

20102014e2

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4     repealed subsidized child care program; amending s.  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6     repealed program with an updated reference to the  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12    obsolete reference to a repealed program; amending s.  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18    reference to a repealed program; deleting obsolete  
19    references relating to the repealed prekindergarten  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23    a repealed program; amending s. 402.281, F.S.;  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    establishing the Gold Seal Quality Care program within  
25    the Department of Children and Family Services;  
26    providing that a child care facility, large family  
27    child care home, or family day care home may receive a  
28    Gold Seal Quality Care designation if accredited by a  
29    nationally recognized accrediting association and

20102014e2

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53 participating in a repealed program; repealing s.  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

20102014e2

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

20102014e2

88 providing for legislative notice and review of the  
89 formula; amending s. 411.0101, F.S.; revising  
90 requirements for services provided by the statewide  
91 child care resource and referral network; updating  
92 obsolete references to repealed programs; amending s.  
93 411.0102, F.S.; revising provisions relating to the  
94 Child Care Executive Partnership Act; updating  
95 obsolete references to repealed programs; deleting  
96 provisions relating to the duties of each early  
97 coalition board; amending s. 411.203, F.S.; deleting  
98 an obsolete reference to a repealed program;  
99 conforming provisions; amending s. 411.221, F.S.;  
100 updating an obsolete reference to a former council;  
101 amending ss. 445.024, 445.030, 490.014, and 491.014,  
102 F.S.; deleting obsolete references to repealed  
103 programs; conforming provisions to the repeal of the  
104 subsidized child care case management program;  
105 amending ss. 1002.53, 1002.55, 1002.67, and 1002.71,  
106 F.S.; revising provisions relating to the eligibility  
107 requirements for private prekindergarten providers;  
108 conforming provisions to changes made by the act;  
109 amending s. 1002.69, F.S.; revising provisions  
110 relating to statewide kindergarten screening and  
111 kindergarten readiness rates; authorizing the State  
112 Board of Education to grant an exemption to a private  
113 prekindergarten provider or public school if requested  
114 and good cause is shown; providing for the renewal of  
115 such exemption; requiring that certain information be  
116 submitted along with the provider's or public school's

20102014e2

117 request for the exemption; requiring that the board  
118 adopt criteria for granting the exemption; providing  
119 that the exemption not be granted under certain  
120 circumstances; requiring notice to the Agency for  
121 Workforce Innovation of exemptions; amending s.  
122 1002.73, F.S.; requiring that the Department of  
123 Education adopt procedures for granting good cause  
124 exemptions to private prekindergarten providers and  
125 public schools; amending s. 1009.64, F.S.; deleting an  
126 obsolete reference to a repealed program; amending s.  
127 125.901, F.S.; requiring the governing body of the  
128 county to submit to the electorate the question of  
129 retention or dissolution of a special taxing district  
130 created to provide funding for children's services;  
131 prescribing a schedule and conditions relating to  
132 submission of the question to the electorate;  
133 prescribing reauthorization conditions governing newly  
134 created children's services districts; providing for  
135 the application of the revisions made by this act to  
136 s. 125.901, F.S., to certain children's services  
137 special districts in existence before and after the  
138 effective date of the act; providing effective dates.

139  
140 Be It Enacted by the Legislature of the State of Florida:

141  
142 Section 1. Subsection (7) of section 39.0121, Florida  
143 Statutes, is amended to read:

144 39.0121 Specific rulemaking authority.—Pursuant to the  
145 requirements of s. 120.536, the department is specifically

20102014e2

146 authorized to adopt, amend, and repeal administrative rules  
147 which implement or interpret law or policy, or describe the  
148 procedure and practice requirements necessary to implement this  
149 chapter, including, but not limited to, the following:

150 (7) Federal funding requirements and procedures; foster  
151 care and adoption subsidies; and subsidized independent living,  
152 ~~and subsidized child care.~~

153 Section 2. Paragraph (a) of subsection (2) of section  
154 39.202, Florida Statutes, is amended to read:

155 39.202 Confidentiality of reports and records in cases of  
156 child abuse or neglect.—

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

161 (a) Employees, authorized agents, or contract providers of  
162 the department, the Department of Health, the Agency for Persons  
163 with Disabilities, or county agencies responsible for carrying  
164 out:

- 165 1. Child or adult protective investigations;
- 166 2. Ongoing child or adult protective services;
- 167 3. Early intervention and prevention services;
- 168 4. Healthy Start services;
- 169 5. Licensure or approval of adoptive homes, foster homes,  
170 child care facilities, facilities licensed under chapter 393, or  
171 family day care homes or informal child care providers who  
172 receive school readiness ~~subsidized child care~~ funding, or other  
173 homes used to provide for the care and welfare of children; or
- 174 6. Services for victims of domestic violence when provided

20102014e2

175 by certified domestic violence centers working at the  
176 department's request as case consultants or with shared clients.  
177

178 Also, employees or agents of the Department of Juvenile Justice  
179 responsible for the provision of services to children, pursuant  
180 to chapters 984 and 985.

181 Section 3. Paragraph (f) of subsection (2) of section  
182 39.5085, Florida Statutes, is amended to read:

183 39.5085 Relative Caregiver Program.—  
184 (2)

185 (f) Within available funding, the Relative Caregiver  
186 Program shall provide relative caregivers with family support  
187 and preservation services, flexible funds in accordance with s.  
188 409.165, school readiness ~~subsidized child care~~, and other  
189 available services in order to support the child's safety,  
190 growth, and healthy development. Children living with relative  
191 caregivers who are receiving assistance under this section shall  
192 be eligible for Medicaid coverage.

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

195 383.14 Screening for metabolic disorders, other hereditary  
196 and congenital disorders, and environmental risk factors.—

197 (1) SCREENING REQUIREMENTS.—To help ensure access to the  
198 maternal and child health care system, the Department of Health  
199 shall promote the screening of all newborns born in Florida for  
200 metabolic, hereditary, and congenital disorders known to result  
201 in significant impairment of health or intellect, as screening  
202 programs accepted by current medical practice become available  
203 and practical in the judgment of the department. The department

20102014e2

204 shall also promote the identification and screening of all  
205 newborns in this state and their families for environmental risk  
206 factors such as low income, poor education, maternal and family  
207 stress, emotional instability, substance abuse, and other high-  
208 risk conditions associated with increased risk of infant  
209 mortality and morbidity to provide early intervention,  
210 remediation, and prevention services, including, but not limited  
211 to, parent support and training programs, home visitation, and  
212 case management. Identification, perinatal screening, and  
213 intervention efforts shall begin prior to and immediately  
214 following the birth of the child by the attending health care  
215 provider. Such efforts shall be conducted in hospitals,  
216 perinatal centers, county health departments, school health  
217 programs that provide prenatal care, and birthing centers, and  
218 reported to the Office of Vital Statistics.

219 (b) *Postnatal screening.*—A risk factor analysis using the  
220 department's designated risk assessment instrument shall also be  
221 conducted as part of the medical screening process upon the  
222 birth of a child and submitted to the department's Office of  
223 Vital Statistics for recording and other purposes provided for  
224 in this chapter. The department's screening process for risk  
225 assessment shall include a scoring mechanism and procedures that  
226 establish thresholds for notification, further assessment,  
227 referral, and eligibility for services by professionals or  
228 paraprofessionals consistent with the level of risk. Procedures  
229 for developing and using the screening instrument, notification,  
230 referral, and care coordination services, reporting  
231 requirements, management information, and maintenance of a  
232 computer-driven registry in the Office of Vital Statistics which



20102014e2

233 ensures privacy safeguards must be consistent with the  
234 provisions and plans established under chapter 411, Pub. L. No.  
235 99-457, and this chapter. Procedures established for reporting  
236 information and maintaining a confidential registry must include  
237 a mechanism for a centralized information depository at the  
238 state and county levels. The department shall coordinate with  
239 existing risk assessment systems and information registries. The  
240 department must ensure, to the maximum extent possible, that the  
241 screening information registry is integrated with the  
242 department's automated data systems, including the Florida On-  
243 line Recipient Integrated Data Access (FLORIDA) system. Tests  
244 and screenings must be performed by the State Public Health  
245 Laboratory, in coordination with Children's Medical Services, at  
246 such times and in such manner as is prescribed by the department  
247 after consultation with the Genetics and Infant Screening  
248 Advisory Council and the Agency for Workforce Innovation ~~State~~  
249 ~~Coordinating Council for School Readiness Programs~~.

250 (2) RULES.—After consultation with the Genetics and Newborn  
251 Screening Advisory Council, the department shall adopt and  
252 enforce rules requiring that every newborn in this state shall,  
253 prior to becoming 1 week of age, be subjected to a test for  
254 phenylketonuria and, at the appropriate age, be tested for such  
255 other metabolic diseases and hereditary or congenital disorders  
256 as the department may deem necessary from time to time. After  
257 consultation with the Agency for Workforce Innovation ~~State~~  
258 ~~Coordinating Council for School Readiness Programs~~, the  
259 department shall also adopt and enforce rules requiring every  
260 newborn in this state to be screened for environmental risk  
261 factors that place children and their families at risk for

20102014e2

262 increased morbidity, mortality, and other negative outcomes. The  
263 department shall adopt such additional rules as are found  
264 necessary for the administration of this section and s. 383.145,  
265 including rules providing definitions of terms, rules relating  
266 to the methods used and time or times for testing as accepted  
267 medical practice indicates, rules relating to charging and  
268 collecting fees for the administration of the newborn screening  
269 program authorized by this section, rules for processing  
270 requests and releasing test and screening results, and rules  
271 requiring mandatory reporting of the results of tests and  
272 screenings for these conditions to the department.

273 Section 5. Section 402.25, Florida Statutes, is  
274 transferred, renumbered as section 411.0106, Florida Statutes,  
275 and amended to read:

276 411.0106 ~~402.25~~ Infants and toddlers in state-funded  
277 education and care programs; brain development activities.—Each  
278 state-funded education and care program for children from birth  
279 to 5 years of age must provide activities to foster brain  
280 development in infants and toddlers. A program must provide an  
281 environment that helps children attain the performance standards  
282 adopted by the Agency for Workforce Innovation under s.  
283 411.01(4)(d)8. and must be rich in language and music and filled  
284 with objects of various colors, shapes, textures, and sizes to  
285 stimulate visual, tactile, auditory, and linguistic senses in  
286 the children and must include classical music and at least 30  
287 minutes of reading to the children each day. A program may be  
288 offered through an existing early childhood program such as  
289 Healthy Start, the Title I program, the school readiness program  
290 ~~contracted or directly operated subsidized child care, the~~

20102014e2

291 ~~prekindergarten early intervention program, Florida First Start,~~  
292 the Head Start program, or a private child care program. A  
293 program must provide training for the infants' and toddlers'  
294 parents including direct dialogue and interaction between  
295 teachers and parents demonstrating the urgency of brain  
296 development in the first year of a child's life. Family day care  
297 centers are encouraged, but not required, to comply with this  
298 section.

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

301 402.26 Child care; legislative intent.—

302 (5) It is the further intent of the Legislature to provide  
303 and make accessible child care opportunities for children at  
304 risk, economically disadvantaged children, and other children  
305 traditionally disenfranchised from society. In achieving this  
306 intent, the Legislature shall develop a school readiness program  
307 ~~subsidized child care system~~, a range of child care options,  
308 support services, and linkages with other programs to fully meet  
309 the child care needs of this population.

310 Section 7. Section 402.281, Florida Statutes, is amended to  
311 read:

312 402.281 Gold Seal Quality Care program.—

313 (1) (a) There is established within the department the Gold  
314 Seal Quality Care Program.

315 (b) A child care facility facilities, large family child  
316 care home homes, or family day care home homes that is are  
317 accredited by a nationally recognized accrediting association  
318 approved by the department under subsection (3) and meets all  
319 other requirements shall, upon application to the department,

20102014e2

320 ~~whose standards substantially meet or exceed the National~~  
321 ~~Association for the Education of Young Children (NAEYC), the~~  
322 ~~National Association of Family Child Care, and the National~~  
323 ~~Early Childhood Program Accreditation Commission shall receive a~~  
324 ~~separate "Gold Seal Quality Care" designation to operate as a~~  
325 ~~gold seal child care facility, large family child care home, or~~  
326 ~~family day care home.~~

327 (2) The department shall adopt rules establishing Gold Seal  
328 Quality Care accreditation standards based on the applicable  
329 accrediting standards of the National Association for the  
330 Education of Young Children (NAEYC), the National Association of  
331 Family Child Care, and the National Early Childhood Program  
332 Accreditation Commission.

333 (3) (a) In order to be approved by the department for  
334 participation in the Gold Seal Quality Care program, an  
335 accrediting association must apply to the department and  
336 demonstrate that it:

337 1. Is a nationally recognized accrediting association.

338 2. Has accrediting standards that substantially meet or  
339 exceed the Gold Seal Quality Care standards adopted by the  
340 department under subsection (2).

341 (b) In approving accrediting associations, the department  
342 shall consult with the Department of Education, the Agency for  
343 Workforce Innovation, the Florida Head Start Directors  
344 Association, the Florida Association of Child Care Management,  
345 the Florida Family Day Care Association, the Florida Children's  
346 Forum, the Early Childhood Association of Florida, the Child  
347 Development Education Alliance, providers receiving exemptions  
348 under s. 402.316, and parents.

