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1                   A bill to be entitled  
2           An act relating to the Voluntary Prekindergarten  
3           Education Program; amending ss. 1002.55 and 1002.63,  
4           F.S.; requiring that prekindergarten instructors in  
5           school-year prekindergarten programs delivered by  
6           private providers and public schools meet new  
7           professional credentialing requirements beginning July  
8           1, 2015; deleting provisions relating to alternate  
9           educational credentials, to conform; amending ss.  
10          1002.61 and 1007.23, F.S.; conforming cross-references  
11          to changes made by the act; repealing s. 1002.65,  
12          F.S., relating to aspirational goals for the  
13          professional credentials of prekindergarten  
14          instructors; providing an effective date.

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

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

27           WHEREAS, children who are enrolled in prekindergarten  
28          education programs taught by teachers who hold a bachelor's

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29 | degree or higher save taxpayer dollars by reducing costs  
30 | associated with K-12 student remediation, student dropouts,  
31 | juvenile and criminal justice, law enforcement, and other public  
32 | safety and assistance programs, and

33 |       WHEREAS, for the 2009-2010 school year, the rate of  
34 | Florida's third grade students who were not promoted to fourth  
35 | grade was 5.9 percent, and

36 |       WHEREAS, the number of prekindergarten through third grade  
37 | students who are not promoted to the next grade costs Florida's  
38 | taxpayers in excess of \$211 million annually, and

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

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

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

55 |  
56 |       Section 1. Subsections (3), (4), and (5) of section

57 | 1002.55, Florida Statutes, are amended to read:

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

60 |       (3) To be eligible to deliver the prekindergarten program,  
61 | a private prekindergarten provider must meet each of the  
62 | following requirements:

63 |       (a) The private prekindergarten provider must be a child  
64 | care facility licensed under s. 402.305, family day care home  
65 | licensed under s. 402.313, large family child care home licensed  
66 | under s. 402.3131, nonpublic school exempt from licensure under  
67 | s. 402.3025(2), or faith-based child care provider exempt from  
68 | licensure under s. 402.316.

69 |       (b) The private prekindergarten provider must:

70 |       1. Be accredited by an accrediting association that is a  
71 | member of the National Council for Private School Accreditation,  
72 | or the Florida Association of Academic Nonpublic Schools, or be  
73 | accredited by the Southern Association of Colleges and Schools,  
74 | or Western Association of Colleges and Schools, or North Central  
75 | Association of Colleges and Schools, or Middle States  
76 | Association of Colleges and Schools, or New England Association  
77 | of Colleges and Schools; and have written accreditation  
78 | standards that meet or exceed the state's licensing requirements  
79 | under s. 402.305, s. 402.313, or s. 402.3131 and require at  
80 | least one onsite visit to the provider or school before  
81 | accreditation is granted;

82 |       2. Hold a current Gold Seal Quality Care designation under  
83 | s. 402.281; or

84 |       3. Be licensed under s. 402.305, s. 402.313, or s.

85 402.3131 and demonstrate, before delivering the Voluntary  
86 Prekindergarten Education Program, as verified by the early  
87 learning coalition, that the provider meets each of the  
88 requirements of the program under this part, including, but not  
89 limited to, the requirements for credentials and background  
90 screenings of prekindergarten instructors under paragraphs (c)  
91 and (d), minimum and maximum class sizes under paragraph (f),  
92 prekindergarten director credentials under paragraph (g), and a  
93 developmentally appropriate curriculum under s. 1002.67(2)(b).

94 (c) Beginning July 1, 2015:

95 1. The private prekindergarten provider must have, for  
96 each prekindergarten class composed of fewer than 12 students,  
97 at least one prekindergarten instructor who holds:

98 a. A bachelor's or higher degree in early childhood  
99 education, prekindergarten or primary education, preschool  
100 education, or family and consumer science; or

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

107 2. The private prekindergarten provider must have, for  
108 each prekindergarten class composed of 12 or more students:

109 a. One prekindergarten instructor who meets the  
110 requirements of subparagraph 1.; and

111 b. One prekindergarten instructor who meets the following  
112 requirements:

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113        (I) Holds, at a minimum, a child development associate  
114 credential issued by the National Credentialing Program of the  
115 Council for Professional Recognition or a credential approved by  
116 the Department of Children and Family Services as being  
117 equivalent to or greater than the child development associate  
118 credential.

