

By the Committees on Children, Families, and Elder Affairs; and
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4 repealed subsidized child care program; amending s.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6 repealed program with an updated reference to the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12 obsolete reference to a repealed program; amending s.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18 reference to a repealed program; deleting obsolete
19 references relating to the repealed prekindergarten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23 a repealed program; amending s. 402.281, F.S.;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 providing that child care facilities, large family
25 child care homes, or family day care homes may apply
26 to the Department of Children and Family Services to
27 receive a Gold Seal Quality Care designation; updating
28 an obsolete reference to a former council; requiring
29 that the department consult with the Agency for

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30 Workforce Innovation regarding the approval of
31 accrediting associations for the Gold Seal Quality
32 Program; requiring that the department provide to
33 accrediting associations notice of approval to
34 participate in the program; requiring that each
35 accrediting association provide notice to the
36 department of its intent to revise its accreditation
37 standards or discontinue participation in the program;
38 transferring and renumbering s. 402.3016, F.S.,
39 relating to Early Head Start collaboration grants;
40 transferring, renumbering, and amending s. 402.3018,
41 F.S.; transferring administration of the statewide
42 toll-free Warm-Line from the department to the agency;
43 conforming provisions; transferring, renumbering, and
44 amending s. 402.3051, F.S.; revising procedures for
45 child care market rate reimbursement and child care
46 grants; transferring authority to establish the
47 procedures from the department to the agency;
48 directing the agency to adopt a prevailing market rate
49 schedule for child care services; revising
50 definitions; authorizing the agency to enter into
51 contracts and adopt rules; amending s. 402.313, F.S.;
52 deleting obsolete provisions authorizing the
53 department to license family day care homes
54 participating in a repealed program; repealing s.
55 402.3135, F.S., relating to the subsidized child care
56 program case management program; transferring,
57 renumbering, and amending s. 402.3145, F.S.;
58 transferring administration of certain transportation

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59 services for children at risk of abuse or neglect from
60 the department to the agency; revising requirements
61 for the provision of such transportation services;
62 amending s. 402.315, F.S.; revising provisions
63 relating to fees collected for child care facilities;
64 amending s. 402.45, F.S.; updating an obsolete
65 reference relating to a former council; directing the
66 Department of Health to consult with the agency
67 regarding certain training provided for contractors of
68 the community resource mother or father program;
69 amending s. 409.1671, F.S.; clarifying that a licensed
70 foster home may be dually licensed as a family day
71 care home or large family child care home and receive
72 certain payments for the same child; deleting an
73 obsolete reference to a repealed program; amending s.
74 411.01, F.S.; revising provisions relating to the
75 School Readiness Act; revising legislative intent;
76 revising the duties and responsibilities of the Agency
77 for Workforce Innovation; revising provisions for
78 school readiness plans; specifying that certain
79 program providers' compliance with licensing standards
80 satisfies certain health screening requirements;
81 requiring early learning coalitions to maintain
82 certain direct enhancement services; deleting obsolete
83 provisions relating to the merger of early learning
84 coalitions; revising provisions for the membership of
85 early learning coalitions and the voting privileges of
86 such members; revising requirements for parental
87 choice; directing the agency to establish a formula

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88 for allocating school readiness funds to each county;
89 providing for legislative notice and review of the
90 formula; amending s. 411.0101, F.S.; revising
91 requirements for services provided by the statewide
92 child care resource and referral network; updating
93 obsolete references to repealed programs; amending s.
94 411.0102, F.S.; revising provisions relating to the
95 Child Care Executive Partnership Act; updating
96 obsolete references to repealed programs; deleting
97 provisions relating to the duties of each early
98 coalition board; amending s. 411.203, F.S.; deleting
99 an obsolete reference to a repealed program;
100 conforming provisions; amending s. 411.221, F.S.;
101 updating an obsolete reference to a former council;
102 amending ss. 445.024, 445.030, 490.014, and 491.014,
103 F.S.; deleting obsolete references to repealed
104 programs; conforming provisions to the repeal of the
105 subsidized child care case management program;
106 amending ss. 1002.53, 1002.55, 1002.67, and 1002.71,
107 F.S.; revising provisions relating to the eligibility
108 requirements for private prekindergarten providers;
109 conforming provisions to changes made by the act;
110 amending s. 1009.64, F.S.; deleting an obsolete
111 reference to a repealed program; providing an
112 effective date.

113
114 Be It Enacted by the Legislature of the State of Florida:

115

116 Section 1. Subsection (7) of section 39.0121, Florida

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117 Statutes, is amended to read:

118 39.0121 Specific rulemaking authority.—Pursuant to the
119 requirements of s. 120.536, the department is specifically
120 authorized to adopt, amend, and repeal administrative rules
121 which implement or interpret law or policy, or describe the
122 procedure and practice requirements necessary to implement this
123 chapter, including, but not limited to, the following:

124 (7) Federal funding requirements and procedures; foster
125 care and adoption subsidies; and subsidized independent living~~+~~
126 ~~and subsidized child care.~~

127 Section 2. Paragraph (a) of subsection (2) of section
128 39.202, Florida Statutes, is amended to read:

129 39.202 Confidentiality of reports and records in cases of
130 child abuse or neglect.—

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

135 (a) Employees, authorized agents, or contract providers of
136 the department, the Department of Health, the Agency for Persons
137 with Disabilities, or county agencies responsible for carrying
138 out:

- 139 1. Child or adult protective investigations;
- 140 2. Ongoing child or adult protective services;
- 141 3. Early intervention and prevention services;
- 142 4. Healthy Start services;
- 143 5. Licensure or approval of adoptive homes, foster homes,
144 child care facilities, facilities licensed under chapter 393, or
145 family day care homes or informal child care providers who

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146 receive school readiness ~~subsidized child care~~ funding, or other
147 homes used to provide for the care and welfare of children; or

148 6. Services for victims of domestic violence when provided
149 by certified domestic violence centers working at the
150 department's request as case consultants or with shared clients.

151

152 Also, employees or agents of the Department of Juvenile Justice
153 responsible for the provision of services to children, pursuant
154 to chapters 984 and 985.

155 Section 3. Paragraph (f) of subsection (2) of section
156 39.5085, Florida Statutes, is amended to read:

157 39.5085 Relative Caregiver Program.—

158 (2)

159 (f) Within available funding, the Relative Caregiver
160 Program shall provide relative caregivers with family support
161 and preservation services, flexible funds in accordance with s.
162 409.165, school readiness ~~subsidized child care~~, and other
163 available services in order to support the child's safety,
164 growth, and healthy development. Children living with relative
165 caregivers who are receiving assistance under this section shall
166 be eligible for Medicaid coverage.

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

169 383.14 Screening for metabolic disorders, other hereditary
170 and congenital disorders, and environmental risk factors.—

171 (1) SCREENING REQUIREMENTS.—To help ensure access to the
172 maternal and child health care system, the Department of Health
173 shall promote the screening of all newborns born in Florida for
174 metabolic, hereditary, and congenital disorders known to result

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175 in significant impairment of health or intellect, as screening
176 programs accepted by current medical practice become available
177 and practical in the judgment of the department. The department
178 shall also promote the identification and screening of all
179 newborns in this state and their families for environmental risk
180 factors such as low income, poor education, maternal and family
181 stress, emotional instability, substance abuse, and other high-
182 risk conditions associated with increased risk of infant
183 mortality and morbidity to provide early intervention,
184 remediation, and prevention services, including, but not limited
185 to, parent support and training programs, home visitation, and
186 case management. Identification, perinatal screening, and
187 intervention efforts shall begin prior to and immediately
188 following the birth of the child by the attending health care
189 provider. Such efforts shall be conducted in hospitals,
190 perinatal centers, county health departments, school health
191 programs that provide prenatal care, and birthing centers, and
192 reported to the Office of Vital Statistics.

193 (b) *Postnatal screening.*—A risk factor analysis using the
194 department's designated risk assessment instrument shall also be
195 conducted as part of the medical screening process upon the
196 birth of a child and submitted to the department's Office of
197 Vital Statistics for recording and other purposes provided for
198 in this chapter. The department's screening process for risk
199 assessment shall include a scoring mechanism and procedures that
200 establish thresholds for notification, further assessment,
201 referral, and eligibility for services by professionals or
202 paraprofessionals consistent with the level of risk. Procedures
203 for developing and using the screening instrument, notification,

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204 referral, and care coordination services, reporting
205 requirements, management information, and maintenance of a
206 computer-driven registry in the Office of Vital Statistics which
207 ensures privacy safeguards must be consistent with the
208 provisions and plans established under chapter 411, Pub. L. No.
209 99-457, and this chapter. Procedures established for reporting
210 information and maintaining a confidential registry must include
211 a mechanism for a centralized information depository at the
212 state and county levels. The department shall coordinate with
213 existing risk assessment systems and information registries. The
214 department must ensure, to the maximum extent possible, that the
215 screening information registry is integrated with the
216 department's automated data systems, including the Florida On-
217 line Recipient Integrated Data Access (FLORIDA) system. Tests
218 and screenings must be performed by the State Public Health
219 Laboratory, in coordination with Children's Medical Services, at
220 such times and in such manner as is prescribed by the department
221 after consultation with the Genetics and Infant Screening
222 Advisory Council and the Agency for Workforce Innovation State
223 ~~Coordinating Council for School Readiness Programs~~.

224 (2) RULES.—After consultation with the Genetics and Newborn
225 Screening Advisory Council, the department shall adopt and
226 enforce rules requiring that every newborn in this state shall,
227 prior to becoming 1 week of age, be subjected to a test for
228 phenylketonuria and, at the appropriate age, be tested for such
229 other metabolic diseases and hereditary or congenital disorders
230 as the department may deem necessary from time to time. After
231 consultation with the Agency for Workforce Innovation State
232 ~~Coordinating Council for School Readiness Programs~~, the

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233 department shall also adopt and enforce rules requiring every
234 newborn in this state to be screened for environmental risk
235 factors that place children and their families at risk for
236 increased morbidity, mortality, and other negative outcomes. The
237 department shall adopt such additional rules as are found
238 necessary for the administration of this section and s. 383.145,
239 including rules providing definitions of terms, rules relating
240 to the methods used and time or times for testing as accepted
241 medical practice indicates, rules relating to charging and
242 collecting fees for the administration of the newborn screening
243 program authorized by this section, rules for processing
244 requests and releasing test and screening results, and rules
245 requiring mandatory reporting of the results of tests and
246 screenings for these conditions to the department.

247 Section 5. Section 402.25, Florida Statutes, is
248 transferred, renumbered as section 411.0106, Florida Statutes,
249 and amended to read:

250 411.0106 ~~402.25~~ Infants and toddlers in state-funded
251 education and care programs; brain development activities.—Each
252 state-funded education and care program for children from birth
253 to 5 years of age must provide activities to foster brain
254 development in infants and toddlers. A program must provide an
255 environment that helps children attain the performance standards
256 adopted by the Agency for Workforce Innovation under s.
257 411.01(4)(d)8. and must be rich in language and music and filled
258 with objects of various colors, shapes, textures, and sizes to
259 stimulate visual, tactile, auditory, and linguistic senses in
260 the children and must include classical music and at least 30
261 minutes of reading to the children each day. A program may be

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262 offered through an existing early childhood program such as
263 Healthy Start, the Title I program, the school readiness program
264 ~~contracted or directly operated subsidized child care, the~~
265 ~~prekindergarten early intervention program, Florida First Start,~~
266 the Head Start program, or a private child care program. A
267 program must provide training for the infants' and toddlers'
268 parents including direct dialogue and interaction between
269 teachers and parents demonstrating the urgency of brain
270 development in the first year of a child's life. Family day care
271 centers are encouraged, but not required, to comply with this
272 section.