20102014e2

349 ~~(2) In developing the Gold Seal Quality Care program~~  
350 ~~standards, the department shall consult with the Department of~~  
351 ~~Education, the Florida Head Start Directors Association, the~~  
352 ~~Florida Association of Child Care Management, the Florida Family~~  
353 ~~Day Care Association, the Florida Children's Forum, the State~~  
354 ~~Coordinating Council for School Readiness Programs, the Early~~  
355 ~~Childhood Association of Florida, the National Association for~~  
356 ~~Child Development Education, providers receiving exemptions~~  
357 ~~under s. 402.316, and parents, for the purpose of approving the~~  
358 ~~accrediting associations.~~

359 (4)~~(3)~~ In order to obtain and maintain a designation as a  
360 Gold Seal Quality Care provider, a child care facility, large  
361 family child care home, or family day care home must meet the  
362 following additional criteria:

363 (a) The child care provider must not have had any class I  
364 violations, as defined by rule, within the 2 years preceding its  
365 application for designation as a Gold Seal Quality Care  
366 provider. Commission of a class I violation shall be grounds for  
367 termination of the designation as a Gold Seal Quality Care  
368 provider until the provider has no class I violations for a  
369 period of 2 years.

370 (b) The child care provider must not have had three or more  
371 class II violations, as defined by rule, within the 2 years  
372 preceding its application for designation as a Gold Seal Quality  
373 Care provider. Commission of three or more class II violations  
374 within a 2-year period shall be grounds for termination of the  
375 designation as a Gold Seal Quality Care provider until the  
376 provider has no class II violations for a period of 1 year.

377 (c) The child care provider must not have been cited for

20102014e2

378 the same class III violation, as defined by rule, three or more  
379 times within the 2 years preceding its application for  
380 designation as a Gold Seal Quality Care provider. Commission of  
381 the same class III violation three or more times during a 2-year  
382 period shall be grounds for termination of the designation as a  
383 Gold Seal Quality Care provider until the provider has no class  
384 III violations for a period of 1 year.

385 (5)~~(4)~~ The Department of Children and Family Services shall  
386 adopt rules under ss. 120.536(1) and 120.54 which provide  
387 criteria and procedures for reviewing and approving accrediting  
388 associations for participation in the Gold Seal Quality Care  
389 program, conferring and revoking designations of Gold Seal  
390 Quality Care providers, and classifying violations.

391 Section 8. Section 402.3016, Florida Statutes, is  
392 transferred and renumbered as section 411.0104, Florida  
393 Statutes.

394 Section 9. Section 402.3018, Florida Statutes, is  
395 transferred, renumbered as section 411.01015, Florida Statutes,  
396 and amended to read:

397 411.01015 ~~402.3018~~ Consultation to child care centers and  
398 family day care homes regarding health, developmental,  
399 disability, and special needs issues.-

400 (1) Contingent upon specific appropriations, the Agency for  
401 Workforce Innovation shall administer ~~department is directed to~~  
402 ~~contract with the statewide resource information and referral~~  
403 ~~agency for~~ a statewide toll-free Warm-Line for the purpose of  
404 providing assistance and consultation to child care centers and  
405 family day care homes regarding health, developmental,  
406 disability, and special needs issues of the children they are

20102014e2

407 serving, particularly children with disabilities and other  
408 special needs.

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

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

418 (4) Contingent upon specific appropriations, the Agency for  
419 Workforce Innovation ~~department~~ shall expand, or contract for  
420 the expansion of, the Warm-Line to maintain at least one Warm-  
421 Line site in each early learning coalition service area ~~from one~~  
422 ~~statewide site to one Warm-Line site in each child care resource~~  
423 ~~and referral agency region~~.

424 (5) Each regional Warm-Line shall provide assistance and  
425 consultation to child care centers and family day care homes  
426 regarding health, developmental, disability, and special needs  
427 issues of the children they are serving, particularly children  
428 with disabilities and other special needs. Regional Warm-Line  
429 staff shall provide onsite technical assistance, when requested,  
430 to assist child care centers and family day care homes with  
431 inquiries relative to the strategies, curriculum, and  
432 environmental adaptations the child care centers and family day  
433 care homes may need as they serve children with disabilities and  
434 other special needs.

435 Section 10. Section 402.3051, Florida Statutes, is

20102014e2

436 transferred, renumbered as section 411.01013, Florida Statutes,  
437 and amended to read:

438 (Substantial rewording of section. See  
439 s. 402.3051, F.S., for present text.)  
440 411.01013 Prevailing market rate schedule.-

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

442 (a) "Market rate" means the price that a child care  
443 provider charges for daily, weekly, or monthly child care  
444 services.

445 (b) "Prevailing market rate" means the annually determined  
446 75th percentile of a reasonable frequency distribution of the  
447 market rate in a predetermined geographic market at which child  
448 care providers charge a person for child care services.

449 (2) The Agency for Workforce Innovation shall establish  
450 procedures for the adoption of a prevailing market rate  
451 schedule. The schedule must include, at a minimum, county-by-  
452 county rates:

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

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

458 (3) The prevailing market rate schedule, at a minimum,  
459 must:

460 (a) Differentiate rates by type, including, but not limited  
461 to, a child care provider that holds a Gold Seal Quality Care  
462 designation under s. 402.281, a child care facility licensed  
463 under s. 402.305, a public or nonpublic school exempt from  
464 licensure under s. 402.3025, a faith-based child care facility



20102014e2

465 exempt from licensure under s. 402.316 that does not hold a Gold  
466 Seal Quality Care designation, a large family child care home  
467 licensed under s. 402.3131, a family day care home licensed or  
468 registered under s. 402.313, or an after-school program that is  
469 not defined as child care under rules adopted pursuant to s.  
470 402.3045.

471 (b) Differentiate rates by the type of child care services  
472 provided for children with special needs or risk categories,  
473 infants, toddlers, preschool-age children, and school-age  
474 children.

475 (c) Differentiate rates between full-time and part-time  
476 child care services.

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

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

483 (5) The prevailing market rate shall be considered by an  
484 early learning coalition in the adoption of a payment schedule  
485 in accordance with s. 411.01(5)(e)2.

486 (6) The Agency for Workforce Innovation may contract with  
487 one or more qualified entities to administer this section and  
488 provide support and technical assistance for child care  
489 providers.

490 (7) The Agency for Workforce Innovation may adopt rules  
491 pursuant to ss. 120.536(1) and 120.54 for establishing  
492 procedures for the collection of child care providers' market  
493 rate, the calculation of a reasonable frequency distribution of

20102014e2

494 the market rate, and the publication of a prevailing market rate  
495 schedule.

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

498 402.313 Family day care homes.—

499 (1) Family day care homes shall be licensed under this act  
500 if they are presently being licensed under an existing county  
501 licensing ordinance, ~~if they are participating in the subsidized~~  
502 ~~child care program,~~ or if the board of county commissioners  
503 passes a resolution that family day care homes be licensed. ~~If~~  
504 ~~no county authority exists for the licensing of a family day~~  
505 ~~care home, the department shall have the authority to license~~  
506 ~~family day care homes under contract for the purchase of service~~  
507 ~~system in the subsidized child care program.~~

508 (a) If not subject to license, family day care homes shall  
509 register annually with the department, providing the following  
510 information:

- 511 1. The name and address of the home.
- 512 2. The name of the operator.
- 513 3. The number of children served.
- 514 4. Proof of a written plan to provide at least one other  
515 competent adult to be available to substitute for the operator  
516 in an emergency. This plan shall include the name, address, and  
517 telephone number of the designated substitute.
- 518 5. Proof of screening and background checks.
- 519 6. Proof of successful completion of the 30-hour training  
520 course, as evidenced by passage of a competency examination,  
521 which shall include:
  - 522 a. State and local rules and regulations that govern child

20102014e2

523 care.

524 b. Health, safety, and nutrition.

525 c. Identifying and reporting child abuse and neglect.

526 d. Child development, including typical and atypical  
527 language development; and cognitive, motor, social, and self-  
528 help skills development.

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

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

536 7. Proof that immunization records are kept current.

537 8. Proof of completion of the required continuing education  
538 units or clock hours.

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

542 (c) The department may provide technical assistance to  
543 counties and family day care home providers to enable counties  
544 and family day care providers to achieve compliance with family  
545 day care homes standards.

546 Section 12. Section 402.3135, Florida Statutes, is  
547 repealed.

548 Section 13. Section 402.3145, Florida Statutes, is  
549 transferred, renumbered as section 411.01014, Florida Statutes,  
550 and amended to read:

551 411.01014 ~~402.3145~~ School readiness ~~Subsidized child care~~

20102014e2

552 transportation services ~~program~~.—

553 (1) The Agency for Workforce Innovation ~~department~~,  
554 pursuant to chapter 427, may authorize an early learning  
555 coalition to ~~shall~~ establish school readiness a ~~subsidized child~~  
556 ~~care~~ transportation services ~~system~~ for children at risk of  
557 abuse or neglect participating in the school readiness  
558 ~~subsidized child care~~ program. The early learning coalitions may  
559 ~~state community child care coordination agencies~~ shall contract  
560 for the provision of transportation services as required by this  
561 section.

562 (2) The transportation servicers may only ~~system~~ shall  
563 provide transportation to each child participating in the school  
564 readiness program to the extent that such ~~subsidized child care~~  
565 ~~when, and only when,~~ transportation is necessary to provide  
566 child care opportunities that ~~which~~ otherwise would not be  
567 available to a child whose home is more than a reasonable  
568 walking distance from the nearest child care facility or family  
569 day care home.

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

572 402.315 Funding; license fees.—

573 (3) The department shall collect a fee for any license it  
574 issues for a child care facility, family day care home, or large  
575 family child care home pursuant to ss. 402.305, 402.313, and  
576 402.3131 ~~s. 402.308~~.

577 (a) For a child care facility licensed pursuant to s.  
578 402.305, such fee shall be \$1 per child based on the licensed  
579 capacity of the facility, except that the minimum fee shall be  
580 \$25 per facility ~~center~~ and the maximum fee shall be \$100 per

20102014e2

581 facility center.

582 (b) For a family day care home registered pursuant to s.  
583 402.313, such fee shall be \$25.

584 (c) For a family day care home licensed pursuant to s.  
585 402.313, such fee shall be \$50.

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

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

590 402.45 Community resource mother or father program.—

591 (6) Individuals under contract to provide community  
592 resource mother or father services shall participate in  
593 preservice and ongoing training as determined by the Department  
594 of Health in consultation with the Agency for Workforce  
595 Innovation State Coordinating Council for School Readiness  
596 ~~Programs~~. A community resource mother or father shall not be  
597 assigned a client caseload until all preservice training  
598 requirements are completed.

599 Section 16. Paragraph (c) of subsection (5) of section  
600 409.1671, Florida Statutes, is amended to read:

601 409.1671 Foster care and related services; outsourcing.—

602 (5)

603 (c) A foster home ~~dually~~ licensed ~~home~~ under s. 409.175 may  
604 ~~this section shall be~~ dually licensed as a child care home under  
605 chapter 402 and may eligible to receive a foster care  
606 maintenance both an out-of-home care payment and, to the extent  
607 permitted under federal law, school readiness funding a  
608 ~~subsidized child care payment~~ for the same child ~~pursuant to~~  
609 ~~federal law~~. The department may adopt ~~administrative~~ rules

20102014e2

610 necessary to administer this paragraph.

611 Section 17. Paragraphs (a), (d), (e), (f), (g), and (h) of  
612 subsection (2) and subsections (4) through (11) of section  
613 411.01, Florida Statutes, are amended to read:

614 411.01 School readiness programs; early learning  
615 coalitions.—

616 (2) LEGISLATIVE INTENT.—

617 (a) The Legislature recognizes that school readiness  
618 programs increase children's chances of achieving future  
619 educational success and becoming productive members of society.  
620 It is the intent of the Legislature that the programs be  
621 developmentally appropriate, research-based, involve the parent  
622 ~~parents~~ as a ~~their~~ child's first teacher, serve as preventive  
623 measures for children at risk of future school failure, enhance  
624 the educational readiness of eligible children, and support  
625 family education. Each school readiness program shall provide  
626 the elements necessary to prepare at-risk children for school,  
627 including health screening and referral and an appropriate  
628 educational program.