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

122        ~~(c) The private prekindergarten provider must have, for~~  
123 ~~each prekindergarten class of 11 children or fewer, at least one~~  
124 ~~prekindergarten instructor who meets each of the following~~  
125 ~~requirements:~~

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

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

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

134  
135 ~~The Department of Children and Family Services may adopt rules~~  
136 ~~under ss. 120.536(1) and 120.54 which provide criteria and~~  
137 ~~procedures for approving equivalent credentials under sub-~~  
138 ~~paragraph b.~~

139            2. ~~The prekindergarten instructor must successfully~~  
140 ~~complete an emergent literacy training course approved by the~~

141 ~~department as meeting or exceeding the minimum standards adopted~~  
142 ~~under s. 1002.59. This subparagraph does not apply to a~~  
143 ~~prekindergarten instructor who successfully completes approved~~  
144 ~~training in early literacy and language development under s.~~  
145 ~~402.305(2)(d)5., s. 402.313(6), or s. 402.3131(5) before the~~  
146 ~~establishment of one or more emergent literacy training courses~~  
147 ~~under s. 1002.59 or April 1, 2005, whichever occurs later.~~

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

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

167 (f) Each of the private prekindergarten provider's  
168 prekindergarten classes must be composed of at least 4 students

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169 but may not exceed 20 students. ~~In order to protect the health~~  
170 ~~and safety of students, each private prekindergarten provider~~  
171 ~~must also provide appropriate adult supervision for students at~~  
172 ~~all times and, for~~ Each prekindergarten class composed of 12 or  
173 more students must meet the requirements in subparagraph (c)2.  
174 for prekindergarten instructors, ~~must have, in addition to a~~  
175 ~~prekindergarten instructor who meets the requirements of~~  
176 ~~paragraph (c), at least one adult prekindergarten instructor who~~  
177 ~~is not required to meet those requirements but who must meet~~  
178 ~~each requirement of paragraph (d).~~ This paragraph does not  
179 supersede any requirement imposed on a provider under ss.  
180 402.301-402.319.

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

191 (h) The private prekindergarten provider must register  
192 with the early learning coalition on forms prescribed by the  
193 Office of Early Learning.

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

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

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

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

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

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

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

220 (4) ~~(5)~~ Notwithstanding paragraph (3) (b), a private  
 221 prekindergarten provider may not participate in the Voluntary  
 222 Prekindergarten Education Program if the provider has child  
 223 disciplinary policies that do not prohibit children from being  
 224 subjected to discipline that is severe, humiliating,



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225 frightening, or associated with food, rest, toileting, spanking,  
 226 or any other form of physical punishment as provided in s.  
 227 402.305(12).

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

230 1002.61 Summer prekindergarten program delivered by public  
 231 schools and private prekindergarten providers.—

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

236 (a) Is a certified teacher; or

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

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

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

250 1002.63 School-year prekindergarten program delivered by  
 251 public schools.—

252 (4) Each prekindergarten class in a public school

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

260 (7) Each prekindergarten class in a public school  
 261 delivering the school-year prekindergarten program must be  
 262 composed of at least 4 students but may not exceed 20 students.  
 263 ~~In order to protect the health and safety of students, each~~  
 264 ~~school must also provide appropriate adult supervision for~~  
 265 ~~students at all times and, for~~ Each prekindergarten class  
 266 composed of 12 or more students must meet the requirements in s.  
 267 1002.55(3)(c)2. for prekindergarten instructors, ~~must have, in~~  
 268 ~~addition to a prekindergarten instructor who meets the~~  
 269 ~~requirements of s. 1002.55(3)(c), at least one adult~~  
 270 ~~prekindergarten instructor who is not required to meet those~~  
 271 ~~requirements but who must meet each requirement of subsection~~  
 272 ~~(5).~~

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

275 1007.23 Statewide articulation agreement.—

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

280 (a) Award a child development associate credential issued

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281 by the National Credentialing Program of the Council for  
282 Professional Recognition or award a credential approved under s.  
283 1002.55(3)(c)2.b. ~~1002.55(3)(c)1.b.~~ or s. 402.305(3)(c) as being  
284 equivalent to the child development associate credential; and

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

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

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