

By the Committee on Commerce; and Senator Wise

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1 A bill to be entitled
2 An act relating to early learning; amending s.
3 39.0121, F.S.; deleting an obsolete reference to the
4 repealed subsidized child care program; amending s.
5 39.202, F.S.; replacing an obsolete reference to a
6 repealed program with an updated reference to the
7 school readiness program; authorizing county agencies
8 responsible for licensure or approval of child care
9 providers to be granted access to certain confidential
10 reports and records in cases of child abuse or
11 neglect; amending s. 39.5085, F.S.; deleting an
12 obsolete reference to a repealed program; amending s.
13 383.14, F.S.; replacing obsolete references to the
14 former State Coordinating Council for School Readiness
15 Programs with updated references to the Agency for
16 Workforce Innovation; transferring, renumbering, and
17 amending s. 402.25, F.S.; updating an obsolete
18 reference to a repealed program; deleting obsolete
19 references relating to the repealed prekindergarten
20 early intervention program and Florida First Start
21 Program; amending s. 402.26, F.S.; revising
22 legislative intent; updating an obsolete reference to
23 a repealed program; amending s. 402.281, F.S.;
24 updating an obsolete reference to a former council;
25 requiring that the Department of Children and Family
26 Services consult with the Agency for Workforce
27 Innovation regarding the approval of accrediting
28 associations for the Gold Seal Quality Care program;
29 transferring and renumbering s. 402.3016, F.S.,

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30 relating to Early Head Start collaboration grants;
31 transferring, renumbering, and amending s. 402.3018,
32 F.S.; transferring administration of the statewide
33 toll-free Warm-Line from the department to the agency;
34 conforming provisions; transferring, renumbering, and
35 amending s. 402.3051, F.S.; revising procedures for
36 child care market rate reimbursement and child care
37 grants; transferring authority to establish the
38 procedures from the department to the agency;
39 directing the agency to adopt a prevailing market rate
40 schedule for child care services; revising
41 definitions; authorizing the agency to enter into
42 contracts and adopt rules; amending s. 402.313, F.S.;
43 deleting obsolete provisions authorizing the
44 department to license family day care homes
45 participating in a repealed program; repealing s.
46 402.3135, F.S., relating to the subsidized child care
47 program case management program; transferring,
48 renumbering, and amending s. 402.3145, F.S.;
49 transferring administration of certain transportation
50 services for children at risk of abuse or neglect from
51 the department to the agency; revising requirements
52 for the provision of such transportation services;
53 amending s. 402.315, F.S.; revising provisions
54 relating to fees collected for child care facilities;
55 amending s. 402.45, F.S.; updating an obsolete
56 reference relating to a former council; directing the
57 Department of Health to consult with the agency
58 regarding certain training provided for contractors of

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59 the community resource mother or father program;
60 amending s. 409.1671, F.S.; clarifying that a licensed
61 foster home may be dually licensed as a family day
62 care home or large family child care home and receive
63 certain payments for the same child; deleting an
64 obsolete reference to a repealed program; amending s.
65 411.01, F.S.; revising provisions relating to the
66 School Readiness Act; revising legislative intent;
67 revising the duties and responsibilities of the Agency
68 for Workforce Innovation; revising provisions for
69 school readiness plans; specifying that certain
70 program providers' compliance with licensing standards
71 satisfies certain health screening requirements;
72 requiring early learning coalitions to maintain
73 certain direct enhancement services; deleting obsolete
74 provisions relating to the merger of early learning
75 coalitions; revising provisions for the membership of
76 early learning coalitions and the voting privileges of
77 such members; revising requirements for parental
78 choice; directing the agency to establish a formula
79 for allocating school readiness funds to each county;
80 providing for legislative notice and review of the
81 formula; amending s. 411.0101, F.S.; revising
82 requirements for services provided by the statewide
83 child care resource and referral network; updating
84 obsolete references to repealed programs; amending s.
85 411.0102, F.S.; revising provisions relating to the
86 Child Care Executive Partnership Act; updating
87 obsolete references to repealed programs; deleting

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88 provisions relating to the duties of each early
89 coalition board; amending s. 411.203, F.S.; deleting
90 an obsolete reference to a repealed program;
91 conforming provisions; amending s. 411.221, F.S.;
92 updating an obsolete reference to a former council;
93 amending ss. 445.024, 445.030, 490.014, and 491.014,
94 F.S.; deleting obsolete references to repealed
95 programs; conforming provisions to the repeal of the
96 subsidized child care case management program;
97 amending ss. 1002.53, 1002.55, 1002.67, and 1002.71,
98 F.S.; revising provisions relating to the eligibility
99 requirements for private prekindergarten providers;
100 conforming provisions to changes made by the act;
101 amending s. 1009.64, F.S.; deleting an obsolete
102 reference to a repealed program; providing an
103 effective date.

104
105 Be It Enacted by the Legislature of the State of Florida:

106
107 Section 1. Subsection (7) of section 39.0121, Florida
108 Statutes, is amended to read:

109 39.0121 Specific rulemaking authority.—Pursuant to the
110 requirements of s. 120.536, the department is specifically
111 authorized to adopt, amend, and repeal administrative rules
112 which implement or interpret law or policy, or describe the
113 procedure and practice requirements necessary to implement this
114 chapter, including, but not limited to, the following:

115 (7) Federal funding requirements and procedures; foster
116 care and adoption subsidies; and subsidized independent living~~r~~

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117 ~~and subsidized child care.~~

118 Section 2. Paragraph (a) of subsection (2) of section
119 39.202, Florida Statutes, is amended to read:

120 39.202 Confidentiality of reports and records in cases of
121 child abuse or neglect.—

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

126 (a) Employees, authorized agents, or contract providers of
127 the department, the Department of Health, the Agency for Persons
128 with Disabilities, or county agencies responsible for carrying
129 out:

- 130 1. Child or adult protective investigations;
- 131 2. Ongoing child or adult protective services;
- 132 3. Early intervention and prevention services;
- 133 4. Healthy Start services;
- 134 5. Licensure or approval of adoptive homes, foster homes,
135 child care facilities, facilities licensed under chapter 393, or
136 family day care homes or informal child care providers who
137 receive school readiness ~~subsidized child care~~ funding, or other
138 homes used to provide for the care and welfare of children; or
- 139 6. Services for victims of domestic violence when provided
140 by certified domestic violence centers working at the
141 department's request as case consultants or with shared clients.

142
143 Also, employees or agents of the Department of Juvenile Justice
144 responsible for the provision of services to children, pursuant
145 to chapters 984 and 985.

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146 Section 3. Paragraph (f) of subsection (2) of section
147 39.5085, Florida Statutes, is amended to read:

148 39.5085 Relative Caregiver Program.—

149 (2)

150 (f) Within available funding, the Relative Caregiver
151 Program shall provide relative caregivers with family support
152 and preservation services, flexible funds in accordance with s.
153 409.165, school readiness ~~subsidized child care~~, and other
154 available services in order to support the child's safety,
155 growth, and healthy development. Children living with relative
156 caregivers who are receiving assistance under this section shall
157 be eligible for Medicaid coverage.

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

160 383.14 Screening for metabolic disorders, other hereditary
161 and congenital disorders, and environmental risk factors.—

162 (1) SCREENING REQUIREMENTS.—To help ensure access to the
163 maternal and child health care system, the Department of Health
164 shall promote the screening of all newborns born in Florida for
165 metabolic, hereditary, and congenital disorders known to result
166 in significant impairment of health or intellect, as screening
167 programs accepted by current medical practice become available
168 and practical in the judgment of the department. The department
169 shall also promote the identification and screening of all
170 newborns in this state and their families for environmental risk
171 factors such as low income, poor education, maternal and family
172 stress, emotional instability, substance abuse, and other high-
173 risk conditions associated with increased risk of infant
174 mortality and morbidity to provide early intervention,

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175 remediation, and prevention services, including, but not limited
176 to, parent support and training programs, home visitation, and
177 case management. Identification, perinatal screening, and
178 intervention efforts shall begin prior to and immediately
179 following the birth of the child by the attending health care
180 provider. Such efforts shall be conducted in hospitals,
181 perinatal centers, county health departments, school health
182 programs that provide prenatal care, and birthing centers, and
183 reported to the Office of Vital Statistics.

184 (b) *Postnatal screening.*—A risk factor analysis using the
185 department's designated risk assessment instrument shall also be
186 conducted as part of the medical screening process upon the
187 birth of a child and submitted to the department's Office of
188 Vital Statistics for recording and other purposes provided for
189 in this chapter. The department's screening process for risk
190 assessment shall include a scoring mechanism and procedures that
191 establish thresholds for notification, further assessment,
192 referral, and eligibility for services by professionals or
193 paraprofessionals consistent with the level of risk. Procedures
194 for developing and using the screening instrument, notification,
195 referral, and care coordination services, reporting
196 requirements, management information, and maintenance of a
197 computer-driven registry in the Office of Vital Statistics which
198 ensures privacy safeguards must be consistent with the
199 provisions and plans established under chapter 411, Pub. L. No.
200 99-457, and this chapter. Procedures established for reporting
201 information and maintaining a confidential registry must include
202 a mechanism for a centralized information depository at the
203 state and county levels. The department shall coordinate with

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204 existing risk assessment systems and information registries. The
205 department must ensure, to the maximum extent possible, that the
206 screening information registry is integrated with the
207 department's automated data systems, including the Florida On-
208 line Recipient Integrated Data Access (FLORIDA) system. Tests
209 and screenings must be performed by the State Public Health
210 Laboratory, in coordination with Children's Medical Services, at
211 such times and in such manner as is prescribed by the department
212 after consultation with the Genetics and Infant Screening
213 Advisory Council and the Agency for Workforce Innovation State
214 ~~Coordinating Council for School Readiness Programs.~~

215 (2) RULES.—After consultation with the Genetics and Newborn
216 Screening Advisory Council, the department shall adopt and
217 enforce rules requiring that every newborn in this state shall,
218 prior to becoming 1 week of age, be subjected to a test for
219 phenylketonuria and, at the appropriate age, be tested for such
220 other metabolic diseases and hereditary or congenital disorders
221 as the department may deem necessary from time to time. After
222 consultation with the Agency for Workforce Innovation State
223 ~~Coordinating Council for School Readiness Programs,~~ the
224 department shall also adopt and enforce rules requiring every
225 newborn in this state to be screened for environmental risk
226 factors that place children and their families at risk for
227 increased morbidity, mortality, and other negative outcomes. The
228 department shall adopt such additional rules as are found
229 necessary for the administration of this section and s. 383.145,
230 including rules providing definitions of terms, rules relating
231 to the methods used and time or times for testing as accepted
232 medical practice indicates, rules relating to charging and

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233 collecting fees for the administration of the newborn screening
234 program authorized by this section, rules for processing
235 requests and releasing test and screening results, and rules
236 requiring mandatory reporting of the results of tests and
237 screenings for these conditions to the department.

