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LEGISLATIVE ACTION

Senate	.	House
Comm: WD	.	
04/01/2011	.	
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The Committee on Budget (Wise) recommended the following:

1 **Senate Substitute for Amendment (219010) (with title**
2 **amendment)**

3
4 Delete lines 3721 - 3867

5 and insert:

6 Section 43. Section 411.01, Florida Statutes, is amended to
7 read:

8 411.01 School readiness programs; early learning
9 coalitions.-

10 (1) SHORT TITLE.-This section may be cited as the "School
11 Readiness Act."

12 (2) LEGISLATIVE INTENT.-

13 (a) The Legislature recognizes that school readiness



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14 programs increase children's chances of achieving future
15 educational success and becoming productive members of society.
16 It is the intent of the Legislature that the programs be
17 developmentally appropriate, research-based, involve the parent
18 as a child's first teacher, serve as preventive measures for
19 children at risk of future school failure, enhance the
20 educational readiness of eligible children, and support family
21 education. Each school readiness program shall provide the
22 elements necessary to prepare at-risk children for school,
23 ~~including health screening and referral and an appropriate~~
24 ~~educational program.~~

25 (b) It is the intent of the Legislature that school
26 readiness programs be operated on a full-day, year-round basis
27 to the maximum extent possible to enable parents to work and
28 become financially self-sufficient.

29 (c) It is the intent of the Legislature that school
30 readiness programs not exist as isolated programs, but build
31 upon existing services and work in cooperation with other
32 programs for young children, and that school readiness programs
33 be coordinated to achieve full effectiveness.

34 (d) It is the intent of the Legislature that the
35 administrative staff for school readiness programs be kept to
36 the minimum necessary to administer the duties of the Department
37 of Children and Family Services ~~Agency for Workforce Innovation~~
38 ~~and early learning coalitions~~. The department ~~Agency for~~
39 ~~Workforce Innovation~~ shall adopt system support services at the
40 state level to build a comprehensive early learning system. Each
41 early learning coalition shall implement and maintain direct
42 enhancement services at the local level, as approved in its



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43 school readiness plan by the Department of Children and Family
44 Services Agency for Workforce Innovation, and ensure access to
45 such services in all 67 counties.

46 (e) It is the intent of the Legislature that the school
47 readiness program coordinate and operate in conjunction with the
48 district school systems. However, it is also the intent of the
49 Legislature that the school readiness program not be construed
50 as part of the system of free public schools but rather as a
51 separate program for children under the age of kindergarten
52 eligibility, funded separately from the system of free public
53 schools, utilizing a mandatory sliding fee scale, and providing
54 an integrated and seamless system of school readiness services
55 for the state's birth-to-kindergarten population.

56 (f) It is the intent of the Legislature that school
57 readiness services be an integrated and seamless program of
58 services with a developmentally appropriate education component
59 for the state's eligible birth-to-kindergarten population
60 described in subsection (6) and not be construed as part of the
61 seamless K-20 education system.

62 (3) PARENTAL PARTICIPATION IN SCHOOL READINESS PROGRAMS.—
63 This section does not:

64 (a) Relieve parents and guardians of their own obligations
65 to prepare their children for school; or

66 (b) Create any obligation to provide publicly funded school
67 readiness programs or services beyond those authorized by the
68 Legislature.

69 (4) DEPARTMENT OF CHILDREN AND FAMILY SERVICES AGENCY FOR
70 WORKFORCE INNOVATION.—

71 (a) The Department of Children and Family Services Agency



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72 ~~for Workforce Innovation~~ shall administer school readiness
73 programs at the state level and shall coordinate with the early
74 learning coalitions in providing school readiness services on a
75 full-day, full-year, full-choice basis to the extent possible in
76 order to enable parents to work and be financially self-
77 sufficient.

78 (b) The Department of Children and Family Services Agency
79 ~~for Workforce Innovation~~ shall:

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

84 2. Focus on improving the educational quality of all
85 program providers participating in publicly funded school
86 readiness programs.

87 (c) The Governor shall designate the Department of Children
88 and Family Services Agency for Workforce Innovation as the lead
89 agency for administration of the federal Child Care and
90 Development Fund, 45 C.F.R. parts 98 and 99, and the agency
91 shall comply with the lead agency responsibilities under federal
92 law.

93 (d) The Department of Children and Family Services Agency
94 ~~for Workforce Innovation~~ shall:

95 1. Be responsible for the prudent use of all public and
96 private funds in accordance with all legal and contractual
97 requirements.

98 2. Provide final approval and every 2 years review early
99 learning coalitions and school readiness plans.

100 3. Establish a unified approach to the state's efforts



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101 toward enhancement of school readiness. In support of this
102 effort, the Department of Children and Family Services Agency
103 ~~for Workforce Innovation~~ shall adopt specific system support
104 services that address the state's school readiness programs. An
105 early learning coalition shall amend its school readiness plan
106 to conform to the specific system support services adopted by
107 the Department of Children and Family Services Agency ~~for~~
108 ~~Workforce Innovation~~. Specific system support services shall
109 include, but are not limited to:

- 110 a. Child care resource and referral services;
- 111 b. Warm-Line services;
- 112 c. Eligibility determinations;
- 113 d. Child performance standards;
- 114 e. Child screening and assessment;
- 115 f. Developmentally appropriate curricula;
- 116 g. Health and safety requirements;
- 117 h. Statewide data system requirements; and
- 118 i. Rating and improvement systems.

