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LEGISLATIVE ACTION

Senate	.	House
Comm: FAV	.	
03/17/2010	.	
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	.	
	.	

The Committee on Commerce (Lynn) recommended the following:

Senate Amendment (with title amendment)

Delete everything after the enacting clause
and insert:

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

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

(7) Federal funding requirements and procedures; foster



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14 care and adoption subsidies; and subsidized independent living~~r~~
15 ~~and subsidized child care.~~

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

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

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

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

- 28 1. Child or adult protective investigations;
- 29 2. Ongoing child or adult protective services;
- 30 3. Early intervention and prevention services;
- 31 4. Healthy Start services;
- 32 5. Licensure or approval of adoptive homes, foster homes,
33 child care facilities, facilities licensed under chapter 393, or
34 family day care homes or informal child care providers who
35 receive school readiness ~~subsidized child care~~ funding, or other
36 homes used to provide for the care and welfare of children; or
- 37 6. Services for victims of domestic violence when provided
38 by certified domestic violence centers working at the
39 department's request as case consultants or with shared clients.

40
41 Also, employees or agents of the Department of Juvenile Justice
42 responsible for the provision of services to children, pursuant



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43 to chapters 984 and 985.

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

46 39.5085 Relative Caregiver Program.—

47 (2)

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

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

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

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



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

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



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

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



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

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

139 411.0106 ~~402.25~~ Infants and toddlers in state-funded
140 education and care programs; brain development activities.—Each
141 state-funded education and care program for children from birth
142 to 5 years of age must provide activities to foster brain
143 development in infants and toddlers. A program must provide an
144 environment that helps children attain the performance standards
145 adopted by the Agency for Workforce Innovation under s.
146 411.01(4)(d)8. and must be rich in language and music and filled
147 with objects of various colors, shapes, textures, and sizes to
148 stimulate visual, tactile, auditory, and linguistic senses in
149 the children and must include classical music and at least 30
150 minutes of reading to the children each day. A program may be
151 offered through an existing early childhood program such as
152 Healthy Start, the Title I program, the school readiness program
153 ~~contracted or directly operated subsidized child care, the~~
154 ~~prekindergarten early intervention program, Florida First Start,~~
155 the Head Start program, or a private child care program. A
156 program must provide training for the infants' and toddlers'
157 parents including direct dialogue and interaction between
158 teachers and parents demonstrating the urgency of brain



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

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

164 402.26 Child care; legislative intent.—

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

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

175 402.281 Gold Seal Quality Care program.—

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

187 Section 8. Section 402.3016, Florida Statutes, is



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188 transferred and renumbered as section 411.0104, Florida
189 Statutes.

190 Section 9. Section 402.3018, Florida Statutes, is
191 transferred, renumbered as section 411.01015, Florida Statutes,
192 and amended to read:

193 411.01015 ~~402.3018~~ Consultation to child care centers and
194 family day care homes regarding health, developmental,
195 disability, and special needs issues.—

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

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

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

214 (4) Contingent upon specific appropriations, the Agency for
215 Workforce Innovation ~~department~~ shall expand, or contract for
216 the expansion of, the Warm-Line to maintain at least one Warm-



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217 Line site in each early learning coalition service area from one
218 statewide site to one Warm-Line site in each child care resource
219 and referral agency region.

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

231 Section 10. Section 402.3051, Florida Statutes, is
232 transferred, renumbered as section 411.01013, Florida Statutes,
233 and amended to read:

234 (Substantial rewording of section. See
235 s. 402.3051, F.S., for present text.)
236 411.01013 Prevailing market rate schedule.-

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

238 (a) "Market rate" means the price that a child care
239 provider charges for daily, weekly, or monthly child care
240 services.

241 (b) "Prevailing market rate" means the annually determined
242 75th percentile of a reasonable frequency distribution of the
243 market rate in a predetermined geographic market at which child
244 care providers charge a person for child care services.

245 (2) The Agency for Workforce Innovation shall establish



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246 procedures for the adoption of a prevailing market rate
247 schedule. The schedule must include, at a minimum, county-by-
248 county rates:

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

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

254 (3) The prevailing market rate schedule, at a minimum,
255 must:

256 (a) Differentiate rates by type, including, but not limited
257 to, a child care provider that holds a Gold Seal Quality Care
258 designation under s. 402.281, a child care facility licensed
259 under s. 402.305, a public or nonpublic school exempt from
260 licensure under s. 402.3025, a non-Gold Seal Quality Care
261 designated faith-based child care facility exempt from licensure
262 under s. 402.316, a large family child care home licensed under
263 s. 402.3131, a family day care home licensed or registered under
264 s. 402.313, or an after-school program that is not defined as
265 child care under rules adopted pursuant to s. 402.3045.

266 (b) Differentiate rates by the type of child care services
267 provided for children with special needs or risk categories,
268 infants, toddlers, preschool-age children, and school-age
269 children.

270 (c) Differentiate rates between full-time and part-time
271 child care services.

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

274 (4) The prevailing market rate schedule must be based



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275 exclusively on the prices charged for child care services. If a
276 conflict exists between this subsection and the Federal
277 requirements, the Federal requirements control.

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

282 (6) The Agency for Workforce Innovation may adopt rules
283 pursuant to ss. 120.536(1) and 120.54 to administer this
284 section.

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

287 402.313 Family day care homes.—

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

297 (a) If not subject to license, family day care homes shall
298 register annually with the department, providing the following
299 information:

- 300 1. The name and address of the home.
- 301 2. The name of the operator.
- 302 3. The number of children served.
- 303 4. Proof of a written plan to provide at least one other



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304 competent adult to be available to substitute for the operator
305 in an emergency. This plan shall include the name, address, and
306 telephone number of the designated substitute.

307 5. Proof of screening and background checks.

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

311 a. State and local rules and regulations that govern child
312 care.

313 b. Health, safety, and nutrition.

314 c. Identifying and reporting child abuse and neglect.

315 d. Child development, including typical and atypical
316 language development; and cognitive, motor, social, and self-
317 help skills development.

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

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

325 7. Proof that immunization records are kept current.

326 8. Proof of completion of the required continuing education
327 units or clock hours.

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

331 (c) The department may provide technical assistance to
332 counties and family day care home providers to enable counties



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333 and family day care providers to achieve compliance with family
334 day care homes standards.

335 Section 12. Section 402.3135, Florida Statutes, is
336 repealed.

337 Section 13. Section 402.3145, Florida Statutes, is
338 transferred, renumbered as section 411.01014, Florida Statutes,
339 and amended to read:

340 411.01014 ~~402.3145~~ Subsidized child care transportation
341 program.—

342 (1) The Agency for Workforce Innovation ~~department,~~
343 pursuant to chapter 427, shall establish a school readiness
344 ~~subsidized child care transportation~~ system for children at risk
345 of abuse or neglect participating in the subsidized child care
346 program. The early learning coalitions may ~~state community child~~
347 ~~care coordination agencies shall~~ contract for the provision of
348 transportation services as required by this section.

349 (2) The transportation system may ~~shall~~ provide
350 transportation to each child participating in the school
351 readiness program ~~subsidized child care~~ when, and only when,
352 transportation is necessary to provide child care opportunities
353 that ~~which~~ otherwise would not be available to a child whose
354 home is more than a reasonable walking distance from the nearest
355 child care facility or family day care home.

356 Section 14. Subsection (3) of section 402.315, Florida
357 Statutes, is amended to read:

358 402.315 Funding; license fees.—

359 (3) The department shall collect a fee for any license it
360 issues for a child care facility pursuant to ss. 402.3131,
361 402.305, and 402.313 ~~s. 402.308.~~



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362 (a) For child care facilities licensed pursuant to s.
363 402.305, such fee shall be \$1 per child based on the licensed
364 capacity of the facility, except that the minimum fee shall be
365 \$25 per facility center and the maximum fee shall be \$100 per
366 facility center.

367 (b) For family day care homes registered pursuant to s.
368 402.313, such fee shall be \$25.

369 (c) For family day care homes licensed pursuant to s.
370 402.313, such fee shall be \$50.

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

373 Section 15. Subsection (6) of section 402.45, Florida
374 Statutes, is amended to read:

375 402.45 Community resource mother or father program.—

376 (6) Individuals under contract to provide community
377 resource mother or father services shall participate in
378 preservice and ongoing training as determined by the Department
379 of Health in consultation with the Agency for Workforce
380 Innovation State Coordinating Council for School Readiness
381 Programs. A community resource mother or father shall not be
382 assigned a client caseload until all preservice training
383 requirements are completed.

384 Section 16. Paragraph (c) of subsection (5) of section
385 409.1671, Florida Statutes, is amended to read:

386 409.1671 Foster care and related services; outsourcing.—

387 (5)

388 (c) A foster home dually licensed home under s. 409.175 may
389 this section shall be dually licensed as a child care home under
390 chapter 402 and may eligible to receive a foster care



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391 maintenance both an out-of-home care payment and, to the extent
392 permitted under federal law, school readiness funding a
393 subsidized child care payment for the same child pursuant to
394 federal law. The department may adopt administrative rules
395 necessary to administer this paragraph.

396 Section 17. Paragraphs (a), (d), (e), (f), (g), and (h) of
397 subsection (2) and subsections (4) through (11) of section
398 411.01, Florida Statutes, are amended to read:

399 411.01 School readiness programs; early learning
400 coalitions.—

401 (2) LEGISLATIVE INTENT.—

402 (a) The Legislature recognizes that school readiness
403 programs increase children's chances of achieving future
404 educational success and becoming productive members of society.
405 It is the intent of the Legislature that the programs be
406 developmentally appropriate, research-based, involve the parent
407 parents as a ~~their~~ child's first teacher, serve as preventive
408 measures for children at risk of future school failure, enhance
409 the educational readiness of eligible children, and support
410 family education. Each school readiness program shall provide
411 the elements necessary to prepare at-risk children for school,
412 including health screening and referral and an appropriate
413 educational program.

