

FOR CONSIDERATION By the Committee on Budget

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1                                   A bill to be entitled  
2           An act relating to early learning funding; amending s.  
3           411.01, F.S.; revising the duties of the Office of  
4           Early Learning; authorizing the Office of Early  
5           Learning to adopt rules relating to the adoption of a  
6           uniform chart of accounts and the adoption of a  
7           statewide, standardized contract and standardized  
8           contract monitoring tool; requiring that the Office of  
9           Early Learning coordinate with other state agencies to  
10          perform data matches on families participating in the  
11          school readiness program; revising the minimum number  
12          of children who must be served by each early learning  
13          coalition; deleting provisions that require the Office  
14          of Early Learning to grant waivers to early learning  
15          coalitions serving fewer children than the minimum  
16          number established; requiring that each school  
17          readiness provider administer preassessments and  
18          postassessments; revising the standards for school  
19          readiness plans to conform to changes made by the act;  
20          requiring that each approved plan require a parent  
21          copayment of a minimum percentage of a family's  
22          income; authorizing an early learning coalition to  
23          grant a waiver from such parent copayment; revising  
24          provisions relating to eligibility for school  
25          readiness programs; requiring that each early learning  
26          coalition give priority to children who meet certain  
27          requirements; requiring that funding for the school  
28          readiness program be allocated among the early  
29          learning coalitions pursuant to the act or as provided

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30 in the General Appropriations Act; revising provisions  
31 relating to the minimum percentage of funds to be used  
32 for administrative, nondirect, and quality  
33 expenditures; authorizing the Office of Early Learning  
34 to provide waivers of limitations on such expenditures  
35 under certain circumstances; requiring that the Office  
36 of Early Learning adopt school readiness provider  
37 payment rates for each early learning coalition  
38 service area based on the prevailing market rate;  
39 requiring that the Office of Early Learning ensure  
40 that each payment rate is uniform statewide by care  
41 level and provider type; authorizing the Office of  
42 Early Learning to investigate early learning  
43 coalitions and school readiness recipients and  
44 providers for fraud or overpayment; providing  
45 reporting requirements; providing penalties; amending  
46 s. 411.0101, F.S.; conforming a cross-reference;  
47 amending s. 411.01013, F.S.; revising provisions  
48 relating to the prevailing market rate schedule  
49 established by the Office of Early Learning; requiring  
50 that each child care and early learning education  
51 provider that receives school readiness funds submit  
52 its market rate to the Office of Early Learning by a  
53 specified date each year; amending s. 411.0106, F.S.;  
54 conforming a cross-reference; amending s. 1002.71,  
55 F.S.; requiring that the Office of Early Learning  
56 establish criteria for granting exemptions for good  
57 cause for children enrolled in prekindergarten  
58 programs; providing an effective date.

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59  
60 Be It Enacted by the Legislature of the State of Florida:

61  
62 Section 1. Section 411.01, Florida Statutes, is amended to  
63 read:

64 411.01 School readiness programs; early learning  
65 coalitions.—

66 (1) SHORT TITLE.—This section may be cited as the "School  
67 Readiness Act."

68 (2) LEGISLATIVE INTENT.—

69 (a) The Legislature recognizes that school readiness  
70 programs increase children's chances of achieving future  
71 educational success and becoming productive members of society.  
72 It is the intent of the Legislature that the programs be  
73 developmentally appropriate, research-based, involve the parent  
74 as a child's first teacher, serve as preventive measures for  
75 children at risk of future school failure, enhance the  
76 educational readiness of eligible children, and support family  
77 education. Each school readiness program shall provide the  
78 elements necessary to prepare at-risk children for school,  
79 including health screening and referral and an appropriate  
80 educational program.

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

85 (c) It is the intent of the Legislature that school  
86 readiness programs not exist as isolated programs, but build  
87 upon existing services and work in cooperation with other

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88 programs for young children, and that school readiness programs  
89 be coordinated to achieve full effectiveness.

90 (d) It is the intent of the Legislature that the  
91 administrative staff for school readiness programs be kept to  
92 the minimum necessary to administer the duties of the Office of  
93 Early Learning and early learning coalitions. The Office of  
94 Early Learning shall adopt system support services at the state  
95 level to build a comprehensive early learning system. Each early  
96 learning coalition shall implement and maintain direct  
97 enhancement services at the local level, as approved in its  
98 school readiness plan by the Office of Early Learning, and  
99 ensure access to such services in all 67 counties.

100 (e) It is the intent of the Legislature that the school  
101 readiness program coordinate and operate in conjunction with the  
102 district school systems. However, it is also the intent of the  
103 Legislature that the school readiness program not be construed  
104 as part of the system of free public schools but rather as a  
105 separate program for children under the age of kindergarten  
106 eligibility, funded separately from the system of free public  
107 schools, utilizing a mandatory sliding fee scale, and providing  
108 an integrated and seamless system of school readiness services  
109 for the state's birth-to-kindergarten population.

110 (f) It is the intent of the Legislature that school  
111 readiness services be an integrated and seamless program of  
112 services with a developmentally appropriate education component  
113 for the state's eligible birth-to-kindergarten population  
114 described in subsection (6) and not be construed as part of the  
115 seamless K-20 education system.

116 (3) PARENTAL PARTICIPATION IN SCHOOL READINESS PROGRAMS.—

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117 This section does not:

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

120 (b) Create any obligation to provide publicly funded school  
121 readiness programs or services beyond those authorized by the  
122 Legislature.

123 (4) OFFICE OF EARLY LEARNING OF THE DEPARTMENT OF  
124 EDUCATION.—

125 (a) The Office of Early Learning shall administer school  
126 readiness programs at the state level and shall coordinate with  
127 the early learning coalitions in providing school readiness  
128 services on a full-day, full-year, full-choice basis to the  
129 extent possible in order to enable parents to work and be  
130 financially self-sufficient.

131 (b) The Office of Early Learning shall:

132 1. Prioritize services to eligible children from birth to  
133 kindergarten.

134 ~~2.1.~~ Coordinate the birth-to-kindergarten services for  
135 children who are eligible under subsection (6) and the  
136 programmatic, administrative, and fiscal standards under this  
137 section for all public providers of school readiness programs.

138 ~~3.2.~~ Focus on improving the educational quality of all  
139 program providers participating in publicly funded school  
140 readiness programs.

141 ~~4.3.~~ Provide comprehensive services to the state's birth-  
142 to-5 population, which shall ensure the preservation of parental  
143 choice by permitting parents to choose from a variety of child  
144 care categories, including: center-based child care; group home  
145 child care; family child care; and in-home child care. Care and

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146 curriculum by a sectarian provider may not be limited or  
147 excluded in any of these categories.

148 (c) The Governor shall designate the Office of Early  
149 Learning as the lead agency for administration of the federal  
150 Child Care and Development Fund, 45 C.F.R. parts 98 and 99, and  
151 the office shall comply with the lead agency responsibilities  
152 under federal law.