629 (d) It is the intent of the Legislature that the  
630 administrative staff ~~at the state level~~ for school readiness  
631 programs be kept to the minimum necessary to administer the  
632 duties of the Agency for Workforce Innovation and early learning  
633 coalitions. The Agency for Workforce Innovation shall adopt  
634 system support services at the state level to build a  
635 comprehensive early learning system. Each early learning  
636 coalition shall implement and maintain direct enhancement  
637 services at the local level, as approved in its school readiness  
638 plan by the Agency for Workforce Innovation, and ensure access

20102014e2

639 ~~to such services in all 67 counties, as the school readiness~~  
640 ~~programs are to be regionally designed, operated, and managed,~~  
641 ~~with the Agency for Workforce Innovation developing school~~  
642 ~~readiness program performance standards and outcome measures and~~  
643 ~~approving and reviewing early learning coalitions and school~~  
644 ~~readiness plans.~~

645 ~~(c) It is the intent of the Legislature that appropriations~~  
646 ~~for combined school readiness programs shall not be less than~~  
647 ~~the programs would receive in any fiscal year on an uncombined~~  
648 ~~basis.~~

649 ~~(e)~~ (f) It is the intent of the Legislature that the school  
650 readiness program coordinate and operate in conjunction with the  
651 district school systems. However, it is also the intent of the  
652 Legislature that the school readiness program not be construed  
653 as part of the system of free public schools but rather as a  
654 separate program for children under the age of kindergarten  
655 eligibility, funded separately from the system of free public  
656 schools, utilizing a mandatory sliding fee scale, and providing  
657 an integrated and seamless system of school readiness services  
658 for the state's birth-to-kindergarten population.

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

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

20102014e2

668 (4) AGENCY FOR WORKFORCE INNOVATION.—

669 (a) The Agency for Workforce Innovation shall administer  
670 school readiness programs at the state level and shall  
671 coordinate with the early learning coalitions in providing  
672 school readiness services on a full-day, full-year, full-choice  
673 basis to the extent possible in order to enable parents to work  
674 and be financially self-sufficient.

675 (b) The Agency for Workforce Innovation shall:

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

680 ~~2. Continue to provide unified leadership for school~~  
681 ~~readiness through early learning coalitions.~~

682 ~~2.3.~~ Focus on improving the educational quality of all  
683 program providers participating in publicly funded school  
684 readiness programs.

685 (c) The Governor shall designate the Agency for Workforce  
686 Innovation as the lead agency for ~~purposes of~~ administration of  
687 the federal Child Care and Development Fund, 45 C.F.R. parts 98  
688 and 99, and the agency ~~for Workforce Innovation may be~~  
689 ~~designated by the Governor as the lead agency and, if so~~  
690 ~~designated,~~ shall comply with the lead agency responsibilities  
691 under federal law.

692 (d) The Agency for Workforce Innovation shall:

693 1. Be responsible for the prudent use of all public and  
694 private funds in accordance with all legal and contractual  
695 requirements.

696 2. Provide final approval and every 2 years ~~periodic~~ review



20102014e2

697 ~~of~~ early learning coalitions and school readiness plans.

698 3. ~~Establish~~ Provide leadership for the enhancement of  
699 ~~school readiness in this state by aggressively establishing a~~  
700 unified approach to the state's efforts toward enhancement of  
701 school readiness. In support of this effort, the Agency for  
702 Workforce Innovation shall adopt ~~may develop and implement~~  
703 specific system support services ~~strategies~~ that address the  
704 state's school readiness programs. An early learning coalition  
705 shall amend its school readiness plan to conform to the specific  
706 system support services adopted by the Agency for Workforce  
707 Innovation. System support services shall include, but are not  
708 limited to:

- 709 a. Child care resource and referral services;  
710 b. Warm-Line services;  
711 c. Eligibility determinations;  
712 d. Child performance standards;  
713 e. Child screening and assessment;  
714 f. Developmentally appropriate curricula;  
715 g. Health and safety requirements;  
716 h. Statewide data system requirements; and  
717 i. Rating and improvement systems.

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

721 5. Adopt a rule establishing criteria for the expenditure  
722 of funds designated for the purpose of funding activities to  
723 improve the quality of child care within the state in accordance  
724 with s. 658G of the federal Child Care and Development Block  
725 Grant Act.

20102014e2

726 ~~6.5.~~ Provide technical assistance to early learning  
727 coalitions in a manner determined by the Agency for Workforce  
728 Innovation based upon information obtained by the agency from  
729 various sources, including, but not limited to, public input,  
730 government reports, private interest group reports, agency  
731 monitoring visits, and coalition requests for service.

732 7. In cooperation with the Department of Education and  
733 early learning coalitions, coordinate with the Child Care  
734 Services Program Office of the Department of Children and Family  
735 Services to minimize duplicating interagency activities, health  
736 and safety monitoring, and acquiring and composing data  
737 pertaining to child care training and credentialing.

738 ~~6. Assess gaps in service.~~

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

741 8. Develop and adopt performance standards and outcome  
742 measures for school readiness programs. The performance  
743 standards must address the age-appropriate progress of children  
744 in the development of ~~the~~ school readiness skills ~~required under~~  
745 ~~paragraph (j)~~. The performance standards for children from birth  
746 to 5 ~~3~~ years of age in school readiness programs must be  
747 integrated with the performance standards adopted by the  
748 Department of Education for children in the Voluntary  
749 Prekindergarten Education Program under s. 1002.67.

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

752 (e) The Agency for Workforce Innovation may adopt rules  
753 under ss. 120.536(1) and 120.54 to administer the provisions of  
754 law conferring duties upon the agency, including, but not

20102014e2

755 limited to, rules governing the administration of system support  
756 services ~~preparation and implementation of the~~ school readiness  
757 programs ~~system~~, the collection of data, the approval of early  
758 learning coalitions and school readiness plans, the provision of  
759 a method whereby an early learning coalition may serve two or  
760 more counties, the award of incentives to early learning  
761 coalitions, child performance standards, child outcome measures,  
762 ~~and~~ the issuance of waivers, and the implementation of the  
763 state's Child Care and Development Fund Plan as approved by the  
764 federal Administration for Children and Families.

765 (f) The Agency for Workforce Innovation shall have all  
766 powers necessary to administer this section, including, but not  
767 limited to, the power to receive and accept grants, loans, or  
768 advances of funds from any public or private agency and to  
769 receive and accept from any source contributions of money,  
770 property, labor, or any other thing of value, to be held, used,  
771 and applied for purposes of this section.

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

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

781 (i) The Agency for Workforce Innovation shall coordinate  
782 the efforts toward school readiness in this state and provide  
783 independent policy analyses, data analyses, and recommendations

20102014e2

784 to the Governor, the State Board of Education, and the  
785 Legislature.

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

- 792 1. Compliance with rules, limitations, and routines.
- 793 2. Ability to perform tasks.
- 794 3. Interactions with adults.
- 795 4. Interactions with peers.
- 796 5. Ability to cope with challenges.
- 797 6. Self-help skills.
- 798 7. Ability to express the child's needs.
- 799 8. Verbal communication skills.
- 800 9. Problem-solving skills.
- 801 10. Following of verbal directions.
- 802 11. Demonstration of curiosity, persistence, and  
803 exploratory behavior.
- 804 12. Interest in books and other printed materials.
- 805 13. Paying attention to stories.
- 806 14. Participation in art and music activities.
- 807 15. Ability to identify colors, geometric shapes, letters  
808 of the alphabet, numbers, and spatial and temporal  
809 relationships.

810  
811 Within 30 days after enrollment ~~The Agency for Workforce~~  
812 ~~Innovation shall also require that, before a child is enrolled~~

20102014e2

813 in ~~the an early learning coalition's~~ school readiness program,  
814 the early learning coalition must ensure that the program  
815 provider obtains information ~~is obtained by the coalition or the~~  
816 ~~school readiness provider~~ regarding the child's immunizations,  
817 physical development, and other health requirements as  
818 necessary, including appropriate vision and hearing screening  
819 and examinations. For a program provider licensed by the  
820 Department of Children and Family Services, the provider's  
821 compliance with s. 402.305(9), as verified pursuant to s.  
822 402.311, shall satisfy this requirement.

823 (k) The Agency for Workforce Innovation shall conduct  
824 studies and planning activities related to the overall  
825 improvement and effectiveness of the outcome measures adopted by  
826 the agency for school readiness programs and the specific system  
827 support services to address the state's school readiness  
828 programs adopted by the Agency for Workforce Innovation in  
829 accordance with subparagraph (d)3.

830 (l) The Agency for Workforce Innovation shall monitor and  
831 evaluate the performance of each early learning coalition in  
832 administering the school readiness program, implementing the  
833 coalition's school readiness plan, and administering the  
834 Voluntary Prekindergarten Education Program. These monitoring  
835 and performance evaluations must include, at a minimum, onsite  
836 monitoring of each coalition's finances, management, operations,  
837 and programs.

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

841 (m) ~~(n)~~ The Agency for Workforce Innovation shall submit an

20102014e2

842 annual report of its activities conducted under this section to  
843 the Governor, ~~the executive director of the Florida Healthy Kids~~  
844 ~~Corporation~~, the President of the Senate, the Speaker of the  
845 House of Representatives, and the minority leaders of both  
846 houses of the Legislature. In addition, the Agency for Workforce  
847 Innovation's reports and recommendations shall be made available  
848 to ~~the State Board of Education~~, the Florida Early Learning  
849 Advisory Council and, other appropriate state agencies and  
850 entities, ~~district school boards, central agencies, and county~~  
851 ~~health departments~~. The annual report must provide an analysis  
852 of school readiness activities across the state, including the  
853 number of children who were served in the programs.

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

859 (5) CREATION OF EARLY LEARNING COALITIONS.—

860 (a) *Early learning coalitions*.—

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

864 ~~2.1~~. The Agency for Workforce Innovation shall establish  
865 the minimum number of children to be served by each early  
866 learning coalition through the coalition's school readiness  
867 program. The Agency for Workforce Innovation may only approve  
868 school readiness plans in accordance with this minimum number.  
869 The minimum number must be uniform for every early learning  
870 coalition and must:

20102014e2

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

876

877 ~~The Agency for Workforce Innovation shall adopt procedures for~~  
878 ~~merging early learning coalitions, including procedures for the~~  
879 ~~consolidation of merging coalitions, and for the early~~  
880 ~~termination of the terms of coalition members which are~~  
881 ~~necessary to accomplish the mergers. Each early learning~~  
882 ~~coalition must comply with the merger procedures and shall be~~  
883 ~~organized in accordance with this subparagraph by April 1, 2005.~~  
884 ~~By June 30, 2005, each coalition must complete the transfer of~~  
885 ~~powers, duties, functions, rules, records, personnel, property,~~  
886 ~~and unexpended balances of appropriations, allocations, and~~  
887 ~~other funds to the successor coalition, if applicable.~~

888 3.2. If an early learning coalition would serve fewer  
889 children than the minimum number established under subparagraph  
890 2. 1., the coalition must merge with another county to form a  
891 multicounty coalition. The Agency for Workforce Innovation shall  
892 adopt procedures for merging early learning coalitions,  
893 including procedures for the consolidation of merging  
894 coalitions, and for the early termination of the terms of  
895 coalition members which are necessary to accomplish the mergers.  
896 However, the Agency for Workforce Innovation shall grant a  
897 waiver to ~~may authorize~~ an early learning coalition to serve  
898 fewer children than the minimum number established under  
899 subparagraph 2. 1., if:

20102014e2

900 ~~a. The coalition demonstrates to the Agency for Workforce~~  
901 ~~Innovation that merging with another county or multicounty~~  
902 ~~region contiguous to the coalition would cause an extreme~~  
903 ~~hardship on the coalition;~~

904 ~~a.b.~~ The Agency for Workforce Innovation has determined  
905 during the most recent ~~annual~~ review of the coalition's school  
906 readiness plan, or through monitoring and performance  
907 evaluations conducted under paragraph (4)(1), that the coalition  
908 has substantially implemented its plan and ~~substantially met the~~  
909 ~~performance standards and outcome measures adopted by the~~  
910 ~~agency; and~~

911 ~~b.e.~~ The coalition demonstrates to the Agency for Workforce  
912 Innovation the coalition's ability to effectively and  
913 efficiently implement the Voluntary Prekindergarten Education  
914 Program; and

915 c. The coalition demonstrates to the Agency for Workforce  
916 Innovation that the coalition can perform its duties in  
917 accordance with law.

918  
919 If an early learning coalition fails or refuses to merge as  
920 required by this subparagraph, the Agency for Workforce  
921 Innovation may dissolve the coalition and temporarily contract  
922 with a qualified entity to continue school readiness and  
923 prekindergarten services in the coalition's county or  
924 multicounty region until the agency reestablishes the coalition  
925 and a new ~~is reestablished through resubmission of a school~~  
926 ~~readiness plan is approved and approval~~ by the agency.

927 ~~3. Notwithstanding the provisions of subparagraphs 1. and~~  
928 ~~2., the early learning coalitions in Sarasota, Osceola, and~~



20102014e2

929 ~~Santa Rosa Counties which were in operation on January 1, 2005,~~  
930 ~~are established and authorized to continue operation as~~  
931 ~~independent coalitions, and shall not be counted within the~~  
932 ~~limit of 30 coalitions established in subparagraph 1.~~

933 4. Each early learning coalition shall be composed of at  
934 least 15 ~~18~~ members but not more than 30 ~~35~~ members. The Agency  
935 for Workforce Innovation shall adopt standards establishing  
936 within this range the minimum and maximum number of members that  
937 may be appointed to an early learning coalition and procedures  
938 for identifying which members have voting privileges under  
939 subparagraph 6. These standards must include variations for a  
940 coalition serving a multicounty region. Each early learning  
941 coalition must comply with these standards.