414 (d) It is the intent of the Legislature that the
415 administrative staff ~~at the state level~~ for school readiness
416 programs be kept to the minimum necessary to administer the
417 duties of the Agency for Workforce Innovation and early learning
418 coalitions. The Agency for Workforce Innovation shall implement
419 at the state level system support services to build a



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420 ~~comprehensive early learning system as the school readiness~~
421 ~~programs are to be regionally designed, operated, and managed,~~
422 ~~with the Agency for Workforce Innovation developing school~~
423 ~~readiness program performance standards and outcome measures and~~
424 ~~approving and reviewing early learning coalitions and school~~
425 ~~readiness plans.~~

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

430 ~~(e)(f)~~ It is the intent of the Legislature that the school
431 readiness program coordinate and operate in conjunction with the
432 district school systems. However, it is also the intent of the
433 Legislature that the school readiness program not be construed
434 as part of the system of free public schools but rather as a
435 separate program for children under the age of kindergarten
436 eligibility, funded separately from the system of free public
437 schools, utilizing a mandatory sliding fee scale, and providing
438 an integrated and seamless system of school readiness services
439 for the state's birth-to-kindergarten population.

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

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



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449 (4) AGENCY FOR WORKFORCE INNOVATION.—

450 (a) The Agency for Workforce Innovation shall administer
451 school readiness programs at the state level and shall
452 coordinate with the early learning coalitions in providing
453 school readiness services on a full-day, full-year, full-choice
454 basis to the extent possible in order to enable parents to work
455 and be financially self-sufficient.

456 (b) The Agency for Workforce Innovation shall:

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

461 ~~2. Continue to provide unified leadership for school
462 readiness through early learning coalitions.~~

463 ~~2.3.~~ Focus on improving the educational quality of all
464 program providers participating in publicly funded school
465 readiness programs.

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

471 (d) The Agency for Workforce Innovation shall:

472 1. Be responsible for the prudent use of all public and
473 private funds in accordance with all legal and contractual
474 requirements.

475 2. Provide final approval and every 2 years ~~periodic~~ review
476 ~~of~~ early learning coalitions and school readiness plans.

477 3. Establish ~~Provide leadership for the enhancement of~~



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478 ~~school readiness in this state by aggressively establishing a~~
479 ~~unified approach to the state's efforts toward enhancement of~~
480 ~~school readiness. In support of this effort, the Agency for~~
481 ~~Workforce Innovation shall adopt ~~may develop and implement~~~~
482 ~~specific system support service strategies that address the~~
483 ~~state's school readiness programs. An early learning coalition~~
484 ~~shall amend its school readiness plan to conform to the specific~~
485 ~~system support service strategies adopted by the Agency for~~
486 ~~Workforce Innovation. System support services shall include, but~~
487 ~~are not limited to:~~

- 488 a. Child care resource and referral services;
- 489 b. Warm-Line services;
- 490 c. Eligibility determinations;
- 491 d. Child performance standards;
- 492 e. Child screening and assessment;
- 493 f. Developmentally appropriate curricula;
- 494 g. Health and safety requirements;
- 495 h. Statewide data system requirements; and
- 496 i. Rating and improvement systems.

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

500 5. Adopt a rule establishing criteria for the expenditure
501 of funds designated for the purpose of funding activities to
502 improve the quality of child care within the state in accordance
503 with s. 658G of the federal Child Care and Development Block
504 Grant.

505 6.5. Provide technical assistance to early learning
506 coalitions in a manner determined by the Agency for Workforce



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507 Innovation based upon information obtained by the agency from
508 any of the following sources, including, but not limited to,
509 public input, government reports, private interest group
510 reports, agency monitoring visits, and coalition requests for
511 service.

512 7. In cooperation with the Department of Education and
513 early learning coalitions, coordinate with the Child Care
514 Services Program Office within the Department of Children and
515 Family Services to minimize duplicating interagency activities,
516 health and safety monitoring, and acquiring and composing data
517 pertaining to child care training and credentialing.

518 ~~6. Assess gaps in service.~~

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

521 8. Develop and adopt performance standards and outcome
522 measures for school readiness programs. The performance
523 standards must address the age-appropriate progress of children
524 in the development of the school readiness skills ~~required under~~
525 ~~paragraph (j)~~. The performance standards for children from birth
526 to 5 ~~3~~ years of age in school readiness programs must be
527 integrated with the performance standards adopted by the
528 Department of Education for children in the Voluntary
529 Prekindergarten Education Program under s. 1002.67.

530 9. Adopt a standard contract that must be used by the
531 coalitions when contracting with school readiness providers.

532 (e) The Agency for Workforce Innovation may adopt rules
533 under ss. 120.536(1) and 120.54 to administer the provisions of
534 law conferring duties upon the agency, including, but not
535 limited to, rules governing the administration of system support



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536 services ~~preparation and implementation~~ of the school readiness
537 programs ~~system~~, the collection of data, the approval of early
538 learning coalitions and school readiness plans, the provision of
539 a method whereby an early learning coalition may serve two or
540 more counties, the award of incentives to early learning
541 coalitions, child performance standards, child outcome measures,
542 ~~and~~ the issuance of waivers, and the implementation of the
543 federal Child Care and Development Fund Plan.

544 (f) The Agency for Workforce Innovation shall have all
545 powers necessary to administer this section, including, but not
546 limited to, the power to receive and accept grants, loans, or
547 advances of funds from any public or private agency and to
548 receive and accept from any source contributions of money,
549 property, labor, or any other thing of value, to be held, used,
550 and applied for purposes of this section.

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

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

560 (i) The Agency for Workforce Innovation shall coordinate
561 the efforts toward school readiness in this state and provide
562 independent policy analyses, data analyses, and recommendations
563 to the Governor, the State Board of Education, and the
564 Legislature.



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

- 571 1. Compliance with rules, limitations, and routines.
- 572 2. Ability to perform tasks.
- 573 3. Interactions with adults.
- 574 4. Interactions with peers.
- 575 5. Ability to cope with challenges.
- 576 6. Self-help skills.
- 577 7. Ability to express the child's needs.
- 578 8. Verbal communication skills.
- 579 9. Problem-solving skills.
- 580 10. Following of verbal directions.
- 581 11. Demonstration of curiosity, persistence, and
582 exploratory behavior.
- 583 12. Interest in books and other printed materials.
- 584 13. Paying attention to stories.
- 585 14. Participation in art and music activities.
- 586 15. Ability to identify colors, geometric shapes, letters
587 of the alphabet, numbers, and spatial and temporal
588 relationships.

589
590 Within 30 days after enrollment ~~The Agency for Workforce~~
591 ~~Innovation shall also require that, before a child is enrolled~~
592 ~~in the an early learning coalition's~~ school readiness program,
593 the early learning coalition must ensure that the programs



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594 provider obtains information ~~is obtained by the coalition or the~~
595 ~~school readiness provider~~ regarding the child's immunizations,
596 physical development, and other health requirements as
597 necessary, including appropriate vision and hearing screening
598 and examinations. For programs licensed by the Department of
599 Children and Family Services this shall be ensured as required
600 by s. 402.305(9) and as verified pursuant to s. 402.311

601 (k) The Agency for Workforce Innovation shall conduct
602 studies and planning activities related to the overall
603 improvement and effectiveness of the outcome measures adopted by
604 the agency for school readiness programs and the specific system
605 support service strategies to address the state's school
606 readiness programs adopted by the Agency for Workforce
607 Innovation in accordance with subparagraph (d)3.

608 (l) The Agency for Workforce Innovation shall monitor and
609 evaluate the performance of each early learning coalition in
610 administering the school readiness program, implementing the
611 coalition's school readiness plan, and administering the
612 Voluntary Prekindergarten Education Program. These monitoring
613 and performance evaluations must include, at a minimum, onsite
614 monitoring of each coalition's finances, management, operations,
615 and programs.

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

619 (m) ~~(n)~~ The Agency for Workforce Innovation shall submit an
620 annual report of its activities conducted under this section to
621 the Governor, ~~the executive director of the Florida Healthy Kids~~
622 ~~Corporation,~~ the President of the Senate, the Speaker of the



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623 House of Representatives, and the minority leaders of both
624 houses of the Legislature. In addition, the Agency for Workforce
625 Innovation's reports and recommendations shall be made available
626 to ~~the State Board of Education,~~ the Florida Early Learning
627 Advisory Council and, other appropriate state agencies and
628 entities, ~~district school boards, central agencies, and county~~
629 ~~health departments.~~ The annual report must provide an analysis
630 of school readiness activities across the state, including the
631 number of children who were served in the programs.

632 (n) ~~(e)~~ The Agency for Workforce Innovation shall work with
633 the early learning coalitions to ensure availability of training
634 and support for parental ~~increase parents' training for and~~
635 involvement in ~~their~~ children's early preschool education and to
636 provide family literacy activities and services ~~programs.~~

637 (5) CREATION OF EARLY LEARNING COALITIONS.—

638 (a) *Early learning coalitions.*—

639 1. Each early learning coalition shall maintain direct
640 enhancement services at the local level and ensure access to
641 such services in all 67 counties.

642 2.1. ~~The~~ The Agency for Workforce Innovation shall establish
643 the minimum number of children to be served by each early
644 learning coalition through the coalition's school readiness
645 program. The Agency for Workforce Innovation may only approve
646 school readiness plans in accordance with this minimum number.
647 The minimum number must be uniform for every early learning
648 coalition and must:

649 a. Permit 31 ~~30~~ or fewer coalitions to be established; and

650 b. Require each coalition to serve at least 2,000 children
651 based upon the average number of all children served per month



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652 through the coalition's school readiness program during the
653 previous 12 months.