153 (d) The Office of Early Learning shall:

154 1. Be responsible for the prudent use of all public and  
155 private funds in accordance with all legal and contractual  
156 requirements.

157 2. Adopt a uniform chart of accounts for budgeting and  
158 financial reporting which provides standard definitions for  
159 expenditures and reports for each of the following categories:

160 a. Direct expenditures for services to children;

161 b. Administrative costs;

162 c. Nondirect expenditures; and

163 d. Quality.

164 ~~3.2.~~ Provide final approval and every 2 years review early  
165 learning coalitions and school readiness plans.

166 ~~4.3.~~ Establish a unified approach to the state's efforts  
167 toward enhancement of school readiness. In support of this  
168 effort, the Office of Early Learning shall adopt specific system  
169 support services that address the state's school readiness  
170 programs. An early learning coalition shall amend its school  
171 readiness plan to conform to the specific system support  
172 services adopted by the Office of Early Learning. System support  
173 services shall include, ~~but are not limited to:~~

174 a. Child care resource and referral services;

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- 175 b. Warm-Line services;  
176 c. Eligibility determinations;  
177 d. Child performance standards;  
178 e. Child screening ~~and assessment~~;  
179 f. Developmentally appropriate curricula;  
180 g. Health and safety requirements;  
181 h. Statewide data system requirements; and  
182 i. Rating and improvement systems.

183 ~~5.4.~~ Safeguard the effective use of and prioritize federal  
184 and state funds for direct services, ~~local, and private~~  
185 ~~resources~~ to achieve the highest possible level of school  
186 readiness for the children in this state.

187 ~~6.5.~~ Adopt a rule establishing criteria for the expenditure  
188 of funds designated for the purpose of funding activities to  
189 improve the quality of child care within the state in accordance  
190 with s. 658G of the federal Child Care and Development Block  
191 Grant Act.

192 ~~7.6.~~ Provide technical assistance to early learning  
193 coalitions in a manner determined by the Office of Early  
194 Learning based upon information obtained by the office from  
195 various sources, including, but not limited to, public input,  
196 government reports, private interest group reports, office  
197 monitoring visits, and coalition requests for service.

198 ~~8.7.~~ In cooperation with the early learning coalitions,  
199 coordinate with the Child Care Services Program Office of the  
200 Department of Children and Family Services to minimize  
201 duplicating interagency activities, health and safety  
202 monitoring, and acquiring and composing data pertaining to child  
203 care training and credentialing.

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204       ~~9.8.~~ Develop and adopt performance standards and outcome  
205 measures for school readiness programs. The performance  
206 standards must address the age-appropriate progress of children  
207 in the development of school readiness skills. The performance  
208 standards for children from birth to 5 years of age in school  
209 readiness programs must be integrated with the performance  
210 standards adopted by the Department of Education for children in  
211 the Voluntary Prekindergarten Education Program under s.  
212 1002.67.

213       10. By July 1, 2013, identify a preassessment and  
214 postassessment aligned with the performance standards adopted  
215 under subparagraph 9. The preassessments and postassessments  
216 shall begin immediately after adoption and shall be used by  
217 school readiness program providers. The office shall collect the  
218 results of the preassessments and postassessments statewide to  
219 evaluate the effectiveness of the school readiness program. At a  
220 minimum, a preassessment shall be administered to each child who  
221 participates in a school readiness program within the first 45  
222 days after enrollment. By May 30 of each year, a postassessment  
223 shall be administered to each child who participates in a  
224 provider's program for at least the previous 6 months.

225       ~~11.9.~~ Adopt a statewide, standardized ~~standard~~ contract  
226 that must be used by the coalitions when contracting with school  
227 readiness providers. The office shall prohibit the coalitions  
228 from adopting addenda to the contract.

229       12. Adopt a statewide, standardized contract monitoring  
230 tool that must be used by each early learning coalition when  
231 monitoring the compliance of school readiness providers under  
232 the statewide, standardized contract adopted under subparagraph



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233 11.

234 (e) The Office of Early Learning may adopt rules under ss.  
235 120.536(1) and 120.54 to administer the provisions of law  
236 conferring duties upon the office, including, but not limited  
237 to, rules governing the administration of system support  
238 services of school readiness programs, the adoption of a uniform  
239 chart of accounts, the adoption of a statewide, standardized  
240 contract and standardized contract monitoring tool, the  
241 collection of data, the approval of early learning coalitions  
242 and school readiness plans, the provision of a method whereby an  
243 early learning coalition may serve two or more counties, the  
244 award of incentives to early learning coalitions, child  
245 performance standards, child outcome measures, the issuance of  
246 waivers, and the implementation of the state's Child Care and  
247 Development Fund Plan as approved by the federal Administration  
248 for Children and Families.

249 (f) The Office of Early Learning shall have all powers  
250 necessary to administer this section, including, but not limited  
251 to, the power to receive and accept grants, loans, or advances  
252 of funds from any public or private agency and to receive and  
253 accept from any source contributions of money, property, labor,  
254 or any other thing of value, to be held, used, and applied for  
255 purposes of this section.

256 (g) Except as provided by law, the Office of Early Learning  
257 may not impose requirements on a child care or early childhood  
258 education provider that does not deliver services under the  
259 school readiness programs or receive state or federal funds  
260 under this section.

261 (h) The Office of Early Learning shall have a budget for

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262 school readiness programs, which shall be financed through an  
263 annual appropriation made for purposes of this section in the  
264 General Appropriations Act.

265 (i) The Office of Early Learning shall coordinate with  
266 other state agencies to perform data matches on families  
267 participating in the school readiness program in order to ensure  
268 proper eligibility for the school readiness program.

269 (j)~~(i)~~ The Office of Early Learning shall coordinate the  
270 efforts toward school readiness in this state and provide  
271 independent policy analyses, data analyses, and recommendations  
272 to the Governor, the State Board of Education, and the  
273 Legislature.

274 (k)~~(j)~~ The Office of Early Learning shall require that  
275 school readiness programs, at a minimum, enhance the age-  
276 appropriate progress of each child in attaining the performance  
277 standards adopted under subparagraph (d) 9. ~~(d) 8.~~ and in the  
278 development of the following school readiness skills:

- 279 1. Compliance with rules, limitations, and routines.
- 280 2. Ability to perform tasks.
- 281 3. Interactions with adults.
- 282 4. Interactions with peers.
- 283 5. Ability to cope with challenges.
- 284 6. Self-help skills.
- 285 7. Ability to express the child's needs.
- 286 8. Verbal communication skills.
- 287 9. Problem-solving skills.
- 288 10. Following of verbal directions.
- 289 11. Demonstration of curiosity, persistence, and  
290 exploratory behavior.

