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Proposed Committee Substitute by the Committee on Appropriations  
(Appropriations Subcommittee on Education)

A bill to be entitled

An act relating to early learning; creating s.  
1001.213, F.S.; creating the Office of Early Learning  
within the Department of Education's Office of  
Independent Education and Parental Choice; providing  
duties relating to the establishment and operation of  
the school readiness program and the Voluntary  
Prekindergarten Education Program; amending s.  
1002.51, F.S.; conforming a cross-reference; providing  
a definition; amending s. 1002.53, F.S.; clarifying  
Voluntary Prekindergarten Education Program student  
enrollment provisions; amending s. 1002.55, F.S.;  
providing additional requirements for private  
prekindergarten providers and instructors; providing  
duties of the office; amending s. 1002.57, F.S.;  
requiring the office to adopt standards for a  
prekindergarten director credential; amending s.  
1002.59, F.S.; requiring the office to adopt standards  
for training courses; amending s. 1002.61, F.S.;  
providing a requirement for a public school delivering  
the summer prekindergarten program; amending s.  
1002.63, F.S.; providing a requirement for a public  
school delivering the school-year prekindergarten  
program; amending s. 1002.66, F.S.; deleting obsolete  
provisions; amending s. 1002.67, F.S.; requiring the  
office to adopt performance standards for students in  
the Voluntary Prekindergarten Education Program and



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28 approve curricula; revising provisions relating to  
29 removal of provider eligibility, submission of an  
30 improvement plan, and required corrective actions;  
31 amending s. 1002.69, F.S.; providing duties of the  
32 office relating to statewide kindergarten screening,  
33 kindergarten readiness rates, and good cause  
34 exemptions for providers; amending s. 1002.71, F.S.;  
35 revising provisions relating to payment of funds to  
36 providers; amending s. 1002.72, F.S.; providing for  
37 the release of Voluntary Prekindergarten Education  
38 Program student records for the purpose of  
39 investigations; amending s. 1002.75, F.S.; revising  
40 duties of the office for administering the Voluntary  
41 Prekindergarten Education Program; amending s.  
42 1002.77, F.S.; revising provisions relating to the  
43 Florida Early Learning Advisory Council; amending s.  
44 1002.79, F.S.; deleting certain State Board of  
45 Education rulemaking authority for the Voluntary  
46 Prekindergarten Education Program; creating part VI of  
47 ch. 1002, F.S., consisting of ss. 1002.81-1002.96,  
48 relating to the school readiness program; providing  
49 definitions; providing powers and duties of the Office  
50 of Early Learning; providing for early learning  
51 coalitions; providing early learning coalition powers  
52 and duties for the school readiness program; providing  
53 requirements for early learning coalition plans;  
54 providing a school readiness program education  
55 component; providing school readiness program  
56 eligibility and enrollment requirements; providing



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57 school readiness program provider standards and  
58 eligibility to deliver the school readiness program;  
59 providing school readiness program funding; providing  
60 a market rate schedule; providing for the  
61 investigation of fraud or overpayment; providing  
62 penalties; providing for child care and early  
63 childhood resource and referral; providing for school  
64 readiness program transportation services; providing  
65 for the Child Care Executive Partnership Program;  
66 providing for the Teacher Education and Compensation  
67 Helps scholarship program; providing for Early Head  
68 Start collaboration grants; transferring, renumbering,  
69 and amending s. 411.011, F.S., relating to the  
70 confidentiality of records of children in the school  
71 readiness program; revising provisions with respect to  
72 the release of records; amending s. 11.45, F.S.;  
73 conforming a cross-reference; amending s. 20.15, F.S.;  
74 conforming provisions; amending s. 196.198, F.S.;  
75 revising provisions relating to educational property  
76 tax exemption; amending s. 216.136, F.S.; conforming a  
77 cross-reference; amending s. 402.281, F.S.; revising  
78 requirements relating to receipt of a Gold Seal  
79 Quality Care designation; amending s. 402.302, F.S.;  
80 conforming a cross-reference; amending s. 402.305,  
81 F.S.; providing that certain child care after-school  
82 programs may provide meals through a federal program;  
83 amending ss. 445.023, 490.014, and 491.014, F.S.;  
84 conforming cross-references; amending s. 1001.11,  
85 F.S.; providing a duty of the Commissioner of



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86 Education relating to early learning programs;  
87 repealing s. 411.01, F.S., relating to the school  
88 readiness program and early learning coalitions;  
89 repealing s. 411.0101, F.S., relating to child care  
90 and early childhood resource and referral; repealing  
91 s. 411.01013, F.S., relating to the prevailing market  
92 rate schedule; repealing s. 411.01014, F.S., relating  
93 to school readiness transportation services; repealing  
94 s. 411.01015, F.S., relating to consultation to child  
95 care centers and family day care homes; repealing s.  
96 411.0102, F.S., relating to the Child Care Executive  
97 Partnership Act; repealing s. 411.0103, F.S., relating  
98 to the Teacher Education and Compensation Helps  
99 scholarship program; repealing s. 411.0104, relating  
100 to Early Head Start collaboration grants; repealing s.  
101 411.0105, F.S., relating to the Early Learning  
102 Opportunities Act and Even Start Family Literacy  
103 Programs; repealing s. 411.0106, F.S., relating to  
104 infants and toddlers in state-funded education and  
105 care programs; authorizing specified positions for the  
106 Office of Early Learning; requiring the office to  
107 develop a reorganization plan for the office and  
108 submit the plan to the Governor and the Legislature;  
109 providing an effective date.

110  
111 Be It Enacted by the Legislature of the State of Florida:

112  
113 Section 1. Section 1001.213, Florida Statutes, is created  
114 to read:



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115       1001.213 Office of Early Learning.—The Office of Early  
116 Learning is created within the Department of Education’s Office  
117 of Independent Education and Parental Choice. The Office of  
118 Early Learning, which shall be administered by an executive  
119 director, is fully accountable to the Commissioner of Education  
120 but shall:

121           (1) Independently exercise all powers, duties, and  
122 functions prescribed by law and shall not be construed as part  
123 of the K-20 education system.

124           (2) Adopt rules for the establishment and operation of the  
125 school readiness program and the Voluntary Prekindergarten  
126 Education Program. The office shall submit the rules to the  
127 State Board of Education for approval or disapproval. If the  
128 state board does not act on a rule within 60 days after receipt,  
129 the rule shall be filed immediately with the Department of  
130 State.