238 Section 5. Section 402.25, Florida Statutes, is
239 transferred, renumbered as section 411.0106, Florida Statutes,
240 and amended to read:

241 411.0106 ~~402.25~~ Infants and toddlers in state-funded
242 education and care programs; brain development activities.—Each
243 state-funded education and care program for children from birth
244 to 5 years of age must provide activities to foster brain
245 development in infants and toddlers. A program must provide an
246 environment that helps children attain the performance standards
247 adopted by the Agency for Workforce Innovation under s.

248 411.01(4)(d)8. and must be rich in language and music and filled
249 with objects of various colors, shapes, textures, and sizes to
250 stimulate visual, tactile, auditory, and linguistic senses in
251 the children and must include classical music and at least 30
252 minutes of reading to the children each day. A program may be
253 offered through an existing early childhood program such as
254 Healthy Start, the Title I program, the school readiness program
255 ~~contracted or directly operated subsidized child care, the~~
256 ~~prekindergarten early intervention program, Florida First Start,~~
257 the Head Start program, or a private child care program. A
258 program must provide training for the infants' and toddlers'
259 parents including direct dialogue and interaction between
260 teachers and parents demonstrating the urgency of brain
261 development in the first year of a child's life. Family day care

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262 centers are encouraged, but not required, to comply with this
263 section.

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

266 402.26 Child care; legislative intent.—

267 (5) It is the further intent of the Legislature to provide
268 and make accessible child care opportunities for children at
269 risk, economically disadvantaged children, and other children
270 traditionally disenfranchised from society. In achieving this
271 intent, the Legislature shall develop a school readiness program
272 ~~subsidized child care system~~, a range of child care options,
273 support services, and linkages with other programs to fully meet
274 the child care needs of this population.

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

277 402.281 Gold Seal Quality Care program.—

278 (2) In developing the Gold Seal Quality Care program
279 standards, the department shall consult with the Department of
280 Education, the Agency for Workforce Innovation, the Florida Head
281 Start Directors Association, the Florida Association of Child
282 Care Management, the Florida Family Day Care Association, the
283 Florida Children's Forum, ~~the State Coordinating Council for~~
284 ~~School Readiness Programs~~, the Early Childhood Association of
285 Florida, the ~~National Association for~~ Child Development
286 Education Alliance, providers receiving exemptions under s.
287 402.316, and parents, for the purpose of approving the
288 accrediting associations.

289 Section 8. Section 402.3016, Florida Statutes, is
290 transferred and renumbered as section 411.0104, Florida

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291 Statutes.

292 Section 9. Section 402.3018, Florida Statutes, is
293 transferred, renumbered as section 411.01015, Florida Statutes,
294 and amended to read:

295 411.01015 ~~402.3018~~ Consultation to child care centers and
296 family day care homes regarding health, developmental,
297 disability, and special needs issues.-

298 (1) Contingent upon specific appropriations, the Agency for
299 Workforce Innovation shall administer ~~department is directed to~~
300 ~~contract with the statewide resource information and referral~~
301 ~~agency for~~ a statewide toll-free Warm-Line for the purpose of
302 providing assistance and consultation to child care centers and
303 family day care homes regarding health, developmental,
304 disability, and special needs issues of the children they are
305 serving, particularly children with disabilities and other
306 special needs.

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

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

316 (4) Contingent upon specific appropriations, the Agency for
317 Workforce Innovation ~~department~~ shall expand, or contract for
318 the expansion of, the Warm-Line to maintain at least one Warm-
319 Line site in each early learning coalition service area ~~from one~~

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320 ~~statewide site to one Warm-Line site in each child care resource~~
321 ~~and referral agency region.~~

322 (5) Each regional Warm-Line shall provide assistance and
323 consultation to child care centers and family day care homes
324 regarding health, developmental, disability, and special needs
325 issues of the children they are serving, particularly children
326 with disabilities and other special needs. Regional Warm-Line
327 staff shall provide onsite technical assistance, when requested,
328 to assist child care centers and family day care homes with
329 inquiries relative to the strategies, curriculum, and
330 environmental adaptations the child care centers and family day
331 care homes may need as they serve children with disabilities and
332 other special needs.

333 Section 10. Section 402.3051, Florida Statutes, is
334 transferred, renumbered as section 411.01013, Florida Statutes,
335 and amended to read:

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

338 411.01013 Prevailing market rate schedule.-

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

340 (a) "Market rate" means the price that a child care
341 provider charges for daily, weekly, or monthly child care
342 services.

343 (b) "Prevailing market rate" means the annually determined
344 75th percentile of a reasonable frequency distribution of the
345 market rate in a predetermined geographic market at which child
346 care providers charge a person for child care services.

347 (2) The Agency for Workforce Innovation shall establish
348 procedures for the adoption of a prevailing market rate

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349 schedule. The schedule must include, at a minimum, county-by-
350 county rates:

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

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

356 (3) The prevailing market rate schedule, at a minimum,
357 must:

358 (a) Differentiate rates by type, including, but not limited
359 to, a child care provider that holds a Gold Seal Quality Care
360 designation under s. 402.281, a child care facility licensed
361 under s. 402.305, a public or nonpublic school exempt from
362 licensure under s. 402.3025, a faith-based child care facility
363 exempt from licensure under s. 402.316 that does not hold a Gold
364 Seal Quality Care designation, a large family child care home
365 licensed under s. 402.3131, a family day care home licensed or
366 registered under s. 402.313, or an after-school program that is
367 not defined as child care under rules adopted pursuant to s.
368 402.3045.

369 (b) Differentiate rates by the type of child care services
370 provided for children with special needs or risk categories,
371 infants, toddlers, preschool-age children, and school-age
372 children.

373 (c) Differentiate rates between full-time and part-time
374 child care services.

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

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

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378 exclusively on the prices charged for child care services. If a
379 conflict exists between this subsection and federal
380 requirements, the federal requirements shall control.

381 (5) The Agency for Workforce Innovation may contract with
382 one or more qualified entities to administer this section and
383 provide support and technical assistance for child care
384 providers.

385 (6) The Agency for Workforce Innovation may adopt rules
386 pursuant to ss. 120.536(1) and 120.54 to administer this
387 section.

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

390 402.313 Family day care homes.—

391 (1) Family day care homes shall be licensed under this act
392 if they are presently being licensed under an existing county
393 licensing ordinance, ~~if they are participating in the subsidized~~
394 ~~child care program,~~ or if the board of county commissioners
395 passes a resolution that family day care homes be licensed. ~~If~~
396 ~~no county authority exists for the licensing of a family day~~
397 ~~care home, the department shall have the authority to license~~
398 ~~family day care homes under contract for the purchase of service~~
399 ~~system in the subsidized child care program.~~

400 (a) If not subject to license, family day care homes shall
401 register annually with the department, providing the following
402 information:

- 403 1. The name and address of the home.
- 404 2. The name of the operator.
- 405 3. The number of children served.
- 406 4. Proof of a written plan to provide at least one other

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

410 5. Proof of screening and background checks.

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

414 a. State and local rules and regulations that govern child
415 care.

416 b. Health, safety, and nutrition.

417 c. Identifying and reporting child abuse and neglect.

418 d. Child development, including typical and atypical
419 language development; and cognitive, motor, social, and self-
420 help skills development.

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

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

428 7. Proof that immunization records are kept current.

429 8. Proof of completion of the required continuing education
430 units or clock hours.

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

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

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436 and family day care providers to achieve compliance with family
437 day care homes standards.

438 Section 12. Section 402.3135, Florida Statutes, is
439 repealed.

440 Section 13. Section 402.3145, Florida Statutes, is
441 transferred, renumbered as section 411.01014, Florida Statutes,
442 and amended to read:

443 411.01014 ~~402.3145~~ School readiness ~~Subsidized child care~~
444 transportation services ~~program.~~-

445 (1) The Agency for Workforce Innovation ~~department,~~
446 pursuant to chapter 427, shall establish school readiness ~~a~~
447 ~~subsidized child care~~ transportation services ~~system~~ for
448 children at risk of abuse or neglect participating in the school
449 readiness ~~subsidized child care~~ program. The early learning
450 coalitions may state ~~community child care coordination agencies~~
451 ~~shall~~ contract for the provision of transportation services as
452 required by this section.

453 (2) The transportation servicers may only ~~system shall~~
454 provide transportation to each child participating in the school
455 readiness program to the extent that such ~~subsidized child care~~
456 ~~when, and only when,~~ transportation is necessary to provide
457 child care opportunities that ~~which~~ otherwise would not be
458 available to a child whose home is more than a reasonable
459 walking distance from the nearest child care facility or family
460 day care home.

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

463 402.315 Funding; license fees.-

464 (3) The department shall collect a fee for any license it

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465 issues for a child care facility, family day care home, or large
466 family child care home pursuant to ss. 402.305, 402.313, and
467 402.3131 ~~s. 402.308~~.

468 (a) For a child care facility licensed pursuant to s.
469 402.305, such fee shall be \$1 per child based on the licensed
470 capacity of the facility, except that the minimum fee shall be
471 \$25 per facility center and the maximum fee shall be \$100 per
472 facility center.

473 (b) For a family day care home registered pursuant to s.
474 402.313, such fee shall be \$25.

475 (c) For a family day care home licensed pursuant to s.
476 402.313, such fee shall be \$50.

477 (d) For a large family child care home licensed pursuant to
478 s. 402.3131, such fee shall be \$60.

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

481 402.45 Community resource mother or father program.—

482 (6) Individuals under contract to provide community
483 resource mother or father services shall participate in
484 preservice and ongoing training as determined by the Department
485 of Health in consultation with the Agency for Workforce
486 Innovation State Coordinating Council for School Readiness
487 ~~Programs~~. A community resource mother or father shall not be
488 assigned a client caseload until all preservice training
489 requirements are completed.

490 Section 16. Paragraph (c) of subsection (5) of section
491 409.1671, Florida Statutes, is amended to read:

492 409.1671 Foster care and related services; outsourcing.—

493 (5)

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494 (c) A foster home ~~dually~~ licensed ~~home~~ under s. 409.175 may
495 ~~this section shall~~ be dually licensed as a child care home under
496 chapter 402 and may eligible to receive a foster care
497 maintenance both an out-of-home care payment and, to the extent
498 permitted under federal law, school readiness funding a
499 ~~subsidized child care payment~~ for the same child ~~pursuant to~~
500 ~~federal law~~. The department may adopt ~~administrative~~ rules
501 necessary to administer this paragraph.