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- 291 12. Interest in books and other printed materials.  
292 13. Paying attention to stories.  
293 14. Participation in art and music activities.  
294 15. Ability to identify colors, geometric shapes, letters  
295 of the alphabet, numbers, and spatial and temporal  
296 relationships.

297

298 Within 30 days after enrollment in the school readiness program,  
299 the early learning coalition must ensure that the program  
300 provider obtains information regarding the child's  
301 immunizations, physical development, and other health  
302 requirements as necessary, including appropriate vision and  
303 hearing screening and examinations. ~~For a program provider  
304 licensed by the Department of Children and Family Services, the  
305 provider's compliance with s. 402.305(9), as verified pursuant  
306 to s. 402.311, shall satisfy this requirement.~~

307 (l) ~~(k)~~ The Office of Early Learning shall conduct studies  
308 and planning activities related to the overall improvement and  
309 effectiveness of the outcome measures adopted by the office for  
310 school readiness programs and the specific system support  
311 services to address the state's school readiness programs  
312 adopted by the Office of Early Learning in accordance with  
313 subparagraph (d)4. ~~(d)3.~~

314 (m) ~~(l)~~ The Office of Early Learning shall monitor and  
315 evaluate the performance of each early learning coalition in  
316 administering the school readiness program, implementing the  
317 coalition's school readiness plan, and administering the  
318 Voluntary Prekindergarten Education Program. These monitoring  
319 and performance evaluations must include, at a minimum, onsite

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320 monitoring of each coalition's finances, management, operations,  
321 and programs.

322 (n)~~(m)~~ The Office of Early Learning shall submit an annual  
323 report of its activities conducted under this section to the  
324 Governor, the President of the Senate, the Speaker of the House  
325 of Representatives, and the minority leaders of both houses of  
326 the Legislature. In addition, the Office of Early Learning's  
327 reports and recommendations shall be made available to the  
328 Florida Early Learning Advisory Council and other appropriate  
329 state agencies and entities. The annual report must provide an  
330 analysis of school readiness activities across the state,  
331 including the number of children who were served in the  
332 programs.

333 (o)~~(n)~~ The Office of Early Learning shall work with the  
334 early learning coalitions to ensure availability of training and  
335 support for parental involvement in children's early education  
336 and to provide family literacy activities and services.

337 (5) CREATION OF EARLY LEARNING COALITIONS.—

338 (a) *Early learning coalitions.*—

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

342 2. The Office of Early Learning shall establish the minimum  
343 number of children to be served by each early learning coalition  
344 through the coalition's school readiness program. The Office of  
345 Early Learning may only approve school readiness plans in  
346 accordance with this minimum number. The minimum number must be  
347 uniform for every early learning coalition and must:

348 a. Permit 31 or fewer coalitions to be established; and

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349           b. Require each coalition to serve at least 1,700 ~~2,000~~  
350 children based upon the average number of all children served  
351 per month through the coalition's school readiness program  
352 during the previous 12 months.

353           3. If an early learning coalition would serve fewer  
354 children than the minimum number established under subparagraph  
355 2., the coalition must merge with another county to form a  
356 multicounty coalition. The Office of Early Learning shall adopt  
357 procedures for merging early learning coalitions, including  
358 procedures for the consolidation of merging coalitions, and for  
359 the early termination of the terms of coalition members which  
360 are necessary to accomplish the mergers. ~~However, the Office of~~  
361 ~~Early Learning shall grant a waiver to an early learning~~  
362 ~~coalition to serve fewer children than the minimum number~~  
363 ~~established under subparagraph 2., if:~~

364           ~~a. The Office of Early Learning has determined during the~~  
365 ~~most recent review of the coalition's school readiness plan, or~~  
366 ~~through monitoring and performance evaluations conducted under~~  
367 ~~paragraph (4)(1), that the coalition has substantially~~  
368 ~~implemented its plan;~~

369           ~~b. The coalition demonstrates to the Office of Early~~  
370 ~~Learning the coalition's ability to effectively and efficiently~~  
371 ~~implement the Voluntary Prekindergarten Education Program; and~~

372           ~~e. The coalition demonstrates to the Office of Early~~  
373 ~~Learning that the coalition can perform its duties in accordance~~  
374 ~~with law.~~

375  
376 ~~If an early learning coalition fails or refuses to merge as~~  
377 ~~required by this subparagraph, the Office of Early Learning may~~

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378 ~~dissolve the coalition and temporarily contract with a qualified~~  
379 ~~entity to continue school readiness and prekindergarten services~~  
380 ~~in the coalition's county or multicounty region until the office~~  
381 ~~reestablishes the coalition and a new school readiness plan is~~  
382 ~~approved by the office.~~

383       4. Each early learning coalition shall be composed of at  
384 least 15 members but not more than 30 members. The Office of  
385 Early Learning shall adopt standards establishing within this  
386 range the minimum and maximum number of members that may be  
387 appointed to an early learning coalition and procedures for  
388 identifying which members have voting privileges under  
389 subparagraph 6. These standards must include variations for a  
390 coalition serving a multicounty region. Each early learning  
391 coalition must comply with these standards.

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

396       6. Each early learning coalition must include the following  
397 member positions; however, in a multicounty coalition, each ex  
398 officio member position may be filled by multiple nonvoting  
399 members but no more than one voting member shall be seated per  
400 member position. If an early learning coalition has more than  
401 one member representing the same entity, only one of such  
402 members may serve as a voting member:

403           a. A Department of Children and Family Services circuit  
404 administrator or his or her designee who is authorized to make  
405 decisions on behalf of the department.

406           b. A district superintendent of schools or his or her

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407 designee who is authorized to make decisions on behalf of the  
408 district.

409 c. A regional workforce board executive director or his or  
410 her designee.

411 d. A county health department director or his or her  
412 designee.

413 e. A children's services council or juvenile welfare board  
414 chair or executive director, if applicable.

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

417 g. A president of a community college or his or her  
418 designee.

419 h. One member appointed by a board of county commissioners  
420 or the governing board of a municipality.

421 i. A central agency administrator, where applicable.

422 j. A Head Start director.

423 k. A representative of private for-profit child care  
424 providers, including private for-profit family day care homes.

425 l. A representative of faith-based child care providers.

426 m. A representative of programs for children with  
427 disabilities under the federal Individuals with Disabilities  
428 Education Act.

429 7. Including the members appointed by the Governor under  
430 subparagraph 5., more than one-third of the members of each  
431 early learning coalition must be private sector business members  
432 who do not have, and none of whose relatives as defined in s.  
433 112.3143 has, a substantial financial interest in the design or  
434 delivery of the Voluntary Prekindergarten Education Program  
435 created under part V of chapter 1002 or the coalition's school

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436 readiness program. To meet this requirement an early learning  
437 coalition must appoint additional members. The Office of Early  
438 Learning shall establish criteria for appointing private sector  
439 business members. These criteria must include standards for  
440 determining whether a member or relative has a substantial  
441 financial interest in the design or delivery of the Voluntary  
442 Prekindergarten Education Program or the coalition's school  
443 readiness program.

