated with the  
196 department's automated data systems, including the Florida On-  
197 line Recipient Integrated Data Access (FLORIDA) system. Tests  
198 and screenings must be performed by the State Public Health  
199 Laboratory, in coordination with Children's Medical Services, at  
200 such times and in such manner as is prescribed by the department  
201 after consultation with the Genetics and Infant Screening  
202 Advisory Council and the Agency for Workforce Innovation ~~State~~  
203 ~~Coordinating Council for School Readiness Programs.~~

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204 (2) RULES.—After consultation with the Genetics and Newborn  
205 Screening Advisory Council, the department shall adopt and  
206 enforce rules requiring that every newborn in this state shall,  
207 prior to becoming 1 week of age, be subjected to a test for  
208 phenylketonuria and, at the appropriate age, be tested for such  
209 other metabolic diseases and hereditary or congenital disorders  
210 as the department may deem necessary from time to time. After  
211 consultation with the Agency for Workforce Innovation State  
212 ~~Coordinating Council for School Readiness Programs~~, the  
213 department shall also adopt and enforce rules requiring every  
214 newborn in this state to be screened for environmental risk  
215 factors that place children and their families at risk for  
216 increased morbidity, mortality, and other negative outcomes. The  
217 department shall adopt such additional rules as are found  
218 necessary for the administration of this section and s. 383.145,  
219 including rules providing definitions of terms, rules relating  
220 to the methods used and time or times for testing as accepted  
221 medical practice indicates, rules relating to charging and  
222 collecting fees for the administration of the newborn screening  
223 program authorized by this section, rules for processing  
224 requests and releasing test and screening results, and rules  
225 requiring mandatory reporting of the results of tests and  
226 screenings for these conditions to the department.

227 Section 5. Section 402.25, Florida Statutes, is  
228 transferred, renumbered as section 411.0106, Florida Statutes,  
229 and amended to read:

230 411.0106 ~~402.25~~ Infants and toddlers in state-funded  
231 education and care programs; brain development activities.—Each  
232 state-funded education and care program for children from birth



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233 to 5 years of age must provide activities to foster brain  
234 development in infants and toddlers. A program must provide an  
235 environment that helps children attain the performance standards  
236 adopted by the Agency for Workforce Innovation under s.  
237 411.01(4)(d)7. and must be rich in language and music and filled  
238 with objects of various colors, shapes, textures, and sizes to  
239 stimulate visual, tactile, auditory, and linguistic senses in  
240 the children and must include classical music and at least 30  
241 minutes of reading to the children each day. A program may be  
242 offered through an existing early childhood program such as  
243 Healthy Start, the Title I program, the school readiness program  
244 ~~contracted or directly operated subsidized child care, the~~  
245 ~~prekindergarten early intervention program, Florida First Start,~~  
246 the Head Start program, or a private child care program. A  
247 program must provide training for the infants' and toddlers'  
248 parents including direct dialogue and interaction between  
249 teachers and parents demonstrating the urgency of brain  
250 development in the first year of a child's life. Family day care  
251 centers are encouraged, but not required, to comply with this  
252 section.

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

255 402.26 Child care; legislative intent.—

256 (5) It is the further intent of the Legislature to provide  
257 and make accessible child care opportunities for children at  
258 risk, economically disadvantaged children, and other children  
259 traditionally disenfranchised from society. In achieving this  
260 intent, the Legislature shall develop early learning programs ~~a~~  
261 ~~subsidized child care system~~, a range of child care options,

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262 support services, and linkages with other programs to fully meet  
263 the child care needs of this population.

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

266 402.281 Gold Seal Quality Care program.—

267 (2) In developing the Gold Seal Quality Care program  
268 standards, the department shall consult with the Department of  
269 Education, the Agency for Workforce Innovation, the Florida Head  
270 Start Directors Association, the Florida Association of Child  
271 Care Management, the Florida Family Day Care Association, the  
272 Florida Children's Forum, ~~the State Coordinating Council for~~  
273 ~~School Readiness Programs~~, the Early Childhood Association of  
274 Florida, the National Association for Child Development  
275 Education, providers receiving exemptions under s. 402.316, and  
276 parents, for the purpose of approving the accrediting  
277 associations.

278 Section 8. Section 402.3018, Florida Statutes, is  
279 transferred, renumbered as section 411.01015, Florida Statutes,  
280 and amended to read:

281 411.01015 ~~402.3018~~ Consultation to child care centers and  
282 family day care homes regarding health, developmental,  
283 disability, and special needs issues.—

284 (1) Contingent upon specific appropriations, the Agency for  
285 Workforce Innovation shall administer ~~department is directed to~~  
286 ~~contract with the statewide resource information and referral~~  
287 ~~agency for~~ a statewide toll-free Warm-Line for the purpose of  
288 providing assistance and consultation to child care centers and  
289 family day care homes regarding health, developmental,  
290 disability, and special needs issues of the children they are

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291 serving, particularly children with disabilities and other  
292 special needs.

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

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

302 (4) Contingent upon specific appropriations, the Agency for  
303 Workforce Innovation ~~department~~ shall expand, or contract for  
304 the expansion of, the Warm-Line to maintain at least one Warm-  
305 Line site in each early learning coalition service area ~~from one~~  
306 ~~statewide site to one Warm-Line site in each child care resource~~  
307 ~~and referral agency region~~.

308 (5) Each regional Warm-Line shall provide assistance and  
309 consultation to child care centers and family day care homes  
310 regarding health, developmental, disability, and special needs  
311 issues of the children they are serving, particularly children  
312 with disabilities and other special needs. Regional Warm-Line  
313 staff shall provide onsite technical assistance, when requested,  
314 to assist child care centers and family day care homes with  
315 inquiries relative to the strategies, curriculum, and  
316 environmental adaptations the child care centers and family day  
317 care homes may need as they serve children with disabilities and  
318 other special needs.

319 Section 9. Section 402.3051, Florida Statutes, is

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320 transferred, renumbered as section 411.01013, Florida Statutes,  
321 and amended to read:

322 (Substantial rewording of section. See  
323 s. 402.3051, F.S., for present text.)  
324 411.01013 Prevailing market rate schedule.-

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

326 (a) "Market rate" means the price that a child care  
327 provider charges for daily, weekly, or monthly child care  
328 services.

329 (b) "Prevailing market rate" means the annually determined  
330 75th percentile of a reasonable frequency distribution of the  
331 market rate in a predetermined geographic market at which child  
332 care providers charge a person for child care services.

333 (2) The Agency for Workforce Innovation shall establish  
334 procedures for the adoption of a prevailing market rate  
335 schedule. The schedule must include, at a minimum, county-by-  
336 county rates:

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

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

342 (3) The prevailing market rate schedule, at a minimum,  
343 must:

344 (a) Differentiate rates by the type of child care provider,  
345 including, but not limited to, a child care facility licensed  
346 under s. 402.305, a public or nonpublic school exempt from  
347 licensure under s. 402.3025, a faith-based child care facility  
348 exempt from licensure under s. 402.316, a large family child

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349 care home licensed under s. 402.3131, a family day care home  
350 licensed or registered under s. 402.313, or an after-school  
351 program that is not defined as child care under rules adopted  
352 pursuant to s. 402.3045.

353 (b) Differentiate rates by the type of child care services  
354 provided for children with special needs or risk categories,  
355 infants, toddlers, preschool-age children, and school-age  
356 children.

357 (c) Differentiate rates between full-time and part-time  
358 child care services.

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

361 (4) The prevailing market rate schedule may not interfere  
362 with the parental choice of child care providers under s.  
363 411.01, regardless of available funding for the school readiness  
364 program. The prevailing market rate schedule must be based  
365 exclusively on the prices charged for child care services.

366 (5) The Agency for Workforce Innovation may contract with  
367 one or more qualified entities to administer this section and  
368 provide support and technical assistance for child care  
369 providers.

370 (6) The Agency for Workforce Innovation may adopt rules  
371 pursuant to ss. 120.536(1) and 120.54 to administer this  
372 section.

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

375 402.313 Family day care homes.—

376 (1) Family day care homes shall be licensed under this act  
377 if they are presently being licensed under an existing county

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378 ~~licensing ordinance, if they are participating in the subsidized~~  
379 ~~child care program,~~ or if the board of county commissioners  
380 passes a resolution that family day care homes be licensed. ~~If~~  
381 ~~no county authority exists for the licensing of a family day~~  
382 ~~care home, the department shall have the authority to license~~  
383 ~~family day care homes under contract for the purchase of service~~  
384 ~~system in the subsidized child care program.~~

385 (a) If not subject to license, family day care homes shall  
386 register annually with the department, providing the following  
387 information:

- 388 1. The name and address of the home.
- 389 2. The name of the operator.
- 390 3. The number of children served.
- 391 4. Proof of a written plan to provide at least one other  
392 competent adult to be available to substitute for the operator  
393 in an emergency. This plan shall include the name, address, and  
394 telephone number of the designated substitute.
- 395 5. Proof of screening and background checks.
- 396 6. Proof of successful completion of the 30-hour training  
397 course, as evidenced by passage of a competency examination,  
398 which shall include:
  - 399 a. State and local rules and regulations that govern child  
400 care.
  - 401 b. Health, safety, and nutrition.
  - 402 c. Identifying and reporting child abuse and neglect.
  - 403 d. Child development, including typical and atypical  
404 language development; and cognitive, motor, social, and self-  
405 help skills development.
  - 406 e. Observation of developmental behaviors, including using

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407 a checklist or other similar observation tools and techniques to  
408 determine a child's developmental level.

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

413 7. Proof that immunization records are kept current.

414 8. Proof of completion of the required continuing education  
415 units or clock hours.

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

419 (c) The department may provide technical assistance to  
420 counties and family day care home providers to enable counties  
421 and family day care providers to achieve compliance with family  
422 day care homes standards.

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

425 402.315 Funding; license fees.—

426 (3) The department shall collect a fee for any license it  
427 issues for a child care facility pursuant to ss. 402.305,  
428 402.313, and 402.3131 ~~s. 402.308~~.

429 (a) For child care facilities licensed pursuant to s.  
430 402.305, such fee shall be \$1 per child based on the licensed  
431 capacity of the facility, except that the minimum fee shall be  
432 \$25 per facility center ~~center~~ and the maximum fee shall be \$100 per  
433 facility center ~~center~~.