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

946 6. Each early learning coalition must include the following  
947 member positions; however, in a multicounty coalition, each ex  
948 officio member position may be filled by multiple nonvoting  
949 members but no more than one voting member shall be seated per  
950 member position. If an early learning coalition has more than  
951 one member representing the same entity, only one of such  
952 members may serve as a voting member ~~members:~~

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

956 b. A district superintendent of schools or his or her  
957 designee who is authorized to make decisions on behalf of the

20102014e2

958 ~~district, who shall be a nonvoting member.~~

959 c. A regional workforce board executive director or his or  
960 her designee.

961 d. A county health department director or his or her  
962 designee.

963 e. A children's services council or juvenile welfare board  
964 chair or executive director, if applicable, ~~who shall be a~~  
965 ~~nonvoting member if the council or board is the fiscal agent of~~  
966 ~~the coalition or if the council or board contracts with and~~  
967 ~~receives funds from the coalition for any purpose other than~~  
968 ~~rent.~~

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

971 g. A president of a community college or his or her  
972 designee.

973 h. One member appointed by a board of county commissioners  
974 or the governing board of a municipality.

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

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

978 k. A representative of private for-profit child care  
979 providers, including private for-profit family day care homes,  
980 ~~who shall be a nonvoting member.~~

981 l. A representative of faith-based child care providers,  
982 ~~who shall be a nonvoting member.~~

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

986 7. Including the members appointed by the Governor under

20102014e2

987 subparagraph 5., more than one-third of the members of each  
988 early learning coalition must be private sector business members  
989 who do not have, and none of whose relatives as defined in s.  
990 112.3143 has, a substantial financial interest in the design or  
991 delivery of the Voluntary Prekindergarten Education Program  
992 created under part V of chapter 1002 or the coalition's school  
993 readiness program. To meet this requirement an early learning  
994 coalition must appoint additional members ~~from a list of~~  
995 ~~nominees submitted to the coalition by a chamber of commerce or~~  
996 ~~economic development council within the geographic region served~~  
997 ~~by the coalition.~~ The Agency for Workforce Innovation shall  
998 establish criteria for appointing private sector business  
999 members. These criteria must include standards for determining  
1000 whether a member or relative has a substantial financial  
1001 interest in the design or delivery of the Voluntary  
1002 Prekindergarten Education Program or the coalition's school  
1003 readiness program.

1004 8. A majority of the voting membership of an early learning  
1005 coalition constitutes a quorum required to conduct the business  
1006 of the coalition. An early learning coalition board may use any  
1007 method of telecommunications to conduct meetings, including  
1008 establishing a quorum through telecommunications, provided that  
1009 the public is given proper notice of a telecommunications  
1010 meeting and reasonable access to observe and, when appropriate,  
1011 participate.

1012 9. A voting member of an early learning coalition may not  
1013 appoint a designee to act in his or her place, except as  
1014 otherwise provided in this paragraph. A voting member may send a  
1015 representative to coalition meetings, but that representative

20102014e2

1016 does not have voting privileges. When a district administrator  
1017 for the Department of Children and Family Services appoints a  
1018 designee to an early learning coalition, the designee is the  
1019 voting member of the coalition, and any individual attending in  
1020 the designee's place, including the district administrator, does  
1021 not have voting privileges.

1022 10. Each member of an early learning coalition is subject  
1023 to ss. 112.313, 112.3135, and 112.3143. For purposes of s.  
1024 112.3143(3)(a), each voting member is a local public officer who  
1025 must abstain from voting when a voting conflict exists.

1026 11. For purposes of tort liability, each member or employee  
1027 of an early learning coalition shall be governed by s. 768.28.

1028 12. An early learning coalition serving a multicounty  
1029 region must include representation from each county.

1030 13. Each early learning coalition shall establish terms for  
1031 all appointed members of the coalition. The terms must be  
1032 staggered and must be a uniform length that does not exceed 4  
1033 years per term. Coalition chairs shall be appointed for 4 years  
1034 in conjunction with their membership on the Early Learning  
1035 Advisory Council under s. 20.052. Appointed members may serve a  
1036 maximum of two consecutive terms. When a vacancy occurs in an  
1037 appointed position, the coalition must advertise the vacancy.

1038 (b) Limitation.—Except as provided by law, the early  
1039 learning coalitions may not impose requirements on a child care  
1040 or early childhood education provider that does not deliver  
1041 services under the school readiness programs or receive state,  
1042 federal, required maintenance of effort, or matching funds under  
1043 this section.

1044 ~~(b) Program participation.—The school readiness program~~

20102014e2

1045 ~~shall be established for children from birth to the beginning of~~  
1046 ~~the school year for which a child is eligible for admission to~~  
1047 ~~kindergarten in a public school under s. 1003.21(1)(a)2. The~~  
1048 ~~program shall be administered by the early learning coalition.~~  
1049 ~~Within funding limitations, the early learning coalition, along~~  
1050 ~~with all providers, shall make reasonable efforts to accommodate~~  
1051 ~~the needs of children for extended-day and extended-year~~  
1052 ~~services without compromising the quality of the program.~~

1053 (c) *Program expectations.*—

1054 1. The school readiness program must meet the following  
1055 expectations:

1056 a. The program must, at a minimum, enhance the age-  
1057 appropriate progress of each child in attaining the development  
1058 ~~of the school readiness skills required under paragraph (4)(j),~~  
1059 ~~as measured by the performance standards and outcome measures~~  
1060 ~~adopted by the Agency for Workforce Innovation.~~

1061 b. The program must provide extended-day and extended-year  
1062 services to the maximum extent possible without compromising the  
1063 quality of the program to meet the needs of parents who work.

1064 c. The program There must provide a ~~be~~ coordinated  
1065 professional staff development system that supports the  
1066 achievement and maintenance of core competencies by school  
1067 readiness instructors in helping children attain the performance  
1068 standards and outcome measures adopted by the Agency for  
1069 Workforce Innovation ~~and teaching opportunities.~~

1070 d. There must be expanded access to community services and  
1071 resources for families to help achieve economic self-  
1072 sufficiency.

1073 e. There must be a single point of entry and unified

20102014e2

1074 waiting list. As used in this sub-subparagraph, the term "single  
1075 point of entry" means an integrated information system that  
1076 allows a parent to enroll his or her child in the school  
1077 readiness program at various locations throughout a the county  
1078 ~~or multicounty region served by an early learning coalition,~~  
1079 that may allow a parent to enroll his or her child by telephone  
1080 or through an Internet website, and that uses a unified waiting  
1081 list to track eligible children waiting for enrollment in the  
1082 school readiness program. The Agency for Workforce Innovation  
1083 shall establish through technology a single statewide  
1084 information system that each coalition must use for the purposes  
1085 of managing the integrates each early learning coalition's  
1086 single point of entry, tracking children's progress,  
1087 coordinating services among stakeholders, determining  
1088 eligibility, tracking child attendance, and streamlining  
1089 administrative processes for providers and early learning  
1090 coalitions and each coalition must use the statewide system.

1091 f. The Agency for Workforce Innovation must consider the  
1092 access of eligible children to the school readiness program, as  
1093 demonstrated in part by waiting lists, before approving a  
1094 proposed increase in payment rates submitted by an early  
1095 learning coalition. In addition, early learning coalitions shall  
1096 use school readiness funds made available due to enrollment  
1097 shifts from school readiness programs to the Voluntary  
1098 Prekindergarten Education Program for increasing the number of  
1099 children served in school readiness programs before increasing  
1100 payment rates.

1101 ~~g. There must be a community plan to address the needs of~~  
1102 ~~all eligible children.~~

20102014e2

1103 ~~g.h.~~ The program must meet all state licensing guidelines,  
1104 where applicable.

1105 h. The program must ensure that minimum standards for child  
1106 discipline practices are age-appropriate. Such standards must  
1107 provide that children not be subjected to discipline that is  
1108 severe, humiliating, or frightening or discipline that is  
1109 associated with food, rest, or toileting. Spanking or any other  
1110 form of physical punishment is prohibited.

1111 2. Each ~~The~~ early learning coalition must implement a  
1112 comprehensive program of school readiness services in accordance  
1113 with the rules adopted by the agency which ~~that~~ enhance the  
1114 cognitive, social, and physical development of children to  
1115 achieve the performance standards and outcome measures ~~adopted~~  
1116 ~~by the agency for Workforce Innovation~~. At a minimum, these  
1117 programs must contain the following system support service  
1118 elements:

1119 a. Developmentally appropriate curriculum designed to  
1120 enhance the age-appropriate progress of children in attaining  
1121 the performance standards adopted by the Agency for Workforce  
1122 Innovation under subparagraph (4) (d) 8.

1123 b. A character development program to develop basic values.

1124 c. An age-appropriate screening ~~assessment~~ of each child's  
1125 development.

1126 d. An age-appropriate assessment ~~A pretest~~ administered to  
1127 children when they enter a program and an age-appropriate  
1128 assessment ~~a posttest~~ administered to children when they leave  
1129 the program.

1130 e. An appropriate staff-to-children ratio, pursuant to s.  
1131 402.305 (4) or s. 402.302 (7) or (8), as applicable, and as

20102014e2

1132 verified pursuant to s. 402.311.

1133 f. A healthy and safe environment pursuant to s.  
1134 401.305(5), (6), and (7), as applicable, and as verified  
1135 pursuant to s. 402.311.

1136 g. A resource and referral network established under s.  
1137 411.0101 to assist parents in making an informed choice and a  
1138 regional Warm-Line under s. 411.01015.

1139  
1140 The Agency for Workforce Innovation, the Department of  
1141 Education, and early learning coalitions shall coordinate with  
1142 the Child Care Services Program Office of the Department of  
1143 Children and Family Services to minimize duplicating interagency  
1144 activities pertaining to acquiring and composing data for child  
1145 care training and credentialing.

1146 (d) *Implementation.*—

1147 1. An early learning coalition may not implement the school  
1148 readiness program until the coalition is authorized through  
1149 approval of the coalition's school readiness plan by the Agency  
1150 for Workforce Innovation.

1151 2. Each early learning coalition shall coordinate with one  
1152 another to implement a comprehensive program of school readiness  
1153 services which enhances the cognitive, social, physical, and  
1154 moral character of the children to achieve the performance  
1155 standards and outcome measures and which helps families achieve  
1156 economic self-sufficiency. Such program must contain, at a  
1157 minimum, the following elements: ~~develop a plan for implementing~~

1158 a. Implement the school readiness program to meet the  
1159 requirements of this section and the system support services,  
1160 performance standards, and outcome measures adopted by the



20102014e2

1161 Agency for Workforce Innovation.

1162 b. ~~The plan must~~ Demonstrate how the program will ensure  
1163 that each ~~3-year-old and 4-year-old~~ child from birth through 5  
1164 years of age in a publicly funded school readiness program  
1165 receives scheduled activities and instruction designed to  
1166 enhance the age-appropriate progress of the children in  
1167 attaining the performance standards adopted by the Agency for  
1168 Workforce Innovation under subparagraph (4)(d)8.

1169 c. Ensure that the coalition has solicited and considered  
1170 comments regarding the proposed school readiness plan from the  
1171 local community.

1172  
1173 Before implementing the school readiness program, the early  
1174 learning coalition must submit the plan to the Agency for  
1175 Workforce Innovation for approval. The Agency for Workforce  
1176 Innovation may approve the plan, reject the plan, or approve the  
1177 plan with conditions. The Agency for Workforce Innovation shall  
1178 review school readiness plans at least every 2 years ~~annually~~.

1179 3. If the Agency for Workforce Innovation determines during  
1180 the ~~annual~~ review of school readiness plans, or through  
1181 monitoring and performance evaluations conducted under paragraph  
1182 (4)(1), that an early learning coalition has not substantially  
1183 implemented its plan, has not substantially met the performance  
1184 standards and outcome measures adopted by the agency, or has not  
1185 effectively administered the school readiness program or  
1186 Voluntary Prekindergarten Education Program, the Agency for  
1187 Workforce Innovation may dissolve the coalition and temporarily  
1188 contract with a qualified entity to continue school readiness  
1189 and prekindergarten services in the coalition's county or

20102014e2

1190 multicounty region until the agency reestablishes the coalition  
1191 and a new ~~the coalition is reestablished through resubmission of~~  
1192 a school readiness plan is approved in accordance with the rules  
1193 adopted and approval by the agency.

1194 4. The Agency for Workforce Innovation shall adopt rules  
1195 establishing criteria for the approval of school readiness  
1196 plans. The criteria must be consistent with the system support  
1197 services, performance standards, and outcome measures adopted by  
1198 the agency and must require each approved plan to include the  
1199 following minimum standards and provisions for the school  
1200 readiness program:

1201 a. A community plan that addresses the needs of all  
1202 children and providers within the coalition's county or  
1203 multicounty region.

1204 b.a. A sliding fee scale establishing a copayment for  
1205 parents based upon their ability to pay, which is the same for  
1206 all program providers, ~~to be implemented and reflected in each~~  
1207 ~~program's budget.~~

1208 c.b. A choice of settings and locations in licensed,  
1209 registered, religious-exempt, or school-based programs to be  
1210 provided to parents.