444 8. A majority of the voting membership of an early learning  
445 coalition constitutes a quorum required to conduct the business  
446 of the coalition. An early learning coalition board may use any  
447 method of telecommunications to conduct meetings, including  
448 establishing a quorum through telecommunications, provided that  
449 the public is given proper notice of a telecommunications  
450 meeting and reasonable access to observe and, when appropriate,  
451 participate.

452 9. A voting member of an early learning coalition may not  
453 appoint a designee to act in his or her place, except as  
454 otherwise provided in this paragraph. A voting member may send a  
455 representative to coalition meetings, but that representative  
456 does not have voting privileges. When a district administrator  
457 for the Department of Children and Family Services appoints a  
458 designee to an early learning coalition, the designee is the  
459 voting member of the coalition, and any individual attending in  
460 the designee's place, including the district administrator, does  
461 not have voting privileges.

462 10. Each member of an early learning coalition is subject  
463 to ss. 112.313, 112.3135, and 112.3143. For purposes of s.  
464 112.3143(3)(a), each voting member is a local public officer who



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465 must abstain from voting when a voting conflict exists.

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

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

470 13. Each early learning coalition shall establish terms for  
471 all appointed members of the coalition. The terms must be  
472 staggered and must be a uniform length that does not exceed 4  
473 years per term. Coalition chairs shall be appointed for 4 years  
474 in conjunction with their membership on the Early Learning  
475 Advisory Council under s. 20.052. Appointed members may serve a  
476 maximum of two consecutive terms. When a vacancy occurs in an  
477 appointed position, the coalition must advertise the vacancy.

478 (b) *Limitation.*—Except as provided by law, the early  
479 learning coalitions may not impose requirements on a child care  
480 or early childhood education provider that does not deliver  
481 services under the school readiness programs or receive state,  
482 federal, required maintenance of effort, or matching funds under  
483 this section.

484 (c) *Program expectations.*—

485 1. The school readiness program must meet the following  
486 expectations:

487 a. The program must, at a minimum, enhance the age-  
488 appropriate progress of each child in attaining the performance  
489 standards and outcome measures adopted by the Office of Early  
490 Learning.

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

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494 c. The program must provide a coordinated professional  
495 development system that supports the achievement and maintenance  
496 of core competencies by school readiness instructors in helping  
497 children attain the performance standards and outcome measures  
498 adopted by the Office of Early Learning.

499 d. There must be expanded access to community services and  
500 resources for families to help achieve economic self-  
501 sufficiency.

502 e. There must be a single point of entry and unified  
503 waiting list. As used in this sub-subparagraph, the term "single  
504 point of entry" means an integrated information system that  
505 allows a parent to enroll his or her child in the school  
506 readiness program at various locations throughout a county, that  
507 may allow a parent to enroll his or her child by telephone or  
508 through an Internet website, and that uses a unified waiting  
509 list to track eligible children waiting for enrollment in the  
510 school readiness program. The Office of Early Learning shall  
511 establish through technology a single statewide information  
512 system that each coalition must use for the purposes of managing  
513 the single point of entry, tracking children's progress,  
514 coordinating services among stakeholders, determining  
515 eligibility, tracking child attendance, and streamlining  
516 administrative processes for providers and early learning  
517 coalitions.

518 ~~f. The Office of Early Learning must consider the access of~~  
519 ~~eligible children to the school readiness program, as~~  
520 ~~demonstrated in part by waiting lists, before approving a~~  
521 ~~proposed increase in payment rates submitted by an early~~  
522 ~~learning coalition. In addition, early learning coalitions shall~~

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523 ~~use school readiness funds made available due to enrollment~~  
524 ~~shifts from school readiness programs to the Voluntary~~  
525 ~~Prekindergarten Education Program for increasing the number of~~  
526 ~~children served in school readiness programs before increasing~~  
527 ~~payment rates.~~

528 f.g. The program must meet all state licensing guidelines,  
529 where applicable.

530 g.h. The program must ensure that minimum standards for  
531 child discipline practices are age-appropriate. Such standards  
532 must provide that children not be subjected to discipline that  
533 is severe, humiliating, or frightening or discipline that is  
534 associated with food, rest, or toileting. Spanking or any other  
535 form of physical punishment is prohibited.

536 2. Each early learning coalition must implement a  
537 comprehensive program of school readiness services in accordance  
538 with the rules adopted by the office which enhance the  
539 cognitive, social, and physical development of children to  
540 achieve the performance standards and outcome measures. At a  
541 minimum, these programs must contain the following system  
542 support service elements:

543 a. Developmentally appropriate curriculum designed to  
544 enhance the age-appropriate progress of children in attaining  
545 the performance standards adopted by the Office of Early  
546 Learning under subparagraph (4) (d) 9 ~~(4) (d) 8~~.

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

548 c. An age-appropriate screening of each child's  
549 development.

550 d. An age-appropriate preassessment and postassessment of  
551 children as provided in subsection (4) ~~assessment administered~~

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552 ~~to children when they enter a program and an age appropriate~~  
553 ~~assessment administered to children when they leave the program.~~

554 e. An appropriate staff-to-children ratio, pursuant to s.  
555 402.305(4) or s. 402.302(8) or (11), as applicable, and as  
556 verified pursuant to s. 402.311.

557 f. A healthy and safe environment pursuant to s.  
558 401.305(5), (6), and (7), as applicable, and as verified  
559 pursuant to s. 402.311.

560 g. A resource and referral network established under s.  
561 411.0101 to assist parents in making an informed choice and a  
562 regional Warm-Line under s. 411.01015.

563

564 The Office of Early Learning and early learning coalitions shall  
565 coordinate with the Child Care Services Program Office of the  
566 Department of Children and Family Services to minimize  
567 duplicating interagency activities pertaining to acquiring and  
568 composing data for child care training and credentialing.

569 (d) *Implementation.*—

570 1. An early learning coalition may not implement the school  
571 readiness program until the coalition's school readiness plan is  
572 approved by the Office of Early Learning.

573 2. Each early learning coalition shall coordinate with one  
574 another to implement a comprehensive program of school readiness  
575 services which enhances the cognitive, social, physical, and  
576 moral character of the children to achieve the performance  
577 standards and outcome measures and which helps families achieve  
578 economic self-sufficiency. Such program must contain, at a  
579 minimum, the following elements:

580 a. Implement the school readiness program to meet the

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581 requirements of this section and the system support services,  
582 performance standards, and outcome measures adopted by the  
583 Office of Early Learning.

584 b. Demonstrate how the program will ensure that each child  
585 from birth through 5 years of age in a publicly funded school  
586 readiness program receives scheduled activities and instruction  
587 designed to enhance the age-appropriate progress of the children  
588 in attaining the performance standards adopted by the department  
589 under subparagraph (4) (d) 9 ~~(4) (d) 8~~.