434 (b) For family day care homes registered pursuant to s.  
435 402.313, such fee shall be \$25.

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436 (c) For family day care homes licensed pursuant to s.  
437 402.313, such fee shall be \$50.

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

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

442 402.45 Community resource mother or father program.—

443 (6) Individuals under contract to provide community  
444 resource mother or father services shall participate in  
445 preservice and ongoing training as determined by the Department  
446 of Health in consultation with the Agency for Workforce  
447 Innovation State Coordinating Council for School Readiness  
448 Programs. A community resource mother or father shall not be  
449 assigned a client caseload until all preservice training  
450 requirements are completed.

451 Section 13. Paragraph (c) of subsection (5) of section  
452 409.1671, Florida Statutes, is amended to read:

453 409.1671 Foster care and related services; outsourcing.—

454 (5)

455 (c) A foster home ~~dually~~ licensed ~~home~~ under this section  
456 may shall be dually licensed as a child care facility under  
457 chapter 402 and may eligible to receive both an out-of-home care  
458 payment and, to the extent permitted under federal law, school  
459 readiness funding a subsidized child care payment for the same  
460 child ~~pursuant to federal law~~. The department may adopt  
461 ~~administrative~~ rules necessary to administer this paragraph.

462 Section 14. Paragraphs (a), (d), (e), (f), (g), and (h) of  
463 subsection (2) and subsections (4) through (11) of section  
464 411.01, Florida Statutes, are amended to read:



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465 411.01 School readiness programs; early learning  
466 coalitions.-

467 (2) LEGISLATIVE INTENT.-

468 (a) The Legislature recognizes that school readiness  
469 programs increase children's chances of achieving future  
470 educational success and becoming productive members of society.  
471 It is the intent of the Legislature that the programs be  
472 developmentally appropriate, research-based, involve the parent  
473 ~~parents~~ as a ~~their~~ child's first teacher, serve as preventive  
474 measures for children at risk of future school failure, enhance  
475 the educational readiness of eligible children, and support  
476 family education. Each school readiness program shall provide  
477 the elements necessary to prepare at-risk children for school,  
478 including health screening and referral and an appropriate  
479 educational program.

480 (d) It is the intent of the Legislature that the  
481 administrative staff ~~at the state level~~ for school readiness  
482 programs be kept to the minimum necessary to administer the  
483 duties of the Agency for Workforce Innovation and early learning  
484 coalitions, ~~as the school readiness programs are to be~~  
485 ~~regionally designed, operated, and managed, with the Agency for~~  
486 ~~Workforce Innovation developing school readiness program~~  
487 ~~performance standards and outcome measures and approving and~~  
488 ~~reviewing early learning coalitions and school readiness plans.~~

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

493 (e) ~~(f)~~ It is the intent of the Legislature that the school

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494 readiness program coordinate and operate in conjunction with the  
495 district school systems. However, it is also the intent of the  
496 Legislature that the school readiness program not be construed  
497 as part of the system of free public schools but rather as a  
498 separate program for children under the age of kindergarten  
499 eligibility, funded separately from the system of free public  
500 schools, utilizing a mandatory sliding fee scale, and providing  
501 an integrated and seamless system of school readiness services  
502 for the state's birth-to-kindergarten population.

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

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

512 (4) AGENCY FOR WORKFORCE INNOVATION.—

513 (a) The Agency for Workforce Innovation shall administer  
514 school readiness programs at the state level and shall  
515 coordinate with the early learning coalitions in providing  
516 school readiness services on a full-day, full-year, full-choice  
517 basis to the extent possible in order to enable parents to work  
518 and be financially self-sufficient.

519 (b) The Agency for Workforce Innovation shall:

520 1. Coordinate the birth-to-kindergarten services for  
521 children who are eligible under subsection (6) and the  
522 programmatic, administrative, and fiscal standards under this

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523 section for all public providers of school readiness programs.

524 ~~2. Continue to provide unified leadership for school~~  
525 ~~readiness through early learning coalitions.~~

526 2.3. Focus on improving the educational quality of all  
527 program providers participating in publicly funded school  
528 readiness programs.

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

534 (d) The Agency for Workforce Innovation shall:

535 1. Be responsible for the prudent use of all public and  
536 private funds in accordance with all legal and contractual  
537 requirements.

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

540 3. Establish ~~Provide leadership for the enhancement of~~  
541 ~~school readiness in this state by aggressively establishing a~~  
542 ~~unified approach to the state's efforts toward enhancement of~~  
543 ~~school readiness. In support of this effort, the Agency for~~  
544 ~~Workforce Innovation may~~ adopt ~~develop and implement~~ specific  
545 system support service strategies that address the state's  
546 school readiness programs. An early learning coalition shall  
547 amend its school readiness plan to conform to the specific  
548 system support service strategies adopted by the Agency for  
549 Workforce Innovation. System support services shall include, but  
550 are not limited to:

551 a. Child care resource and referral services;

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- 552        b. Warm-Line services;  
553        c. Eligibility determinations;  
554        d. Child performance standards;  
555        e. Child screening and assessment;  
556        f. Developmentally appropriate curricula;  
557        g. Health and safety requirements;  
558        h. Statewide data system requirements; and  
559        i. Rating and improving systems.

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

563        5. Adopt a rule establishing criteria for the expenditure  
564 of funds designated for the purpose of funding activities to  
565 improve the quality of child care within the state in accordance  
566 with s. 658G of the federal Child Care and Development Block  
567 Grant. The rule shall establish criteria by which coalitions may  
568 implement locally developed quality programs. Before  
569 implementing a locally developed quality program, the rule shall  
570 require that a coalition demonstrate that it has solicited and  
571 received comments regarding the proposed quality program from  
572 the local community and that implementation of the locally  
573 developed quality program conforms to the coalition's school  
574 readiness plan.

575        ~~6.5.~~ Provide technical assistance to early learning  
576 coalitions in a manner determined by the Agency for Workforce  
577 Innovation based upon information obtained by the agency from  
578 any of the following sources, including, but not limited to,  
579 public input, government reports, private interest group  
580 reports, agency monitoring visits, and coalition requests for

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581 service.

582 ~~6. Assess gaps in service.~~

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

585 7.8. Develop and adopt performance standards and outcome  
586 measures for school readiness programs. The performance  
587 standards must address the age-appropriate progress of children  
588 in the development of ~~the~~ school readiness skills ~~required under~~  
589 ~~paragraph (j).~~ The performance standards for children from birth  
590 to 5 ~~3~~ years of age in school readiness programs must be  
591 integrated with the performance standards adopted by the  
592 Department of Education for children in the Voluntary  
593 Prekindergarten Education Program under s. 1002.67.

594 (e) The Agency for Workforce Innovation may adopt rules  
595 under ss. 120.536(1) and 120.54 to administer the provisions of  
596 law conferring duties upon the agency, including, but not  
597 limited to, rules governing the administration of system support  
598 services ~~preparation and implementation of the~~ school readiness  
599 programs ~~system~~, the collection of data, the approval of early  
600 learning coalitions and school readiness plans, the provision of  
601 a method whereby an early learning coalition may serve two or  
602 more counties, the award of incentives to early learning  
603 coalitions, child performance standards, child outcome measures,  
604 ~~and~~ the issuance of waivers, and the implementation of the  
605 federal Child Care and Development Fund Plan.

606 (f) The Agency for Workforce Innovation shall have all  
607 powers necessary to administer this section, including, but not  
608 limited to, the power to receive and accept grants, loans, or  
609 advances of funds from any public or private agency and to

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610 receive and accept from any source contributions of money,  
611 property, labor, or any other thing of value, to be held, used,  
612 and applied for purposes of this section.

613 (g) Except as provided by law, the Agency for Workforce  
614 Innovation may not impose requirements on a child care or early  
615 childhood education provider that does not deliver services  
616 under the ~~a school readiness programs~~ program or receive state  
617 or federal funds under this section.

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

622 (i) The Agency for Workforce Innovation shall coordinate  
623 the efforts toward school readiness in this state and provide  
624 independent policy analyses, data analyses, and recommendations  
625 to the Governor, the State Board of Education, and the  
626 Legislature.

627 (j) The Agency for Workforce Innovation shall require that  
628 ~~each early learning coalition's~~ school readiness programs  
629 ~~program must~~, at a minimum, enhance the age-appropriate progress  
630 of each child in attaining the performance standards adopted  
631 under subparagraph (d)7. and in the development of the following  
632 school readiness skills:

- 633 1. Compliance with rules, limitations, and routines.
- 634 2. Ability to perform tasks.
- 635 3. Interactions with adults.
- 636 4. Interactions with peers.
- 637 5. Ability to cope with challenges.
- 638 6. Self-help skills.

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- 639 7. Ability to express the child's needs.  
640 8. Verbal communication skills.  
641 9. Problem-solving skills.  
642 10. Following of verbal directions.  
643 11. Demonstration of curiosity, persistence, and  
644 exploratory behavior.  
645 12. Interest in books and other printed materials.  
646 13. Paying attention to stories.  
647 14. Participation in art and music activities.  
648 15. Ability to identify colors, geometric shapes, letters  
649 of the alphabet, numbers, and spatial and temporal  
650 relationships.

651  
652 Within 30 days after enrollment ~~The Agency for Workforce~~  
653 ~~Innovation shall also require that, before a child is enrolled~~  
654 ~~in the an early learning coalition's~~ school readiness program,  
655 the early learning coalition must obtain, or ensure that the  
656 programs provider obtains, ~~information is obtained by the~~  
657 ~~coalition or the school readiness provider~~ regarding the child's  
658 immunizations, physical development, and other health  
659 requirements as necessary, including appropriate vision and  
660 hearing screening and examinations.

661 (k) The Agency for Workforce Innovation shall conduct  
662 studies and planning activities related to the overall  
663 improvement and effectiveness of the outcome measures adopted by  
664 the agency for school readiness programs and the specific system  
665 support service strategies to address the state's school  
666 readiness programs adopted by the Agency for Workforce  
667 Innovation in accordance with subparagraph (d)3.

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668 (l) The Agency for Workforce Innovation shall monitor and  
669 evaluate the performance of each early learning coalition in  
670 administering the school readiness program, implementing the  
671 coalition's school readiness plan, and administering the  
672 Voluntary Prekindergarten Education Program. These monitoring  
673 and performance evaluations must include, at a minimum, onsite  
674 monitoring of each coalition's finances, management, operations,  
675 and programs.