654
655 ~~The Agency for Workforce Innovation shall adopt procedures for~~
656 ~~merging early learning coalitions, including procedures for the~~
657 ~~consolidation of merging coalitions, and for the early~~
658 ~~termination of the terms of coalition members which are~~
659 ~~necessary to accomplish the mergers. Each early learning~~
660 ~~coalition must comply with the merger procedures and shall be~~
661 ~~organized in accordance with this subparagraph by April 1, 2005.~~
662 ~~By June 30, 2005, each coalition must complete the transfer of~~
663 ~~powers, duties, functions, rules, records, personnel, property,~~
664 ~~and unexpended balances of appropriations, allocations, and~~
665 ~~other funds to the successor coalition, if applicable.~~

666 3.2. If an early learning coalition would serve fewer
667 children than the minimum number established under subparagraph
668 1., the coalition must merge with another county to form a
669 multicounty coalition. However, the Agency for Workforce
670 Innovation may authorize an early learning coalition to serve
671 fewer children than the minimum number established under
672 subparagraph 1., if:

673 a. The coalition demonstrates to the Agency for Workforce
674 Innovation that merging with another county or multicounty
675 region contiguous to the coalition would cause an extreme
676 hardship on the coalition;

677 b. The Agency for Workforce Innovation has determined
678 during the most recent ~~annual~~ review of the coalition's school
679 readiness plan, or through monitoring and performance
680 evaluations conducted under paragraph (4)(1), that the coalition



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681 has substantially implemented its plan and substantially met the
682 performance standards and outcome measures adopted by the
683 agency; and

684 c. The coalition demonstrates to the Agency for Workforce
685 Innovation the coalition's ability to effectively and
686 efficiently implement the Voluntary Prekindergarten Education
687 Program.

688
689 If an early learning coalition fails or refuses to merge as
690 required by this subparagraph, the Agency for Workforce
691 Innovation may dissolve the coalition and temporarily contract
692 with a qualified entity to continue school readiness and
693 prekindergarten services in the coalition's county or
694 multicounty region until the agency reestablishes the coalition
695 and a new is reestablished through resubmission of a school
696 readiness plan has been approved and approval by the agency.

697 ~~3. Notwithstanding the provisions of subparagraphs 1. and~~
698 ~~2., the early learning coalitions in Sarasota, Osceola, and~~
699 ~~Santa Rosa Counties which were in operation on January 1, 2005,~~
700 ~~are established and authorized to continue operation as~~
701 ~~independent coalitions, and shall not be counted within the~~
702 ~~limit of 30 coalitions established in subparagraph 1.~~

703 4. Each early learning coalition shall be composed of at
704 least 15 ~~18~~ members but not more than 30 ~~35~~ members. The Agency
705 for Workforce Innovation shall adopt standards establishing
706 within this range the minimum and maximum number of members that
707 may be appointed to an early learning coalition and
708 determination of procedures for identifying which member
709 positions will have voting privileges under subparagraph 5.



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710 These standards must include variations for a coalition serving
711 a multicounty region. Each early learning coalition must comply
712 with these standards.

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

717 6. Each early learning coalition must include the following
718 member positions; however, in a multicounty coalition, each ex
719 officio member position may be filled by multiple nonvoting
720 members but no more than one voting member shall be seated per
721 member position. If for any early learning coalition more than
722 one member position represents the same entity, only one may be
723 a voting member position ~~members:~~

724 a. A Department of Children and Family Services circuit
725 ~~district~~ administrator or his or her designee who is authorized
726 to make decisions on behalf of the department.

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

730 c. A regional workforce board executive director or his or
731 her designee.

732 d. A county health department director or his or her
733 designee.

734 e. A children's services council or juvenile welfare board
735 chair or executive director, if applicable, ~~who shall be a~~
736 ~~nonvoting member if the council or board is the fiscal agent of~~
737 ~~the coalition or if the council or board contracts with and~~
738 ~~receives funds from the coalition for any purpose other than~~



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739 ~~rent.~~
740 f. An agency head of a local licensing agency as defined in
741 s. 402.302, where applicable.
742 g. A president of a community college or his or her
743 designee.
744 h. One member appointed by a board of county commissioners
745 or the governing board of a municipality.
746 ~~i. A central agency administrator, where applicable, who~~
747 ~~shall be a nonvoting member.~~
748 ~~i.j. A Head Start director, who shall be a nonvoting~~
749 ~~member.~~
750 ~~j.k. A representative of private for-profit child care~~
751 ~~providers, including private for-profit family day care homes,~~
752 ~~who shall be a nonvoting member.~~
753 ~~k.l. A representative of faith-based child care providers,~~
754 ~~who shall be a nonvoting member.~~
755 ~~l.m. A representative of programs for children with~~
756 ~~disabilities under the federal Individuals with Disabilities~~
757 ~~Education Act, who shall be a nonvoting member.~~
758 7. Including the members appointed by the Governor under
759 subparagraph 5., more than one-third of the members of each
760 early learning coalition must be private sector business members
761 who do not have, and none of whose relatives as defined in s.
762 112.3143 has, a substantial financial interest in the design or
763 delivery of the Voluntary Prekindergarten Education Program
764 created under part V of chapter 1002 or the coalition's school
765 readiness program. To meet this requirement an early learning
766 coalition must appoint additional members ~~from a list of~~
767 ~~nominees submitted to the coalition by a chamber of commerce or~~



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768 ~~economic development council within the geographic region served~~
769 ~~by the coalition.~~ The Agency for Workforce Innovation shall
770 establish criteria for appointing private sector business
771 members. These criteria must include standards for determining
772 whether a member or relative has a substantial financial
773 interest in the design or delivery of the Voluntary
774 Prekindergarten Education Program or the coalition's school
775 readiness program.

776 8. A majority of the voting membership of an early learning
777 coalition constitutes a quorum required to conduct the business
778 of the coalition. An early learning coalition board may use any
779 method of telecommunications to conduct meetings, including
780 establishing a quorum through telecommunications, provided that
781 the public is given proper notice of a telecommunications
782 meeting and reasonable access to observe and, when appropriate,
783 participate.

784 9. A voting member of an early learning coalition may not
785 appoint a designee to act in his or her place, except as
786 otherwise provided in this paragraph. A voting member may send a
787 representative to coalition meetings, but that representative
788 does not have voting privileges. When a district administrator
789 for the Department of Children and Family Services appoints a
790 designee to an early learning coalition, the designee is the
791 voting member of the coalition, and any individual attending in
792 the designee's place, including the district administrator, does
793 not have voting privileges.

794 10. Each member of an early learning coalition is subject
795 to ss. 112.313, 112.3135, and 112.3143. For purposes of s.
796 112.3143(3)(a), each voting member is a local public officer who



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797 must abstain from voting when a voting conflict exists.

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

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

802 13. Each early learning coalition shall establish terms for
803 all appointed members of the coalition. The terms must be
804 staggered and must be a uniform length that does not exceed 4
805 years per term. Coalition chairs shall be appointed for 4 years
806 in conjunction with their membership on the Early Learning
807 Advisory Council under s. 20.052. Appointed members may serve a
808 maximum of two consecutive terms. When a vacancy occurs in an
809 appointed position, the coalition must advertise the vacancy.

810 (b) Limitation.—Except as provided by law, the early
811 learning coalitions may not impose requirements on a child care
812 or early childhood education provider that does not deliver
813 services under the school readiness programs or receive state,
814 federal, required maintenance of effort, or matching funds under
815 this section.

816 ~~(b) Program participation.—The school readiness program~~
817 ~~shall be established for children from birth to the beginning of~~
818 ~~the school year for which a child is eligible for admission to~~
819 ~~kindergarten in a public school under s. 1003.21(1)(a)2. The~~
820 ~~program shall be administered by the early learning coalition.~~
821 ~~Within funding limitations, the early learning coalition, along~~
822 ~~with all providers, shall make reasonable efforts to accommodate~~
823 ~~the needs of children for extended-day and extended-year~~
824 ~~services without compromising the quality of the program.~~

825 (c) Program expectations.—



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- 826 1. The school readiness program must meet the following
827 expectations:
- 828 a. The program must, at a minimum, enhance the age-
829 appropriate progress of each child in attaining the development
830 ~~of the school readiness skills required under paragraph (4)(j),~~
831 ~~as measured by~~ the performance standards and outcome measures
832 adopted by the Agency for Workforce Innovation.
- 833 b. The program must provide extended-day and extended-year
834 services to the maximum extent possible without compromising the
835 quality of the program to meet the needs of parents who work.
- 836 c. The program ~~There~~ must provide a ~~be~~ coordinated
837 professional staff development system that supports the
838 achievement and maintenance of core competencies by school
839 readiness instructors in helping children attain the performance
840 standards and outcome measures adopted by the Agency for
841 Workforce Innovation ~~and teaching opportunities.~~
- 842 d. There must be expanded access to community services and
843 resources for families to help achieve economic self-
844 sufficiency.
- 845 e. There must be a single point of entry and unified
846 waiting list. As used in this sub-subparagraph, the term "single
847 point of entry" means an integrated information system that
848 allows a parent to enroll his or her child in the school
849 readiness program at various locations throughout a the county
850 ~~or multicounty region served by an early learning coalition,~~
851 that may allow a parent to enroll his or her child by telephone
852 or through an Internet website, and that uses a unified waiting
853 list to track eligible children waiting for enrollment in the
854 school readiness program. The Agency for Workforce Innovation



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855 shall establish through technology a single statewide
856 information system that each coalition must use for the purposes
857 of managing the ~~integrates each early learning coalition's~~
858 single point of entry, tracking children's progress,
859 coordinating services among stakeholders, determining
860 eligibility, tracking child attendance, and streamlining
861 administrative processes for providers and early learning
862 coalitions ~~and each coalition must use the statewide system.~~

863 f. The Agency for Workforce Innovation must consider the
864 access of eligible children to the school readiness program, as
865 demonstrated in part by waiting lists, before approving a
866 proposed increase in payment rates submitted by an early
867 learning coalition. In addition, early learning coalitions shall
868 use school readiness funds made available due to enrollment
869 shifts from school readiness programs to the Voluntary
870 Prekindergarten Education Program for increasing the number of
871 children served in school readiness programs before increasing
872 payment rates.

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

875 ~~g.h.~~ The program must meet all state licensing guidelines,
876 where applicable.

877 h. The program must ensure that minimum standards for child
878 discipline practices are age-appropriate, such standards must
879 provide that children not be subjected to discipline that is
880 severe, humiliating, or frightening and may not be associated
881 with food, rest, or toileting. Spanking or any other form of
882 physical punishment is prohibited.

883 2. Each ~~The~~ early learning coalition must implement a



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884 comprehensive program of school readiness services in accordance
885 with the rules adopted by the agency which ~~that~~ enhance the
886 cognitive, social, and physical development of children to
887 achieve the performance standards and outcome measures ~~adopted~~
888 ~~by the agency for Workforce Innovation~~. At a minimum, these
889 programs must contain the following system support service
890 elements:

891 a. Developmentally appropriate curriculum designed to
892 enhance the age-appropriate progress of children in attaining
893 the performance standards adopted by the Agency for Workforce
894 Innovation under subparagraph (4) (d)8.

