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1 A bill to be entitled
2 An act relating to early learning; transferring the
3 powers, duties, and functions of the early learning
4 coalitions to the Agency for Workforce Innovation
5 according to a schedule adopted by the agency; providing
6 for legislative notice and review of the transfer
7 schedule; abolishing a coalition upon transfer of its
8 powers, duties, and functions to the agency; directing the
9 agency to reclaim state records, property, and funds;
10 requiring a coalition to administer certain laws as they
11 existed before amendment or repeal for a specified period;
12 abolishing the Florida Early Learning Advisory Council;
13 amending s. 11.45, F.S.; revising authority of the Auditor
14 General to conduct audits; conforming a provision;
15 amending s. 20.50, F.S.; conforming a provision; amending
16 s. 39.0121, F.S.; deleting an obsolete reference to the
17 repealed subsidized child care program; amending s.
18 39.202, F.S.; replacing an obsolete reference to a
19 repealed program with an updated reference to the school
20 readiness program; authorizing county agencies responsible
21 for licensure or approval of child care providers to be
22 granted access to certain confidential reports and records
23 in cases of child abuse or neglect; amending s. 39.5085,
24 F.S.; deleting an obsolete reference to a repealed
25 program; amending s. 125.901, F.S.; revising membership of
26 the governing board of a children's services council;
27 amending s. 216.136, F.S.; conforming provisions; amending
28 s. 383.14, F.S.; replacing obsolete references to the

29 former State Coordinating Council for School Readiness
30 Programs with updated references to the agency;
31 transferring, renumbering, and amending s. 402.25, F.S.;
32 updating an obsolete reference to a repealed program;
33 deleting obsolete references to the repealed
34 prekindergarten early intervention program and Florida
35 First Start Program; amending s. 402.26, F.S.; revising
36 legislative intent; updating an obsolete reference to a
37 repealed program; amending s. 402.281, F.S.; updating an
38 obsolete reference to a former council; requiring the
39 Department of Children and Family Services to consult with
40 the agency regarding the approval of accrediting
41 associations for the Gold Seal Quality Care program;
42 transferring, renumbering, and amending s. 402.3018, F.S.;
43 transferring administration of the statewide toll-free
44 Warm-Line from the department to the agency; conforming
45 provisions; transferring, renumbering, and amending s.
46 402.3051, F.S.; revising procedures for child care market
47 rate reimbursement and child care grants; transferring
48 authority to establish the procedures from the department
49 to the agency; directing the agency to adopt a prevailing
50 market rate schedule for child care services; revising
51 definitions; prohibiting the schedule from interfering
52 with parental choice; authorizing the agency to enter into
53 contracts and adopt rules; amending s. 402.313, F.S.;
54 deleting obsolete provisions authorizing the department to
55 license family day care homes participating in a repealed
56 program; amending s. 402.45, F.S.; updating an obsolete

57 | reference to a former council; directing the Department of
58 | Health to consult with the agency regarding certain
59 | training provided for contractors of the community
60 | resource mother or father program; amending s. 409.1671,
61 | F.S.; clarifying that a licensed foster home may be dually
62 | licensed as a child care facility and receive certain
63 | payments for the same child; deleting an obsolete
64 | reference to a repealed program; amending s. 411.01, F.S.;
65 | conforming provisions; revising legislative intent;
66 | directing the agency to administer the school readiness
67 | program; authorizing the agency to adopt rules and apply
68 | for certain waivers; requiring the agency to give priority
69 | to certain children for school readiness services;
70 | defining the term "payment certificate"; revising
71 | requirements for parental choice; directing the agency to
72 | establish a formula for allocating school readiness funds
73 | to each county; providing for legislative notice and
74 | review of the formula; authorizing the agency to enter
75 | into contracts; amending s. 411.0101, F.S.; conforming
76 | provisions; revising requirements for services provided by
77 | the statewide child care resource and referral network;
78 | updating obsolete references to repealed programs;
79 | amending s. 411.0102, F.S.; updating obsolete references
80 | to a repealed program; conforming provisions; amending s.
81 | 411.0105, F.S.; revising lead agency responsibilities for
82 | administration of certain federal provisions; requiring
83 | the Department of Education to contract with the agency;
84 | amending s. 411.011, F.S.; conforming provisions; amending

85 s. 411.203, F.S.; deleting an obsolete reference to a
 86 repealed program; conforming provisions; amending s.
 87 411.221, F.S.; updating an obsolete reference to a former
 88 council; amending ss. 445.024, 445.030, 490.014, and
 89 491.014, F.S.; deleting obsolete references to repealed
 90 programs; conforming provisions to the repeal of the
 91 subsidized child care case management program; amending
 92 ss. 1002.22, 1002.51, 1002.53, 1002.55, 1002.61, 1002.63,
 93 1002.67, 1002.71, 1002.72, and 1003.54, F.S.; conforming
 94 provisions; amending s. 1002.75, F.S.; conforming
 95 provisions; directing the agency to administer the
 96 Voluntary Prekindergarten Education Program; authorizing
 97 the agency to enter into contracts; amending s. 1006.03,
 98 F.S.; conforming a provision; amending s. 1009.64, F.S.;
 99 deleting an obsolete reference to a repealed program;
 100 repealing ss. 402.3135, 402.3145, and 1002.77, F.S.,
 101 relating to the subsidized child care program case
 102 management program, the subsidized child care
 103 transportation program, and the Florida Early Learning
 104 Advisory Council; transferring and renumbering s.
 105 402.3016, F.S., relating to Early Head Start collaboration
 106 grants; providing effective dates.

107
 108 Be It Enacted by the Legislature of the State of Florida:

109
 110 Section 1. (1) By October 1, 2009, the Agency for
 111 Workforce Innovation, subject to legislative notice and review
 112 under s. 216.177, Florida Statutes, shall adopt a schedule for

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113 the transfer of the powers, duties, and functions of early
114 learning coalitions to the Agency for Workforce Innovation. The
115 schedule must provide for the orderly transfer of those powers,
116 duties, and functions as soon as practicable without disruption
117 of services for children and families or delay in payments to
118 program providers but not later than June 30, 2010.

119 (2) The Agency for Workforce Innovation, according to the
120 schedule, shall assume responsibility for all powers, duties,
121 and functions of each early learning coalition. The Agency for
122 Workforce Innovation, upon assuming responsibility for those
123 powers, duties, and functions, shall provide written notice of
124 the transfer to the Governor and to the coalition's chair,
125 executive director, and registered agent.

126 (3) An early learning coalition is abolished upon the
127 transfer of its powers, duties, and functions to the Agency for
128 Workforce Innovation. The Agency for Workforce Innovation shall
129 reclaim from each early learning coalition all records,
130 property, and unexpended balances of appropriations,
131 allocations, and other funds belonging to the state.

132 (4) Notwithstanding the amendment or repeal by this act of
133 provisions of law conferring duties upon the early learning
134 coalitions, an early learning coalition shall continue to
135 administer those provisions as they existed before the effective
136 date of this act until the coalition is abolished or June 30,
137 2010, whichever occurs first.

138 (5) The Florida Early Learning Advisory Council is
139 abolished.

140 Section 2. Effective July 1, 2010, paragraphs (q) through
 141 (x) of subsection (3) of section 11.45, Florida Statutes, are
 142 redesignated as paragraphs (p) through (w), respectively, and
 143 present paragraph (p) of that subsection is amended to read:

144 11.45 Definitions; duties; authorities; reports; rules.--

145 (3) AUTHORITY FOR AUDITS AND OTHER ENGAGEMENTS.--The
 146 Auditor General may, pursuant to his or her own authority, or at
 147 the direction of the Legislative Auditing Committee, conduct
 148 audits or other engagements as determined appropriate by the
 149 Auditor General of:

150 ~~(p) The school readiness system, including the early~~
 151 ~~learning coalitions, created under s. 411.01.~~

152 Section 3. Paragraph (c) of subsection (2) of section
 153 20.50, Florida Statutes, is amended to read:

154 20.50 Agency for Workforce Innovation.--There is created
 155 the Agency for Workforce Innovation within the Department of
 156 Management Services. The agency shall be a separate budget
 157 entity, as provided in the General Appropriations Act, and the
 158 director of the agency shall be the agency head for all
 159 purposes. The agency shall not be subject to control,
 160 supervision, or direction by the Department of Management
 161 Services in any manner, including, but not limited to,
 162 personnel, purchasing, transactions involving real or personal
 163 property, and budgetary matters.

164 (2)

165 (c) The agency shall include the following offices within
 166 its organizational structure:

167 1. The Office of Unemployment Compensation Services;

- 168 2. The Office of Workforce Program Support;
- 169 3. The Office of Early Learning, which shall administer
- 170 the school readiness program ~~system~~ in accordance with s. 411.01
- 171 and the operational requirements of the Voluntary
- 172 Prekindergarten Education Program in accordance with part V of
- 173 chapter 1002. The office shall be directed by the Deputy
- 174 Director for Early Learning, who shall be appointed by and serve
- 175 at the pleasure of the director; and
- 176 4. The Office of Agency Support Services.

177

178 The director of the agency may establish the positions of

179 assistant director and deputy director to administer the

180 requirements and functions of the agency. In addition, the

181 director may organize and structure the offices of the agency to

182 best meet the goals and objectives of the agency as provided in

183 s. 20.04.

184 Section 4. Subsection (7) of section 39.0121, Florida

185 Statutes, is amended to read:

186 39.0121 Specific rulemaking authority.--Pursuant to the

187 requirements of s. 120.536, the department is specifically

188 authorized to adopt, amend, and repeal administrative rules

189 which implement or interpret law or policy, or describe the

190 procedure and practice requirements necessary to implement this

191 chapter, including, but not limited to, the following:

- 192 (7) Federal funding requirements and procedures; foster
- 193 care and adoption subsidies; and subsidized independent living~~r~~
- 194 ~~and subsidized child care.~~

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195 Section 5. Paragraph (a) of subsection (2) of section
 196 39.202, Florida Statutes, is amended to read:

197 39.202 Confidentiality of reports and records in cases of
 198 child abuse or neglect.--

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

203 (a) Employees, authorized agents, or contract providers of
 204 the department, the Department of Health, the Agency for Persons
 205 with Disabilities, or county agencies responsible for carrying
 206 out:

- 207 1. Child or adult protective investigations;
- 208 2. Ongoing child or adult protective services;
- 209 3. Early intervention and prevention services;
- 210 4. Healthy Start services;
- 211 5. Licensure or approval of adoptive homes, foster homes,
 212 child care facilities, facilities licensed under chapter 393, or
 213 family day care homes or informal child care providers who
 214 receive school readiness ~~subsidized child care~~ funding, or other
 215 homes used to provide for the care and welfare of children; or
- 216 6. Services for victims of domestic violence when provided
 217 by certified domestic violence centers working at the
 218 department's request as case consultants or with shared clients.

219
 220 Also, employees or agents of the Department of Juvenile Justice
 221 responsible for the provision of services to children, pursuant
 222 to chapters 984 and 985.

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223 Section 6. Paragraph (f) of subsection (2) of section
 224 39.5085, Florida Statutes, is amended to read:

225 39.5085 Relative Caregiver Program.--

226 (2)

227 (f) Within available funding, the Relative Caregiver
 228 Program shall provide relative caregivers with family support
 229 and preservation services, flexible funds in accordance with s.
 230 409.165, ~~subsidized child care~~, and other available services in
 231 order to support the child's safety, growth, and healthy
 232 development. Children living with relative caregivers who are
 233 receiving assistance under this section shall be eligible for
 234 Medicaid coverage.

235 Section 7. Paragraph (b) of subsection (1) of section
 236 125.901, Florida Statutes, is amended to read:

237 125.901 Children's services; independent special district;
 238 council; powers, duties, and functions.--

239 (1) Each county may by ordinance create an independent
 240 special district, as defined in ss. 189.403(3) and
 241 200.001(8)(e), to provide funding for children's services
 242 throughout the county in accordance with this section. The
 243 boundaries of such district shall be coterminous with the
 244 boundaries of the county. The county governing body shall obtain
 245 approval, by a majority vote of those electors voting on the
 246 question, to annually levy ad valorem taxes which shall not
 247 exceed the maximum millage rate authorized by this section. Any
 248 district created pursuant to the provisions of this subsection
 249 shall be required to levy and fix millage subject to the
 250 provisions of s. 200.065. Once such millage is approved by the

251 | electorate, the district shall not be required to seek approval
 252 | of the electorate in future years to levy the previously
 253 | approved millage.

254 | (b) However, any county as defined in s. 125.011(1) may
 255 | instead have a governing board consisting of 33 members,
 256 | including: the superintendent of schools; two representatives of
 257 | public postsecondary education institutions located in the
 258 | county; the county manager or the equivalent county officer; the
 259 | district administrator from the appropriate district of the
 260 | Department of Children and Family Services, or the
 261 | administrator's designee who is a member of the Senior
 262 | Management Service or the Selected Exempt Service; the director
 263 | of the county health department or the director's designee; the
 264 | state attorney for the county or the state attorney's designee;
 265 | the chief judge assigned to juvenile cases, or another juvenile
 266 | judge who is the chief judge's designee and who shall sit as a
 267 | voting member of the board, except that the judge may not vote
 268 | or participate in setting ad valorem taxes under this section;
 269 | an individual who is selected by the board of the local United
 270 | Way or its equivalent; a member of a locally recognized faith-
 271 | based coalition, selected by that coalition; a member of the
 272 | local chamber of commerce, selected by that chamber or, if more
 273 | than one chamber exists within the county, a person selected by
 274 | a coalition of the local chambers; the director of Workforce
 275 | Innovation or a member of the director's designee ~~early learning~~
 276 | ~~coalition, selected by that coalition;~~ a representative of a
 277 | labor organization or union active in the county; a member of a
 278 | local alliance or coalition engaged in cross-system planning for

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279 health and social service delivery in the county, selected by
280 that alliance or coalition; a member of the local Parent-
281 Teachers Association/Parent-Teacher-Student Association,
282 selected by that association; a youth representative selected by
283 the local school system's student government; a local school
284 board member appointed by the chair of the school board; the
285 mayor of the county or the mayor's designee; one member of the
286 county governing body, appointed by the chair of that body; a
287 member of the state Legislature who represents residents of the
288 county, selected by the chair of the local legislative
289 delegation; an elected official representing the residents of a
290 municipality in the county, selected by the county municipal
291 league; and 4 members-at-large, appointed to the council by the
292 majority of sitting council members. The remaining 7 members
293 shall be appointed by the Governor in accordance with procedures
294 set forth in paragraph (a), except that the Governor may remove
295 a member for cause or upon the written petition of the council.
296 Appointments by the Governor must, to the extent reasonably
297 possible, represent the geographic and demographic diversity of
298 the population of the county. Members who are appointed to the
299 council by reason of their position are not subject to the
300 length of terms and limits on consecutive terms as provided in
301 this section. The remaining appointed members of the governing
302 board shall be appointed to serve 2-year terms, except that
303 those members appointed by the Governor shall be appointed to
304 serve 4-year terms, and the youth representative and the
305 legislative delegate shall be appointed to serve 1-year terms. A
306 member may be reappointed; however, a member may not serve for

307 | more than three consecutive terms. A member is eligible to be
 308 | appointed again after a 2-year hiatus from the council.