131           (3) In compliance with part VI of chapter 1002 and its  
132 powers and duties under s. 1002.82, administer the school  
133 readiness program at the state level for the state’s eligible  
134 population described in s. 1002.87 and provide guidance to early  
135 learning coalitions in the implementation of the program.

136           (4) In compliance with parts V and VI of chapter 1002 and  
137 its powers and duties under s. 1002.75, administer the Voluntary  
138 Prekindergarten Education Program at the state level.

139           (5) Administer the operational requirements of the child  
140 care resource and referral network at the state level.

141           (6) Keep administrative staff to the minimum necessary to  
142 administer the duties of the office.

143       Section 2. Subsection (4) of section 1002.51, Florida



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144 Statutes, is amended, and subsection (8) is added to that  
145 section, to read:

146 1002.51 Definitions.—As used in this part, the term:

147 (4) "Early learning coalition" or "coalition" means an  
148 early learning coalition created under s. 1002.83 ~~411.01~~.

149 (8) "Office" means the Office of Early Learning within the  
150 Department of Education's Office of Independent Education and  
151 Parental Choice.

152 Section 3. Paragraph (a) of subsection (4) and paragraph  
153 (b) of subsection (6) of section 1002.53, Florida Statutes, are  
154 amended to read:

155 1002.53 Voluntary Prekindergarten Education Program;  
156 eligibility and enrollment.—

157 (4) (a) Each parent enrolling a child in the Voluntary  
158 Prekindergarten Education Program must complete and submit an  
159 application to the early learning coalition through the single  
160 point of entry established under s. 1002.82 ~~411.01~~.

161 (6) (b) A parent may enroll his or her child with any public  
162 school within the school district which is eligible to deliver  
163 the Voluntary Prekindergarten Education Program under this part,  
164 subject to available space. Each school district may limit the  
165 number of students admitted by any public school for enrollment  
166 in the school-year program; however, the school district must  
167 provide for the admission of every eligible child within the  
168 district whose parent enrolls the child in a summer  
169 prekindergarten program delivered by a public school under s.  
170 1002.61.

171 Section 4. Paragraphs (c) and (g) of subsection (3) of  
172 section 1002.55, Florida Statutes, are amended, present



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173 paragraph (i) of that subsection is redesignated as paragraph  
174 (m), and new paragraphs (i), (j), (k), and (l) are added to that  
175 subsection, to read:

176 1002.55 School-year prekindergarten program delivered by  
177 private prekindergarten providers.—

178 (3) To be eligible to deliver the prekindergarten program,  
179 a private prekindergarten provider must meet each of the  
180 following requirements:

181 (c) The private prekindergarten provider must have, for  
182 each prekindergarten class of 11 children or fewer, at least one  
183 prekindergarten instructor who meets each of the following  
184 requirements:

185 1. The prekindergarten instructor must hold, at a minimum,  
186 one of the following credentials:

187 a. A child development associate credential issued by the  
188 National Credentialing Program of the Council for Professional  
189 Recognition; or

190 b. A credential approved by the Department of Children and  
191 Families ~~Family Services~~ as being equivalent to or greater than  
192 the credential described in sub-subparagraph a.

193  
194 The Department of Children and Families ~~Family Services~~ may  
195 adopt rules under ss. 120.536(1) and 120.54 which provide  
196 criteria and procedures for approving equivalent credentials  
197 under sub-subparagraph b.

198 2. The prekindergarten instructor must successfully  
199 complete an emergent literacy training course and a student  
200 performance standards training course approved by the office  
201 ~~department~~ as meeting or exceeding the minimum standards adopted



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202 under s. 1002.59. The requirement for completion of the  
203 standards training course shall take effect July 1, 2014, and  
204 the course shall be available online. This subparagraph does not  
205 apply to a prekindergarten instructor who successfully completes  
206 approved training in early literacy and language development  
207 under s. 402.305(2)(d)5., s. 402.313(6), or s. 402.3131(5)  
208 before the establishment of one or more emergent literacy  
209 training courses under s. 1002.59 or April 1, 2005, whichever  
210 occurs later.

211 (g) ~~Before the beginning of the 2006-2007 school year,~~ The  
212 private prekindergarten provider must have a prekindergarten  
213 director who has a prekindergarten director credential that is  
214 approved by the office ~~department~~ as meeting or exceeding the  
215 minimum standards adopted under s. 1002.57. Successful  
216 completion of a child care facility director credential under s.  
217 402.305(2)(f) before the establishment of the prekindergarten  
218 director credential under s. 1002.57 or July 1, 2006, whichever  
219 occurs later, satisfies the requirement for a prekindergarten  
220 director credential under this paragraph.

221 (i) The private prekindergarten provider must execute the  
222 statewide provider contract prescribed under s. 1002.75, except  
223 that an individual who owns or operates multiple private  
224 prekindergarten providers within a coalition's service area may  
225 execute a single agreement with the coalition on behalf of each  
226 provider.

227 (j) The private prekindergarten provider must maintain  
228 general liability insurance and provide the coalition with  
229 written evidence of general liability insurance coverage,  
230 including coverage for transportation of children if





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231 prekindergarten students are transported by the provider. A  
232 provider must obtain and retain an insurance policy that  
233 provides a minimum of \$100,000 of coverage per occurrence and a  
234 minimum of \$300,000 general aggregate coverage. The office may  
235 authorize lower limits upon request, as appropriate. A provider  
236 must add the coalition as a named certificateholder and as an  
237 additional insured. A provider must provide the coalition with a  
238 minimum of 10 calendar days' advance written notice of  
239 cancellation of or changes to coverage. The general liability  
240 insurance required by this paragraph must remain in full force  
241 and effect for the entire period of the provider contract with  
242 the coalition.

243 (k) The private prekindergarten provider must obtain and  
244 maintain any required workers' compensation insurance under  
245 chapter 440 and any required reemployment assistance or  
246 unemployment compensation coverage under chapter 443.

247 (l) Notwithstanding paragraph (j), for a private  
248 prekindergarten provider that is a state agency or a subdivision  
249 thereof, as defined in s. 768.28(2), the provider must agree to  
250 notify the coalition of any additional liability coverage  
251 maintained by the provider in addition to that otherwise  
252 established under s. 768.28. The provider shall indemnify the  
253 coalition to the extent permitted by s. 768.28.

254 Section 5. Subsection (1) of section 1002.57, Florida  
255 Statutes, is amended to read:

256 1002.57 Prekindergarten director credential.—

257 (1) ~~By July 1, 2006,~~ The office, in consultation with the  
258 Department of Children and Families, department shall adopt  
259 minimum standards for a credential for prekindergarten directors



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260 of private prekindergarten providers delivering the Voluntary  
261 Prekindergarten Education Program. The credential must encompass  
262 requirements for education and onsite experience.