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

122 5. Adopt a rule establishing criteria for the expenditure
123 of funds designated for the purpose of funding activities to
124 improve the quality of child care within the state in accordance
125 with s. 658G of the federal Child Care and Development Block
126 Grant Act.

127 6. Provide technical assistance to early learning
128 coalitions in a manner determined by the Agency for Workforce
129 Innovation based upon information obtained by the agency from



130 various sources, including, but not limited to, public input,
131 government reports, private interest group reports, agency
132 monitoring visits, and coalition requests for service.

133 7. Coordinate ~~In cooperation~~ with the Department of
134 Education and early learning coalitions, ~~coordinate with the~~
135 ~~Child Care Services Program Office of the Department of Children~~
136 ~~and Family Services~~ to minimize duplicating interagency
137 activities, health and safety monitoring, and acquiring and
138 composing data pertaining to child care training and
139 credentialing.

140 8. Develop and adopt performance standards and outcome
141 measures for school readiness programs. The performance
142 standards must address the age-appropriate progress of children
143 in the development of school readiness skills. The performance
144 standards for children from birth to 5 years of age in school
145 readiness programs must be integrated with the performance
146 standards adopted by the Department of Education for children in
147 the Voluntary Prekindergarten Education Program under s.
148 1002.67.

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

151 (e) The Department of Children and Family Services Agency
152 ~~for Workforce Innovation~~ may adopt rules under ss. 120.536(1)
153 and 120.54 to administer the provisions of law conferring duties
154 upon the department agency, including, but not limited to, rules
155 governing the administration of system support services of
156 school readiness programs, the collection of data, the approval
157 of early learning coalitions and school readiness plans, the
158 provision of a method whereby an early learning coalition may



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159 serve two or more counties, the award of incentives to early
160 learning coalitions, child performance standards, child outcome
161 measures, the issuance of waivers, and the implementation of the
162 state's Child Care and Development Fund Plan as approved by the
163 federal Administration for Children and Families.

164 (f) The Department of Children and Family Services Agency
165 ~~for Workforce Innovation~~ shall have all powers necessary to
166 administer this section, including, but not limited to, the
167 power to receive and accept grants, loans, or advances of funds
168 from any public or private agency and to receive and accept from
169 any source contributions of money, property, labor, or any other
170 thing of value, to be held, used, and applied for purposes of
171 this section.

172 (g) Except as provided by law, the Department of Children
173 and Family Services Agency ~~for Workforce Innovation~~ may not
174 impose requirements on a child care or early childhood education
175 provider that does not deliver services under the school
176 readiness programs or receive state or federal funds under this
177 section.

178 (h) The Department of Children and Family Services Agency
179 ~~for Workforce Innovation~~ shall have a budget for school
180 readiness programs, which shall be financed through an annual
181 appropriation made for purposes of this section in the General
182 Appropriations Act.

183 (i) The Department of Children and Family Services Agency
184 ~~for Workforce Innovation~~ shall coordinate the efforts toward
185 school readiness in this state and provide independent policy
186 analyses, data analyses, and recommendations to the Governor,
187 the State Board of Education, and the Legislature.



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188 (j) The Department of Children and Family Services Agency
189 ~~for Workforce Innovation~~ shall require that school readiness
190 programs, at a minimum, enhance the age-appropriate progress of
191 each child in attaining the performance standards adopted under
192 subparagraph (d)8. and in the development of the following
193 school readiness skills:

- 194 1. Compliance with rules, limitations, and routines.
- 195 2. Ability to perform tasks.
- 196 3. Interactions with adults.
- 197 4. Interactions with peers.
- 198 5. Ability to cope with challenges.
- 199 6. Self-help skills.
- 200 7. Ability to express the child's needs.
- 201 8. Verbal communication skills.
- 202 9. Problem-solving skills.
- 203 10. Following of verbal directions.
- 204 11. Demonstration of curiosity, persistence, and
205 exploratory behavior.
- 206 12. Interest in books and other printed materials.
- 207 13. Paying attention to stories.
- 208 14. Participation in art and music activities.
- 209 15. Ability to identify colors, geometric shapes, letters
210 of the alphabet, numbers, and spatial and temporal
211 relationships.

212
213 Within 30 days after enrollment in the school readiness program,
214 the early learning coalition must ensure that the program
215 provider obtains information regarding the child's
216 immunizations, physical health, and special dietary needs



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217 ~~development, and other health requirements as necessary,~~
218 ~~including appropriate vision and hearing screening and~~
219 ~~examinations.~~ For a program provider licensed by the Department
220 of Children and Family Services, the provider's compliance with
221 s. 402.305(9), as verified pursuant to s. 402.311, shall satisfy
222 this requirement. The standard contract for school readiness
223 services shall require a program that is not licensed by the
224 department to obtain information regarding a child's
225 immunizations, physical health, and special dietary needs.

226 (k) The Department of Children and Family Services Agency
227 ~~for Workforce Innovation~~ shall conduct studies and planning
228 activities related to the overall improvement and effectiveness
229 of the outcome measures adopted by the department agency for
230 school readiness programs and the specific system support
231 services to address the state's school readiness programs
232 adopted by the Department of Children and Family Services Agency
233 ~~for Workforce Innovation~~ in accordance with subparagraph (d)3.

234 (l) The Department of Children and Family Services Agency
235 ~~for Workforce Innovation~~ shall monitor and evaluate the
236 performance of each early learning coalition in administering
237 the school readiness program, and implementing the coalition's
238 school readiness plan, ~~and administering the Voluntary~~
239 ~~Prekindergarten Education Program.~~ These monitoring and
240 performance evaluations must include, at a minimum, onsite
241 monitoring of each coalition's finances, management, operations,
242 and programs.