309 | Section 8. Subsection (8) of section 216.136, Florida
 310 | Statutes, is amended to read:

311 | 216.136 Consensus estimating conferences; duties and
 312 | principals.--

313 | (8) EARLY LEARNING PROGRAMS ESTIMATING CONFERENCE.--

314 | (a) The Early Learning Programs Estimating Conference
 315 | shall develop estimates and forecasts of the unduplicated count
 316 | of children eligible for the school readiness program ~~programs~~
 317 | in accordance with the standards of eligibility established in
 318 | s. 411.01(6), and of children eligible for the Voluntary
 319 | Prekindergarten Education Program in accordance with s.
 320 | 1002.53(2), as the conference determines are needed to support
 321 | the state planning, budgeting, and appropriations processes.

322 | (b) The Agency for Workforce Innovation shall provide
 323 | information on needs and waiting lists for the school readiness
 324 | program ~~programs~~, and information on the needs for the Voluntary
 325 | Prekindergarten Education Program, as requested by the Early
 326 | Learning Programs Estimating Conference or individual conference
 327 | principals in a timely manner.

328 | Section 9. Paragraph (b) of subsection (1) and subsection
 329 | (2) of section 383.14, Florida Statutes, are amended to read:

330 | 383.14 Screening for metabolic disorders, other hereditary
 331 | and congenital disorders, and environmental risk factors.--

332 | (1) SCREENING REQUIREMENTS.--To help ensure access to the
 333 | maternal and child health care system, the Department of Health
 334 | shall promote the screening of all newborns born in Florida for

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335 metabolic, hereditary, and congenital disorders known to result
336 in significant impairment of health or intellect, as screening
337 programs accepted by current medical practice become available
338 and practical in the judgment of the department. The department
339 shall also promote the identification and screening of all
340 newborns in this state and their families for environmental risk
341 factors such as low income, poor education, maternal and family
342 stress, emotional instability, substance abuse, and other high-
343 risk conditions associated with increased risk of infant
344 mortality and morbidity to provide early intervention,
345 remediation, and prevention services, including, but not limited
346 to, parent support and training programs, home visitation, and
347 case management. Identification, perinatal screening, and
348 intervention efforts shall begin prior to and immediately
349 following the birth of the child by the attending health care
350 provider. Such efforts shall be conducted in hospitals,
351 perinatal centers, county health departments, school health
352 programs that provide prenatal care, and birthing centers, and
353 reported to the Office of Vital Statistics.

354 (b) Postnatal screening.--A risk factor analysis using the
355 department's designated risk assessment instrument shall also be
356 conducted as part of the medical screening process upon the
357 birth of a child and submitted to the department's Office of
358 Vital Statistics for recording and other purposes provided for
359 in this chapter. The department's screening process for risk
360 assessment shall include a scoring mechanism and procedures that
361 establish thresholds for notification, further assessment,
362 referral, and eligibility for services by professionals or

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363 | paraprofessionals consistent with the level of risk. Procedures
364 | for developing and using the screening instrument, notification,
365 | referral, and care coordination services, reporting
366 | requirements, management information, and maintenance of a
367 | computer-driven registry in the Office of Vital Statistics which
368 | ensures privacy safeguards must be consistent with the
369 | provisions and plans established under chapter 411, Pub. L. No.
370 | 99-457, and this chapter. Procedures established for reporting
371 | information and maintaining a confidential registry must include
372 | a mechanism for a centralized information depository at the
373 | state and county levels. The department shall coordinate with
374 | existing risk assessment systems and information registries. The
375 | department must ensure, to the maximum extent possible, that the
376 | screening information registry is integrated with the
377 | department's automated data systems, including the Florida On-
378 | line Recipient Integrated Data Access (FLORIDA) system. Tests
379 | and screenings must be performed by the State Public Health
380 | Laboratory, in coordination with Children's Medical Services, at
381 | such times and in such manner as is prescribed by the department
382 | after consultation with the Genetics and Infant Screening
383 | Advisory Council and the Agency for Workforce Innovation ~~State~~
384 | ~~Coordinating Council for School Readiness Programs.~~

385 | (2) RULES.--After consultation with the Genetics and
386 | Newborn Screening Advisory Council, the department shall adopt
387 | and enforce rules requiring that every newborn in this state
388 | shall, prior to becoming 1 week of age, be subjected to a test
389 | for phenylketonuria and, at the appropriate age, be tested for
390 | such other metabolic diseases and hereditary or congenital

391 disorders as the department may deem necessary from time to
 392 time. After consultation with the Agency for Workforce
 393 Innovation State Coordinating Council for School Readiness
 394 ~~Programs~~, the department shall also adopt and enforce rules
 395 requiring every newborn in this state to be screened for
 396 environmental risk factors that place children and their
 397 families at risk for increased morbidity, mortality, and other
 398 negative outcomes. The department shall adopt such additional
 399 rules as are found necessary for the administration of this
 400 section and s. 383.145, including rules providing definitions of
 401 terms, rules relating to the methods used and time or times for
 402 testing as accepted medical practice indicates, rules relating
 403 to charging and collecting fees for the administration of the
 404 newborn screening program authorized by this section, rules for
 405 processing requests and releasing test and screening results,
 406 and rules requiring mandatory reporting of the results of tests
 407 and screenings for these conditions to the department.

408 Section 10. Section 402.25, Florida Statutes, is
 409 transferred, renumbered as section 411.0106, Florida Statutes,
 410 and amended to read:

411 411.0106 ~~402.25~~ Infants and toddlers in state-funded
 412 education and care programs; brain development activities.--Each
 413 state-funded education and care program for children from birth
 414 to 5 years of age must provide activities to foster brain
 415 development in infants and toddlers. A program must provide an
 416 environment rich in language and music and filled with objects
 417 of various colors, shapes, textures, and sizes to stimulate
 418 visual, tactile, auditory, and linguistic senses in the children

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419 and must include classical music and at least 30 minutes of
420 reading to the children each day. A program may be offered
421 through an existing early childhood program such as Healthy
422 Start, the Title I program, the school readiness program
423 ~~contracted or directly operated subsidized child care, the~~
424 ~~prekindergarten early intervention program, Florida First Start,~~
425 the Head Start program, or a private child care program. A
426 program must provide training for the infants' and toddlers'
427 parents including direct dialogue and interaction between
428 teachers and parents demonstrating the urgency of brain
429 development in the first year of a child's life. Family day care
430 centers are encouraged, but not required, to comply with this
431 section.

432 Section 11. Subsection (5) of section 402.26, Florida
433 Statutes, is amended to read:

434 402.26 Child care; legislative intent.--

435 (5) It is the further intent of the Legislature to provide
436 and make accessible child care opportunities for children at
437 risk, economically disadvantaged children, and other children
438 traditionally disenfranchised from society. In achieving this
439 intent, the Legislature shall develop early learning programs ~~a~~
440 ~~subsidized child care system,~~ a range of child care options,
441 support services, and linkages with other programs to fully meet
442 the child care needs of this population.

443 Section 12. Subsection (2) of section 402.281, Florida
444 Statutes, is amended to read:

445 402.281 Gold Seal Quality Care program.--

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446 (2) In developing the Gold Seal Quality Care program
 447 standards, the department shall consult with the Department of
 448 Education, the Agency for Workforce Innovation, the Florida Head
 449 Start Directors Association, the Florida Association of Child
 450 Care Management, the Florida Family Day Care Association, the
 451 Florida Children's Forum, ~~the State Coordinating Council for~~
 452 ~~School Readiness Programs~~, the Early Childhood Association of
 453 Florida, the National Association for Child Development
 454 Education, providers receiving exemptions under s. 402.316, and
 455 parents, for the purpose of approving the accrediting
 456 associations.

457 Section 13. Section 402.3018, Florida Statutes, is
 458 transferred, renumbered as section 411.01015, Florida Statutes,
 459 and amended to read:

460 411.01015 ~~402.3018~~ Consultation to child care centers and
 461 family day care homes regarding health, developmental,
 462 disability, and special needs issues.--

463 (1) Contingent upon specific appropriations, the Agency
 464 for Workforce Innovation shall administer ~~department is directed~~
 465 ~~to contract with the statewide resource information and referral~~
 466 ~~agency for~~ a statewide toll-free Warm-Line for the purpose of
 467 providing assistance and consultation to child care centers and
 468 family day care homes regarding health, developmental,
 469 disability, and special needs issues of the children they are
 470 serving, particularly children with disabilities and other
 471 special needs.

472 (2) The purpose of the Warm-Line is to provide advice to
 473 child care personnel concerning strategies, curriculum, and

474 environmental adaptations that allow a child to derive maximum
 475 benefit from ~~the~~ child care services ~~experience~~.

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

479 (4) Contingent upon specific appropriations, the Agency
 480 for Workforce Innovation ~~department~~ shall expand, or contract
 481 for the expansion of, the Warm-Line from one statewide site to
 482 regional ~~one~~ Warm-Line sites throughout the state ~~site in each~~
 483 ~~child care resource and referral agency region~~.

484 (5) Each regional Warm-Line shall provide assistance and
 485 consultation to child care centers and family day care homes
 486 regarding health, developmental, disability, and special needs
 487 issues of the children they are serving, particularly children
 488 with disabilities and other special needs. Regional Warm-Line
 489 staff shall provide onsite technical assistance, when requested,
 490 to assist child care centers and family day care homes with
 491 inquiries relative to the strategies, curriculum, and
 492 environmental adaptations the child care centers and family day
 493 care homes may need as they serve children with disabilities and
 494 other special needs.

495 Section 14. Section 402.3051, Florida Statutes, is
 496 transferred, renumbered as section 411.01013, Florida Statutes,
 497 and amended to read:

498 (Substantial rewording of section. See
 499 s. 402.3051, F.S., for present text.)
 500 411.01013 Prevailing market rate schedule.--

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

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502 (a) "Market rate" means the price that a child care
503 provider charges for daily, weekly, or monthly child care
504 services.

505 (b) "Prevailing market rate" means the annually determined
506 75th percentile of a reasonable frequency distribution of the
507 market rate in a predetermined geographic market at which child
508 care providers charge a person for child care services.

509 (2) The Agency for Workforce Innovation shall establish
510 procedures for the adoption of a prevailing market rate
511 schedule. The schedule must include, at a minimum, county-by-
512 county rates:

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

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

519 (3) The prevailing market rate schedule, at a minimum,
520 must:

521 (a) Differentiate rates by the type of child care
522 provider, including, but not limited to, a child care facility
523 licensed under s. 402.305, a public or nonpublic school exempt
524 from licensure under s. 402.3025, a faith-based child care
525 facility exempt from licensure under s. 402.316, a large family
526 child care home licensed under s. 402.3131, a family day care
527 home licensed or registered under s. 402.313, or an after-school
528 program that is not defined as child care under rules adopted
529 pursuant to s. 402.3045.

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530 (b) Differentiate rates by the type of child care services
531 provided for children with special needs or risk categories,
532 infants, toddlers, preschool school children, and school-age
533 children.

534 (c) Differentiate rates between full-time and part-time
535 child care services.

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

538 (4) The prevailing market rate schedule may not interfere
539 with the parental choice of child care providers under s.
540 411.01, regardless of available funding for the school readiness
541 program. The prevailing market rate schedule must be based
542 exclusively on the prices charged for child care services.

543 (5) The Agency for Workforce Innovation may contract with
544 one or more qualified entities to administer this section and
545 provide support and technical assistance for child care
546 providers.

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

549 Section 15. Subsection (1) of section 402.313, Florida
550 Statutes, is amended to read:

551 402.313 Family day care homes.--

552 (1) Family day care homes shall be licensed under this act
553 if they are presently being licensed under an existing county
554 licensing ordinance, ~~if they are participating in the subsidized~~
555 ~~child care program,~~ or if the board of county commissioners
556 passes a resolution that family day care homes be licensed. ~~If~~
557 ~~no county authority exists for the licensing of a family day~~

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

561 (a) If not subject to license, family day care homes shall
 562 register annually with the department, providing the following
 563 information:

- 564 1. The name and address of the home.
- 565 2. The name of the operator.
- 566 3. The number of children served.
- 567 4. Proof of a written plan to provide at least one other
 568 competent adult to be available to substitute for the operator
 569 in an emergency. This plan shall include the name, address, and
 570 telephone number of the designated substitute.
- 571 5. Proof of screening and background checks.
- 572 6. Proof of successful completion of the 30-hour training
 573 course, as evidenced by passage of a competency examination,
 574 which shall include:
 - 575 a. State and local rules and regulations that govern child
 576 care.
 - 577 b. Health, safety, and nutrition.
 - 578 c. Identifying and reporting child abuse and neglect.
 - 579 d. Child development, including typical and atypical
 580 language development; and cognitive, motor, social, and self-
 581 help skills development.
 - 582 e. Observation of developmental behaviors, including using
 583 a checklist or other similar observation tools and techniques to
 584 determine a child's developmental level.

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

589 7. Proof that immunization records are kept current.

590 8. Proof of completion of the required continuing
 591 education units or clock hours.

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

595 (c) The department may provide technical assistance to
 596 counties and family day care home providers to enable counties
 597 and family day care providers to achieve compliance with family
 598 day care homes standards.

599 Section 16. Subsection (6) of section 402.45, Florida
 600 Statutes, is amended to read:

601 402.45 Community resource mother or father program.--

602 (6) Individuals under contract to provide community
 603 resource mother or father services shall participate in
 604 preservice and ongoing training as determined by the Department
 605 of Health in consultation with the Agency for Workforce
 606 Innovation ~~State Coordinating Council for School Readiness~~
 607 ~~Programs~~. A community resource mother or father shall not be
 608 assigned a client caseload until all preservice training
 609 requirements are completed.

610 Section 17. Paragraph (c) of subsection (5) of section
 611 409.1671, Florida Statutes, is amended to read:

612 409.1671 Foster care and related services; outsourcing.--

613 (5)
 614 (c) A foster home ~~dually~~ licensed ~~home~~ under this section
 615 may ~~shall~~ be dually licensed as a child care facility under
 616 chapter 402 and may ~~eligible to~~ receive both an out-of-home care
 617 payment and, to the extent permitted under federal law, school
 618 readiness funding a ~~subsidized child care payment~~ for the same
 619 child pursuant to federal law. The department may adopt
 620 ~~administrative~~ rules necessary to administer this paragraph.

621 Section 18. Section 411.01, Florida Statutes, is amended
 622 to read:

623 411.01 School readiness program ~~programs; early learning~~
 624 ~~coalitions.--~~

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

627 (2) LEGISLATIVE INTENT.--

628 (a) The Legislature recognizes that the school readiness
 629 program increases ~~programs increase~~ children's chances of
 630 achieving future educational success and becoming productive
 631 members of society. It is the intent of the Legislature that the
 632 program ~~programs~~ be developmentally appropriate, research-based,
 633 involve the parent ~~parents~~ as a ~~their~~ child's first teacher,
 634 serve as preventive measures for children at risk of future
 635 school failure, enhance the educational readiness of eligible
 636 children, and support family education. The ~~Each~~ school
 637 readiness program shall provide the elements necessary to
 638 prepare at-risk children for school, including health screening
 639 and referral and an appropriate educational program.