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

896 c. An age-appropriate screening ~~assessment~~ of each child's
897 development.

898 d. An age-appropriate assessment ~~A pretest~~ administered to
899 children when they enter a program and an age-appropriate
900 assessment ~~a posttest~~ administered to children when they leave
901 the program.

902 e. An appropriate staff-to-children ratio, pursuant to s.
903 402.305(4) or s. 402.302(7) or (8), as applicable, and as
904 verified pursuant to s. 402.311.

905 f. A healthy and safe environment pursuant to s.
906 401.305(5), (6), and (7), as applicable, and as verified
907 pursuant to s. 402.311.

908 g. A resource and referral network established under s.
909 411.0101 to assist parents in making an informed choice and a
910 regional Warm-Line under s. 411.01015.

911
912 The Agency for Workforce Innovation, the Department of



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913 Education, and early learning coalitions shall coordinate with
914 the Child Care Services Program Office within the Department of
915 Children and Family Services to minimize duplicating interagency
916 activities pertaining to acquiring and composing data for child
917 care training and credentialing.

918 (d) *Implementation.*—

919 1. An early learning coalition may not implement the school
920 readiness program until the coalition is authorized through
921 approval of the coalition's school readiness plan by the Agency
922 for Workforce Innovation.

923 2. Each early learning coalition shall coordinate with one
924 another to implement a comprehensive program of school readiness
925 services which enhances the cognitive, social, physical, and
926 moral character of the children to achieve the performance
927 standards and outcome measures, helps families achieve economic
928 self-sufficiency. Such program must contain, at a minimum, the
929 following elements: ~~develop a plan for implementing~~

930 a. Implement the school readiness program to meet the
931 requirements of this section and the system support services
932 performance standards and outcome measures adopted by the Agency
933 for Workforce Innovation.

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

941 c. Ensure that the coalition has solicited and considered



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942 comments regarding the proposed school readiness plan from the
943 local community.

944
945 Before implementing the school readiness program, the early
946 learning coalition must submit the plan to the Agency for
947 Workforce Innovation for approval. The Agency for Workforce
948 Innovation may approve the plan, reject the plan, or approve the
949 plan with conditions. The Agency for Workforce Innovation shall
950 review school readiness plans at least every 2 years annually.

951 3. If the Agency for Workforce Innovation determines during
952 the ~~annual~~ review of school readiness plans, or through
953 monitoring and performance evaluations conducted under paragraph
954 (4)(1), that an early learning coalition has not substantially
955 implemented its plan, has not substantially met the performance
956 standards and outcome measures adopted by the agency, or has not
957 effectively administered the school readiness program or
958 Voluntary Prekindergarten Education Program, the Agency for
959 Workforce Innovation may dissolve the coalition and temporarily
960 contract with a qualified entity to continue school readiness
961 and prekindergarten services in the coalition's county or
962 multicounty region until the agency reestablishes the coalition
963 and a new ~~the coalition is reestablished through resubmission of~~
964 ~~a school readiness plan has been approved in accordance with the~~
965 rules adopted and approval by the agency.

966 4. The Agency for Workforce Innovation shall adopt rules
967 establishing criteria for the approval of school readiness
968 plans. The criteria must be consistent with the system support
969 services, performance standards, and outcome measures adopted by
970 the agency and must require each approved plan to include the



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971 following minimum standards and provisions for the school
972 readiness program:

973 a. A community plan that addresses the needs of all
974 children and providers within the coalition's county or
975 multicounty region.

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

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

983 ~~e. Instructional staff who have completed the training~~
984 ~~course as required in s. 402.305(2)(d)1., as well as staff who~~
985 ~~have additional training or credentials as required by the~~
986 ~~Agency for Workforce Innovation. The plan must provide a method~~
987 ~~for assuring the qualifications of all personnel in all program~~
988 ~~settings.~~

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

992 e. Performance standards and outcome measures adopted by
993 the Agency for Workforce Innovation.

994 f. Payment rates adopted by the early learning coalitions
995 ~~coalition~~ and approved by the Agency for Workforce Innovation.
996 Payment rates may not have the effect of limiting parental
997 choice or creating standards or levels of services that have not
998 been expressly established ~~authorized~~ by the Legislature, unless
999 the creation of such standards or levels of service is a



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1000 precondition for the state's eligibility to receive federal
1001 funds available for early learning programs.

1002 ~~g. Systems support services, including a central agency,~~
1003 ~~child care resource and referral, eligibility determinations,~~
1004 ~~training of providers, and parent support and involvement.~~

1005 h. Direct enhancement services for ~~to~~ families and
1006 children. System support and direct enhancement services shall
1007 be in addition to payments for the placement of children in
1008 school readiness programs. Direct enhancement services for
1009 families may include parent training and involvement activities
1010 and strategies to meet the needs of unique populations and local
1011 eligibility priorities. Enhancement services for children may
1012 include provider supports and professional development approved
1013 in their plan by the Agency for Workforce Innovation.

1014 i. The business organization of the early learning
1015 coalition, which must include the coalition's articles of
1016 incorporation and bylaws if the coalition is organized as a
1017 corporation. If the coalition is not organized as a corporation
1018 or other business entity, the plan must include the contract
1019 with a fiscal agent. An early learning coalition may contract
1020 with other coalitions to achieve efficiency in multicounty
1021 services, and these contracts may be part of the coalition's
1022 school readiness plan.

1023 j. The implementation of locally developed quality programs
1024 in accordance with the requirements adopted by the agency under
1025 subparagraph (4) (d) 5.

1026 ~~j. Strategies to meet the needs of unique populations, such~~
1027 ~~as migrant workers.~~

1028



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1029 ~~As part of the school readiness plan,~~ The Agency for Workforce
1030 Innovation ~~early learning coalition~~ may request the Governor to
1031 apply for a waiver to allow the coalition to administer the Head
1032 Start Program to accomplish the purposes of the school readiness
1033 program. ~~If a school readiness plan demonstrates that specific~~
1034 ~~statutory goals can be achieved more effectively by using~~
1035 ~~procedures that require modification of existing rules,~~
1036 ~~policies, or procedures, a request for a waiver to the Agency~~
1037 ~~for Workforce Innovation may be submitted as part of the plan.~~
1038 ~~Upon review, the Agency for Workforce Innovation may grant the~~
1039 ~~proposed modification.~~

1040 5. Persons with an early childhood teaching certificate may
1041 provide support and supervision to other staff in the school
1042 readiness program.

1043 6. An early learning coalition may not implement its school
1044 readiness plan until it submits the plan to and receives
1045 approval from the Agency for Workforce Innovation. Once the plan
1046 is approved, the plan and the services provided under the plan
1047 shall be controlled by the early learning coalition. The plan
1048 shall be reviewed and revised as necessary, but at least
1049 biennially. An early learning coalition may not implement the
1050 revisions until the coalition submits the revised plan to and
1051 receives approval from the Agency for Workforce Innovation. If
1052 the Agency for Workforce Innovation rejects a revised plan, the
1053 coalition must continue to operate under its prior approved
1054 plan.

1055 7. Sections 125.901(2)(a)3., 411.221, and 411.232 do not
1056 apply to ~~an early learning coalition with an approved school~~
1057 ~~readiness programs plan.~~ The Agency for Workforce Innovation ~~Te~~



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1058 ~~facilitate innovative practices and to allow the regional~~
1059 ~~establishment of school readiness programs, an early learning~~
1060 ~~coalition~~ may apply to the Governor and Cabinet for a waiver of,
1061 and the Governor and Cabinet may waive, any of the provisions of
1062 ss. 411.223, 411.232, and 1003.54, if the waiver is necessary
1063 for implementation of ~~the coalition's~~ school readiness programs
1064 ~~plan.~~

1065 8. Two or more coalitions ~~counties~~ may join for purposes of
1066 planning and implementing a school readiness program.

1067 ~~9. An early learning coalition may, subject to approval by~~
1068 ~~The Agency for Workforce Innovation as part of the coalition's~~
1069 ~~school readiness plan, receive subsidized child care funds for~~
1070 ~~all children eligible for any federal subsidized child care~~
1071 ~~program.~~

1072 ~~10. An early learning coalition may enter into multiparty~~
1073 ~~contracts with multicounty service providers in order to meet~~
1074 ~~the needs of unique populations such as migrant workers.~~

1075 (e) *Requests for proposals; payment schedule.*-

1076 1. Each early learning coalition must comply with the
1077 procurement and expenditure procedures adopted by the Agency for
1078 Workforce Innovation, including, but not limited to, applying
1079 the procurement and expenditure procedures required by federal
1080 law for the expenditure of federal funds ~~s. 287.057 for the~~
1081 ~~procurement of commodities or contractual services from the~~
1082 ~~funds described in paragraph (9) (d). The period of a contract~~
1083 ~~for purchase of these commodities or contractual services,~~
1084 ~~together with any renewal of the original contract, may not~~
1085 ~~exceed 3 years.~~

1086 2. Each early learning coalition shall adopt a payment



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1087 schedule that encompasses all programs funded by the coalition
1088 under this section. The payment schedule must take into
1089 consideration the prevailing ~~relevant~~ market rate, must include
1090 the projected number of children to be served, and must be
1091 submitted for approval by the Agency for Workforce Innovation.
1092 Informal child care arrangements shall be reimbursed at not more
1093 than 50 percent of the rate adopted ~~developed~~ for a family day
1094 care home.