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

275 402.26 Child care; legislative intent.—

276 (5) It is the further intent of the Legislature to provide
277 and make accessible child care opportunities for children at
278 risk, economically disadvantaged children, and other children
279 traditionally disenfranchised from society. In achieving this
280 intent, the Legislature shall develop a school readiness program
281 ~~subsidized child care system~~, a range of child care options,
282 support services, and linkages with other programs to fully meet
283 the child care needs of this population.

284 Section 7. Subsections (1), (2), and (4) of section
285 402.281, Florida Statutes, are amended to read:

286 402.281 Gold Seal Quality Care program.—

287 (1) Child care facilities, large family child care homes,
288 or family day care homes that are accredited by a nationally
289 recognized accrediting association whose standards substantially
290 meet or exceed the National Association for the Education of

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291 Young Children (NAEYC), the National Association of Family Child
292 Care, or ~~and~~ the National Early Childhood Program Accreditation
293 Commission, as applicable, may apply to the department to shall
294 receive a separate "Gold Seal Quality Care" designation ~~to~~
295 ~~operate as a gold seal child care facility, large family child~~
296 ~~care home, or family day care home.~~

297 (2) In developing the Gold Seal Quality Care program
298 standards, the department shall use the current standards of
299 each accrediting association, as applicable, specified in
300 subsection (1) and consult with the Department of Education, the
301 Agency for Workforce Innovation, the Florida Head Start
302 Directors Association, the Florida Association of Child Care
303 Management, the Florida Family Day Care Association, the Florida
304 Children's Forum, ~~the State Coordinating Council for School~~
305 ~~Readiness Programs,~~ the Early Childhood Association of Florida,
306 the ~~National Association for~~ Child Development Education
307 Alliance, providers receiving exemptions under s. 402.316, and
308 parents, for the purpose of approving the accrediting
309 associations.

310 (a) Upon the adoption of additional or revised standards by
311 any accrediting association specified in subsection (1), the
312 department shall notify each accrediting association that has
313 been approved to participate in the Gold Seal Quality Care
314 program of the applicable changes and of the department's intent
315 to revise the Gold Seal Quality Care program standards
316 accordingly.

317 (b) Each accrediting association must notify the department
318 within 30 days after receiving notification of approval provided
319 pursuant to paragraph (a) of the accrediting association's

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320 intent to revise its accreditation standards or discontinue
321 participation in the Gold Seal Quality Care program.

322 1. Upon notification by an accrediting association that it
323 intends to discontinue participation in the Gold Seal Quality
324 Care program, the department shall notify any participating
325 child care provider accredited by that association that the
326 provider must obtain accreditation from another Gold Seal
327 accrediting association by the time the provider's current
328 accreditation expires in order to maintain designation as a Gold
329 Seal Quality Care provider.

330 2. An accrediting association that intends to revise its
331 accreditation standards must do so within 90 days after the
332 notification provided pursuant to paragraph (a) and must ensure
333 that each provider accredited by that association is in
334 compliance with the revised accreditation standards upon the
335 provider's renewal of accreditation.

336 (4) The Department of Children and Family Services shall
337 adopt rules pursuant to ~~under~~ ss. 120.536(1) and 120.54 which
338 provide criteria and procedures for reviewing and approving
339 accrediting associations for participation in the Gold Seal
340 Quality Care program, conferring and revoking designations of
341 Gold Seal Quality Care providers, and classifying violations.

342 Section 8. Section 402.3016, Florida Statutes, is
343 transferred and renumbered as section 411.0104, Florida
344 Statutes.

345 Section 9. Section 402.3018, Florida Statutes, is
346 transferred, renumbered as section 411.01015, Florida Statutes,
347 and amended to read:

348 411.01015 ~~402.3018~~ Consultation to child care centers and

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349 family day care homes regarding health, developmental,
350 disability, and special needs issues.-

351 (1) Contingent upon specific appropriations, the Agency for
352 Workforce Innovation shall administer ~~department is directed to~~
353 ~~contract with the statewide resource information and referral~~
354 ~~agency for~~ a statewide toll-free Warm-Line for the purpose of
355 providing assistance and consultation to child care centers and
356 family day care homes regarding health, developmental,
357 disability, and special needs issues of the children they are
358 serving, particularly children with disabilities and other
359 special needs.

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

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

369 (4) Contingent upon specific appropriations, the Agency for
370 Workforce Innovation ~~department~~ shall expand, or contract for
371 the expansion of, the Warm-Line to maintain at least one Warm-
372 Line site in each early learning coalition service area ~~from one~~
373 ~~statewide site to one Warm-Line site in each child care resource~~
374 ~~and referral agency region~~.

375 (5) Each regional Warm-Line shall provide assistance and
376 consultation to child care centers and family day care homes
377 regarding health, developmental, disability, and special needs

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378 issues of the children they are serving, particularly children
379 with disabilities and other special needs. Regional Warm-Line
380 staff shall provide onsite technical assistance, when requested,
381 to assist child care centers and family day care homes with
382 inquiries relative to the strategies, curriculum, and
383 environmental adaptations the child care centers and family day
384 care homes may need as they serve children with disabilities and
385 other special needs.

386 Section 10. Section 402.3051, Florida Statutes, is
387 transferred, renumbered as section 411.01013, Florida Statutes,
388 and amended to read:

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

391 411.01013 Prevailing market rate schedule.-

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

393 (a) "Market rate" means the price that a child care
394 provider charges for daily, weekly, or monthly child care
395 services.

396 (b) "Prevailing market rate" means the annually determined
397 75th percentile of a reasonable frequency distribution of the
398 market rate in a predetermined geographic market at which child
399 care providers charge a person for child care services.

400 (2) The Agency for Workforce Innovation shall establish
401 procedures for the adoption of a prevailing market rate
402 schedule. The schedule must include, at a minimum, county-by-
403 county rates:

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

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

409 (3) The prevailing market rate schedule, at a minimum,
410 must:

411 (a) Differentiate rates by type, including, but not limited
412 to, a child care provider that holds a Gold Seal Quality Care
413 designation under s. 402.281, a child care facility licensed
414 under s. 402.305, a public or nonpublic school exempt from
415 licensure under s. 402.3025, a faith-based child care facility
416 exempt from licensure under s. 402.316 that does not hold a Gold
417 Seal Quality Care designation, a large family child care home
418 licensed under s. 402.3131, a family day care home licensed or
419 registered under s. 402.313, or an after-school program that is
420 not defined as child care under rules adopted pursuant to s.
421 402.3045.

422 (b) Differentiate rates by the type of child care services
423 provided for children with special needs or risk categories,
424 infants, toddlers, preschool-age children, and school-age
425 children.

426 (c) Differentiate rates between full-time and part-time
427 child care services.

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

430 (4) The prevailing market rate schedule must be based
431 exclusively on the prices charged for child care services. If a
432 conflict exists between this subsection and federal
433 requirements, the federal requirements shall control.

434 (5) The prevailing market rate shall be considered by an
435 early learning coalition in the adoption of a payment schedule

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436 in accordance with s. 411.01(5)(e)2.

437 (6) The Agency for Workforce Innovation may contract with
438 one or more qualified entities to administer this section and
439 provide support and technical assistance for child care
440 providers.

441 (7) The Agency for Workforce Innovation may adopt rules
442 pursuant to ss. 120.536(1) and 120.54 to administer this
443 section.

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

446 402.313 Family day care homes.—

447 (1) Family day care homes shall be licensed under this act
448 if they are presently being licensed under an existing county
449 licensing ordinance, ~~if they are participating in the subsidized~~
450 ~~child care program,~~ or if the board of county commissioners
451 passes a resolution that family day care homes be licensed. ~~If~~
452 ~~no county authority exists for the licensing of a family day~~
453 ~~care home, the department shall have the authority to license~~
454 ~~family day care homes under contract for the purchase of service~~
455 ~~system in the subsidized child care program.~~

456 (a) If not subject to license, family day care homes shall
457 register annually with the department, providing the following
458 information:

- 459 1. The name and address of the home.
- 460 2. The name of the operator.
- 461 3. The number of children served.
- 462 4. Proof of a written plan to provide at least one other
463 competent adult to be available to substitute for the operator
464 in an emergency. This plan shall include the name, address, and

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465 telephone number of the designated substitute.

466 5. Proof of screening and background checks.

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

470 a. State and local rules and regulations that govern child
471 care.

472 b. Health, safety, and nutrition.

473 c. Identifying and reporting child abuse and neglect.

474 d. Child development, including typical and atypical
475 language development; and cognitive, motor, social, and self-
476 help skills development.

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

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

484 7. Proof that immunization records are kept current.

485 8. Proof of completion of the required continuing education
486 units or clock hours.

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

490 (c) The department may provide technical assistance to
491 counties and family day care home providers to enable counties
492 and family day care providers to achieve compliance with family
493 day care homes standards.

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494 Section 12. Section 402.3135, Florida Statutes, is
495 repealed.

496 Section 13. Section 402.3145, Florida Statutes, is
497 transferred, renumbered as section 411.01014, Florida Statutes,
498 and amended to read:

499 411.01014 ~~402.3145~~ School readiness ~~Subsidized child care~~
500 transportation services ~~program.~~

501 (1) The Agency for Workforce Innovation ~~department,~~
502 pursuant to chapter 427, shall establish school readiness ~~a~~
503 ~~subsidized child care~~ transportation services ~~system~~ for
504 children at risk of abuse or neglect participating in the school
505 readiness ~~subsidized child care~~ program. The early learning
506 coalitions ~~may state community child care coordination agencies~~
507 ~~shall~~ contract for the provision of transportation services as
508 required by this section.

509 (2) The transportation servicers ~~may only~~ ~~system~~ ~~shall~~
510 provide transportation to each child participating in the school
511 readiness program to the extent that such ~~subsidized child care~~
512 ~~when, and only when,~~ transportation is necessary to provide
513 child care opportunities that ~~which~~ otherwise would not be
514 available to a child whose home is more than a reasonable
515 walking distance from the nearest child care facility or family
516 day care home.

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

519 402.315 Funding; license fees.—

520 (3) The department shall collect a fee for any license it
521 issues for a child care facility, family day care home, or large
522 family child care home pursuant to ss. 402.305, 402.313, and

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523 402.3131 ~~s. 402.308~~.

524 (a) For a child care facility licensed pursuant to s.
525 402.305, such fee shall be \$1 per child based on the licensed
526 capacity of the facility, except that the minimum fee shall be
527 \$25 per facility center and the maximum fee shall be \$100 per
528 facility center.

529 (b) For a family day care home registered pursuant to s.
530 402.313, such fee shall be \$25.

531 (c) For a family day care home licensed pursuant to s.
532 402.313, such fee shall be \$50.

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

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

537 402.45 Community resource mother or father program.—

538 (6) Individuals under contract to provide community
539 resource mother or father services shall participate in
540 preservice and ongoing training as determined by the Department
541 of Health in consultation with the Agency for Workforce
542 Innovation State Coordinating Council for School Readiness
543 Programs. A community resource mother or father shall not be
544 assigned a client caseload until all preservice training
545 requirements are completed.

546 Section 16. Paragraph (c) of subsection (5) of section
547 409.1671, Florida Statutes, is amended to read:

548 409.1671 Foster care and related services; outsourcing.—

549 (5)

550 (c) A foster home ~~dually~~ licensed ~~home~~ under s. 409.175 may
551 ~~this section shall be~~ dually licensed as a child care home under

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552 chapter 402 and may eligible to receive a foster care
553 maintenance both an out-of-home care payment and, to the extent
554 permitted under federal law, school readiness funding a
555 subsidized child care payment for the same child pursuant to
556 federal law. The department may adopt administrative rules
557 necessary to administer this paragraph.