640 (b) It is the intent of the Legislature that the school
 641 readiness program ~~programs~~ be operated on a full-day, year-round
 642 basis to the maximum extent possible to enable parents to work
 643 and become financially self-sufficient.

644 (c) It is the intent of the Legislature that the school
 645 readiness program ~~programs~~ not exist as an isolated program
 646 ~~programs~~, but build upon existing services and work in
 647 cooperation with other programs for young children, and that the
 648 school readiness program ~~programs~~ be coordinated to achieve full
 649 effectiveness.

650 (d) It is the intent of the Legislature that the
 651 administrative staff ~~at the state level~~ for the school readiness
 652 program ~~programs~~ be kept to the minimum necessary to administer
 653 the duties of the Agency for Workforce Innovation, ~~as the school~~
 654 ~~readiness programs are to be regionally designed, operated, and~~
 655 ~~managed, with the Agency for Workforce Innovation developing~~
 656 ~~school readiness program performance standards and outcome~~
 657 ~~measures and approving and reviewing early learning coalitions~~
 658 ~~and school readiness plans.~~

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

663 (e) ~~(f)~~ It is the intent of the Legislature that the school
 664 readiness program coordinate and operate in conjunction with the
 665 district school systems. However, it is also the intent of the
 666 Legislature that the school readiness program not be construed
 667 as part of the system of free public schools but rather as a

668 separate program for children under the age of kindergarten
 669 eligibility, funded separately from the system of free public
 670 schools, utilizing a mandatory sliding fee scale, and providing
 671 an integrated and seamless system of school readiness services
 672 for the state's birth-to-kindergarten population.

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

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

682 (3) PARENTAL PARTICIPATION IN SCHOOL READINESS
 683 PROGRAMS.--This section does not:

684 (a) Relieve parents and guardians of their own obligations
 685 to prepare their children for school; or

686 (b) Create any obligation to provide the publicly funded
 687 school readiness program ~~programs~~ or services beyond those
 688 authorized by the Legislature.

689 (4) AGENCY FOR WORKFORCE INNOVATION.--

690 (a) The Agency for Workforce Innovation shall administer
 691 the school readiness program ~~programs at the state level and~~
 692 ~~shall coordinate the early learning coalitions in providing~~
 693 ~~school readiness services~~ on a full-day, full-year, full-choice
 694 basis to the extent possible in order to enable parents to work
 695 and be financially self-sufficient.

696 (b) The Agency for Workforce Innovation shall:
 697 1. Administer ~~Coordinate~~ the birth-to-kindergarten
 698 services for children who are eligible under subsection (6) and
 699 the programmatic, administrative, and fiscal standards under
 700 this section for all public providers of the school readiness
 701 program ~~programs~~.

702 ~~2. Continue to provide unified leadership for school~~
 703 ~~readiness through early learning coalitions.~~

704 ~~2.3.~~ Focus on improving the educational quality of all
 705 program providers participating in the publicly funded school
 706 readiness program ~~programs~~.

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

712 ~~(d) The Agency for Workforce Innovation shall:~~

713 ~~3.1.~~ Be responsible for the prudent use of all public and
 714 private funds in accordance with all legal and contractual
 715 requirements.

716 ~~2. Provide final approval and periodic review of early~~
 717 ~~learning coalitions and school readiness plans.~~

718 ~~4.3.~~ Provide leadership for the enhancement of school
 719 readiness in this state by aggressively establishing a unified
 720 approach to the state's efforts toward enhancement of school
 721 readiness. In support of this effort, the Agency for Workforce
 722 Innovation may develop and implement specific strategies that
 723 address the state's school readiness program ~~programs~~.

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724 5.4. Safeguard the effective use of federal, state, local,
725 and private resources to achieve the highest possible level of
726 school readiness for the children in this state.

727 ~~5. Provide technical assistance to early learning~~
728 ~~coalitions.~~

729 6. Assess gaps in service.

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

732 7.8. Develop and adopt performance standards and outcome
733 measures for the school readiness program ~~programs~~. The
734 performance standards must address the age-appropriate progress
735 of children in the development of the school readiness skills
736 required under paragraph (h) ~~(j)~~. The performance standards for
737 children from birth to 3 years of age in the school readiness
738 program ~~programs~~ must be integrated with the performance
739 standards adopted by the Department of Education for children in
740 the Voluntary Prekindergarten Education Program under s.
741 1002.67.

742 (c) ~~(e)~~ The Agency for Workforce Innovation may adopt rules
743 under ss. 120.536(1) and 120.54 to administer the provisions of
744 law conferring duties upon the agency, including, but not
745 limited to, rules governing the administration ~~preparation and~~
746 ~~implementation~~ of the school readiness program ~~system~~, the
747 collection of data, ~~the approval of early learning coalitions~~
748 ~~and school readiness plans, the provision of a method whereby an~~
749 ~~early learning coalition may serve two or more counties, the~~
750 ~~award of incentives to early learning coalitions, and the~~
751 issuance of waivers.

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752 (d)~~(f)~~ The Agency for Workforce Innovation shall have all
753 powers necessary to administer this section, including, but not
754 limited to, the power to receive and accept grants, loans, or
755 advances of funds from any public or private agency and to
756 receive and accept from any source contributions of money,
757 property, labor, or any other thing of value, to be held, used,
758 and applied for purposes of this section.

759 (e)~~(g)~~ Except as provided by law, the Agency for Workforce
760 Innovation may not impose requirements on a child care or early
761 childhood education provider that does not deliver services
762 under the ~~a~~ school readiness program or receive state or federal
763 funds under this section.

764 (f)~~(h)~~ The Agency for Workforce Innovation shall have a
765 budget for the school readiness program ~~system~~, which shall be
766 financed through an annual appropriation made for purposes of
767 this section in the General Appropriations Act.

768 (g)~~(i)~~ The Agency for Workforce Innovation shall
769 coordinate the efforts toward school readiness in this state and
770 provide independent policy analyses and recommendations to the
771 Governor, the State Board of Education, and the Legislature.

772 (h)~~(j)~~ The Agency for Workforce Innovation shall require
773 that the ~~each early learning coalition's~~ school readiness
774 program ~~must~~, at a minimum, enhance the age-appropriate progress
775 of each child in the development of the following school
776 readiness skills:

- 777 1. Compliance with rules, limitations, and routines.
- 778 2. Ability to perform tasks.
- 779 3. Interactions with adults.

- 780 4. Interactions with peers.
- 781 5. Ability to cope with challenges.
- 782 6. Self-help skills.
- 783 7. Ability to express the child's needs.
- 784 8. Verbal communication skills.
- 785 9. Problem-solving skills.
- 786 10. Following of verbal directions.
- 787 11. Demonstration of curiosity, persistence, and
- 788 exploratory behavior.
- 789 12. Interest in books and other printed materials.
- 790 13. Paying attention to stories.
- 791 14. Participation in art and music activities.
- 792 15. Ability to identify colors, geometric shapes, letters
- 793 of the alphabet, numbers, and spatial and temporal
- 794 relationships.

795

796 ~~The Agency for Workforce Innovation shall also require that,~~

797 Before a child is enrolled in the ~~an early learning coalition's~~

798 school readiness program, the Agency for Workforce Innovation

799 ~~coalition~~ must obtain, or ensure that the program provider

800 obtains, information ~~is obtained by the coalition or the school~~

801 ~~readiness provider~~ regarding the child's immunizations, physical

802 development, and other health requirements as necessary,

803 including appropriate vision and hearing screening and

804 examinations.

805 (i) ~~(k)~~ The Agency for Workforce Innovation shall conduct

806 studies and planning activities related to the overall

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807 improvement and effectiveness of the outcome measures adopted by
 808 the agency for the school readiness program ~~programs~~.

809 ~~(l) The Agency for Workforce Innovation shall monitor and~~
 810 ~~evaluate the performance of each early learning coalition in~~
 811 ~~administering the school readiness program, implementing the~~
 812 ~~coalition's school readiness plan, and administering the~~
 813 ~~Voluntary Prekindergarten Education Program. These monitoring~~
 814 ~~and performance evaluations must include, at a minimum, onsite~~
 815 ~~monitoring of each coalition's finances, management, operations,~~
 816 ~~and programs.~~

817 (j) ~~(m)~~ The Agency for Workforce Innovation shall identify
 818 best practices ~~of early learning coalitions~~ in order to improve
 819 the outcomes of the school readiness program ~~programs~~.

820 (k) ~~(n)~~ The Agency for Workforce Innovation shall submit an
 821 annual report of its activities conducted under this section to
 822 the Governor, the executive director of the Florida Healthy Kids
 823 Corporation, the President of the Senate, the Speaker of the
 824 House of Representatives, and the minority leaders of both
 825 houses of the Legislature. In addition, the Agency for Workforce
 826 Innovation's reports and recommendations shall be made available
 827 to the State Board of Education, ~~the Florida Early Learning~~
 828 ~~Advisory Council,~~ other appropriate state agencies and entities,
 829 district school boards, ~~central agencies,~~ and county health
 830 departments. The annual report must provide an analysis of
 831 school readiness activities across the state, including the
 832 number of children who were served in the program ~~programs~~.

833 (l) ~~(o)~~ The Agency for Workforce Innovation shall work ~~with~~
 834 ~~the early learning coalitions~~ to increase parents' training for

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835 and involvement in their children's preschool education and to
836 provide family literacy activities and services programs.

837 (5) SCHOOL READINESS PROGRAM REQUIREMENTS ~~CREATION OF~~
838 ~~EARLY LEARNING COALITIONS.--~~

839 ~~(a) Early learning coalitions.--~~

840 1. ~~The Agency for Workforce Innovation shall establish the~~
841 ~~minimum number of children to be served by each early learning~~
842 ~~coalition through the coalition's school readiness program. The~~
843 ~~Agency for Workforce Innovation may only approve school~~
844 ~~readiness plans in accordance with this minimum number. The~~
845 ~~minimum number must be uniform for every early learning~~
846 ~~coalition and must:~~

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

848 ~~b. Require each coalition to serve at least 2,000 children~~
849 ~~based upon the average number of all children served per month~~
850 ~~through the coalition's school readiness program during the~~
851 ~~previous 12 months.~~

852
853 ~~The Agency for Workforce Innovation shall adopt procedures for~~
854 ~~merging early learning coalitions, including procedures for the~~
855 ~~consolidation of merging coalitions, and for the early~~
856 ~~termination of the terms of coalition members which are~~
857 ~~necessary to accomplish the mergers. Each early learning~~
858 ~~coalition must comply with the merger procedures and shall be~~
859 ~~organized in accordance with this subparagraph by April 1, 2005.~~
860 ~~By June 30, 2005, each coalition must complete the transfer of~~
861 ~~powers, duties, functions, rules, records, personnel, property,~~

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862 ~~and unexpended balances of appropriations, allocations, and~~
863 ~~other funds to the successor coalition, if applicable.~~

864 ~~2. If an early learning coalition would serve fewer~~
865 ~~children than the minimum number established under subparagraph~~
866 ~~1., the coalition must merge with another county to form a~~
867 ~~multicounty coalition. However, the Agency for Workforce~~
868 ~~Innovation may authorize an early learning coalition to serve~~
869 ~~fewer children than the minimum number established under~~
870 ~~subparagraph 1., if:~~

871 ~~a. The coalition demonstrates to the Agency for Workforce~~
872 ~~Innovation that merging with another county or multicounty~~
873 ~~region contiguous to the coalition would cause an extreme~~
874 ~~hardship on the coalition;~~

875 ~~b. The Agency for Workforce Innovation has determined~~
876 ~~during the most recent annual review of the coalition's school~~
877 ~~readiness plan, or through monitoring and performance~~
878 ~~evaluations conducted under paragraph (4)(1), that the coalition~~
879 ~~has substantially implemented its plan and substantially met the~~
880 ~~performance standards and outcome measures adopted by the~~
881 ~~agency; and~~

882 ~~c. The coalition demonstrates to the Agency for Workforce~~
883 ~~Innovation the coalition's ability to effectively and~~
884 ~~efficiently implement the Voluntary Prekindergarten Education~~
885 ~~Program.~~

886
887 ~~If an early learning coalition fails or refuses to merge as~~
888 ~~required by this subparagraph, the Agency for Workforce~~
889 ~~Innovation may dissolve the coalition and temporarily contract~~

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890 ~~with a qualified entity to continue school readiness and~~
891 ~~prekindergarten services in the coalition's county or~~
892 ~~multicounty region until the coalition is reestablished through~~
893 ~~resubmission of a school readiness plan and approval by the~~
894 ~~agency.~~

895 ~~3. Notwithstanding the provisions of subparagraphs 1. and~~
896 ~~2., the early learning coalitions in Sarasota, Osceola, and~~
897 ~~Santa Rosa Counties which were in operation on January 1, 2005,~~
898 ~~are established and authorized to continue operation as~~
899 ~~independent coalitions, and shall not be counted within the~~
900 ~~limit of 30 coalitions established in subparagraph 1.~~

901 ~~4. Each early learning coalition shall be composed of at~~
902 ~~least 18 members but not more than 35 members. The Agency for~~
903 ~~Workforce Innovation shall adopt standards establishing within~~
904 ~~this range the minimum and maximum number of members that may be~~
905 ~~appointed to an early learning coalition. These standards must~~
906 ~~include variations for a coalition serving a multicounty region.~~
907 ~~Each early learning coalition must comply with these standards.~~

908 ~~5. The Governor shall appoint the chair and two other~~
909 ~~members of each early learning coalition, who must each meet the~~
910 ~~same qualifications as private sector business members appointed~~
911 ~~by the coalition under subparagraph 7.~~

912 ~~6. Each early learning coalition must include the~~
913 ~~following members:~~

914 ~~a. A Department of Children and Family Services district~~
915 ~~administrator or his or her designee who is authorized to make~~
916 ~~decisions on behalf of the department.~~

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- 917 ~~b. A district superintendent of schools or his or her~~
918 ~~designee who is authorized to make decisions on behalf of the~~
919 ~~district, who shall be a nonvoting member.~~
- 920 ~~e. A regional workforce board executive director or his or~~
921 ~~her designee.~~
- 922 ~~d. A county health department director or his or her~~
923 ~~designee.~~
- 924 ~~e. A children's services council or juvenile welfare board~~
925 ~~chair or executive director, if applicable, who shall be a~~
926 ~~nonvoting member if the council or board is the fiscal agent of~~
927 ~~the coalition or if the council or board contracts with and~~
928 ~~receives funds from the coalition for any purpose other than~~
929 ~~rent.~~
- 930 ~~f. An agency head of a local licensing agency as defined~~
931 ~~in s. 402.302, where applicable.~~
- 932 ~~g. A president of a community college or his or her~~
933 ~~designee.~~
- 934 ~~h. One member appointed by a board of county~~
935 ~~commissioners.~~
- 936 ~~i. A central agency administrator, where applicable, who~~
937 ~~shall be a nonvoting member.~~
- 938 ~~j. A Head Start director, who shall be a nonvoting member.~~
- 939 ~~k. A representative of private child care providers,~~
940 ~~including family day care homes, who shall be a nonvoting~~
941 ~~member.~~
- 942 ~~l. A representative of faith-based child care providers,~~
943 ~~who shall be a nonvoting member.~~

944 ~~m. A representative of programs for children with~~
945 ~~disabilities under the federal Individuals with Disabilities~~
946 ~~Education Act, who shall be a nonvoting member.~~