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

679 (m) ~~(n)~~ The Agency for Workforce Innovation shall submit an  
680 annual report of its activities conducted under this section to  
681 the Governor, ~~the executive director of the Florida Healthy Kids~~  
682 ~~Corporation,~~ the President of the Senate, the Speaker of the  
683 House of Representatives, and the minority leaders of both  
684 houses of the Legislature. In addition, the Agency for Workforce  
685 Innovation's reports and recommendations shall be made available  
686 to ~~the State Board of Education,~~ the Florida Early Learning  
687 Advisory Council and, other appropriate state agencies and  
688 entities, ~~district school boards, central agencies, and county~~  
689 ~~health departments.~~ The annual report must provide an analysis  
690 of school readiness activities across the state, including the  
691 number of children who were served in the programs.

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



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697 (5) CREATION OF EARLY LEARNING COALITIONS.—

698 (a) *Early learning coalitions.*—

699 1. The Agency for Workforce Innovation shall establish the  
700 minimum number of children to be served by each early learning  
701 coalition through the coalition's school readiness program. The  
702 Agency for Workforce Innovation may only approve school  
703 readiness plans in accordance with this minimum number. The  
704 minimum number must be uniform for every early learning  
705 coalition and must:

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

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

711

712 The Agency for Workforce Innovation shall adopt procedures for  
713 merging early learning coalitions, including procedures for the  
714 consolidation of merging coalitions, and for the early  
715 termination of the terms of coalition members which are  
716 necessary to accomplish the mergers. Each early learning  
717 coalition must comply with the merger procedures and shall be  
718 organized in accordance with this subparagraph by July 1, 2010  
719 ~~April 1, 2005~~. By October 1, 2010 ~~June 30, 2005~~, each coalition  
720 must complete the transfer of powers, duties, functions, rules,  
721 records, personnel, property, and unexpended balances of  
722 appropriations, allocations, and other funds to the successor  
723 coalition, if applicable. In addition, each coalition must make  
724 accommodations for the transfer or discharge of all contractual  
725 obligations.

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726           2. If an early learning coalition would serve fewer  
727 children than the minimum number established under subparagraph  
728 1., the coalition must merge with another county to form a  
729 multicounty coalition. However, the Agency for Workforce  
730 Innovation may authorize an early learning coalition to serve  
731 fewer children than the minimum number established under  
732 subparagraph 1., if:

733           a. The coalition demonstrates to the Agency for Workforce  
734 Innovation that merging with another county or multicounty  
735 region contiguous to the coalition would cause an extreme  
736 hardship on the coalition;

737           b. The Agency for Workforce Innovation has determined  
738 during the most recent annual review of the coalition's school  
739 readiness plan, or through monitoring and performance  
740 evaluations conducted under paragraph (4)(1), that the coalition  
741 has substantially implemented its plan and substantially met the  
742 performance standards and outcome measures adopted by the  
743 agency; and

744           c. The coalition demonstrates to the Agency for Workforce  
745 Innovation the coalition's ability to effectively and  
746 efficiently implement the Voluntary Prekindergarten Education  
747 Program.

748  
749 If an early learning coalition fails or refuses to merge as  
750 required by this subparagraph, the Agency for Workforce  
751 Innovation may dissolve the coalition and temporarily contract  
752 with a qualified entity to continue school readiness and  
753 prekindergarten services in the coalition's county or  
754 multicounty region until the agency reestablishes the coalition

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755 ~~and a new~~ is reestablished through resubmission of a school  
756 readiness plan has been approved ~~and approval~~ by the agency.

757 ~~3. Notwithstanding the provisions of subparagraphs 1. and~~  
758 ~~2., the early learning coalitions in Sarasota, Osecola, and~~  
759 ~~Santa Rosa Counties which were in operation on January 1, 2005,~~  
760 ~~are established and authorized to continue operation as~~  
761 ~~independent coalitions, and shall not be counted within the~~  
762 ~~limit of 30 coalitions established in subparagraph 1.~~

763 ~~3.4.~~ Each early learning coalition shall be composed of at  
764 least 15 ~~18~~ members but not more than 25 ~~35~~ members and not more  
765 than 18 voting members. The Agency for Workforce Innovation  
766 shall adopt standards establishing within this range the minimum  
767 and maximum number of members that may be appointed to an early  
768 learning coalition. These standards must include variations for  
769 a coalition serving a multicounty region. Each early learning  
770 coalition must comply with these standards.

771 ~~4.5.~~ The Governor shall appoint the chair ~~and two other~~  
772 ~~members~~ of each early learning coalition, who must each meet the  
773 same qualifications as private sector business members appointed  
774 by the coalition under subparagraph 7.

775 ~~5.6.~~ Each early learning coalition must include the  
776 following members:

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

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

783 c. A regional workforce board executive director or his or

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784 her designee, who shall be a nonvoting member.

785 ~~d. A county health department director or his or her~~  
786 ~~designee.~~

787 ~~d.e. A children's services council or juvenile welfare~~  
788 ~~board chair or executive director, if applicable, who shall be a~~  
789 ~~nonvoting member if the council or board is the fiscal agent of~~  
790 ~~the coalition or if the council or board contracts with and~~  
791 ~~receives funds from the coalition for any purpose other than~~  
792 ~~rent.~~

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

795 ~~f.g. A president of a community college or his or her~~  
796 ~~designee.~~

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

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

800 ~~g.j. A Head Start director, who shall be a nonvoting~~  
801 ~~member.~~

802 ~~h.k. A representative of private child care providers,~~  
803 ~~including family day care homes, who shall be a nonvoting~~  
804 ~~member.~~

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

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

810 ~~6.7. Including the chair ~~members~~ appointed by the Governor~~  
811 ~~under subparagraph 5., more than one-third of the members of~~  
812 ~~each early learning coalition must be private sector business~~

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813 members who do not have, and none of whose relatives as defined  
814 in s. 112.3143 has, a substantial financial interest in the  
815 design or delivery of the Voluntary Prekindergarten Education  
816 Program created under part V of chapter 1002 or the coalition's  
817 school readiness program. To meet this requirement an early  
818 learning coalition must appoint additional members ~~from a list~~  
819 ~~of nominees submitted to the coalition by a chamber of commerce~~  
820 ~~or economic development council within the geographic region~~  
821 ~~served by the coalition.~~ The Agency for Workforce Innovation  
822 shall establish criteria for appointing private sector business  
823 members. These criteria must include standards for determining  
824 whether a member or relative has a substantial financial  
825 interest in the design or delivery of the Voluntary  
826 Prekindergarten Education Program or the coalition's school  
827 readiness program.

828 7.8. A majority of the voting membership of an early  
829 learning coalition constitutes a quorum required to conduct the  
830 business of the coalition. An early learning coalition board may  
831 use any method of telecommunications to conduct meetings,  
832 including establishing a quorum through telecommunications,  
833 provided that the public is given proper notice of a  
834 telecommunications meeting and reasonable access to observe and,  
835 when appropriate, participate.

836 8.9. A voting member of an early learning coalition may not  
837 appoint a designee to act in his or her place, except as  
838 otherwise provided in this paragraph. A voting member may send a  
839 representative to coalition meetings, but that representative  
840 does not have voting privileges. When a district administrator  
841 for the Department of Children and Family Services appoints a

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842 designee to an early learning coalition, the designee is the  
843 voting member of the coalition, and any individual attending in  
844 the designee's place, including the district administrator, does  
845 not have voting privileges.

846 ~~9.10.~~ Each member of an early learning coalition is subject  
847 to ss. 112.313, 112.3135, and 112.3143. For purposes of s.  
848 112.3143(3)(a), each voting member is a local public officer who  
849 must abstain from voting when a voting conflict exists.

850 ~~10.11.~~ For purposes of tort liability, each member or  
851 employee of an early learning coalition shall be governed by s.  
852 768.28.

853 ~~11.12.~~ An early learning coalition serving a multicounty  
854 region must include representation from each county.

855 ~~12.13.~~ Each early learning coalition shall establish terms  
856 for all appointed members of the coalition. The terms must be  
857 staggered and must be a uniform length that does not exceed 4  
858 years per term. Coalition chairs shall be appointed for 4 years  
859 in conjunction with their membership of the Early Learning  
860 Advisory Council under s. 20.052. Appointed members may serve a  
861 maximum of two consecutive terms. When a vacancy occurs in an  
862 appointed position, the coalition must advertise the vacancy.

863 ~~(b) Program participation.~~ ~~The school readiness program~~  
864 ~~shall be established for children from birth to the beginning of~~  
865 ~~the school year for which a child is eligible for admission to~~  
866 ~~kindergarten in a public school under s. 1003.21(1)(a)2. The~~  
867 ~~program shall be administered by the early learning coalition.~~  
868 ~~Within funding limitations, the early learning coalition, along~~  
869 ~~with all providers, shall make reasonable efforts to accommodate~~  
870 ~~the needs of children for extended day and extended year~~

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871 ~~services without compromising the quality of the program.~~

872 (b) Limitation.—Except as provided by law, the early  
873 learning coalitions may not impose requirements on a child care  
874 or early childhood education provider that does not deliver  
875 services under the school readiness programs or receive state,  
876 federal, required maintenance of effort, or matching funds under  
877 this section.

878 (c) *Program expectations.*—

879 1. The school readiness program must meet the following  
880 expectations:

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

886 b. The program must provide extended-day and extended-year  
887 services to the maximum extent possible without compromising the  
888 quality of the program to meet the needs of parents who work.

889 c. There must be coordinated staff development and teaching  
890 opportunities.

891 d. There must be expanded access to community services and  
892 resources for families to help achieve economic self-  
893 sufficiency.

894 e. There must be a single point of entry and unified  
895 waiting list. As used in this sub-subparagraph, the term "single  
896 point of entry" means an integrated information system that  
897 allows a parent to enroll his or her child in the school  
898 readiness program at various locations throughout a ~~the~~ county  
899 ~~or multicounty region served by an early learning coalition,~~

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900 that may allow a parent to enroll his or her child by telephone  
901 or through an Internet website, and that uses a unified waiting  
902 list to track eligible children waiting for enrollment in the  
903 school readiness program. The Agency for Workforce Innovation  
904 shall establish through technology a single statewide  
905 information system that each coalition must use for the purposes  
906 of managing the integrates each early learning coalition's  
907 single point of entry, tracking children's progress,  
908 coordinating services among stakeholders, determining  
909 eligibility, tracking child attendance, and streamlining  
910 administrative processes for providers and early learning  
911 coalitions and each coalition must use the statewide system.