590 c. Ensure that the coalition has solicited and considered  
591 comments regarding the proposed school readiness plan from the  
592 local community.

593

594 Before implementing the school readiness program, the early  
595 learning coalition must submit the plan to the office for  
596 approval. The office may approve the plan, reject the plan, or  
597 approve the plan with conditions. The office shall review school  
598 readiness plans at least every 2 years.

599 3. If the Office of Early Learning determines during the  
600 review of school readiness plans, or through monitoring and  
601 performance evaluations conducted under paragraph (4) (m) ~~(4) (l)~~,  
602 that an early learning coalition has not substantially  
603 implemented its plan, has not substantially met the performance  
604 standards and outcome measures adopted by the office, or has not  
605 effectively administered the school readiness program or  
606 Voluntary Prekindergarten Education Program, the office may  
607 dissolve the coalition and temporarily contract with a qualified  
608 entity to continue school readiness and prekindergarten services  
609 in the coalition's county or multicounty region until the office

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610 reestablishes the coalition and a new school readiness plan is  
611 approved in accordance with the rules adopted by the office.

612 4. The Office of Early Learning shall adopt rules  
613 establishing criteria for the approval of school readiness  
614 plans. The criteria must be consistent with the system support  
615 services, performance standards, and outcome measures adopted by  
616 the office and must require each approved plan to include the  
617 following minimum standards for the school readiness program:

618 a. A community plan that addresses the needs of all  
619 children and providers within the coalition's county or  
620 multicounty region.

621 b. Require a parent copayment of at least 10 percent of a  
622 family's income ~~A sliding fee scale establishing a copayment for~~  
623 ~~parents based upon their ability to pay, which is the same for~~  
624 ~~all program providers. An early learning coalition may grant a~~  
625 waiver from the required parent copayment on a case-by-case  
626 basis and in accordance with federal law.

627 c. A choice of settings and locations in licensed,  
628 registered, religious-exempt, or school-based programs to be  
629 provided to parents.

630 d. Specific eligibility priorities for children in  
631 accordance with subsection (6).

632 e. Performance standards and outcome measures adopted by  
633 the office.

634 ~~f. Payment rates adopted by the early learning coalitions~~  
635 ~~and approved by the office. Payment rates may not have the~~  
636 ~~effect of limiting parental choice or creating standards or~~  
637 ~~levels of services that have not been expressly established by~~  
638 ~~the Legislature, unless the creation of such standards or levels~~

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639 ~~of service, which must be uniform throughout the state, has been~~  
640 ~~approved by the Federal Government and result in the state being~~  
641 ~~eligible to receive additional federal funds available for early~~  
642 ~~learning on a statewide basis.~~

643 f.g. Direct enhancement services for families and children.  
644 System support and direct enhancement services shall be in  
645 addition to payments for the placement of children in school  
646 readiness programs. Direct enhancement services for families may  
647 include parent training and involvement activities and  
648 strategies to meet the needs of unique populations and local  
649 eligibility priorities. Enhancement services for children may  
650 include provider supports and professional development approved  
651 in the plan by the Office of Early Learning.

652 g.h. The business organization of the early learning  
653 coalition, which must include the coalition's articles of  
654 incorporation and bylaws if the coalition is organized as a  
655 corporation. If the coalition is not organized as a corporation  
656 or other business entity, the plan must include the contract  
657 with a fiscal agent. An early learning coalition may contract  
658 with other coalitions to achieve efficiency in multicounty  
659 services, and these contracts may be part of the coalition's  
660 school readiness plan.

661 h.i. The implementation of locally developed quality  
662 programs in accordance with the requirements adopted by the  
663 office under subparagraph (4)(d)6 ~~(4)(d)5~~.

664  
665 The Office of Early Learning may request the Governor to apply  
666 for a waiver to allow the coalition to administer the Head Start  
667 Program to accomplish the purposes of the school readiness

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668 program.

669 5. Persons with an early childhood teaching certificate may  
670 provide support and supervision to other staff in the school  
671 readiness program.

672 6. An early learning coalition may not implement its school  
673 readiness plan until it submits the plan to and receives  
674 approval from the Office of Early Learning. Once the plan is  
675 approved, the plan and the services provided under the plan  
676 shall be controlled by the early learning coalition. The plan  
677 shall be reviewed and revised as necessary, but at least  
678 biennially. An early learning coalition may not implement the  
679 revisions until the coalition submits the revised plan to and  
680 receives approval from the office. If the office rejects a  
681 revised plan, the coalition must continue to operate under its  
682 prior approved plan.

683 7. Section 125.901(2)(a)3. does not apply to school  
684 readiness programs. The Office of Early Learning may apply to  
685 the Governor and Cabinet for a waiver of, and the Governor and  
686 Cabinet may waive, any of the provisions of ss. 411.223 and  
687 1003.54, if the waiver is necessary for implementation of school  
688 readiness programs.

689 8. Two or more early learning coalitions may join for  
690 purposes of planning and implementing a school readiness  
691 program.

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

693 ~~4.~~ Each early learning coalition must comply with the  
694 procurement and expenditure procedures adopted by the Office of  
695 Early Learning, including, but not limited to, applying the  
696 procurement and expenditure procedures required by federal law



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697 for the expenditure of federal funds.

698 ~~2. Each early learning coalition shall adopt a payment~~  
699 ~~schedule that encompasses all programs funded under this~~  
700 ~~section. The payment schedule must take into consideration the~~  
701 ~~prevailing market rate, must include the projected number of~~  
702 ~~children to be served, and must be submitted for approval by the~~  
703 ~~Office of Early Learning. Informal child care arrangements shall~~  
704 ~~be reimbursed at not more than 50 percent of the rate adopted~~  
705 ~~for a family day care home.~~

706 (f) *Evaluation and annual report.*—Each early learning  
707 coalition shall conduct an evaluation of its implementation of  
708 the school readiness program, including system support services,  
709 performance standards, and outcome measures, and shall provide  
710 an annual report and fiscal statement to the Office of Early  
711 Learning. This report must also include an evaluation of the  
712 effectiveness of its direct enhancement services and conform to  
713 the content and format specifications adopted by the Office of  
714 Early Learning. The Office of Early Learning must include an  
715 analysis of the early learning coalitions' reports in the  
716 office's annual report.

717 (6) PROGRAM ELIGIBILITY.—~~The school readiness program is~~  
718 ~~established for children from birth to the beginning of the~~  
719 ~~school year for which a child is eligible for admission to~~  
720 ~~kindergarten in a public school under s. 1003.21(1)(a)2. or who~~  
721 ~~are eligible for any federal subsidized child care program. Each~~  
722 early learning coalition shall give priority for participation  
723 in the school readiness program as follows:

724 (a) Priority shall be given first to a child from birth  
725 through 12 years of age who is from a family in which there is

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726 an adult receiving temporary cash assistance who is subject to  
727 federal work requirements.