1095 ~~(f) Requirements relating to fiscal agents. If an early~~
1096 ~~learning coalition is not legally organized as a corporation or~~
1097 ~~other business entity, the coalition must designate a fiscal~~
1098 ~~agent, which may be a public entity, a private nonprofit~~
1099 ~~organization, or a certified public accountant who holds a~~
1100 ~~license under chapter 473. The fiscal agent must provide~~
1101 ~~financial and administrative services under a contract with the~~
1102 ~~early learning coalition. The fiscal agent may not provide~~
1103 ~~direct early childhood education or child care services;~~
1104 ~~however, a fiscal agent may provide those services upon written~~
1105 ~~request of the early learning coalition to the Agency for~~
1106 ~~Workforce Innovation and upon the approval of the request by the~~
1107 ~~agency. The cost of the financial and administrative services~~
1108 ~~shall be negotiated between the fiscal agent and the early~~
1109 ~~learning coalition. If the fiscal agent is a provider of early~~
1110 ~~childhood education and child care programs, the contract must~~
1111 ~~specify that the fiscal agent shall act on policy direction from~~
1112 ~~the early learning coalition and must not receive policy~~
1113 ~~direction from its own corporate board regarding disbursement of~~
1114 ~~the coalition's funds. The fiscal agent shall disburse funds in~~
1115 ~~accordance with the early learning coalition's approved school~~



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1116 ~~readiness plan and based on billing and disbursement procedures~~
1117 ~~approved by the Agency for Workforce Innovation. The fiscal~~
1118 ~~agent must conform to all data reporting requirements~~
1119 ~~established by the Agency for Workforce Innovation.~~

1120 ~~(f)(g)~~ *Evaluation and annual report.*—Each early learning
1121 coalition shall conduct an evaluation of its implementation ~~the~~
1122 ~~effectiveness~~ of the school readiness program, including system
1123 support services, performance standards, and outcome measures,
1124 and shall provide an annual report and fiscal statement to the
1125 Agency for Workforce Innovation. This report must also include
1126 an evaluation of the effectiveness of its direct enhancement
1127 services and conform to the content and format specifications
1128 adopted ~~set~~ by the Agency for Workforce Innovation. The Agency
1129 for Workforce Innovation must include an analysis of the early
1130 learning coalitions' reports in the agency's annual report.

1131 (6) PROGRAM ELIGIBILITY.—~~The~~ ~~Each~~ ~~early~~ ~~learning~~
1132 ~~coalition's~~ school readiness program is ~~shall~~ be established for
1133 children from birth to the beginning of the school year for
1134 which a child is eligible for admission to kindergarten in a
1135 public school under s. 1003.21(1)(a)2. or who are eligible for
1136 any federal subsidized child care program. Each early learning
1137 coalition shall give priority for participation in the school
1138 readiness program as follows:

1139 (a) Priority shall be given first to a child from a family
1140 in which there is an adult receiving temporary cash assistance
1141 who is subject to federal work requirements.

1142 (b) Priority shall be given next to a child who is eligible
1143 for a school readiness program but who has not yet entered
1144 children age 3 years to school, ~~entry~~ who is ~~are~~ served by the



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1145 Family Safety Program Office of the Department of Children and
1146 Family Services or a community-based lead agency under chapter
1147 39 or chapter 409, and for whom child care is needed to minimize
1148 risk of further abuse, neglect, or abandonment.

1149 (c) Subsequent priority shall be given to a child ~~Other~~
1150 ~~eligible populations include children~~ who meets ~~meet~~ one or more
1151 of the following criteria:

1152 1.(a) A child who is younger than ~~Children under~~ the age of
1153 kindergarten eligibility and ~~who are~~:

1154 ~~1. Children determined to be at risk of abuse, neglect, or~~
1155 ~~exploitation who are currently clients of the Family Safety~~
1156 ~~Program Office of the Department of Children and Family~~
1157 ~~Services, but who are not otherwise given priority under this~~
1158 ~~subsection.~~

1159 a.2. Is ~~Children~~ at risk of welfare dependency, including
1160 an economically disadvantaged child ~~children~~, a child ~~children~~
1161 of a participant ~~participants~~ in the welfare transition program,
1162 a child of a migratory agricultural worker ~~children of migrant~~
1163 ~~farmworkers~~, or a child ~~and children~~ of a teen parent ~~parents~~.

1164 b.3. Is a member ~~Children~~ of a working family that is
1165 economically disadvantaged ~~families whose family income does not~~
1166 ~~exceed 150 percent of the federal poverty level.~~

1167 c.4. Children For whom financial assistance is provided
1168 through the state is paying a Relative Caregiver Program ~~payment~~
1169 ~~under s. 39.5085.~~

1170 2.(b) A 3-year-old child or ~~Three-year-old children and 4-~~
1171 ~~year-old~~ child ~~children~~ who may not be economically
1172 disadvantaged but who has a disability; has ~~have disabilities,~~
1173 ~~have~~ been served in a specific part-time exceptional education



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1174 program or a combination of part-time exceptional education
1175 programs with required special services, aids, or equipment;
1176 and was ~~were~~ previously reported for funding part time under
1177 ~~with~~ the Florida Education Finance Program as an exceptional
1178 student ~~students~~.

1179 3.(e) ~~An~~ economically disadvantaged child ~~children~~, a child
1180 ~~children~~ with a disability ~~disabilities~~, or a child ~~and children~~
1181 at risk of future school failure, from birth to 4 years of age,
1182 who is ~~are~~ served at home through a home visitor program
1183 ~~programs~~ and an intensive parent education program ~~programs~~.

1184 4.(d) ~~A child~~ ~~Children~~ who meets ~~meet~~ federal and state
1185 eligibility requirements for the migrant preschool program but
1186 who is ~~do~~ not ~~meet the criteria of~~ economically disadvantaged.

1187
1188 As used in this paragraph ~~subsection~~, the term "economically
1189 disadvantaged" ~~child~~ means having a ~~child whose~~ family income
1190 that does not exceed 150 percent of the federal poverty level.
1191 Notwithstanding any change in a family's economic status, but
1192 subject to additional family contributions in accordance with
1193 the sliding fee scale, a child who meets the eligibility
1194 requirements upon initial registration for the program remains
1195 eligible until the beginning of the school year for which the
1196 child is eligible for admission to kindergarten in a public
1197 school under s. 1003.21(1)(a)2.

1198 (7) PARENTAL CHOICE.—

1199 (a) Parental choice of child care providers shall be
1200 established to the maximum extent possible in accordance with 45
1201 C.F.R. s. 98.30.

1202 (b) As used in this subsection, the term "payment



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1203 certificate” means a child care certificate as defined in 45
1204 C.F.R. s. 98.2.

1205 (c) The school readiness program shall, in accordance with
1206 45 C.F.R. s. 98.30, provide parental choice through a payment
1207 certificate ~~purchase service order~~ that ensures, to the maximum
1208 extent possible, flexibility in the school readiness program
1209 programs and payment arrangements. ~~According to federal~~
1210 regulations requiring parental choice, a parent may choose an
1211 informal child care arrangement. The payment certificate
1212 ~~purchase order~~ must bear the names name of the beneficiary and
1213 the program provider and, when redeemed, must bear the
1214 signatures ~~signature~~ of both the beneficiary and an authorized
1215 representative of the provider.

1216 (d) ~~(b)~~ If it is determined that a provider has given
1217 ~~provided~~ any cash to the beneficiary in return for receiving a
1218 payment certificate ~~the purchase order~~, the early learning
1219 coalition or its fiscal agent shall refer the matter to the
1220 Division of Public Assistance Fraud for investigation.

1221 (e) ~~(e)~~ The office of the Chief Financial Officer shall
1222 establish an electronic transfer system for the disbursement of
1223 funds in accordance with this subsection. Each early learning
1224 coalition shall fully implement the electronic funds transfer
1225 system within 2 years after approval of the coalition’s school
1226 readiness plan, unless a waiver is obtained from the Agency for
1227 Workforce Innovation.

1228 (8) STANDARDS; OUTCOME MEASURES.—A program provider
1229 participating in the All school readiness program programs must
1230 meet the performance standards and outcome measures adopted by
1231 the Agency for Workforce Innovation.



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1232 (9) FUNDING; SCHOOL READINESS PROGRAM.—

1233 (a) It is the intent of this section to establish an
1234 integrated and quality seamless service delivery system for all
1235 publicly funded early childhood education and child care
1236 programs operating in this state.

1237 (b)1. The Agency for Workforce Innovation shall administer
1238 school readiness funds, plans, and policies and shall prepare
1239 and submit a unified budget request for the school readiness
1240 system in accordance with chapter 216.

1241 2. All instructions to early learning coalitions for
1242 administering this section shall emanate from the Agency for
1243 Workforce Innovation in accordance with the policies of the
1244 Legislature.

1245 (c) The Agency for Workforce Innovation, subject to
1246 legislative notice and review under s. 216.177, shall establish
1247 ~~recommend~~ a formula for the allocation ~~among the early learning~~
1248 ~~coalitions~~ of all state and federal school readiness funds
1249 provided for children participating in the public or private
1250 school readiness program, whether served by a public or private
1251 provider, programs based upon equity for each county and
1252 ~~performance~~. The allocation formula must be submitted to the
1253 Governor, the chair of the Senate Ways and Means Committee or
1254 its successor, and the chair of the House of Representatives
1255 Fiscal Council or its successor no later than January 1 of each
1256 year. If the Legislature specifies ~~shall specify in the annual~~
1257 ~~General Appropriations Act any changes to~~ from the allocation
1258 formula, methodology for the prior fiscal year which must be
1259 ~~used by~~ the Agency for Workforce Innovation shall allocate funds
1260 as specified in allocating the appropriations provided in the



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1261 General Appropriations Act.

1262 (d) All state, federal, and required local maintenance-of-
1263 effort, or matching funds provided to an early learning
1264 coalition for purposes of this section shall be used ~~by the~~
1265 ~~coalition~~ for implementation of its approved school readiness
1266 plan, including the hiring of staff to effectively operate the
1267 coalition's school readiness program. As part of plan approval
1268 and periodic plan review, The Agency for Workforce Innovation
1269 shall require that administrative costs be kept to the minimum
1270 necessary for efficient and effective administration of the
1271 school readiness plan, but total administrative expenditures
1272 must not exceed 5 percent unless specifically waived by the
1273 Agency for Workforce Innovation. The Agency for Workforce
1274 Innovation shall annually report to the Legislature any problems
1275 relating to administrative costs.

1276 (e) The Agency for Workforce Innovation shall annually
1277 distribute, to a maximum extent practicable, all eligible funds
1278 provided under this section as block grants to the early
1279 learning coalitions in accordance with the terms and conditions
1280 specified by the agency.

