

By Senator Rich

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1 A bill to be entitled
2 An act relating to the Voluntary Prekindergarten
3 Education Program; amending ss. 1002.55 and 1002.63,
4 F.S.; providing that prekindergarten instructors in
5 school-year prekindergarten programs delivered by
6 private providers and public schools must meet new
7 professional credentialing requirements beginning July
8 1, 2013; deleting provisions relating to alternate
9 educational credentials, to conform; amending ss.
10 1002.61 and 1007.23, F.S.; conforming cross-references
11 to changes made by the act; repealing s. 1002.65,
12 F.S., relating to aspirational goals for the
13 professional credentials of prekindergarten
14 instructors; providing an effective date.

15
16 WHEREAS, the Legislature finds that there is a strong
17 correlation between the state's fiscal and economic well-being,
18 the state's workforce development, the skills and preparation of
19 the state's prekindergarten instructors, and the educational
20 outcomes of students in the state's Voluntary Prekindergarten
21 Education Program, and

22 WHEREAS, national studies have shown that the only
23 prekindergarten education programs that demonstrate large long-
24 term economic gains and improve educational outcomes for
25 prekindergarten education students are programs taught by
26 teachers who hold a bachelor's degree or higher, and

27 WHEREAS, children who are enrolled in prekindergarten
28 education programs taught by teachers who hold a bachelor's
29 degree or higher save taxpayer dollars by reducing costs

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30 associated with K-12 student remediation, student dropouts,
31 juvenile and criminal justice, law enforcement, and other public
32 safety and assistance programs, and

33 WHEREAS, for the 2008-2009 school year, the rate of
34 Florida's third grade students who were not promoted to fourth
35 grade was 6.64 percent, and

36 WHEREAS, the number of prekindergarten through third grade
37 students who are not promoted to the next grade costs Florida's
38 taxpayers in excess of \$330 million annually, and

39 WHEREAS, investment in high-quality prekindergarten
40 education programs is a cost-effective way to create a highly
41 skilled future workforce and is an effective public policy
42 strategy for generating wealth and achieving social and economic
43 development, and

44 WHEREAS, Florida can meet Voluntary Prekindergarten
45 Education Program teacher capacity, based on graduation rates of
46 students receiving bachelor's degrees in early childhood
47 education, by offering full reciprocity for teacher
48 certificateholders from other states; by employing teachers who
49 are currently being terminated due to the declining trends in K-
50 12 student growth; and by continuing to support a bachelor's
51 degree career ladder for existing nondegreed teachers, NOW,
52 THEREFORE,

53
54 Be It Enacted by the Legislature of the State of Florida:

55
56 Section 1. Section 1002.55, Florida Statutes, is amended to
57 read:

58 1002.55 School-year prekindergarten program delivered by

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59 private prekindergarten providers.—

60 (1) Each early learning coalition shall administer the
61 Voluntary Prekindergarten Education Program at the county or
62 regional level for students enrolled under s. 1002.53(3)(a) in a
63 school-year prekindergarten program delivered by a private
64 prekindergarten provider.

65 (2) Each school-year prekindergarten program delivered by a
66 private prekindergarten provider must comprise at least 540
67 instructional hours.

68 (3) To be eligible to deliver the prekindergarten program,
69 a private prekindergarten provider must meet each of the
70 following requirements:

71 (a) The private prekindergarten provider must be a child
72 care facility licensed under s. 402.305, family day care home
73 licensed under s. 402.313, large family child care home licensed
74 under s. 402.3131, nonpublic school exempt from licensure under
75 s. 402.3025(2), or faith-based child care provider exempt from
76 licensure under s. 402.316.

77 (b) The private prekindergarten provider must:

78 1. Be accredited by an accrediting association that is a
79 member of the National Council for Private School Accreditation,
80 the Commission on International and Trans-Regional
81 Accreditation, or the Florida Association of Academic Nonpublic
82 Schools and have written accreditation standards that meet or
83 exceed the state's licensing requirements under s. 402.305, s.
84 402.313, or s. 402.3131 and require at least one onsite visit to
85 the provider or school before accreditation is granted;

86 2. Hold a current Gold Seal Quality Care designation under
87 s. 402.281; or

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88 3. Be licensed under s. 402.305, s. 402.313, or s. 402.3131
89 and demonstrate, before delivering the Voluntary Prekindergarten
90 Education Program, as verified by the early learning coalition,
91 that the provider meets each of the requirements of the program
92 under this part, including, but not limited to, the requirements
93 for credentials and background screenings of prekindergarten
94 instructors under paragraphs (c) and (d), minimum and maximum
95 class sizes under paragraph (f), prekindergarten director
96 credentials under paragraph (g), and a developmentally
97 appropriate curriculum under s. 1002.67(2)(b).