263 Section 6. Section 1002.59, Florida Statutes, is amended to  
264 read:

265 1002.59 Emergent literacy and performance standards  
266 training courses.-

267 (1) By April 1, 2005, The office department shall adopt  
268 minimum standards for one or more training courses in emergent  
269 literacy for prekindergarten instructors. Each course must  
270 comprise 5 clock hours and provide instruction in strategies and  
271 techniques to address the age-appropriate progress of  
272 prekindergarten students in developing emergent literacy skills,  
273 including oral communication, knowledge of print and letters,  
274 phonemic and phonological awareness, and vocabulary and  
275 comprehension development. Each course must also provide  
276 resources containing strategies that allow students with  
277 disabilities and other special needs to derive maximum benefit  
278 from the Voluntary Prekindergarten Education Program. Successful  
279 completion of an emergent literacy training course approved  
280 under this section satisfies requirements for approved training  
281 in early literacy and language development under ss.  
282 402.305(2)(d)5., 402.313(6), and 402.3131(5).

283 (2) The office shall adopt minimum standards for one or  
284 more training courses on the performance standards adopted under  
285 s. 1002.67(1). Each course must comprise at least 3 clock hours,  
286 provide instruction in strategies and techniques to address age-  
287 appropriate progress of each child in attaining the standards,  
288 and be available online.



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289 Section 7. Subsections (3), (4), and (8) of section  
290 1002.61, Florida Statutes, are amended to read:

291 1002.61 Summer prekindergarten program delivered by public  
292 schools and private prekindergarten providers.—

293 (3) (a) Each district school board shall determine which  
294 public schools in the school district are eligible to deliver  
295 the summer prekindergarten program. The school district shall  
296 use educational facilities available in the public schools  
297 during the summer term for the summer prekindergarten program.

298 (b) Each public school delivering the summer  
299 prekindergarten program must execute the statewide provider  
300 contract prescribed under s. 1002.75, except that the school  
301 district may execute a single agreement with the early learning  
302 coalition on behalf of all district schools.

303 (c) ~~(b)~~ Except as provided in this section, to be eligible  
304 to deliver the summer prekindergarten program, a private  
305 prekindergarten provider must meet each requirement in s.  
306 1002.55.

307 (4) Notwithstanding ss. 1002.55(3)(c)1. and 1002.63(4),  
308 each public school and private prekindergarten provider must  
309 have, for each prekindergarten class, at least one  
310 prekindergarten instructor who:

311 ~~(a)~~ is a certified teacher; or

312 ~~(b)~~ holds one of the educational credentials specified in  
313 s. 1002.55(4) (a) or (b). As used in this subsection, the term  
314 "certified teacher" means a teacher holding a valid Florida  
315 educator certificate under s. 1012.56 who has the qualifications  
316 required by the district school board to instruct students in  
317 the summer prekindergarten program. In selecting instructional



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318 staff for the summer prekindergarten program, each school  
319 district shall give priority to teachers who have experience or  
320 coursework in early childhood education.

321 (8) Each public school delivering the summer  
322 prekindergarten program must also:

323 ~~(a)~~ register with the early learning coalition on forms  
324 prescribed by the Office of Early Learning~~r~~ and

325 ~~(b)~~ deliver the Voluntary Prekindergarten Education Program  
326 in accordance with this part.

327 Section 8. Subsections (3) and (8) of section 1002.63,  
328 Florida Statutes, are amended to read:

329 1002.63 School-year prekindergarten program delivered by  
330 public schools.-

331 (3) (a) The district school board of each school district  
332 shall determine which public schools in the district may deliver  
333 the prekindergarten program during the school year.

334 (b) Each public school delivering the school-year  
335 prekindergarten program must execute the statewide provider  
336 contract prescribed under s. 1002.75, except that the school  
337 district may execute a single agreement with the early learning  
338 coalition on behalf of all district schools.

339 (8) Each public school delivering the school-year  
340 prekindergarten program must:

341 ~~(a)~~ register with the early learning coalition on forms  
342 prescribed by the Office of Early Learning~~r~~ and

343 ~~(b)~~ deliver the Voluntary Prekindergarten Education Program  
344 in accordance with this part.

345 Section 9. Subsection (1) of section 1002.66, Florida  
346 Statutes, is amended to read:



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347 1002.66 Specialized instructional services for children  
348 with disabilities.—

349 (1) ~~Beginning with the 2012-2013 school year,~~ A child who  
350 has a disability and enrolls with the early learning coalition  
351 under s. 1002.53(3)(d) is eligible for specialized instructional  
352 services if:

353 (a) The child is eligible for the Voluntary Prekindergarten  
354 Education Program under s. 1002.53; and

355 (b) A current individual educational plan has been  
356 developed for the child by the local school board in accordance  
357 with rules of the State Board of Education.

358 Section 10. Subsection (1), paragraph (c) of subsection  
359 (2), and subsection (4) of section 1002.67, Florida Statutes,  
360 are amended to read:

361 1002.67 Performance standards; curricula and  
362 accountability.—

363 (1) (a) The office ~~department~~ shall develop and adopt  
364 performance standards for students in the Voluntary  
365 Prekindergarten Education Program. The performance standards  
366 must address the age-appropriate progress of students in the  
367 development of:

368 1. The capabilities, capacities, and skills required under  
369 s. 1(b), Art. IX of the State Constitution; and

370 2. Emergent literacy skills, including oral communication,  
371 knowledge of print and letters, phonemic and phonological  
372 awareness, and vocabulary and comprehension development.

373

374 By October 1, 2013, the office shall examine the existing  
375 performance standards in the area of mathematical thinking and



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376 develop a plan to make appropriate professional development and  
377 training courses available to prekindergarten instructors.

378 (b) The office ~~State Board of Education~~ shall periodically  
379 review and revise the performance standards for the statewide  
380 kindergarten screening administered under s. 1002.69 and align  
381 the standards to the standards established by the state board  
382 for student performance on the statewide assessments  
383 administered pursuant to s. 1008.22.

384 (2)

385 (c) The office ~~department~~ shall review and approve  
386 curricula for use by private prekindergarten providers and  
387 public schools that are placed on probation under paragraph  
388 (4) (c). The office ~~department~~ shall maintain a list of the  
389 curricula approved under this paragraph. Each approved  
390 curriculum must meet the requirements of paragraph (b).