1211 ~~e. Instructional staff who have completed the training~~  
1212 ~~course as required in s. 402.305(2)(d)1., as well as staff who~~  
1213 ~~have additional training or credentials as required by the~~  
1214 ~~Agency for Workforce Innovation. The plan must provide a method~~  
1215 ~~for assuring the qualifications of all personnel in all program~~  
1216 ~~settings.~~

1217 d. Specific eligibility priorities for children ~~within the~~  
1218 ~~early learning coalition's county or multicounty region in~~

20102014e2

1219 accordance with subsection (6).

1220 e. Performance standards and outcome measures adopted by  
1221 the Agency for Workforce Innovation.

1222 f. Payment rates adopted by the early learning coalitions  
1223 ~~coalition~~ and approved by the Agency for Workforce Innovation.  
1224 Payment rates may not have the effect of limiting parental  
1225 choice or creating standards or levels of services that have not  
1226 been expressly established ~~authorized~~ by the Legislature, unless  
1227 the creation of such standards or levels of service, which must  
1228 be uniform throughout the state, have been approved by the  
1229 Federal Government and result in the state being eligible to  
1230 receive additional federal funds available for early learning on  
1231 a statewide basis.

1232 ~~g. Systems support services, including a central agency,~~  
1233 ~~child care resource and referral, eligibility determinations,~~  
1234 ~~training of providers, and parent support and involvement.~~

1235 g.h. Direct enhancement services for ~~to~~ families and  
1236 children. System support and direct enhancement services shall  
1237 be in addition to payments for the placement of children in  
1238 school readiness programs. Direct enhancement services for  
1239 families may include parent training and involvement activities  
1240 and strategies to meet the needs of unique populations and local  
1241 eligibility priorities. Enhancement services for children may  
1242 include provider supports and professional development approved  
1243 in the plan by the Agency for Workforce Innovation.

1244 ~~h.i.~~ The business organization of the early learning  
1245 coalition, which must include the coalition's articles of  
1246 incorporation and bylaws if the coalition is organized as a  
1247 corporation. If the coalition is not organized as a corporation

20102014e2

1248 or other business entity, the plan must include the contract  
1249 with a fiscal agent. An early learning coalition may contract  
1250 with other coalitions to achieve efficiency in multicounty  
1251 services, and these contracts may be part of the coalition's  
1252 school readiness plan.

1253 i. The implementation of locally developed quality programs  
1254 in accordance with the requirements adopted by the agency under  
1255 subparagraph (4) (d) 5.

1256 ~~j. Strategies to meet the needs of unique populations, such~~  
1257 ~~as migrant workers.~~

1258  
1259 ~~As part of the school readiness plan,~~ The Agency for Workforce  
1260 Innovation ~~early learning coalition~~ may request the Governor to  
1261 apply for a waiver to allow the coalition to administer the Head  
1262 Start Program to accomplish the purposes of the school readiness  
1263 program. ~~If a school readiness plan demonstrates that specific~~  
1264 ~~statutory goals can be achieved more effectively by using~~  
1265 ~~procedures that require modification of existing rules,~~  
1266 ~~policies, or procedures, a request for a waiver to the Agency~~  
1267 ~~for Workforce Innovation may be submitted as part of the plan.~~  
1268 ~~Upon review, the Agency for Workforce Innovation may grant the~~  
1269 ~~proposed modification.~~

1270 5. Persons with an early childhood teaching certificate may  
1271 provide support and supervision to other staff in the school  
1272 readiness program.

1273 6. An early learning coalition may not implement its school  
1274 readiness plan until it submits the plan to and receives  
1275 approval from the Agency for Workforce Innovation. Once the plan  
1276 is approved, the plan and the services provided under the plan

20102014e2

1277 shall be controlled by the early learning coalition. The plan  
1278 shall be reviewed and revised as necessary, but at least  
1279 biennially. An early learning coalition may not implement the  
1280 revisions until the coalition submits the revised plan to and  
1281 receives approval from the Agency for Workforce Innovation. If  
1282 the Agency for Workforce Innovation rejects a revised plan, the  
1283 coalition must continue to operate under its prior approved  
1284 plan.

1285 7. Sections 125.901(2)(a)3., 411.221, and 411.232 do not  
1286 apply to ~~an early learning coalition with an approved school~~  
1287 ~~readiness programs plan.~~ The Agency for Workforce Innovation ~~To~~  
1288 ~~facilitate innovative practices and to allow the regional~~  
1289 ~~establishment of school readiness programs,~~ an early learning  
1290 coalition may apply to the Governor and Cabinet for a waiver of,  
1291 and the Governor and Cabinet may waive, any of the provisions of  
1292 ss. 411.223, 411.232, and 1003.54, if the waiver is necessary  
1293 for implementation of ~~the coalition's~~ school readiness programs  
1294 ~~plan.~~

1295 8. Two or more early learning coalitions ~~counties~~ may join  
1296 for purposes of planning and implementing a school readiness  
1297 program.

1298 ~~9. An early learning coalition may, subject to approval by~~  
1299 ~~The Agency for Workforce Innovation as part of the coalition's~~  
1300 ~~school readiness plan, receive subsidized child care funds for~~  
1301 ~~all children eligible for any federal subsidized child care~~  
1302 ~~program.~~

1303 ~~10. An early learning coalition may enter into multiparty~~  
1304 ~~contracts with multicounty service providers in order to meet~~  
1305 ~~the needs of unique populations such as migrant workers.~~

20102014e2

1306 (e) *Requests for proposals; payment schedule.*—

1307 1. Each early learning coalition must comply with the  
1308 procurement and expenditure procedures adopted by the Agency for  
1309 Workforce Innovation, including, but not limited to, applying  
1310 the procurement and expenditure procedures required by federal  
1311 law for the expenditure of federal funds s. 287.057 for the  
1312 procurement of commodities or contractual services from the  
1313 funds described in paragraph (9) (d). The period of a contract  
1314 for purchase of these commodities or contractual services,  
1315 together with any renewal of the original contract, may not  
1316 exceed 3 years.

1317 2. Each early learning coalition shall adopt a payment  
1318 schedule that encompasses all programs funded ~~by the coalition~~  
1319 under this section. The payment schedule must take into  
1320 consideration the prevailing ~~relevant~~ market rate, must include  
1321 the projected number of children to be served, and must be  
1322 submitted for approval by the Agency for Workforce Innovation.  
1323 Informal child care arrangements shall be reimbursed at not more  
1324 than 50 percent of the rate adopted ~~developed~~ for a family day  
1325 care home.

1326 ~~(f) Requirements relating to fiscal agents. If an early~~  
1327 ~~learning coalition is not legally organized as a corporation or~~  
1328 ~~other business entity, the coalition must designate a fiscal~~  
1329 ~~agent, which may be a public entity, a private nonprofit~~  
1330 ~~organization, or a certified public accountant who holds a~~  
1331 ~~license under chapter 473. The fiscal agent must provide~~  
1332 ~~financial and administrative services under a contract with the~~  
1333 ~~early learning coalition. The fiscal agent may not provide~~  
1334 ~~direct early childhood education or child care services;~~

20102014e2

1335 ~~however, a fiscal agent may provide those services upon written~~  
1336 ~~request of the early learning coalition to the Agency for~~  
1337 ~~Workforce Innovation and upon the approval of the request by the~~  
1338 ~~agency. The cost of the financial and administrative services~~  
1339 ~~shall be negotiated between the fiscal agent and the early~~  
1340 ~~learning coalition. If the fiscal agent is a provider of early~~  
1341 ~~childhood education and child care programs, the contract must~~  
1342 ~~specify that the fiscal agent shall act on policy direction from~~  
1343 ~~the early learning coalition and must not receive policy~~  
1344 ~~direction from its own corporate board regarding disbursement of~~  
1345 ~~the coalition's funds. The fiscal agent shall disburse funds in~~  
1346 ~~accordance with the early learning coalition's approved school~~  
1347 ~~readiness plan and based on billing and disbursement procedures~~  
1348 ~~approved by the Agency for Workforce Innovation. The fiscal~~  
1349 ~~agent must conform to all data reporting requirements~~  
1350 ~~established by the Agency for Workforce Innovation.~~

1351 ~~(f)(g)~~ Evaluation and annual report.—Each early learning  
1352 coalition shall conduct an evaluation of its implementation the  
1353 effectiveness of the school readiness program, including system  
1354 support services, performance standards, and outcome measures,  
1355 and shall provide an annual report and fiscal statement to the  
1356 Agency for Workforce Innovation. This report must also include  
1357 an evaluation of the effectiveness of its direct enhancement  
1358 services and conform to the content and format specifications  
1359 adopted ~~set~~ by the Agency for Workforce Innovation. The Agency  
1360 for Workforce Innovation must include an analysis of the early  
1361 learning coalitions' reports in the agency's annual report.

1362 (6) PROGRAM ELIGIBILITY.—~~The~~ Each early learning  
1363 ~~coalition's~~ school readiness program is ~~shall be~~ established for

20102014e2

1364 children from birth to the beginning of the school year for  
1365 which a child is eligible for admission to kindergarten in a  
1366 public school under s. 1003.21(1)(a)2. or who are eligible for  
1367 any federal subsidized child care program. Each early learning  
1368 coalition shall give priority for participation in the school  
1369 readiness program as follows:

1370 (a) Priority shall be given first to a child from a family  
1371 in which there is an adult receiving temporary cash assistance  
1372 who is subject to federal work requirements.

1373 (b) Priority shall be given next to a child who is eligible  
1374 for a school readiness program but who has not yet entered  
1375 ~~children age 3 years to school, entry~~ who is ~~are~~ served by the  
1376 Family Safety Program Office of the Department of Children and  
1377 Family Services or a community-based lead agency under chapter  
1378 39 or chapter 409, and for whom child care is needed to minimize  
1379 risk of further abuse, neglect, or abandonment.

1380 (c) Subsequent priority shall be given to a child ~~Other~~  
1381 ~~eligible populations include children who~~ meets ~~meet~~ one or more  
1382 of the following criteria:

1383 1.(a) A child who is younger than ~~Children under~~ the age of  
1384 kindergarten eligibility and ~~who are:~~

1385 ~~1. Children determined to be at risk of abuse, neglect, or~~  
1386 ~~exploitation who are currently clients of the Family Safety~~  
1387 ~~Program Office of the Department of Children and Family~~  
1388 ~~Services, but who are not otherwise given priority under this~~  
1389 ~~subsection.~~

1390 a.2. Is Children at risk of welfare dependency, including  
1391 an economically disadvantaged child ~~children,~~ a child ~~children~~  
1392 of a participant ~~participants~~ in the welfare transition program,



20102014e2

1393 a child of a migratory agricultural worker ~~children of migrant~~  
1394 ~~farmworkers, or a child and children of a teen parent~~ parents.

1395 b.3. Is a member Children of a working family that is  
1396 economically disadvantaged ~~families whose family income does not~~  
1397 ~~exceed 150 percent of the federal poverty level.~~

1398 c.4. Children For whom financial assistance is provided  
1399 through the state is paying a Relative Caregiver Program payment  
1400 under s. 39.5085.

1401 2.(b) A 3-year-old child or ~~Three-year-old children and 4-~~  
1402 ~~year-old child~~ children who may not be economically  
1403 disadvantaged but who has a disability; has ~~have disabilities,~~  
1404 ~~have~~ been served in a specific part-time exceptional education  
1405 program or a combination of part-time exceptional education  
1406 programs with required special services, aids, or equipment;;  
1407 and was ~~were~~ previously reported for funding part time under  
1408 ~~with~~ the Florida Education Finance Program as an exceptional  
1409 student ~~students.~~

1410 3.(e) An economically disadvantaged child ~~children, a child~~  
1411 ~~children~~ with a disability ~~disabilities, or a child and children~~  
1412 at risk of future school failure, from birth to 4 years of age,  
1413 who is ~~are~~ served at home through a home visitor program  
1414 ~~programs~~ and an intensive parent education program ~~programs.~~

1415 4.(d) A child ~~Children~~ who meets ~~meet~~ federal and state  
1416 eligibility requirements for the migrant preschool program but  
1417 who is ~~do~~ not ~~meet~~ the criteria of economically disadvantaged.

1418  
1419 As used in this paragraph ~~subsection~~, the term "economically  
1420 disadvantaged" ~~child~~ means having a ~~child~~ whose family income  
1421 that does not exceed 150 percent of the federal poverty level.

20102014e2

1422 Notwithstanding any change in a family's economic status, but  
1423 subject to additional family contributions in accordance with  
1424 the sliding fee scale, a child who meets the eligibility  
1425 requirements upon initial registration for the program remains  
1426 eligible until the beginning of the school year for which the  
1427 child is eligible for admission to kindergarten in a public  
1428 school under s. 1003.21(1)(a)2.

1429 (7) PARENTAL CHOICE.—

1430 (a) Parental choice of child care providers shall be  
1431 established, to the maximum extent practicable, in accordance  
1432 with 45 C.F.R. s. 98.30.

1433 (b) As used in this subsection, the term "payment  
1434 certificate" means a child care certificate as defined in 45  
1435 C.F.R. s. 98.2.

