

20102014er

1
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4 repealed subsidized child care program; amending s.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6 repealed program with an updated reference to the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12 obsolete reference to a repealed program; amending s.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18 reference to a repealed program; deleting obsolete
19 references relating to the repealed prekindergarten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23 a repealed program; amending s. 402.281, F.S.;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

20102014er

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

20102014er

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;

20102014er

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

20102014er

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

20102014er

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

20102014er

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

20102014er

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

20102014er

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

20102014er

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~~

20102014er

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,

20102014er

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.

20102014er

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

20102014er

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

20102014er

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

20102014er

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

20102014er

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

20102014er

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

20102014er

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~~

20102014er

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

20102014er

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

20102014er

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

20102014er

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 ~~(e) 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.

20102014er

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

20102014er

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.

20102014er

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

20102014er

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

20102014er

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~~

20102014er

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

20102014er

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 ~~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:

20102014er

- 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:

20102014er

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.c.~~ 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~~

20102014er

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

20102014er

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, ~~7~~
980 ~~who shall be a nonvoting member.~~

981 l. A representative of faith-based child care providers, ~~7~~
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

20102014er

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

20102014er

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~~

20102014er

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

20102014er

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.~~

20102014er

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

20102014er

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

20102014er

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

20102014er

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~~

20102014er

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

20102014er

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

20102014er

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.~~

20102014er

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;~~

20102014er

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

20102014er

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,

20102014er

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.(c) 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.~~

20102014er

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

20102014er

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

20102014er

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

20102014er

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

20102014er

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~~ 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

20102014er

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.

20102014er

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.

20102014er

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

20102014er

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

20102014er

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~~

20102014er

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:

20102014er

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:

20102014er

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

20102014er

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~~r~~ 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~~r~~ mental health,

20102014er

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

20102014er

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~~

20102014er

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)

20102014er

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

20102014er

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

20102014er

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

20102014er

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

20102014er

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

20102014er

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

20102014er

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

20102014er

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

20102014er

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

20102014er

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.