391 (4) (a) Each early learning coalition shall verify that each  
392 private prekindergarten provider delivering the Voluntary  
393 Prekindergarten Education Program within the coalition's county  
394 or multicounty region complies with this part. Each district  
395 school board shall verify that each public school delivering the  
396 program within the school district complies with this part.

397 (b) If a private prekindergarten provider or public school  
398 fails or refuses to comply with this part, or if a provider or  
399 school engages in misconduct, the office ~~of Early Learning~~ shall  
400 require the early learning coalition to remove the provider, and  
401 ~~the Department of Education shall~~ require the school district to  
402 remove the school from eligibility to deliver the Voluntary  
403 Prekindergarten Education Program and receive state funds under  
404 this part for a period of 5 years.



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405 (c)1. If the kindergarten readiness rate of a private  
406 prekindergarten provider or public school falls below the  
407 minimum rate adopted by the office ~~State Board of Education~~ as  
408 satisfactory under s. 1002.69(6), the early learning coalition  
409 or school district, as applicable, shall require the provider or  
410 school to submit an improvement plan for approval by the  
411 coalition or school district, as applicable, and to implement  
412 the plan; ~~and~~

413 ~~2. If a private prekindergarten provider or public school~~  
414 ~~fails to meet the minimum rate adopted by the State Board of~~  
415 ~~Education as satisfactory under s. 1002.69(6), the early~~  
416 ~~learning coalition or school district, as applicable, shall~~  
417 place the provider or school on probation; and shall ~~must~~  
418 require the provider or school to take certain corrective  
419 actions, including the use of a curriculum approved by the  
420 office ~~department~~ under paragraph (2)(c) or a staff development  
421 plan to strengthen instruction in language development and  
422 phonological awareness approved by the office ~~department~~.

423 ~~2.3.~~ A private prekindergarten provider or public school  
424 that is placed on probation must continue the corrective actions  
425 required under subparagraph 1. 2. ~~2.~~, including the use of a  
426 curriculum or a staff development plan to strengthen instruction  
427 in language development and phonological awareness approved by  
428 the office ~~department~~, until the provider or school meets the  
429 minimum rate adopted by the office ~~State Board of Education~~ as  
430 satisfactory under s. 1002.69(6). Failure to implement an  
431 approved improvement plan or staff development plan shall result  
432 in the termination of the provider's contract to deliver the  
433 Voluntary Prekindergarten Education Program for a period of 5



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434 years.

435 ~~3.4.~~ If a private prekindergarten provider or public school  
436 remains on probation for 2 consecutive years and fails to meet  
437 the minimum rate adopted by the office ~~State Board of Education~~  
438 as satisfactory under s. 1002.69(6) and is not granted a good  
439 cause exemption by the office ~~department~~ pursuant to s.  
440 1002.69(7), the office ~~of Early Learning~~ shall require the early  
441 learning coalition or ~~the Department of Education~~ shall require  
442 the school district to remove, as applicable, the provider or  
443 school from eligibility to deliver the Voluntary Prekindergarten  
444 Education Program and receive state funds for the program for a  
445 period of 5 years.

446 (d) Each early learning coalition and, ~~the office of Early~~  
447 ~~Learning, and the department~~ shall coordinate with the Child  
448 Care Services Program Office of the Department of Children and  
449 Families ~~Family Services~~ to minimize interagency duplication of  
450 activities for monitoring private prekindergarten providers for  
451 compliance with requirements of the Voluntary Prekindergarten  
452 Education Program under this part, the school readiness program  
453 ~~programs~~ under part VI of this chapter ~~s. 411.01~~, and the  
454 licensing of providers under ss. 402.301-402.319.

455 Section 11. Subsections (2), (5), (6), and (7) of section  
456 1002.69, Florida Statutes, are amended to read:

457 1002.69 Statewide kindergarten screening; kindergarten  
458 readiness rates; state-approved prekindergarten enrollment  
459 screening; good cause exemption.—

460 (2) The statewide kindergarten screening shall provide  
461 objective data concerning each student's readiness for  
462 kindergarten and progress in attaining the performance standards





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463 adopted by the office ~~department~~ under s. 1002.67(1).

464 (5) The office ~~State Board of Education~~ shall adopt  
465 procedures ~~for the department~~ to annually calculate each private  
466 prekindergarten provider's and public school's kindergarten  
467 readiness rate, which must be expressed as the percentage of the  
468 provider's or school's students who are assessed as ready for  
469 kindergarten. The methodology for calculating each provider's  
470 kindergarten readiness rate must include student learning gains  
471 when available and the percentage of students who meet all state  
472 readiness measures. The rates must not include students who are  
473 not administered the statewide kindergarten screening. The  
474 office ~~state board~~ shall determine learning gains using a value-  
475 added measure based on growth demonstrated by the results of the  
476 preassessment and postassessment ~~pre- and post-assessment~~ from  
477 at least 2 successive years of administration of the  
478 preassessment and postassessment ~~pre- and post-assessment~~.

479 (6) The office ~~State Board of Education~~ shall periodically  
480 adopt a minimum kindergarten readiness rate that, if achieved by  
481 a private prekindergarten provider or public school, would  
482 demonstrate the provider's or school's satisfactory delivery of  
483 the Voluntary Prekindergarten Education Program.

484 (7) (a) Notwithstanding s. 1002.67(4)(c)3. ~~1002.67(4)(e)4.~~,  
485 the office ~~State Board of Education~~, upon the request of a  
486 private prekindergarten provider or public school that remains  
487 on probation for 2 consecutive years or more and subsequently  
488 fails to meet the minimum rate adopted under subsection (6) and  
489 for good cause shown, may grant to the provider or school an  
490 exemption from being determined ineligible to deliver the  
491 Voluntary Prekindergarten Education Program and receive state



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492 funds for the program. Such exemption is valid for 1 year and,  
493 upon the request of the private prekindergarten provider or  
494 public school and for good cause shown, may be renewed.

495 (b) A private prekindergarten provider's or public school's  
496 request for a good cause exemption, or renewal of such an  
497 exemption, must be submitted to the office ~~state board~~ in the  
498 manner and within the timeframes prescribed by the office ~~state~~  
499 ~~board~~ and must include the following:

500 1. Submission of data by the private prekindergarten  
501 provider or public school which documents the achievement and  
502 progress of the children served as measured by the state-  
503 approved prekindergarten enrollment screening and the  
504 standardized postassessment approved by the office ~~department~~  
505 pursuant to subparagraph (c)1.