558 Section 17. Paragraphs (a), (d), (e), (f), (g), and (h) of
559 subsection (2) and subsections (4) through (11) of section
560 411.01, Florida Statutes, are amended to read:

561 411.01 School readiness programs; early learning
562 coalitions.—

563 (2) LEGISLATIVE INTENT.—

564 (a) The Legislature recognizes that school readiness
565 programs increase children's chances of achieving future
566 educational success and becoming productive members of society.
567 It is the intent of the Legislature that the programs be
568 developmentally appropriate, research-based, involve the parent
569 parents as a ~~their~~ child's first teacher, serve as preventive
570 measures for children at risk of future school failure, enhance
571 the educational readiness of eligible children, and support
572 family education. Each school readiness program shall provide
573 the elements necessary to prepare at-risk children for school,
574 including health screening and referral and an appropriate
575 educational program.

576 (d) It is the intent of the Legislature that the
577 administrative staff ~~at the state level~~ for school readiness
578 programs be kept to the minimum necessary to administer the
579 duties of the Agency for Workforce Innovation and early learning
580 coalitions. The Agency for Workforce Innovation shall implement

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581 system support services at the state level to build a
582 comprehensive early learning system, ~~as the school readiness~~
583 ~~programs are to be regionally designed, operated, and managed,~~
584 ~~with the Agency for Workforce Innovation developing school~~
585 ~~readiness program performance standards and outcome measures and~~
586 ~~approving and reviewing early learning coalitions and school~~
587 ~~readiness plans.~~

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

592 (e) ~~(f)~~ It is the intent of the Legislature that the school
593 readiness program coordinate and operate in conjunction with the
594 district school systems. However, it is also the intent of the
595 Legislature that the school readiness program not be construed
596 as part of the system of free public schools but rather as a
597 separate program for children under the age of kindergarten
598 eligibility, funded separately from the system of free public
599 schools, utilizing a mandatory sliding fee scale, and providing
600 an integrated and seamless system of school readiness services
601 for the state's birth-to-kindergarten population.

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

605 (f) ~~(h)~~ It is the intent of the Legislature that school
606 readiness services ~~shall~~ be an integrated and seamless program
607 ~~system~~ of services with a developmentally appropriate education
608 component for the state's eligible birth-to-kindergarten
609 population described in subsection (6) and ~~shall~~ not be

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610 construed as part of the seamless K-20 education system.

611 (4) AGENCY FOR WORKFORCE INNOVATION.—

612 (a) The Agency for Workforce Innovation shall administer
613 school readiness programs at the state level and shall
614 coordinate with the early learning coalitions in providing
615 school readiness services on a full-day, full-year, full-choice
616 basis to the extent possible in order to enable parents to work
617 and be financially self-sufficient.

618 (b) The Agency for Workforce Innovation shall:

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

623 ~~2. Continue to provide unified leadership for school~~
624 ~~readiness through early learning coalitions.~~

625 ~~2.3.~~ Focus on improving the educational quality of all
626 program providers participating in publicly funded school
627 readiness programs.

628 (c) The Governor shall designate the Agency for Workforce
629 Innovation as the lead agency for ~~purposes of~~ administration of
630 the federal Child Care and Development Fund, 45 C.F.R. parts 98
631 and 99, and the agency ~~for Workforce Innovation may be~~
632 ~~designated by the Governor as the lead agency and, if so~~
633 ~~designated,~~ shall comply with the lead agency responsibilities
634 under federal law.

635 (d) The Agency for Workforce Innovation shall:

636 1. Be responsible for the prudent use of all public and
637 private funds in accordance with all legal and contractual
638 requirements.

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

641 3. ~~Establish~~ Provide leadership for the enhancement of
642 ~~school readiness in this state by aggressively establishing a~~
643 unified approach to the state's efforts toward enhancement of
644 school readiness. In support of this effort, the Agency for
645 Workforce Innovation shall adopt ~~may develop and implement~~
646 specific system support service strategies that address the
647 state's school readiness programs. An early learning coalition
648 shall amend its school readiness plan to conform to the specific
649 system support service strategies adopted by the Agency for
650 Workforce Innovation. System support services shall include, but
651 are not limited to:

- 652 a. Child care resource and referral services;
653 b. Warm-Line services;
654 c. Eligibility determinations;
655 d. Child performance standards;
656 e. Child screening and assessment;
657 f. Developmentally appropriate curricula;
658 g. Health and safety requirements;
659 h. Statewide data system requirements; and
660 i. Rating and improvement systems.

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

664 5. Adopt a rule establishing criteria for the expenditure
665 of funds designated for the purpose of funding activities to
666 improve the quality of child care within the state in accordance
667 with s. 658G of the federal Child Care and Development Block

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668 Grant Act.

669 ~~6.5.~~ Provide technical assistance to early learning
670 coalitions in a manner determined by the Agency for Workforce
671 Innovation based upon information obtained by the agency from
672 various sources, including, but not limited to, public input,
673 government reports, private interest group reports, agency
674 monitoring visits, and coalition requests for service.

675 7. In cooperation with the Department of Education and
676 early learning coalitions, coordinate with the Child Care
677 Services Program Office of the Department of Children and Family
678 Services to minimize duplicating interagency activities, health
679 and safety monitoring, and acquiring and composing data
680 pertaining to child care training and credentialing.

681 ~~6. Assess gaps in service.~~

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

684 8. Develop and adopt performance standards and outcome
685 measures for school readiness programs. The performance
686 standards must address the age-appropriate progress of children
687 in the development of the school readiness skills ~~required under~~
688 ~~paragraph (j)~~. The performance standards for children from birth
689 to 5 ~~3~~ years of age in school readiness programs must be
690 integrated with the performance standards adopted by the
691 Department of Education for children in the Voluntary
692 Prekindergarten Education Program under s. 1002.67.

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

695 (e) The Agency for Workforce Innovation may adopt rules
696 under ss. 120.536(1) and 120.54 to administer the provisions of

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697 law conferring duties upon the agency, including, but not
698 limited to, rules governing the administration of system support
699 services ~~preparation and implementation of the~~ school readiness
700 programs ~~system~~, the collection of data, the approval of early
701 learning coalitions and school readiness plans, the provision of
702 a method whereby an early learning coalition may serve two or
703 more counties, the award of incentives to early learning
704 coalitions, child performance standards, child outcome measures,
705 ~~and~~ the issuance of waivers, and the implementation of the
706 state's Child Care and Development Fund Plan as approved by the
707 federal Administration for Children and Families.

708 (f) The Agency for Workforce Innovation shall have all
709 powers necessary to administer this section, including, but not
710 limited to, the power to receive and accept grants, loans, or
711 advances of funds from any public or private agency and to
712 receive and accept from any source contributions of money,
713 property, labor, or any other thing of value, to be held, used,
714 and applied for purposes of this section.

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

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

724 (i) The Agency for Workforce Innovation shall coordinate
725 the efforts toward school readiness in this state and provide

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726 independent policy analyses, data analyses, and recommendations
727 to the Governor, the State Board of Education, and the
728 Legislature.

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

- 735 1. Compliance with rules, limitations, and routines.
- 736 2. Ability to perform tasks.
- 737 3. Interactions with adults.
- 738 4. Interactions with peers.
- 739 5. Ability to cope with challenges.
- 740 6. Self-help skills.
- 741 7. Ability to express the child's needs.
- 742 8. Verbal communication skills.
- 743 9. Problem-solving skills.
- 744 10. Following of verbal directions.
- 745 11. Demonstration of curiosity, persistence, and
746 exploratory behavior.
- 747 12. Interest in books and other printed materials.
- 748 13. Paying attention to stories.
- 749 14. Participation in art and music activities.
- 750 15. Ability to identify colors, geometric shapes, letters
751 of the alphabet, numbers, and spatial and temporal
752 relationships.

753

754 Within 30 days after enrollment ~~The Agency for Workforce~~

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755 ~~Innovation shall also require that, before a child is enrolled~~
756 ~~in the an early learning coalition's school readiness program,~~
757 ~~the early learning coalition must ensure that the program~~
758 ~~provider obtains information is obtained by the coalition or the~~
759 ~~school readiness provider regarding the child's immunizations,~~
760 ~~physical development, and other health requirements as~~
761 ~~necessary, including appropriate vision and hearing screening~~
762 ~~and examinations. For a program provider licensed by the~~
763 ~~Department of Children and Family Services, the provider's~~
764 ~~compliance with s. 402.305(9), as verified pursuant to s.~~
765 ~~402.311, shall satisfy this requirement.~~

766 (k) The Agency for Workforce Innovation shall conduct
767 studies and planning activities related to the overall
768 improvement and effectiveness of the outcome measures adopted by
769 the agency for school readiness programs and the specific system
770 support service strategies to address the state's school
771 readiness programs adopted by the Agency for Workforce
772 Innovation in accordance with subparagraph (d)3.

773 (l) The Agency for Workforce Innovation shall monitor and
774 evaluate the performance of each early learning coalition in
775 administering the school readiness program, implementing the
776 coalition's school readiness plan, and administering the
777 Voluntary Prekindergarten Education Program. These monitoring
778 and performance evaluations must include, at a minimum, onsite
779 monitoring of each coalition's finances, management, operations,
780 and programs.

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

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784 (m)~~(n)~~ The Agency for Workforce Innovation shall submit an
785 annual report of its activities conducted under this section to
786 the Governor, ~~the executive director of the Florida Healthy Kids~~
787 ~~Corporation~~, the President of the Senate, the Speaker of the
788 House of Representatives, and the minority leaders of both
789 houses of the Legislature. In addition, the Agency for Workforce
790 Innovation's reports and recommendations shall be made available
791 to ~~the State Board of Education~~, the Florida Early Learning
792 Advisory Council and, other appropriate state agencies and
793 entities, ~~district school boards, central agencies, and county~~
794 ~~health departments~~. The annual report must provide an analysis
795 of school readiness activities across the state, including the
796 number of children who were served in the programs.

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

802 (5) CREATION OF EARLY LEARNING COALITIONS.—

803 (a) *Early learning coalitions*.—

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

807 2.1~~.~~ The Agency for Workforce Innovation shall establish
808 the minimum number of children to be served by each early
809 learning coalition through the coalition's school readiness
810 program. The Agency for Workforce Innovation may only approve
811 school readiness plans in accordance with this minimum number.
812 The minimum number must be uniform for every early learning

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813 coalition and must:

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

815 b. Require each coalition to serve at least 2,000 children
816 based upon the average number of all children served per month
817 through the coalition's school readiness program during the
818 previous 12 months.