502 Section 17. Paragraphs (a), (d), (e), (f), (g), and (h) of
503 subsection (2) and subsections (4) through (11) of section
504 411.01, Florida Statutes, are amended to read:

505 411.01 School readiness programs; early learning
506 coalitions.—

507 (2) LEGISLATIVE INTENT.—

508 (a) The Legislature recognizes that school readiness
509 programs increase children's chances of achieving future
510 educational success and becoming productive members of society.
511 It is the intent of the Legislature that the programs be
512 developmentally appropriate, research-based, involve the parent
513 ~~parents~~ as a ~~their~~ child's first teacher, serve as preventive
514 measures for children at risk of future school failure, enhance
515 the educational readiness of eligible children, and support
516 family education. Each school readiness program shall provide
517 the elements necessary to prepare at-risk children for school,
518 including health screening and referral and an appropriate
519 educational program.

520 (d) It is the intent of the Legislature that the
521 administrative staff ~~at the state level~~ for school readiness
522 programs be kept to the minimum necessary to administer the

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523 duties of the Agency for Workforce Innovation and early learning
524 coalitions. The Agency for Workforce Innovation shall implement
525 system support services at the state level to build a
526 comprehensive early learning system, ~~as the school readiness~~
527 ~~programs are to be regionally designed, operated, and managed,~~
528 ~~with the Agency for Workforce Innovation developing school~~
529 ~~readiness program performance standards and outcome measures and~~
530 ~~approving and reviewing early learning coalitions and school~~
531 ~~readiness plans.~~

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

536 (e)-(f) It is the intent of the Legislature that the school
537 readiness program coordinate and operate in conjunction with the
538 district school systems. However, it is also the intent of the
539 Legislature that the school readiness program not be construed
540 as part of the system of free public schools but rather as a
541 separate program for children under the age of kindergarten
542 eligibility, funded separately from the system of free public
543 schools, utilizing a mandatory sliding fee scale, and providing
544 an integrated and seamless system of school readiness services
545 for the state's birth-to-kindergarten population.

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

549 (f)-(h) It is the intent of the Legislature that school
550 readiness services ~~shall~~ be an integrated and seamless program
551 ~~system~~ of services with a developmentally appropriate education

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552 component for the state's eligible birth-to-kindergarten
553 population described in subsection (6) and ~~shall~~ not be
554 construed as part of the seamless K-20 education system.

555 (4) AGENCY FOR WORKFORCE INNOVATION.—

556 (a) The Agency for Workforce Innovation shall administer
557 school readiness programs at the state level and shall
558 coordinate with the early learning coalitions in providing
559 school readiness services on a full-day, full-year, full-choice
560 basis to the extent possible in order to enable parents to work
561 and be financially self-sufficient.

562 (b) The Agency for Workforce Innovation shall:

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

567 ~~2. Continue to provide unified leadership for school~~
568 ~~readiness through early learning coalitions.~~

569 ~~2.3.~~ Focus on improving the educational quality of all
570 program providers participating in publicly funded school
571 readiness programs.

572 (c) The Governor shall designate the Agency for Workforce
573 Innovation as the lead agency for purposes of administration of
574 the federal Child Care and Development Fund, 45 C.F.R. parts 98
575 and 99, and the agency for Workforce Innovation may be
576 designated by the Governor as the lead agency and, if so
577 designated, shall comply with the lead agency responsibilities
578 under federal law.

579 (d) The Agency for Workforce Innovation shall:

580 1. Be responsible for the prudent use of all public and

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581 private funds in accordance with all legal and contractual
582 requirements.

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

585 3. ~~Establish~~ Provide leadership for the enhancement of
586 ~~school readiness in this state by aggressively establishing a~~
587 unified approach to the state's efforts toward enhancement of
588 school readiness. In support of this effort, the Agency for
589 Workforce Innovation shall adopt ~~may develop and implement~~
590 specific system support service strategies that address the
591 state's school readiness programs. An early learning coalition
592 shall amend its school readiness plan to conform to the specific
593 system support service strategies adopted by the Agency for
594 Workforce Innovation. System support services shall include, but
595 are not limited to:

- 596 a. Child care resource and referral services;
597 b. Warm-Line services;
598 c. Eligibility determinations;
599 d. Child performance standards;
600 e. Child screening and assessment;
601 f. Developmentally appropriate curricula;
602 g. Health and safety requirements;
603 h. Statewide data system requirements; and
604 i. Rating and improvement systems.

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

608 5. Adopt a rule establishing criteria for the expenditure
609 of funds designated for the purpose of funding activities to

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610 improve the quality of child care within the state in accordance
611 with s. 658G of the federal Child Care and Development Block
612 Grant Act.

613 ~~6.5.~~ Provide technical assistance to early learning
614 coalitions in a manner determined by the Agency for Workforce
615 Innovation based upon information obtained by the agency from
616 various sources, including, but not limited to, public input,
617 government reports, private interest group reports, agency
618 monitoring visits, and coalition requests for service.

619 7. In cooperation with the Department of Education and
620 early learning coalitions, coordinate with the Child Care
621 Services Program Office of the Department of Children and Family
622 Services to minimize duplicating interagency activities, health
623 and safety monitoring, and acquiring and composing data
624 pertaining to child care training and credentialing.

625 ~~6. Assess gaps in service.~~

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

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

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

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639 (e) The Agency for Workforce Innovation may adopt rules
640 under ss. 120.536(1) and 120.54 to administer the provisions of
641 law conferring duties upon the agency, including, but not
642 limited to, rules governing the administration of system support
643 services ~~preparation and implementation~~ of the school readiness
644 programs ~~system~~, the collection of data, the approval of early
645 learning coalitions and school readiness plans, the provision of
646 a method whereby an early learning coalition may serve two or
647 more counties, the award of incentives to early learning
648 coalitions, child performance standards, child outcome measures,
649 ~~and~~ the issuance of waivers, and the implementation of the
650 state's Child Care and Development Fund Plan as approved by the
651 federal Administration for Children and Families.

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

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

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

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

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

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

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697
698 Within 30 days after enrollment ~~The Agency for Workforce~~
699 ~~Innovation shall also require that, before a child is enrolled~~
700 ~~in the an early learning coalition's~~ school readiness program,
701 the early learning coalition must ensure that the program
702 provider obtains information ~~is obtained by the coalition or the~~
703 ~~school readiness provider~~ regarding the child's immunizations,
704 physical development, and other health requirements as
705 necessary, including appropriate vision and hearing screening
706 and examinations. For a program provider licensed by the
707 Department of Children and Family Services, the provider's
708 compliance with s. 402.305(9), as verified pursuant to s.
709 402.311, shall satisfy this requirement.

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

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

725 ~~(m) The Agency for Workforce Innovation shall identify best~~

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726 ~~practices of early learning coalitions in order to improve the~~
727 ~~outcomes of school readiness programs.~~

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

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

746 (5) CREATION OF EARLY LEARNING COALITIONS.-

747 (a) *Early learning coalitions.*-

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

751 2.1. The Agency for Workforce Innovation shall establish
752 the minimum number of children to be served by each early
753 learning coalition through the coalition's school readiness
754 program. The Agency for Workforce Innovation may only approve

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755 school readiness plans in accordance with this minimum number.
756 The minimum number must be uniform for every early learning
757 coalition and must:

- 758 a. Permit 31 ~~30~~ or fewer coalitions to be established; and
759 b. Require each coalition to serve at least 2,000 children
760 based upon the average number of all children served per month
761 through the coalition's school readiness program during the
762 previous 12 months.

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

775 3.2. If an early learning coalition would serve fewer
776 children than the minimum number established under subparagraph
777 2. 1., the coalition must merge with another county to form a
778 multicounty coalition. The Agency for Workforce Innovation shall
779 adopt procedures for merging early learning coalitions,
780 including procedures for the consolidation of merging
781 coalitions, and for the early termination of the terms of
782 coalition members which are necessary to accomplish the mergers.
783 However, the Agency for Workforce Innovation may authorize an

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784 early learning coalition to serve fewer children than the
785 minimum number established under subparagraph 2. 1, if:

786 a. The coalition demonstrates to the Agency for Workforce
787 Innovation that merging with another county or multicounty
788 region contiguous to the coalition would cause an extreme
789 hardship on the coalition;

790 b. The Agency for Workforce Innovation has determined
791 during the most recent ~~annual~~ review of the coalition's school
792 readiness plan, or through monitoring and performance
793 evaluations conducted under paragraph (4)(1), that the coalition
794 has substantially implemented its plan and substantially met the
795 performance standards and outcome measures adopted by the
796 agency; and

797 c. The coalition demonstrates to the Agency for Workforce
798 Innovation the coalition's ability to effectively and
799 efficiently implement the Voluntary Prekindergarten Education
800 Program.

801

802 If an early learning coalition fails or refuses to merge as
803 required by this subparagraph, the Agency for Workforce
804 Innovation may dissolve the coalition and temporarily contract
805 with a qualified entity to continue school readiness and
806 prekindergarten services in the coalition's county or
807 multicounty region until the agency reestablishes the coalition
808 and a new is reestablished through resubmission of a school
809 readiness plan is approved and approval by the agency.

810 ~~3. Notwithstanding the provisions of subparagraphs 1. and~~
811 ~~2., the early learning coalitions in Sarasota, Osceola, and~~
812 ~~Santa Rosa Counties which were in operation on January 1, 2005,~~

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813 ~~are established and authorized to continue operation as~~
814 ~~independent coalitions, and shall not be counted within the~~
815 ~~limit of 30 coalitions established in subparagraph 1.~~

816 4. Each early learning coalition shall be composed of at
817 least 15 ~~18~~ members but not more than 30 ~~35~~ members. The Agency
818 for Workforce Innovation shall adopt standards establishing
819 within this range the minimum and maximum number of members that
820 may be appointed to an early learning coalition and procedures
821 for identifying which members have voting privileges under
822 subparagraph 6. These standards must include variations for a
823 coalition serving a multicounty region. Each early learning
824 coalition must comply with these standards.

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

829 6. Each early learning coalition must include the following
830 member positions; however, in a multicounty coalition, each ex
831 officio member position may be filled by multiple nonvoting
832 members but no more than one voting member shall be seated per
833 member position. If an early learning coalition has more than
834 one member representing the same entity, only one of such
835 members may serve as a voting member ~~members:~~

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

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

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842 c. A regional workforce board executive director or his or
843 her designee.

844 d. A county health department director or his or her
845 designee.