506 2. Submission and review of data available from the  
507 respective early learning coalition or district school board,  
508 the Department of Children and Families ~~Family Services~~, local  
509 licensing authority, or an accrediting association, as  
510 applicable, relating to the private prekindergarten provider's  
511 or public school's compliance with state and local health and  
512 safety standards.

513 3. Submission and review of data available to the office  
514 ~~department~~ on the performance of the children served and the  
515 calculation of the private prekindergarten provider's or public  
516 school's kindergarten readiness rate.

517 (c) The office ~~State Board of Education~~ shall adopt  
518 criteria for granting good cause exemptions. Such criteria shall  
519 include, but are not limited to:

520 1. Learning gains of children served in the Voluntary



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521 Prekindergarten Education Program by the private prekindergarten  
522 provider or public school.

523 2. Verification that local and state health and safety  
524 requirements are met.

525 (d) A good cause exemption may not be granted to any  
526 private prekindergarten provider that has any class I violations  
527 or two or more class II violations within the 2 years preceding  
528 the provider's or school's request for the exemption. For  
529 purposes of this paragraph, class I and class II violations have  
530 the same meaning as provided in s. 402.281(4).

531 (e) A private prekindergarten provider or public school  
532 granted a good cause exemption shall continue to implement its  
533 improvement plan and continue the corrective actions required  
534 under s. 1002.67(4)(c)1. ~~1002.67(4)(c)2.~~, including the use of a  
535 curriculum approved by the office department, until the provider  
536 or school meets the minimum rate adopted under subsection (6).

537 ~~(f) The State Board of Education shall notify the Office of~~  
538 ~~Early Learning of any good cause exemption granted to a private~~  
539 ~~prekindergarten provider under this subsection.~~ If a good cause  
540 exemption is granted to a private prekindergarten provider who  
541 remains on probation for 2 consecutive years, the office ~~of~~  
542 ~~Early Learning~~ shall notify the early learning coalition of the  
543 good cause exemption and direct that the coalition,  
544 notwithstanding s. 1002.67(4)(c)3. ~~1002.67(4)(c)4.~~, not remove  
545 the provider from eligibility to deliver the Voluntary  
546 Prekindergarten Education Program or to receive state funds for  
547 the program, if the provider meets all other applicable  
548 requirements of this part.

549 Section 12. Paragraph (d) of subsection (3) and subsections



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550 (5) and (7) of section 1002.71, Florida Statutes, are amended to  
551 read:

552 1002.71 Funding; financial and attendance reporting.—

553 (3)

554 (d) For programs offered by school districts pursuant to s.  
555 1002.61 ~~and beginning with the 2009 summer program~~, each  
556 district's funding shall be based on a student enrollment that  
557 is evenly divisible by 12. If the result of dividing a  
558 district's student enrollment by 12 is not a whole number, the  
559 district's enrollment calculation shall be adjusted by adding  
560 the minimum number of students to produce a student enrollment  
561 calculation that is evenly divisible by 12.

562 (5) (a) Each early learning coalition shall maintain through  
563 the single point of entry established under s. 1002.82 ~~411.01~~ a  
564 current database of the students enrolled in the Voluntary  
565 Prekindergarten Education Program for each county within the  
566 coalition's region.

567 (b) The Office of Early Learning shall adopt procedures for  
568 the payment of private prekindergarten providers and public  
569 schools delivering the Voluntary Prekindergarten Education  
570 Program. The procedures shall provide for the advance payment of  
571 providers and schools based upon student enrollment in the  
572 program, the certification of student attendance, and the  
573 reconciliation of advance payments in accordance with the  
574 uniform attendance policy adopted under paragraph (6) (d). The  
575 procedures shall provide for the monthly distribution of funds  
576 by the Office of Early Learning to the early learning coalitions  
577 for payment by the coalitions to private prekindergarten  
578 providers and public schools. ~~The department shall transfer to~~



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579 ~~the Office of Early Learning at least once each quarter the~~  
580 ~~funds available for payment to private prekindergarten providers~~  
581 ~~and public schools in accordance with this paragraph from the~~  
582 ~~funds appropriated for that purpose.~~

583 (7) The Office of Early Learning shall require that  
584 administrative expenditures be kept to the minimum necessary for  
585 efficient and effective administration of the Voluntary  
586 Prekindergarten Education Program. Administrative policies and  
587 procedures shall be revised, to the maximum extent practicable,  
588 to incorporate the use of automation and electronic submission  
589 of forms, including those required for child eligibility and  
590 enrollment, provider and class registration, and monthly  
591 certification of attendance for payment. A school district may  
592 use its automated daily attendance reporting system for the  
593 purpose of transmitting attendance records to the early learning  
594 coalition in a mutually agreed-upon format. In addition, actions  
595 shall be taken to reduce paperwork, eliminate the duplication of  
596 reports, and eliminate other duplicative activities. ~~Beginning~~  
597 ~~with the 2011-2012 fiscal year,~~ Each early learning coalition  
598 may retain and expend no more than 4.0 percent of the funds paid  
599 by the coalition to private prekindergarten providers and public  
600 schools under paragraph (5) (b). Funds retained by an early  
601 learning coalition under this subsection may be used only for  
602 administering the Voluntary Prekindergarten Education Program  
603 and may not be used for the school readiness program or other  
604 programs.

605 Section 13. Paragraph (a) of subsection (3) of section  
606 1002.72, Florida Statutes, is amended to read:

607 1002.72 Records of children in the Voluntary



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608 Prekindergarten Education Program.—

609 (3) (a) Confidential and exempt Voluntary Prekindergarten  
610 Education Program records may be released to:

611 1. The United States Secretary of Education, the United  
612 States Secretary of Health and Human Services, and the  
613 Comptroller General of the United States for the purpose of  
614 federal audits or investigations.

615 2. Individuals or organizations conducting studies for  
616 institutions to develop, validate, or administer assessments or  
617 improve instruction.

618 3. Accrediting organizations in order to carry out their  
619 accrediting functions.

620 4. Appropriate parties in connection with an emergency if  
621 the information is necessary to protect the health or safety of  
622 the child or other individuals.

623 5. The Auditor General in connection with his or her  
624 official functions.

625 6. A court of competent jurisdiction in compliance with an  
626 order of that court pursuant to a lawfully issued subpoena.

627 7. Parties to an interagency agreement among early learning  
628 coalitions, local governmental agencies, Voluntary  
629 Prekindergarten Education Program providers, or state agencies  
630 for the purpose of implementing the Voluntary Prekindergarten  
631 Education Program.