947 ~~7. Including the members appointed by the Governor under~~
948 ~~subparagraph 5., more than one-third of the members of each~~
949 ~~early learning coalition must be private sector business members~~
950 ~~who do not have, and none of whose relatives as defined in s.~~
951 ~~112.3143 has, a substantial financial interest in the design or~~
952 ~~delivery of the Voluntary Prekindergarten Education Program~~
953 ~~created under part V of chapter 1002 or the coalition's school~~
954 ~~readiness program. To meet this requirement an early learning~~
955 ~~coalition must appoint additional members from a list of~~
956 ~~nominees submitted to the coalition by a chamber of commerce or~~
957 ~~economic development council within the geographic region served~~
958 ~~by the coalition. The Agency for Workforce Innovation shall~~
959 ~~establish criteria for appointing private sector business~~
960 ~~members. These criteria must include standards for determining~~
961 ~~whether a member or relative has a substantial financial~~
962 ~~interest in the design or delivery of the Voluntary~~
963 ~~Prekindergarten Education Program or the coalition's school~~
964 ~~readiness program.~~

965 ~~8. A majority of the voting membership of an early~~
966 ~~learning coalition constitutes a quorum required to conduct the~~
967 ~~business of the coalition. An early learning coalition board may~~
968 ~~use any method of telecommunications to conduct meetings,~~
969 ~~including establishing a quorum through telecommunications,~~
970 ~~provided that the public is given proper notice of a~~

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971 ~~telecommunications meeting and reasonable access to observe and,~~
972 ~~when appropriate, participate.~~

973 ~~9. A voting member of an early learning coalition may not~~
974 ~~appoint a designee to act in his or her place, except as~~
975 ~~otherwise provided in this paragraph. A voting member may send a~~
976 ~~representative to coalition meetings, but that representative~~
977 ~~does not have voting privileges. When a district administrator~~
978 ~~for the Department of Children and Family Services appoints a~~
979 ~~designee to an early learning coalition, the designee is the~~
980 ~~voting member of the coalition, and any individual attending in~~
981 ~~the designee's place, including the district administrator, does~~
982 ~~not have voting privileges.~~

983 ~~10. Each member of an early learning coalition is subject~~
984 ~~to ss. 112.313, 112.3135, and 112.3143. For purposes of s.~~
985 ~~112.3143(3)(a), each voting member is a local public officer who~~
986 ~~must abstain from voting when a voting conflict exists.~~

987 ~~11. For purposes of tort liability, each member or~~
988 ~~employee of an early learning coalition shall be governed by s.~~
989 ~~768.28.~~

990 ~~12. An early learning coalition serving a multicounty~~
991 ~~region must include representation from each county.~~

992 ~~13. Each early learning coalition shall establish terms~~
993 ~~for all appointed members of the coalition. The terms must be~~
994 ~~staggered and must be a uniform length that does not exceed 4~~
995 ~~years per term. Appointed members may serve a maximum of two~~
996 ~~consecutive terms. When a vacancy occurs in an appointed~~
997 ~~position, the coalition must advertise the vacancy.~~

998 (a)-(b) Program administration; extended services
 999 participation.--The school readiness program shall be
 1000 established for children from birth to the beginning of the
 1001 school year for which a child is eligible for admission to
 1002 kindergarten in a public school under s. 1003.21(1)(a)2. The
 1003 program shall be administered by the Agency for Workforce
 1004 Innovation early learning coalition. Within funding limitations,
 1005 the agency early learning coalition, along with all program
 1006 providers, shall make reasonable efforts to accommodate the
 1007 needs of children for extended-day and extended-year services
 1008 without compromising the quality of the program.

1009 (b)-(c) Program expectations.--

1010 1. The school readiness program must meet the following
 1011 expectations:

1012 a. The program must, at a minimum, enhance the age-
 1013 appropriate progress of each child in the development of the
 1014 school readiness skills required under paragraph (4) (h)-(j), as
 1015 measured by the performance standards and outcome measures
 1016 adopted by the Agency for Workforce Innovation.

1017 b. The program must provide extended-day and extended-year
 1018 services to the maximum extent possible to meet the needs of
 1019 parents who work.

1020 c. There must be coordinated staff development and
 1021 teaching opportunities.

1022 d. There must be expanded access to community services and
 1023 resources for families to help achieve economic self-
 1024 sufficiency.

1025 e. There must be a single point of entry and unified
 1026 waiting list. As used in this sub-subparagraph, the term "single
 1027 point of entry" means an integrated information system that
 1028 allows a parent to enroll his or her child in the school
 1029 readiness program at various locations throughout a the county
 1030 ~~or multicounty region served by an early learning coalition,~~
 1031 that may allow a parent to enroll his or her child by telephone
 1032 or through an Internet website, and that uses a unified waiting
 1033 list to track eligible children waiting for enrollment in the
 1034 school readiness program. The Agency for Workforce Innovation
 1035 shall establish a single statewide information system for the
 1036 ~~that integrates each early learning coalition's~~ single point of
 1037 entry, ~~and each coalition~~ must use the statewide system in each
 1038 county.

1039 f. The Agency for Workforce Innovation must consider the
 1040 access of eligible children to the school readiness program, as
 1041 demonstrated in part by waiting lists, before approving a
 1042 proposed increase in payment rates ~~submitted by an early~~
 1043 ~~learning coalition~~. In addition, the Agency for Workforce
 1044 Innovation ~~early learning coalitions~~ shall use school readiness
 1045 funds made available due to enrollment shifts from the school
 1046 readiness program ~~programs~~ to the Voluntary Prekindergarten
 1047 Education Program for increasing the number of children served
 1048 in the school readiness program ~~programs~~ before increasing
 1049 payment rates.

1050 g. The Agency for Workforce Innovation ~~There~~ must adopt ~~be~~
 1051 a ~~community~~ plan to address the needs of all eligible children.

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1052 h. The program must meet all state licensing guidelines,
1053 where applicable.

1054 2. The Agency for Workforce Innovation ~~early learning~~
1055 ~~coalition~~ must implement a comprehensive program of school
1056 readiness services that enhance the cognitive, social, and
1057 physical development of children to achieve the performance
1058 standards and outcome measures adopted by the agency ~~for~~
1059 ~~Workforce Innovation~~. At a minimum, the program ~~these programs~~
1060 must contain the following elements:

1061 a. Developmentally appropriate curriculum designed to
1062 enhance the age-appropriate progress of children in attaining
1063 the performance standards adopted by the Agency for Workforce
1064 Innovation under subparagraph (4) (b) 7. ~~(d) 8.~~

1065 b. A character development program to develop basic
1066 values.

1067 c. An age-appropriate assessment of each child's
1068 development.

1069 d. A pretest administered to children when they enter a
1070 program and a posttest administered to children when they leave
1071 the program.

1072 e. An appropriate staff-to-children ratio.

1073 f. A healthy and safe environment.

1074 g. The statewide child care A resource and referral
1075 network established under s. 411.0101 to assist parents in
1076 making an informed choice.

1077 (c)-(d) Implementation.--

1078 ~~1. An early learning coalition may not implement the~~
1079 ~~school readiness program until the coalition is authorized~~

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1080 through approval of the coalition's school readiness plan by the
1081 Agency for Workforce Innovation.

1082 ~~2. Each early learning coalition shall develop a plan for~~
1083 ~~implementing the school readiness program to meet the~~
1084 ~~requirements of this section and the performance standards and~~
1085 ~~outcome measures adopted by the Agency for Workforce Innovation.~~
1086 ~~The plan must demonstrate how the program will ensure that each~~
1087 ~~3-year-old and 4-year-old child in a publicly funded school~~
1088 ~~readiness program receives scheduled activities and instruction~~
1089 ~~designed to enhance the age-appropriate progress of the children~~
1090 ~~in attaining the performance standards adopted by the Agency for~~
1091 ~~Workforce Innovation under subparagraph (4)(d)8. Before~~
1092 ~~implementing the school readiness program, the early learning~~
1093 ~~coalition must submit the plan to the Agency for Workforce~~
1094 ~~Innovation for approval. The Agency for Workforce Innovation may~~
1095 ~~approve the plan, reject the plan, or approve the plan with~~
1096 ~~conditions. The Agency for Workforce Innovation shall review~~
1097 ~~school readiness plans at least annually.~~

1098 ~~3. If the Agency for Workforce Innovation determines~~
1099 ~~during the annual review of school readiness plans, or through~~
1100 ~~monitoring and performance evaluations conducted under paragraph~~
1101 ~~(4)(1), that an early learning coalition has not substantially~~
1102 ~~implemented its plan, has not substantially met the performance~~
1103 ~~standards and outcome measures adopted by the agency, or has not~~
1104 ~~effectively administered the school readiness program or~~
1105 ~~Voluntary Prekindergarten Education Program, the Agency for~~
1106 ~~Workforce Innovation may dissolve the coalition and temporarily~~
1107 ~~contract with a qualified entity to continue school readiness~~

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1108 ~~and prekindergarten services in the coalition's county or~~
1109 ~~multicounty region until the coalition is reestablished through~~
1110 ~~resubmission of a school readiness plan and approval by the~~
1111 ~~agency.~~

1112 1.4. The Agency for Workforce Innovation shall adopt rules
1113 establishing criteria for the approval of school readiness
1114 plans. The criteria must be consistent with the performance
1115 standards and outcome measures adopted by the agency and must
1116 require each approved plan to include the following minimum
1117 standards and provisions for the school readiness program:

1118 a. A sliding fee scale establishing a copayment for
1119 parents based upon their ability to pay, which is the same for
1120 all program providers, ~~to be implemented and reflected in each~~
1121 ~~program's budget.~~

1122 b. A choice of settings and locations in licensed,
1123 registered, religious-exempt, or school-based programs to be
1124 provided to parents.

1125 c. Instructional staff who have completed the training
1126 course as required in s. 402.305(2)(d)1., as well as
1127 requirements for staff who have additional training or
1128 ~~credentials as required by the Agency for Workforce Innovation.~~
1129 The rules plan must provide a method for assuring the
1130 qualifications of all personnel in all program settings.

1131 d. Specific eligibility priorities for children ~~within the~~
1132 ~~early learning coalition's county or multicounty region in~~
1133 accordance with subsection (6).

1134 e. Performance standards and outcome measures ~~adopted by~~
1135 ~~the Agency for Workforce Innovation.~~

1136 f. The adoption of payment rates that must ~~adopted by the~~
 1137 ~~early learning coalition and approved by the Agency for~~
 1138 ~~Workforce Innovation. Payment rates may not have the effect of~~
 1139 limiting parental choice or creating standards or levels of
 1140 services that have not been authorized by the Legislature.

1141 g. Systems support services, including the statewide a
 1142 ~~central agency,~~ child care resource and referral network,
 1143 eligibility determinations, training of providers, and parent
 1144 support and involvement.

1145 h. Direct enhancement services to families and children.
 1146 System support and direct enhancement services shall be in
 1147 addition to payments for the placement of children in the school
 1148 readiness program ~~programs~~.

1149 ~~i. The business organization of the early learning~~
 1150 ~~coalition, which must include the coalition's articles of~~
 1151 ~~incorporation and bylaws if the coalition is organized as a~~
 1152 ~~corporation. If the coalition is not organized as a corporation~~
 1153 ~~or other business entity, the plan must include the contract~~
 1154 ~~with a fiscal agent. An early learning coalition may contract~~
 1155 ~~with other coalitions to achieve efficiency in multicounty~~
 1156 ~~services, and these contracts may be part of the coalition's~~
 1157 ~~school readiness plan.~~

1158 ~~i.j.~~ Strategies to meet the needs of unique populations,
 1159 such as migratory agricultural ~~migrant~~ workers.

1160
 1161 ~~As part of the school readiness plan,~~ The Agency for Workforce
 1162 Innovation ~~early learning coalition~~ may request the Governor to
 1163 apply for a waiver to allow the agency ~~coalition~~ to administer

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1164 the Head Start Program to accomplish the purposes of the school
1165 readiness program. ~~If a school readiness plan demonstrates that~~
1166 ~~specific statutory goals can be achieved more effectively by~~
1167 ~~using procedures that require modification of existing rules,~~
1168 ~~policies, or procedures, a request for a waiver to the Agency~~
1169 ~~for Workforce Innovation may be submitted as part of the plan.~~
1170 ~~Upon review, the Agency for Workforce Innovation may grant the~~
1171 ~~proposed modification.~~

1172 2.5. Persons with an early childhood teaching certificate
1173 may provide support and supervision to other staff in the school
1174 readiness program.

1175 ~~6. An early learning coalition may not implement its~~
1176 ~~school readiness plan until it submits the plan to and receives~~
1177 ~~approval from the Agency for Workforce Innovation. Once the plan~~
1178 ~~is approved, the plan and the services provided under the plan~~
1179 ~~shall be controlled by the early learning coalition. The plan~~
1180 ~~shall be reviewed and revised as necessary, but at least~~
1181 ~~biennially. An early learning coalition may not implement the~~
1182 ~~revisions until the coalition submits the revised plan to and~~
1183 ~~receives approval from the Agency for Workforce Innovation. If~~
1184 ~~the Agency for Workforce Innovation rejects a revised plan, the~~
1185 ~~coalition must continue to operate under its prior approved~~
1186 ~~plan.~~

1187 3.7. Sections 125.901(2)(a)3., 411.221, and 411.232 do not
1188 apply to the ~~an~~ early learning coalition with an approved school
1189 readiness program plan. The Agency for Workforce Innovation ~~To~~
1190 ~~facilitate innovative practices and to allow the regional~~
1191 ~~establishment of school readiness programs, an early learning~~

1192 ~~coalition~~ may apply to the Governor and Cabinet for a waiver of,
 1193 and the Governor and Cabinet may waive, any of the provisions of
 1194 ss. 411.223, 411.232, and 1003.54, if the waiver is necessary
 1195 for implementation of the ~~coalition's~~ school readiness program
 1196 plan.

1197 ~~8. Two or more counties may join for purposes of planning~~
 1198 ~~and implementing a school readiness program.~~

1199 ~~4.9. An early learning coalition may, subject to approval~~
 1200 ~~by The Agency for Workforce Innovation may as part of the~~
 1201 ~~coalition's school readiness plan,~~ receive subsidized child care
 1202 funds for all children eligible for any federal subsidized child
 1203 care program.