846 e. A children's services council or juvenile welfare board
847 chair or executive director, if applicable, ~~who shall be a~~
848 ~~nonvoting member if the council or board is the fiscal agent of~~
849 ~~the coalition or if the council or board contracts with and~~
850 ~~receives funds from the coalition for any purpose other than~~
851 ~~rent.~~

852 f. An agency head of a local licensing agency as defined in
853 s. 402.302, where applicable.

854 g. A president of a community college or his or her
855 designee.

856 h. One member appointed by a board of county commissioners
857 or the governing board of a municipality.

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

860 j. A Head Start director, ~~who shall be a nonvoting member.~~

861 k. A representative of private for-profit child care
862 providers, including private for-profit family day care homes, ~~7~~
863 ~~who shall be a nonvoting member.~~

864 l. A representative of faith-based child care providers, ~~7~~
865 ~~who shall be a nonvoting member.~~

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

869 7. Including the members appointed by the Governor under
870 subparagraph 5., more than one-third of the members of each

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871 early learning coalition must be private sector business members
872 who do not have, and none of whose relatives as defined in s.
873 112.3143 has, a substantial financial interest in the design or
874 delivery of the Voluntary Prekindergarten Education Program
875 created under part V of chapter 1002 or the coalition's school
876 readiness program. To meet this requirement an early learning
877 coalition must appoint additional members ~~from a list of~~
878 ~~nominees submitted to the coalition by a chamber of commerce or~~
879 ~~economic development council within the geographic region served~~
880 ~~by the coalition.~~ The Agency for Workforce Innovation shall
881 establish criteria for appointing private sector business
882 members. These criteria must include standards for determining
883 whether a member or relative has a substantial financial
884 interest in the design or delivery of the Voluntary
885 Prekindergarten Education Program or the coalition's school
886 readiness program.

887 8. A majority of the voting membership of an early learning
888 coalition constitutes a quorum required to conduct the business
889 of the coalition. An early learning coalition board may use any
890 method of telecommunications to conduct meetings, including
891 establishing a quorum through telecommunications, provided that
892 the public is given proper notice of a telecommunications
893 meeting and reasonable access to observe and, when appropriate,
894 participate.

895 9. A voting member of an early learning coalition may not
896 appoint a designee to act in his or her place, except as
897 otherwise provided in this paragraph. A voting member may send a
898 representative to coalition meetings, but that representative
899 does not have voting privileges. When a district administrator

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900 for the Department of Children and Family Services appoints a
901 designee to an early learning coalition, the designee is the
902 voting member of the coalition, and any individual attending in
903 the designee's place, including the district administrator, does
904 not have voting privileges.

905 10. Each member of an early learning coalition is subject
906 to ss. 112.313, 112.3135, and 112.3143. For purposes of s.
907 112.3143(3)(a), each voting member is a local public officer who
908 must abstain from voting when a voting conflict exists.

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

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

913 13. Each early learning coalition shall establish terms for
914 all appointed members of the coalition. The terms must be
915 staggered and must be a uniform length that does not exceed 4
916 years per term. Coalition chairs shall be appointed for 4 years
917 in conjunction with their membership on the Early Learning
918 Advisory Council under s. 20.052. Appointed members may serve a
919 maximum of two consecutive terms. When a vacancy occurs in an
920 appointed position, the coalition must advertise the vacancy.

921 (b) Limitation.—Except as provided by law, the early
922 learning coalitions may not impose requirements on a child care
923 or early childhood education provider that does not deliver
924 services under the school readiness programs or receive state,
925 federal, required maintenance of effort, or matching funds under
926 this section.

927 ~~(b) Program participation.—The school readiness program~~
928 ~~shall be established for children from birth to the beginning of~~

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929 ~~the school year for which a child is eligible for admission to~~
930 ~~kindergarten in a public school under s. 1003.21(1)(a)2. The~~
931 ~~program shall be administered by the early learning coalition.~~
932 ~~Within funding limitations, the early learning coalition, along~~
933 ~~with all providers, shall make reasonable efforts to accommodate~~
934 ~~the needs of children for extended-day and extended-year~~
935 ~~services without compromising the quality of the program.~~

936 (c) *Program expectations.*—

937 1. The school readiness program must meet the following
938 expectations:

939 a. The program must, at a minimum, enhance the age-
940 appropriate progress of each child in attaining the development
941 of the school readiness skills required under paragraph (4)(j),
942 as measured by the performance standards and outcome measures
943 adopted by the Agency for Workforce Innovation.

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

947 c. The program There must provide a ~~be~~ coordinated
948 professional staff development system that supports the
949 achievement and maintenance of core competencies by school
950 readiness instructors in helping children attain the performance
951 standards and outcome measures adopted by the Agency for
952 Workforce Innovation ~~and teaching opportunities.~~

953 d. There must be expanded access to community services and
954 resources for families to help achieve economic self-
955 sufficiency.

956 e. There must be a single point of entry and unified
957 waiting list. As used in this sub-subparagraph, the term "single

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958 point of entry" means an integrated information system that
959 allows a parent to enroll his or her child in the school
960 readiness program at various locations throughout a the county
961 ~~or multicounty region served by an early learning coalition,~~
962 that may allow a parent to enroll his or her child by telephone
963 or through an Internet website, and that uses a unified waiting
964 list to track eligible children waiting for enrollment in the
965 school readiness program. The Agency for Workforce Innovation
966 shall establish through technology a single statewide
967 information system that each coalition must use for the purposes
968 of managing the integrates each early learning coalition's
969 single point of entry, tracking children's progress,
970 coordinating services among stakeholders, determining
971 eligibility, tracking child attendance, and streamlining
972 administrative processes for providers and early learning
973 coalitions and each coalition must use the statewide system.

974 f. The Agency for Workforce Innovation must consider the
975 access of eligible children to the school readiness program, as
976 demonstrated in part by waiting lists, before approving a
977 proposed increase in payment rates submitted by an early
978 learning coalition. In addition, early learning coalitions shall
979 use school readiness funds made available due to enrollment
980 shifts from school readiness programs to the Voluntary
981 Prekindergarten Education Program for increasing the number of
982 children served in school readiness programs before increasing
983 payment rates.

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

986 ~~g.h.~~ The program must meet all state licensing guidelines,

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987 where applicable.

988 h. The program must ensure that minimum standards for child
989 discipline practices are age-appropriate. Such standards must
990 provide that children not be subjected to discipline that is
991 severe, humiliating, or frightening or discipline that is
992 associated with food, rest, or toileting. Spanking or any other
993 form of physical punishment is prohibited.

994 2. Each ~~The~~ early learning coalition must implement a
995 comprehensive program of school readiness services in accordance
996 with the rules adopted by the agency which ~~that~~ enhance the
997 cognitive, social, and physical development of children to
998 achieve the performance standards and outcome measures ~~adopted~~
999 ~~by the agency for Workforce Innovation~~. At a minimum, these
1000 programs must contain the following system support service
1001 elements:

1002 a. Developmentally appropriate curriculum designed to
1003 enhance the age-appropriate progress of children in attaining
1004 the performance standards adopted by the Agency for Workforce
1005 Innovation under subparagraph (4) (d) 8.

1006 b. A character development program to develop basic values.

1007 c. An age-appropriate screening ~~assessment~~ of each child's
1008 development.

1009 d. An age-appropriate assessment ~~A pretest~~ administered to
1010 children when they enter a program and an age-appropriate
1011 assessment ~~a posttest~~ administered to children when they leave
1012 the program.

1013 e. An appropriate staff-to-children ratio, pursuant to s.
1014 402.305(4) or s. 402.302(7) or (8), as applicable, and as
1015 verified pursuant to s. 402.311.

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1016 f. A healthy and safe environment pursuant to s.
1017 401.305(5), (6), and (7), as applicable, and as verified
1018 pursuant to s. 402.311.

1019 g. A resource and referral network established under s.
1020 411.0101 to assist parents in making an informed choice and a
1021 regional Warm-Line under s. 411.01015.

1022
1023 The Agency for Workforce Innovation, the Department of
1024 Education, and early learning coalitions shall coordinate with
1025 the Child Care Services Program Office of the Department of
1026 Children and Family Services to minimize duplicating interagency
1027 activities pertaining to acquiring and composing data for child
1028 care training and credentialing.

1029 (d) *Implementation.*—

1030 1. An early learning coalition may not implement the school
1031 readiness program until the coalition is authorized through
1032 approval of the coalition's school readiness plan by the Agency
1033 for Workforce Innovation.

1034 2. Each early learning coalition shall coordinate with one
1035 another to implement a comprehensive program of school readiness
1036 services which enhances the cognitive, social, physical, and
1037 moral character of the children to achieve the performance
1038 standards and outcome measures and which helps families achieve
1039 economic self-sufficiency. Such program must contain, at a
1040 minimum, the following elements: ~~develop a plan for implementing~~

1041 a. Implement the school readiness program to meet the
1042 requirements of this section and the system support services,
1043 performance standards, and outcome measures adopted by the
1044 Agency for Workforce Innovation.

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1045 b. ~~The plan must~~ Demonstrate how the program will ensure
1046 that each ~~3-year-old and 4-year-old~~ child from birth through 5
1047 years of age in a publicly funded school readiness program
1048 receives scheduled activities and instruction designed to
1049 enhance the age-appropriate progress of the children in
1050 attaining the performance standards adopted by the Agency for
1051 Workforce Innovation under subparagraph (4) (d) 8.

1052 c. Ensure that the coalition has solicited and considered
1053 comments regarding the proposed school readiness plan from the
1054 local community.

1055
1056 Before implementing the school readiness program, the early
1057 learning coalition must submit the plan to the Agency for
1058 Workforce Innovation for approval. The Agency for Workforce
1059 Innovation may approve the plan, reject the plan, or approve the
1060 plan with conditions. The Agency for Workforce Innovation shall
1061 review school readiness plans at least every 2 years annually.

1062 3. If the Agency for Workforce Innovation determines during
1063 the ~~annual~~ review of school readiness plans, or through
1064 monitoring and performance evaluations conducted under paragraph
1065 (4) (1), that an early learning coalition has not substantially
1066 implemented its plan, has not substantially met the performance
1067 standards and outcome measures adopted by the agency, or has not
1068 effectively administered the school readiness program or
1069 Voluntary Prekindergarten Education Program, the Agency for
1070 Workforce Innovation may dissolve the coalition and temporarily
1071 contract with a qualified entity to continue school readiness
1072 and prekindergarten services in the coalition's county or
1073 multicounty region until the agency reestablishes the coalition

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1074 ~~and a new~~ the coalition is reestablished through resubmission of
1075 a school readiness plan is approved in accordance with the rules
1076 adopted and approval by the agency.