243 (m) The Department of Children and Family Services Agency
244 ~~for Workforce Innovation~~ shall submit an annual report of its
245 activities conducted under this section to the Governor, the



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246 President of the Senate, the Speaker of the House of
247 Representatives, and the minority leaders of both houses of the
248 Legislature. ~~In addition, the Agency for Workforce Innovation's~~
249 ~~reports and recommendations shall be made available to the~~
250 ~~Florida Early Learning Advisory Council and other appropriate~~
251 ~~state agencies and entities.~~ The annual report must provide an
252 analysis of school readiness activities across the state,
253 including the number of children who were served in the
254 programs.

255 (n) The Department of Children and Family Services Agency
256 ~~for Workforce Innovation~~ shall work with the early learning
257 coalitions to ensure availability of training and support for
258 parental involvement in children's early education and to
259 provide family literacy activities and services.

260 (5) CREATION OF EARLY LEARNING COALITIONS.—

261 (a) Early learning coalitions.—

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

265 2. The Department of Children and Family Services Agency
266 ~~for Workforce Innovation~~ shall establish the minimum number of
267 children to be served by each early learning coalition through
268 the coalition's school readiness program. The Department of
269 Children and Family Services Agency ~~for Workforce Innovation~~ may
270 only approve school readiness plans in accordance with this
271 minimum number. The minimum number must be uniform for every
272 early learning coalition and must:

- 273 a. Permit 31 or fewer coalitions to be established; and
274 b. Require each coalition to serve at least 2,000 children



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275 based upon the average number of all children served per month
276 through the coalition's school readiness program during the
277 previous 12 months.

278 3. If an early learning coalition would serve fewer
279 children than the minimum number established under subparagraph
280 2., the coalition must merge with another county to form a
281 multicounty coalition. The Department of Children and Family
282 Services Agency for Workforce Innovation shall adopt procedures
283 for merging early learning coalitions, including procedures for
284 the consolidation of merging coalitions, and for the early
285 termination of the terms of coalition members which are
286 necessary to accomplish the mergers. However, the Department of
287 Children and Family Services Agency for Workforce Innovation
288 shall grant a waiver to an early learning coalition to serve
289 fewer children than the minimum number established under
290 subparagraph 2., if:

291 a. The Department of Children and Family Services Agency
292 for Workforce Innovation has determined during the most recent
293 review of the coalition's school readiness plan, or through
294 monitoring and performance evaluations conducted under paragraph
295 (4)(1), that the coalition has substantially implemented its
296 plan;

297 b. The coalition demonstrates to the Department of Children
298 and Family Services Agency for Workforce Innovation the
299 coalition's ability to effectively and efficiently implement the
300 Voluntary Prekindergarten Education Program; and

301 c. The coalition demonstrates to the Department of Children
302 and Family Services Agency for Workforce Innovation that the
303 coalition can perform its duties in accordance with law.



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304
305 If an early learning coalition fails or refuses to merge as
306 required by this subparagraph, the Department of Children and
307 Family Services Agency for Workforce Innovation may dissolve the
308 coalition and temporarily contract with a qualified entity to
309 continue school readiness and prekindergarten services in the
310 coalition's county or multicounty region until the department
311 agency reestablishes the coalition and a new school readiness
312 plan is approved by the department agency.

313 4. Each early learning coalition shall be composed of at
314 least 15 members but not more than 30 members. The Department of
315 Children and Family Services Agency for Workforce Innovation
316 shall adopt standards establishing within this range the minimum
317 and maximum number of members that may be appointed to an early
318 learning coalition and procedures for identifying which members
319 have voting privileges under subparagraph 6. These standards
320 must include variations for a coalition serving a multicounty
321 region. Each early learning coalition must comply with these
322 standards.

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

327 6. Each early learning coalition must include the following
328 member positions; however, in a multicounty coalition, each ex
329 officio member position may be filled by multiple nonvoting
330 members but no more than one voting member shall be seated per
331 member position. If an early learning coalition has more than
332 one member representing the same entity, only one of such



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- 333 members may serve as a voting member:
- 334 a. A Department of Children and Family Services circuit
335 administrator or his or her designee who is authorized to make
336 decisions on behalf of the department.
- 337 b. A district superintendent of schools or his or her
338 designee who is authorized to make decisions on behalf of the
339 district.
- 340 c. A regional workforce board executive director or his or
341 her designee.
- 342 d. A county health department director or his or her
343 designee.
- 344 e. A children's services council or juvenile welfare board
345 chair or executive director, if applicable.
- 346 f. An agency head of a local licensing agency as defined in
347 s. 402.302, where applicable.
- 348 g. A president of a community college or his or her
349 designee.
- 350 h. One member appointed by a board of county commissioners
351 or the governing board of a municipality.
- 352 i. A central agency administrator, where applicable.
- 353 j. A Head Start director.
- 354 k. A representative of private for-profit child care
355 providers, including private for-profit family day care homes.
- 356 l. A representative of faith-based child care providers.
- 357 m. A representative of programs for children with
358 disabilities under the federal Individuals with Disabilities
359 Education Act.
- 360 7. Including the members appointed by the Governor under
361 subparagraph 5., more than one-third of the members of each



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362 early learning coalition must be private sector business members
363 who do not have, and none of whose relatives as defined in s.
364 112.3143 has, a substantial financial interest in the design or
365 delivery of the Voluntary Prekindergarten Education Program
366 created under part V of chapter 1002 or the coalition's school
367 readiness program. To meet this requirement an early learning
368 coalition must appoint additional members. The Department of
369 Children and Family Services ~~Agency for Workforce Innovation~~
370 shall establish criteria for appointing private sector business
371 members. These criteria must include standards for determining
372 whether a member or relative has a substantial financial
373 interest in the design or delivery of the Voluntary
374 Prekindergarten Education Program or the coalition's school
375 readiness program.