1204 ~~10. An early learning coalition may enter into multiparty~~
 1205 ~~contracts with multicounty service providers in order to meet~~
 1206 ~~the needs of unique populations such as migrant workers.~~

1207 ~~(d)(e) Requests for proposals; payment schedule.--~~

1208 ~~1. Each early learning coalition must comply with s.~~
 1209 ~~287.057 for the procurement of commodities or contractual~~
 1210 ~~services from the funds described in paragraph (9)(d). The~~
 1211 ~~period of a contract for purchase of these commodities or~~
 1212 ~~contractual services, together with any renewal of the original~~
 1213 ~~contract, may not exceed 3 years.~~

1214 ~~2. The Agency for Workforce Innovation~~ Each early learning
 1215 ~~coalition~~ shall adopt a payment schedule that encompasses all
 1216 programs funded ~~by the coalition~~ under this section. The payment
 1217 schedule must take into consideration the prevailing relevant
 1218 market rate schedule adopted under s. 411.01013 and, ~~must~~
 1219 include the projected number of children to be served, ~~and must~~

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1220 ~~be submitted for approval by the Agency for Workforce~~
1221 ~~Innovation. The payment rate for an informal child care~~
1222 ~~arrangement may not exceed arrangements shall be reimbursed at~~
1223 ~~not more than 50 percent of the rate adopted developed for a~~
1224 ~~family day care home.~~

1225 ~~(f) Requirements relating to fiscal agents. If an early~~
1226 ~~learning coalition is not legally organized as a corporation or~~
1227 ~~other business entity, the coalition must designate a fiscal~~
1228 ~~agent, which may be a public entity, a private nonprofit~~
1229 ~~organization, or a certified public accountant who holds a~~
1230 ~~license under chapter 473. The fiscal agent must provide~~
1231 ~~financial and administrative services under a contract with the~~
1232 ~~early learning coalition. The fiscal agent may not provide~~
1233 ~~direct early childhood education or child care services;~~
1234 ~~however, a fiscal agent may provide those services upon written~~
1235 ~~request of the early learning coalition to the Agency for~~
1236 ~~Workforce Innovation and upon the approval of the request by the~~
1237 ~~agency. The cost of the financial and administrative services~~
1238 ~~shall be negotiated between the fiscal agent and the early~~
1239 ~~learning coalition. If the fiscal agent is a provider of early~~
1240 ~~childhood education and child care programs, the contract must~~
1241 ~~specify that the fiscal agent shall act on policy direction from~~
1242 ~~the early learning coalition and must not receive policy~~
1243 ~~direction from its own corporate board regarding disbursement of~~
1244 ~~the coalition's funds. The fiscal agent shall disburse funds in~~
1245 ~~accordance with the early learning coalition's approved school~~
1246 ~~readiness plan and based on billing and disbursement procedures~~
1247 ~~approved by the Agency for Workforce Innovation. The fiscal~~

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1248 ~~agent must conform to all data reporting requirements~~
1249 ~~established by the Agency for Workforce Innovation.~~

1250 ~~(g) Evaluation and annual report.--Each early learning~~
1251 ~~coalition shall conduct an evaluation of the effectiveness of~~
1252 ~~the school readiness program, including performance standards~~
1253 ~~and outcome measures, and shall provide an annual report and~~
1254 ~~fiscal statement to the Agency for Workforce Innovation. This~~
1255 ~~report must conform to the content and format specifications set~~
1256 ~~by the Agency for Workforce Innovation. The Agency for Workforce~~
1257 ~~Innovation must include an analysis of the early learning~~
1258 ~~coalitions' reports in the agency's annual report.~~

1259 (6) PROGRAM ELIGIBILITY.--The ~~Each~~ early learning
1260 ~~coalition's~~ school readiness program is ~~shall~~ be established for
1261 children from birth to the beginning of the school year for
1262 which a child is eligible for admission to kindergarten in a
1263 public school under s. 1003.21(1)(a)2. The Agency for Workforce
1264 Innovation shall give priority for participation in the school
1265 readiness program as follows:

1266 (a) Priority shall be given first to a child from a family
1267 in which there is an adult receiving temporary cash assistance
1268 who is subject to federal work requirements.

1269 (b) Priority shall be given next to a child ~~children~~ age 3
1270 years of age or older who has not yet entered ~~to~~ school, ~~entry~~
1271 who is ~~are~~ served by the Family Safety Program Office of the
1272 Department of Children and Family Services or a community-based
1273 lead agency under chapter 39, and for whom child care is needed
1274 to minimize risk of further abuse, neglect, or abandonment.

1275 (c) Subsequent priority shall be given to a child ~~Other~~
 1276 ~~eligible populations include children who~~ meets ~~meet~~ one or more
 1277 of the following criteria:

1278 1.(a) A child who is younger than ~~Children under~~ the age
 1279 of kindergarten eligibility and ~~who are~~:

1280 a.1. Is not included for priority in paragraph (b) but is
 1281 ~~Children~~ determined to be at risk of abuse, neglect, or
 1282 exploitation and is ~~who are~~ currently a client ~~clients~~ of the
 1283 Family Safety Program Office of the Department of Children and
 1284 Family Services, ~~but who are not otherwise given priority under~~
 1285 ~~this subsection.~~

1286 b.2. Is ~~Children~~ at risk of welfare dependency, including
 1287 an economically disadvantaged child ~~children~~, a child ~~children~~
 1288 of a participant ~~participants~~ in the welfare transition program,
 1289 a child of a migratory agricultural worker ~~children of migrant~~
 1290 ~~farmworkers~~, or a child ~~and children~~ of a teen ~~parent~~ parents.

1291 c.3. Is a member ~~Children~~ of a working family that is
 1292 economically disadvantaged ~~families whose family income does not~~
 1293 ~~exceed 150 percent of the federal poverty level.~~

1294 d.4. Children For whom financial assistance is provided
 1295 through the state ~~is paying a~~ Relative Caregiver Program ~~payment~~
 1296 under s. 39.5085.

1297 2.(b) A 3-year-old child or ~~Three-year-old children and~~ 4-
 1298 year-old child ~~children~~ who may not be economically
 1299 disadvantaged but who has a disability; ~~has have disabilities,~~
 1300 ~~have~~ been served in a specific part-time exceptional education
 1301 program or a combination of part-time exceptional education
 1302 programs with required special services, aids, or equipment;;

1303 and was ~~were~~ previously reported for funding part time under
 1304 ~~with~~ the Florida Education Finance Program as an exceptional
 1305 student ~~students~~.

1306 3.(e) ~~An~~ economically disadvantaged child ~~children~~, a
 1307 child ~~children~~ with a disability ~~disabilities~~, or a child ~~and~~
 1308 ~~children~~ at risk of future school failure, from birth to 4 years
 1309 of age, who is ~~are~~ served at home through a home visitor program
 1310 ~~programs~~ and an intensive parent education program ~~programs~~.

1311 4.(d) A child ~~Children~~ who meets ~~meet~~ federal and state
 1312 eligibility requirements for the migrant preschool program but
 1313 who is ~~do~~ not ~~meet the criteria of~~ economically disadvantaged.
 1314

1315 As used in this paragraph subsection, the term "economically
 1316 disadvantaged" ~~child~~ means having a ~~child whose~~ family income
 1317 that does not exceed 150 percent of the federal poverty level.
 1318 Notwithstanding any change in a family's economic status, but
 1319 subject to additional family contributions in accordance with
 1320 the sliding fee scale, a child who meets the eligibility
 1321 requirements upon initial registration for the program remains
 1322 eligible until the beginning of the school year for which the
 1323 child is eligible for admission to kindergarten in a public
 1324 school under s. 1003.21(1)(a)2.

1325 (7) PARENTAL CHOICE.--

1326 (a) As used in this subsection, the term "payment
 1327 certificate" means a child care certificate as defined in 45
 1328 C.F.R. s. 98.2.

1329 (b) The school readiness program shall, in accordance with
 1330 45 C.F.R. s. 98.30, provide parental choice through a payment

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1331 certificate ~~purchase service order~~ that ensures, to the maximum
 1332 extent possible, flexibility in the school readiness program
 1333 ~~programs~~ and payment arrangements. ~~According to federal~~
 1334 ~~regulations requiring parental choice, a parent may choose an~~
 1335 ~~informal child care arrangement.~~ The payment certificate
 1336 ~~purchase order~~ must bear the names ~~name~~ of the beneficiary and
 1337 the program provider and, when redeemed, must bear the
 1338 signatures ~~signature~~ of both the beneficiary and an authorized
 1339 representative of the provider.

1340 (c) ~~(b)~~ If it is determined that a provider has given
 1341 ~~provided~~ any cash to the beneficiary in return for receiving a
 1342 payment certificate ~~the purchase order~~, the Agency for Workforce
 1343 Innovation ~~early learning coalition or its fiscal agent~~ shall
 1344 refer the matter to the Division of Public Assistance Fraud for
 1345 investigation.

1346 (d) ~~(e)~~ The office of the Chief Financial Officer shall
 1347 establish an electronic transfer system for the disbursement of
 1348 funds in accordance with this subsection. ~~Each early learning~~
 1349 ~~coalition shall fully implement the electronic funds transfer~~
 1350 ~~system within 2 years after approval of the coalition's school~~
 1351 ~~readiness plan, unless a waiver is obtained from the Agency for~~
 1352 ~~Workforce Innovation.~~

1353 (8) STANDARDS; OUTCOME MEASURES.--A program provider
 1354 participating in the ~~All~~ school readiness program ~~programs~~ must
 1355 meet the performance standards and outcome measures adopted by
 1356 the Agency for Workforce Innovation.

1357 (9) FUNDING; SCHOOL READINESS PROGRAM.--

1358 (a) It is the intent of this section to establish an
 1359 integrated and quality seamless service delivery system for all
 1360 publicly funded early childhood education and child care
 1361 programs operating in this state.

1362 (b)~~1.~~ The Agency for Workforce Innovation shall administer
 1363 school readiness funds, ~~plans,~~ and policies and shall prepare
 1364 and submit a unified budget request for the school readiness
 1365 program system in accordance with chapter 216.

1366 ~~2. All instructions to early learning coalitions for~~
 1367 ~~administering this section shall emanate from the Agency for~~
 1368 ~~Workforce Innovation in accordance with the policies of the~~
 1369 ~~Legislature.~~

1370 (c) The Agency for Workforce Innovation, subject to
 1371 legislative notice and review under s. 216.177, shall establish
 1372 ~~recommend~~ a formula for the allocation ~~among the early learning~~
 1373 ~~coalitions~~ of all state and federal school readiness funds
 1374 provided for children participating in the public or private
 1375 school readiness program, whether served by a public or private
 1376 provider, programs based upon equity for each county and
 1377 performance. ~~If a~~ The allocation formula must be submitted to
 1378 ~~the Governor, the chair of the Senate Ways and Means Committee~~
 1379 ~~or its successor, and the chair of the House of Representatives~~
 1380 ~~Fiscal Council or its successor no later than January 1 of each~~
 1381 ~~year. The Legislature shall specify in the annual General~~
 1382 Appropriations Act specifies any changes to ~~from~~ the allocation
 1383 formula, methodology for the prior fiscal year which must be
 1384 used by the Agency for Workforce Innovation shall allocate funds

1385 ~~as specified in allocating the appropriations provided in the~~
 1386 General Appropriations Act.

1387 (d) All state, federal, and required local maintenance-of-
 1388 effort or matching funds provided ~~to an early learning coalition~~
 1389 for purposes of this section shall be used ~~by the coalition~~ for
 1390 implementation of the its school readiness program plan,
 1391 including the hiring of staff to effectively operate the
 1392 ~~coalition's school readiness program. As part of plan approval~~
 1393 ~~and periodic plan review,~~ The Agency for Workforce Innovation
 1394 shall require that administrative costs be kept to the minimum
 1395 necessary for efficient and effective administration of the
 1396 school readiness program plan, ~~but total administrative~~
 1397 ~~expenditures must not exceed 5 percent unless specifically~~
 1398 ~~waived by the Agency for Workforce Innovation. The Agency for~~
 1399 ~~Workforce Innovation shall annually report to the Legislature~~
 1400 ~~any problems relating to administrative costs.~~

1401 ~~(e) The Agency for Workforce Innovation shall annually~~
 1402 ~~distribute, to a maximum extent practicable, all eligible funds~~
 1403 ~~provided under this section as block grants to the early~~
 1404 ~~learning coalitions.~~

1405 ~~(e) (f)~~ State funds appropriated for the school readiness
 1406 program may not be used for the construction of new facilities
 1407 or the purchase of buses. The Agency for Workforce Innovation
 1408 shall present to the Legislature recommendations for providing
 1409 necessary transportation services for the school readiness
 1410 program programs.

1411 ~~(f)(g)~~ All cost savings and all revenues received through
 1412 a mandatory sliding fee scale shall be used to help fund the
 1413 ~~each early learning coalition's~~ school readiness program.

1414 (10) CONFLICTING PROVISIONS.--In the event of a conflict
 1415 between this section and federal requirements, the federal
 1416 requirements ~~shall~~ control.

1417 (11) CONTRACTING.--The Agency for Workforce Innovation may
 1418 contract with one or more qualified entities to administer this
 1419 section.

1420 ~~(11) PLACEMENTS.--Notwithstanding any other provision of~~
 1421 ~~this section to the contrary, the first children to be placed in~~
 1422 ~~the school readiness program shall be those from families~~
 1423 ~~receiving temporary cash assistance and subject to federal work~~
 1424 ~~requirements. Subsequent placements shall be made in accordance~~
 1425 ~~with subsection (6).~~

1426 Section 19. Section 411.0101, Florida Statutes, is amended
 1427 to read:

1428 411.0101 Child care and early childhood resource and
 1429 referral.--The Agency for Workforce Innovation shall establish a
 1430 statewide child care resource and referral network that
 1431 provides. ~~Preference shall be given to using the already~~
 1432 ~~established early learning coalitions as the child care resource~~
 1433 ~~and referral agency. If an early learning coalition cannot~~
 1434 ~~comply with the requirements to offer the resource information~~
 1435 ~~component or does not want to offer that service, the early~~
 1436 ~~learning coalition shall select the resource information agency~~
 1437 ~~based upon a request for proposal pursuant to s. 411.01(5)(e)1.~~
 1438 ~~At least one child care resource and referral agency must be~~

1439 ~~established in each early learning coalition's county or~~
 1440 ~~multicounty region. Child care resource and referral agencies~~
 1441 ~~shall provide~~ the following services:

1442 (1) Identification of existing public and private child
 1443 care and early childhood education services, including child
 1444 care services by public and private employers, and the
 1445 development of a resource file of those services. These services
 1446 may include family day care, public and private child care
 1447 programs, the Voluntary Prekindergarten Education Program, Head
 1448 Start, the school readiness program ~~prekindergarten early~~
 1449 ~~intervention programs~~, special education programs for
 1450 prekindergarten ~~handicapped~~ children with disabilities, services
 1451 for children with developmental disabilities, full-time and
 1452 part-time programs, before-school and after-school programs,
 1453 vacation care programs, parent education, the WAGES Program, and
 1454 related family support services. The resource file shall
 1455 include, but not be limited to:

- 1456 (a) Type of program.
- 1457 (b) Hours of service.
- 1458 (c) Ages of children served.
- 1459 (d) Number of children served.
- 1460 (e) Significant program information.
- 1461 (f) Fees and eligibility for services.
- 1462 (g) Availability of transportation.

1463 (2) The establishment of a referral process that ~~which~~
 1464 responds to parental need for information and that ~~which~~ is
 1465 provided with full recognition of the confidentiality rights of
 1466 parents. The resource and referral network ~~programs~~ shall make

1467 referrals to licensed child care facilities. Referrals may not
 1468 ~~shall~~ be made to an unlicensed child care facility ~~or~~
 1469 ~~arrangement only if there is no requirement that the facility is~~
 1470 required to ~~or arrangement~~ be licensed.

1471 (3) Maintenance of ongoing documentation of requests for
 1472 service tabulated through the internal referral process. The
 1473 following documentation of requests for service shall be
 1474 maintained by the ~~all~~ child care resource and referral network
 1475 agencies:

1476 (a) Number of calls and contacts to the child care
 1477 resource ~~information~~ and referral network ~~agency component~~ by
 1478 type of service requested.

