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1                   A bill to be entitled  
2           An act relating to the Voluntary Prekindergarten Education  
3           Program; amending ss. 1002.55 and 1002.63, F.S.; providing  
4           that prekindergarten instructors in school-year  
5           prekindergarten programs delivered by private providers  
6           and public schools must meet new professional  
7           credentialing requirements beginning July 1, 2014;  
8           deleting provisions relating to alternate educational  
9           credentials, to conform; amending ss. 1002.61 and 1007.23,  
10          F.S.; conforming cross-references to changes made by the  
11          act; repealing s. 1002.65, F.S., relating to aspirational  
12          goals for the professional credentials of prekindergarten  
13          instructors; providing an effective date.

14  
15          WHEREAS, the Legislature finds that there is a strong  
16          correlation between the state's fiscal and economic well-being,  
17          the state's workforce development, the skills and preparation of  
18          the state's prekindergarten instructors, and the educational  
19          outcomes of students in the state's Voluntary Prekindergarten  
20          Education Program, and

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

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

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

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

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

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

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

52  
 53 Be It Enacted by the Legislature of the State of Florida:

54  
 55 Section 1. Section 1002.55, Florida Statutes, is amended  
 56 to read:

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57 | 1002.55 School-year prekindergarten program delivered by  
58 | private prekindergarten providers.—

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

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

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

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

76 | (b) The private prekindergarten provider must:

77 | 1. Be accredited by an accrediting association that is a  
78 | member of the National Council for Private School Accreditation,  
79 | or the Florida Association of Academic Nonpublic Schools, or be  
80 | accredited by the Southern Association of Colleges and Schools,  
81 | or Western Association of Colleges and Schools, or North Central  
82 | Association of Colleges and Schools, or Middle States  
83 | Association of Colleges and Schools, or New England Association  
84 | of Colleges and Schools; and have written accreditation

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85 standards that meet or exceed the state's licensing requirements  
86 under s. 402.305, s. 402.313, or s. 402.3131 and require at  
87 least one onsite visit to the provider or school before  
88 accreditation is granted;

89 2. Hold a current Gold Seal Quality Care designation under  
90 s. 402.281; or

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

101 (c) Beginning July 1, 2014:

102 1. The private prekindergarten provider must have, for  
103 each prekindergarten class composed of fewer than 11 students,  
104 at least one prekindergarten instructor who holds:

105 a. A bachelor's or higher degree in early childhood  
106 education, prekindergarten or primary education, preschool  
107 education, or family and consumer science; or

108 b. A bachelor's or higher degree in elementary education,  
109 if the prekindergarten instructor has been certified to teach  
110 children any age from birth through grade 6, regardless of  
111 whether the instructor's educator certificate is current, and if  
112 the instructor is not ineligible to teach in a public school

113 because his or her educator certificate is suspended or revoked.

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

116 a. One prekindergarten instructor who meets the  
 117 requirements of subparagraph 1.; and

118 b. One prekindergarten instructor who meets the following  
 119 requirements:

120 (I) Holds, at a minimum, a child development associate  
 121 credential issued by the National Credentialing Program of the  
 122 Council for Professional Recognition or a credential approved by  
 123 the Department of Children and Family Services as being  
 124 equivalent to or greater than the child development associate  
 125 credential.

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

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

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

134 ~~a. A child development associate credential issued by the~~  
 135 ~~National Credentialing Program of the Council for Professional~~  
 136 ~~Recognition; or~~

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

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141 ~~The Department of Children and Family Services may adopt rules~~  
142 ~~under ss. 120.536(1) and 120.54 which provide criteria and~~  
143 ~~procedures for approving equivalent credentials under sub-~~  
144 ~~subparagraph b.~~

145 ~~2. The prekindergarten instructor must successfully~~  
146 ~~complete an emergent literacy training course approved by the~~  
147 ~~department as meeting or exceeding the minimum standards adopted~~  
148 ~~under s. 1002.59. This subparagraph does not apply to a~~  
149 ~~prekindergarten instructor who successfully completes approved~~  
150 ~~training in early literacy and language development under s.~~  
151 ~~402.305(2)(d)5., s. 402.313(6), or s. 402.3131(5) before the~~  
152 ~~establishment of one or more emergent literacy training courses~~  
153 ~~under s. 1002.59 or April 1, 2005, whichever occurs later.~~

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

162 (e) A private prekindergarten provider may assign a  
163 substitute instructor to temporarily replace a credentialed  
164 instructor if the credentialed instructor assigned to a  
165 prekindergarten class is absent, as long as the substitute  
166 instructor is of good moral character and has been screened  
167 before employment in accordance with level 2 background  
168 screening requirements in chapter 435. The Agency for Workforce

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169 Innovation shall adopt rules to implement this paragraph which  
170 shall include required qualifications of substitute instructors  
171 and the circumstances and time limits for which a private  
172 prekindergarten provider may assign a substitute instructor.