632 Section 14. Subsection (1) and paragraphs (a) and (d) of  
633 subsection (2) of section 1002.75, Florida Statutes, are amended  
634 to read:

635 1002.75 Office of Early Learning; powers and duties ~~+~~  
636 ~~operational requirements.~~—



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637           (1) The Office of Early Learning shall adopt by rule a  
638 standard statewide provider contract to be used with each  
639 Voluntary Prekindergarten Education Program provider, with  
640 standardized attachments by provider type. The office shall  
641 publish a copy of the standard statewide provider contract on  
642 its website. The standard statewide contract shall include, at a  
643 minimum, provisions for provider probation, termination for  
644 cause, and emergency termination for those actions or inactions  
645 of a provider that pose an immediate and serious danger to the  
646 health, safety, or welfare of children. The standard statewide  
647 contract shall also include appropriate due process procedures.  
648 During the pendency of an appeal of a termination, the provider  
649 may not continue to offer its services. Any provision imposed  
650 upon a provider that is inconsistent with, or prohibited by, law  
651 is void and unenforceable. ~~The Office of Early Learning shall~~  
652 ~~administer the operational requirements of the Voluntary~~  
653 ~~Prekindergarten Education Program at the state level.~~

654           (2) The Office of Early Learning shall adopt procedures  
655 governing the administration of the Voluntary Prekindergarten  
656 Education Program by the early learning coalitions and school  
657 districts for:

658           (a) Enrolling children in and determining the eligibility  
659 of children for the Voluntary Prekindergarten Education Program  
660 under s. 1002.53, which shall include the enrollment of children  
661 by public schools and private providers that meet specified  
662 requirements.

663           (d) Determining the eligibility of private prekindergarten  
664 providers to deliver the program under ss. 1002.55 and 1002.61  
665 and streamlining the process of provider eligibility whenever



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666 possible.

667 Section 15. Subsections (1) through (3) of section 1002.77,  
668 Florida Statutes, are amended to read:

669 1002.77 Florida Early Learning Advisory Council.—

670 (1) There is created the Florida Early Learning Advisory  
671 Council within the Office of Early Learning. The purpose of the  
672 advisory council is to submit recommendations to the office  
673 ~~department~~ on the early learning best practices ~~policy of this~~  
674 ~~state~~, including recommendations relating to the most effective  
675 administration of the Voluntary Prekindergarten Education  
676 Program under this part and the school readiness program  
677 ~~programs~~ under part VI of this chapter s. 411.01. The advisory  
678 council shall periodically analyze and provide recommendations  
679 to the office on the effective and efficient use of local,  
680 state, and federal funds; the content of professional  
681 development training programs; and best practices for the  
682 development and implementation of coalition plans pursuant to s.  
683 1002.85.

684 (2) The advisory council shall be composed of the following  
685 members:

686 (a) The chair of the advisory council who shall be  
687 appointed by and serve at the pleasure of the Governor.

688 (b) The chair of each early learning coalition.

689 (c) One member who shall be appointed by and serve at the  
690 pleasure of the President of the Senate.

691 (d) One member who shall be appointed by and serve at the  
692 pleasure of the Speaker of the House of Representatives.

693

694 The chair of the advisory council appointed by the Governor and





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695 the members appointed by the presiding officers of the  
696 Legislature must be from the business community and be in  
697 compliance with s. 1002.83(5) ~~each have a background in early~~  
698 ~~learning.~~

699 (3) The advisory council shall meet at least quarterly but  
700 may meet as often as necessary to carry out its duties and  
701 responsibilities. The advisory council may use any method of  
702 telecommunications to conduct meetings, including establishing a  
703 quorum through telecommunications, only if the public is given  
704 proper notice of a telecommunications meeting and reasonable  
705 access to observe and, when appropriate, participate.

706 Section 16. Section 1002.79, Florida Statutes, is amended  
707 to read:

708 1002.79 Rulemaking authority.—

709 ~~(1) The State Board of Education shall adopt rules under~~  
710 ~~ss. 120.536(1) and 120.54 to administer the provisions of this~~  
711 ~~part conferring duties upon the department.~~

712 ~~(2) The Office of Early Learning shall adopt rules under~~  
713 ~~ss. 120.536(1) and 120.54 to administer the provisions of this~~  
714 ~~part conferring duties upon the office.~~

715 Section 17. Part VI of chapter 1002, Florida Statutes,  
716 consisting of sections 1002.81 through 1002.96, is created to  
717 read:

718 PART VI

719 SCHOOL READINESS PROGRAM

720 1002.81 Definitions.—Consistent with the requirements of 45  
721 C.F.R. parts 98 and 99 and as used in this part, the term:

722 (1) "At-risk child" means:

723 (a) A child from a family under investigation by the



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724 Department of Children and Families or a designated sheriff's  
725 office for child abuse, neglect, abandonment, or exploitation.

726 (b) A child who is in a diversion program provided by the  
727 Department of Children and Families or its contracted provider  
728 and who is from a family that is actively participating and  
729 complying in department-prescribed activities, including  
730 education, health services, or work.

731 (c) A child from a family that is under supervision by the  
732 Department of Children and Families or a contracted service  
733 provider for abuse, neglect, abandonment, or exploitation.

734 (d) A child placed in court-ordered, long-term custody or  
735 under the guardianship of a relative or nonrelative after  
736 termination of supervision by the Department of Children and  
737 Families or its contracted provider.

738 (e) A child in the custody of a parent who is a victim of  
739 domestic violence residing in a certified domestic violence  
740 center.

741 (f) A child in the custody of a parent who is considered  
742 homeless as verified by a Department of Children and Families  
743 certified homeless shelter.

744 (2) "Authorized hours of care" means the hours of care that  
745 are necessary to provide protection, maintain employment, or  
746 complete work activities or eligible educational activities,  
747 including reasonable travel time.

748 (3) "Average market rate" means the biennially determined  
749 average of the market rate by program care level and provider  
750 type in a predetermined geographic market.

751 (4) "Direct enhancement services" means services for  
752 families and children that are in addition to payments for the



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753 placement of children in the school readiness program. Direct  
754 enhancement services for families and children may include  
755 supports for providers, parent training and involvement  
756 activities, and strategies to meet the needs of unique  
757 populations and local eligibility priorities. Direct enhancement  
758 services offered by an early learning coalition shall be  
759 consistent with the activities prescribed in s. 1002.89(6)(b).