1479 (b) Ages of children for whom service was requested.

1480 (c) Time category of child care requests for each child.

1481 (d) Special time category, such as nights, weekends, and
 1482 swing shift.

1483 (e) Reason that the child care is needed.

1484 (f) Name of the employer and primary focus of the
 1485 business.

1486 (4) Provision of technical assistance to existing and
 1487 potential providers of child care services. This assistance may
 1488 include:

1489 (a) Information on initiating new child care services,
 1490 zoning, and program and budget development and assistance in
 1491 finding such information from other sources.

1492 (b) Information and resources that ~~which~~ help existing
 1493 child care services providers to maximize their ability to serve
 1494 children and parents in their community.

1495 (c) Information and incentives that may ~~which could~~ help
 1496 existing or planned child care services offered by public or
 1497 private employers seeking to maximize their ability to serve the
 1498 children of their working parent employees in their community,
 1499 through contractual or other funding arrangements with
 1500 businesses.

1501 (5) Assistance to families and employers in applying for
 1502 various sources of subsidy including, but not limited to, the
 1503 Voluntary Prekindergarten Education Program, the school
 1504 readiness program ~~subsidized child care~~, Head Start,
 1505 ~~prekindergarten early intervention programs~~, Project
 1506 Independence, private scholarships, and the federal child and
 1507 dependent care tax credit.

1508 ~~(6) Assistance to state agencies in determining the market~~
 1509 ~~rate for child care.~~

1510 (6) ~~(7)~~ Assistance in negotiating discounts or other
 1511 special arrangements with child care providers.

1512 (7) ~~(8)~~ Information and assistance to local interagency
 1513 councils coordinating services for prekindergarten ~~handicapped~~
 1514 children with disabilities.

1515 (8) ~~(9)~~ Assistance to families in identifying summer
 1516 recreation camp and summer day camp programs, and ~~in~~ evaluating
 1517 the health and safety qualities of summer recreation camp and
 1518 summer day camp programs, and ~~in~~ evaluating the health and
 1519 safety qualities of summer camp programs. Contingent upon
 1520 specific appropriation, a checklist of important health and
 1521 safety qualities that parents can use to choose their summer
 1522 camp programs shall be developed and distributed in a manner

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1523 that will reach parents interested in such programs for their
 1524 children.

1525 (9)~~(10)~~ A child care facility licensed under s. 402.305
 1526 and licensed and registered family day care homes must provide
 1527 the statewide child care and resource and referral network
 1528 ~~agencies~~ with the following information annually:

- 1529 (a) Type of program.
- 1530 (b) Hours of service.
- 1531 (c) Ages of children served.
- 1532 (d) Fees and eligibility for services.

1533 (10)~~(11)~~ The Agency for Workforce Innovation shall adopt
 1534 any rules necessary for the implementation and administration of
 1535 this section.

1536 Section 20. Subsections (3) and (5) of section 411.0102,
 1537 Florida Statutes, are amended to read:

1538 411.0102 Child Care Executive Partnership Act; findings
 1539 and intent; grant; limitation; rules.--

1540 (3) There is created a body politic and corporate known as
 1541 the Child Care Executive Partnership which shall establish and
 1542 govern the Child Care Executive Partnership Program. The purpose
 1543 of the Child Care Executive Partnership Program is to utilize
 1544 state and federal funds as incentives for matching local funds
 1545 derived from local governments, employers, charitable
 1546 foundations, and other sources, so that Florida communities may
 1547 create local flexible partnerships with employers. The Child
 1548 Care Executive Partnership Program funds shall be used at the
 1549 discretion of local communities to meet the needs of working
 1550 parents. A child care purchasing pool shall be developed with

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1551 the state, federal, and local funds to provide subsidies to low-
 1552 income working parents who are eligible for the school readiness
 1553 program ~~subsidized child care~~ with a dollar-for-dollar match
 1554 from employers, local government, and other matching
 1555 contributions. The funds used from the child care purchasing
 1556 pool must be used to supplement or extend the use of existing
 1557 public or private funds.

1558 (5) (a) The Legislature shall annually determine the amount
 1559 of state or federal low-income child care moneys which shall be
 1560 used to create Child Care Executive Partnership Program child
 1561 care purchasing pools in counties chosen by the Child Care
 1562 Executive Partnership, provided that at least two of the
 1563 counties have populations of no more than 300,000. The
 1564 Legislature shall annually review the effectiveness of the child
 1565 care purchasing pool program and reevaluate the percentage of
 1566 additional state or federal funds, if any, that can be used for
 1567 the program's expansion.

1568 (b) To ensure a seamless service delivery and ease of
 1569 access for families, ~~an early learning coalition or~~ the Agency
 1570 for Workforce Innovation shall administer the child care
 1571 purchasing pool funds.

1572 (c) The Agency for Workforce Innovation, in conjunction
 1573 with the Child Care Executive Partnership, shall develop
 1574 procedures for disbursement of funds through the child care
 1575 purchasing pools. In order to be considered for funding, a
 1576 purchasing pool ~~an early learning coalition or the Agency for~~
 1577 ~~Workforce Innovation~~ must commit to:

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1578 1. Matching the state purchasing pool funds on a dollar-
 1579 for-dollar basis; and

1580 2. Expending only those public funds which are matched by
 1581 employers, local government, and other matching contributors who
 1582 contribute to the purchasing pool. Parents shall also pay a fee,
 1583 which may not ~~shall~~ be ~~not~~ less than the amount identified in
 1584 the school readiness program's ~~early learning coalition's~~
 1585 ~~subsidized child care~~ sliding fee scale.

1586 (d) Each purchasing pool ~~early learning coalition~~
 1587 ~~shall be required to~~ establish a community child care task force
 1588 ~~for each child care purchasing pool. The task force must be~~
 1589 composed of employers, parents, private child care providers,
 1590 and one representative from the local children's services
 1591 council, if one exists in the area of the purchasing pool. The
 1592 purchasing pool ~~early learning coalition~~ is expected to recruit
 1593 ~~the~~ task force members from existing child care councils,
 1594 commissions, or task forces already operating in the area of a
 1595 purchasing pool. A majority of the task force shall consist of
 1596 employers. Each task force shall develop a plan for the use of
 1597 child care purchasing pool funds. The plan must show how many
 1598 children will be served by the purchasing pool, how many will be
 1599 new to receiving child care services, and how the purchasing
 1600 pool ~~early learning coalition~~ intends to attract new employers
 1601 and their employees to the program.

1602 Section 21. Section 411.0105, Florida Statutes, is amended
 1603 to read:

1604 411.0105 Federal ~~Early Learning Opportunities Act and Even~~
 1605 ~~Start Family Literacy Programs;~~ lead agency responsibilities.--

1606 (1) The Governor may designate the Agency for Workforce
 1607 Innovation as the lead agency for purposes of administration of
 1608 the federal Child Care and Development Fund, 45 C.F.R. parts 98
 1609 and 99. If designated as the lead agency, the Agency for
 1610 Workforce Innovation must comply with the lead agency
 1611 responsibilities under federal law.

1612 (2) For purposes of administration of the federal Early
 1613 Learning Opportunities Act, 20 U.S.C. ss. 9401-9413, the Agency
 1614 for Workforce Innovation is designated as the lead agency and
 1615 must comply with the lead agency responsibilities under law.

1616 (3) (a) For purposes of administration of ~~and~~ the federal
 1617 William F. Goodling Even Start Family Literacy Programs, 20
 1618 U.S.C. ss. 6381-6381k ~~pursuant to Pub. L. No. 106-554,~~ the
 1619 Department of Education ~~Agency for Workforce Innovation~~ is
 1620 designated as the lead agency and must comply with the lead
 1621 agency responsibilities under ~~pursuant to~~ federal law.

1622 (b) The Department of Education shall contract with the
 1623 Agency for Workforce Innovation for administration of the
 1624 federal William F. Goodling Even Start Family Literacy Programs.

1625 Section 22. Effective July 1, 2010, subsections (1) and
 1626 (3) of section 411.011, Florida Statutes, are amended to read:

1627 411.011 Records of children in the school readiness
 1628 program ~~programs~~.--

1629 (1) The individual records of children enrolled in the
 1630 school readiness program ~~programs~~ provided under s. 411.01, held
 1631 by a former ~~an~~ early learning coalition or the Agency for
 1632 Workforce Innovation, are confidential and exempt from s.
 1633 119.07(1) and s. 24(a), Art. I of the State Constitution. For

1634 purposes of this section, records include assessment data,
 1635 health data, records of teacher observations, and personal
 1636 identifying information.

1637 (3) School readiness records may be released to:

1638 (a) The United States Secretary of Education, the United
 1639 States Secretary of Health and Human Services, and the
 1640 Comptroller General of the United States for the purpose of
 1641 federal audits.

1642 (b) Individuals or organizations conducting studies for
 1643 institutions to develop, validate, or administer assessments or
 1644 improve instruction.

1645 (c) Accrediting organizations in order to carry out their
 1646 accrediting functions.

1647 (d) Appropriate parties in connection with an emergency if
 1648 the information is necessary to protect the health or safety of
 1649 the child enrollee or other individuals.

1650 (e) The Auditor General in connection with his or her
 1651 official functions.

1652 (f) A court of competent jurisdiction in compliance with
 1653 an order of that court in accordance with a lawfully issued
 1654 subpoena.

1655 (g) Parties to an interagency agreement among ~~early~~
 1656 ~~learning coalitions,~~ local governmental agencies, providers of
 1657 the school readiness program ~~programs,~~ state agencies, and the
 1658 Agency for Workforce Innovation for the purpose of implementing
 1659 the school readiness program.

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1661 Agencies, organizations, or individuals that receive school
1662 readiness records in order to carry out their official functions
1663 must protect the data in a manner that does not permit the
1664 personal identification of a child enrolled in the a school
1665 readiness program and his or her parents by persons other than
1666 those authorized to receive the records.

1667 Section 23. Paragraph (b) of subsection (8) of section
1668 411.203, Florida Statutes, is amended to read:

1669 411.203 Continuum of comprehensive services.--The
1670 Department of Education and the Department of Health and
1671 Rehabilitative Services shall utilize the continuum of
1672 prevention and early assistance services for high-risk pregnant
1673 women and for high-risk and handicapped children and their
1674 families, as outlined in this section, as a basis for the
1675 intraagency and interagency program coordination, monitoring,
1676 and analysis required in this chapter. The continuum shall be
1677 the guide for the comprehensive statewide approach for services
1678 for high-risk pregnant women and for high-risk and handicapped
1679 children and their families, and may be expanded or reduced as
1680 necessary for the enhancement of those services. Expansion or
1681 reduction of the continuum shall be determined by intraagency or
1682 interagency findings and agreement, whichever is applicable.
1683 Implementation of the continuum shall be based upon applicable
1684 eligibility criteria, availability of resources, and interagency
1685 prioritization when programs impact both agencies, or upon
1686 single agency prioritization when programs impact only one
1687 agency. The continuum shall include, but not be limited to:

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1688 (8) SUPPORT SERVICES FOR ALL EXPECTANT PARENTS AND PARENTS
 1689 OF HIGH-RISK CHILDREN.--

1690 (b) Child care and early childhood programs, including,
 1691 but not limited to, ~~subsidized child care~~, licensed
 1692 ~~nonsubsidized~~ child care facilities, family day care homes,
 1693 therapeutic child care, Head Start, and preschool programs in
 1694 public and private schools.

1695 Section 24. Subsection (2) of section 411.221, Florida
 1696 Statutes, is amended to read:

1697 411.221 Prevention and early assistance strategic plan;
 1698 agency responsibilities.--

1699 (2) The strategic plan and subsequent plan revisions shall
 1700 incorporate and otherwise utilize, to the fullest extent
 1701 possible, the evaluation findings and recommendations from
 1702 intraagency, independent third-party, field projects, and
 1703 reports issued by the Auditor General or the Office of Program
 1704 Policy Analysis and Government Accountability, as well as the
 1705 recommendations of the Agency for Workforce Innovation State
 1706 ~~Coordinating Council for School Readiness Programs~~.

1707 Section 25. Paragraph (c) of subsection (4) of section
 1708 445.024, Florida Statutes, is amended to read:

1709 445.024 Work requirements.--

1710 (4) PRIORITIZATION OF WORK REQUIREMENTS.--Regional
 1711 workforce boards shall require participation in work activities
 1712 to the maximum extent possible, subject to federal and state
 1713 funding. If funds are projected to be insufficient to allow
 1714 full-time work activities by all program participants who are
 1715 required to participate in work activities, regional workforce

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1716 boards shall screen participants and assign priority based on
1717 the following:

1718 (c) A participant who has access to ~~subsidized or~~
1719 ~~unsubsidized~~ child care services may be assigned priority for
1720 work activities.

1721
1722 Regional workforce boards may limit a participant's weekly work
1723 requirement to the minimum required to meet federal work
1724 activity requirements. Regional workforce boards may develop
1725 screening and prioritization procedures based on the allocation
1726 of resources, the availability of community resources, the
1727 provision of supportive services, or the work activity needs of
1728 the service area.

1729 Section 26. Subsection (2) of section 445.030, Florida
1730 Statutes, is amended to read:

1731 445.030 Transitional education and training.--In order to
1732 assist former recipients of temporary cash assistance who are
1733 working or actively seeking employment in continuing their
1734 training and upgrading their skills, education, or training,
1735 support services may be provided for up to 2 years after the
1736 family is no longer receiving temporary cash assistance. This
1737 section does not constitute an entitlement to transitional
1738 education and training. If funds are not sufficient to provide
1739 services under this section, the board of directors of Workforce
1740 Florida, Inc., may limit or otherwise prioritize transitional
1741 education and training.

1742 (2) Regional workforce boards may authorize child care or
1743 other support services in addition to services provided in

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1744 conjunction with employment. For example, a participant who is
 1745 employed full time may receive ~~subsidized~~ child care services
 1746 related to that employment and may also receive additional
 1747 ~~subsidized~~ child care services in conjunction with training to
 1748 upgrade the participant's skills.

1749 Section 27. Paragraph (a) of subsection (2) of section
 1750 490.014, Florida Statutes, is amended to read:

1751 490.014 Exemptions.--

1752 (2) No person shall be required to be licensed or
 1753 provisionally licensed under this chapter who:

1754 (a) Is a salaried employee of a government agency; a
 1755 developmental disability facility or program; a, mental health,
 1756 alcohol, or drug abuse facility operating under chapter 393,
 1757 chapter 394, or chapter 397; the statewide ~~subsidized child care~~
 1758 ~~program, subsidized child care case management program, or child~~
 1759 ~~care resource and referral network program~~ operating under s.
 1760 411.0101 ~~pursuant to chapter 402~~; a child-placing or child-
 1761 caring agency licensed pursuant to chapter 409; a domestic
 1762 violence center certified pursuant to chapter 39; an accredited
 1763 academic institution; or a research institution, if such
 1764 employee is performing duties for which he or she was trained
 1765 and hired solely within the confines of such agency, facility,
 1766 or institution, so long as the employee is not held out to the
 1767 public as a psychologist pursuant to s. 490.012(1)(a).