819

820 ~~The Agency for Workforce Innovation shall adopt procedures for~~
821 ~~merging early learning coalitions, including procedures for the~~
822 ~~consolidation of merging coalitions, and for the early~~
823 ~~termination of the terms of coalition members which are~~
824 ~~necessary to accomplish the mergers. Each early learning~~
825 ~~coalition must comply with the merger procedures and shall be~~
826 ~~organized in accordance with this subparagraph by April 1, 2005.~~
827 ~~By June 30, 2005, each coalition must complete the transfer of~~
828 ~~powers, duties, functions, rules, records, personnel, property,~~
829 ~~and unexpended balances of appropriations, allocations, and~~
830 ~~other funds to the successor coalition, if applicable.~~

831 3.2. If an early learning coalition would serve fewer
832 children than the minimum number established under subparagraph
833 2. 1., the coalition must merge with another county to form a
834 multicounty coalition. The Agency for Workforce Innovation shall
835 adopt procedures for merging early learning coalitions,
836 including procedures for the consolidation of merging
837 coalitions, and for the early termination of the terms of
838 coalition members which are necessary to accomplish the mergers.
839 However, the Agency for Workforce Innovation may authorize an
840 early learning coalition to serve fewer children than the
841 minimum number established under subparagraph 2. 1., if:

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842 a. The coalition demonstrates to the Agency for Workforce
843 Innovation that merging with another county or multicounty
844 region contiguous to the coalition would cause an extreme
845 hardship on the coalition;

846 b. The Agency for Workforce Innovation has determined
847 during the most recent ~~annual~~ review of the coalition's school
848 readiness plan, or through monitoring and performance
849 evaluations conducted under paragraph (4)(1), that the coalition
850 has substantially implemented its plan and substantially met the
851 performance standards and outcome measures adopted by the
852 agency; and

853 c. The coalition demonstrates to the Agency for Workforce
854 Innovation the coalition's ability to effectively and
855 efficiently implement the Voluntary Prekindergarten Education
856 Program.

857
858 If an early learning coalition fails or refuses to merge as
859 required by this subparagraph, the Agency for Workforce
860 Innovation may dissolve the coalition and temporarily contract
861 with a qualified entity to continue school readiness and
862 prekindergarten services in the coalition's county or
863 multicounty region until the agency reestablishes the coalition
864 and a new ~~is reestablished through resubmission of a school~~
865 ~~readiness plan~~ is approved ~~and approval~~ by the agency.

866 ~~3. Notwithstanding the provisions of subparagraphs 1. and~~
867 ~~2., the early learning coalitions in Sarasota, Osceola, and~~
868 ~~Santa Rosa Counties which were in operation on January 1, 2005,~~
869 ~~are established and authorized to continue operation as~~
870 ~~independent coalitions, and shall not be counted within the~~

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871 ~~limit of 30 coalitions established in subparagraph 1.~~

872 4. Each early learning coalition shall be composed of at
873 least 15 ~~18~~ members but not more than 30 ~~35~~ members. The Agency
874 for Workforce Innovation shall adopt standards establishing
875 within this range the minimum and maximum number of members that
876 may be appointed to an early learning coalition and procedures
877 for identifying which members have voting privileges under
878 subparagraph 6. These standards must include variations for a
879 coalition serving a multicounty region. Each early learning
880 coalition must comply with these standards.

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

885 6. Each early learning coalition must include the following
886 member positions; however, in a multicounty coalition, each ex
887 officio member position may be filled by multiple nonvoting
888 members but no more than one voting member shall be seated per
889 member position. If an early learning coalition has more than
890 one member representing the same entity, only one of such
891 members may serve as a voting member ~~members:~~

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

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

898 c. A regional workforce board executive director or his or
899 her designee.

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- 900 d. A county health department director or his or her
901 designee.
- 902 e. A children's services council or juvenile welfare board
903 chair or executive director, if applicable, ~~who shall be a~~
904 ~~nonvoting member if the council or board is the fiscal agent of~~
905 ~~the coalition or if the council or board contracts with and~~
906 ~~receives funds from the coalition for any purpose other than~~
907 ~~rent.~~
- 908 f. An agency head of a local licensing agency as defined in
909 s. 402.302, where applicable.
- 910 g. A president of a community college or his or her
911 designee.
- 912 h. One member appointed by a board of county commissioners
913 or the governing board of a municipality.
- 914 i. A central agency administrator, where applicable, ~~who~~
915 ~~shall be a nonvoting member.~~
- 916 j. A Head Start director, ~~who shall be a nonvoting member.~~
- 917 k. A representative of private for-profit child care
918 providers, including private for-profit family day care homes, ~~who shall be a nonvoting member.~~
- 919
- 920 l. A representative of faith-based child care providers, ~~who shall be a nonvoting member.~~
- 921
- 922 m. A representative of programs for children with
923 disabilities under the federal Individuals with Disabilities
924 Education Act, ~~who shall be a nonvoting member.~~
- 925 7. Including the members appointed by the Governor under
926 subparagraph 5., more than one-third of the members of each
927 early learning coalition must be private sector business members
928 who do not have, and none of whose relatives as defined in s.

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929 112.3143 has, a substantial financial interest in the design or
930 delivery of the Voluntary Prekindergarten Education Program
931 created under part V of chapter 1002 or the coalition's school
932 readiness program. To meet this requirement an early learning
933 coalition must appoint additional members ~~from a list of~~
934 ~~nominees submitted to the coalition by a chamber of commerce or~~
935 ~~economic development council within the geographic region served~~
936 ~~by the coalition.~~ The Agency for Workforce Innovation shall
937 establish criteria for appointing private sector business
938 members. These criteria must include standards for determining
939 whether a member or relative has a substantial financial
940 interest in the design or delivery of the Voluntary
941 Prekindergarten Education Program or the coalition's school
942 readiness program.

943 8. A majority of the voting membership of an early learning
944 coalition constitutes a quorum required to conduct the business
945 of the coalition. An early learning coalition board may use any
946 method of telecommunications to conduct meetings, including
947 establishing a quorum through telecommunications, provided that
948 the public is given proper notice of a telecommunications
949 meeting and reasonable access to observe and, when appropriate,
950 participate.

951 9. A voting member of an early learning coalition may not
952 appoint a designee to act in his or her place, except as
953 otherwise provided in this paragraph. A voting member may send a
954 representative to coalition meetings, but that representative
955 does not have voting privileges. When a district administrator
956 for the Department of Children and Family Services appoints a
957 designee to an early learning coalition, the designee is the

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958 voting member of the coalition, and any individual attending in
959 the designee's place, including the district administrator, does
960 not have voting privileges.

961 10. Each member of an early learning coalition is subject
962 to ss. 112.313, 112.3135, and 112.3143. For purposes of s.
963 112.3143(3)(a), each voting member is a local public officer who
964 must abstain from voting when a voting conflict exists.

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

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

969 13. Each early learning coalition shall establish terms for
970 all appointed members of the coalition. The terms must be
971 staggered and must be a uniform length that does not exceed 4
972 years per term. Coalition chairs shall be appointed for 4 years
973 in conjunction with their membership on the Early Learning
974 Advisory Council under s. 20.052. Appointed members may serve a
975 maximum of two consecutive terms. When a vacancy occurs in an
976 appointed position, the coalition must advertise the vacancy.

977 (b) Limitation.—Except as provided by law, the early
978 learning coalitions may not impose requirements on a child care
979 or early childhood education provider that does not deliver
980 services under the school readiness programs or receive state,
981 federal, required maintenance of effort, or matching funds under
982 this section.

983 ~~(b) Program participation.—The school readiness program~~
984 ~~shall be established for children from birth to the beginning of~~
985 ~~the school year for which a child is eligible for admission to~~
986 ~~kindergarten in a public school under s. 1003.21(1)(a)2. The~~

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987 ~~program shall be administered by the early learning coalition.~~
988 ~~Within funding limitations, the early learning coalition, along~~
989 ~~with all providers, shall make reasonable efforts to accommodate~~
990 ~~the needs of children for extended day and extended year~~
991 ~~services without compromising the quality of the program.~~

992 (c) *Program expectations.*—

993 1. The school readiness program must meet the following
994 expectations:

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

1000 b. The program must provide extended-day and extended-year
1001 services to the maximum extent possible without compromising the
1002 quality of the program to meet the needs of parents who work.

1003 c. The program There must provide a ~~be~~ coordinated
1004 professional staff development system that supports the
1005 achievement and maintenance of core competencies by school
1006 readiness instructors in helping children attain the performance
1007 standards and outcome measures adopted by the Agency for
1008 Workforce Innovation ~~and teaching opportunities.~~

1009 d. There must be expanded access to community services and
1010 resources for families to help achieve economic self-
1011 sufficiency.

1012 e. There must be a single point of entry and unified
1013 waiting list. As used in this sub-subparagraph, the term "single
1014 point of entry" means an integrated information system that
1015 allows a parent to enroll his or her child in the school

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1016 readiness program at various locations throughout a the county
1017 ~~or multicounty region served by an early learning coalition,~~
1018 that may allow a parent to enroll his or her child by telephone
1019 or through an Internet website, and that uses a unified waiting
1020 list to track eligible children waiting for enrollment in the
1021 school readiness program. The Agency for Workforce Innovation
1022 shall establish through technology a single statewide
1023 information system that each coalition must use for the purposes
1024 of managing the ~~integrates each early learning coalition's~~
1025 single point of entry, tracking children's progress,
1026 coordinating services among stakeholders, determining
1027 eligibility, tracking child attendance, and streamlining
1028 administrative processes for providers and early learning
1029 coalitions ~~and each coalition must use the statewide system.~~

1030 f. The Agency for Workforce Innovation must consider the
1031 access of eligible children to the school readiness program, as
1032 demonstrated in part by waiting lists, before approving a
1033 proposed increase in payment rates submitted by an early
1034 learning coalition. In addition, early learning coalitions shall
1035 use school readiness funds made available due to enrollment
1036 shifts from school readiness programs to the Voluntary
1037 Prekindergarten Education Program for increasing the number of
1038 children served in school readiness programs before increasing
1039 payment rates.

1040 ~~g. There must be a community plan to address the needs of~~
1041 ~~all eligible children.~~

1042 ~~g.h.~~ The program must meet all state licensing guidelines,
1043 where applicable.

1044 h. The program must ensure that minimum standards for child

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1045 discipline practices are age-appropriate. Such standards must
1046 provide that children not be subjected to discipline that is
1047 severe, humiliating, or frightening or discipline that is
1048 associated with food, rest, or toileting. Spanking or any other
1049 form of physical punishment is prohibited.

1050 2. Each ~~The~~ early learning coalition must implement a
1051 comprehensive program of school readiness services in accordance
1052 with the rules adopted by the agency which ~~that~~ enhance the
1053 cognitive, social, and physical development of children to
1054 achieve the performance standards and outcome measures ~~adopted~~
1055 ~~by the agency for Workforce Innovation~~. At a minimum, these
1056 programs must contain the following system support service
1057 elements:

1058 a. Developmentally appropriate curriculum designed to
1059 enhance the age-appropriate progress of children in attaining
1060 the performance standards adopted by the Agency for Workforce
1061 Innovation under subparagraph (4)(d)8.

1062 b. A character development program to develop basic values.

1063 c. An age-appropriate screening ~~assessment~~ of each child's
1064 development.

1065 d. An age-appropriate assessment ~~A pretest~~ administered to
1066 children when they enter a program and an age-appropriate
1067 assessment ~~a posttest~~ administered to children when they leave
1068 the program.

1069 e. An appropriate staff-to-children ratio, pursuant to s.
1070 402.305(4) or s. 402.302(7) or (8), as applicable, and as
1071 verified pursuant to s. 402.311.

1072 f. A healthy and safe environment pursuant to s.
1073 401.305(5), (6), and (7), as applicable, and as verified

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1074 pursuant to s. 402.311.

1075 g. A resource and referral network established under s.
1076 411.0101 to assist parents in making an informed choice and a
1077 regional Warm-Line under s. 411.01015.

1078

1079 The Agency for Workforce Innovation, the Department of
1080 Education, and early learning coalitions shall coordinate with
1081 the Child Care Services Program Office of the Department of
1082 Children and Family Services to minimize duplicating interagency
1083 activities pertaining to acquiring and composing data for child
1084 care training and credentialing.