1281 (f) State funds appropriated for the school readiness
1282 program may not be used for the construction of new facilities
1283 or the purchase of buses. ~~The Agency for Workforce Innovation~~
1284 ~~shall present to the Legislature recommendations for providing~~
1285 ~~necessary transportation services for school readiness programs.~~

1286 (g) All cost savings and all revenues received through a
1287 mandatory sliding fee scale shall be used to help fund each
1288 early learning coalition's school readiness program.

1289 (10) CONFLICTING PROVISIONS. ~~If In the event of~~ a conflict



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1290 exists between this section and federal requirements, the
1291 federal requirements ~~shall~~ control.

1292 ~~(11) PLACEMENTS. Notwithstanding any other provision of~~
1293 ~~this section to the contrary, the first children to be placed in~~
1294 ~~the school readiness program shall be those from families~~
1295 ~~receiving temporary cash assistance and subject to federal work~~
1296 ~~requirements. Subsequent placements shall be made in accordance~~
1297 ~~with subsection (6).~~

1298 Section 18. Section 411.0101, Florida Statutes, is amended
1299 to read:

1300 411.0101 Child care and early childhood resource and
1301 referral.—

1302 (1) As a part of the school readiness programs, the Agency
1303 for Workforce Innovation shall establish a statewide child care
1304 resource and referral network that is unbiased and provides
1305 referrals to families for child care. Preference shall be given
1306 to using the already established early learning coalitions as
1307 the child care resource and referral agencies ~~agency~~. If an
1308 early learning coalition cannot comply with the requirements to
1309 offer the resource information component or does not want to
1310 offer that service, the early learning coalition shall select
1311 the resource and referral information ~~information~~ agency for its county or
1312 multicounty region based upon a request for proposal pursuant to
1313 s. 411.01(5)(e)1.

1314 (2) At least one child care resource and referral agency
1315 must be established in each early learning coalition's county or
1316 multicounty region. The Agency for Workforce Innovation shall
1317 adopt rules regarding accessibility of child care resource and
1318 referral services offered through child care resource and



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1319 referral agencies in each county or multicounty region which
1320 include, at a minimum, required hours of operation, methods by
1321 which parents may request services, and child care resource and
1322 referral staff training requirements.

1323 (3) Child care resource and referral agencies shall provide
1324 the following services:

1325 (a) ~~(1)~~ Identification of existing public and private child
1326 care and early childhood education services, including child
1327 care services by public and private employers, and the
1328 development of a resource file of those services through the
1329 single statewide information system developed by the Agency for
1330 Workforce Innovation under s. 411.01(5)(c)1.e. These services
1331 may include family day care, public and private child care
1332 programs, the Voluntary Prekindergarten Education Program, Head
1333 Start, the school readiness program prekindergarten early
1334 intervention programs, special education programs for
1335 prekindergarten handicapped children who have disabilities,
1336 services for children with developmental disabilities, full-time
1337 and part-time programs, before-school and after-school programs,
1338 vacation care programs, parent education, the WAGES Program, and
1339 related family support services. The resource file shall
1340 include, but not be limited to:

- 1341 1.~~(a)~~ Type of program.
1342 2.~~(b)~~ Hours of service.
1343 3.~~(c)~~ Ages of children served.
1344 4.~~(d)~~ Number of children served.
1345 5.~~(e)~~ Significant program information.
1346 6.~~(f)~~ Fees and eligibility for services.
1347 7.~~(g)~~ Availability of transportation.



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1348 **(b)**~~(2)~~ The establishment of a referral process that ~~which~~
1349 responds to parental need for information and that ~~which~~ is
1350 provided with full recognition of the confidentiality rights of
1351 parents. The resource and referral network ~~programs~~ shall make
1352 referrals to legally operating ~~licensed~~ child care facilities.
1353 Referrals may not ~~shall~~ be made to a ~~an unlicensed~~ child care
1354 facility that is operating illegally ~~or arrangement only if~~
1355 ~~there is no requirement that the facility or arrangement be~~
1356 ~~licensed.~~

1357 **(c)**~~(3)~~ Maintenance of ongoing documentation of requests for
1358 service tabulated through the internal referral process through
1359 the single statewide information system. The following
1360 documentation of requests for service shall be maintained by the
1361 ~~all~~ child care resource and referral network ~~agencies~~:

- 1362 1.~~(a)~~ Number of calls and contacts to the child care
1363 resource information and referral network ~~agency~~ component by
1364 type of service requested.
- 1365 2.~~(b)~~ Ages of children for whom service was requested.
- 1366 3.~~(e)~~ Time category of child care requests for each child.
- 1367 4.~~(d)~~ Special time category, such as nights, weekends, and
1368 swing shift.
- 1369 5.~~(e)~~ Reason that the child care is needed.
- 1370 6.~~(f)~~ Name of the employer and primary focus of the
1371 business.

1372 **(d)**~~(4)~~ Provision of technical assistance to existing and
1373 potential providers of child care services. This assistance may
1374 include:

- 1375 1.~~(a)~~ Information on initiating new child care services,
1376 zoning, and program and budget development and assistance in



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1377 finding such information from other sources.

1378 ~~2.(b)~~ Information and resources which help existing child
1379 care services providers to maximize their ability to serve
1380 children and parents in their community.

1381 ~~3.(e)~~ Information and incentives that may ~~which could~~ help
1382 existing or planned child care services offered by public or
1383 private employers seeking to maximize their ability to serve the
1384 children of their working parent employees in their community,
1385 through contractual or other funding arrangements with
1386 businesses.

1387 ~~(e)(5)~~ Assistance to families and employers in applying for
1388 various sources of subsidy including, but not limited to, the
1389 Voluntary Prekindergarten Education Program, the school
1390 readiness program ~~subsidized child care~~, Head Start,
1391 ~~prekindergarten early intervention programs~~, Project
1392 Independence, private scholarships, and the federal child and
1393 dependent care tax credit.

1394 ~~(6)~~ ~~Assistance to state agencies in determining the market~~
1395 ~~rate for child care.~~

1396 ~~(f)(7)~~ Assistance in negotiating discounts or other special
1397 arrangements with child care providers.

1398 ~~(8)~~ ~~Information and assistance to local interagency~~
1399 ~~councils coordinating services for prekindergarten handicapped~~
1400 ~~children.~~

1401 ~~(g)(9)~~ Assistance to families in identifying summer
1402 recreation camp and summer day camp programs, ~~and in~~ evaluating
1403 the health and safety qualities of summer recreation camp and
1404 summer day camp programs, ~~and in~~ evaluating the health and
1405 safety qualities of summer camp programs. Contingent upon



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1406 specific appropriation, a checklist of important health and
1407 safety qualities that parents can use to choose their summer
1408 camp programs shall be developed and distributed in a manner
1409 that will reach parents interested in such programs for their
1410 children.

1411 (h) ~~(10)~~ A child care facility licensed under s. 402.305 and
1412 licensed and registered family day care homes must provide the
1413 statewide child care and resource and referral network ~~agencies~~
1414 with the following information annually:

- 1415 1. ~~(a)~~ Type of program.
1416 2. ~~(b)~~ Hours of service.
1417 3. ~~(c)~~ Ages of children served.
1418 4. ~~(d)~~ Fees and eligibility for services.

1419 (4) ~~(11)~~ The Agency for Workforce Innovation shall adopt any
1420 rules necessary for the implementation and administration of
1421 this section.

1422 Section 19. Subsection (3), paragraph (b) of subsection
1423 (4), and paragraphs (c) and (d) of subsection (5) of section
1424 411.0102, Florida Statutes, are amended to read:

1425 411.0102 Child Care Executive Partnership Act; findings and
1426 intent; grant; limitation; rules.—

1427 (3) There is created a body politic and corporate known as
1428 the Child Care Executive Partnership which shall establish and
1429 govern the Child Care Executive Partnership Program. The purpose
1430 of the Child Care Executive Partnership Program is to utilize
1431 state and federal funds as incentives for matching local funds
1432 derived from local governments, employers, charitable
1433 foundations, and other sources, so that Florida communities may
1434 create local flexible partnerships with employers. The Child



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1435 Care Executive Partnership Program funds shall be used at the
1436 discretion of local communities to meet the needs of working
1437 parents. A child care purchasing pool shall be developed with
1438 the state, federal, and local funds to provide subsidies to low-
1439 income working parents whose family income does not exceed the
1440 allowable income for any federally subsidized child care program
1441 ~~who are eligible for subsidized child care~~ with a dollar-for-
1442 dollar match from employers, local government, and other
1443 matching contributions. The funds used from the child care
1444 purchasing pool must be used to supplement or extend the use of
1445 existing public or private funds.

1446 (4) The Child Care Executive Partnership, staffed by the
1447 Agency for Workforce Innovation, shall consist of a
1448 representative of the Executive Office of the Governor and nine
1449 members of the corporate or child care community, appointed by
1450 the Governor.

1451 (b) The Child Care Executive Partnership shall be chaired
1452 by a member chosen by a majority vote and shall meet at least
1453 quarterly and at other times upon the call of the chair. The
1454 Child Care Executive Partnership may use any method of
1455 telecommunications to conduct meetings, including establishing a
1456 quorum through telecommunications, only if the public is given
1457 proper notice of a telecommunications meeting and reasonable
1458 access to observe and, when appropriate, participate.

1459 (5)

1460 (c) The Agency for Workforce Innovation, in conjunction
1461 with the Child Care Executive Partnership, shall develop
1462 procedures for disbursement of funds through the child care
1463 purchasing pools. In order to be considered for funding, an



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1464 early learning coalition or the Agency for Workforce Innovation
1465 must commit to:

1466 1. Matching the state purchasing pool funds on a dollar-
1467 for-dollar basis; and

1468 2. Expending only those public funds which are matched by
1469 employers, local government, and other matching contributors who
1470 contribute to the purchasing pool. Parents shall also pay a fee,
1471 which may not ~~shall~~ be ~~not~~ less than the amount identified in
1472 the early learning coalition's school readiness program
1473 ~~subsidized child care~~ sliding fee scale.