728 (b) Priority shall be given next to an at-risk a child from  
729 birth through 12 years of age who is eligible for a school  
730 readiness program but who has not yet entered school, who is  
731 served by the Family Safety Program Office of the Department of  
732 Children and Family Services or a community-based lead agency  
733 under chapter 39 or chapter 409, and for whom child care is  
734 needed to minimize risk of further abuse, neglect, or  
735 abandonment.

736 (c) Priority shall be given next to a child from birth  
737 through the beginning of the school year for which the child is  
738 eligible for admission to kindergarten in a public school under  
739 s. 1003.21(1)(a)2., who is from a working family that is  
740 economically disadvantaged, including children of agricultural  
741 workers. However, the child ceases to be eligible if his or her  
742 family income exceeds 200 percent of the federal poverty level.  
743 In addition, priority shall be given to a child who has special  
744 needs, who is 3 through 5 years of age, who has been determined  
745 eligible as a student with disabilities, and who has a current  
746 individual education plan.

747 (d) Priority shall be given next to a child who is younger  
748 than 13 years of age and who is a sibling of a child enrolled in  
749 the school readiness program under paragraph (c).

750 (e) Notwithstanding paragraphs (a)-(d), priority shall be  
751 given last to a child who otherwise meets the eligibility  
752 criteria in paragraph (c), but who is also enrolled concurrently  
753 in the federal Head Start program and the Voluntary  
754 Prekindergarten Education Program.

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755  
756 An early learning coalition may not disenroll any school  
757 readiness child who is receiving services under the eligibility  
758 priorities in effect on June 30, 2012, until such child is no  
759 longer eligible under those priorities. An early learning  
760 coalition shall enroll all eligible children, including those  
761 from its waiting list, in accordance with the eligibility  
762 priorities in this paragraph.

763 ~~(c) Subsequent priority shall be given to a child who meets~~  
764 ~~one or more of the following criteria:~~

765 ~~1. A child who is younger than the age of kindergarten~~  
766 ~~eligibility and:~~

767 ~~a. Is at risk of welfare dependency, including an~~  
768 ~~economically disadvantaged child, a child of a participant in~~  
769 ~~the welfare transition program, a child of a migratory~~  
770 ~~agricultural worker, or a child of a teen parent.~~

771 ~~b. Is a member of a working family that is economically~~  
772 ~~disadvantaged.~~

773 ~~e. For whom financial assistance is provided through the~~  
774 ~~Relative Caregiver Program under s. 39.5085.~~

775 ~~2. A 3-year-old child or 4-year-old child who may not be~~  
776 ~~economically disadvantaged but who has a disability; has been~~  
777 ~~served in a specific part-time exceptional education program or~~  
778 ~~a combination of part-time exceptional education programs with~~  
779 ~~required special services, aids, or equipment; and was~~  
780 ~~previously reported for funding part time under the Florida~~  
781 ~~Education Finance Program as an exceptional student.~~

782 ~~3. An economically disadvantaged child, a child with a~~  
783 ~~disability, or a child at risk of future school failure, from~~

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784 ~~birth to 4 years of age, who is served at home through a home~~  
785 ~~visitor program and an intensive parent education program.~~

786 ~~4. A child who meets federal and state eligibility~~  
787 ~~requirements for the migrant preschool program but who is not~~  
788 ~~economically disadvantaged.~~

789

790 As used in this paragraph, the term "economically disadvantaged"  
791 means having a family income that does not exceed 150 percent of  
792 the federal poverty level. Notwithstanding any change in a  
793 family's economic status, but subject to additional family  
794 contributions in accordance with the parent copayment under sub-  
795 subparagraph (5) (d) 4.b. sliding fee scale, a child who meets the  
796 eligibility requirements upon initial registration for the  
797 program remains eligible until the beginning of the school year  
798 for which the child is eligible for admission to kindergarten in  
799 a public school under s. 1003.21(1)(a)2.

800 (7) PARENTAL CHOICE.—

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

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

807 (c) The school readiness program shall, in accordance with  
808 45 C.F.R. s. 98.30, provide parental choice through a payment  
809 certificate that ensures, to the maximum extent possible,  
810 flexibility in the school readiness program and payment  
811 arrangements. The payment certificate must bear the names of the  
812 beneficiary and the program provider and, when redeemed, must

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813 bear the signatures of both the beneficiary and an authorized  
814 representative of the provider.

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

820 (e) The office of the Chief Financial Officer shall  
821 establish an electronic transfer system for the disbursement of  
822 funds in accordance with this subsection. Each early learning  
823 coalition shall fully implement the electronic funds transfer  
824 system within 2 years after approval of the coalition's school  
825 readiness plan, unless a waiver is obtained from the Office of  
826 Early Learning.

827 (8) STANDARDS; OUTCOME MEASURES.—A program provider  
828 participating in the school readiness program must meet the  
829 performance standards and outcome measures adopted by the Office  
830 of Early Learning.

831 (9) FUNDING; SCHOOL READINESS PROGRAM.—

832 (a) Funding for the school readiness program shall be  
833 allocated among the early learning coalitions in accordance with  
834 this section or as provided in the General Appropriations Act.  
835 ~~It is the intent of this section to establish an integrated and~~  
836 ~~quality seamless service delivery system for all publicly funded~~  
837 ~~early childhood education and child care programs operating in~~  
838 ~~this state.~~

839 (b)1. The Office of Early Learning shall administer school  
840 readiness funds, plans, and policies and shall prepare and  
841 submit a unified budget request for the school readiness system

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842 in accordance with chapter 216.

843 2. All instructions to early learning coalitions for  
844 administering this section shall emanate from the Office of  
845 Early Learning in accordance with the policies of the  
846 Legislature.

847 (c) The Office of Early Learning, subject to legislative  
848 notice and review under s. 216.177, shall establish a formula  
849 for the allocation of all state and federal school readiness  
850 funds provided for children participating in the school  
851 readiness program, whether served by a public or private  
852 provider, based upon equity for each county. The allocation  
853 formula must be submitted to the Governor, the chair of the  
854 Senate Ways and Means Committee or its successor, and the chair  
855 of the House of Representatives Fiscal Council or its successor  
856 no later than January 1 of each year. If the Legislature  
857 specifies changes to the allocation formula, the Office of Early  
858 Learning shall allocate funds as specified in the General  
859 Appropriations Act.