1077 4. The Agency for Workforce Innovation shall adopt rules
1078 establishing criteria for the approval of school readiness
1079 plans. The criteria must be consistent with the system support
1080 services, performance standards, and outcome measures adopted by
1081 the agency and must require each approved plan to include the
1082 following minimum standards and provisions for the school
1083 readiness program:

1084 a. A community plan that addresses the needs of all
1085 children and providers within the coalition's county or
1086 multicounty region.

1087 ~~b.a.~~ A sliding fee scale establishing a copayment for
1088 parents based upon their ability to pay, which is the same for
1089 all program providers, ~~to be implemented and reflected in each~~
1090 ~~program's budget.~~

1091 ~~c.b.~~ A choice of settings and locations in licensed,
1092 registered, religious-exempt, or school-based programs to be
1093 provided to parents.

1094 ~~e. Instructional staff who have completed the training~~
1095 ~~course as required in s. 402.305(2)(d)1., as well as staff who~~
1096 ~~have additional training or credentials as required by the~~
1097 ~~Agency for Workforce Innovation. The plan must provide a method~~
1098 ~~for assuring the qualifications of all personnel in all program~~
1099 ~~settings.~~

1100 d. Specific eligibility priorities for children ~~within the~~
1101 ~~early learning coalition's county or multicounty region in~~
1102 accordance with subsection (6).

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1103 e. Performance standards and outcome measures adopted by
1104 the Agency for Workforce Innovation.

1105 f. Payment rates adopted by the early learning coalitions
1106 ~~coalition~~ and approved by the Agency for Workforce Innovation.
1107 Payment rates may not have the effect of limiting parental
1108 choice or creating standards or levels of services that have not
1109 been expressly established ~~authorized~~ by the Legislature, unless
1110 the creation of such standards or levels of service is a
1111 precondition for the state's eligibility to receive federal
1112 funds available for early learning programs.

1113 ~~g. Systems support services, including a central agency,~~
1114 ~~child care resource and referral, eligibility determinations,~~
1115 ~~training of providers, and parent support and involvement.~~

1116 ~~g.h.~~ Direct enhancement services for ~~to~~ families and
1117 children. System support and direct enhancement services shall
1118 be in addition to payments for the placement of children in
1119 school readiness programs. Direct enhancement services for
1120 families may include parent training and involvement activities
1121 and strategies to meet the needs of unique populations and local
1122 eligibility priorities. Enhancement services for children may
1123 include provider supports and professional development approved
1124 in the plan by the Agency for Workforce Innovation.

1125 ~~h.i.~~ The business organization of the early learning
1126 coalition, which must include the coalition's articles of
1127 incorporation and bylaws if the coalition is organized as a
1128 corporation. If the coalition is not organized as a corporation
1129 or other business entity, the plan must include the contract
1130 with a fiscal agent. An early learning coalition may contract
1131 with other coalitions to achieve efficiency in multicounty

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1132 services, and these contracts may be part of the coalition's
1133 school readiness plan.

1134 i. The implementation of locally developed quality programs
1135 in accordance with the requirements adopted by the agency under
1136 subparagraph (4) (d) 5.

1137 ~~j. Strategies to meet the needs of unique populations, such~~
1138 ~~as migrant workers.~~

1139
1140 ~~As part of the school readiness plan,~~ The Agency for Workforce
1141 Innovation early learning coalition may request the Governor to
1142 apply for a waiver to allow the coalition to administer the Head
1143 Start Program to accomplish the purposes of the school readiness
1144 program. ~~If a school readiness plan demonstrates that specific~~
1145 ~~statutory goals can be achieved more effectively by using~~
1146 ~~procedures that require modification of existing rules,~~
1147 ~~policies, or procedures, a request for a waiver to the Agency~~
1148 ~~for Workforce Innovation may be submitted as part of the plan.~~
1149 ~~Upon review, the Agency for Workforce Innovation may grant the~~
1150 ~~proposed modification.~~

1151 5. Persons with an early childhood teaching certificate may
1152 provide support and supervision to other staff in the school
1153 readiness program.

1154 6. An early learning coalition may not implement its school
1155 readiness plan until it submits the plan to and receives
1156 approval from the Agency for Workforce Innovation. Once the plan
1157 is approved, the plan and the services provided under the plan
1158 shall be controlled by the early learning coalition. The plan
1159 shall be reviewed and revised as necessary, but at least
1160 biennially. An early learning coalition may not implement the

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1161 revisions until the coalition submits the revised plan to and
1162 receives approval from the Agency for Workforce Innovation. If
1163 the Agency for Workforce Innovation rejects a revised plan, the
1164 coalition must continue to operate under its prior approved
1165 plan.

1166 7. Sections 125.901(2)(a)3., 411.221, and 411.232 do not
1167 apply to ~~an early learning coalition with an approved school~~
1168 ~~readiness programs plan.~~ The Agency for Workforce Innovation ~~To~~
1169 ~~facilitate innovative practices and to allow the regional~~
1170 ~~establishment of school readiness programs, an early learning~~
1171 ~~coalition~~ may apply to the Governor and Cabinet for a waiver of,
1172 and the Governor and Cabinet may waive, any of the provisions of
1173 ss. 411.223, 411.232, and 1003.54, if the waiver is necessary
1174 for implementation of ~~the coalition's~~ school readiness programs
1175 plan.

1176 8. Two or more early learning coalitions ~~counties~~ may join
1177 for purposes of planning and implementing a school readiness
1178 program.

1179 ~~9. An early learning coalition may, subject to approval by~~
1180 ~~The Agency for Workforce Innovation as part of the coalition's~~
1181 ~~school readiness plan, receive subsidized child care funds for~~
1182 ~~all children eligible for any federal subsidized child care~~
1183 ~~program.~~

1184 ~~10. An early learning coalition may enter into multiparty~~
1185 ~~contracts with multicounty service providers in order to meet~~
1186 ~~the needs of unique populations such as migrant workers.~~

1187 (e) *Requests for proposals; payment schedule.*—

1188 1. Each early learning coalition must comply with the
1189 procurement and expenditure procedures adopted by the Agency for

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1190 Workforce Innovation, including, but not limited to, applying
1191 the procurement and expenditure procedures required by federal
1192 law for the expenditure of federal funds s. 287.057 for the
1193 ~~procurement of commodities or contractual services from the~~
1194 ~~funds described in paragraph (9) (d). The period of a contract~~
1195 ~~for purchase of these commodities or contractual services,~~
1196 ~~together with any renewal of the original contract, may not~~
1197 ~~exceed 3 years.~~

1198 2. Each early learning coalition shall adopt a payment
1199 schedule that encompasses all programs funded ~~by the coalition~~
1200 under this section. The payment schedule must take into
1201 consideration the prevailing ~~relevant~~ market rate, must include
1202 the projected number of children to be served, and must be
1203 submitted for approval by the Agency for Workforce Innovation.
1204 Informal child care arrangements shall be reimbursed at not more
1205 than 50 percent of the rate adopted ~~developed~~ for a family day
1206 care home.

1207 ~~(f) Requirements relating to fiscal agents. If an early~~
1208 ~~learning coalition is not legally organized as a corporation or~~
1209 ~~other business entity, the coalition must designate a fiscal~~
1210 ~~agent, which may be a public entity, a private nonprofit~~
1211 ~~organization, or a certified public accountant who holds a~~
1212 ~~license under chapter 473. The fiscal agent must provide~~
1213 ~~financial and administrative services under a contract with the~~
1214 ~~early learning coalition. The fiscal agent may not provide~~
1215 ~~direct early childhood education or child care services;~~
1216 ~~however, a fiscal agent may provide those services upon written~~
1217 ~~request of the early learning coalition to the Agency for~~
1218 ~~Workforce Innovation and upon the approval of the request by the~~

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1219 ~~agency. The cost of the financial and administrative services~~
1220 ~~shall be negotiated between the fiscal agent and the early~~
1221 ~~learning coalition. If the fiscal agent is a provider of early~~
1222 ~~childhood education and child care programs, the contract must~~
1223 ~~specify that the fiscal agent shall act on policy direction from~~
1224 ~~the early learning coalition and must not receive policy~~
1225 ~~direction from its own corporate board regarding disbursement of~~
1226 ~~the coalition's funds. The fiscal agent shall disburse funds in~~
1227 ~~accordance with the early learning coalition's approved school~~
1228 ~~readiness plan and based on billing and disbursement procedures~~
1229 ~~approved by the Agency for Workforce Innovation. The fiscal~~
1230 ~~agent must conform to all data-reporting requirements~~
1231 ~~established by the Agency for Workforce Innovation.~~

1232 ~~(f)(g)~~ *Evaluation and annual report.*—Each early learning
1233 coalition shall conduct an evaluation of its implementation the
1234 ~~effectiveness~~ of the school readiness program, including system
1235 support services, performance standards, and outcome measures,
1236 and shall provide an annual report and fiscal statement to the
1237 Agency for Workforce Innovation. This report must also include
1238 an evaluation of the effectiveness of its direct enhancement
1239 services and conform to the content and format specifications
1240 adopted ~~set~~ by the Agency for Workforce Innovation. The Agency
1241 for Workforce Innovation must include an analysis of the early
1242 learning coalitions' reports in the agency's annual report.

1243 (6) PROGRAM ELIGIBILITY.—~~The Each early learning~~
1244 ~~coalition's~~ school readiness program is ~~shall be~~ established for
1245 children from birth to the beginning of the school year for
1246 which a child is eligible for admission to kindergarten in a
1247 public school under s. 1003.21(1)(a)2. or who are eligible for

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1248 any federal subsidized child care program. Each early learning
 1249 coalition shall give priority for participation in the school
 1250 readiness program as follows:

1251 (a) Priority shall be given first to a child from a family
 1252 in which there is an adult receiving temporary cash assistance
 1253 who is subject to federal work requirements.

1254 (b) Priority shall be given next to a child who is eligible
 1255 for a school readiness program but who has not yet entered
 1256 children age 3 years to school, entry who is are served by the
 1257 Family Safety Program Office of the Department of Children and
 1258 Family Services or a community-based lead agency under chapter
 1259 39 or chapter 409, and for whom child care is needed to minimize
 1260 risk of further abuse, neglect, or abandonment.

1261 (c) Subsequent priority shall be given to a child ~~Other~~
 1262 eligible populations include children who ~~meets~~ meet one or more
 1263 of the following criteria:

1264 1. ~~(a)~~ A child who is younger than ~~Children under~~ the age of
 1265 kindergarten eligibility ~~and who are~~:

1266 1. ~~Children determined to be at risk of abuse, neglect, or~~
 1267 ~~exploitation who are currently clients of the Family Safety~~
 1268 ~~Program Office of the Department of Children and Family~~
 1269 ~~Services, but who are not otherwise given priority under this~~
 1270 ~~subsection.~~

1271 a.2. ~~Is~~ Children at risk of welfare dependency, including
 1272 an economically disadvantaged ~~child~~ children, a child children
 1273 of a ~~participant~~ participants in the welfare transition program,
 1274 a child of a migratory agricultural worker ~~children of migrant~~
 1275 ~~farmworkers, or a child and children~~ of a teen parent parents.