1436 (c) The school readiness program shall, in accordance with  
1437 45 C.F.R. s. 98.30, provide parental choice through a payment  
1438 certificate ~~purchase service order~~ that ensures, to the maximum  
1439 extent possible, flexibility in the school readiness program  
1440 ~~programs~~ and payment arrangements. ~~According to federal~~  
1441 ~~regulations requiring parental choice, a parent may choose an~~  
1442 ~~informal child care arrangement.~~ The payment certificate  
1443 ~~purchase order~~ must bear the names ~~name~~ of the beneficiary and  
1444 the program provider and, when redeemed, must bear the  
1445 signatures ~~signature~~ of both the beneficiary and an authorized  
1446 representative of the provider.

1447 (d) ~~(b)~~ If it is determined that a provider has given  
1448 ~~provided~~ any cash to the beneficiary in return for receiving a  
1449 payment certificate ~~the purchase order~~, the early learning  
1450 coalition or its fiscal agent shall refer the matter to the

20102014e2

1451 Division of Public Assistance Fraud for investigation.

1452 (e)~~(e)~~ The office of the Chief Financial Officer shall  
1453 establish an electronic transfer system for the disbursement of  
1454 funds in accordance with this subsection. Each early learning  
1455 coalition shall fully implement the electronic funds transfer  
1456 system within 2 years after approval of the coalition's school  
1457 readiness plan, unless a waiver is obtained from the Agency for  
1458 Workforce Innovation.

1459 (8) STANDARDS; OUTCOME MEASURES.—A program provider  
1460 participating in the All school readiness program ~~programs~~ must  
1461 meet the performance standards and outcome measures adopted by  
1462 the Agency for Workforce Innovation.

1463 (9) FUNDING; SCHOOL READINESS PROGRAM.—

1464 (a) It is the intent of this section to establish an  
1465 integrated and quality seamless service delivery system for all  
1466 publicly funded early childhood education and child care  
1467 programs operating in this state.

1468 (b)1. The Agency for Workforce Innovation shall administer  
1469 school readiness funds, plans, and policies and shall prepare  
1470 and submit a unified budget request for the school readiness  
1471 system in accordance with chapter 216.

1472 2. All instructions to early learning coalitions for  
1473 administering this section shall emanate from the Agency for  
1474 Workforce Innovation in accordance with the policies of the  
1475 Legislature.

1476 (c) The Agency for Workforce Innovation, subject to  
1477 legislative notice and review under s. 216.177, shall establish  
1478 ~~recommend~~ a formula for the allocation ~~among the early learning~~  
1479 ~~coalitions~~ of all state and federal school readiness funds

20102014e2

1480 provided for children participating in the public or private  
1481 school readiness program, whether served by a public or private  
1482 provider, programs based upon equity for each county and  
1483 performance. The allocation formula must be submitted to the  
1484 Governor, the chair of the Senate Ways and Means Committee or  
1485 its successor, and the chair of the House of Representatives  
1486 Fiscal Council or its successor no later than January 1 of each  
1487 year. If the Legislature specifies shall specify in the annual  
1488 General Appropriations Act any changes to from the allocation  
1489 formula, methodology for the prior fiscal year which must be  
1490 used by the Agency for Workforce Innovation shall allocate funds  
1491 as specified in allocating the appropriations provided in the  
1492 General Appropriations Act.

1493 (d) All state, federal, and required local maintenance-of-  
1494 effort, or matching funds provided to an early learning  
1495 coalition for purposes of this section shall be used ~~by the~~  
1496 ~~coalition~~ for implementation of its approved school readiness  
1497 plan, including the hiring of staff to effectively operate the  
1498 coalition's school readiness program. As part of plan approval  
1499 and periodic plan review, The Agency for Workforce Innovation  
1500 shall require that administrative costs be kept to the minimum  
1501 necessary for efficient and effective administration of the  
1502 school readiness plan, but total administrative expenditures  
1503 must not exceed 5 percent unless specifically waived by the  
1504 Agency for Workforce Innovation. The Agency for Workforce  
1505 Innovation shall annually report to the Legislature any problems  
1506 relating to administrative costs.

1507 (e) The Agency for Workforce Innovation shall annually  
1508 distribute, to a maximum extent practicable, all eligible funds

20102014e2

1509 provided under this section as block grants to the early  
1510 learning coalitions in accordance with the terms and conditions  
1511 specified by the agency.

1512 (f) State funds appropriated for the school readiness  
1513 program may not be used for the construction of new facilities  
1514 or the purchase of buses. ~~The Agency for Workforce Innovation~~  
1515 ~~shall present to the Legislature recommendations for providing~~  
1516 ~~necessary transportation services for school readiness programs.~~

1517 (g) All cost savings and all revenues received through a  
1518 mandatory sliding fee scale shall be used to help fund each  
1519 early learning coalition's school readiness program.

1520 (10) CONFLICTING PROVISIONS.—~~If In the event of~~ a conflict  
1521 exists between this section and federal requirements, the  
1522 federal requirements shall control.

1523 ~~(11) PLACEMENTS. Notwithstanding any other provision of~~  
1524 ~~this section to the contrary, the first children to be placed in~~  
1525 ~~the school readiness program shall be those from families~~  
1526 ~~receiving temporary cash assistance and subject to federal work~~  
1527 ~~requirements. Subsequent placements shall be made in accordance~~  
1528 ~~with subsection (6).~~

1529 Section 18. Section 411.0101, Florida Statutes, is amended  
1530 to read:

1531 411.0101 Child care and early childhood resource and  
1532 referral.—

1533 (1) As a part of the school readiness programs, the Agency  
1534 for Workforce Innovation shall establish a statewide child care  
1535 resource and referral network that is unbiased and provides  
1536 referrals to families for child care. Preference shall be given  
1537 to using the already established early learning coalitions as

20102014e2

1538 the child care resource and referral agencies ~~agency~~. If an  
1539 early learning coalition cannot comply with the requirements to  
1540 offer the resource information component or does not want to  
1541 offer that service, the early learning coalition shall select  
1542 the resource and referral information ~~information~~ agency for its county or  
1543 multicounty region based upon a request for proposal pursuant to  
1544 s. 411.01(5) (e)1.

1545 (2) At least one child care resource and referral agency  
1546 must be established in each early learning coalition's county or  
1547 multicounty region. The Agency for Workforce Innovation shall  
1548 adopt rules regarding accessibility of child care resource and  
1549 referral services offered through child care resource and  
1550 referral agencies in each county or multicounty region which  
1551 include, at a minimum, required hours of operation, methods by  
1552 which parents may request services, and child care resource and  
1553 referral staff training requirements.

1554 (3) Child care resource and referral agencies shall provide  
1555 the following services:

1556 (a) ~~(1)~~ Identification of existing public and private child  
1557 care and early childhood education services, including child  
1558 care services by public and private employers, and the  
1559 development of a resource file of those services through the  
1560 single statewide information system developed by the Agency for  
1561 Workforce Innovation under s. 411.01(5) (c)1.e. These services  
1562 may include family day care, public and private child care  
1563 programs, the Voluntary Prekindergarten Education Program, Head  
1564 Start, the school readiness program ~~prekindergarten early~~  
1565 ~~intervention programs~~, special education programs for  
1566 prekindergarten ~~handicapped~~ children with disabilities, services

20102014e2

1567 for children with developmental disabilities, full-time and  
1568 part-time programs, before-school and after-school programs,  
1569 vacation care programs, parent education, the WAGES Program, and  
1570 related family support services. The resource file shall  
1571 include, but not be limited to:

- 1572 1.~~(a)~~ Type of program.
- 1573 2.~~(b)~~ Hours of service.
- 1574 3.~~(c)~~ Ages of children served.
- 1575 4.~~(d)~~ Number of children served.
- 1576 5.~~(e)~~ Significant program information.
- 1577 6.~~(f)~~ Fees and eligibility for services.
- 1578 7.~~(g)~~ Availability of transportation.

1579 (b)~~(2)~~ The establishment of a referral process that ~~which~~  
1580 responds to parental need for information and that ~~which~~ is  
1581 provided with full recognition of the confidentiality rights of  
1582 parents. The resource and referral network ~~programs~~ shall make  
1583 referrals to legally operating ~~licensed~~ child care facilities.  
1584 Referrals may not ~~shall~~ be made to a ~~an~~ unlicensed child care  
1585 facility that is operating illegally ~~or arrangement only if~~  
1586 ~~there is no requirement that the facility or arrangement be~~  
1587 ~~licensed.~~

1588 (c)~~(3)~~ Maintenance of ongoing documentation of requests for  
1589 service tabulated through the internal referral process through  
1590 the single statewide information system. The following  
1591 documentation of requests for service shall be maintained by the  
1592 ~~all~~ child care resource and referral network ~~agencies~~:

- 1593 1.~~(a)~~ Number of calls and contacts to the child care  
1594 resource information and referral network ~~agency~~ component by  
1595 type of service requested.

20102014e2

1596        ~~2.(b)~~ Ages of children for whom service was requested.

1597        ~~3.(e)~~ Time category of child care requests for each child.

1598        ~~4.(d)~~ Special time category, such as nights, weekends, and

1599 swing shift.

1600        ~~5.(e)~~ Reason that the child care is needed.

1601        ~~6.(f)~~ Name of the employer and primary focus of the

1602 business.

1603        ~~(d)(4)~~ Provision of technical assistance to existing and

1604 potential providers of child care services. This assistance may

1605 include:

1606        ~~1.(a)~~ Information on initiating new child care services,

1607 zoning, and program and budget development and assistance in

1608 finding such information from other sources.

1609        ~~2.(b)~~ Information and resources which help existing child

1610 care services providers to maximize their ability to serve

1611 children and parents in their community.

1612        ~~3.(e)~~ Information and incentives that may ~~which could~~ help

1613 existing or planned child care services offered by public or

1614 private employers seeking to maximize their ability to serve the

1615 children of their working parent employees in their community,

1616 through contractual or other funding arrangements with

1617 businesses.

1618        ~~(e)(5)~~ Assistance to families and employers in applying for

1619 various sources of subsidy including, but not limited to, the

1620 Voluntary Prekindergarten Education Program, the school

1621 readiness program ~~subsidized child care~~, Head Start,

1622 ~~prekindergarten early intervention programs~~, Project

1623 Independence, private scholarships, and the federal child and

1624 dependent care tax credit.



20102014e2

1625 ~~(6) Assistance to state agencies in determining the market~~  
1626 ~~rate for child care.~~

1627 (f)~~(7)~~ Assistance in negotiating discounts or other special  
1628 arrangements with child care providers.

1629 ~~(8) Information and assistance to local interagency~~  
1630 ~~councils coordinating services for prekindergarten handicapped~~  
1631 ~~children.~~

1632 (g)~~(9)~~ Assistance to families in identifying summer  
1633 recreation camp and summer day camp programs, and in evaluating  
1634 the health and safety qualities of summer recreation camp and  
1635 summer day camp programs, and in evaluating the health and  
1636 safety qualities of summer camp programs. Contingent upon  
1637 specific appropriation, a checklist of important health and  
1638 safety qualities that parents can use to choose their summer  
1639 camp programs shall be developed and distributed in a manner  
1640 that will reach parents interested in such programs for their  
1641 children.

1642 (h)~~(10)~~ A child care facility licensed under s. 402.305 and  
1643 licensed and registered family day care homes must provide the  
1644 statewide child care and resource and referral network agencies  
1645 with the following information annually:

1646 1.~~(a)~~ Type of program.

1647 2.~~(b)~~ Hours of service.

1648 3.~~(c)~~ Ages of children served.

1649 4.~~(d)~~ Fees and eligibility for services.

1650 (4)~~(11)~~ The Agency for Workforce Innovation shall adopt any  
1651 rules necessary for the implementation and administration of  
1652 this section.

1653 Section 19. Subsection (3), paragraph (b) of subsection

20102014e2

1654 (4), and paragraphs (c) and (d) of subsection (5) of section  
1655 411.0102, Florida Statutes, are amended to read:

1656 411.0102 Child Care Executive Partnership Act; findings and  
1657 intent; grant; limitation; rules.—

1658 (3) There is created a body politic and corporate known as  
1659 the Child Care Executive Partnership which shall establish and  
1660 govern the Child Care Executive Partnership Program. The purpose  
1661 of the Child Care Executive Partnership Program is to utilize  
1662 state and federal funds as incentives for matching local funds  
1663 derived from local governments, employers, charitable  
1664 foundations, and other sources, so that Florida communities may  
1665 create local flexible partnerships with employers. The Child  
1666 Care Executive Partnership Program funds shall be used at the  
1667 discretion of local communities to meet the needs of working  
1668 parents. A child care purchasing pool shall be developed with  
1669 the state, federal, and local funds to provide subsidies to low-  
1670 income working parents whose family income does not exceed the  
1671 allowable income for any federally subsidized child care program  
1672 ~~who are eligible for subsidized child care~~ with a dollar-for-  
1673 dollar match from employers, local government, and other  
1674 matching contributions. The funds used from the child care  
1675 purchasing pool must be used to supplement or extend the use of  
1676 existing public or private funds.

1677 (4) The Child Care Executive Partnership, staffed by the  
1678 Agency for Workforce Innovation, shall consist of a  
1679 representative of the Executive Office of the Governor and nine  
1680 members of the corporate or child care community, appointed by  
1681 the Governor.