912 f. The Agency for Workforce Innovation must consider the  
913 access of eligible children to the school readiness program, as  
914 demonstrated in part by waiting lists, before approving a  
915 proposed increase in payment rates submitted by an early  
916 learning coalition. In addition, early learning coalitions shall  
917 use school readiness funds made available due to enrollment  
918 shifts from school readiness programs to the Voluntary  
919 Prekindergarten Education Program for increasing the number of  
920 children served in school readiness programs before increasing  
921 payment rates.

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

924 ~~g.h.~~ The program must meet all state licensing guidelines,  
925 where applicable.

926 h. The program must ensure that minimum standards for child  
927 discipline practices are age appropriate. Pursuant to s.  
928 402.305(12), such standards must provide that children not be



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929 subjected to discipline that is severe, humiliating, or  
930 frightening and may not be associated with food, rest, or  
931 toileting. Spanking or any other form of physical punishment is  
932 prohibited.

933 2. Each ~~The~~ early learning coalition must implement a  
934 comprehensive program of school readiness services in accordance  
935 with the rules adopted by the agency which ~~that~~ enhance the  
936 cognitive, social, and physical development of children to  
937 achieve the performance standards and outcome measures ~~adopted~~  
938 ~~by the agency for Workforce Innovation~~. At a minimum, these  
939 programs must contain the following system support service  
940 elements:

941 a. Developmentally appropriate curriculum designed to  
942 enhance the age-appropriate progress of children in attaining  
943 the performance standards adopted by the Agency for Workforce  
944 Innovation under subparagraph (4) (d) 7. ~~(4) (d) 8.~~

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

946 c. An age-appropriate screening ~~assessment~~ of each child's  
947 development.

948 d. An age-appropriate assessment ~~A pretest~~ administered to  
949 children when they enter a program and an age-appropriate  
950 assessment ~~a posttest~~ administered to children when they leave  
951 the program.

952 e. An appropriate staff-to-children ratio, pursuant to s.  
953 402.305(4) or s. 402.302(7) or (8), as applicable, and as  
954 verified pursuant to s. 402.311.

955 f. A healthy and safe environment.

956 g. A resource and referral network established under s.  
957 411.0101 to assist parents in making an informed choice and a

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958 regional Warm-Line under s. 411.01015.

959 (d) *Implementation.*—

960 1. An early learning coalition may not implement the school  
961 readiness program until the coalition is authorized through  
962 approval of the coalition's school readiness plan by the Agency  
963 for Workforce Innovation.

964 2. Each early learning coalition shall coordinate with one  
965 another to implement a comprehensive program of school readiness  
966 services which enhances the cognitive, social, physical, and  
967 moral character of the children to achieve the performance  
968 standards and outcome measures, helps families achieve economic  
969 self sufficiency, and reduces agency duplication. Such program  
970 must contain, at a minimum, the following elements: ~~develop a~~  
971 plan for implementing

972 a. Implement the school readiness program to meet the  
973 requirements of this section and the system support services  
974 performance standards and outcome measures adopted by the Agency  
975 for Workforce Innovation.

976 b. ~~The plan must~~ Demonstrate how the program will ensure  
977 that each ~~3-year-old and 4-year-old~~ child from birth through 5  
978 years of age in a publicly funded school readiness program  
979 receives scheduled activities and instruction designed to  
980 enhance the age-appropriate progress of the children in  
981 attaining the performance standards adopted by the Agency for  
982 Workforce Innovation under subparagraph (4)(d)7. ~~(4)(d)8.~~

983  
984 Before implementing the school readiness program, the early  
985 learning coalition must submit the plan to the Agency for  
986 Workforce Innovation for approval. The Agency for Workforce

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987 Innovation may approve the plan, reject the plan, or approve the  
988 plan with conditions. The Agency for Workforce Innovation shall  
989 review school readiness plans at least biannually ~~annually~~.

990 3. If the Agency for Workforce Innovation determines during  
991 the annual review of school readiness plans, or through  
992 monitoring and performance evaluations conducted under paragraph  
993 (4)(1), that an early learning coalition has not substantially  
994 implemented its plan, has not substantially met the performance  
995 standards and outcome measures adopted by the agency, or has not  
996 effectively administered the school readiness program or  
997 Voluntary Prekindergarten Education Program, the Agency for  
998 Workforce Innovation may dissolve the coalition and temporarily  
999 contract with a qualified entity to continue school readiness  
1000 and prekindergarten services in the coalition's county or  
1001 multicounty region until the agency reestablishes the coalition  
1002 and a new ~~the coalition is reestablished through resubmission of~~  
1003 ~~a school readiness plan~~ has been approved in accordance with the  
1004 rules adopted and approval by the agency.

1005 4. The Agency for Workforce Innovation shall adopt rules  
1006 establishing criteria for the approval of school readiness  
1007 plans. The criteria must be consistent with the system support  
1008 services, performance standards, and outcome measures adopted by  
1009 the agency and must require each approved plan to include the  
1010 following minimum standards and provisions for the school  
1011 readiness program:

1012 a. A community plan that addresses the needs of all  
1013 children and providers within the coalition's county or  
1014 multicounty region.

1015 ~~b.a.~~ A sliding fee scale establishing a copayment for

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1016 parents based upon their ability to pay, which is the same for  
1017 all program providers, ~~to be implemented and reflected in each~~  
1018 ~~program's budget.~~

1019 ~~c.b.~~ A choice of settings and locations in licensed,  
1020 registered, religious-exempt, or school-based programs to be  
1021 provided to parents.

1022 ~~d.e.~~ Instructional staff who have completed the training  
1023 course as required in s. 402.305(2)(d)1., s. 402.313(1)(a)6., or  
1024 s. 402.3131(3), as applicable, as well as requirements for staff  
1025 who have additional training or credentials pursuant to s.  
1026 402.305 as required by the Agency for Workforce Innovation. The  
1027 rules plan must provide a method for assuring the qualifications  
1028 of all personnel in all program settings in collaboration with  
1029 the Department of Children and Family Services.

1030 ~~e.d.~~ Specific eligibility priorities for children ~~within~~  
1031 ~~the early learning coalition's county or multicounty region~~ in  
1032 accordance with subsection (6).

1033 ~~f.e.~~ Performance standards and outcome measures adopted by  
1034 the Agency for Workforce Innovation.

1035 ~~g.f.~~ The adoption of payment rates that adopted by the  
1036 ~~early learning coalition and approved by the Agency for~~  
1037 ~~Workforce Innovation.~~ Payment rates may not have the effect of  
1038 limiting parental choice or creating standards or levels of  
1039 services that have not been authorized by the Legislature or  
1040 Federal Government.

1041 ~~g.~~ ~~Systems support services, including a central agency,~~  
1042 ~~child care resource and referral, eligibility determinations,~~  
1043 ~~training of providers, and parent support and involvement.~~

1044 h. Direct enhancement services for ~~to~~ families and

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1045 children. System support and direct enhancement services shall  
1046 be in addition to payments for the placement of children in  
1047 school readiness programs. Direct enhancement services for  
1048 families may include parent training and involvement activities  
1049 and strategies to meet the needs of unique populations and local  
1050 eligibility priorities. Enhancement services for children may  
1051 include provider supports and professional development approved  
1052 in their plan by the Agency for Workforce Innovation.

1053 i. The business organization of the early learning  
1054 coalition, which must include the coalition's articles of  
1055 incorporation and bylaws if the coalition is organized as a  
1056 corporation. If the coalition is not organized as a corporation  
1057 or other business entity, the plan must include the contract  
1058 with a fiscal agent. An early learning coalition may contract  
1059 with other coalitions to achieve efficiency in multicounty  
1060 services, and these contracts may be part of the coalition's  
1061 school readiness plan.

1062 j. The implementation of locally developed quality programs  
1063 in accordance with the requirements adopted by the agency under  
1064 s. 411.01(4)(d)5.

1065 ~~j. Strategies to meet the needs of unique populations, such~~  
1066 ~~as migrant workers.~~

1067  
1068 ~~As part of the school readiness plan, The Agency for Workforce~~  
1069 ~~Innovation early learning coalition may request the Governor to~~  
1070 ~~apply for a waiver to allow the coalition to administer the Head~~  
1071 ~~Start Program to accomplish the purposes of the school readiness~~  
1072 ~~program. If a school readiness plan demonstrates that specific~~  
1073 ~~statutory goals can be achieved more effectively by using~~

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1074 ~~procedures that require modification of existing rules,~~  
1075 ~~policies, or procedures, a request for a waiver to the Agency~~  
1076 ~~for Workforce Innovation may be submitted as part of the plan.~~  
1077 ~~Upon review, the Agency for Workforce Innovation may grant the~~  
1078 ~~proposed modification.~~

1079         5. Persons with an early childhood teaching certificate may  
1080 provide support and supervision to other staff in the school  
1081 readiness program.

1082         6. An early learning coalition may not implement its school  
1083 readiness plan until it submits the plan to and receives  
1084 approval from the Agency for Workforce Innovation. Once the plan  
1085 is approved, the plan and the services provided under the plan  
1086 shall be controlled by the early learning coalition. The plan  
1087 shall be reviewed and revised as necessary, but at least  
1088 biennially. An early learning coalition may not implement the  
1089 revisions until the coalition submits the revised plan to and  
1090 receives approval from the Agency for Workforce Innovation. If  
1091 the Agency for Workforce Innovation rejects a revised plan, the  
1092 coalition must continue to operate under its prior approved  
1093 plan.