860 (d) All state, federal, and required local maintenance-of-  
861 effort or matching funds provided to an early learning coalition  
862 for purposes of this section shall be used for implementation of  
863 its approved school readiness plan, including the hiring of  
864 staff to effectively operate the coalition's school readiness  
865 program. As part of plan approval and periodic plan review, the  
866 Office of Early Learning shall require that administrative costs  
867 be kept to the minimum necessary for efficient and effective  
868 administration of the school readiness plan, but no more than 18  
869 percent may be used for administrative, nondirect, and quality  
870 expenditures, of which the total administrative expenditures

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871 must not exceed 4 ~~5~~ percent ~~unless specifically waived by the~~  
872 ~~Office of Early Learning. The Office of Early Learning may~~  
873 provide a waiver of this limitation to an early learning  
874 coalition during the 2012-2013 and 2013-2014 fiscal years if the  
875 early learning coalition provides adequate documentation  
876 justifying why it could not meet this limitation. The Office of  
877 ~~Early Learning shall annually report to the Legislature any~~  
878 ~~problems relating to administrative costs.~~

879 (e) For each early learning coalition, the Office of Early  
880 Learning shall adopt payment rates for school readiness  
881 providers based on the prevailing market rate schedule  
882 calculated under s. 411.01013. By July 1, 2015, the Office of  
883 Early Learning shall ensure that the payment rates are uniform  
884 statewide by care level and provider type. Each school readiness  
885 provider payment shall be based on the uniform statewide rate  
886 multiplied by the district cost differential as determined in s.  
887 1011.62(2) for the county in which the school readiness provider  
888 is located.

889 (f)~~(e)~~ The Office of Early Learning shall annually  
890 distribute, to a maximum extent practicable, all eligible funds  
891 provided under this section as block grants to the early  
892 learning coalitions in accordance with the terms and conditions  
893 specified by the office.

894 (g)~~(f)~~ State funds appropriated for the school readiness  
895 program may not be used for the construction of new facilities  
896 or the purchase of buses.

897 (h)~~(g)~~ All cost savings and all revenues received through a  
898 mandatory parent copayment ~~sliding fee scale~~ shall be used to  
899 help fund each early learning coalition's school readiness

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900 program.

901 (10) CONFLICTING PROVISIONS.—If a conflict exists between  
902 this section and federal requirements, the federal requirements  
903 control.

904 (11) INVESTIGATIONS OF FRAUD OR OVERPAYMENT; PENALTIES.—

905 (a) The Office of Early Learning may investigate early  
906 learning coalitions, recipients, and providers of the school  
907 readiness program. While conducting such investigation, the  
908 office may examine all records, including electronic benefits  
909 transfer records and make inquiry of all persons who may have  
910 knowledge as to any irregularity incidental to the disbursement  
911 of public moneys or other items or benefits authorizations to  
912 recipients. All school readiness recipients, as a condition  
913 precedent to qualification for public assistance under this  
914 chapter, must give in writing, on a form prescribed by rule of  
915 the Office of Early Learning, to the early learning coalition  
916 and to the Office of Early Learning, consent to make inquiry of  
917 past or present employers and records, financial or otherwise.

918 (b) The Office of Early Learning may employ persons having  
919 qualifications that are useful in conducting an investigation  
920 authorized under this subsection.

921 (c) The results of the investigation shall be reported by  
922 the Office of Early Learning to the appropriate legislative  
923 committees, the Department of Education, the Department of  
924 Financial Services, the Department of Children and Family  
925 Services, and to such others as the office may determine  
926 appropriate.

927 (d) The Department of Financial Services, the Department of  
928 Education, and the Department of Children and Family Services



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929 shall report to the Office of Early Learning the final  
930 disposition of all cases wherein action has been taken, whether  
931 criminal, civil, or administrative, based upon information  
932 furnished by the Office of Early Learning.

933 (e) All lawful fees and expenses of officers and witnesses,  
934 expenses incident to taking testimony and transcripts of  
935 testimony, and proceedings are a proper charge to the Office of  
936 Early Learning.

937 (f) This subsection shall be liberally construed in order  
938 to effectively carry out the purposes of this subsection in the  
939 interest of protecting public moneys and other public property.

940 (g) Based on the results of the investigation, in addition  
941 to the reporting requirement in paragraph (c), the Office of  
942 Early Learning may refer the investigation for criminal  
943 prosecution, seek civil enforcement, or refer the matter to the  
944 applicable early learning coalition.

945 (h) When the early learning coalition receives the referral  
946 described in paragraph (g), the early learning coalition may  
947 pursue reimbursement through the court system, suspend or deny  
948 the provider or client from further participation in the school  
949 readiness program, or create a repayment plan or other  
950 appropriate civil or administrative remedies.

951 (i) If an early learning coalition or other subrecipient  
952 reviews and determines that a school readiness provider has  
953 fraudulently misrepresented enrollment or attendance in order to  
954 receive funds related to the school readiness program, the early  
955 learning coalition or other subrecipient may not contract or use  
956 the services of that provider for a minimum of 3 years after  
957 such determination.

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958       (j) If a school readiness provider, after the investigation  
959 and adjudication by a court of competent jurisdiction, has been  
960 convicted of fraudulently misrepresenting eligibility,  
961 enrollment, or attendance related to the school readiness  
962 program, the early learning coalition shall permanently refrain  
963 from contracting with, or using the services of, that provider.

964       (k) As a condition of school readiness eligibility, subject  
965 to federal approval, a school readiness recipient shall agree in  
966 writing to forfeit all entitlements to any goods or services  
967 provided through the school readiness program for 3 years if the  
968 school readiness recipient has been found to have committed  
969 public assistance fraud, through judicial or administrative  
970 determination. This paragraph applies only to the school  
971 readiness recipient found to have committed or participated in  
972 public assistance fraud and does not apply to any family member  
973 of the recipient who was not involved in the fraud.

974       ~~(11) SUBSTITUTE INSTRUCTORS. Each school district shall~~  
975 ~~make a list of all individuals currently eligible to act as a~~  
976 ~~substitute teacher within the county pursuant to the rules~~  
977 ~~adopted by the school district pursuant to s. 1012.35 available~~  
978 ~~to an early learning coalition serving students within the~~  
979 ~~school district. Child care facilities, as defined by s.~~  
980 ~~402.302, may employ individuals listed as substitute instructors~~  
981 ~~for the purpose of offering the school readiness program, the~~  
982 ~~Voluntary Prekindergarten Education Program, and all other~~  
983 ~~legally operating child care programs.~~

984       Section 2. Subsection (1) of section 411.0101, Florida  
985 Statutes, is amended to read:

986       411.0101 Child care and early childhood resource and

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987 referral.-

988 (1) As a part of the school readiness programs, the Office  
989 of Early Learning shall establish a statewide child care  
990 resource and referral network that is unbiased and provides  
991 referrals to families for child care. Preference shall be given  
992 to using the already established early learning coalitions as  
993 the child care resource and referral agencies. If an early  
994 learning coalition cannot comply with the requirements to offer  
995 the resource information component or does not want to offer  
996 that service, the early learning coalition shall select the  
997 resource and referral agency for its county or multicounty  
998 region based upon a request for proposal pursuant to s.  
999 411.01(5)(e) ~~411.01(5)(e)~~1.