1682 (b) The Child Care Executive Partnership shall be chaired

20102014e2

1683 by a member chosen by a majority vote and shall meet at least  
1684 quarterly and at other times upon the call of the chair. The  
1685 Child Care Executive Partnership may use any method of  
1686 telecommunications to conduct meetings, including establishing a  
1687 quorum through telecommunications, only if the public is given  
1688 proper notice of a telecommunications meeting and reasonable  
1689 access to observe and, when appropriate, participate.

1690 (5)

1691 (c) The Agency for Workforce Innovation, in conjunction  
1692 with the Child Care Executive Partnership, shall develop  
1693 procedures for disbursement of funds through the child care  
1694 purchasing pools. In order to be considered for funding, an  
1695 early learning coalition or the Agency for Workforce Innovation  
1696 must commit to:

1697 1. Matching the state purchasing pool funds on a dollar-  
1698 for-dollar basis; and

1699 2. Expending only those public funds which are matched by  
1700 employers, local government, and other matching contributors who  
1701 contribute to the purchasing pool. Parents shall also pay a fee,  
1702 which may not ~~shall~~ be ~~not~~ less than the amount identified in  
1703 the early learning coalition's school readiness program  
1704 ~~subsidized child care~~ sliding fee scale.

1705 (d) Each early learning coalition board shall ~~be required~~  
1706 ~~to establish a community child care task force for each child~~  
1707 ~~care purchasing pool. The task force must be composed of~~  
1708 ~~employers, parents, private child care providers, and one~~  
1709 ~~representative from the local children's services council, if~~  
1710 ~~one exists in the area of the purchasing pool. The early~~  
1711 ~~learning coalition is expected to recruit the task force members~~

20102014e2

1712 ~~from existing child care councils, commissions, or task forces~~  
1713 ~~already operating in the area of a purchasing pool. A majority~~  
1714 ~~of the task force shall consist of employers. Each task force~~  
1715 ~~shall~~ develop a plan for the use of child care purchasing pool  
1716 funds. The plan must show how many children will be served by  
1717 the purchasing pool, how many will be new to receiving child  
1718 care services, and how the early learning coalition intends to  
1719 attract new employers and their employees to the program.

1720 Section 20. Paragraph (b) of subsection (8) of section  
1721 411.203, Florida Statutes, is amended to read:

1722 411.203 Continuum of comprehensive services.—The Department  
1723 of Education and the Department of Health and Rehabilitative  
1724 Services shall utilize the continuum of prevention and early  
1725 assistance services for high-risk pregnant women and for high-  
1726 risk and handicapped children and their families, as outlined in  
1727 this section, as a basis for the intraagency and interagency  
1728 program coordination, monitoring, and analysis required in this  
1729 chapter. The continuum shall be the guide for the comprehensive  
1730 statewide approach for services for high-risk pregnant women and  
1731 for high-risk and handicapped children and their families, and  
1732 may be expanded or reduced as necessary for the enhancement of  
1733 those services. Expansion or reduction of the continuum shall be  
1734 determined by intraagency or interagency findings and agreement,  
1735 whichever is applicable. Implementation of the continuum shall  
1736 be based upon applicable eligibility criteria, availability of  
1737 resources, and interagency prioritization when programs impact  
1738 both agencies, or upon single agency prioritization when  
1739 programs impact only one agency. The continuum shall include,  
1740 but not be limited to:

20102014e2

1741 (8) SUPPORT SERVICES FOR ALL EXPECTANT PARENTS AND PARENTS  
1742 OF HIGH-RISK CHILDREN.—

1743 (b) Child care and early childhood programs, including, but  
1744 not limited to, ~~subsidized child care~~, licensed ~~nonsubsidized~~  
1745 child care facilities, family day care homes, therapeutic child  
1746 care, Head Start, and preschool programs in public and private  
1747 schools.

1748 Section 21. Subsection (2) of section 411.221, Florida  
1749 Statutes, is amended to read:

1750 411.221 Prevention and early assistance strategic plan;  
1751 agency responsibilities.—

1752 (2) The strategic plan and subsequent plan revisions shall  
1753 incorporate and otherwise utilize, to the fullest extent  
1754 possible, the evaluation findings and recommendations from  
1755 intraagency, independent third-party, field projects, and  
1756 reports issued by the Auditor General or the Office of Program  
1757 Policy Analysis and Government Accountability, as well as the  
1758 recommendations of the Agency for Workforce Innovation State  
1759 ~~Coordinating Council for School Readiness Programs~~.

1760 Section 22. Paragraph (c) of subsection (4) of section  
1761 445.024, Florida Statutes, is amended to read:

1762 445.024 Work requirements.—

1763 (4) PRIORITIZATION OF WORK REQUIREMENTS.—Regional workforce  
1764 boards shall require participation in work activities to the  
1765 maximum extent possible, subject to federal and state funding.  
1766 If funds are projected to be insufficient to allow full-time  
1767 work activities by all program participants who are required to  
1768 participate in work activities, regional workforce boards shall  
1769 screen participants and assign priority based on the following:

20102014e2

1770 (c) A participant who has access to ~~subsidized or~~  
1771 ~~unsubsidized~~ child care services may be assigned priority for  
1772 work activities.

1773  
1774 Regional workforce boards may limit a participant's weekly work  
1775 requirement to the minimum required to meet federal work  
1776 activity requirements. Regional workforce boards may develop  
1777 screening and prioritization procedures based on the allocation  
1778 of resources, the availability of community resources, the  
1779 provision of supportive services, or the work activity needs of  
1780 the service area.

1781 Section 23. Subsection (2) of section 445.030, Florida  
1782 Statutes, is amended to read:

1783 445.030 Transitional education and training.—In order to  
1784 assist former recipients of temporary cash assistance who are  
1785 working or actively seeking employment in continuing their  
1786 training and upgrading their skills, education, or training,  
1787 support services may be provided for up to 2 years after the  
1788 family is no longer receiving temporary cash assistance. This  
1789 section does not constitute an entitlement to transitional  
1790 education and training. If funds are not sufficient to provide  
1791 services under this section, the board of directors of Workforce  
1792 Florida, Inc., may limit or otherwise prioritize transitional  
1793 education and training.

1794 (2) Regional workforce boards may authorize child care or  
1795 other support services in addition to services provided in  
1796 conjunction with employment. For example, a participant who is  
1797 employed full time may receive ~~subsidized~~ child care services  
1798 related to that employment and may also receive additional

20102014e2

1799 ~~subsidized~~ child care services in conjunction with training to  
1800 upgrade the participant's skills.

1801 Section 24. Paragraph (a) of subsection (2) of section  
1802 490.014, Florida Statutes, is amended to read:

1803 490.014 Exemptions.—

1804 (2) No person shall be required to be licensed or  
1805 provisionally licensed under this chapter who:

1806 (a) Is a salaried employee of a government agency; a  
1807 developmental disability facility or program; a mental health,  
1808 alcohol, or drug abuse facility operating under chapter 393,  
1809 chapter 394, or chapter 397; the statewide ~~subsidized child care~~  
1810 ~~program, subsidized child care case management program, or child~~  
1811 ~~care resource and referral~~ network ~~program~~ operating under s.  
1812 411.0101 ~~pursuant to chapter 402; a~~ child-placing or child-  
1813 caring agency licensed pursuant to chapter 409; a domestic  
1814 violence center certified pursuant to chapter 39; an accredited  
1815 academic institution; or a research institution, if such  
1816 employee is performing duties for which he or she was trained  
1817 and hired solely within the confines of such agency, facility,  
1818 or institution, so long as the employee is not held out to the  
1819 public as a psychologist pursuant to s. 490.012(1)(a).

1820 Section 25. Paragraph (a) of subsection (4) of section  
1821 491.014, Florida Statutes, is amended to read:

1822 491.014 Exemptions.—

1823 (4) No person shall be required to be licensed,  
1824 provisionally licensed, registered, or certified under this  
1825 chapter who:

1826 (a) Is a salaried employee of a government agency; a  
1827 developmental disability facility or program; a mental health,

20102014e2

1828 alcohol, or drug abuse facility operating under chapter 393,  
1829 chapter 394, or chapter 397; the statewide ~~subsidized child care~~  
1830 ~~program, subsidized child care case management program, or child~~  
1831 care resource and referral network ~~program~~ operating under s.  
1832 411.0101 ~~pursuant to chapter 402; a~~ child-placing or child-  
1833 caring agency licensed pursuant to chapter 409; a domestic  
1834 violence center certified pursuant to chapter 39; an accredited  
1835 academic institution; or a research institution, if such  
1836 employee is performing duties for which he or she was trained  
1837 and hired solely within the confines of such agency, facility,  
1838 or institution, so long as the employee is not held out to the  
1839 public as a clinical social worker, mental health counselor, or  
1840 marriage and family therapist.

1841 Section 26. Subsection (5) of section 1002.53, Florida  
1842 Statutes, is amended to read:

1843 1002.53 Voluntary Prekindergarten Education Program;  
1844 eligibility and enrollment.—

1845 (5) The early learning coalition shall provide each parent  
1846 enrolling a child in the Voluntary Prekindergarten Education  
1847 Program with a profile of every private prekindergarten provider  
1848 and public school delivering the program within the ~~coalition's~~  
1849 county where the child is being enrolled ~~or multicounty region~~.  
1850 The profiles shall be provided to parents in a format prescribed  
1851 by the Agency for Workforce Innovation. The profiles must  
1852 include, at a minimum, the following information about each  
1853 provider and school:

1854 (a) The provider's or school's services, curriculum,  
1855 instructor credentials, and instructor-to-student ratio; and

1856 (b) The provider's or school's kindergarten readiness rate



20102014e2

1857 calculated in accordance with s. 1002.69, based upon the most  
1858 recent available results of the statewide kindergarten  
1859 screening.

1860 Section 27. Paragraph (b) of subsection (3) of section  
1861 1002.55, Florida Statutes, is amended, and subsection (5) is  
1862 added to that section, to read:

1863 1002.55 School-year prekindergarten program delivered by  
1864 private prekindergarten providers.—

1865 (3) To be eligible to deliver the prekindergarten program,  
1866 a private prekindergarten provider must meet each of the  
1867 following requirements:

1868 (b) The private prekindergarten provider must:

1869 1. Be accredited by an accrediting association that is a  
1870 member of the National Council for Private School Accreditation,  
1871 or the Florida Association of Academic Nonpublic Schools, or be  
1872 accredited by the Southern Association of Colleges and Schools,  
1873 or Western Association of Colleges and Schools, or North Central  
1874 Association of Colleges and Schools, or Middle States  
1875 Association of Colleges and Schools, or New England Association  
1876 of Colleges and Schools; and have written accreditation  
1877 standards that meet or exceed the state's licensing requirements  
1878 under s. 402.305, s. 402.313, or s.402.3131 and require at least  
1879 one onsite visit to the provider or school before accreditation  
1880 is granted;

1881 ~~1. Be accredited by an accrediting association that is a~~  
1882 ~~member of the National Council for Private School Accreditation,~~  
1883 ~~the Commission on International and Trans-Regional~~  
1884 ~~Accreditation, or the Florida Association of Academic Nonpublic~~  
1885 ~~Schools and have written accreditation standards that meet or~~

20102014e2

1886 ~~exceed the state's licensing requirements under s. 402.305, s.~~  
1887 ~~402.313, or s. 402.3131 and require at least one onsite visit to~~  
1888 ~~the provider or school before accreditation is granted;~~

1889 2. Hold a current Gold Seal Quality Care designation under  
1890 s. 402.281; or

1891 3. Be licensed under s. 402.305, s. 402.313, or s. 402.3131  
1892 and demonstrate, before delivering the Voluntary Prekindergarten  
1893 Education Program, as verified by the early learning coalition,  
1894 that the provider meets each of the requirements of the program  
1895 under this part, including, but not limited to, the requirements  
1896 for credentials and background screenings of prekindergarten  
1897 instructors under paragraphs (c) and (d), minimum and maximum  
1898 class sizes under paragraph (f), prekindergarten director  
1899 credentials under paragraph (g), and a developmentally  
1900 appropriate curriculum under s. 1002.67(2)(b).

1901 (5) Notwithstanding paragraph (3)(b), a private  
1902 prekindergarten provider may not participate in the Voluntary  
1903 Prekindergarten Education Program if the provider has child  
1904 disciplinary policies that do not prohibit children from being  
1905 subjected to discipline that is severe, humiliating,  
1906 frightening, or associated with food, rest, toileting, spanking,  
1907 or any other form of physical punishment as provided in s.  
1908 402.305(12).

1909 Section 28. Effective May 31, 2010, paragraph (c) of  
1910 subsection (3) of section 1002.67, Florida Statutes, is amended  
1911 to read:

1912 1002.67 Performance standards; curricula and  
1913 accountability.—

1914 (3)

20102014e2

1915 (c)1. If the kindergarten readiness rate of a private  
1916 prekindergarten provider or public school falls below the  
1917 minimum rate adopted by the State Board of Education as  
1918 satisfactory under s. 1002.69(6), the early learning coalition  
1919 or school district, as applicable, shall require the provider or  
1920 school to submit an improvement plan for approval by the  
1921 coalition or school district, as applicable, and to implement  
1922 the plan.