376 8. A majority of the voting membership of an early learning
377 coalition constitutes a quorum required to conduct the business
378 of the coalition. An early learning coalition board may use any
379 method of telecommunications to conduct meetings, including
380 establishing a quorum through telecommunications, provided that
381 the public is given proper notice of a telecommunications
382 meeting and reasonable access to observe and, when appropriate,
383 participate.

384 9. A voting member of an early learning coalition may not
385 appoint a designee to act in his or her place, except as
386 otherwise provided in this paragraph. A voting member may send a
387 representative to coalition meetings, but that representative
388 does not have voting privileges. When a district administrator
389 for the Department of Children and Family Services appoints a
390 designee to an early learning coalition, the designee is the



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391 voting member of the coalition, and any individual attending in
392 the designee's place, including the district administrator, does
393 not have voting privileges.

394 10. Each member of an early learning coalition is subject
395 to ss. 112.313, 112.3135, and 112.3143. For purposes of s.
396 112.3143(3)(a), each voting member is a local public officer who
397 must abstain from voting when a voting conflict exists.

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

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

402 13. Each early learning coalition shall establish terms for
403 all appointed members of the coalition. The terms must be
404 staggered and must be a uniform length that does not exceed 4
405 years per term. Coalition chairs shall be appointed for 4 years
406 in conjunction with their membership on the Early Learning
407 Advisory Council under s. 20.052. Appointed members may serve a
408 maximum of two consecutive terms. When a vacancy occurs in an
409 appointed position, the coalition must advertise the vacancy.

410 (b) Limitation.—Except as provided by law, the early
411 learning coalitions may not impose requirements on a child care
412 or early childhood education provider that does not deliver
413 services under the school readiness programs or receive state,
414 federal, required maintenance of effort, or matching funds under
415 this section.

416 (c) Program expectations.—

417 1. The school readiness program must meet the following
418 expectations:

419 a. The program must, at a minimum, enhance the age-



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420 appropriate progress of each child in attaining the performance
421 standards and outcome measures adopted by the Department of
422 Children and Family Services Agency for Workforce Innovation.

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

426 c. The program must provide a coordinated professional
427 development system that supports the achievement and maintenance
428 of core competencies by school readiness instructors in helping
429 children attain the performance standards and outcome measures
430 adopted by the Department of Children and Family Services Agency
431 for Workforce Innovation.

432 d. There must be expanded access to community services and
433 resources for families to help achieve economic self-
434 sufficiency.

435 e. There must be a single point of entry and unified
436 waiting list. As used in this sub-subparagraph, the term "single
437 point of entry" means an integrated information system that
438 allows a parent to enroll his or her child in the school
439 readiness program at various locations throughout a county, that
440 may allow a parent to enroll his or her child by telephone or
441 through an Internet website, and that uses a unified waiting
442 list to track eligible children waiting for enrollment in the
443 school readiness program. The Department of Children and Family
444 Services Agency for Workforce Innovation shall establish through
445 technology a single statewide information system that each
446 coalition must use for the purposes of managing the single point
447 of entry, tracking children's progress, coordinating services
448 among stakeholders, determining eligibility, tracking child



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449 attendance, and streamlining administrative processes for
450 providers and early learning coalitions.

451 f. The Department of Children and Family Services Agency
452 ~~for Workforce Innovation~~ must consider the access of eligible
453 children to the school readiness program, as demonstrated in
454 part by waiting lists, before approving a proposed increase in
455 payment rates submitted by an early learning coalition. In
456 addition, early learning coalitions shall use school readiness
457 funds made available due to enrollment shifts from school
458 readiness programs to the Voluntary Prekindergarten Education
459 Program for increasing the number of children served in school
460 readiness programs before increasing payment rates.

461 g. The program must meet all state licensing guidelines,
462 where applicable.

463 h. The program must ensure that minimum standards for child
464 discipline practices are age-appropriate. ~~Such standards must~~
465 ~~provide that children not be subjected to discipline that is~~
466 ~~severe, humiliating, or frightening or discipline that is~~
467 ~~associated with food, rest, or toileting. Spanking or any other~~
468 ~~form of physical punishment is prohibited.~~

469 2. Each early learning coalition must implement a
470 comprehensive program of school readiness services in accordance
471 with the rules adopted by the department agency which enhance
472 the cognitive, social, and physical development of children to
473 achieve the performance standards and outcome measures. At a
474 minimum, these programs must contain the following system
475 support service elements:

476 a. Developmentally appropriate curriculum designed to
477 enhance the age-appropriate progress of children in attaining



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478 the performance standards adopted by the Department of Children
479 and Family Services Agency for Workforce Innovation under
480 subparagraph (4)(d)8.

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

482 c. An age-appropriate screening of each child's
483 development.

484 d. An age-appropriate assessment administered to children
485 when they enter a program and an age-appropriate assessment
486 administered to children when they leave the program.

487 e. An appropriate staff-to-children ratio, pursuant to s.
488 402.305(4) or s. 402.302(7) or (8), as applicable, and as
489 verified pursuant to s. 402.311, or pursuant to the standard
490 contract requirements for a program that is not licensed by the
491 Department of Children and Family Services.