1768 Section 28. Paragraph (a) of subsection (4) of section
 1769 491.014, Florida Statutes, is amended to read:

1770 491.014 Exemptions.--

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1771 (4) No person shall be required to be licensed,
 1772 provisionally licensed, registered, or certified under this
 1773 chapter who:

1774 (a) Is a salaried employee of a government agency; a
 1775 developmental disability facility or program; a~~r~~ mental health,
 1776 alcohol, or drug abuse facility operating under chapter 393,
 1777 chapter 394, or chapter 397; the statewide ~~subsidized child care~~
 1778 ~~program, subsidized child care case management program, or child~~
 1779 care resource and referral network ~~program~~ operating under s.
 1780 411.0101 ~~pursuant to chapter 402; a~~ child-placing or child-
 1781 caring agency licensed pursuant to chapter 409; a domestic
 1782 violence center certified pursuant to chapter 39; an accredited
 1783 academic institution; or a research institution, if such
 1784 employee is performing duties for which he or she was trained
 1785 and hired solely within the confines of such agency, facility,
 1786 or institution, so long as the employee is not held out to the
 1787 public as a clinical social worker, mental health counselor, or
 1788 marriage and family therapist.

1789 Section 29. Effective July 1, 2010, paragraph (d) of
 1790 subsection (3) of section 1002.22, Florida Statutes, is amended
 1791 to read:

1792 1002.22 Student records and reports; rights of parents and
 1793 students; notification; penalty.--

1794 (3) RIGHTS OF PARENT OR STUDENT.--The parent of any
 1795 student who attends or has attended any public school, career
 1796 center, or public postsecondary educational institution shall
 1797 have the following rights with respect to any records or reports
 1798 created, maintained, and used by any public educational

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1799 institution in the state. However, whenever a student has
1800 attained 18 years of age, or is attending a postsecondary
1801 educational institution, the permission or consent required of,
1802 and the rights accorded to, the parents of the student shall
1803 thereafter be required of and accorded to the student only,
1804 unless the student is a dependent student of such parents as
1805 defined in 26 U.S.C. s. 152 (s. 152 of the Internal Revenue Code
1806 of 1954). The State Board of Education shall adopt rules whereby
1807 parents or students may exercise these rights:

1808 (d) Right of privacy.--Every student has a right of
1809 privacy with respect to the educational records kept on him or
1810 her. Personally identifiable records or reports of a student,
1811 and any personal information contained therein, are confidential
1812 and exempt from s. 119.07(1). A state or local educational
1813 agency, board, public school, career center, or public
1814 postsecondary educational institution may not permit the release
1815 of such records, reports, or information without the written
1816 consent of the student's parent, or of the student himself or
1817 herself if he or she is qualified as provided in this
1818 subsection, to any individual, agency, or organization. However,
1819 personally identifiable records or reports of a student may be
1820 released to the following persons or organizations without the
1821 consent of the student or the student's parent:

1822 1. Officials of schools, school systems, career centers,
1823 or public postsecondary educational institutions in which the
1824 student seeks or intends to enroll; and a copy of such records
1825 or reports shall be furnished to the parent or student upon
1826 request.

1827 2. Other school officials, including teachers within the
 1828 educational institution or agency, who have legitimate
 1829 educational interests in the information contained in the
 1830 records.

1831 3. The United States Secretary of Education, the Director
 1832 of the National Institute of Education, the Assistant Secretary
 1833 for Education, the Comptroller General of the United States, or
 1834 state or local educational authorities who are authorized to
 1835 receive such information subject to the conditions set forth in
 1836 applicable federal statutes and regulations of the United States
 1837 Department of Education, or in applicable state statutes and
 1838 rules of the State Board of Education.

1839 4. Other school officials~~7~~ in connection with a student's
 1840 application for or receipt of financial aid.

1841 5. Individuals or organizations conducting studies for or
 1842 on behalf of an institution or a board of education for the
 1843 purpose of developing, validating, or administering predictive
 1844 tests, administering student aid programs, or improving
 1845 instruction, if the studies are conducted in a manner that does
 1846 not permit the personal identification of students and their
 1847 parents by persons other than representatives of such
 1848 organizations and if the information will be destroyed when no
 1849 longer needed for the purpose of conducting such studies.

1850 6. Accrediting organizations~~7~~ in order to carry out their
 1851 accrediting functions.

1852 7. ~~Early learning coalitions and~~ The Agency for Workforce
 1853 Innovation in order to carry out its ~~their~~ assigned duties.

1854 8. For use as evidence in student expulsion hearings
 1855 conducted by a district school board under chapter 120.

1856 9. Appropriate parties in connection with an emergency, if
 1857 knowledge of the information in the student's educational
 1858 records is necessary to protect the health or safety of the
 1859 student or other individuals.

1860 10. The Auditor General and the Office of Program Policy
 1861 Analysis and Government Accountability in connection with their
 1862 official functions; however, except when the collection of
 1863 personally identifiable information is specifically authorized
 1864 by law, any data collected by the Auditor General and the Office
 1865 of Program Policy Analysis and Government Accountability is
 1866 confidential and exempt from s. 119.07(1) and shall be protected
 1867 in a way that does not permit the personal identification of
 1868 students and their parents by other than the Auditor General,
 1869 the Office of Program Policy Analysis and Government
 1870 Accountability, and their staff, and the personally identifiable
 1871 data shall be destroyed when no longer needed for the Auditor
 1872 General's and the Office of Program Policy Analysis and
 1873 Government Accountability's official use.

1874 11.a. A court of competent jurisdiction in compliance with
 1875 an order of that court or the attorney of record in accordance
 1876 with a lawfully issued subpoena, upon the condition that the
 1877 student and the student's parent are notified of the order or
 1878 subpoena in advance of compliance therewith by the educational
 1879 institution or agency.

1880 b. A person or entity in accordance with a court of
 1881 competent jurisdiction in compliance with an order of that court

1882 or the attorney of record pursuant to a lawfully issued
 1883 subpoena, upon the condition that the student, or his or her
 1884 parent if the student is either a minor and not attending a
 1885 postsecondary educational institution or a dependent of such
 1886 parent as defined in 26 U.S.C. s. 152 (s. 152 of the Internal
 1887 Revenue Code of 1954), is notified of the order or subpoena in
 1888 advance of compliance therewith by the educational institution
 1889 or agency.

1890 12. Credit bureaus~~7~~ in connection with an agreement for
 1891 financial aid that the student has executed, if the information
 1892 is disclosed only to the extent necessary to enforce the terms
 1893 or conditions of the financial aid agreement. Credit bureaus
 1894 shall not release any information obtained under this paragraph
 1895 to any person.

1896 13. Parties to an interagency agreement among the
 1897 Department of Juvenile Justice, school and law enforcement
 1898 authorities, and other signatory agencies for the purpose of
 1899 reducing juvenile crime and especially motor vehicle theft by
 1900 promoting cooperation and collaboration, and the sharing of
 1901 appropriate information in a joint effort to improve school
 1902 safety, to reduce truancy and in-school and out-of-school
 1903 suspensions, and to support alternatives to in-school and out-
 1904 of-school suspensions and expulsions that provide structured and
 1905 well-supervised educational programs supplemented by a
 1906 coordinated overlay of other appropriate services designed to
 1907 correct behaviors that lead to truancy, suspensions, and
 1908 expulsions, and that support students in successfully completing
 1909 their education. Information provided in furtherance of the

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1910 interagency agreements is intended solely for use in determining
1911 the appropriate programs and services for each juvenile or the
1912 juvenile's family, or for coordinating the delivery of the
1913 programs and services, and as such is inadmissible in any court
1914 proceedings before a dispositional hearing unless written
1915 consent is provided by a parent or other responsible adult on
1916 behalf of the juvenile.

1917 14. Consistent with the Family Educational Rights and
1918 Privacy Act, the Department of Children and Family Services, or
1919 a community-based care lead agency acting on behalf of the
1920 Department of Children and Family Services, as appropriate.

1921
1922 This paragraph does not prohibit any educational institution
1923 from publishing and releasing to the general public directory
1924 information relating to a student if the institution elects to
1925 do so. However, no educational institution shall release, to any
1926 individual, agency, or organization that is not listed in
1927 subparagraphs 1.-14., directory information relating to the
1928 student body in general or a portion thereof unless it is
1929 normally published for the purpose of release to the public in
1930 general. Any educational institution making directory
1931 information public shall give public notice of the categories of
1932 information that it has designated as directory information for
1933 all students attending the institution and shall allow a
1934 reasonable period of time after the notice has been given for a
1935 parent or student to inform the institution in writing that any
1936 or all of the information designated should not be released.

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1937 Section 30. Subsections (3), (4), and (5) of section
 1938 1002.51, Florida Statutes, are renumbered as subsections (2),
 1939 (3), and (4), respectively, and present subsection (2) of that
 1940 section is amended to read:

1941 1002.51 Definitions.--As used in this part, the term:

1942 ~~(2) "Early learning coalition" or "coalition" means an~~
 1943 ~~early learning coalition created under s. 411.01.~~

1944 Section 31. Paragraphs (a) and (c) of subsection (4),
 1945 subsection (5), and paragraph (a) of subsection (6) of section
 1946 1002.53, Florida Statutes, are amended to read:

1947 1002.53 Voluntary Prekindergarten Education Program;
 1948 eligibility and enrollment.--

1949 (4) (a) Each parent enrolling a child in the Voluntary
 1950 Prekindergarten Education Program must complete and submit an
 1951 application to the Agency for Workforce Innovation ~~early~~
 1952 ~~learning coalition~~ through the single point of entry established
 1953 under s. 411.01.

1954 (c) The Agency for Workforce Innovation ~~Each early~~
 1955 ~~learning coalition~~ shall coordinate with ~~each of the~~ school
 1956 districts ~~within the coalition's county or multicounty region~~ in
 1957 the development of procedures for enrolling children in
 1958 prekindergarten programs delivered by public schools.

1959 (5) The Agency for Workforce Innovation ~~early learning~~
 1960 ~~coalition~~ shall provide each parent enrolling a child in the
 1961 Voluntary Prekindergarten Education Program with a profile of
 1962 every private prekindergarten provider and public school
 1963 delivering the program within the ~~coalition's~~ county where the
 1964 child is being enrolled ~~or multicounty region~~. The profiles

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1965 shall be provided to parents in a format prescribed by the
 1966 Agency for Workforce Innovation. The profiles must include, at a
 1967 minimum, the following information about each provider and
 1968 school:

1969 (a) The provider's or school's services, curriculum,
 1970 instructor credentials, and instructor-to-student ratio; and

1971 (b) The provider's or school's kindergarten readiness rate
 1972 calculated in accordance with s. 1002.69, based upon the most
 1973 recent available results of the statewide kindergarten
 1974 screening.

1975 (6) (a) A parent may enroll his or her child with any
 1976 private prekindergarten provider that is eligible to deliver the
 1977 Voluntary Prekindergarten Education Program under this part;
 1978 however, the provider may determine whether to admit any child.
 1979 The Agency for Workforce Innovation ~~An early learning coalition~~
 1980 may not limit the number of students admitted by any private
 1981 prekindergarten provider for enrollment in the program. However,
 1982 this paragraph does not authorize the Agency for Workforce
 1983 Innovation ~~an early learning coalition~~ to allow a provider to
 1984 exceed any staff-to-children ratio, square footage per child, or
 1985 other requirement imposed under ss. 402.301-402.319 as a result
 1986 of admissions in the prekindergarten program.

1987 Section 32. Subsection (1) and paragraphs (b) and (h) of
 1988 subsection (3) of section 1002.55, Florida Statutes, are amended
 1989 to read:

1990 1002.55 School-year prekindergarten program delivered by
 1991 private prekindergarten providers.--

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1992 (1) The Agency for Workforce Innovation ~~Each early~~
 1993 ~~learning coalition~~ shall administer the Voluntary
 1994 Prekindergarten Education Program ~~at the county or regional~~
 1995 ~~level~~ for students enrolled under s. 1002.53(3)(a) in a school-
 1996 year prekindergarten program delivered by a private
 1997 prekindergarten provider.

1998 (3) To be eligible to deliver the prekindergarten program,
 1999 a private prekindergarten provider must meet each of the
 2000 following requirements:

2001 (b) The private prekindergarten provider must:

2002 1. Be accredited by an accrediting association that is a
 2003 member of the National Council for Private School Accreditation,
 2004 the Commission on International and Trans-Regional
 2005 Accreditation, or the Florida Association of Academic Nonpublic
 2006 Schools and have written accreditation standards that meet or
 2007 exceed the state's licensing requirements under s. 402.305, s.
 2008 402.313, or s. 402.3131 and require at least one onsite visit to
 2009 the provider or school before accreditation is granted;

2010 2. Hold a current Gold Seal Quality Care designation under
 2011 s. 402.281; or

2012 3. Be licensed under s. 402.305, s. 402.313, or s.
 2013 402.3131 and demonstrate, before delivering the Voluntary
 2014 Prekindergarten Education Program, as verified by the Agency for
 2015 Workforce Innovation ~~early learning coalition~~, that the provider
 2016 meets each of the requirements of the program under this part,
 2017 including, but not limited to, the requirements for credentials
 2018 and background screenings of prekindergarten instructors under
 2019 paragraphs (c) and (d), minimum and maximum class sizes under

2020 paragraph (f), prekindergarten director credentials under
 2021 paragraph (g), and a developmentally appropriate curriculum
 2022 under s. 1002.67(2) (b) .

2023 (h) The private prekindergarten provider must register
 2024 with the Agency for Workforce Innovation ~~early learning~~
 2025 ~~coalition~~ on forms prescribed by the agency ~~for Workforce~~
 2026 ~~Innovation~~.

2027 Section 33. Paragraph (b) of subsection (1) and subsection
 2028 (8) of section 1002.61, Florida Statutes, are amended to read:

2029 1002.61 Summer prekindergarten program delivered by public
 2030 schools and private prekindergarten providers.--

2031 (1)

2032 (b) The Agency for Workforce Innovation ~~Each early~~
 2033 ~~learning coalition~~ shall administer the Voluntary
 2034 Prekindergarten Education Program ~~at the county or regional~~
 2035 ~~level~~ for students enrolled under s. 1002.53(3) (b) in a summer
 2036 prekindergarten program delivered by a private prekindergarten
 2037 provider.

2038 (8) Each public school delivering the summer
 2039 prekindergarten program must also:

2040 (a) Register with the Agency for Workforce Innovation
 2041 ~~early learning coalition~~ on forms prescribed by the agency ~~for~~
 2042 ~~Workforce Innovation~~; and

2043 (b) Deliver the Voluntary Prekindergarten Education
 2044 Program in accordance with this part.

2045 Section 34. Subsection (9) of section 1002.63, Florida
 2046 Statutes, is amended to read:

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2047 1002.63 School-year prekindergarten program delivered by
2048 public schools.--

2049 (9) Each public school delivering the school-year
2050 prekindergarten program must:

2051 (a) Register with the Agency for Workforce Innovation
2052 ~~early learning coalition~~ on forms prescribed by the agency ~~for~~
2053 ~~Workforce Innovation~~; and

2054 (b) Deliver the Voluntary Prekindergarten Education
2055 Program in accordance with this part.