1085 (d) *Implementation.*—

1086 1. An early learning coalition may not implement the school
1087 readiness program until the coalition is authorized through
1088 approval of the coalition's school readiness plan by the Agency
1089 for Workforce Innovation.

1090 2. Each early learning coalition shall coordinate with one
1091 another to implement a comprehensive program of school readiness
1092 services which enhances the cognitive, social, physical, and
1093 moral character of the children to achieve the performance
1094 standards and outcome measures and which helps families achieve
1095 economic self-sufficiency. Such program must contain, at a
1096 minimum, the following elements: ~~develop a plan for implementing~~

1097 a. Implement the school readiness program to meet the
1098 requirements of this section and the system support services,
1099 performance standards, and outcome measures adopted by the
1100 Agency for Workforce Innovation.

1101 b. ~~The plan must~~ Demonstrate how the program will ensure
1102 that each ~~3-year-old and 4-year-old~~ child from birth through 5

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1103 years of age in a publicly funded school readiness program
1104 receives scheduled activities and instruction designed to
1105 enhance the age-appropriate progress of the children in
1106 attaining the performance standards adopted by the Agency for
1107 Workforce Innovation under subparagraph (4)(d)8.

1108 c. Ensure that the coalition has solicited and considered
1109 comments regarding the proposed school readiness plan from the
1110 local community.

1111
1112 Before implementing the school readiness program, the early
1113 learning coalition must submit the plan to the Agency for
1114 Workforce Innovation for approval. The Agency for Workforce
1115 Innovation may approve the plan, reject the plan, or approve the
1116 plan with conditions. The Agency for Workforce Innovation shall
1117 review school readiness plans at least every 2 years ~~annually~~.

1118 3. If the Agency for Workforce Innovation determines during
1119 the ~~annual~~ review of school readiness plans, or through
1120 monitoring and performance evaluations conducted under paragraph
1121 (4)(1), that an early learning coalition has not substantially
1122 implemented its plan, has not substantially met the performance
1123 standards and outcome measures adopted by the agency, or has not
1124 effectively administered the school readiness program or
1125 Voluntary Prekindergarten Education Program, the Agency for
1126 Workforce Innovation may dissolve the coalition and temporarily
1127 contract with a qualified entity to continue school readiness
1128 and prekindergarten services in the coalition's county or
1129 multicounty region until the agency reestablishes the coalition
1130 and a new ~~the coalition is reestablished through resubmission of~~
1131 a school readiness plan is approved in accordance with the rules

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1132 ~~adopted and approval~~ by the agency.

1133 4. The Agency for Workforce Innovation shall adopt rules
1134 establishing criteria for the approval of school readiness
1135 plans. The criteria must be consistent with the system support
1136 services, performance standards, and outcome measures adopted by
1137 the agency and must require each approved plan to include the
1138 following minimum standards and provisions for the school
1139 readiness program:

1140 a. A community plan that addresses the needs of all
1141 children and providers within the coalition's county or
1142 multicounty region.

1143 ~~b.a.~~ A sliding fee scale establishing a copayment for
1144 parents based upon their ability to pay, which is the same for
1145 all program providers, ~~to be implemented and reflected in each~~
1146 ~~program's budget.~~

1147 ~~c.b.~~ A choice of settings and locations in licensed,
1148 registered, religious-exempt, or school-based programs to be
1149 provided to parents.

1150 ~~e. Instructional staff who have completed the training~~
1151 ~~course as required in s. 402.305(2)(d)1., as well as staff who~~
1152 ~~have additional training or credentials as required by the~~
1153 ~~Agency for Workforce Innovation. The plan must provide a method~~
1154 ~~for assuring the qualifications of all personnel in all program~~
1155 ~~settings.~~

1156 d. Specific eligibility priorities for children ~~within the~~
1157 ~~early learning coalition's county or multicounty region~~ in
1158 accordance with subsection (6).

1159 e. Performance standards and outcome measures adopted by
1160 the Agency for Workforce Innovation.

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1161 f. Payment rates adopted by the early learning coalitions
1162 ~~coalition~~ and approved by the Agency for Workforce Innovation.
1163 Payment rates may not have the effect of limiting parental
1164 choice or creating standards or levels of services that have not
1165 been expressly established ~~authorized~~ by the Legislature, unless
1166 the creation of such standards or levels of service is a
1167 precondition for the state's eligibility to receive federal
1168 funds available for early learning programs.

1169 ~~g. Systems support services, including a central agency,~~
1170 ~~child care resource and referral, eligibility determinations,~~
1171 ~~training of providers, and parent support and involvement.~~

1172 ~~g.h.~~ Direct enhancement services for ~~to~~ families and
1173 children. System support and direct enhancement services shall
1174 be in addition to payments for the placement of children in
1175 school readiness programs. Direct enhancement services for
1176 families may include parent training and involvement activities
1177 and strategies to meet the needs of unique populations and local
1178 eligibility priorities. Enhancement services for children may
1179 include provider supports and professional development approved
1180 in the plan by the Agency for Workforce Innovation.

1181 ~~h.i.~~ The business organization of the early learning
1182 coalition, which must include the coalition's articles of
1183 incorporation and bylaws if the coalition is organized as a
1184 corporation. If the coalition is not organized as a corporation
1185 or other business entity, the plan must include the contract
1186 with a fiscal agent. An early learning coalition may contract
1187 with other coalitions to achieve efficiency in multicounty
1188 services, and these contracts may be part of the coalition's
1189 school readiness plan.

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1190 i. The implementation of locally developed quality programs
1191 in accordance with the requirements adopted by the agency under
1192 subparagraph (4) (d) 5.

1193 ~~j. Strategies to meet the needs of unique populations, such~~
1194 ~~as migrant workers.~~

1196 ~~As part of the school readiness plan, The Agency for Workforce~~
1197 ~~Innovation early learning coalition may request the Governor to~~
1198 ~~apply for a waiver to allow the coalition to administer the Head~~
1199 ~~Start Program to accomplish the purposes of the school readiness~~
1200 ~~program. If a school readiness plan demonstrates that specific~~
1201 ~~statutory goals can be achieved more effectively by using~~
1202 ~~procedures that require modification of existing rules,~~
1203 ~~policies, or procedures, a request for a waiver to the Agency~~
1204 ~~for Workforce Innovation may be submitted as part of the plan.~~
1205 ~~Upon review, the Agency for Workforce Innovation may grant the~~
1206 ~~proposed modification.~~

1207 5. Persons with an early childhood teaching certificate may
1208 provide support and supervision to other staff in the school
1209 readiness program.

1210 6. An early learning coalition may not implement its school
1211 readiness plan until it submits the plan to and receives
1212 approval from the Agency for Workforce Innovation. Once the plan
1213 is approved, the plan and the services provided under the plan
1214 shall be controlled by the early learning coalition. The plan
1215 shall be reviewed and revised as necessary, but at least
1216 biennially. An early learning coalition may not implement the
1217 revisions until the coalition submits the revised plan to and
1218 receives approval from the Agency for Workforce Innovation. If

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1219 the Agency for Workforce Innovation rejects a revised plan, the
1220 coalition must continue to operate under its prior approved
1221 plan.

1222 7. Sections 125.901(2)(a)3., 411.221, and 411.232 do not
1223 apply to ~~an early learning coalition with an approved school~~
1224 readiness programs plan. The Agency for Workforce Innovation ~~To~~
1225 ~~facilitate innovative practices and to allow the regional~~
1226 ~~establishment of school readiness programs, an early learning~~
1227 ~~coalition~~ may apply to the Governor and Cabinet for a waiver of,
1228 and the Governor and Cabinet may waive, any of the provisions of
1229 ss. 411.223, 411.232, and 1003.54, if the waiver is necessary
1230 for implementation of ~~the coalition's~~ school readiness programs
1231 plan.

1232 8. Two or more early learning coalitions ~~counties~~ may join
1233 for purposes of planning and implementing a school readiness
1234 program.

1235 9. ~~An early learning coalition may, subject to approval by~~
1236 ~~The Agency for Workforce Innovation as part of the coalition's~~
1237 ~~school readiness plan, receive subsidized child care funds for~~
1238 ~~all children eligible for any federal subsidized child care~~
1239 ~~program.~~

1240 10. ~~An early learning coalition may enter into multiparty~~
1241 ~~contracts with multicounty service providers in order to meet~~
1242 ~~the needs of unique populations such as migrant workers.~~

1243 (e) *Requests for proposals; payment schedule.*—

1244 1. Each early learning coalition must comply with the
1245 procurement and expenditure procedures adopted by the Agency for
1246 Workforce Innovation, including, but not limited to, applying
1247 the procurement and expenditure procedures required by federal

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1248 law for the expenditure of federal funds ~~s. 287.057 for the~~
1249 ~~procurement of commodities or contractual services from the~~
1250 ~~funds described in paragraph (9) (d). The period of a contract~~
1251 ~~for purchase of these commodities or contractual services,~~
1252 ~~together with any renewal of the original contract, may not~~
1253 ~~exceed 3 years.~~

1254 2. Each early learning coalition shall adopt a payment
1255 schedule that encompasses all programs funded ~~by the coalition~~
1256 under this section. The payment schedule must take into
1257 consideration the prevailing relevant market rate, must include
1258 the projected number of children to be served, and must be
1259 submitted for approval by the Agency for Workforce Innovation.
1260 Informal child care arrangements shall be reimbursed at not more
1261 than 50 percent of the rate adopted ~~developed~~ for a family day
1262 care home.

1263 ~~(f) Requirements relating to fiscal agents. If an early~~
1264 ~~learning coalition is not legally organized as a corporation or~~
1265 ~~other business entity, the coalition must designate a fiscal~~
1266 ~~agent, which may be a public entity, a private nonprofit~~
1267 ~~organization, or a certified public accountant who holds a~~
1268 ~~license under chapter 473. The fiscal agent must provide~~
1269 ~~financial and administrative services under a contract with the~~
1270 ~~early learning coalition. The fiscal agent may not provide~~
1271 ~~direct early childhood education or child care services;~~
1272 ~~however, a fiscal agent may provide those services upon written~~
1273 ~~request of the early learning coalition to the Agency for~~
1274 ~~Workforce Innovation and upon the approval of the request by the~~
1275 ~~agency. The cost of the financial and administrative services~~
1276 ~~shall be negotiated between the fiscal agent and the early~~

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1277 ~~learning coalition. If the fiscal agent is a provider of early~~
1278 ~~childhood education and child care programs, the contract must~~
1279 ~~specify that the fiscal agent shall act on policy direction from~~
1280 ~~the early learning coalition and must not receive policy~~
1281 ~~direction from its own corporate board regarding disbursement of~~
1282 ~~the coalition's funds. The fiscal agent shall disburse funds in~~
1283 ~~accordance with the early learning coalition's approved school~~
1284 ~~readiness plan and based on billing and disbursement procedures~~
1285 ~~approved by the Agency for Workforce Innovation. The fiscal~~
1286 ~~agent must conform to all data reporting requirements~~
1287 ~~established by the Agency for Workforce Innovation.~~

1288 ~~(f)(g)~~ *Evaluation and annual report.*—Each early learning
1289 coalition shall conduct an evaluation of its implementation ~~the~~
1290 ~~effectiveness~~ of the school readiness program, including system
1291 support services, performance standards, and outcome measures,
1292 and shall provide an annual report and fiscal statement to the
1293 Agency for Workforce Innovation. This report must also include
1294 an evaluation of the effectiveness of its direct enhancement
1295 services and conform to the content and format specifications
1296 adopted ~~set~~ by the Agency for Workforce Innovation. The Agency
1297 for Workforce Innovation must include an analysis of the early
1298 learning coalitions' reports in the agency's annual report.