1276 b.3. ~~Is a member~~ Children of a working family that is

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1277 economically disadvantaged families ~~whose family income does not~~
1278 ~~exceed 150 percent of the federal poverty level.~~

1279 ~~c.4. Children~~ For whom financial assistance is provided
1280 through the state is paying a Relative Caregiver Program payment
1281 under s. 39.5085.

1282 ~~2.(b) A 3-year-old child or Three-year-old children and 4-~~
1283 ~~year-old child ~~children~~ who may not be economically~~
1284 ~~disadvantaged but who has a disability; has have disabilities,~~
1285 ~~have been served in a specific part-time exceptional education~~
1286 ~~program or a combination of part-time exceptional education~~
1287 ~~programs with required special services, aids, or equipment;;~~
1288 ~~and was ~~were~~ previously reported for funding part time under~~
1289 ~~with the Florida Education Finance Program as an exceptional~~
1290 ~~student ~~students~~.~~

1291 ~~3.(c) An economically disadvantaged child ~~children~~, a child~~
1292 ~~children with a disability ~~disabilities~~, or a child ~~and children~~~~
1293 ~~at risk of future school failure, from birth to 4 years of age,~~
1294 ~~who is ~~are~~ served at home through a home visitor program~~
1295 ~~programs and an intensive parent education program ~~programs~~.~~

1296 ~~4.(d) A child Children who meets ~~meet~~ federal and state~~
1297 ~~eligibility requirements for the migrant preschool program but~~
1298 ~~who is ~~do~~ not ~~meet the criteria~~ of economically disadvantaged.~~

1299
1300 As used in this paragraph subsection, the term "economically
1301 ~~disadvantaged" child means having a ~~child~~ whose family income~~
1302 ~~that does not exceed 150 percent of the federal poverty level.~~
1303 ~~Notwithstanding any change in a family's economic status, but~~
1304 ~~subject to additional family contributions in accordance with~~
1305 ~~the sliding fee scale, a child who meets the eligibility~~

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1306 requirements upon initial registration for the program remains
1307 eligible until the beginning of the school year for which the
1308 child is eligible for admission to kindergarten in a public
1309 school under s. 1003.21(1)(a)2.

1310 (7) PARENTAL CHOICE.—

1311 (a) Parental choice of child care providers shall be
1312 established, to the maximum extent practicable, in accordance
1313 with 45 C.F.R. s. 98.30.

1314 (b) As used in this subsection, the term "payment
1315 certificate" means a child care certificate as defined in 45
1316 C.F.R. s. 98.2.

1317 (c) The school readiness program shall, in accordance with
1318 45 C.F.R. s. 98.30, provide parental choice through a payment
1319 certificate ~~purchase service order~~ that ensures, to the maximum
1320 extent possible, flexibility in the school readiness program
1321 ~~programs~~ and payment arrangements. ~~According to federal~~
1322 ~~regulations requiring parental choice, a parent may choose an~~
1323 ~~informal child care arrangement.~~ The payment certificate
1324 ~~purchase order~~ must bear the names ~~name~~ of the beneficiary and
1325 the program provider and, when redeemed, must bear the
1326 signatures ~~signature~~ of both the beneficiary and an authorized
1327 representative of the provider.

1328 (d) ~~(b)~~ If it is determined that a provider has given
1329 ~~provided~~ any cash to the beneficiary in return for receiving a
1330 payment certificate ~~the purchase order~~, the early learning
1331 coalition or its fiscal agent shall refer the matter to the
1332 Division of Public Assistance Fraud for investigation.

1333 (e) ~~(e)~~ The office of the Chief Financial Officer shall
1334 establish an electronic transfer system for the disbursement of

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1335 funds in accordance with this subsection. Each early learning
1336 coalition shall fully implement the electronic funds transfer
1337 system within 2 years after approval of the coalition's school
1338 readiness plan, unless a waiver is obtained from the Agency for
1339 Workforce Innovation.

1340 (8) STANDARDS; OUTCOME MEASURES.—A program provider
1341 participating in the All school readiness program programs must
1342 meet the performance standards and outcome measures adopted by
1343 the Agency for Workforce Innovation.

1344 (9) FUNDING; SCHOOL READINESS PROGRAM.—

1345 (a) It is the intent of this section to establish an
1346 integrated and quality seamless service delivery system for all
1347 publicly funded early childhood education and child care
1348 programs operating in this state.

1349 (b)1. The Agency for Workforce Innovation shall administer
1350 school readiness funds, plans, and policies and shall prepare
1351 and submit a unified budget request for the school readiness
1352 system in accordance with chapter 216.

1353 2. All instructions to early learning coalitions for
1354 administering this section shall emanate from the Agency for
1355 Workforce Innovation in accordance with the policies of the
1356 Legislature.

1357 (c) The Agency for Workforce Innovation, subject to
1358 legislative notice and review under s. 216.177, shall establish
1359 ~~recommend~~ a formula for the allocation ~~among the early learning~~
1360 ~~coalitions~~ of all state and federal school readiness funds
1361 provided for children participating in the public or private
1362 school readiness program, whether served by a public or private
1363 provider, programs based upon equity for each county and

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1364 ~~performance.~~ The allocation formula must be submitted to the
1365 Governor, the chair of the Senate Ways and Means Committee or
1366 its successor, and the chair of the House of Representatives
1367 Fiscal Council or its successor no later than January 1 of each
1368 year. If the Legislature specifies ~~shall specify in the annual~~
1369 ~~General Appropriations Act any changes to from~~ the allocation
1370 formula, methodology for the prior fiscal year which must be
1371 used by the Agency for Workforce Innovation shall allocate funds
1372 as specified in allocating the appropriations provided in the
1373 General Appropriations Act.

1374 (d) All state, federal, and required local maintenance-of-
1375 effort, or matching funds provided to an early learning
1376 coalition for purposes of this section shall be used ~~by the~~
1377 ~~coalition~~ for implementation of its approved school readiness
1378 plan, including the hiring of staff to effectively operate the
1379 coalition's school readiness program. As part of plan approval
1380 and periodic plan review, The Agency for Workforce Innovation
1381 shall require that administrative costs be kept to the minimum
1382 necessary for efficient and effective administration of the
1383 school readiness plan, but total administrative expenditures
1384 must not exceed 5 percent unless specifically waived by the
1385 Agency for Workforce Innovation. The Agency for Workforce
1386 Innovation shall annually report to the Legislature any problems
1387 relating to administrative costs.

1388 (e) The Agency for Workforce Innovation shall annually
1389 distribute, to a maximum extent practicable, all eligible funds
1390 provided under this section as block grants to the early
1391 learning coalitions in accordance with the terms and conditions
1392 specified by the agency.

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1393 (f) State funds appropriated for the school readiness
1394 program may not be used for the construction of new facilities
1395 or the purchase of buses. ~~The Agency for Workforce Innovation~~
1396 ~~shall present to the Legislature recommendations for providing~~
1397 ~~necessary transportation services for school readiness programs.~~

1398 (g) All cost savings and all revenues received through a
1399 mandatory sliding fee scale shall be used to help fund each
1400 early learning coalition's school readiness program.

1401 (10) CONFLICTING PROVISIONS.—If ~~In the event of~~ a conflict
1402 exists between this section and federal requirements, the
1403 federal requirements shall control.

1404 ~~(11) PLACEMENTS.—Notwithstanding any other provision of~~
1405 ~~this section to the contrary, the first children to be placed in~~
1406 ~~the school readiness program shall be those from families~~
1407 ~~receiving temporary cash assistance and subject to federal work~~
1408 ~~requirements. Subsequent placements shall be made in accordance~~
1409 ~~with subsection (6).~~

1410 Section 18. Section 411.0101, Florida Statutes, is amended
1411 to read:

1412 411.0101 Child care and early childhood resource and
1413 referral.—

1414 (1) As a part of the school readiness programs, the Agency
1415 for Workforce Innovation shall establish a statewide child care
1416 resource and referral network that is unbiased and provides
1417 referrals to families for child care. Preference shall be given
1418 to using the already established early learning coalitions as
1419 the child care resource and referral agencies ~~agency~~. If an
1420 early learning coalition cannot comply with the requirements to
1421 offer the resource information component or does not want to

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1422 offer that service, the early learning coalition shall select
1423 the resource and referral information agency for its county or
1424 multicounty region based upon a request for proposal pursuant to
1425 s. 411.01(5)(e)1.

1426 (2) At least one child care resource and referral agency
1427 must be established in each early learning coalition's county or
1428 multicounty region. The Agency for Workforce Innovation shall
1429 adopt rules regarding accessibility of child care resource and
1430 referral services offered through child care resource and
1431 referral agencies in each county or multicounty region which
1432 include, at a minimum, required hours of operation, methods by
1433 which parents may request services, and child care resource and
1434 referral staff training requirements.

1435 (3) Child care resource and referral agencies shall provide
1436 the following services:

1437 (a) ~~(1)~~ Identification of existing public and private child
1438 care and early childhood education services, including child
1439 care services by public and private employers, and the
1440 development of a resource file of those services through the
1441 single statewide information system developed by the Agency for
1442 Workforce Innovation under s. 411.01(5)(c)1.e. These services
1443 may include family day care, public and private child care
1444 programs, the Voluntary Prekindergarten Education Program, Head
1445 Start, the school readiness program ~~prekindergarten early~~
1446 ~~intervention programs,~~ special education programs for
1447 prekindergarten ~~handicapped~~ children with disabilities, services
1448 for children with developmental disabilities, full-time and
1449 part-time programs, before-school and after-school programs,
1450 vacation care programs, parent education, the WAGES Program, and

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1451 related family support services. The resource file shall
1452 include, but not be limited to:

- 1453 1.~~(a)~~ Type of program.
- 1454 2.~~(b)~~ Hours of service.
- 1455 3.~~(c)~~ Ages of children served.
- 1456 4.~~(d)~~ Number of children served.
- 1457 5.~~(e)~~ Significant program information.
- 1458 6.~~(f)~~ Fees and eligibility for services.
- 1459 7.~~(g)~~ Availability of transportation.