760 (5) "Disenrollment" means the removal either temporary or  
761 permanent, of a child from participation in the school readiness  
762 program. Removal of a child from the school readiness program  
763 may be based on the following events: a reduction in available  
764 school readiness program funding, participant's failure to meet  
765 eligibility or program participation requirements, fraud, or a  
766 change in local service priorities.

767 (6) "Earned income" means gross remuneration derived from  
768 work, professional service, or self-employment. The term  
769 includes commissions, bonuses, back pay awards, and the cash  
770 value of all remuneration paid in a medium other than cash.

771 (7) "Economically disadvantaged" means having a family  
772 income that does not exceed 150 percent of the federal poverty  
773 level and includes being a child of a working migratory family  
774 as defined by 34 C.F.R. s. 200.81(d) or (f) or an agricultural  
775 worker who is employed by more than one agricultural employer  
776 during the course of a year, and whose income varies according  
777 to weather conditions and market stability.

778 (8) "Family income" means the combined gross income,  
779 whether earned or unearned, that is derived from any source by  
780 all family or household members who are 18 years of age or older  
781 who are currently residing together in the same dwelling unit.



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782 The term does not include income earned by a currently enrolled  
783 high school student who, since attaining the age of 18 years, or  
784 a student with a disability who, since attaining the age of 22  
785 years, has not terminated school enrollment or received a high  
786 school diploma, high school equivalency diploma, special  
787 diploma, or certificate of high school completion. The term also  
788 does not include food stamp benefits or federal housing  
789 assistance payments issued directly to a landlord or the  
790 associated utilities expenses.

791 (9) "Family or household members" means spouses, former  
792 spouses, persons related by blood or marriage, persons who are  
793 parents of a child in common regardless of whether they have  
794 been married, and other persons who are currently residing  
795 together in the same dwelling unit as if a family.

796 (10) "Full-time care" means at least 6 hours, but not more  
797 than 11 hours, of child care or early childhood education  
798 services within a 24-hour period.

799 (11) "Market rate" means the price that a child care or  
800 early childhood education provider charges for full-time or  
801 part-time daily, weekly, or monthly child care or early  
802 childhood education services.

803 (12) "Office" means the Office of Early Learning within the  
804 Department of Education's Office of Independent Education and  
805 Parental Choice.

806 (13) "Part-time care" means less than 6 hours of child care  
807 or early childhood education services within a 24-hour period.

808 (14) "Single point of entry" means an integrated  
809 information system that allows a parent to enroll his or her  
810 child in the school readiness program or the Voluntary



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811 Prekindergarten Education Program at various locations  
812 throughout a county, that may allow a parent to enroll his or  
813 her child by telephone or through a website, and that uses a  
814 uniform waiting list to track eligible children waiting for  
815 enrollment in the school readiness program.

816 (15) "Unearned income" means income other than earned  
817 income. The term includes, but is not limited to:

818 (a) Documented alimony and child support received.

819 (b) Social security benefits.

820 (c) Supplemental security income benefits.

821 (d) Workers' compensation benefits.

822 (e) Reemployment assistance or unemployment compensation  
823 benefits.

824 (f) Veterans' benefits.

825 (g) Retirement benefits.

826 (h) Temporary cash assistance under chapter 414.

827 (16) "Working family" means:

828 (a) A single-parent family in which the parent with whom  
829 the child resides is employed or engaged in eligible work or  
830 education activities for at least 20 hours per week;

831 (b) A two-parent family in which both parents with whom the  
832 child resides are employed or engaged in eligible work or  
833 education activities for a combined total of at least 40 hours  
834 per week; or

835 (c) A two-parent family in which one of the parents with  
836 whom the child resides is exempt from work requirements due to  
837 age or disability, as determined and documented by a physician  
838 licensed under chapter 458 or chapter 459, and one parent is  
839 employed or engaged in eligible work or education activities at



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least 20 hours per week.

1002.82 Office of Early Learning; powers and duties.—

(1) For purposes of administration of the Child Care and Development Block Grant Trust Fund, pursuant to 45 C.F.R. parts 98 and 99, the Office of Early Learning is designated as the lead agency and must comply with lead agency responsibilities pursuant to federal law. The office may apply to the Governor and Cabinet for a waiver of, and the Governor and Cabinet may waive, any provision of ss. 411.223 and 1003.54 if the waiver is necessary for implementation of the school readiness program. Section 125.901(2)(a)3. does not apply to the school readiness program.

(2) The office shall:

(a) Focus on improving the educational quality delivered by all providers participating in the school readiness program.

(b) Preserve parental choice by permitting parents to choose from a variety of child care categories, including center-based care, family child care, and informal child care to the extent authorized in the state's Child Care and Development Fund Plan as approved by the United States Department of Health and Human Services pursuant to 45 C.F.R. s. 98.18. Care and curriculum by a faith-based provider may not be limited or excluded in any of these categories.

(c) Be responsible for the prudent use of all public and private funds in accordance with all legal and contractual requirements, safeguarding the effective use of federal, state, and local resources to achieve the highest practicable level of school readiness for the children described in s. 1002.87, including:



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869       1. The adoption of a uniform chart of accounts for  
870 budgeting and financial reporting purposes that provides  
871 standardized definitions for expenditures and reporting,  
872 consistent with the requirements of 45 C.F.R. part 98 and s.  
873 1002.89 for each of the following categories of expenditure:

- 874       a. Direct services to children.
- 875       b. Administrative costs.
- 876       c. Quality activities.
- 877       d. Nondirect services.

878       2. Coordination with other state and federal agencies to  
879 perform data matches on children participating in the school  
880 readiness program and their families in order to verify the  
881 children's eligibility pursuant to s. 1002.87.

882       (d) Establish procedures for the biennial calculation of  
883 the average market rate.

884       (e) Review each early learning coalition's school readiness  
885 program plan every 2 years and provide final approval of the  
886 plan and any amendments submitted.

887       (f) Establish a unified approach to the state's efforts to  
888 coordinate a comprehensive early learning program. In support of  
889 this effort, the office:

890       1. Shall adopt specific program support services that  
891 address the state's school readiness program, including:

892       a. Statewide data information program requirements that  
893 include:

- 894       (I) Eligibility requirements.
- 895       (II) Financial reports.
- 896       (III) Program accountability measures.
- 897       (IV) Child progress reports.