1299 (6) PROGRAM ELIGIBILITY.—~~The~~ ~~Each~~ ~~early~~ ~~learning~~
1300 ~~coalition's~~ school readiness program is ~~shall be~~ established for
1301 children from birth to the beginning of the school year for
1302 which a child is eligible for admission to kindergarten in a
1303 public school under s. 1003.21(1)(a)2. or who are eligible for
1304 any federal subsidized child care program. Each early learning
1305 coalition shall give priority for participation in the school

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1306 readiness program as follows:

1307 (a) Priority shall be given first to a child from a family
1308 in which there is an adult receiving temporary cash assistance
1309 who is subject to federal work requirements.

1310 (b) Priority shall be given next to a child who is eligible
1311 for a school readiness program but who has not yet entered
1312 children age 3 years to school, entry who is are served by the
1313 Family Safety Program Office of the Department of Children and
1314 Family Services or a community-based lead agency under chapter
1315 39 or chapter 409, and for whom child care is needed to minimize
1316 risk of further abuse, neglect, or abandonment.

1317 (c) Subsequent priority shall be given to a child ~~Other~~
1318 ~~eligible populations include children who meets meet~~ one or more
1319 of the following criteria:

1320 1.(a) A child who is younger than Children under the age of
1321 kindergarten eligibility and who are:

1322 ~~1. Children determined to be at risk of abuse, neglect, or~~
1323 ~~exploitation who are currently clients of the Family Safety~~
1324 ~~Program Office of the Department of Children and Family~~
1325 ~~Services, but who are not otherwise given priority under this~~
1326 ~~subsection.~~

1327 a.2. Is Children at risk of welfare dependency, including
1328 an economically disadvantaged child children, a child children
1329 of a participant participants in the welfare transition program,
1330 a child of a migratory agricultural worker children of migrant
1331 farmworkers, or a child and children of a teen parent parents.

1332 b.3. Is a member Children of a working family that is
1333 economically disadvantaged families whose family income does not
1334 exceed 150 percent of the federal poverty level.

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1335 c.4. Children For whom financial assistance is provided
1336 through the state is paying a Relative Caregiver Program ~~payment~~
1337 under s. 39.5085.

1338 2.(b) A 3-year-old child or ~~Three-year-old children and 4-~~
1339 ~~year-old~~ child ~~children~~ who may not be economically
1340 disadvantaged but who has a disability; has ~~have disabilities,~~
1341 ~~have~~ been served in a specific part-time exceptional education
1342 program or a combination of part-time exceptional education
1343 programs with required special services, aids, or equipment;;
1344 and was ~~were~~ previously reported for funding part time under
1345 ~~with~~ the Florida Education Finance Program as an exceptional
1346 student ~~students~~.

1347 3.(e) An economically disadvantaged child ~~children,~~ a child
1348 ~~children~~ with a disability ~~disabilities,~~ or a child ~~and children~~
1349 at risk of future school failure, from birth to 4 years of age,
1350 who is ~~are~~ served at home through a home visitor program
1351 ~~programs~~ and an intensive parent education program ~~programs~~.

1352 4.(d) A child ~~Children~~ who meets ~~meet~~ federal and state
1353 eligibility requirements for the migrant preschool program but
1354 who is ~~do~~ not ~~meet the criteria of~~ economically disadvantaged.

1355
1356 As used in this paragraph ~~subsection,~~ the term "economically
1357 disadvantaged" ~~child~~ means having a ~~child whose~~ family income
1358 that does not exceed 150 percent of the federal poverty level.
1359 Notwithstanding any change in a family's economic status, but
1360 subject to additional family contributions in accordance with
1361 the sliding fee scale, a child who meets the eligibility
1362 requirements upon initial registration for the program remains
1363 eligible until the beginning of the school year for which the

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1364 child is eligible for admission to kindergarten in a public
1365 school under s. 1003.21(1)(a)2.

1366 (7) PARENTAL CHOICE.—

1367 (a) Parental choice of child care providers shall be
1368 established, to the maximum extent practicable, in accordance
1369 with 45 C.F.R. s. 98.30.

1370 (b) As used in this subsection, the term "payment
1371 certificate" means a child care certificate as defined in 45
1372 C.F.R. s. 98.2.

1373 (c) The school readiness program shall, in accordance with
1374 45 C.F.R. s. 98.30, provide parental choice through a payment
1375 certificate ~~purchase service order~~ that ensures, to the maximum
1376 extent possible, flexibility in the school readiness program
1377 ~~programs~~ and payment arrangements. ~~According to federal~~
1378 ~~regulations requiring parental choice, a parent may choose an~~
1379 ~~informal child care arrangement.~~ The payment certificate
1380 ~~purchase order~~ must bear the names ~~name~~ of the beneficiary and
1381 the program provider and, when redeemed, must bear the
1382 signatures ~~signature~~ of both the beneficiary and an authorized
1383 representative of the provider.

1384 (d) ~~(b)~~ If it is determined that a provider has given
1385 ~~provided~~ any cash to the beneficiary in return for receiving a
1386 payment certificate ~~the purchase order~~, the early learning
1387 coalition or its fiscal agent shall refer the matter to the
1388 Division of Public Assistance Fraud for investigation.

1389 (e) ~~(e)~~ The office of the Chief Financial Officer shall
1390 establish an electronic transfer system for the disbursement of
1391 funds in accordance with this subsection. Each early learning
1392 coalition shall fully implement the electronic funds transfer

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1393 system within 2 years after approval of the coalition's school
1394 readiness plan, unless a waiver is obtained from the Agency for
1395 Workforce Innovation.

1396 (8) STANDARDS; OUTCOME MEASURES.—A program provider
1397 participating in the All school readiness program programs must
1398 meet the performance standards and outcome measures adopted by
1399 the Agency for Workforce Innovation.

1400 (9) FUNDING; SCHOOL READINESS PROGRAM.—

1401 (a) It is the intent of this section to establish an
1402 integrated and quality seamless service delivery system for all
1403 publicly funded early childhood education and child care
1404 programs operating in this state.

1405 (b)1. The Agency for Workforce Innovation shall administer
1406 school readiness funds, plans, and policies and shall prepare
1407 and submit a unified budget request for the school readiness
1408 system in accordance with chapter 216.

1409 2. All instructions to early learning coalitions for
1410 administering this section shall emanate from the Agency for
1411 Workforce Innovation in accordance with the policies of the
1412 Legislature.

1413 (c) The Agency for Workforce Innovation, subject to
1414 legislative notice and review under s. 216.177, shall establish
1415 ~~recommend~~ a formula for the allocation ~~among the early learning~~
1416 ~~coalitions~~ of all state and federal school readiness funds
1417 provided for children participating in the public or private
1418 school readiness program, whether served by a public or private
1419 provider, programs based upon equity for each county and
1420 ~~performance~~. The allocation formula must be submitted to the
1421 Governor, the chair of the Senate Ways and Means Committee or

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1422 its successor, and the chair of the House of Representatives
1423 Fiscal Council or its successor no later than January 1 of each
1424 year. If the Legislature specifies ~~shall specify in the annual~~
1425 ~~General Appropriations Act any changes to~~ from the allocation
1426 formula, methodology for the prior fiscal year which must be
1427 used by the Agency for Workforce Innovation shall allocate funds
1428 as specified in allocating the appropriations provided in the
1429 General Appropriations Act.

1430 (d) All state, federal, and required local maintenance-of-
1431 effort, or matching funds provided to an early learning
1432 coalition for purposes of this section shall be used ~~by the~~
1433 ~~coalition~~ for implementation of its approved school readiness
1434 plan, including the hiring of staff to effectively operate the
1435 coalition's school readiness program. As part of plan approval
1436 and periodic plan review, The Agency for Workforce Innovation
1437 shall require that administrative costs be kept to the minimum
1438 necessary for efficient and effective administration of the
1439 school readiness plan, but total administrative expenditures
1440 must not exceed 5 percent unless specifically waived by the
1441 Agency for Workforce Innovation. The Agency for Workforce
1442 Innovation shall annually report to the Legislature any problems
1443 relating to administrative costs.

1444 (e) The Agency for Workforce Innovation shall annually
1445 distribute, to a maximum extent practicable, all eligible funds
1446 provided under this section as block grants to the early
1447 learning coalitions in accordance with the terms and conditions
1448 specified by the agency.

1449 (f) State funds appropriated for the school readiness
1450 program may not be used for the construction of new facilities

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1451 or the purchase of buses. ~~The Agency for Workforce Innovation~~
1452 ~~shall present to the Legislature recommendations for providing~~
1453 ~~necessary transportation services for school readiness programs.~~

1454 (g) All cost savings and all revenues received through a
1455 mandatory sliding fee scale shall be used to help fund each
1456 early learning coalition's school readiness program.

1457 (10) CONFLICTING PROVISIONS.-~~If In the event of a conflict~~
1458 exists between this section and federal requirements, the
1459 federal requirements ~~shall~~ control.

1460 ~~(11) PLACEMENTS. Notwithstanding any other provision of~~
1461 ~~this section to the contrary, the first children to be placed in~~
1462 ~~the school readiness program shall be those from families~~
1463 ~~receiving temporary cash assistance and subject to federal work~~
1464 ~~requirements. Subsequent placements shall be made in accordance~~
1465 ~~with subsection (6).~~

1466 Section 18. Section 411.0101, Florida Statutes, is amended
1467 to read:

1468 411.0101 Child care and early childhood resource and
1469 referral.-

1470 (1) As a part of the school readiness programs, the Agency
1471 for Workforce Innovation shall establish a statewide child care
1472 resource and referral network that is unbiased and provides
1473 referrals to families for child care. Preference shall be given
1474 to using the already established early learning coalitions as
1475 the child care resource and referral agencies ~~agency~~. If an
1476 early learning coalition cannot comply with the requirements to
1477 offer the resource information component or does not want to
1478 offer that service, the early learning coalition shall select
1479 the resource and referral ~~information~~ agency for its county or

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1480 multicounty region based upon a request for proposal pursuant to
1481 s. 411.01(5)(e)1.

1482 (2) At least one child care resource and referral agency
1483 must be established in each early learning coalition's county or
1484 multicounty region. The Agency for Workforce Innovation shall
1485 adopt rules regarding accessibility of child care resource and
1486 referral services offered through child care resource and
1487 referral agencies in each county or multicounty region which
1488 include, at a minimum, required hours of operation, methods by
1489 which parents may request services, and child care resource and
1490 referral staff training requirements.