1094         7. Sections 125.901(2)(a)3., 411.221, and 411.232 do not  
1095 apply to ~~an early learning coalition with an approved school~~  
1096 ~~readiness programs plan.~~ The Agency for Workforce Innovation ~~To~~  
1097 ~~facilitate innovative practices and to allow the regional~~  
1098 ~~establishment of school readiness programs, an early learning~~  
1099 ~~coalition~~ may apply to the Governor and Cabinet for a waiver of,  
1100 and the Governor and Cabinet may waive, any of the provisions of  
1101 ss. 411.223, 411.232, and 1003.54, if the waiver is necessary  
1102 for implementation of ~~the coalition's~~ school readiness programs

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1103 ~~plan.~~

1104 8. Two or more coalitions ~~counties~~ may join for purposes of  
1105 planning and implementing a school readiness program.

1106 ~~9. An early learning coalition may, subject to approval by~~  
1107 ~~The Agency for Workforce Innovation as part of the coalition's~~  
1108 ~~school readiness plan, receive subsidized child care funds for~~  
1109 ~~all children eligible for any federal subsidized child care~~  
1110 ~~program.~~

1111 ~~10. An early learning coalition may enter into multiparty~~  
1112 ~~contracts with multicounty service providers in order to meet~~  
1113 ~~the needs of unique populations such as migrant workers.~~

1114 (e) *Requests for proposals; payment schedule.*—

1115 1. Each early learning coalition must comply with the  
1116 procurement and expenditure procedures adopted by the Agency for  
1117 Workforce Innovation, including, but not limited to, applying  
1118 the procurement and expenditure procedures required by federal  
1119 law for the expenditure of federal funds s. 287.057 for the  
1120 ~~procurement of commodities or contractual services from the~~  
1121 ~~funds described in paragraph (9) (d). The period of a contract~~  
1122 ~~for purchase of these commodities or contractual services,~~  
1123 ~~together with any renewal of the original contract, may not~~  
1124 ~~exceed 3 years.~~

1125 2. Each early learning coalition shall adopt a payment  
1126 schedule that encompasses all programs funded ~~by the coalition~~  
1127 under this section. The payment schedule must take into  
1128 consideration the prevailing relevant market rate schedule  
1129 adopted under s. 411.01013, must include the projected number of  
1130 children to be served, and must be submitted for approval by the  
1131 Agency for Workforce Innovation. An early learning coalition may

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1132 not plan, devise, or implement any process that differentiates  
1133 payment rates, except for the processes under s. 411.01013. The  
1134 payment rate for an informal child care arrangement may not  
1135 exceed ~~arrangements shall be reimbursed at not more than 50~~  
1136 percent of the rate adopted ~~developed~~ for a family day care  
1137 home.

1138 ~~(f) Requirements relating to fiscal agents. If an early~~  
1139 ~~learning coalition is not legally organized as a corporation or~~  
1140 ~~other business entity, the coalition must designate a fiscal~~  
1141 ~~agent, which may be a public entity, a private nonprofit~~  
1142 ~~organization, or a certified public accountant who holds a~~  
1143 ~~license under chapter 473. The fiscal agent must provide~~  
1144 ~~financial and administrative services under a contract with the~~  
1145 ~~early learning coalition. The fiscal agent may not provide~~  
1146 ~~direct early childhood education or child care services;~~  
1147 ~~however, a fiscal agent may provide those services upon written~~  
1148 ~~request of the early learning coalition to the Agency for~~  
1149 ~~Workforce Innovation and upon the approval of the request by the~~  
1150 ~~agency. The cost of the financial and administrative services~~  
1151 ~~shall be negotiated between the fiscal agent and the early~~  
1152 ~~learning coalition. If the fiscal agent is a provider of early~~  
1153 ~~childhood education and child care programs, the contract must~~  
1154 ~~specify that the fiscal agent shall act on policy direction from~~  
1155 ~~the early learning coalition and must not receive policy~~  
1156 ~~direction from its own corporate board regarding disbursement of~~  
1157 ~~the coalition's funds. The fiscal agent shall disburse funds in~~  
1158 ~~accordance with the early learning coalition's approved school~~  
1159 ~~readiness plan and based on billing and disbursement procedures~~  
1160 ~~approved by the Agency for Workforce Innovation. The fiscal~~



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1161 ~~agent must conform to all data reporting requirements~~  
1162 ~~established by the Agency for Workforce Innovation.~~

1163 (f) ~~(g)~~ *Evaluation and annual report.*—Each early learning  
1164 coalition shall conduct an evaluation of its implementation ~~the~~  
1165 ~~effectiveness~~ of the school readiness program, including system  
1166 support services, performance standards, and outcome measures,  
1167 and shall provide an annual report and fiscal statement to the  
1168 Agency for Workforce Innovation. This report must also include  
1169 an evaluation of the effectiveness of its direct enhancement  
1170 services and conform to the content and format specifications  
1171 adopted ~~set~~ by the Agency for Workforce Innovation. The Agency  
1172 for Workforce Innovation must include an analysis of the early  
1173 learning coalitions' reports in the agency's annual report.

1174 (6) PROGRAM ELIGIBILITY.—~~The~~ ~~Each~~ ~~early~~ ~~learning~~  
1175 ~~coalition's~~ school readiness program is ~~shall be~~ established for  
1176 children from birth to the beginning of the school year for  
1177 which a child is eligible for admission to kindergarten in a  
1178 public school under s. 1003.21(1)(a)2. or who are eligible for  
1179 any federal subsidized child care program. Each early learning  
1180 coalition shall give priority for participation in the school  
1181 readiness program as follows:

1182 (a) Priority shall be given first to a child from a family  
1183 in which there is an adult receiving temporary cash assistance  
1184 who is subject to federal work requirements.

1185 (b) Priority shall be given next to a child who is eligible  
1186 for a school readiness program but who has not yet entered  
1187 ~~children age 3 years to school,~~ entry ~~who~~ is ~~are~~ served by the  
1188 Family Safety Program Office of the Department of Children and  
1189 Family Services or a community-based lead agency under chapter

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1190 39 or chapter 409, and for whom child care is needed to minimize  
1191 risk of further abuse, neglect, or abandonment.

1192 (c) Subsequent priority shall be given to a child ~~Other~~  
1193 eligible populations include children who ~~meets~~ meet one or more  
1194 of the following criteria:

1195 1.(a) A child who is younger than ~~Children under~~ the age of  
1196 kindergarten eligibility and ~~who are~~:

1197 ~~1. Children determined to be at risk of abuse, neglect, or~~  
1198 ~~exploitation who are currently clients of the Family Safety~~  
1199 ~~Program Office of the Department of Children and Family~~  
1200 ~~Services, but who are not otherwise given priority under this~~  
1201 ~~subsection.~~

1202 a.2. Is Children at risk of welfare dependency, including  
1203 an economically disadvantaged child ~~children~~, a child ~~children~~  
1204 of a participant ~~participants~~ in the welfare transition program,  
1205 a child of a migratory agricultural worker ~~children of migrant~~  
1206 farmworkers, or a child and ~~children of a~~ teen parent ~~parents~~.

1207 b.3. Is a member Children of a working family that is  
1208 economically disadvantaged ~~families whose family income does not~~  
1209 ~~exceed 150 percent of the federal poverty level.~~

1210 c.4. Children For whom financial assistance is provided  
1211 through the state is paying a Relative Caregiver Program ~~payment~~  
1212 ~~under s. 39.5085.~~

1213 2.(b) A 3-year-old child or ~~Three-year-old children and 4-~~  
1214 year-old child ~~children~~ who may not be economically  
1215 disadvantaged but who has a disability; has ~~have disabilities,~~  
1216 ~~have~~ been served in a specific part-time exceptional education  
1217 program or a combination of part-time exceptional education  
1218 programs with required special services, aids, or equipment;7

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1219 and ~~was~~ were previously reported for funding part time under  
 1220 ~~with~~ the Florida Education Finance Program as an exceptional  
 1221 student ~~students~~.

1222 ~~3.(e)~~ An economically disadvantaged child ~~children~~, a child  
 1223 ~~children~~ with a disability ~~disabilities~~, or a child ~~and children~~  
 1224 at risk of future school failure, from birth to 4 years of age,  
 1225 who is ~~are~~ served at home through a home visitor program  
 1226 ~~programs~~ and an intensive parent education program ~~programs~~.

1227 ~~4.(d)~~ A child ~~Children~~ who meets ~~meet~~ federal and state  
 1228 eligibility requirements for the migrant preschool program but  
 1229 who is ~~do~~ not ~~meet the criteria of~~ economically disadvantaged.

1230  
 1231 As used in this paragraph ~~subsection~~, the term "economically  
 1232 disadvantaged" ~~child~~ means having a ~~child whose~~ family income  
 1233 that does not exceed 150 percent of the federal poverty level.  
 1234 Notwithstanding any change in a family's economic status, but  
 1235 subject to additional family contributions in accordance with  
 1236 the sliding fee scale, a child who meets the eligibility  
 1237 requirements upon initial registration for the program remains  
 1238 eligible until the beginning of the school year for which the  
 1239 child is eligible for admission to kindergarten in a public  
 1240 school under s. 1003.21(1)(a)2.

1241 (7) PARENTAL CHOICE.—

1242 (a) As used in this subsection, the term "payment  
 1243 certificate" means a child care certificate as defined in 45  
 1244 C.F.R. s. 98.2.

1245 (b) The school readiness program shall, in accordance with  
 1246 45 C.F.R. s. 98.30, provide parental choice through a payment  
 1247 certificate ~~purchase service order~~ that ensures, to the maximum

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1248 extent possible, flexibility in the school readiness program  
1249 ~~programs~~ and payment arrangements. ~~According to federal~~  
1250 ~~regulations requiring parental choice, a parent may choose an~~  
1251 ~~informal child care arrangement.~~ The payment certificate  
1252 ~~purchase order~~ must bear the names ~~name~~ of the beneficiary and  
1253 the program provider and, when redeemed, must bear the  
1254 signatures ~~signature~~ of both the beneficiary and an authorized  
1255 representative of the provider.

1256 (c) ~~(b)~~ If it is determined that a provider has given  
1257 ~~provided~~ any cash to the beneficiary in return for receiving a  
1258 payment certificate ~~the purchase order~~, the early learning  
1259 coalition or its fiscal agent shall refer the matter to the  
1260 Division of Public Assistance Fraud for investigation.

1261 (d) ~~(e)~~ The office of the Chief Financial Officer shall  
1262 establish an electronic transfer system for the disbursement of  
1263 funds in accordance with this subsection. Each early learning  
1264 coalition shall fully implement the electronic funds transfer  
1265 system within 2 years after approval of the coalition's school  
1266 readiness plan, unless a waiver is obtained from the Agency for  
1267 Workforce Innovation.