98 (c)1. The private prekindergarten provider must have, for
99 each prekindergarten class composed of fewer than 11 students,
100 at least one prekindergarten instructor who holds:

101 a. A bachelor's or higher degree in early childhood
102 education, prekindergarten or primary education, preschool
103 education, or family and consumer science; or

104 b. A bachelor's or higher degree in elementary education,
105 if the prekindergarten instructor has been certified to teach
106 children any age from birth through grade 6, regardless of
107 whether the instructor's educator certificate is current, and if
108 the instructor is not ineligible to teach in a public school
109 because his or her educator certificate is suspended or revoked.

110 2. The private prekindergarten provider must have, for each
111 prekindergarten class composed of 11 or more students:

112 a. One prekindergarten instructor who meets the
113 requirements of subparagraph 1.; and

114 b. One prekindergarten instructor who meets the following
115 requirements:

116 (I) Holds, at a minimum, a child development associate

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117 credential issued by the National Credentialing Program of the
118 Council for Professional Recognition or a credential approved by
119 the Department of Children and Family Services as being
120 equivalent to or greater than the child development associate
121 credential.

122 (II) Successfully completes an emergent literacy training
123 course approved by the Department of Education as meeting or
124 exceeding the minimum standards adopted under s. 1002.59.

125 ~~(c) The private prekindergarten provider must have, for~~
126 ~~each prekindergarten class, at least one prekindergarten~~
127 ~~instructor who meets each of the following requirements:~~

128 ~~1. The prekindergarten instructor must hold, at a minimum,~~
129 ~~one of the following credentials:~~

130 ~~a. A child development associate credential issued by the~~
131 ~~National Credentialing Program of the Council for Professional~~
132 ~~Recognition; or~~

133 ~~b. A credential approved by the Department of Children and~~
134 ~~Family Services as being equivalent to or greater than the~~
135 ~~credential described in sub-subparagraph a.~~

136
137 ~~The Department of Children and Family Services may adopt rules~~
138 ~~under ss. 120.536(1) and 120.54 which provide criteria and~~
139 ~~procedures for approving equivalent credentials under sub-~~
140 ~~paragraph b.~~

141 ~~2. The prekindergarten instructor must successfully~~
142 ~~complete an emergent literacy training course approved by the~~
143 ~~department as meeting or exceeding the minimum standards adopted~~
144 ~~under s. 1002.59. This subparagraph does not apply to a~~
145 ~~prekindergarten instructor who successfully completes approved~~

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146 ~~training in early literacy and language development under s.~~
147 ~~402.305(2)(d)5., s. 402.313(6), or s. 402.3131(5) before the~~
148 ~~establishment of one or more emergent literacy training courses~~
149 ~~under s. 1002.59 or April 1, 2005, whichever occurs later.~~

150 (d) Each prekindergarten instructor employed by the private
151 prekindergarten provider must be of good moral character, must
152 be screened using the level 2 screening standards in s. 435.04
153 before employment and rescreened at least once every 5 years,
154 must be denied employment or terminated if required under s.
155 435.06, and must not be ineligible to teach in a public school
156 because his or her educator certificate is suspended or revoked.

157 (e) A private prekindergarten provider may assign a
158 substitute instructor to temporarily replace a credentialed
159 instructor if the credentialed instructor assigned to a
160 prekindergarten class is absent, as long as the substitute
161 instructor is of good moral character and has been screened
162 before employment in accordance with level 2 background
163 screening requirements in chapter 435. The Agency for Workforce
164 Innovation shall adopt rules to implement this paragraph which
165 shall include required qualifications of substitute instructors
166 and the circumstances and time limits for which a private
167 prekindergarten provider may assign a substitute instructor.

168 (f) Each of the private prekindergarten provider's
169 prekindergarten classes must be composed of at least 4 students
170 but may not exceed 18 students. ~~In order to protect the health~~
171 ~~and safety of students, each private prekindergarten provider~~
172 ~~must also provide appropriate adult supervision for students at~~
173 ~~all times and, for~~ Each prekindergarten class composed of 11 or
174 more students must meet the requirements in subparagraph (c)2.

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175 for prekindergarten instructors, ~~must have, in addition to a~~
176 ~~prekindergarten instructor who meets the requirements of~~
177 ~~paragraph (c), at least one adult prekindergarten instructor who~~
178 ~~is not required to meet those requirements but who must meet~~
179 ~~each requirement of paragraph (d).~~ This paragraph does not
180 supersede any requirement imposed on a provider under ss.
181 402.301-402.319.

182 (g) Before the beginning of the 2006-2007 school year, the
183 private prekindergarten provider must have a prekindergarten
184 director who has a prekindergarten director credential that is
185 approved by the department as meeting or exceeding the minimum
186 standards adopted under s. 1002.57. Successful completion of a
187 child care facility director credential under s. 402.305(2)(f)
188 before the establishment of the prekindergarten director
189 credential under s. 1002.57 or July 1, 2006, whichever occurs
190 later, satisfies the requirement for a prekindergarten director
191 credential under this paragraph.