492 f. A healthy and safe environment pursuant to s.
493 401.305(5), (6), and (7), as applicable, and as verified
494 pursuant to s. 402.311.

495 g. A resource and referral network established under s.
496 411.0101 to assist parents in making an informed choice and a
497 regional Warm-Line under s. 411.01015.

498
499 The Department of Children and Family Services shall coordinate
500 with Agency for Workforce Innovation, the Department of
501 Education, and early learning coalitions ~~shall coordinate with~~
502 ~~the Child Care Services Program Office of the Department of~~
503 ~~Children and Family Services~~ to minimize duplicating interagency
504 activities pertaining to acquiring and composing data for child
505 care training and credentialing.

506 (d) Implementation.—



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507 1. An early learning coalition may not implement the school
508 readiness program until the coalition's school readiness plan is
509 approved by the Department of Children and Family Services
510 ~~Agency for Workforce Innovation~~.

511 2. Each early learning coalition shall coordinate with one
512 another to implement a comprehensive program of school readiness
513 services which enhances the cognitive, social, physical, and
514 moral character of the children to achieve the performance
515 standards and outcome measures and which helps families achieve
516 economic self-sufficiency. Such program must contain, at a
517 minimum, the following elements:

518 a. Implement the school readiness program to meet the
519 requirements of this section and the system support services,
520 performance standards, and outcome measures adopted by the
521 Department of Children and Family Services ~~Agency for Workforce~~
522 ~~Innovation~~.

523 b. Demonstrate how the program will ensure that each child
524 from birth through 5 years of age in a publicly funded school
525 readiness program receives scheduled activities and instruction
526 designed to enhance the age-appropriate progress of the children
527 in attaining the performance standards adopted by the department
528 ~~agency~~ under subparagraph (4) (d) 8.

529 c. Ensure that the coalition has solicited and considered
530 comments regarding the proposed school readiness plan from the
531 local community.

532
533 Before implementing the school readiness program, the early
534 learning coalition must submit the plan to the department ~~agency~~
535 for approval. The department ~~agency~~ may approve the plan, reject



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536 the plan, or approve the plan with conditions. The department
537 ~~agency~~ shall review school readiness plans at least every 2
538 years.

539 3. If the Department of Children and Family Services Agency
540 ~~for Workforce Innovation~~ determines during the review of school
541 readiness plans, or through monitoring and performance
542 evaluations conducted under paragraph (4)(1), that an early
543 learning coalition has not substantially implemented its plan,
544 has not substantially met the performance standards and outcome
545 measures adopted by the department agency, or has not
546 effectively administered the school readiness program or
547 Voluntary Prekindergarten Education Program, the department
548 ~~agency~~ may dissolve the coalition and temporarily contract with
549 a qualified entity to continue school readiness and
550 prekindergarten services in the coalition's county or
551 multicounty region until the department agency reestablishes the
552 coalition and a new school readiness plan is approved in
553 accordance with the rules adopted by the department agency.

554 4. The Department of Children and Family Services Agency
555 ~~for Workforce Innovation~~ shall adopt rules establishing criteria
556 for the approval of school readiness plans. The criteria must be
557 consistent with the system support services, performance
558 standards, and outcome measures adopted by the department agency
559 and must require each approved plan to include the following
560 minimum standards for the school readiness program:

561 a. A community plan that addresses the needs of all
562 children and providers within the coalition's county or
563 multicounty region.

564 b. A sliding fee scale establishing a copayment for parents



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565 based upon their ability to pay, which is the same for all
566 program providers and approved by the department.

567 c. A choice of settings and locations in licensed,
568 registered, religious-exempt, or school-based programs to be
569 provided to parents.

570 d. Specific eligibility priorities for children in
571 accordance with subsection (6).

572 e. Performance standards and outcome measures adopted by
573 the department ~~agency~~.

574 f. Payment rates adopted by the early learning coalitions
575 and approved by the department ~~agency~~. Payment rates may not
576 have the effect of limiting parental choice or creating
577 standards or levels of services that have not been expressly
578 established by the Legislature, unless the creation of such
579 standards or levels of service, which must be uniform throughout
580 the state, has been approved by the Federal Government and
581 result in the state being eligible to receive additional federal
582 funds available for early learning on a statewide basis.

583 g. Direct enhancement services for families and children.
584 System support and direct enhancement services shall be in
585 addition to payments for the placement of children in school
586 readiness programs. Direct enhancement services for families may
587 include parent training and involvement activities and
588 strategies to meet the needs of unique populations and local
589 eligibility priorities. Enhancement services for children may
590 include provider supports and professional development approved
591 in the plan by the Department of Children and Family Services
592 ~~Agency for Workforce Innovation~~.

593 h. The business organization of the early learning



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594 coalition, which must include the coalition's articles of
595 incorporation and bylaws if the coalition is organized as a
596 corporation. If the coalition is not organized as a corporation
597 or other business entity, the plan must include the contract
598 with a fiscal agent. An early learning coalition may contract
599 with other coalitions to achieve efficiency in multicounty
600 services, and these contracts may be part of the coalition's
601 school readiness plan.

602 i. The implementation of locally developed quality programs
603 in accordance with the requirements adopted by the department
604 ~~agency~~ under subparagraph (4) (d)5.

605
606 The Department of Children and Family Services ~~Agency for~~
607 ~~Workforce Innovation~~ may request the Governor to apply for a
608 waiver to allow the coalition to administer the Head Start
609 Program to accomplish the purposes of the school readiness
610 program.

611 5. Persons with an early childhood teaching certificate may
612 provide support and supervision to other staff in the school
613 readiness program.