1268 (8) STANDARDS; OUTCOME MEASURES.—A program provider  
1269 participating in the ~~All~~ school readiness program ~~programs~~ must  
1270 meet the performance standards and outcome measures adopted by  
1271 the Agency for Workforce Innovation.

1272 (9) FUNDING; SCHOOL READINESS PROGRAM.—

1273 (a) It is the intent of this section to establish an  
1274 integrated and quality seamless service delivery system for all  
1275 publicly funded early childhood education and child care  
1276 programs operating in this state.

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1277 (b)1. The Agency for Workforce Innovation shall administer  
1278 school readiness funds, plans, and policies and shall prepare  
1279 and submit a unified budget request for the school readiness  
1280 system in accordance with chapter 216.

1281 2. All instructions to early learning coalitions for  
1282 administering this section shall emanate from the Agency for  
1283 Workforce Innovation in accordance with the policies of the  
1284 Legislature.

1285 (c) The Agency for Workforce Innovation, subject to  
1286 legislative notice and review under s. 216.177, shall establish  
1287 ~~recommend~~ a formula for the allocation ~~among the early learning~~  
1288 ~~coalitions~~ of all state and federal school readiness funds  
1289 provided for children participating in the public or private  
1290 school readiness program, whether served by a public or private  
1291 provider, programs based upon equity for each county and  
1292 ~~performance~~. The allocation formula must be submitted to the  
1293 Governor, the chair of the Senate Ways and Means Committee or  
1294 its successor, and the chair of the House of Representatives  
1295 Fiscal Council or its successor no later than January 1 of each  
1296 year. If the Legislature specifies ~~shall specify in the annual~~  
1297 ~~General Appropriations Act any changes to~~ from the allocation  
1298 formula, methodology for the prior fiscal year which must be  
1299 ~~used by~~ the Agency for Workforce Innovation shall allocate funds  
1300 as specified in allocating the appropriations provided in the  
1301 General Appropriations Act.

1302 (d) All state, federal, and required local maintenance-of-  
1303 effort, or matching funds provided to an early learning  
1304 coalition for purposes of this section shall be used ~~by the~~  
1305 ~~coalition~~ for implementation of its approved school readiness

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1306 plan, including the hiring of staff to effectively operate the  
1307 coalition's school readiness program. As part of plan approval  
1308 and periodic plan review, The Agency for Workforce Innovation  
1309 shall require that administrative costs be kept to the minimum  
1310 necessary for efficient and effective administration of the  
1311 school readiness plan, but total administrative expenditures  
1312 must not exceed 5 percent unless specifically waived by the  
1313 Agency for Workforce Innovation. The Agency for Workforce  
1314 Innovation shall annually report to the Legislature any problems  
1315 relating to administrative costs.

1316 (e) The Agency for Workforce Innovation shall annually  
1317 ~~distribute, to a maximum extent practicable,~~ all eligible funds  
1318 provided under this section as block grants to the early  
1319 learning coalitions in accordance with the terms and conditions  
1320 specified by the agency.

1321 (f) State funds appropriated for the school readiness  
1322 program may not be used for the construction of new facilities  
1323 or the purchase of buses. ~~The Agency for Workforce Innovation~~  
1324 ~~shall present to the Legislature recommendations for providing~~  
1325 ~~necessary transportation services for school readiness programs.~~

1326 (g) All cost savings and all revenues received through a  
1327 mandatory sliding fee scale shall be used to help fund each  
1328 early learning coalition's school readiness program.

1329 (10) CONFLICTING PROVISIONS. ~~If In the event of a conflict~~  
1330 exists between this section and federal requirements, the  
1331 federal requirements shall control.

1332 ~~(11) PLACEMENTS. Notwithstanding any other provision of~~  
1333 ~~this section to the contrary, the first children to be placed in~~  
1334 ~~the school readiness program shall be those from families~~

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1335 ~~receiving temporary cash assistance and subject to federal work~~  
1336 ~~requirements. Subsequent placements shall be made in accordance~~  
1337 ~~with subsection (6).~~

1338 Section 15. Section 411.0101, Florida Statutes, is amended  
1339 to read:

1340 411.0101 Child care and early childhood resource and  
1341 referral.—

1342 (1) As a part of the school readiness programs, the Agency  
1343 for Workforce Innovation shall establish a statewide child care  
1344 resource and referral network that is unbiased and provides  
1345 referrals to families for child care. Preference shall be given  
1346 to using the already established early learning coalitions as  
1347 the child care resource and referral agencies ~~agency~~. If an  
1348 early learning coalition cannot comply with the requirements to  
1349 offer the resource information component or does not want to  
1350 offer that service, the early learning coalition shall select  
1351 the resource and referral information ~~information~~ agency for its county or  
1352 multicounty region based upon a request for proposal pursuant to  
1353 s. 411.01(5)(e)1.

1354 (2) At least one child care resource and referral agency  
1355 must be established in each early learning coalition's county or  
1356 multicounty region. The Agency for Workforce Innovation shall  
1357 adopt rules regarding accessibility of child care resource and  
1358 referral services offered through child care resource and  
1359 referral agencies in each county or multicounty region which  
1360 include, at a minimum, required hours of operation, methods by  
1361 which parents may request services, and child care resource and  
1362 referral staff training requirements.

1363 (3) Child care resource and referral agencies shall provide

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1364 the following services:

1365 (a)~~(1)~~ Identification of existing public and private child  
1366 care and early childhood education services, including child  
1367 care services by public and private employers, and the  
1368 development of a resource file of those services through the  
1369 single statewide information system developed by the Agency for  
1370 Workforce Innovation under s. 411.01(5)(c)1.e. These services  
1371 may include family day care, public and private child care  
1372 programs, the Voluntary Prekindergarten Education Program, Head  
1373 Start, the school readiness program prekindergarten early  
1374 intervention programs, special education programs for  
1375 prekindergarten handicapped children who have disabilities,  
1376 services for children with developmental disabilities, full-time  
1377 and part-time programs, before-school and after-school programs,  
1378 vacation care programs, parent education, the WAGES Program, and  
1379 related family support services. The resource file shall  
1380 include, but not be limited to:

- 1381 1.~~(a)~~ Type of program.  
1382 2.~~(b)~~ Hours of service.  
1383 3.~~(c)~~ Ages of children served.  
1384 4.~~(d)~~ Number of children served.  
1385 5.~~(e)~~ Significant program information.  
1386 6.~~(f)~~ Fees and eligibility for services.  
1387 7.~~(g)~~ Availability of transportation.

1388 (b)~~(2)~~ The establishment of a referral process that ~~which~~  
1389 responds to parental need for information and that ~~which~~ is  
1390 provided with full recognition of the confidentiality rights of  
1391 parents. The resource and referral network ~~programs~~ shall make  
1392 referrals to legally operating ~~licensed~~ child care facilities.



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1393 Referrals may not ~~shall~~ be made to a ~~an unlicensed~~ child care  
1394 facility that is operating illegally ~~or arrangement only if~~  
1395 ~~there is no requirement that the facility or arrangement be~~  
1396 ~~licensed.~~

1397 (c) ~~(3)~~ Maintenance of ongoing documentation of requests for  
1398 service tabulated through the internal referral process through  
1399 the single statewide information system. The following  
1400 documentation of requests for service shall be maintained by the  
1401 ~~all~~ child care resource and referral network ~~agencies~~:

1402 1. ~~(a)~~ Number of calls and contacts to the child care  
1403 resource information and referral network ~~agency~~ component by  
1404 type of service requested.

1405 2. ~~(b)~~ Ages of children for whom service was requested.

1406 3. ~~(c)~~ Time category of child care requests for each child.

1407 4. ~~(d)~~ Special time category, such as nights, weekends, and  
1408 swing shift.

1409 5. ~~(e)~~ Reason that the child care is needed.

1410 6. ~~(f)~~ Name of the employer and primary focus of the  
1411 business.

1412 (d) ~~(4)~~ Provision of technical assistance to existing and  
1413 potential providers of child care services. This assistance may  
1414 include:

1415 1. ~~(a)~~ Information on initiating new child care services,  
1416 zoning, and program and budget development and assistance in  
1417 finding such information from other sources.

1418 2. ~~(b)~~ Information and resources which help existing child  
1419 care services providers to maximize their ability to serve  
1420 children and parents in their community.

1421 3. ~~(c)~~ Information and incentives that may ~~which could~~ help

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1422 existing or planned child care services offered by public or  
1423 private employers seeking to maximize their ability to serve the  
1424 children of their working parent employees in their community,  
1425 through contractual or other funding arrangements with  
1426 businesses.

1427 (e)~~(5)~~ Assistance to families and employers in applying for  
1428 various sources of subsidy including, but not limited to, the  
1429 Voluntary Prekindergarten Education Program, the school  
1430 readiness program ~~subsidized child care~~, Head Start,  
1431 ~~prekindergarten early intervention programs~~, Project  
1432 Independence, private scholarships, and the federal child and  
1433 dependent care tax credit.

1434 ~~(6) Assistance to state agencies in determining the market~~  
1435 ~~rate for child care.~~

1436 (f)~~(7)~~ Assistance in negotiating discounts or other special  
1437 arrangements with child care providers.

1438 (g)~~(8)~~ Information and assistance to local interagency  
1439 councils coordinating services for prekindergarten ~~handicapped~~  
1440 children who have disabilities.

1441 (h)~~(9)~~ Assistance to families in identifying summer  
1442 recreation camp and summer day camp programs, and in evaluating  
1443 the health and safety qualities of summer recreation camp and  
1444 summer day camp programs, and in evaluating the health and  
1445 safety qualities of summer camp programs. Contingent upon  
1446 specific appropriation, a checklist of important health and  
1447 safety qualities that parents can use to choose their summer  
1448 camp programs shall be developed and distributed in a manner  
1449 that will reach parents interested in such programs for their  
1450 children.

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1451        (i)~~(10)~~ A child care facility licensed under s. 402.305 and  
1452 licensed and registered family day care homes must provide the  
1453 statewide child care and resource and referral network agencies  
1454 with the following information annually:

1455        1.~~(a)~~ Type of program.

1456        2.~~(b)~~ Hours of service.