1474 (d) Each early learning coalition board shall ~~be required~~
1475 ~~to establish a community child care task force for each child~~
1476 ~~care purchasing pool. The task force must be composed of~~
1477 ~~employers, parents, private child care providers, and one~~
1478 ~~representative from the local children's services council, if~~
1479 ~~one exists in the area of the purchasing pool. The early~~
1480 ~~learning coalition is expected to recruit the task force members~~
1481 ~~from existing child care councils, commissions, or task forces~~
1482 ~~already operating in the area of a purchasing pool. A majority~~
1483 ~~of the task force shall consist of employers. Each task force~~
1484 ~~shall~~ develop a plan for the use of child care purchasing pool
1485 funds. The plan must show how many children will be served by
1486 the purchasing pool, how many will be new to receiving child
1487 care services, and how the early learning coalition intends to
1488 attract new employers and their employees to the program.

1489 Section 20. Paragraph (b) of subsection (8) of section
1490 411.203, Florida Statutes, is amended to read:

1491 411.203 Continuum of comprehensive services.—The Department
1492 of Education and the Department of Health and Rehabilitative



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1493 Services shall utilize the continuum of prevention and early
1494 assistance services for high-risk pregnant women and for high-
1495 risk and handicapped children and their families, as outlined in
1496 this section, as a basis for the intraagency and interagency
1497 program coordination, monitoring, and analysis required in this
1498 chapter. The continuum shall be the guide for the comprehensive
1499 statewide approach for services for high-risk pregnant women and
1500 for high-risk and handicapped children and their families, and
1501 may be expanded or reduced as necessary for the enhancement of
1502 those services. Expansion or reduction of the continuum shall be
1503 determined by intraagency or interagency findings and agreement,
1504 whichever is applicable. Implementation of the continuum shall
1505 be based upon applicable eligibility criteria, availability of
1506 resources, and interagency prioritization when programs impact
1507 both agencies, or upon single agency prioritization when
1508 programs impact only one agency. The continuum shall include,
1509 but not be limited to:

1510 (8) SUPPORT SERVICES FOR ALL EXPECTANT PARENTS AND PARENTS
1511 OF HIGH-RISK CHILDREN.—

1512 (b) Child care and early childhood programs, including, but
1513 not limited to, ~~subsidized child care~~, licensed ~~nonsubsidized~~
1514 child care facilities, family day care homes, therapeutic child
1515 care, Head Start, and preschool programs in public and private
1516 schools.

1517 Section 21. Subsection (2) of section 411.221, Florida
1518 Statutes, is amended to read:

1519 411.221 Prevention and early assistance strategic plan;
1520 agency responsibilities.—

1521 (2) The strategic plan and subsequent plan revisions shall



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1522 incorporate and otherwise utilize, to the fullest extent
1523 possible, the evaluation findings and recommendations from
1524 intraagency, independent third-party, field projects, and
1525 reports issued by the Auditor General or the Office of Program
1526 Policy Analysis and Government Accountability, as well as the
1527 recommendations of the Agency for Workforce Innovation State
1528 ~~Coordinating Council for School Readiness Programs.~~

1529 Section 22. Paragraph (c) of subsection (4) of section
1530 445.024, Florida Statutes, is amended to read:

1531 445.024 Work requirements.—

1532 (4) PRIORITIZATION OF WORK REQUIREMENTS.—Regional workforce
1533 boards shall require participation in work activities to the
1534 maximum extent possible, subject to federal and state funding.
1535 If funds are projected to be insufficient to allow full-time
1536 work activities by all program participants who are required to
1537 participate in work activities, regional workforce boards shall
1538 screen participants and assign priority based on the following:

1539 (c) A participant who has access to ~~subsidized or~~
1540 ~~unsubsidized~~ child care services may be assigned priority for
1541 work activities.

1542
1543 Regional workforce boards may limit a participant's weekly work
1544 requirement to the minimum required to meet federal work
1545 activity requirements. Regional workforce boards may develop
1546 screening and prioritization procedures based on the allocation
1547 of resources, the availability of community resources, the
1548 provision of supportive services, or the work activity needs of
1549 the service area.

1550 Section 23. Subsection (2) of section 445.030, Florida



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1551 Statutes, is amended to read:

1552 445.030 Transitional education and training.—In order to
1553 assist former recipients of temporary cash assistance who are
1554 working or actively seeking employment in continuing their
1555 training and upgrading their skills, education, or training,
1556 support services may be provided for up to 2 years after the
1557 family is no longer receiving temporary cash assistance. This
1558 section does not constitute an entitlement to transitional
1559 education and training. If funds are not sufficient to provide
1560 services under this section, the board of directors of Workforce
1561 Florida, Inc., may limit or otherwise prioritize transitional
1562 education and training.

1563 (2) Regional workforce boards may authorize child care or
1564 other support services in addition to services provided in
1565 conjunction with employment. For example, a participant who is
1566 employed full time may receive ~~subsidized~~ child care services
1567 related to that employment and may also receive additional
1568 ~~subsidized~~ child care services in conjunction with training to
1569 upgrade the participant's skills.

1570 Section 24. Paragraph (a) of subsection (2) of section
1571 490.014, Florida Statutes, is amended to read:

1572 490.014 Exemptions.—

1573 (2) No person shall be required to be licensed or
1574 provisionally licensed under this chapter who:

1575 (a) Is a salaried employee of a government agency; a
1576 developmental disability facility or program; a, mental health,
1577 alcohol, or drug abuse facility operating under chapter 393,
1578 chapter 394, or chapter 397; the statewide ~~subsidized child care~~
1579 ~~program, subsidized child care case management program, or child~~



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1580 care resource and referral network program operating under s.
1581 411.0101 ~~pursuant to chapter 402~~; a child-placing or child-
1582 caring agency licensed pursuant to chapter 409; a domestic
1583 violence center certified pursuant to chapter 39; an accredited
1584 academic institution; or a research institution, if such
1585 employee is performing duties for which he or she was trained
1586 and hired solely within the confines of such agency, facility,
1587 or institution, so long as the employee is not held out to the
1588 public as a psychologist pursuant to s. 490.012(1)(a).

1589 Section 25. Paragraph (a) of subsection (4) of section
1590 491.014, Florida Statutes, is amended to read:

1591 491.014 Exemptions.—

1592 (4) No person shall be required to be licensed,
1593 provisionally licensed, registered, or certified under this
1594 chapter who:

1595 (a) Is a salaried employee of a government agency; a
1596 developmental disability facility or program; a mental health,
1597 alcohol, or drug abuse facility operating under chapter 393,
1598 chapter 394, or chapter 397; the statewide subsidized child care
1599 ~~program, subsidized child care case management program, or child~~
1600 care resource and referral network program operating under s.
1601 411.0101 ~~pursuant to chapter 402~~; a child-placing or child-
1602 caring agency licensed pursuant to chapter 409; a domestic
1603 violence center certified pursuant to chapter 39; an accredited
1604 academic institution; or a research institution, if such
1605 employee is performing duties for which he or she was trained
1606 and hired solely within the confines of such agency, facility,
1607 or institution, so long as the employee is not held out to the
1608 public as a clinical social worker, mental health counselor, or



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1609 marriage and family therapist.

1610 Section 26. Subsection (5) of section 1002.53, Florida
1611 Statutes, is amended to read:

1612 1002.53 Voluntary Prekindergarten Education Program;
1613 eligibility and enrollment.—

1614 (5) The early learning coalition shall provide each parent
1615 enrolling a child in the Voluntary Prekindergarten Education
1616 Program with a profile of every private prekindergarten provider
1617 and public school delivering the program within the ~~coalition's~~
1618 county where the child is being enrolled ~~or multicounty region~~.

1619 The profiles shall be provided to parents in a format prescribed
1620 by the Agency for Workforce Innovation. The profiles must
1621 include, at a minimum, the following information about each
1622 provider and school:

1623 (a) The provider's or school's services, curriculum,
1624 instructor credentials, and instructor-to-student ratio; and

1625 (b) The provider's or school's kindergarten readiness rate
1626 calculated in accordance with s. 1002.69, based upon the most
1627 recent available results of the statewide kindergarten
1628 screening.

1629 Section 27. Paragraph (b) of subsection (3) of section
1630 1002.55, Florida Statutes, is amended, and subsection (5) is
1631 added to that section, to read:

1632 1002.55 School-year prekindergarten program delivered by
1633 private prekindergarten providers.—

1634 (3) To be eligible to deliver the prekindergarten program,
1635 a private prekindergarten provider must meet each of the
1636 following requirements:

1637 (b) The private prekindergarten provider must:



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1638 1. Be accredited by an accrediting association that is a
1639 member of the National Council for Private School Accreditation,
1640 ~~AdvancED the Commission on International and Trans-Regional~~
1641 ~~Accreditation~~, or the Florida Association of Academic Nonpublic
1642 Schools and have written accreditation standards that meet or
1643 exceed the state's licensing requirements under s. 402.305, s.
1644 402.313, or s. 402.3131 and require at least one onsite visit to
1645 the provider or school before accreditation is granted;

1646 2. Hold a current Gold Seal Quality Care designation under
1647 s. 402.281; or

1648 3. Be licensed under s. 402.305, s. 402.313, or s. 402.3131
1649 and demonstrate, before delivering the Voluntary Prekindergarten
1650 Education Program, as verified by the early learning coalition,
1651 that the provider meets each of the requirements of the program
1652 under this part, including, but not limited to, the requirements
1653 for credentials and background screenings of prekindergarten
1654 instructors under paragraphs (c) and (d), minimum and maximum
1655 class sizes under paragraph (f), prekindergarten director
1656 credentials under paragraph (g), and a developmentally
1657 appropriate curriculum under s. 1002.67(2)(b).

1658 (5) Notwithstanding paragraph (3)(b), a private
1659 prekindergarten provider may not participate in the Voluntary
1660 Prekindergarten Education Program if the provider has child
1661 disciplinary policies that do not prohibit children from being
1662 subjected to discipline that is severe, humiliating,
1663 frightening, or associated with food, rest, toileting, spanking,
1664 or any other form of physical punishment as provided in s.
1665 402.305(12).