2056 Section 35. Subsection (3) of section 1002.67, Florida
2057 Statutes, is amended to read:

2058 1002.67 Performance standards; curricula and
2059 accountability.--

2060 (3) (a) The Agency for Workforce Innovation ~~Each early~~
2061 ~~learning coalition~~ shall verify that each private
2062 prekindergarten provider delivering the Voluntary
2063 Prekindergarten Education Program ~~within the coalition's county~~
2064 ~~or multicounty region~~ complies with this part. Each district
2065 school board shall verify that each public school delivering the
2066 program within the school district complies with this part.

2067 (b) If a private prekindergarten provider or public school
2068 fails or refuses to comply with this part, or if a provider or
2069 school engages in misconduct, the Agency for Workforce
2070 Innovation shall ~~require the early learning coalition to~~ remove
2071 the provider, and the Department of Education shall require the
2072 school district to remove the school, from eligibility to
2073 deliver the Voluntary Prekindergarten Education Program and
2074 receive state funds under this part.

2075 (c)1. If the kindergarten readiness rate of a private
 2076 prekindergarten provider or public school falls below the
 2077 minimum rate adopted by the State Board of Education as
 2078 satisfactory under s. 1002.69(6), the Agency for Workforce
 2079 Innovation ~~early learning coalition~~ or school district, as
 2080 applicable, shall require the provider or school to submit an
 2081 improvement plan for approval by the coalition or school
 2082 district, as applicable, and to implement the plan.

2083 2. If a private prekindergarten provider or public school
 2084 fails to meet the minimum rate adopted by the State Board of
 2085 Education as satisfactory under s. 1002.69(6) for 2 consecutive
 2086 years, the Agency for Workforce Innovation ~~early learning~~
 2087 ~~coalition~~ or school district, as applicable, shall place the
 2088 provider or school on probation and must require the provider or
 2089 school to take certain corrective actions, including the use of
 2090 a curriculum approved by the department under paragraph (2)(c).

2091 3. A private prekindergarten provider or public school
 2092 that is placed on probation must continue the corrective actions
 2093 required under subparagraph 2., including the use of a
 2094 curriculum approved by the department, until the provider or
 2095 school meets the minimum rate adopted by the State Board of
 2096 Education as satisfactory under s. 1002.69(6).

2097 4. If a private prekindergarten provider or public school
 2098 remains on probation for 2 consecutive years and fails to meet
 2099 the minimum rate adopted by the State Board of Education as
 2100 satisfactory under s. 1002.69(6), the Agency for Workforce
 2101 Innovation shall remove, ~~require the early learning coalition~~ or
 2102 the Department of Education shall require the school district,

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2103 ~~as applicable,~~ to remove, as applicable, the provider or school
 2104 from eligibility to deliver the Voluntary Prekindergarten
 2105 Education Program and receive state funds for the program.

2106 (d) ~~Each early learning coalition,~~ The Agency for
 2107 Workforce Innovation, and the department shall coordinate with
 2108 the Child Care Services Program Office of the Department of
 2109 Children and Family Services to minimize interagency duplication
 2110 of activities for monitoring private prekindergarten providers
 2111 for compliance with requirements of the Voluntary
 2112 Prekindergarten Education Program under this part, the school
 2113 readiness program ~~programs~~ under s. 411.01, and the licensing of
 2114 providers under ss. 402.301-402.319.

2115 Section 36. Subsection (5), paragraph (b) of subsection
 2116 (6), and subsection (7) of section 1002.71, Florida Statutes,
 2117 are amended to read:

2118 1002.71 Funding; financial and attendance reporting.--

2119 (5) (a) The Agency for Workforce Innovation ~~Each early~~
 2120 ~~learning coalition~~ shall maintain through the single point of
 2121 entry established under s. 411.01 a current database of the
 2122 students enrolled in the Voluntary Prekindergarten Education
 2123 Program ~~for each county within the coalition's region.~~

2124 (b) The Agency for Workforce Innovation shall adopt
 2125 procedures for the payment of private prekindergarten providers
 2126 and public schools delivering the Voluntary Prekindergarten
 2127 Education Program. The procedures shall provide for the advance
 2128 payment of providers and schools based upon student enrollment
 2129 in the program, the certification of student attendance, and the
 2130 reconciliation of advance payments in accordance with the

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2131 uniform attendance policy adopted under paragraph (6)(d). The
 2132 procedures shall provide for the monthly distribution of funds
 2133 by the Agency for Workforce Innovation ~~to the early learning~~
 2134 ~~coalitions~~ for payment ~~by the coalitions~~ to private
 2135 prekindergarten providers and public schools. The department
 2136 shall transfer to the Agency for Workforce Innovation at least
 2137 once each quarter the funds available for payment to private
 2138 prekindergarten providers and public schools in accordance with
 2139 this paragraph from the funds appropriated for that purpose.

2140 (6)

2141 (b)1. Each private prekindergarten provider's and district
 2142 school board's attendance policy must require the parent of each
 2143 student in the Voluntary Prekindergarten Education Program to
 2144 verify, each month, the student's attendance on the prior
 2145 month's certified student attendance.

2146 2. The parent must submit the verification of the
 2147 student's attendance to the private prekindergarten provider or
 2148 public school on forms prescribed by the Agency for Workforce
 2149 Innovation. The forms must include, in addition to the
 2150 verification of the student's attendance, a certification, in
 2151 substantially the following form, that the parent continues to
 2152 choose the private prekindergarten provider or public school in
 2153 accordance with s. 1002.53 and directs that payments for the
 2154 program be made to the provider or school:

2155
 2156 VERIFICATION OF STUDENT'S ATTENDANCE
 2157 AND CERTIFICATION OF PARENTAL CHOICE
 2158

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2159 I, (Name of Parent) , swear (or affirm) that my child,
 2160 (Name of Student) , attended the Voluntary Prekindergarten
 2161 Education Program on the days listed above and certify that I
 2162 continue to choose (Name of Provider or School) to deliver
 2163 the program for my child and direct that program funds be paid
 2164 to the provider or school for my child.

2165 (Signature of Parent)

2166 (Date)

2167

2168 3. The private prekindergarten provider or public school
 2169 must keep each original signed form for at least 2 years. Each
 2170 private prekindergarten provider must permit the Agency for
 2171 Workforce Innovation ~~early learning coalition~~, and each public
 2172 school must permit the school district, to inspect the original
 2173 signed forms during normal business hours. The Agency for
 2174 Workforce Innovation shall adopt procedures for the agency ~~early~~
 2175 ~~learning coalitions~~ and school districts to review the original
 2176 signed forms against the certified student attendance. The
 2177 review procedures shall provide for the use of selective
 2178 inspection techniques, including, but not limited to, random
 2179 sampling. The Agency for Workforce Innovation ~~Each early~~
 2180 ~~learning coalition~~ and the school districts ~~district~~ must comply
 2181 with the review procedures.

2182 (7) The Agency for Workforce Innovation shall require that
 2183 administrative expenditures be kept to the minimum necessary for
 2184 efficient and effective administration of the Voluntary
 2185 Prekindergarten Education Program. ~~Each early learning coalition~~
 2186 ~~may retain and expend no more than 5 percent of the funds paid~~

2187 ~~by the coalition to private prekindergarten providers and public~~
 2188 ~~schools under paragraph (5) (b). Funds retained by an early~~
 2189 ~~learning coalition under this subsection may be used only for~~
 2190 ~~administering the Voluntary Prekindergarten Education Program~~
 2191 ~~and may not be used for the school readiness program or other~~
 2192 ~~programs.~~

2193 Section 37. Effective July 1, 2010, subsection (1) and
 2194 paragraph (g) of subsection (3) of section 1002.72, Florida
 2195 Statutes, are amended to read:

2196 1002.72 Records of children in the Voluntary
 2197 Prekindergarten Education Program.--

2198 (1) The individual records of a child enrolled in the
 2199 Voluntary Prekindergarten Education Program held by a former ~~an~~
 2200 early learning coalition, the Agency for Workforce Innovation,
 2201 or a Voluntary Prekindergarten Education Program provider are
 2202 confidential and exempt from s. 119.07(1) and s. 24(a), Art. I
 2203 of the State Constitution. For purposes of this section, such
 2204 records include assessment data, health data, records of teacher
 2205 observations, and personal identifying information of an
 2206 enrolled child and his or her parent. This exemption applies to
 2207 individual records of a child enrolled in the Voluntary
 2208 Prekindergarten Education Program held by a former ~~an~~ early
 2209 learning coalition, the Agency for Workforce Innovation, or a
 2210 Voluntary Prekindergarten Education Program provider before, on,
 2211 or after the effective date of this exemption.

2212 (3) Confidential and exempt Voluntary Prekindergarten
 2213 Education Program records may be released to:

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2214 (g) Parties to an interagency agreement among ~~early~~
 2215 ~~learning coalitions,~~ local governmental agencies, Voluntary
 2216 Prekindergarten Education Program providers, or state agencies
 2217 for the purpose of implementing the Voluntary Prekindergarten
 2218 Education Program.

2219
 2220 Agencies, organizations, or individuals receiving such
 2221 confidential and exempt records in order to carry out their
 2222 official functions must protect the records in a manner that
 2223 will not permit the personal identification of an enrolled child
 2224 or his or her parent by persons other than those authorized to
 2225 receive the records.

2226 Section 38. Section 1002.75, Florida Statutes, is amended
 2227 to read:

2228 1002.75 Agency for Workforce Innovation; powers and
 2229 duties; operational requirements.--

2230 (1) The Agency for Workforce Innovation shall administer
 2231 the operational requirements of the Voluntary Prekindergarten
 2232 Education Program ~~at the state level.~~

2233 (2) The Agency for Workforce Innovation shall adopt
 2234 procedures governing the administration of the Voluntary
 2235 Prekindergarten Education Program by the agency ~~early learning~~
 2236 ~~coalitions~~ and the school districts for:

2237 (a) Enrolling children in and determining the eligibility
 2238 of children for the Voluntary Prekindergarten Education Program
 2239 under s. 1002.53.

2240 (b) Providing parents with profiles of private
 2241 prekindergarten providers and public schools under s. 1002.53.

2242 (c) Registering private prekindergarten providers and
 2243 public schools to deliver the program under ss. 1002.55,
 2244 1002.61, and 1002.63.

2245 (d) Determining the eligibility of private prekindergarten
 2246 providers to deliver the program under ss. 1002.55 and 1002.61.

2247 (e) Verifying the compliance of private prekindergarten
 2248 providers and public schools and removing providers or schools
 2249 from eligibility to deliver the program due to noncompliance or
 2250 misconduct as provided in s. 1002.67.

2251 (f) Paying private prekindergarten providers and public
 2252 schools under s. 1002.71.

2253 (g) Documenting and certifying student enrollment and
 2254 student attendance under s. 1002.71.

2255 (h) Reconciling advance payments in accordance with the
 2256 uniform attendance policy under s. 1002.71.

2257 (i) Reenrolling students dismissed by a private
 2258 prekindergarten provider or public school for noncompliance with
 2259 the provider's or school district's attendance policy under s.
 2260 1002.71.

2261 (3) The Agency for Workforce Innovation shall adopt, in
 2262 consultation with and subject to approval by the department,
 2263 procedures governing the administration of the Voluntary
 2264 Prekindergarten Education Program by the agency ~~early learning~~
 2265 ~~coalitions~~ and the school districts for:

2266 (a) Approving improvement plans of private prekindergarten
 2267 providers and public schools under s. 1002.67.

2268 (b) Placing private prekindergarten providers and public
 2269 schools on probation and requiring corrective actions under s.
 2270 1002.67.

2271 (c) Removing a private prekindergarten provider or public
 2272 school from eligibility to deliver the program due to the
 2273 provider's or school's remaining on probation beyond the time
 2274 permitted under s. 1002.67.

2275 (4) The Agency for Workforce Innovation shall also adopt
 2276 procedures for the agency's distribution of funds ~~to early~~
 2277 ~~learning coalitions~~ under s. 1002.71.

2278 (5) Except as provided by law, the Agency for Workforce
 2279 Innovation may not impose requirements on a private
 2280 prekindergarten provider or public school that does not deliver
 2281 the Voluntary Prekindergarten Education Program or receive state
 2282 funds under this part.

2283 (6) The Agency for Workforce Innovation may contract with
 2284 one or more qualified entities to administer this part.

2285 Section 39. Paragraph (c) of subsection (3) of section
 2286 1003.54, Florida Statutes, is amended to read:

2287 1003.54 Teenage parent programs.--

2288 (3)

2289 (c) Provision for necessary child care, health care,
 2290 social services, parent education, and transportation shall be
 2291 ancillary service components of teenage parent programs.
 2292 Ancillary services may be provided through the coordination of
 2293 existing programs and services and through joint agreements
 2294 between district school boards and the Agency for Workforce

2295 Innovation ~~early learning coalitions~~ or other appropriate public
 2296 and private providers.

2297 Section 40. Subsection (4) of section 1006.03, Florida
 2298 Statutes, is amended to read:

2299 1006.03 Diagnostic and learning resource centers.--

2300 (4) Diagnostic and learning resource centers may assist
 2301 districts in providing testing and evaluation services for
 2302 infants and preschool children with or at risk of developing
 2303 disabilities, and may assist districts in providing
 2304 interdisciplinary training and resources to parents of infants
 2305 and preschool children with or at risk of developing
 2306 disabilities and to the school readiness program ~~programs~~.

2307 Section 41. Paragraph (b) of subsection (4) of section
 2308 1009.64, Florida Statutes, is amended to read:

2309 1009.64 Certified Education Paraprofessional Welfare
 2310 Transition Program.--

2311 (4) The agencies shall complete an implementation plan
 2312 that addresses at least the following recommended components of
 2313 the program:

2314 (b) A budget for use of incentive funding to provide
 2315 motivation to participants to succeed and excel. The budget for
 2316 incentive funding includes:

2317 1. Funds allocated by the Legislature directly for the
 2318 program.

2319 2. Funds that may be made available from the federal
 2320 Workforce Investment Act based on client eligibility or
 2321 requested waivers to make the clients eligible.

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2322 3. Funds made available by implementation strategies that
 2323 would make maximum use of work supplementation funds authorized
 2324 by federal law.

2325 4. Funds authorized by strategies to lengthen
 2326 participants' eligibility for federal programs such as Medicaid,
 2327 ~~subsidized~~ child care services, and transportation.

2328
 2329 Incentives may include a stipend during periods of college
 2330 classroom training, a bonus and recognition for a high grade-
 2331 point average, child care and prekindergarten services for
 2332 children of participants, and services to increase a
 2333 participant's ability to advance to higher levels of employment.
 2334 Nonfinancial incentives should include providing a mentor or
 2335 tutor, and service incentives should continue and increase for
 2336 any participant who plans to complete the baccalaureate degree
 2337 and become a certified teacher. Services may be provided in
 2338 accordance with family choice by community colleges and school
 2339 district career centers, through family service centers and
 2340 full-service schools, or under contract with providers through
 2341 central agencies.

2342 Section 42. Sections 402.3135, 402.3145, and 1002.77,
 2343 Florida Statutes, are repealed.

2344 Section 43. Section 402.3016, Florida Statutes, is
 2345 transferred and renumbered as section 411.0104, Florida
 2346 Statutes.

2347 Section 44. Except as otherwise expressly provided in this
 2348 act, this act shall take effect July 1, 2009.