1491 (3) Child care resource and referral agencies shall provide
1492 the following services:

1493 (a)~~(1)~~ Identification of existing public and private child
1494 care and early childhood education services, including child
1495 care services by public and private employers, and the
1496 development of a resource file of those services through the
1497 single statewide information system developed by the Agency for
1498 Workforce Innovation under s. 411.01(5)(c)1.e. These services
1499 may include family day care, public and private child care
1500 programs, the Voluntary Prekindergarten Education Program, Head
1501 Start, the school readiness program ~~prekindergarten early~~
1502 ~~intervention programs,~~ special education programs for
1503 prekindergarten ~~handicapped~~ children with disabilities, services
1504 for children with developmental disabilities, full-time and
1505 part-time programs, before-school and after-school programs,
1506 vacation care programs, parent education, the WAGES Program, and
1507 related family support services. The resource file shall
1508 include, but not be limited to:

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- 1509 1.~~(a)~~ Type of program.
- 1510 2.~~(b)~~ Hours of service.
- 1511 3.~~(c)~~ Ages of children served.
- 1512 4.~~(d)~~ Number of children served.
- 1513 5.~~(e)~~ Significant program information.
- 1514 6.~~(f)~~ Fees and eligibility for services.
- 1515 7.~~(g)~~ Availability of transportation.
- 1516 (b)~~(2)~~ The establishment of a referral process that ~~which~~
- 1517 responds to parental need for information and that ~~which~~ is
- 1518 provided with full recognition of the confidentiality rights of
- 1519 parents. The resource and referral network ~~programs~~ shall make
- 1520 referrals to legally operating ~~licensed~~ child care facilities.
- 1521 Referrals may not ~~shall~~ be made to a ~~an~~ unlicensed child care
- 1522 facility that is operating illegally ~~or arrangement only if~~
- 1523 ~~there is no requirement that the facility or arrangement be~~
- 1524 ~~licensed.~~
- 1525 (c)~~(3)~~ Maintenance of ongoing documentation of requests for
- 1526 service tabulated through the internal referral process through
- 1527 the single statewide information system. The following
- 1528 documentation of requests for service shall be maintained by the
- 1529 ~~all~~ child care resource and referral network ~~agencies~~:
- 1530 1.~~(a)~~ Number of calls and contacts to the child care
- 1531 resource information and referral network ~~agency~~ component by
- 1532 type of service requested.
- 1533 2.~~(b)~~ Ages of children for whom service was requested.
- 1534 3.~~(c)~~ Time category of child care requests for each child.
- 1535 4.~~(d)~~ Special time category, such as nights, weekends, and
- 1536 swing shift.
- 1537 5.~~(e)~~ Reason that the child care is needed.

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1538 6.~~(f)~~ Name of the employer and primary focus of the
1539 business.

1540 (d)~~(4)~~ Provision of technical assistance to existing and
1541 potential providers of child care services. This assistance may
1542 include:

1543 1.~~(a)~~ Information on initiating new child care services,
1544 zoning, and program and budget development and assistance in
1545 finding such information from other sources.

1546 2.~~(b)~~ Information and resources which help existing child
1547 care services providers to maximize their ability to serve
1548 children and parents in their community.

1549 3.~~(e)~~ Information and incentives that may ~~which could~~ help
1550 existing or planned child care services offered by public or
1551 private employers seeking to maximize their ability to serve the
1552 children of their working parent employees in their community,
1553 through contractual or other funding arrangements with
1554 businesses.

1555 (e)~~(5)~~ Assistance to families and employers in applying for
1556 various sources of subsidy including, but not limited to, the
1557 Voluntary Prekindergarten Education Program, the school
1558 readiness program ~~subsidized child care~~, Head Start,
1559 ~~prekindergarten early intervention programs~~, Project
1560 Independence, private scholarships, and the federal child and
1561 dependent care tax credit.

1562 ~~(6) Assistance to state agencies in determining the market~~
1563 ~~rate for child care.~~

1564 (f)~~(7)~~ Assistance in negotiating discounts or other special
1565 arrangements with child care providers.

1566 ~~(8) Information and assistance to local interagency~~

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1567 ~~councils coordinating services for prekindergarten handicapped~~
1568 ~~children.~~

1569 (g) ~~(9)~~ Assistance to families in identifying summer
1570 recreation camp and summer day camp programs, ~~and in~~ evaluating
1571 the health and safety qualities of summer recreation camp and
1572 summer day camp programs, ~~and in~~ evaluating the health and
1573 safety qualities of summer camp programs. Contingent upon
1574 specific appropriation, a checklist of important health and
1575 safety qualities that parents can use to choose their summer
1576 camp programs shall be developed and distributed in a manner
1577 that will reach parents interested in such programs for their
1578 children.

1579 (h) ~~(10)~~ A child care facility licensed under s. 402.305 and
1580 licensed and registered family day care homes must provide the
1581 statewide child care and resource and referral network ~~agencies~~
1582 with the following information annually:

- 1583 1. ~~(a)~~ Type of program.
1584 2. ~~(b)~~ Hours of service.
1585 3. ~~(e)~~ Ages of children served.
1586 4. ~~(d)~~ Fees and eligibility for services.

1587 (4) ~~(11)~~ The Agency for Workforce Innovation shall adopt any
1588 rules necessary for the implementation and administration of
1589 this section.

1590 Section 19. Subsection (3), paragraph (b) of subsection
1591 (4), and paragraphs (c) and (d) of subsection (5) of section
1592 411.0102, Florida Statutes, are amended to read:

1593 411.0102 Child Care Executive Partnership Act; findings and
1594 intent; grant; limitation; rules.—

1595 (3) There is created a body politic and corporate known as

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1596 the Child Care Executive Partnership which shall establish and
1597 govern the Child Care Executive Partnership Program. The purpose
1598 of the Child Care Executive Partnership Program is to utilize
1599 state and federal funds as incentives for matching local funds
1600 derived from local governments, employers, charitable
1601 foundations, and other sources, so that Florida communities may
1602 create local flexible partnerships with employers. The Child
1603 Care Executive Partnership Program funds shall be used at the
1604 discretion of local communities to meet the needs of working
1605 parents. A child care purchasing pool shall be developed with
1606 the state, federal, and local funds to provide subsidies to low-
1607 income working parents whose family income does not exceed the
1608 allowable income for any federally subsidized child care program
1609 ~~who are eligible for subsidized child care~~ with a dollar-for-
1610 dollar match from employers, local government, and other
1611 matching contributions. The funds used from the child care
1612 purchasing pool must be used to supplement or extend the use of
1613 existing public or private funds.

1614 (4) The Child Care Executive Partnership, staffed by the
1615 Agency for Workforce Innovation, shall consist of a
1616 representative of the Executive Office of the Governor and nine
1617 members of the corporate or child care community, appointed by
1618 the Governor.

1619 (b) The Child Care Executive Partnership shall be chaired
1620 by a member chosen by a majority vote and shall meet at least
1621 quarterly and at other times upon the call of the chair. The
1622 Child Care Executive Partnership may use any method of
1623 telecommunications to conduct meetings, including establishing a
1624 quorum through telecommunications, only if the public is given

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1625 proper notice of a telecommunications meeting and reasonable
1626 access to observe and, when appropriate, participate.

1627 (5)

1628 (c) The Agency for Workforce Innovation, in conjunction
1629 with the Child Care Executive Partnership, shall develop
1630 procedures for disbursement of funds through the child care
1631 purchasing pools. In order to be considered for funding, an
1632 early learning coalition or the Agency for Workforce Innovation
1633 must commit to:

1634 1. Matching the state purchasing pool funds on a dollar-
1635 for-dollar basis; and

1636 2. Expending only those public funds which are matched by
1637 employers, local government, and other matching contributors who
1638 contribute to the purchasing pool. Parents shall also pay a fee,
1639 which may not ~~shall~~ be ~~not~~ less than the amount identified in
1640 the early learning coalition's school readiness program
1641 ~~subsidized child care sliding fee scale.~~

1642 (d) Each early learning coalition board shall ~~be required~~
1643 ~~to establish a community child care task force for each child~~
1644 ~~care purchasing pool. The task force must be composed of~~
1645 ~~employers, parents, private child care providers, and one~~
1646 ~~representative from the local children's services council, if~~
1647 ~~one exists in the area of the purchasing pool. The early~~
1648 ~~learning coalition is expected to recruit the task force members~~
1649 ~~from existing child care councils, commissions, or task forces~~
1650 ~~already operating in the area of a purchasing pool. A majority~~
1651 ~~of the task force shall consist of employers. Each task force~~
1652 ~~shall~~ develop a plan for the use of child care purchasing pool
1653 funds. The plan must show how many children will be served by

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1654 the purchasing pool, how many will be new to receiving child
1655 care services, and how the early learning coalition intends to
1656 attract new employers and their employees to the program.

1657 Section 20. Paragraph (b) of subsection (8) of section
1658 411.203, Florida Statutes, is amended to read:

1659 411.203 Continuum of comprehensive services.—The Department
1660 of Education and the Department of Health and Rehabilitative
1661 Services shall utilize the continuum of prevention and early
1662 assistance services for high-risk pregnant women and for high-
1663 risk and handicapped children and their families, as outlined in
1664 this section, as a basis for the intraagency and interagency
1665 program coordination, monitoring, and analysis required in this
1666 chapter. The continuum shall be the guide for the comprehensive
1667 statewide approach for services for high-risk pregnant women and
1668 for high-risk and handicapped children and their families, and
1669 may be expanded or reduced as necessary for the enhancement of
1670 those services. Expansion or reduction of the continuum shall be
1671 determined by intraagency or interagency findings and agreement,
1672 whichever is applicable. Implementation of the continuum shall
1673 be based upon applicable eligibility criteria, availability of
1674 resources, and interagency prioritization when programs impact
1675 both agencies, or upon single agency prioritization when
1676 programs impact only one agency. The continuum shall include,
1677 but not be limited to:

1678 (8) SUPPORT SERVICES FOR ALL EXPECTANT PARENTS AND PARENTS
1679 OF HIGH-RISK CHILDREN.—

1680 (b) Child care and early childhood programs, including, but
1681 not limited to, ~~subsidized child care~~, licensed ~~nonsubsidized~~
1682 child care facilities, family day care homes, therapeutic child

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1683 care, Head Start, and preschool programs in public and private
1684 schools.

1685 Section 21. Subsection (2) of section 411.221, Florida
1686 Statutes, is amended to read:

1687 411.221 Prevention and early assistance strategic plan;
1688 agency responsibilities.—

1689 (2) The strategic plan and subsequent plan revisions shall
1690 incorporate and otherwise utilize, to the fullest extent
1691 possible, the evaluation findings and recommendations from
1692 intraagency, independent third-party, field projects, and
1693 reports issued by the Auditor General or the Office of Program
1694 Policy Analysis and Government Accountability, as well as the
1695 recommendations of the Agency for Workforce Innovation State
1696 ~~Coordinating Council for School Readiness Programs~~.

1697 Section 22. Paragraph (c) of subsection (4) of section
1698 445.024, Florida Statutes, is amended to read:

1699 445.024 Work requirements.—

1700 (4) PRIORITIZATION OF WORK REQUIREMENTS.—Regional workforce
1701 boards shall require participation in work activities to the
1702 maximum extent possible, subject to federal and state funding.
1703 If funds are projected to be insufficient to allow full-time
1704 work activities by all program participants who are required to
1705 participate in work activities, regional workforce boards shall
1706 screen participants and assign priority based on the following:

1707 (c) A participant who has access to ~~subsidized or~~
1708 ~~unsubsidized~~ child care services may be assigned priority for
1709 work activities.

1710

1711 Regional workforce boards may limit a participant's weekly work

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1712 requirement to the minimum required to meet federal work
1713 activity requirements. Regional workforce boards may develop
1714 screening and prioritization procedures based on the allocation
1715 of resources, the availability of community resources, the
1716 provision of supportive services, or the work activity needs of
1717 the service area.

1718 Section 23. Subsection (2) of section 445.030, Florida
1719 Statutes, is amended to read:

1720 445.030 Transitional education and training.—In order to
1721 assist former recipients of temporary cash assistance who are
1722 working or actively seeking employment in continuing their
1723 training and upgrading their skills, education, or training,
1724 support services may be provided for up to 2 years after the
1725 family is no longer receiving temporary cash assistance. This
1726 section does not constitute an entitlement to transitional
1727 education and training. If funds are not sufficient to provide
1728 services under this section, the board of directors of Workforce
1729 Florida, Inc., may limit or otherwise prioritize transitional
1730 education and training.