1923 2. If a private prekindergarten provider or public school  
1924 fails to meet the minimum rate adopted by the State Board of  
1925 Education as satisfactory under s. 1002.69(6) for 2 consecutive  
1926 years, the early learning coalition or school district, as  
1927 applicable, shall place the provider or school on probation and  
1928 must require the provider or school to take certain corrective  
1929 actions, including the use of a curriculum approved by the  
1930 department under paragraph (2)(c).

1931 3. A private prekindergarten provider or public school that  
1932 is placed on probation must continue the corrective actions  
1933 required under subparagraph 2., including the use of a  
1934 curriculum approved by the department, until the provider or  
1935 school meets the minimum rate adopted by the State Board of  
1936 Education as satisfactory under s. 1002.69(6).

1937 4. If a private prekindergarten provider or public school  
1938 remains on probation for 2 consecutive years and fails to meet  
1939 the minimum rate adopted by the State Board of Education as  
1940 satisfactory under s. 1002.69(6) and is not granted a good cause  
1941 exemption by the department pursuant to s. 1002.69(7), the  
1942 Agency for Workforce Innovation shall require the early learning  
1943 coalition or the Department of Education shall require the

20102014e2

1944 school district, ~~as applicable,~~ to remove, as applicable, the  
1945 provider or school from eligibility to deliver the Voluntary  
1946 Prekindergarten Education Program and receive state funds for  
1947 the program.

1948 Section 29. Paragraph (b) of subsection (6) of section  
1949 1002.71, Florida Statutes, is amended to read:

1950 1002.71 Funding; financial and attendance reporting.—

1951 (6)

1952 (b)1. Each private prekindergarten provider's and district  
1953 school board's attendance policy must require the parent of each  
1954 student in the Voluntary Prekindergarten Education Program to  
1955 verify, each month, the student's attendance on the prior  
1956 month's certified student attendance.

1957 2. The parent must submit the verification of the student's  
1958 attendance to the private prekindergarten provider or public  
1959 school on forms prescribed by the Agency for Workforce  
1960 Innovation. The forms must include, in addition to the  
1961 verification of the student's attendance, a certification, in  
1962 substantially the following form, that the parent continues to  
1963 choose the private prekindergarten provider or public school in  
1964 accordance with s. 1002.53 and directs that payments for the  
1965 program be made to the provider or school:

1966  
1967 VERIFICATION OF STUDENT'S ATTENDANCE  
1968 AND CERTIFICATION OF PARENTAL CHOICE  
1969

1970 I, ...(Name of Parent)..., swear (or affirm) that my  
1971 child, ...(Name of Student)..., attended the Voluntary  
1972 Prekindergarten Education Program on the days listed above and

20102014e2

1973 certify that I continue to choose ...(Name of Provider or  
1974 School)... to deliver the program for my child and direct that  
1975 program funds be paid to the provider or school for my child.

1976  
1977 ... (Signature of Parent)...

1978 ... (Date)...

1979  
1980 3. The private prekindergarten provider or public school  
1981 must keep each original signed form for at least 2 years. Each  
1982 private prekindergarten provider must permit the early learning  
1983 coalition, and each public school must permit the school  
1984 district, to inspect the original signed forms during normal  
1985 business hours. The Agency for Workforce Innovation shall adopt  
1986 procedures for early learning coalitions and school districts to  
1987 review the original signed forms against the certified student  
1988 attendance. The review procedures shall provide for the use of  
1989 selective inspection techniques, including, but not limited to,  
1990 random sampling. Each early learning coalition and the school  
1991 districts ~~district~~ must comply with the review procedures.

1992 Section 30. Effective May 31, 2010, subsection (7) is added  
1993 to section 1002.69, Florida Statutes, to read:

1994 1002.69 Statewide kindergarten screening; kindergarten  
1995 readiness rates.—

1996 (7) (a) Notwithstanding s. 1002.67(3)(c)4., the State Board  
1997 of Education, upon the request of a private prekindergarten  
1998 provider or public school that remains on probation for 2  
1999 consecutive years or more and subsequently fails to meet the  
2000 minimum rate adopted under subsection (6) and for good cause  
2001 shown, may grant to the provider or school an exemption from

20102014e2

2002 being determined ineligible to deliver the Voluntary  
2003 Prekindergarten Education Program and receive state funds for  
2004 the program. Such exemption is valid for 1 year and, upon the  
2005 request of the private prekindergarten provider or public school  
2006 and for good cause shown, may be renewed.

2007 (b) A private prekindergarten provider's or public school's  
2008 request for a good cause exemption, or renewal of such an  
2009 exemption, must be submitted to the state board in the manner  
2010 and within the timeframes prescribed by the state board and must  
2011 include the following:

2012 1. Submission of data by the private prekindergarten  
2013 provider or public school which documents on a standardized  
2014 assessment the achievement and progress of the children served.

2015 2. Submission and review of data available from the  
2016 respective early learning coalition or district school board,  
2017 the Department of Children and Family Services, local licensing  
2018 authority, or an accrediting association, as applicable,  
2019 relating to the private prekindergarten provider's or public  
2020 school's compliance with state and local health and safety  
2021 standards.

2022 3. Submission and review of data available to the  
2023 department on the performance of the children served and the  
2024 calculation of the private prekindergarten provider's or public  
2025 school's kindergarten readiness rate.

2026 (c) The State Board of Education shall adopt criteria for  
2027 granting good cause exemptions. Such criteria shall include, but  
2028 are not limited to:

2029 1. Learning gains of children served in the Voluntary  
2030 Prekindergarten Education Program by the private prekindergarten

20102014e2

2031 provider or public school.

2032 2. Verification that the private prekindergarten provider  
2033 or public school serves at least twice the statewide percentage  
2034 of children with disabilities as defined in s. 1003.01(3)(a) or  
2035 children identified as limited English proficient as defined in  
2036 s. 1003.56.

2037 3. Verification that local and state health and safety  
2038 requirements are met.

2039 (d) A good cause exemption may not be granted to any  
2040 private prekindergarten provider that has any class I violations  
2041 or two or more class II violations within the 2 years preceding  
2042 the provider's or school's request for the exemption. For  
2043 purposes of this paragraph, class I and class II violations have  
2044 the same meaning as provided in s. 402.281(3).

2045 (e) A private prekindergarten provider or public school  
2046 granted a good cause exemption shall continue to implement its  
2047 improvement plan and continue the corrective actions required  
2048 under s. 1002.67(3)(c)2., including the use of a curriculum  
2049 approved by the department, until the provider or school meets  
2050 the minimum rate adopted under subsection (6).

2051 (f) The State Board of Education shall notify the Agency  
2052 for Workforce Innovation of any good cause exemption granted to  
2053 a private prekindergarten provider under this subsection. If a  
2054 good cause exemption is granted to a private prekindergarten  
2055 provider who remains on probation for 2 consecutive years, the  
2056 Agency for Workforce Innovation shall notify the early learning  
2057 coalition of the good cause exemption and direct that the  
2058 coalition, notwithstanding s. 1002.67(3)(c)4., not remove the  
2059 provider from eligibility to deliver the Voluntary

20102014e2

2060 Prekindergarten Education Program or to receive state funds for  
2061 the program, if the provider meets all other applicable  
2062 requirements of this part.

2063 Section 31. Effective May 31, 2010, paragraph (d) is added  
2064 to subsection (2) of section 1002.73, Florida Statutes, to read:  
2065 1002.73 Department of Education; powers and duties;  
2066 accountability requirements.—

2067 (2) The department shall adopt procedures for the  
2068 department's:

2069 (d) Granting of a private prekindergarten provider's or  
2070 public school's request for a good cause exemption under s.  
2071 1002.69(7).

2072 Section 32. Paragraph (b) of subsection (4) of section  
2073 1009.64, Florida Statutes, is amended to read:

2074 1009.64 Certified Education Paraprofessional Welfare  
2075 Transition Program.—

2076 (4) The agencies shall complete an implementation plan that  
2077 addresses at least the following recommended components of the  
2078 program:

2079 (b) A budget for use of incentive funding to provide  
2080 motivation to participants to succeed and excel. The budget for  
2081 incentive funding includes:

2082 1. Funds allocated by the Legislature directly for the  
2083 program.

2084 2. Funds that may be made available from the federal  
2085 Workforce Investment Act based on client eligibility or  
2086 requested waivers to make the clients eligible.

2087 3. Funds made available by implementation strategies that  
2088 would make maximum use of work supplementation funds authorized



20102014e2

2089 by federal law.

2090 4. Funds authorized by strategies to lengthen participants'  
2091 eligibility for federal programs such as Medicaid, ~~subsidized~~  
2092 child care services, and transportation.

2093  
2094 Incentives may include a stipend during periods of college  
2095 classroom training, a bonus and recognition for a high grade-  
2096 point average, child care and prekindergarten services for  
2097 children of participants, and services to increase a  
2098 participant's ability to advance to higher levels of employment.  
2099 Nonfinancial incentives should include providing a mentor or  
2100 tutor, and service incentives should continue and increase for  
2101 any participant who plans to complete the baccalaureate degree  
2102 and become a certified teacher. Services may be provided in  
2103 accordance with family choice by community colleges and school  
2104 district career centers, through family service centers and  
2105 full-service schools, or under contract with providers through  
2106 central agencies.

2107 Section 33. Subsection (4) of section 125.901, Florida  
2108 Statutes, is amended to read:

2109 125.901 Children's services; independent special district;  
2110 council; powers, duties, and functions; public records  
2111 exemption.—

2112 (4) (a) Any district created pursuant to ~~the provisions of~~  
2113 this section may be dissolved by a special act of the  
2114 Legislature, or the county governing body may by ordinance  
2115 dissolve the district subject to the approval of the electorate.

2116 (b)1.a. Notwithstanding paragraph (a), the governing body  
2117 of the county shall submit the question of retention or

20102014e2

2118 dissolution of a district with voter-approved taxing authority  
 2119 to the electorate in the general election according to the  
 2120 following schedule:

2121 (I) For a district in existence on July 1, 2010, and  
 2122 serving a county with a population of 400,000 or fewer persons  
 2123 as of that date.....2014.

2124 (II) For a district in existence on July 1, 2010, and  
 2125 serving a county with a population of more than 400,000 but  
 2126 fewer than 2 million persons as of that date.....2016.

2127 (III) For a district in existence on July 1, 2010, and  
 2128 serving a county with a population of 2 million or more persons  
 2129 as of that date.....2020.

2130 b. A referendum by the electorate on or after July 1, 2010,  
 2131 creating a new district with taxing authority may specify that  
 2132 the district is not subject to reauthorization or may specify  
 2133 the number of years for which the initial authorization shall  
 2134 remain effective. If the referendum does not prescribe terms of  
 2135 reauthorization, the governing body of the county shall submit  
 2136 the question of retention or dissolution of the district to the  
 2137 electorate in the general election 12 years after the initial  
 2138 authorization.

2139 2. The governing board of the district may specify, and  
 2140 submit to the governing body of the county no later than nine  
 2141 months before the scheduled election, that the district is not  
 2142 subsequently subject to reauthorization or may specify the  
 2143 number of years for which a reauthorization under this paragraph  
 2144 shall remain effective. If the governing board of the district  
 2145 makes such specification and submission, the governing body of  
 2146 the county shall include that information in the question

20102014e2

2147 submitted to the electorate. If the governing board of the  
2148 district does not specify and submit such information, the  
2149 governing body of the county shall resubmit the question of  
2150 reauthorization to the electorate every 12 years after the year  
2151 prescribed in subparagraph 1. The governing board of the  
2152 district may recommend to the governing body of the county  
2153 language for the question submitted to the electorate.

2154 3. Nothing in this paragraph limits the authority to  
2155 dissolve a district as provided under paragraph (a).

2156 4. Nothing in this paragraph precludes the governing board  
2157 of a district from requesting that the governing body of the  
2158 county submit the question of retention or dissolution of a  
2159 district with voter-approved taxing authority to the electorate  
2160 at a date earlier than the year prescribed in subparagraph (b)1.  
2161 If the governing body of the county accepts the request and  
2162 submits the question to the electorate, the governing body  
2163 satisfies the requirement of that subparagraph.

2164  
2165 If any district is dissolved pursuant to ~~the provisions of this~~  
2166 subsection, each county must ~~shall~~ first obligate itself to  
2167 assume the debts, liabilities, contracts, and outstanding  
2168 obligations of the district within the total millage available  
2169 to the county governing body for all county and municipal  
2170 purposes as provided for under s. 9, Art. VII of the State  
2171 Constitution. Any district may also be dissolved pursuant to ~~the~~  
2172 ~~provisions of~~ s. 189.4042.

2173 Section 34. Notwithstanding s. 31 of chapter 90-288, Laws  
2174 of Florida, the revisions made by this act to s. 125.901,  
2175 Florida Statutes, apply to any special district having taxing

20102014e2

2176 authority to provide funding for children's services, and  
2177 governed by a council on children's services, which is in  
2178 existence on the effective date of this act and to any such  
2179 district created on or after the effective date of this act.

2180       Section 35. Except as otherwise expressly provided in this  
2181 act and except for this section, which shall take effect May 31,  
2182 2010, this act shall take effect July 1, 2010.