1457        3.~~(e)~~ Ages of children served.

1458        4.~~(d)~~ Fees and eligibility for services.

1459        (4)~~(11)~~ The Agency for Workforce Innovation shall adopt any  
1460 rules necessary for the implementation and administration of  
1461 this section.

1462        Section 16. Subsection (3), paragraph (b) of subsection  
1463 (4), and paragraphs (c) and (d) of subsection (5) of section  
1464 411.0102, Florida Statutes, are amended to read:

1465        411.0102 Child Care Executive Partnership Act; findings and  
1466 intent; grant; limitation; rules.—

1467        (3) There is created a body politic and corporate known as  
1468 the Child Care Executive Partnership which shall establish and  
1469 govern the Child Care Executive Partnership Program. The purpose  
1470 of the Child Care Executive Partnership Program is to utilize  
1471 state and federal funds as incentives for matching local funds  
1472 derived from local governments, employers, charitable  
1473 foundations, and other sources, so that Florida communities may  
1474 create local flexible partnerships with employers. The Child  
1475 Care Executive Partnership Program funds shall be used at the  
1476 discretion of local communities to meet the needs of working  
1477 parents. A child care purchasing pool shall be developed with  
1478 the state, federal, and local funds to provide subsidies to low-  
1479 income working parents whose family income does not exceed the

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1480 allowable income for any federally subsidized child care program  
1481 ~~who are eligible for subsidized child care~~ with a dollar-for-  
1482 dollar match from employers, local government, and other  
1483 matching contributions. The funds used from the child care  
1484 purchasing pool must be used to supplement or extend the use of  
1485 existing public or private funds.

1486 (4) The Child Care Executive Partnership, staffed by the  
1487 Agency for Workforce Innovation, shall consist of a  
1488 representative of the Executive Office of the Governor and nine  
1489 members of the corporate or child care community, appointed by  
1490 the Governor.

1491 (b) The Child Care Executive Partnership shall be chaired  
1492 by a member chosen by a majority vote and shall meet at least  
1493 quarterly and at other times upon the call of the chair. The  
1494 Child Care Executive Partnership may use any method of  
1495 telecommunications to conduct meetings, including establishing a  
1496 quorum through telecommunications, only if the public is given  
1497 proper notice of a telecommunications meeting and reasonable  
1498 access to observe and, when appropriate, participate.

1499 (5)

1500 (c) The Agency for Workforce Innovation, in conjunction  
1501 with the Child Care Executive Partnership, shall develop  
1502 procedures for disbursement of funds through the child care  
1503 purchasing pools. In order to be considered for funding, an  
1504 early learning coalition or the Agency for Workforce Innovation  
1505 must commit to:

1506 1. Matching the state purchasing pool funds on a dollar-  
1507 for-dollar basis; and

1508 2. Expending only those public funds which are matched by

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1509 employers, local government, and other matching contributors who  
1510 contribute to the purchasing pool. Parents shall also pay a fee,  
1511 which may not ~~shall~~ be ~~not~~ less than the amount identified in  
1512 the early learning coalition's school readiness program  
1513 ~~subsidized child care~~ sliding fee scale.

1514 (d) Each early learning coalition board shall ~~be required~~  
1515 ~~to establish a community child care task force for each child~~  
1516 ~~care purchasing pool. The task force must be composed of~~  
1517 ~~employers, parents, private child care providers, and one~~  
1518 ~~representative from the local children's services council, if~~  
1519 ~~one exists in the area of the purchasing pool. The early~~  
1520 ~~learning coalition is expected to recruit the task force members~~  
1521 ~~from existing child care councils, commissions, or task forces~~  
1522 ~~already operating in the area of a purchasing pool. A majority~~  
1523 ~~of the task force shall consist of employers. Each task force~~  
1524 ~~shall~~ develop a plan for the use of child care purchasing pool  
1525 funds. The plan must show how many children will be served by  
1526 the purchasing pool, how many will be new to receiving child  
1527 care services, and how the early learning coalition intends to  
1528 attract new employers and their employees to the program.

1529 Section 17. Section 411.0105, Florida Statutes, is amended  
1530 to read:

1531 411.0105 Early Learning Opportunities Act and Even Start  
1532 Family Literacy Programs; lead agency.—

1533 (1) For purposes of administration of the federal Early  
1534 Learning Opportunities Act, 20 U.S.C. ss. 9401-9413, the Agency  
1535 for Workforce Innovation is designated as the lead agency and  
1536 must comply with the lead agency responsibilities under law.

1537 (2) (a) For purposes of administration of ~~and~~ the federal

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1538 William F. Goodling Even Start Family Literacy Programs, 20  
1539 U.S.C. ss. 6381-6381k ~~pursuant to Pub. L. No. 106-554~~, the  
1540 Department of Education ~~Agency for Workforce Innovation~~ is  
1541 designated as the lead agency and must comply with the lead  
1542 agency responsibilities under ~~pursuant to~~ federal law.

1543 (b) The Department of Education shall enter into an  
1544 interagency agreement with the Agency for Workforce Innovation  
1545 for administration of the federal William F. Goodling Even Start  
1546 Family Literacy Programs.

1547 Section 18. Paragraph (b) of subsection (8) of section  
1548 411.203, Florida Statutes, is amended to read:

1549 411.203 Continuum of comprehensive services.—The Department  
1550 of Education and the Department of Health and Rehabilitative  
1551 Services shall utilize the continuum of prevention and early  
1552 assistance services for high-risk pregnant women and for high-  
1553 risk and handicapped children and their families, as outlined in  
1554 this section, as a basis for the intraagency and interagency  
1555 program coordination, monitoring, and analysis required in this  
1556 chapter. The continuum shall be the guide for the comprehensive  
1557 statewide approach for services for high-risk pregnant women and  
1558 for high-risk and handicapped children and their families, and  
1559 may be expanded or reduced as necessary for the enhancement of  
1560 those services. Expansion or reduction of the continuum shall be  
1561 determined by intraagency or interagency findings and agreement,  
1562 whichever is applicable. Implementation of the continuum shall  
1563 be based upon applicable eligibility criteria, availability of  
1564 resources, and interagency prioritization when programs impact  
1565 both agencies, or upon single agency prioritization when  
1566 programs impact only one agency. The continuum shall include,

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1567 but not be limited to:

1568 (8) SUPPORT SERVICES FOR ALL EXPECTANT PARENTS AND PARENTS  
1569 OF HIGH-RISK CHILDREN.—

1570 (b) Child care and early childhood programs, including, but  
1571 not limited to, ~~subsidized child care~~, licensed ~~nonsubsidized~~  
1572 child care facilities, family day care homes, therapeutic child  
1573 care, Head Start, and preschool programs in public and private  
1574 schools.

1575 Section 19. Subsection (2) of section 411.221, Florida  
1576 Statutes, is amended to read:

1577 411.221 Prevention and early assistance strategic plan;  
1578 agency responsibilities.—

1579 (2) The strategic plan and subsequent plan revisions shall  
1580 incorporate and otherwise utilize, to the fullest extent  
1581 possible, the evaluation findings and recommendations from  
1582 intraagency, independent third-party, field projects, and  
1583 reports issued by the Auditor General or the Office of Program  
1584 Policy Analysis and Government Accountability, as well as the  
1585 recommendations of the Agency for Workforce Innovation State  
1586 ~~Coordinating Council for School Readiness Programs~~.

1587 Section 20. Paragraph (c) of subsection (4) of section  
1588 445.024, Florida Statutes, is amended to read:

1589 445.024 Work requirements.—

1590 (4) PRIORITIZATION OF WORK REQUIREMENTS.—Regional workforce  
1591 boards shall require participation in work activities to the  
1592 maximum extent possible, subject to federal and state funding.  
1593 If funds are projected to be insufficient to allow full-time  
1594 work activities by all program participants who are required to  
1595 participate in work activities, regional workforce boards shall

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1596 screen participants and assign priority based on the following:

1597 (c) A participant who has access to ~~subsidized or~~  
1598 ~~unsubsidized~~ child care services may be assigned priority for  
1599 work activities.

1600

1601 Regional workforce boards may limit a participant's weekly work  
1602 requirement to the minimum required to meet federal work  
1603 activity requirements. Regional workforce boards may develop  
1604 screening and prioritization procedures based on the allocation  
1605 of resources, the availability of community resources, the  
1606 provision of supportive services, or the work activity needs of  
1607 the service area.

1608 Section 21. Subsection (2) of section 445.030, Florida  
1609 Statutes, is amended to read:

1610 445.030 Transitional education and training.—In order to  
1611 assist former recipients of temporary cash assistance who are  
1612 working or actively seeking employment in continuing their  
1613 training and upgrading their skills, education, or training,  
1614 support services may be provided for up to 2 years after the  
1615 family is no longer receiving temporary cash assistance. This  
1616 section does not constitute an entitlement to transitional  
1617 education and training. If funds are not sufficient to provide  
1618 services under this section, the board of directors of Workforce  
1619 Florida, Inc., may limit or otherwise prioritize transitional  
1620 education and training.

1621 (2) Regional workforce boards may authorize child care or  
1622 other support services in addition to services provided in  
1623 conjunction with employment. For example, a participant who is  
1624 employed full time may receive ~~subsidized~~ child care services



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1625 related to that employment and may also receive additional  
1626 ~~subsidized~~ child care services in conjunction with training to  
1627 upgrade the participant's skills.

1628 Section 22. Paragraph (a) of subsection (2) of section  
1629 490.014, Florida Statutes, is amended to read:

1630 490.014 Exemptions.—

1631 (2) No person shall be required to be licensed or  
1632 provisionally licensed under this chapter who:

1633 (a) Is a salaried employee of a government agency; a  
1634 developmental disability facility or program; a, mental health,  
1635 alcohol, or drug abuse facility operating under chapter 393,  
1636 chapter 394, or chapter 397; the statewide ~~subsidized child care~~  
1637 ~~program, subsidized child care case management program, or child~~  
1638 ~~care resource and referral network program~~ operating under s.  
1639 411.0101 ~~pursuant to chapter 402~~; a child-placing or child-  
1640 caring agency licensed pursuant to chapter 409; a domestic  
1641 violence center certified pursuant to chapter 39; an accredited  
1642 academic institution; or a research institution, if such  
1643 employee is performing duties for which he or she was trained  
1644 and hired solely within the confines of such agency, facility,  
1645 or institution, so long as the employee is not held out to the  
1646 public as a psychologist pursuant to s. 490.012(1)(a).