614 6. An early learning coalition may not implement its school
615 readiness plan until it submits the plan to and receives
616 approval from the Department of Children and Family Services
617 ~~Agency for Workforce Innovation~~. Once the plan is approved, the
618 plan and the services provided under the plan shall be
619 controlled by the early learning coalition. The plan shall be
620 reviewed and revised as necessary, but at least biennially. An
621 early learning coalition may not implement the revisions until
622 the coalition submits the revised plan to and receives approval



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623 from the department ~~agency~~. If the department ~~agency~~ rejects a
624 revised plan, the coalition must continue to operate under its
625 prior approved plan.

626 7. Section 125.901(2)(a)3. does not apply to school
627 readiness programs. The Department of Children and Family
628 Services ~~Agency for Workforce Innovation~~ may apply to the
629 Governor and Cabinet for a waiver of, and the Governor and
630 Cabinet may waive, any of the provisions of ss. 411.223 and
631 1003.54, if the waiver is necessary for implementation of school
632 readiness programs.

633 8. Two or more early learning coalitions may join for
634 purposes of planning and implementing a school readiness
635 program.

636 (e) Requests for proposals; payment schedule.-

637 1. Each early learning coalition must comply with the
638 procurement and expenditure procedures adopted by the Department
639 of Children and Family Services ~~Agency for Workforce Innovation~~,
640 including, but not limited to, applying the procurement and
641 expenditure procedures required by federal law for the
642 expenditure of federal funds.

643 2. Each early learning coalition shall adopt a payment
644 schedule that encompasses all programs funded under this
645 section. The payment schedule must take into consideration the
646 prevailing market rate, must include the projected number of
647 children to be served, and must be submitted for approval by the
648 department ~~Agency for Workforce Innovation~~. Informal child care
649 arrangements shall be reimbursed at not more than 50 percent of
650 the rate adopted for a family day care home.

651 (f) Evaluation and annual report.-Each early learning



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652 coalition shall conduct an evaluation of its implementation of
653 the school readiness program, including system support services,
654 performance standards, and outcome measures, and shall provide
655 an annual report and fiscal statement to the Department of
656 Children and Family Services ~~Agency for Workforce Innovation~~.
657 This report must also include an evaluation of the effectiveness
658 of its direct enhancement services and conform to the content
659 and format specifications adopted by the department ~~Agency for~~
660 ~~Workforce Innovation~~. The department ~~Agency for Workforce~~
661 ~~Innovation~~ must include an analysis of the early learning
662 coalitions' reports in the department's ~~agency's~~ annual report.

663 (6) PROGRAM ELIGIBILITY.—The school readiness program is
664 established for children from birth to the beginning of the
665 school year for which a child is eligible for admission to
666 kindergarten in a public school under s. 1003.21(1)(a)2. or who
667 are eligible for any federal subsidized child care program. Each
668 early learning coalition shall give priority for participation
669 in the school readiness program as follows:

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

673 (b) Priority shall be given next to a child who is eligible
674 for a school readiness program but who has not yet entered
675 school, who is served by the Family Safety Program Office of the
676 Department of Children and Family Services or a community-based
677 lead agency under chapter 39 or chapter 409, and for whom child
678 care is needed to minimize risk of further abuse, neglect, or
679 abandonment.

680 (c) Subsequent priority shall be given to a child who meets



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681 one or more of the following criteria:

682 1. A child who is younger than the age of kindergarten
683 eligibility and:

684 a. Is at risk of welfare dependency, including an
685 economically disadvantaged child, a child of a participant in
686 the welfare transition program, a child of a migratory
687 agricultural worker, or a child of a teen parent.

688 b. Is a member of a working family that is economically
689 disadvantaged.

690 c. For whom financial assistance is provided through the
691 Relative Caregiver Program under s. 39.5085.

692 2. A 3-year-old child or 4-year-old child who may not be
693 economically disadvantaged but who has a disability; has been
694 served in a specific part-time exceptional education program or
695 a combination of part-time exceptional education programs with
696 required special services, aids, or equipment; and was
697 previously reported for funding part time under the Florida
698 Education Finance Program as an exceptional student.

699 3. An economically disadvantaged child, a child with a
700 disability, or a child at risk of future school failure, from
701 birth to 4 years of age, who is served at home through a home
702 visitor program and an intensive parent education program.

703 4. A child who meets federal and state eligibility
704 requirements for the migrant preschool program but who is not
705 economically disadvantaged.

706

707 As used in this paragraph, the term "economically disadvantaged"
708 means having a family income that does not exceed 150 percent of
709 the federal poverty level. Notwithstanding any change in a



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710 family's economic status, but subject to additional family
711 contributions in accordance with the sliding fee scale, a child
712 who meets the eligibility requirements upon initial registration
713 for the program remains eligible until the beginning of the
714 school year for which the child is eligible for admission to
715 kindergarten in a public school under s. 1003.21(1)(a)2.

716 (7) PARENTAL CHOICE.—

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

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

723 (c) The school readiness program shall, in accordance with
724 45 C.F.R. s. 98.30, provide parental choice through a payment
725 certificate that ensures, to the maximum extent possible,
726 flexibility in the school readiness program and payment
727 arrangements. The payment certificate must bear the names of the
728 beneficiary and the program provider and, when redeemed, must
729 bear the signatures of both the beneficiary and an authorized
730 representative of the provider.

731 (d) If it is determined that a provider has given any cash
732 to the beneficiary in return for receiving a payment
733 certificate, the early learning coalition or its fiscal agent
734 shall refer the matter to the Department of Financial Services
735 pursuant to s. 414.411 for investigation.