173 (f) Each of the private prekindergarten provider's  
174 prekindergarten classes must be composed of at least 4 students  
175 but may not exceed 18 students. ~~In order to protect the health  
176 and safety of students, each private prekindergarten provider  
177 must also provide appropriate adult supervision for students at  
178 all times and, for~~ Each prekindergarten class composed of 11 or  
179 more students must meet the requirements in subparagraph (c)2.  
180 ~~for prekindergarten instructors, must have, in addition to a  
181 prekindergarten instructor who meets the requirements of  
182 paragraph (c), at least one adult prekindergarten instructor who  
183 is not required to meet those requirements but who must meet  
184 each requirement of paragraph (d).~~ This paragraph does not  
185 supersede any requirement imposed on a provider under ss.  
186 402.301-402.319.

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

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197 (h) The private prekindergarten provider must register  
 198 with the early learning coalition on forms prescribed by the  
 199 Agency for Workforce Innovation.

200 (i) The private prekindergarten provider must deliver the  
 201 Voluntary Prekindergarten Education Program in accordance with  
 202 this part.

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

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

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

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

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

221 ~~(e) An educational credential approved by the department~~  
 222 ~~as being equivalent to or greater than an educational credential~~  
 223 ~~described in this subsection. The department may adopt criteria~~  
 224 ~~and procedures for approving equivalent educational credentials~~



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225 ~~under this paragraph.~~

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

228 1002.61 Summer prekindergarten program delivered by public  
 229 schools and private prekindergarten providers.—

230 (4) Notwithstanding ss. 1002.55(3)(c)~~1.~~ and 1002.63(4),  
 231 each public school and private prekindergarten provider must  
 232 have, for each prekindergarten class, at least one  
 233 prekindergarten instructor who:

234 (a) Is a certified teacher; or

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

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

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

248 1002.63 School-year prekindergarten program delivered by  
 249 public schools.—

250 (4) Each prekindergarten class in a public school  
 251 delivering the school-year prekindergarten program must meet the  
 252 requirements in s. 1002.55(3)(c) for prekindergarten

253 instructors. ~~Each public school must have, for each~~  
 254 ~~prekindergarten class, at least one prekindergarten instructor~~  
 255 ~~who meets each requirement in s. 1002.55(3)(c) for a~~  
 256 ~~prekindergarten instructor of a private prekindergarten~~  
 257 ~~provider.~~

258 (7) Each prekindergarten class in a public school  
 259 delivering the school-year prekindergarten program must be  
 260 composed of at least 4 students but may not exceed 18 students.  
 261 ~~In order to protect the health and safety of students, each~~  
 262 ~~school must also provide appropriate adult supervision for~~  
 263 ~~students at all times and, for~~ Each prekindergarten class  
 264 composed of 11 or more students must meet the requirements in s.  
 265 1002.55(3)(c)2. for prekindergarten instructors, ~~must have, in~~  
 266 ~~addition to a prekindergarten instructor who meets the~~  
 267 ~~requirements of s. 1002.55(3)(c), at least one adult~~  
 268 ~~prekindergarten instructor who is not required to meet those~~  
 269 ~~requirements but who must meet each requirement of subsection~~  
 270 ~~(5).~~

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

273 1007.23 Statewide articulation agreement.—

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

278 (a) Award a child development associate credential issued  
 279 by the National Credentialing Program of the Council for  
 280 Professional Recognition or award a credential approved under s.

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281 1002.55(3)(c) ~~2.4~~.b. or s. 402.305(3)(c) as being equivalent to  
 282 the child development associate credential; and

283 (b) Include training in emergent literacy which meets or  
 284 exceeds the minimum standards for training courses for  
 285 prekindergarten instructors of the Voluntary Prekindergarten  
 286 Education Program in s. 1002.59.

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

288 Section 6. This act shall take effect July 1, 2011.