1647 Section 23. Paragraph (a) of subsection (4) of section  
1648 491.014, Florida Statutes, is amended to read:

1649 491.014 Exemptions.—

1650 (4) No person shall be required to be licensed,  
1651 provisionally licensed, registered, or certified under this  
1652 chapter who:

1653 (a) Is a salaried employee of a government agency; a

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1654 developmental disability facility or program; a mental health,  
1655 alcohol, or drug abuse facility operating under chapter 393,  
1656 chapter 394, or chapter 397; the statewide ~~subsidized child care~~  
1657 ~~program, subsidized child care case management program, or child~~  
1658 care resource and referral network ~~program~~ operating under s.  
1659 411.0101 ~~pursuant to chapter 402; a~~ child-placing or child-  
1660 caring agency licensed pursuant to chapter 409; a domestic  
1661 violence center certified pursuant to chapter 39; an accredited  
1662 academic institution; or a research institution, if such  
1663 employee is performing duties for which he or she was trained  
1664 and hired solely within the confines of such agency, facility,  
1665 or institution, so long as the employee is not held out to the  
1666 public as a clinical social worker, mental health counselor, or  
1667 marriage and family therapist.

1668 Section 24. Subsections (5) and (6) of section 1002.53,  
1669 Florida Statutes, are amended to read:

1670 1002.53 Voluntary Prekindergarten Education Program;  
1671 eligibility and enrollment.—

1672 (5) The early learning coalition shall provide each parent  
1673 enrolling a child in the Voluntary Prekindergarten Education  
1674 Program with a profile of every private prekindergarten provider  
1675 and public school delivering the program within the ~~coalition's~~  
1676 county where the child is being enrolled ~~or multicounty region~~.  
1677 The profiles shall be provided to parents in a format prescribed  
1678 by the Agency for Workforce Innovation. The profiles must  
1679 include, at a minimum, the following information about each  
1680 provider and school:

1681 (a) The provider's or school's services, curriculum,  
1682 instructor credentials, and instructor-to-student ratio; and

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1683 (b) The provider's or school's kindergarten readiness rate  
1684 calculated in accordance with s. 1002.69, based upon the most  
1685 recent available results of the statewide kindergarten  
1686 screening.

1687 (6) (a) A parent may enroll his or her child with any  
1688 private prekindergarten provider that is eligible to deliver the  
1689 Voluntary Prekindergarten Education Program under this part;  
1690 however, the provider may determine whether to admit any child.  
1691 An early learning coalition may not limit the number of students  
1692 admitted by any private prekindergarten provider for enrollment  
1693 in the program. However, this paragraph does not authorize an  
1694 early learning coalition to allow a provider to exceed any  
1695 staff-to-children ratio, square footage per child, or other  
1696 requirement imposed under ss. 402.301-402.319 as a result of  
1697 admissions in the prekindergarten program.

1698 (b) A parent may enroll his or her child with any public  
1699 school within the school district which is eligible to deliver  
1700 the Voluntary Prekindergarten Education Program under this part,  
1701 subject to available space. Each school district may limit the  
1702 number of students admitted by any public school for enrollment  
1703 in the program; however, the school district must provide for  
1704 the admission of every eligible child within the district whose  
1705 parent enrolls the child in a summer prekindergarten program  
1706 delivered by a public school under s. 1002.61.

1707 (c) Each private prekindergarten provider and public school  
1708 must comply with the antidiscrimination requirements of 42  
1709 U.S.C. s. 2000d, regardless of whether the provider or school  
1710 receives federal financial assistance. A private prekindergarten  
1711 provider or public school may not discriminate against a parent

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1712 or child, including the refusal to admit a child for enrollment  
1713 in the Voluntary Prekindergarten Education Program, in violation  
1714 of these antidiscrimination requirements.

1715 (d) Notwithstanding s. 1002.55(3)(b), each private  
1716 prekindergarten provider and public school must have  
1717 disciplinary policies that prohibit children from being  
1718 subjected to discipline that is severe, humiliating,  
1719 frightening, or associated with food, rest, toileting, spanking  
1720 or any other form of physical punishment as provided in s.  
1721 402.305(12).

1722 Section 25. Paragraph (c) of subsection (3) of section  
1723 1002.67, Florida Statutes, is amended to read:

1724 1002.67 Performance standards; curricula and  
1725 accountability.—

1726 (3)

1727 (c)1. If the kindergarten readiness rate of a private  
1728 prekindergarten provider or public school falls below the  
1729 minimum rate adopted by the State Board of Education as  
1730 satisfactory under s. 1002.69(6), the early learning coalition  
1731 or school district, as applicable, shall require the provider or  
1732 school to submit an improvement plan for approval by the  
1733 coalition or school district, as applicable, and to implement  
1734 the plan.

1735 2. If a private prekindergarten provider or public school  
1736 fails to meet the minimum rate adopted by the State Board of  
1737 Education as satisfactory under s. 1002.69(6) for 2 consecutive  
1738 years, the early learning coalition or school district, as  
1739 applicable, shall place the provider or school on probation and  
1740 must require the provider or school to take certain corrective

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1741 actions, including the use of a curriculum approved by the  
1742 department under paragraph (2) (c).

1743 3. A private prekindergarten provider or public school that  
1744 is placed on probation must continue the corrective actions  
1745 required under subparagraph 2., including the use of a  
1746 curriculum approved by the department, until the provider or  
1747 school meets the minimum rate adopted by the State Board of  
1748 Education as satisfactory under s. 1002.69(6).

1749 4. If a private prekindergarten provider or public school  
1750 remains on probation for 2 consecutive years and fails to meet  
1751 the minimum rate adopted by the State Board of Education as  
1752 satisfactory under s. 1002.69(6), the Agency for Workforce  
1753 Innovation shall require the early learning coalition or the  
1754 Department of Education shall require the school district, ~~as~~  
1755 ~~applicable,~~ to remove, as applicable, the provider or school  
1756 from eligibility to deliver the Voluntary Prekindergarten  
1757 Education Program and receive state funds for the program.

1758 Section 26. Paragraph (b) of subsection (6) of section  
1759 1002.71, Florida Statutes, is amended to read:

1760 1002.71 Funding; financial and attendance reporting.—

1761 (6)

1762 (b)1. Each private prekindergarten provider's and district  
1763 school board's attendance policy must require the parent of each  
1764 student in the Voluntary Prekindergarten Education Program to  
1765 verify, each month, the student's attendance on the prior  
1766 month's certified student attendance.

1767 2. The parent must submit the verification of the student's  
1768 attendance to the private prekindergarten provider or public  
1769 school on forms prescribed by the Agency for Workforce

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1770 Innovation. The forms must include, in addition to the  
 1771 verification of the student's attendance, a certification, in  
 1772 substantially the following form, that the parent continues to  
 1773 choose the private prekindergarten provider or public school in  
 1774 accordance with s. 1002.53 and directs that payments for the  
 1775 program be made to the provider or school:

1776  
 1777 VERIFICATION OF STUDENT'S ATTENDANCE  
 1778 AND CERTIFICATION OF PARENTAL CHOICE

1779  
 1780 I, ...(Name of Parent)..., swear (or affirm) that my  
 1781 child,...(Name of Student)..., attended the Voluntary  
 1782 Prekindergarten Education Program on the days listed above and  
 1783 certify that I continue to choose ...(Name of Provider or  
 1784 School)... to deliver the program for my child and direct that  
 1785 program funds be paid to the provider or school for my child.

1786  
 1787 ...(Signature of Parent)...

1788 ...(Date)...

1789  
 1790 3. The private prekindergarten provider or public school  
 1791 must keep each original signed form for at least 2 years. Each  
 1792 private prekindergarten provider must permit the early learning  
 1793 coalition, and each public school must permit the school  
 1794 district, to inspect the original signed forms during normal  
 1795 business hours. The Agency for Workforce Innovation shall adopt  
 1796 procedures for early learning coalitions and school districts to  
 1797 review the original signed forms against the certified student  
 1798 attendance. The review procedures shall provide for the use of

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1799 selective inspection techniques, including, but not limited to,  
1800 random sampling. Each early learning coalition and the school  
1801 districts ~~district~~ must comply with the review procedures.

1802 Section 27. Paragraph (b) of subsection (4) of section  
1803 1009.64, Florida Statutes, is amended to read:

1804 1009.64 Certified Education Paraprofessional Welfare  
1805 Transition Program.—

1806 (4) The agencies shall complete an implementation plan that  
1807 addresses at least the following recommended components of the  
1808 program:

1809 (b) A budget for use of incentive funding to provide  
1810 motivation to participants to succeed and excel. The budget for  
1811 incentive funding includes:

1812 1. Funds allocated by the Legislature directly for the  
1813 program.

1814 2. Funds that may be made available from the federal  
1815 Workforce Investment Act based on client eligibility or  
1816 requested waivers to make the clients eligible.

1817 3. Funds made available by implementation strategies that  
1818 would make maximum use of work supplementation funds authorized  
1819 by federal law.

1820 4. Funds authorized by strategies to lengthen participants'  
1821 eligibility for federal programs such as Medicaid, ~~subsidized~~  
1822 child care services, and transportation.

1823  
1824 Incentives may include a stipend during periods of college  
1825 classroom training, a bonus and recognition for a high grade-  
1826 point average, child care and prekindergarten services for  
1827 children of participants, and services to increase a

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1828 participant's ability to advance to higher levels of employment.  
1829 Nonfinancial incentives should include providing a mentor or  
1830 tutor, and service incentives should continue and increase for  
1831 any participant who plans to complete the baccalaureate degree  
1832 and become a certified teacher. Services may be provided in  
1833 accordance with family choice by community colleges and school  
1834 district career centers, through family service centers and  
1835 full-service schools, or under contract with providers through  
1836 central agencies.

1837       Section 28. Sections 402.3135 and 402.3145, Florida  
1838 Statutes, are repealed.

1839       Section 29. Section 402.3016, Florida Statutes, is  
1840 transferred and renumbered as section 411.0104, Florida  
1841 Statutes.

1842       Section 30. This act shall take effect July 1, 2009.