736 (e) The office of the Chief Financial Officer shall
737 establish an electronic transfer system for the disbursement of
738 funds in accordance with this subsection. Each early learning



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739 coalition shall fully implement the electronic funds transfer
740 system within 2 years after approval of the coalition's school
741 readiness plan, unless a waiver is obtained from the Department
742 of Children and Family Services ~~Agency for Workforce Innovation~~.

743 (8) STANDARDS; OUTCOME MEASURES.—A program provider
744 participating in the school readiness program must meet the
745 performance standards and outcome measures adopted by the
746 Department of Children and Family Services ~~Agency for Workforce~~
747 ~~Innovation~~.

748 (9) FUNDING; SCHOOL READINESS PROGRAM.—

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

753 (b) The Department of Children and Family Services ~~Agency~~
754 ~~for Workforce Innovation~~ shall administer school readiness
755 funds, plans, and policies and shall prepare and submit a
756 unified budget request for the school readiness system in
757 accordance with chapter 216.

758 2. All instructions to early learning coalitions for
759 administering this section shall emanate from the department
760 ~~Agency for Workforce Innovation~~ in accordance with the policies
761 of the Legislature.

762 (c) The Department of Children and Family Services ~~Agency~~
763 ~~for Workforce Innovation~~, subject to legislative notice and
764 review under s. 216.177, shall establish a formula for the
765 allocation of all state and federal school readiness funds
766 provided for children participating in the school readiness
767 program, whether served by a public or private provider, based



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768 upon equity for each county. The allocation formula must be
769 submitted to the Governor, the chair of the Senate Ways and
770 Means Committee or its successor, and the chair of the House of
771 Representatives Fiscal Council or its successor no later than
772 January 1 of each year. If the Legislature specifies changes to
773 the allocation formula, the Agency for Workforce Innovation
774 shall allocate funds as specified in the General Appropriations
775 Act.

776 (d) All state, federal, and required local maintenance-of-
777 effort or matching funds provided to an early learning coalition
778 for purposes of this section shall be used for implementation of
779 its approved school readiness plan, including the hiring of
780 staff to effectively operate the coalition's school readiness
781 program. As part of plan approval and periodic plan review, the
782 Department of Children and Family Services ~~Agency for Workforce~~
783 ~~Innovation~~ shall require that administrative costs be kept to
784 the minimum necessary for efficient and effective administration
785 of the school readiness plan, but total administrative
786 expenditures must not exceed 5 percent unless specifically
787 waived by the department ~~Agency for Workforce Innovation~~. The
788 department ~~Agency for Workforce Innovation~~ shall annually report
789 to the Legislature any problems relating to administrative
790 costs.

791 (e) The Department of Children and Family Services ~~Agency~~
792 ~~for Workforce Innovation~~ shall annually distribute, to a maximum
793 extent practicable, all eligible funds provided under this
794 section as block grants to the early learning coalitions in
795 accordance with the terms and conditions specified by the
796 department ~~agency~~.



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797 (f) State funds appropriated for the school readiness
798 program may not be used for the construction of new facilities
799 or the purchase of buses.

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

803 (10) CONFLICTING PROVISIONS.—If a conflict exists between
804 this section and federal requirements, the federal requirements
805 control.

806 (11) SUBSTITUTE INSTRUCTORS.—Each school district shall
807 make a list of all individuals currently eligible to act as a
808 substitute teacher within the county pursuant to the rules
809 adopted by the school district pursuant to s. 1012.35 available
810 to an early learning coalition serving students within the
811 school district. Child care facilities, as defined by s.
812 402.302, may employ individuals listed as substitute instructors
813 for the purpose of offering the school readiness program, ~~the~~
814 ~~Voluntary Prekindergarten Education Program,~~ and all other
815 legally operating child care programs.

816 Section 44. Section 411.0102, Florida Statutes, is amended
817 to read:

818 411.0102 Child Care Executive Partnership Act; findings and
819 intent; grant; limitation; rules.—

820 (1) This section may be cited as the "Child Care Executive
821 Partnership Act."

822 (2) (a) The Legislature finds that when private employers
823 provide onsite child care or provide other child care benefits,
824 they benefit by improved recruitment and higher retention rates
825 for employees, lower absenteeism, and improved employee morale.



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826 The Legislature also finds that there are many ways in which
827 private employers can provide child care assistance to
828 employees: information and referral, vouchering, employer
829 contribution to child care programs, and onsite care. Private
830 employers can offer child care as part of a menu of employee
831 benefits. The Legislature recognizes that flexible compensation
832 programs providing a child care option are beneficial to the
833 private employer through increased productivity, to the private
834 employee in knowing that his or her children are being cared for
835 in a safe and nurturing environment, and to the state in more
836 dollars being available for purchasing power and investment.

837 (b) It is the intent of the Legislature to promote
838 public/private partnerships to ensure that the children of the
839 state be provided safe and enriching child care at any time, but
840 especially while parents work to remain self-sufficient. It is
841 the intent of the Legislature that private employers be
842 encouraged to participate in the future of this state by
843 providing employee child care benefits. Further, it is the
844 intent of the Legislature to encourage private employers to
845 explore innovative ways to assist employees to obtain quality
846 child care.

847 (c) The Legislature further recognizes that many parents
848 need assistance in paying the full costs of quality child care.
849 The public and private sectors, by working in partnership, can
850 promote and improve access to quality child care and early
851 education for children of working families who need it.
852 Therefore, a more formal mechanism is necessary to stimulate the
853 establishment of public-private partnerships. It is the intent
854 of the Legislature to expand the availability of scholarship



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855 options for working families by providing incentives for
856 employers to contribute to meeting the needs of their employees'
857 families through matching public dollars available for child
858 care.