1731 (2) Regional workforce boards may authorize child care or
1732 other support services in addition to services provided in
1733 conjunction with employment. For example, a participant who is
1734 employed full time may receive ~~subsidized~~ child care services
1735 related to that employment and may also receive additional
1736 ~~subsidized~~ child care services in conjunction with training to
1737 upgrade the participant's skills.

1738 Section 24. Paragraph (a) of subsection (2) of section
1739 490.014, Florida Statutes, is amended to read:

1740 490.014 Exemptions.—

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1741 (2) No person shall be required to be licensed or
1742 provisionally licensed under this chapter who:

1743 (a) Is a salaried employee of a government agency; a
1744 developmental disability facility or program; a, mental health,
1745 alcohol, or drug abuse facility operating under chapter 393,
1746 chapter 394, or chapter 397; the statewide ~~subsidized child care~~
1747 ~~program, subsidized child care case management program, or child~~
1748 care resource and referral network ~~program~~ operating under s.
1749 411.0101 ~~pursuant to chapter 402~~; a child-placing or child-
1750 caring agency licensed pursuant to chapter 409; a domestic
1751 violence center certified pursuant to chapter 39; an accredited
1752 academic institution; or a research institution, if such
1753 employee is performing duties for which he or she was trained
1754 and hired solely within the confines of such agency, facility,
1755 or institution, so long as the employee is not held out to the
1756 public as a psychologist pursuant to s. 490.012(1)(a).

1757 Section 25. Paragraph (a) of subsection (4) of section
1758 491.014, Florida Statutes, is amended to read:

1759 491.014 Exemptions.—

1760 (4) No person shall be required to be licensed,
1761 provisionally licensed, registered, or certified under this
1762 chapter who:

1763 (a) Is a salaried employee of a government agency; a
1764 developmental disability facility or program; a, mental health,
1765 alcohol, or drug abuse facility operating under chapter 393,
1766 chapter 394, or chapter 397; the statewide ~~subsidized child care~~
1767 ~~program, subsidized child care case management program, or child~~
1768 care resource and referral network ~~program~~ operating under s.
1769 411.0101 ~~pursuant to chapter 402~~; a child-placing or child-

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1770 caring agency licensed pursuant to chapter 409; a domestic
1771 violence center certified pursuant to chapter 39; an accredited
1772 academic institution; or a research institution, if such
1773 employee is performing duties for which he or she was trained
1774 and hired solely within the confines of such agency, facility,
1775 or institution, so long as the employee is not held out to the
1776 public as a clinical social worker, mental health counselor, or
1777 marriage and family therapist.

1778 Section 26. Subsection (5) of section 1002.53, Florida
1779 Statutes, is amended to read:

1780 1002.53 Voluntary Prekindergarten Education Program;
1781 eligibility and enrollment.—

1782 (5) The early learning coalition shall provide each parent
1783 enrolling a child in the Voluntary Prekindergarten Education
1784 Program with a profile of every private prekindergarten provider
1785 and public school delivering the program within the ~~coalition's~~
1786 county where the child is being enrolled ~~or multicounty region~~.
1787 The profiles shall be provided to parents in a format prescribed
1788 by the Agency for Workforce Innovation. The profiles must
1789 include, at a minimum, the following information about each
1790 provider and school:

1791 (a) The provider's or school's services, curriculum,
1792 instructor credentials, and instructor-to-student ratio; and

1793 (b) The provider's or school's kindergarten readiness rate
1794 calculated in accordance with s. 1002.69, based upon the most
1795 recent available results of the statewide kindergarten
1796 screening.

1797 Section 27. Paragraph (b) of subsection (3) of section
1798 1002.55, Florida Statutes, is amended, and subsection (5) is

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1799 added to that section, to read:

1800 1002.55 School-year prekindergarten program delivered by
1801 private prekindergarten providers.—

1802 (3) To be eligible to deliver the prekindergarten program,
1803 a private prekindergarten provider must meet each of the
1804 following requirements:

1805 (b) The private prekindergarten provider must:

1806 1. Be accredited by an accrediting association that is a
1807 member of the National Council for Private School Accreditation,
1808 or the Florida Association of Academic Nonpublic Schools, or be
1809 accredited by the Southern Association of Colleges and Schools,
1810 or Western Association of Colleges and Schools, or North Central
1811 Association of Colleges and Schools, or Middle States
1812 Association of Colleges and Schools, or New England Association
1813 of Colleges and Schools; and have written accreditation
1814 standards that meet or exceed the state's licensing requirements
1815 under s. 402.305, s. 402.313, or s.402.3131 and require at least
1816 one onsite visit to the provider or school before accreditation
1817 is granted;

1818 ~~1. Be accredited by an accrediting association that is a~~
1819 ~~member of the National Council for Private School Accreditation,~~
1820 ~~the Commission on International and Trans-Regional~~
1821 ~~Accreditation, or the Florida Association of Academic Nonpublic~~
1822 ~~Schools and have written accreditation standards that meet or~~
1823 ~~exceed the state's licensing requirements under s. 402.305, s.~~
1824 ~~402.313, or s. 402.3131 and require at least one onsite visit to~~
1825 ~~the provider or school before accreditation is granted;~~

1826 2. Hold a current Gold Seal Quality Care designation under
1827 s. 402.281; or

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1828 3. Be licensed under s. 402.305, s. 402.313, or s. 402.3131
1829 and demonstrate, before delivering the Voluntary Prekindergarten
1830 Education Program, as verified by the early learning coalition,
1831 that the provider meets each of the requirements of the program
1832 under this part, including, but not limited to, the requirements
1833 for credentials and background screenings of prekindergarten
1834 instructors under paragraphs (c) and (d), minimum and maximum
1835 class sizes under paragraph (f), prekindergarten director
1836 credentials under paragraph (g), and a developmentally
1837 appropriate curriculum under s. 1002.67(2)(b).

1838 (5) Notwithstanding paragraph (3)(b), a private
1839 prekindergarten provider may not participate in the Voluntary
1840 Prekindergarten Education Program if the provider has child
1841 disciplinary policies that do not prohibit children from being
1842 subjected to discipline that is severe, humiliating,
1843 frightening, or associated with food, rest, toileting, spanking,
1844 or any other form of physical punishment as provided in s.
1845 402.305(12).

1846 Section 28. Paragraph (c) of subsection (3) of section
1847 1002.67, Florida Statutes, is amended to read:

1848 1002.67 Performance standards; curricula and
1849 accountability.—

1850 (3)

1851 (c)1. If the kindergarten readiness rate of a private
1852 prekindergarten provider or public school falls below the
1853 minimum rate adopted by the State Board of Education as
1854 satisfactory under s. 1002.69(6), the early learning coalition
1855 or school district, as applicable, shall require the provider or
1856 school to submit an improvement plan for approval by the

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1857 coalition or school district, as applicable, and to implement
1858 the plan.

1859 2. If a private prekindergarten provider or public school
1860 fails to meet the minimum rate adopted by the State Board of
1861 Education as satisfactory under s. 1002.69(6) for 2 consecutive
1862 years, the early learning coalition or school district, as
1863 applicable, shall place the provider or school on probation and
1864 must require the provider or school to take certain corrective
1865 actions, including the use of a curriculum approved by the
1866 department under paragraph (2)(c).

1867 3. A private prekindergarten provider or public school that
1868 is placed on probation must continue the corrective actions
1869 required under subparagraph 2., including the use of a
1870 curriculum approved by the department, until the provider or
1871 school meets the minimum rate adopted by the State Board of
1872 Education as satisfactory under s. 1002.69(6).

1873 4. If a private prekindergarten provider or public school
1874 remains on probation for 2 consecutive years and fails to meet
1875 the minimum rate adopted by the State Board of Education as
1876 satisfactory under s. 1002.69(6), the Agency for Workforce
1877 Innovation shall require the early learning coalition or the
1878 Department of Education shall require the school district,~~as~~
1879 ~~applicable,~~ to remove, as applicable, the provider or school
1880 from eligibility to deliver the Voluntary Prekindergarten
1881 Education Program and receive state funds for the program.

1882 Section 29. Paragraph (b) of subsection (6) of section
1883 1002.71, Florida Statutes, is amended to read:

1884 1002.71 Funding; financial and attendance reporting.-

1885 (6)

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1886 (b)1. Each private prekindergarten provider's and district
 1887 school board's attendance policy must require the parent of each
 1888 student in the Voluntary Prekindergarten Education Program to
 1889 verify, each month, the student's attendance on the prior
 1890 month's certified student attendance.

1891 2. The parent must submit the verification of the student's
 1892 attendance to the private prekindergarten provider or public
 1893 school on forms prescribed by the Agency for Workforce
 1894 Innovation. The forms must include, in addition to the
 1895 verification of the student's attendance, a certification, in
 1896 substantially the following form, that the parent continues to
 1897 choose the private prekindergarten provider or public school in
 1898 accordance with s. 1002.53 and directs that payments for the
 1899 program be made to the provider or school:

1900
 1901 VERIFICATION OF STUDENT'S ATTENDANCE
 1902 AND CERTIFICATION OF PARENTAL CHOICE
 1903

1904 I, ...(Name of Parent)..., swear (or affirm) that my
 1905 child,...(Name of Student)..., attended the Voluntary
 1906 Prekindergarten Education Program on the days listed above and
 1907 certify that I continue to choose ...(Name of Provider or
 1908 School)... to deliver the program for my child and direct that
 1909 program funds be paid to the provider or school for my child.

1910
 1911(Signature of Parent).....

1912(Date).....
 1913

1914 3. The private prekindergarten provider or public school

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1915 must keep each original signed form for at least 2 years. Each
1916 private prekindergarten provider must permit the early learning
1917 coalition, and each public school must permit the school
1918 district, to inspect the original signed forms during normal
1919 business hours. The Agency for Workforce Innovation shall adopt
1920 procedures for early learning coalitions and school districts to
1921 review the original signed forms against the certified student
1922 attendance. The review procedures shall provide for the use of
1923 selective inspection techniques, including, but not limited to,
1924 random sampling. Each early learning coalition and the school
1925 districts ~~district~~ must comply with the review procedures.

1926 Section 30. Paragraph (b) of subsection (4) of section
1927 1009.64, Florida Statutes, is amended to read:

1928 1009.64 Certified Education Paraprofessional Welfare
1929 Transition Program.—

1930 (4) The agencies shall complete an implementation plan that
1931 addresses at least the following recommended components of the
1932 program:

1933 (b) A budget for use of incentive funding to provide
1934 motivation to participants to succeed and excel. The budget for
1935 incentive funding includes:

1936 1. Funds allocated by the Legislature directly for the
1937 program.

1938 2. Funds that may be made available from the federal
1939 Workforce Investment Act based on client eligibility or
1940 requested waivers to make the clients eligible.

1941 3. Funds made available by implementation strategies that
1942 would make maximum use of work supplementation funds authorized
1943 by federal law.

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1944 4. Funds authorized by strategies to lengthen participants'
1945 eligibility for federal programs such as Medicaid, ~~subsidized~~
1946 child care services, and transportation.

1947
1948 Incentives may include a stipend during periods of college
1949 classroom training, a bonus and recognition for a high grade-
1950 point average, child care and prekindergarten services for
1951 children of participants, and services to increase a
1952 participant's ability to advance to higher levels of employment.
1953 Nonfinancial incentives should include providing a mentor or
1954 tutor, and service incentives should continue and increase for
1955 any participant who plans to complete the baccalaureate degree
1956 and become a certified teacher. Services may be provided in
1957 accordance with family choice by community colleges and school
1958 district career centers, through family service centers and
1959 full-service schools, or under contract with providers through
1960 central agencies.

1961 Section 31. This act shall take effect July 1, 2010.