1460 (b)~~(2)~~ The establishment of a referral process that ~~which~~
1461 responds to parental need for information and that ~~which~~ is
1462 provided with full recognition of the confidentiality rights of
1463 parents. The resource and referral network ~~programs~~ shall make
1464 referrals to legally operating ~~licensed~~ child care facilities.
1465 Referrals may not ~~shall~~ be made to a an~~unlicensed~~ child care
1466 facility that is operating illegally ~~or arrangement only if~~
1467 ~~there is no requirement that the facility or arrangement be~~
1468 ~~licensed.~~

1469 (c)~~(3)~~ Maintenance of ongoing documentation of requests for
1470 service tabulated through the internal referral process through
1471 the single statewide information system. The following
1472 documentation of requests for service shall be maintained by the
1473 ~~all~~ child care resource and referral network ~~agencies~~:

- 1474 1.~~(a)~~ Number of calls and contacts to the child care
1475 resource information and referral network ~~agency~~ component by
1476 type of service requested.
- 1477 2.~~(b)~~ Ages of children for whom service was requested.
- 1478 3.~~(c)~~ Time category of child care requests for each child.
- 1479 4.~~(d)~~ Special time category, such as nights, weekends, and

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1480 swing shift.

1481 5.~~(e)~~ Reason that the child care is needed.

1482 6.~~(f)~~ Name of the employer and primary focus of the
1483 business.

1484 (d)~~(4)~~ Provision of technical assistance to existing and
1485 potential providers of child care services. This assistance may
1486 include:

1487 1.~~(a)~~ Information on initiating new child care services,
1488 zoning, and program and budget development and assistance in
1489 finding such information from other sources.

1490 2.~~(b)~~ Information and resources which help existing child
1491 care services providers to maximize their ability to serve
1492 children and parents in their community.

1493 3.~~(c)~~ Information and incentives that may ~~which could~~ help
1494 existing or planned child care services offered by public or
1495 private employers seeking to maximize their ability to serve the
1496 children of their working parent employees in their community,
1497 through contractual or other funding arrangements with
1498 businesses.

1499 (e)~~(5)~~ Assistance to families and employers in applying for
1500 various sources of subsidy including, but not limited to, the
1501 Voluntary Prekindergarten Education Program, the school
1502 readiness program ~~subsidized child care~~, Head Start,
1503 ~~prekindergarten early intervention programs~~, Project
1504 Independence, private scholarships, and the federal child and
1505 dependent care tax credit.

1506 ~~(6) Assistance to state agencies in determining the market~~
1507 ~~rate for child care.~~

1508 (f)~~(7)~~ Assistance in negotiating discounts or other special

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1509 arrangements with child care providers.

1510 ~~(8) Information and assistance to local interagency~~
1511 ~~councils coordinating services for prekindergarten handicapped~~
1512 ~~children.~~

1513 (g) ~~(9)~~ Assistance to families in identifying summer
1514 recreation camp and summer day camp programs, and in evaluating
1515 the health and safety qualities of summer recreation camp and
1516 summer day camp programs, and in evaluating the health and
1517 safety qualities of summer camp programs. Contingent upon
1518 specific appropriation, a checklist of important health and
1519 safety qualities that parents can use to choose their summer
1520 camp programs shall be developed and distributed in a manner
1521 that will reach parents interested in such programs for their
1522 children.

1523 (h) ~~(10)~~ A child care facility licensed under s. 402.305 and
1524 licensed and registered family day care homes must provide the
1525 statewide child care and resource and referral network ~~agencies~~
1526 with the following information annually:

- 1527 1. ~~(a)~~ Type of program.
1528 2. ~~(b)~~ Hours of service.
1529 3. ~~(c)~~ Ages of children served.
1530 4. ~~(d)~~ Fees and eligibility for services.

1531 (4) ~~(11)~~ The Agency for Workforce Innovation shall adopt any
1532 rules necessary for the implementation and administration of
1533 this section.

1534 Section 19. Subsection (3), paragraph (b) of subsection
1535 (4), and paragraphs (c) and (d) of subsection (5) of section
1536 411.0102, Florida Statutes, are amended to read:

1537 411.0102 Child Care Executive Partnership Act; findings and

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1538 intent; grant; limitation; rules.-

1539 (3) There is created a body politic and corporate known as
1540 the Child Care Executive Partnership which shall establish and
1541 govern the Child Care Executive Partnership Program. The purpose
1542 of the Child Care Executive Partnership Program is to utilize
1543 state and federal funds as incentives for matching local funds
1544 derived from local governments, employers, charitable
1545 foundations, and other sources, so that Florida communities may
1546 create local flexible partnerships with employers. The Child
1547 Care Executive Partnership Program funds shall be used at the
1548 discretion of local communities to meet the needs of working
1549 parents. A child care purchasing pool shall be developed with
1550 the state, federal, and local funds to provide subsidies to low-
1551 income working parents whose family income does not exceed the
1552 allowable income for any federally subsidized child care program
1553 ~~who are eligible for subsidized child care~~ with a dollar-for-
1554 dollar match from employers, local government, and other
1555 matching contributions. The funds used from the child care
1556 purchasing pool must be used to supplement or extend the use of
1557 existing public or private funds.

1558 (4) The Child Care Executive Partnership, staffed by the
1559 Agency for Workforce Innovation, shall consist of a
1560 representative of the Executive Office of the Governor and nine
1561 members of the corporate or child care community, appointed by
1562 the Governor.

1563 (b) The Child Care Executive Partnership shall be chaired
1564 by a member chosen by a majority vote and shall meet at least
1565 quarterly and at other times upon the call of the chair. The
1566 Child Care Executive Partnership may use any method of

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1567 telecommunications to conduct meetings, including establishing a
1568 quorum through telecommunications, only if the public is given
1569 proper notice of a telecommunications meeting and reasonable
1570 access to observe and, when appropriate, participate.

1571 (5)

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

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

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

1586 (d) Each early learning coalition board shall ~~be required~~
1587 ~~to establish a community child care task force for each child~~
1588 ~~care purchasing pool. The task force must be composed of~~
1589 ~~employers, parents, private child care providers, and one~~
1590 ~~representative from the local children's services council, if~~
1591 ~~one exists in the area of the purchasing pool. The early~~
1592 ~~learning coalition is expected to recruit the task force members~~
1593 ~~from existing child care councils, commissions, or task forces~~
1594 ~~already operating in the area of a purchasing pool. A majority~~
1595 ~~of the task force shall consist of employers. Each task force~~

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1596 ~~shall~~ develop a plan for the use of child care purchasing pool
1597 funds. The plan must show how many children will be served by
1598 the purchasing pool, how many will be new to receiving child
1599 care services, and how the early learning coalition intends to
1600 attract new employers and their employees to the program.

1601 Section 20. Paragraph (b) of subsection (8) of section
1602 411.203, Florida Statutes, is amended to read:

1603 411.203 Continuum of comprehensive services.—The Department
1604 of Education and the Department of Health and Rehabilitative
1605 Services shall utilize the continuum of prevention and early
1606 assistance services for high-risk pregnant women and for high-
1607 risk and handicapped children and their families, as outlined in
1608 this section, as a basis for the intraagency and interagency
1609 program coordination, monitoring, and analysis required in this
1610 chapter. The continuum shall be the guide for the comprehensive
1611 statewide approach for services for high-risk pregnant women and
1612 for high-risk and handicapped children and their families, and
1613 may be expanded or reduced as necessary for the enhancement of
1614 those services. Expansion or reduction of the continuum shall be
1615 determined by intraagency or interagency findings and agreement,
1616 whichever is applicable. Implementation of the continuum shall
1617 be based upon applicable eligibility criteria, availability of
1618 resources, and interagency prioritization when programs impact
1619 both agencies, or upon single agency prioritization when
1620 programs impact only one agency. The continuum shall include,
1621 but not be limited to:

1622 (8) SUPPORT SERVICES FOR ALL EXPECTANT PARENTS AND PARENTS
1623 OF HIGH-RISK CHILDREN.—

1624 (b) Child care and early childhood programs, including, but

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1625 not limited to, ~~subsidized child care~~, licensed ~~nonsubsidized~~
1626 child care facilities, family day care homes, therapeutic child
1627 care, Head Start, and preschool programs in public and private
1628 schools.

1629 Section 21. Subsection (2) of section 411.221, Florida
1630 Statutes, is amended to read:

1631 411.221 Prevention and early assistance strategic plan;
1632 agency responsibilities.—

1633 (2) The strategic plan and subsequent plan revisions shall
1634 incorporate and otherwise utilize, to the fullest extent
1635 possible, the evaluation findings and recommendations from
1636 intraagency, independent third-party, field projects, and
1637 reports issued by the Auditor General or the Office of Program
1638 Policy Analysis and Government Accountability, as well as the
1639 recommendations of the Agency for Workforce Innovation State
1640 ~~Coordinating Council for School Readiness Programs~~.

1641 Section 22. Paragraph (c) of subsection (4) of section
1642 445.024, Florida Statutes, is amended to read:

1643 445.024 Work requirements.—

1644 (4) PRIORITIZATION OF WORK REQUIREMENTS.—Regional workforce
1645 boards shall require participation in work activities to the
1646 maximum extent possible, subject to federal and state funding.
1647 If funds are projected to be insufficient to allow full-time
1648 work activities by all program participants who are required to
1649 participate in work activities, regional workforce boards shall
1650 screen participants and assign priority based on the following:

1651 (c) A participant who has access to ~~subsidized or~~
1652 ~~unsubsidized~~ child care services may be assigned priority for
1653 work activities.

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1655 Regional workforce boards may limit a participant's weekly work
1656 requirement to the minimum required to meet federal work
1657 activity requirements. Regional workforce boards may develop
1658 screening and prioritization procedures based on the allocation
1659 of resources, the availability of community resources, the
1660 provision of supportive services, or the work activity needs of
1661 the service area.

1662 Section 23. Subsection (2) of section 445.030, Florida
1663 Statutes, is amended to read:

1664 445.030 Transitional education and training.—In order to
1665 assist former recipients of temporary cash assistance who are
1666 working or actively seeking employment in continuing their
1667 training and upgrading their skills, education, or training,
1668 support services may be provided for up to 2 years after the
1669 family is no longer receiving temporary cash assistance. This
1670 section does not constitute an entitlement to transitional
1671 education and training. If funds are not sufficient to provide
1672 services under this section, the board of directors of Workforce
1673 Florida, Inc., may limit or otherwise prioritize transitional
1674 education and training.

1675 (2) Regional workforce boards may authorize child care or
1676 other support services in addition to services provided in
1677 conjunction with employment. For example, a participant who is
1678 employed full time may receive ~~subsidized~~ child care services
1679 related to that employment and may also receive additional
1680 ~~subsidized~~ child care services in conjunction with training to
1681 upgrade the participant's skills.