1666 Section 28. Paragraph (c) of subsection (3) of section



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1667 1002.67, Florida Statutes, is amended to read:

1668 1002.67 Performance standards; curricula and
1669 accountability.—

1670 (3)

1671 (c)1. If the kindergarten readiness rate of a private
1672 prekindergarten provider or public school falls below the
1673 minimum rate adopted by the State Board of Education as
1674 satisfactory under s. 1002.69(6), the early learning coalition
1675 or school district, as applicable, shall require the provider or
1676 school to submit an improvement plan for approval by the
1677 coalition or school district, as applicable, and to implement
1678 the plan.

1679 2. If a private prekindergarten provider or public school
1680 fails to meet the minimum rate adopted by the State Board of
1681 Education as satisfactory under s. 1002.69(6) for 2 consecutive
1682 years, the early learning coalition or school district, as
1683 applicable, shall place the provider or school on probation and
1684 must require the provider or school to take certain corrective
1685 actions, including the use of a curriculum approved by the
1686 department under paragraph (2)(c).

1687 3. A private prekindergarten provider or public school that
1688 is placed on probation must continue the corrective actions
1689 required under subparagraph 2., including the use of a
1690 curriculum approved by the department, until the provider or
1691 school meets the minimum rate adopted by the State Board of
1692 Education as satisfactory under s. 1002.69(6).

1693 4. If a private prekindergarten provider or public school
1694 remains on probation for 2 consecutive years and fails to meet
1695 the minimum rate adopted by the State Board of Education as



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1696 satisfactory under s. 1002.69(6), the Agency for Workforce
1697 Innovation shall require the early learning coalition or the
1698 Department of Education shall require the school district,~~as~~
1699 ~~applicable,~~ to remove, as applicable, the provider or school
1700 from eligibility to deliver the Voluntary Prekindergarten
1701 Education Program and receive state funds for the program.

1702 Section 29. Paragraph (b) of subsection (6) of section
1703 1002.71, Florida Statutes, is amended to read:

1704 1002.71 Funding; financial and attendance reporting.—

1705 (6)

1706 (b)1. Each private prekindergarten provider's and district
1707 school board's attendance policy must require the parent of each
1708 student in the Voluntary Prekindergarten Education Program to
1709 verify, each month, the student's attendance on the prior
1710 month's certified student attendance.

1711 2. The parent must submit the verification of the student's
1712 attendance to the private prekindergarten provider or public
1713 school on forms prescribed by the Agency for Workforce
1714 Innovation. The forms must include, in addition to the
1715 verification of the student's attendance, a certification, in
1716 substantially the following form, that the parent continues to
1717 choose the private prekindergarten provider or public school in
1718 accordance with s. 1002.53 and directs that payments for the
1719 program be made to the provider or school:

1720

1721 VERIFICATION OF STUDENT'S ATTENDANCE

1722 AND CERTIFICATION OF PARENTAL CHOICE

1723

1724 I, ...(Name of Parent)..., swear (or affirm) that my



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1725 child,...(Name of Student)..., attended the Voluntary
1726 Prekindergarten Education Program on the days listed above and
1727 certify that I continue to choose ...(Name of Provider or
1728 School)... to deliver the program for my child and direct that
1729 program funds be paid to the provider or school for my child.

1730
1731 ... (Signature of Parent) ...

1732 ... (Date) ...

1733
1734 3. The private prekindergarten provider or public school
1735 must keep each original signed form for at least 2 years. Each
1736 private prekindergarten provider must permit the early learning
1737 coalition, and each public school must permit the school
1738 district, to inspect the original signed forms during normal
1739 business hours. The Agency for Workforce Innovation shall adopt
1740 procedures for early learning coalitions and school districts to
1741 review the original signed forms against the certified student
1742 attendance. The review procedures shall provide for the use of
1743 selective inspection techniques, including, but not limited to,
1744 random sampling. Each early learning coalition and the school
1745 districts ~~district~~ must comply with the review procedures.

1746 Section 30. Paragraph (b) of subsection (4) of section
1747 1009.64, Florida Statutes, is amended to read:

1748 1009.64 Certified Education Paraprofessional Welfare
1749 Transition Program.—

1750 (4) The agencies shall complete an implementation plan that
1751 addresses at least the following recommended components of the
1752 program:

1753 (b) A budget for use of incentive funding to provide



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1754 motivation to participants to succeed and excel. The budget for
1755 incentive funding includes:

1756 1. Funds allocated by the Legislature directly for the
1757 program.

1758 2. Funds that may be made available from the federal
1759 Workforce Investment Act based on client eligibility or
1760 requested waivers to make the clients eligible.

1761 3. Funds made available by implementation strategies that
1762 would make maximum use of work supplementation funds authorized
1763 by federal law.

1764 4. Funds authorized by strategies to lengthen participants'
1765 eligibility for federal programs such as Medicaid, ~~subsidized~~
1766 child care services, and transportation.

1767
1768 Incentives may include a stipend during periods of college
1769 classroom training, a bonus and recognition for a high grade-
1770 point average, child care and prekindergarten services for
1771 children of participants, and services to increase a
1772 participant's ability to advance to higher levels of employment.
1773 Nonfinancial incentives should include providing a mentor or
1774 tutor, and service incentives should continue and increase for
1775 any participant who plans to complete the baccalaureate degree
1776 and become a certified teacher. Services may be provided in
1777 accordance with family choice by community colleges and school
1778 district career centers, through family service centers and
1779 full-service schools, or under contract with providers through
1780 central agencies.

1781 Section 31. This act shall take effect July 1, 2010.

1782



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1783 ===== T I T L E A M E N D M E N T =====

1784 And the title is amended as follows:

1785 Delete everything before the enacting clause

1786 and insert:

1787 A bill to be entitled

1788 An act relating to early learning; amending s.

1789 39.0121, F.S.; deleting an obsolete reference to the

1790 repealed subsidized child care program; amending s.

1791 39.202, F.S.; replacing an obsolete reference to a

1792 repealed program with an updated reference to the

1793 school readiness program; authorizing county agencies

1794 responsible for licensure or approval of child care

1795 providers to be granted access to certain confidential

1796 reports and records in cases of child abuse or

1797 neglect; amending s. 39.5085, F.S.; deleting an

1798 obsolete reference to a repealed program; amending s.

1799 383.14, F.S.; replacing obsolete references to the

1800 former State Coordinating Council for School Readiness

1801 Programs with updated references to the Agency for

1802 Workforce Innovation; transferring, renumbering, and

1803 amending s. 402.25, F.S.; updating an obsolete

1804 reference to a repealed program; deleting obsolete

1805 references relating to the repealed prekindergarten

1806 early intervention program and Florida First Start

1807 Program; amending s. 402.26, F.S.; revising

1808 legislative intent; updating an obsolete reference to

1809 a repealed program; amending s. 402.281, F.S.;

1810 updating an obsolete reference to a former council;

1811 requiring that the Department of Children and Family



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1812 Services consult with the Agency for Workforce
1813 Innovation regarding the approval of accrediting
1814 associations for the Gold Seal Quality Care program;
1815 transferring and renumbering s. 402.3016, F.S.,
1816 relating to Early Head Start collaboration grants;
1817 transferring, renumbering, and amending s. 402.3018,
1818 F.S.; transferring administration of the statewide
1819 toll-free Warm-Line from the department to the agency;
1820 conforming provisions; transferring, renumbering, and
1821 amending s. 402.3051, F.S.; revising procedures for
1822 child care market rate reimbursement and child care
1823 grants; transferring authority to establish the
1824 procedures from the department to the agency;
1825 directing the agency to adopt a prevailing market rate
1826 schedule for child care services; revising
1827 definitions; prohibiting the schedule from interfering
1828 with parental choice; authorizing the agency to enter
1829 into contracts and adopt rules; amending s. 402.313,
1830 F.S.; deleting obsolete provisions authorizing the
1831 department to license family day care homes
1832 participating in a repealed program; repealing s.
1833 402.3135, F.S., relating to the subsidized child care
1834 program case management program; transferring,
1835 renumbering, and amending s. 402.3145, F.S.; revising
1836 provisions relating to the subsidized child care
1837 transportation program; transferring the
1838 administration of the program from the Department of
1839 Children and Family Services to the Agency for
1840 Workforce Innovation; amending s. 402.315, F.S.;



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1841 revising provisions relating to fees collected for
1842 child care facilities; amending s. 402.45, F.S.;

1843 updating an obsolete reference relating to a former
1844 council; directing the Department of Health to consult
1845 with the agency regarding certain training provided
1846 for contractors of the community resource mother or
1847 father program; amending s. 409.1671, F.S.; clarifying
1848 that a licensed foster home may be dually licensed as
1849 a child care facility and receive certain payments for
1850 the same child; deleting an obsolete reference to a
1851 repealed program; amending s. 411.01, F.S.; revising
1852 provisions relating to the School Readiness Act;
1853 revising legislative intent; revising the duties and
1854 responsibilities of the Agency for Workforce
1855 Innovation; deleting obsolete provisions relating to
1856 procedures for merging early learning coalitions;
1857 revising requirements for parental choice; directing
1858 the agency to establish a formula for allocating
1859 school readiness funds to each county; providing for
1860 legislative notice and review of the formula; amending
1861 s. 411.0101, F.S.; revising requirements for services
1862 provided by the statewide child care resource and
1863 referral network; updating obsolete references to
1864 repealed programs; amending s. 411.0102, F.S.;

1865 revising provisions relating to the Child Care
1866 Executive Partnership Act; updating obsolete
1867 references to repealed programs; deleting provisions
1868 relating to the duties of each early coalition board;
1869 amending s. 411.203, F.S.; deleting an obsolete



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1870 reference to a repealed program; conforming
1871 provisions; amending s. 411.221, F.S.; updating an
1872 obsolete reference to a former council; amending ss.
1873 445.024, 445.030, 490.014, and 491.014, F.S.; deleting
1874 obsolete references to repealed programs; conforming
1875 provisions to the repeal of the subsidized child care
1876 case management program; amending ss. 1002.53,
1877 1002.55, 1002.67, and 1002.71, F.S.; revising
1878 provisions relating to the eligibility requirements
1879 for private prekindergarten providers; conforming
1880 provisions to changes made by the act; amending s.
1881 1009.64, F.S.; deleting an obsolete reference to a
1882 repealed program; providing an effective date.