

By Senator Rich

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1 A bill to be entitled
2 An act relating to the Voluntary Prekindergarten
3 Education Program; amending ss. 1002.55 and 1002.63,
4 F.S.; 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
29 degree or higher save taxpayer dollars by reducing costs

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

33 WHEREAS, for the 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) and (4) of section 1002.55,
57 Florida Statutes, are amended to read:

58 1002.55 School-year prekindergarten program delivered by

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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. 402.3131
85 and demonstrate, before delivering the Voluntary Prekindergarten
86 Education Program, as verified by the early learning coalition,
87 that the provider meets each of the requirements of the program

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88 under this part, including, but not limited to, the requirements
89 for credentials and background screenings of prekindergarten
90 instructors under paragraphs (c) and (d), minimum and maximum
91 class sizes under paragraph (f), prekindergarten director
92 credentials under paragraph (g), and a developmentally
93 appropriate curriculum under s. 1002.67(2)(b).

94 (c) Beginning July 1, 2015:

95 1. The private prekindergarten provider must have, for each
96 prekindergarten class composed of fewer than 12 students, at
97 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 each
108 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:

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

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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 ~~subparagraph 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~~

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

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

166 (f) Each of the private prekindergarten provider's
167 prekindergarten classes must be composed of at least 4 students
168 but may not exceed 20 students. ~~In order to protect the health~~
169 ~~and safety of students, each private prekindergarten provider~~
170 ~~must also provide appropriate adult supervision for students at~~
171 ~~all times and, for~~ Each prekindergarten class composed of 12 or
172 more students must meet the requirements in subparagraph (c)2.
173 for prekindergarten instructors, ~~must have, in addition to a~~
174 ~~prekindergarten instructor who meets the requirements of~~

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

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

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

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

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

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

202 ~~(b) A bachelor's or higher degree in elementary education,~~
203 ~~if the prekindergarten instructor has been certified to teach~~

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204 ~~children any age from birth through 6th grade, regardless of~~
205 ~~whether the instructor's educator certificate is current, and if~~
206 ~~the instructor is not ineligible to teach in a public school~~
207 ~~because his or her educator certificate is suspended or revoked;~~

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

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

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

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

221 1002.61 Summer prekindergarten program delivered by public
222 schools and private prekindergarten providers.—

223 (4) Notwithstanding ss. 1002.55(3)(c) ~~1002.55(3)(e)1.~~ and
224 1002.63(4), each public school and private prekindergarten
225 provider must have, for each prekindergarten class, at least one
226 prekindergarten instructor who:

227 (a) Is a certified teacher; or

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

230
231 As used in this subsection, the term "certified teacher" means a
232 teacher holding a valid Florida educator certificate under s.

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233 1012.56 who has the qualifications required by the district
234 school board to instruct students in the summer prekindergarten
235 program. In selecting instructional staff for the summer
236 prekindergarten program, each school district shall give
237 priority to teachers who have experience or coursework in early
238 childhood education.

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

241 1002.63 School-year prekindergarten program delivered by
242 public schools.—

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

251 (7) Each prekindergarten class in a public school
252 delivering the school-year prekindergarten program must be
253 composed of at least 4 students but may not exceed 20 students.
254 ~~In order to protect the health and safety of students, each~~
255 ~~school must also provide appropriate adult supervision for~~
256 ~~students at all times and, for~~ Each prekindergarten class
257 composed of 12 or more students must meet the requirements in s.
258 1002.55(3)(c)2. for prekindergarten instructors, ~~must have, in~~
259 ~~addition to a prekindergarten instructor who meets the~~
260 ~~requirements of s. 1002.55(3)(c), at least one adult~~
261 ~~prekindergarten instructor who is not required to meet those~~

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262 ~~requirements but who must meet each requirement of subsection~~
263 ~~(5).~~

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

266 1007.23 Statewide articulation agreement.—

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

271 (a) Award a child development associate credential issued
272 by the National Credentialing Program of the Council for
273 Professional Recognition or award a credential approved under s.
274 1002.55(3)(c)2.b. ~~1002.55(3)(e)1.b.~~ or s. 402.305(3)(c) as being
275 equivalent to the child development associate credential; and

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

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

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