1000 Section 3. Section 411.01013, Florida Statutes, is amended  
1001 to read:

1002 411.01013 Prevailing market rate schedule.-

1003 ~~(1) As used in this section, the term:~~

1004 ~~(a) "Market rate" means the price that a child care~~  
1005 ~~provider charges for daily, weekly, or monthly child care~~  
1006 ~~services.~~

1007 ~~(b) "Prevailing market rate" means the annually determined~~  
1008 ~~75th percentile of a reasonable frequency distribution of the~~  
1009 ~~market rate in a predetermined geographic market at which child~~  
1010 ~~care providers charge a person for child care services.~~

1011 (1)(2) The Office of Early Learning shall establish  
1012 ~~procedures for the adoption of a prevailing market rate~~  
1013 ~~schedule. The schedule must include, at a minimum, county-by-~~  
1014 ~~county rates:~~

1015 ~~(a) At the prevailing market rate, plus the maximum rate,~~

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1016 ~~for child care providers that hold a Gold Seal Quality Care~~  
1017 ~~designation under s. 402.281.~~

1018 ~~(b) At the prevailing market rate for child care providers~~  
1019 ~~that do not hold a Gold Seal Quality Care designation.~~

1020 ~~(3) The prevailing market rate schedule, at a minimum,~~  
1021 ~~must:~~

1022 (a) Differentiate rates by type, including, but not limited  
1023 to, ~~a child care provider that holds a Gold Seal Quality Care~~  
1024 ~~designation under s. 402.281,~~ a child care facility licensed  
1025 under s. 402.305, a public or nonpublic school exempt from  
1026 licensure under s. 402.3025, a faith-based child care facility  
1027 exempt from licensure under s. 402.316 ~~that does not hold a Gold~~  
1028 ~~Seal Quality Care designation,~~ a large family child care home  
1029 licensed under s. 402.3131, or a family day care home licensed  
1030 or registered under s. 402.313.

1031 (b) Differentiate rates by the type of child care services  
1032 provided for ~~children with special needs or risk categories,~~  
1033 infants, toddlers, preschool-age children, and school-age  
1034 children.

1035 (c) Differentiate rates between full-time and part-time  
1036 child care services.

1037 ~~(d) Consider discounted rates for child care services for~~  
1038 ~~multiple children in a single family.~~

1039 (2)~~(4)~~ The prevailing market rate schedule must be based  
1040 exclusively on the prices charged for child care services. If a  
1041 conflict exists between this subsection and federal  
1042 requirements, the federal requirements shall control.

1043 (3)~~(5)~~ Each child care and early childhood education  
1044 provider that receives school readiness funds must submit its

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1045 market rate by August 1 of each year to the Office of Early  
1046 Learning for inclusion in the calculation of the prevailing  
1047 market rate schedule. ~~The prevailing market rate shall be~~  
1048 ~~considered by an early learning coalition in the adoption of a~~  
1049 ~~payment schedule in accordance with s. 411.01(5)(c)2.~~

1050 (4)~~(6)~~ The office of ~~Early Learning~~ may contract with one  
1051 or more qualified entities to administer this section and  
1052 provide support and technical assistance for child care  
1053 providers.

1054 (5)~~(7)~~ The office of ~~Early Learning~~ may adopt rules  
1055 ~~pursuant to ss. 120.536(1) and 120.54~~ for establishing  
1056 procedures for the collection of child care providers' market  
1057 rate, the calculation of a reasonable frequency distribution of  
1058 the market rate, and the publication of a prevailing market rate  
1059 schedule.

1060 Section 4. Section 411.0106, Florida Statutes, is amended  
1061 to read:

1062 411.0106 Infants and toddlers in state-funded education and  
1063 care programs; brain development activities.—Each state-funded  
1064 education and care program for children from birth to 5 years of  
1065 age must provide activities to foster brain development in  
1066 infants and toddlers. A program must provide an environment that  
1067 helps children attain the performance standards adopted by the  
1068 Office of Early Learning under s. 411.01(4)(d)9. ~~411.01(4)(d)8.~~  
1069 and must be rich in language and music and filled with objects  
1070 of various colors, shapes, textures, and sizes to stimulate  
1071 visual, tactile, auditory, and linguistic senses in the children  
1072 and must include classical music and at least 30 minutes of  
1073 reading to the children each day. A program may be offered

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1074 through an existing early childhood program such as Healthy  
1075 Start, the Title I program, the school readiness program, the  
1076 Head Start program, or a private child care program. A program  
1077 must provide training for the infants' and toddlers' parents  
1078 including direct dialogue and interaction between teachers and  
1079 parents demonstrating the urgency of brain development in the  
1080 first year of a child's life. Family day care centers are  
1081 encouraged, but not required, to comply with this section.

1082 Section 5. Subsection (4) of section 1002.71, Florida  
1083 Statutes, is amended to read:

1084 1002.71 Funding; financial and attendance reporting.—

1085 (4) Notwithstanding s. 1002.53(3) and subsection (2):

1086 (a) A child who, for any of the prekindergarten programs  
1087 listed in s. 1002.53(3), has not completed more than 70 percent  
1088 of the hours authorized to be reported for funding under  
1089 subsection (2), or has not expended more than 70 percent of the  
1090 funds authorized for the child under s. 1002.66, may withdraw  
1091 from the program for good cause and reenroll in one of the  
1092 programs. The total funding for a child who reenrolls in one of  
1093 the programs for good cause may not exceed one full-time  
1094 equivalent student. Funding for a child who withdraws and  
1095 reenrolls in one of the programs for good cause shall be issued  
1096 in accordance with the Office of Early Learning's uniform  
1097 attendance policy adopted pursuant to paragraph (6)(d).

1098 (b) A child who has not substantially completed any of the  
1099 prekindergarten programs listed in s. 1002.53(3) may withdraw  
1100 from the program due to an extreme hardship that is beyond the  
1101 child's or parent's control, reenroll in one of the summer  
1102 programs, and be reported for funding purposes as a full-time

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1103 equivalent student in the summer program for which the child is  
1104 reenrolled.

1105

1106 A child may reenroll only once in a prekindergarten program  
1107 under this section. A child who reenrolls in a prekindergarten  
1108 program under this subsection may not subsequently withdraw from  
1109 the program and reenroll, unless the child is granted a good  
1110 cause exemption under this subsection. The Office of Early  
1111 Learning shall establish criteria specifying whether a good  
1112 cause exists for a child to withdraw from a program under  
1113 paragraph (a), whether a child has substantially completed a  
1114 program under paragraph (b), and whether an extreme hardship  
1115 exists which is beyond the child's or parent's control under  
1116 paragraph (b). The Office of Early Learning shall also establish  
1117 criteria for granting a good cause exemption under this  
1118 subsection.

1119 Section 6. This act shall take effect July 1, 2012.