192 (h) The private prekindergarten provider must register with
193 the early learning coalition on forms prescribed by the Agency
194 for Workforce Innovation.

195 (i) The private prekindergarten provider must deliver the
196 Voluntary Prekindergarten Education Program in accordance with
197 this part.

198 ~~(4) A prekindergarten instructor, in lieu of the minimum~~
199 ~~credentials and courses required under paragraph (3)(c), may~~
200 ~~hold one of the following educational credentials:~~

201 ~~(a) A bachelor's or higher degree in early childhood~~
202 ~~education, prekindergarten or primary education, preschool~~
203 ~~education, or family and consumer science;~~

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204 ~~(b) A bachelor's or higher degree in elementary education,~~
205 ~~if the prekindergarten instructor has been certified to teach~~
206 ~~children any age from birth through 6th grade, regardless of~~
207 ~~whether the instructor's educator certificate is current, and if~~
208 ~~the instructor is not ineligible to teach in a public school~~
209 ~~because his or her educator certificate is suspended or revoked;~~

210 ~~(c) An associate's or higher degree in child development;~~

211 ~~(d) An associate's or higher degree in an unrelated field,~~
212 ~~at least 6 credit hours in early childhood education or child~~
213 ~~development, and at least 480 hours of experience in teaching or~~
214 ~~providing child care services for children any age from birth~~
215 ~~through 8 years of age; or~~

216 ~~(e) An educational credential approved by the department as~~
217 ~~being equivalent to or greater than an educational credential~~
218 ~~described in this subsection. The department may adopt criteria~~
219 ~~and procedures for approving equivalent educational credentials~~
220 ~~under this paragraph.~~

221 Section 2. Subsection (4) of section 1002.61, Florida
222 Statutes, is amended to read:

223 1002.61 Summer prekindergarten program delivered by public
224 schools and private prekindergarten providers.—

225 (4) Notwithstanding ss. 1002.55(3)(c)~~1.~~ and 1002.63(4),
226 each public school and private prekindergarten provider must
227 have, for each prekindergarten class, at least one
228 prekindergarten instructor who:

229 (a) Is a certified teacher; or

230 (b) Holds one of the educational credentials specified in
231 s. 1002.55(3)(c)1.~~(4)(a) or (b).~~

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233 As used in this subsection, the term "certified teacher" means a
234 teacher holding a valid Florida educator certificate under s.
235 1012.56 who has the qualifications required by the district
236 school board to instruct students in the summer prekindergarten
237 program. In selecting instructional staff for the summer
238 prekindergarten program, each school district shall give
239 priority to teachers who have experience or coursework in early
240 childhood education.

241 Section 3. Subsections (4) and (7) of section 1002.63,
242 Florida Statutes, are amended to read:

243 1002.63 School-year prekindergarten program delivered by
244 public schools.—

245 (4) Each prekindergarten class in a public school
246 delivering the school-year prekindergarten program must meet the
247 requirements in s. 1002.55(3)(c) for prekindergarten
248 instructors. ~~Each public school must have, for each~~
249 ~~prekindergarten class, at least one prekindergarten instructor~~
250 ~~who meets each requirement in s. 1002.55(3)(c) for a~~
251 ~~prekindergarten instructor of a private prekindergarten~~
252 ~~provider.~~

253 (7) Each prekindergarten class in a public school
254 delivering the school-year prekindergarten program must be
255 composed of at least 4 students but may not exceed 18 students.
256 ~~In order to protect the health and safety of students, each~~
257 ~~school must also provide appropriate adult supervision for~~
258 ~~students at all times and, for~~ Each prekindergarten class
259 composed of 11 or more students must meet the requirements in s.
260 1002.55(3)(c)2. for prekindergarten instructors, ~~must have, in~~
261 ~~addition to a prekindergarten instructor who meets the~~

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262 ~~requirements of s. 1002.55(3)(c), at least one adult~~
263 ~~prekindergarten instructor who is not required to meet those~~
264 ~~requirements but who must meet each requirement of subsection~~
265 ~~(5).~~

266 Section 4. Subsection (5) of section 1007.23, Florida
267 Statutes, is amended to read:

268 1007.23 Statewide articulation agreement.—

269 (5) The articulation agreement must guarantee the
270 articulation of 9 credit hours toward a postsecondary degree in
271 early childhood education for programs approved by the State
272 Board of Education and the Board of Governors which:

273 (a) Award a child development associate credential issued
274 by the National Credentialing Program of the Council for
275 Professional Recognition or award a credential approved under s.
276 1002.55(3)(c) 2.1.b. or s. 402.305(3)(c) as being equivalent to
277 the child development associate credential; and

278 (b) Include training in emergent literacy which meets or
279 exceeds the minimum standards for training courses for
280 prekindergarten instructors of the Voluntary Prekindergarten
281 Education Program in s. 1002.59.

282 Section 5. Section 1002.65, Florida Statutes, is repealed.

283 Section 6. This act shall take effect July 1, 2010.