1682 Section 24. Paragraph (a) of subsection (2) of section

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1683 490.014, Florida Statutes, is amended to read:

1684 490.014 Exemptions.—

1685 (2) No person shall be required to be licensed or
1686 provisionally licensed under this chapter who:

1687 (a) Is a salaried employee of a government agency; a
1688 developmental disability facility or program; a mental health,
1689 alcohol, or drug abuse facility operating under chapter 393,
1690 chapter 394, or chapter 397; the statewide ~~subsidized child care~~
1691 ~~program, subsidized child care case management program, or child~~
1692 ~~care resource and referral network program~~ operating under s.
1693 411.0101 ~~pursuant to chapter 402~~; a child-placing or child-
1694 caring agency licensed pursuant to chapter 409; a domestic
1695 violence center certified pursuant to chapter 39; an accredited
1696 academic institution; or a research institution, if such
1697 employee is performing duties for which he or she was trained
1698 and hired solely within the confines of such agency, facility,
1699 or institution, so long as the employee is not held out to the
1700 public as a psychologist pursuant to s. 490.012(1)(a).

1701 Section 25. Paragraph (a) of subsection (4) of section
1702 491.014, Florida Statutes, is amended to read:

1703 491.014 Exemptions.—

1704 (4) No person shall be required to be licensed,
1705 provisionally licensed, registered, or certified under this
1706 chapter who:

1707 (a) Is a salaried employee of a government agency; a
1708 developmental disability facility or program; a mental health,
1709 alcohol, or drug abuse facility operating under chapter 393,
1710 chapter 394, or chapter 397; the statewide ~~subsidized child care~~
1711 ~~program, subsidized child care case management program, or child~~

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1712 care resource and referral network program operating under s.
1713 411.0101 ~~pursuant to chapter 402~~; a child-placing or child-
1714 caring agency licensed pursuant to chapter 409; a domestic
1715 violence center certified pursuant to chapter 39; an accredited
1716 academic institution; or a research institution, if such
1717 employee is performing duties for which he or she was trained
1718 and hired solely within the confines of such agency, facility,
1719 or institution, so long as the employee is not held out to the
1720 public as a clinical social worker, mental health counselor, or
1721 marriage and family therapist.

1722 Section 26. Subsection (5) of section 1002.53, Florida
1723 Statutes, is amended to read:

1724 1002.53 Voluntary Prekindergarten Education Program;
1725 eligibility and enrollment.-

1726 (5) The early learning coalition shall provide each parent
1727 enrolling a child in the Voluntary Prekindergarten Education
1728 Program with a profile of every private prekindergarten provider
1729 and public school delivering the program within the ~~coalition's~~
1730 county where the child is being enrolled ~~or multicounty region~~.

1731 The profiles shall be provided to parents in a format prescribed
1732 by the Agency for Workforce Innovation. The profiles must
1733 include, at a minimum, the following information about each
1734 provider and school:

1735 (a) The provider's or school's services, curriculum,
1736 instructor credentials, and instructor-to-student ratio; and

1737 (b) The provider's or school's kindergarten readiness rate
1738 calculated in accordance with s. 1002.69, based upon the most
1739 recent available results of the statewide kindergarten
1740 screening.

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1741 Section 27. Paragraph (b) of subsection (3) of section
1742 1002.55, Florida Statutes, is amended, and subsection (5) is
1743 added to that section, to read:

1744 1002.55 School-year prekindergarten program delivered by
1745 private prekindergarten providers.—

1746 (3) To be eligible to deliver the prekindergarten program,
1747 a private prekindergarten provider must meet each of the
1748 following requirements:

1749 (b) The private prekindergarten provider must:

1750 1. Be accredited by an accrediting association that is a
1751 member of the National Council for Private School Accreditation,
1752 Advance Education, Inc. (AdvancED) ~~the Commission on~~
1753 ~~International and Trans-Regional Accreditation~~, or the Florida
1754 Association of Academic Nonpublic Schools and have written
1755 accreditation standards that meet or exceed the state's
1756 licensing requirements under s. 402.305, s. 402.313, or s.
1757 402.3131 and require at least one onsite visit to the provider
1758 or school before accreditation is granted;

1759 2. Hold a current Gold Seal Quality Care designation under
1760 s. 402.281; or

1761 3. Be licensed under s. 402.305, s. 402.313, or s. 402.3131
1762 and demonstrate, before delivering the Voluntary Prekindergarten
1763 Education Program, as verified by the early learning coalition,
1764 that the provider meets each of the requirements of the program
1765 under this part, including, but not limited to, the requirements
1766 for credentials and background screenings of prekindergarten
1767 instructors under paragraphs (c) and (d), minimum and maximum
1768 class sizes under paragraph (f), prekindergarten director
1769 credentials under paragraph (g), and a developmentally

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1770 appropriate curriculum under s. 1002.67(2)(b).

1771 (5) Notwithstanding paragraph (3)(b), a private
1772 prekindergarten provider may not participate in the Voluntary
1773 Prekindergarten Education Program if the provider has child
1774 disciplinary policies that do not prohibit children from being
1775 subjected to discipline that is severe, humiliating,
1776 frightening, or associated with food, rest, toileting, spanking,
1777 or any other form of physical punishment as provided in s.
1778 402.305(12).

1779 Section 28. Paragraph (c) of subsection (3) of section
1780 1002.67, Florida Statutes, is amended to read:

1781 1002.67 Performance standards; curricula and
1782 accountability.—

1783 (3)

1784 (c)1. If the kindergarten readiness rate of a private
1785 prekindergarten provider or public school falls below the
1786 minimum rate adopted by the State Board of Education as
1787 satisfactory under s. 1002.69(6), the early learning coalition
1788 or school district, as applicable, shall require the provider or
1789 school to submit an improvement plan for approval by the
1790 coalition or school district, as applicable, and to implement
1791 the plan.

1792 2. If a private prekindergarten provider or public school
1793 fails to meet the minimum rate adopted by the State Board of
1794 Education as satisfactory under s. 1002.69(6) for 2 consecutive
1795 years, the early learning coalition or school district, as
1796 applicable, shall place the provider or school on probation and
1797 must require the provider or school to take certain corrective
1798 actions, including the use of a curriculum approved by the

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1799 department under paragraph (2) (c).

1800 3. A private prekindergarten provider or public school that
1801 is placed on probation must continue the corrective actions
1802 required under subparagraph 2., including the use of a
1803 curriculum approved by the department, until the provider or
1804 school meets the minimum rate adopted by the State Board of
1805 Education as satisfactory under s. 1002.69(6).

1806 4. If a private prekindergarten provider or public school
1807 remains on probation for 2 consecutive years and fails to meet
1808 the minimum rate adopted by the State Board of Education as
1809 satisfactory under s. 1002.69(6), the Agency for Workforce
1810 Innovation shall require the early learning coalition or the
1811 Department of Education shall require the school district, ~~as~~
1812 ~~applicable,~~ to remove, as applicable, the provider or school
1813 from eligibility to deliver the Voluntary Prekindergarten
1814 Education Program and receive state funds for the program.

1815 Section 29. Paragraph (b) of subsection (6) of section
1816 1002.71, Florida Statutes, is amended to read:

1817 1002.71 Funding; financial and attendance reporting.—

1818 (6)

1819 (b)1. Each private prekindergarten provider's and district
1820 school board's attendance policy must require the parent of each
1821 student in the Voluntary Prekindergarten Education Program to
1822 verify, each month, the student's attendance on the prior
1823 month's certified student attendance.

1824 2. The parent must submit the verification of the student's
1825 attendance to the private prekindergarten provider or public
1826 school on forms prescribed by the Agency for Workforce
1827 Innovation. The forms must include, in addition to the

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1828 verification of the student's attendance, a certification, in
 1829 substantially the following form, that the parent continues to
 1830 choose the private prekindergarten provider or public school in
 1831 accordance with s. 1002.53 and directs that payments for the
 1832 program be made to the provider or school:

1833
 1834 VERIFICATION OF STUDENT'S ATTENDANCE
 1835 AND CERTIFICATION OF PARENTAL CHOICE
 1836

1837 I, ...(Name of Parent)..., swear (or affirm) that my
 1838 child,...(Name of Student)..., attended the Voluntary
 1839 Prekindergarten Education Program on the days listed above and
 1840 certify that I continue to choose ...(Name of Provider or
 1841 School)... to deliver the program for my child and direct that
 1842 program funds be paid to the provider or school for my child.

1843
 1844(Signature of Parent).....
 1845(Date).....
 1846

1847 3. The private prekindergarten provider or public school
 1848 must keep each original signed form for at least 2 years. Each
 1849 private prekindergarten provider must permit the early learning
 1850 coalition, and each public school must permit the school
 1851 district, to inspect the original signed forms during normal
 1852 business hours. The Agency for Workforce Innovation shall adopt
 1853 procedures for early learning coalitions and school districts to
 1854 review the original signed forms against the certified student
 1855 attendance. The review procedures shall provide for the use of
 1856 selective inspection techniques, including, but not limited to,

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1857 random sampling. Each early learning coalition and the school
1858 districts ~~district~~ must comply with the review procedures.

1859 Section 30. Paragraph (b) of subsection (4) of section
1860 1009.64, Florida Statutes, is amended to read:

1861 1009.64 Certified Education Paraprofessional Welfare
1862 Transition Program.—

1863 (4) The agencies shall complete an implementation plan that
1864 addresses at least the following recommended components of the
1865 program:

1866 (b) A budget for use of incentive funding to provide
1867 motivation to participants to succeed and excel. The budget for
1868 incentive funding includes:

1869 1. Funds allocated by the Legislature directly for the
1870 program.

1871 2. Funds that may be made available from the federal
1872 Workforce Investment Act based on client eligibility or
1873 requested waivers to make the clients eligible.

1874 3. Funds made available by implementation strategies that
1875 would make maximum use of work supplementation funds authorized
1876 by federal law.

1877 4. Funds authorized by strategies to lengthen participants'
1878 eligibility for federal programs such as Medicaid, ~~subsidized~~
1879 child care services, and transportation.

1880
1881 Incentives may include a stipend during periods of college
1882 classroom training, a bonus and recognition for a high grade-
1883 point average, child care and prekindergarten services for
1884 children of participants, and services to increase a
1885 participant's ability to advance to higher levels of employment.

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1886 Nonfinancial incentives should include providing a mentor or
1887 tutor, and service incentives should continue and increase for
1888 any participant who plans to complete the baccalaureate degree
1889 and become a certified teacher. Services may be provided in
1890 accordance with family choice by community colleges and school
1891 district career centers, through family service centers and
1892 full-service schools, or under contract with providers through
1893 central agencies.

1894 Section 31. This act shall take effect July 1, 2010.