859 (3) There is created a body politic and corporate known as
860 the Child Care Executive Partnership which shall establish and
861 govern the Child Care Executive Partnership Program. The purpose
862 of the Child Care Executive Partnership Program is to utilize
863 state and federal funds as incentives for matching local funds
864 derived from local governments, employers, charitable
865 foundations, and other sources so that Florida communities may
866 create local flexible partnerships with employers. The Child
867 Care Executive Partnership Program funds shall be used at the
868 discretion of local communities to meet the needs of working
869 parents. A child care purchasing pool shall be developed with
870 the state, federal, and local funds to provide subsidies to low-
871 income working parents whose family income does not exceed the
872 allowable income for any federally subsidized child care program
873 with a dollar-for-dollar match from employers, local government,
874 and other matching contributions. The funds used from the child
875 care purchasing pool must be used to supplement or extend the
876 use of existing public or private funds.

877 (4) The Child Care Executive Partnership, staffed by the
878 Department of Children and Family Services ~~Agency for Workforce~~
879 ~~Innovation~~, shall consist of a representative of the Executive
880 Office of the Governor and nine members of the corporate or
881 child care community, appointed by the Governor.

882 (a) Members shall serve for a period of 4 years, except
883 that the representative of the Executive Office of the Governor



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884 shall serve at the pleasure of the Governor.

885 (b) The Child Care Executive Partnership shall be chaired
886 by a member chosen by a majority vote and shall meet at least
887 quarterly and at other times upon the call of the chair. The
888 Child Care Executive Partnership may use any method of
889 telecommunications to conduct meetings, including establishing a
890 quorum through telecommunications, only if the public is given
891 proper notice of a telecommunications meeting and reasonable
892 access to observe and, when appropriate, participate.

893 (c) Members shall serve without compensation, but may be
894 reimbursed for per diem and travel expenses in accordance with
895 s. 112.061.

896 (d) The Child Care Executive Partnership shall have all the
897 powers and authority, not explicitly prohibited by statute,
898 necessary to carry out and effectuate the purposes of this
899 section, as well as the functions, duties, and responsibilities
900 of the partnership, including, but not limited to, the
901 following:

902 1. Assisting in the formulation and coordination of the
903 state's child care policy.

904 2. Adopting an official seal.

905 3. Soliciting, accepting, receiving, investing, and
906 expending funds from public or private sources.

907 4. Contracting with public or private entities as
908 necessary.

909 5. Approving an annual budget.

910 6. Carrying forward any unexpended state appropriations
911 into succeeding fiscal years.

912 7. Providing a report to the Governor, the Speaker of the



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913 House of Representatives, and the President of the Senate, on or
914 before December 1 of each year.

915 (5) (a) The Legislature shall annually determine the amount
916 of state or federal low-income child care moneys which shall be
917 used to create Child Care Executive Partnership Program child
918 care purchasing pools in counties chosen by the Child Care
919 Executive Partnership, provided that at least two of the
920 counties have populations of no more than 300,000. The
921 Legislature shall annually review the effectiveness of the child
922 care purchasing pool program and reevaluate the percentage of
923 additional state or federal funds, if any, which ~~that~~ can be
924 used for the program's expansion.

925 (b) To ensure a seamless service delivery and ease of
926 access for families, an early learning coalition or the
927 Department of Children and Family Services Agency for Workforce
928 ~~Innovation~~ shall administer the child care purchasing pool
929 funds.

930 (c) The Department of Children and Family Services Agency
931 ~~for Workforce Innovation~~, in conjunction with the Child Care
932 Executive Partnership, shall develop procedures for disbursement
933 of funds through the child care purchasing pools. In order to be
934 considered for funding, an early learning coalition or the
935 Department of Children and Family Services Agency for Workforce
936 ~~Innovation~~ must commit to:

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

939 2. Expending only those public funds that ~~which~~ are matched
940 by employers, local government, and other matching contributors
941 who contribute to the purchasing pool. Parents shall also pay a



942 fee, which may not be less than the amount identified in the
943 early learning coalition's school readiness program sliding fee
944 scale.

945 (d) Each early learning coalition shall establish a
946 community child care task force for each child care purchasing
947 pool. The task force must be composed of employers, parents,
948 private child care providers, and one representative from the
949 local children's services council, if one exists in the area of
950 the purchasing pool. The early learning coalition is expected to
951 recruit the task force members from existing child care
952 councils, commissions, or task forces already operating in the
953 area of a purchasing pool. A majority of the task force shall
954 consist of employers.

955 (e) Each participating early learning coalition board shall
956 develop a plan for the use of child care purchasing pool funds.
957 The plan must show how many children will be served by the
958 purchasing pool, how many will be new to receiving child care
959 services, and how the early learning coalition intends to
960 attract new employers and their employees to the program.

961 (6) The Department of Children and Family Services Agency
962 ~~for Workforce Innovation~~ shall adopt any rules necessary for the
963 implementation and administration of this section.

964
965 ===== T I T L E A M E N D M E N T =====

966 And the title is amended as follows:

967 Delete line 285

968 and insert:

969 an electronic transfer benefit program; amending s.
970 411.01, F.S.; providing for the school readiness



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971 programs to be administered by the Department of
972 Children and Family Services rather than by the Agency
973 for Workforce Innovation; revising legislative intent;
974 amending s.