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- 898        b. Child care resource and referral services.
- 899        c. A single point of entry and uniform waiting list.
- 900        2. May provide technical assistance and guidance on
- 901 additional support services to complement the school readiness
- 902 program, including:
- 903        a. Rating and improvement systems.
- 904        b. Warm-Line services.
- 905        c. Anti-fraud plans.
- 906        d. School readiness program standards.
- 907        e. Child screening and assessments.
- 908        f. Training and support for parental involvement in
- 909 children's early education.
- 910        g. Family literacy activities and services.
- 911        (g) Provide technical assistance to early learning
- 912 coalitions.
- 913        (h) In cooperation with the early learning coalitions,
- 914 coordinate with the Child Care Services Program Office of the
- 915 Department of Children and Families to reduce paperwork and to
- 916 avoid duplicating interagency activities, health and safety
- 917 monitoring, and acquiring and composing data pertaining to child
- 918 care training and credentialing.
- 919        (i) Develop, in coordination with the Child Care Services
- 920 Program Office of the Department of Children and Families, and
- 921 adopt a health and safety checklist to be completed by license-
- 922 exempt providers that does not exceed the requirements s.
- 923 402.305.
- 924        (j) Develop and adopt standards and benchmarks that address
- 925 the age-appropriate progress of children in the development of
- 926 school readiness skills. The standards for children from birth





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927 to 5 years of age in the school readiness program must be  
928 aligned with the performance standards adopted for children in  
929 the Voluntary Prekindergarten Education Program and must address  
930 the following domains:

- 931 1. Approaches to learning.  
932 2. Cognitive development and general knowledge.  
933 3. Numeracy, language, and communication.  
934 4. Physical development.  
935 5. Self-regulation.

936 (k) Select assessments that are valid, reliable, and  
937 developmentally appropriate for use as preassessment and  
938 postassessment for the age ranges specified in the coalition  
939 plans. The assessments must be designed to measure progress in  
940 the domains of the performance standards adopted pursuant to  
941 paragraph (j), provide appropriate accommodations for children  
942 with disabilities and English language learners, and be  
943 administered by qualified individuals, consistent with the  
944 publisher's instructions.

945 (l) Adopt a list of approved curricula that meet the  
946 performance standards for the school readiness program and  
947 establish a process for the review and approval of a provider's  
948 curriculum that meets the performance standards.

949 (m) Adopt by rule a standard statewide provider contract to  
950 be used with each school readiness program provider, with  
951 standardized attachments by provider type. The office shall  
952 publish a copy of the standard statewide provider contract on  
953 its website. The standard statewide contract shall include, at a  
954 minimum, provisions for provider probation, termination for  
955 cause, and emergency termination for those actions or inactions



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956 of a provider that pose an immediate and serious danger to the  
957 health, safety, or welfare of the children. The standard  
958 statewide provider contract shall also include appropriate due  
959 process procedures. During the pendency of an appeal of a  
960 termination, the provider may not continue to offer its  
961 services. Any provision imposed upon a provider that is  
962 inconsistent with, or prohibited by, law is void and  
963 unenforceable.

964 (n) Establish a single statewide information system that  
965 each coalition must use for the purposes of managing the single  
966 point of entry, tracking children's progress, coordinating  
967 services among stakeholders, determining eligibility of  
968 children, tracking child attendance, and streamlining  
969 administrative processes for providers and early learning  
970 coalitions.

971 (o) Adopt by rule standardized procedures for coalitions to  
972 use when monitoring the compliance of school readiness program  
973 providers with the terms of the standard statewide provider  
974 contract.

975 (p) Monitor and evaluate the performance of each early  
976 learning coalition in administering the school readiness  
977 program, ensuring proper payments for school readiness program  
978 services, implementing the coalition's school readiness program  
979 plan, and administering the Voluntary Prekindergarten Education  
980 Program. These monitoring and performance evaluations must  
981 include, at a minimum, onsite monitoring of each coalition's  
982 finances, management, operations, and programs.

983 (q) Work in conjunction with the Bureau of Federal  
984 Education Programs within the Department of Education to



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985 coordinate readiness and voluntary prekindergarten services to  
986 the populations served by the bureau.

987 (r) Administer a statewide toll-free Warm-Line to provide  
988 assistance and consultation to child care facilities and family  
989 day care homes regarding health, developmental, disability, and  
990 special needs issues of the children they are serving,  
991 particularly children with disabilities and other special needs.

992 The office shall:

993 1. Annually inform child care facilities and family day  
994 care homes of the availability of this service through the child  
995 care resource and referral network under s. 1002.92.

996 2. Expand or contract for the expansion of the Warm-Line to  
997 maintain at least one Warm-Line in each early learning coalition  
998 service area.

999 (3) If the office determines during the review of school  
1000 readiness program plans, or through monitoring and performance  
1001 evaluations conducted under s. 1002.85, that an early learning  
1002 coalition has not substantially implemented its plan, has not  
1003 substantially met the performance standards and outcome measures  
1004 adopted by the office, or has not effectively administered the  
1005 school readiness program or Voluntary Prekindergarten Education  
1006 Program, the office may temporarily contract with a qualified  
1007 entity to continue school readiness program and prekindergarten  
1008 services in the coalition's county or multicounty region until  
1009 the office reestablishes the coalition and a new school  
1010 readiness program plan is approved in accordance with the rules  
1011 adopted by the office.

1012 (4) The office may request the Governor to apply for a  
1013 waiver to allow a coalition to administer the Head Start Program



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1014 to accomplish the purposes of the school readiness program.

1015 (5) By January 1 of each year, the office shall publish on  
1016 its website a report of its activities conducted under this  
1017 section. The report must include a summary of the coalitions'  
1018 annual reports, a statewide summary, and the following:

1019 (a) An analysis of early learning activities throughout the  
1020 state, including the school readiness program and the Voluntary  
1021 Prekindergarten Education Program.

1022 1. The total and average number of children served in the  
1023 school readiness program, enumerated by age, eligibility  
1024 priority category, and coalition, and the total number of  
1025 children served in the Voluntary Prekindergarten Education  
1026 Program.

1027 2. A summary of expenditures by coalition, by fund source,  
1028 including a breakdown by coalition of the percentage of  
1029 expenditures for administrative activities, quality activities,  
1030 nondirect services, and direct services for children.

1031 3. A description of the office's and each coalition's  
1032 expenditures by fund source for the quality and enhancement  
1033 activities described in s. 1002.89(6)(b).

1034 4. A summary of annual findings and collections related to  
1035 provider fraud and parent fraud.

1036 5. Data regarding the coalitions' delivery of early  
1037 learning programs.

1038 6. The total number of children disenrolled statewide and  
1039 the reason for disenrollment.

1040 7. The total number of providers by provider type.

1041 8. The total number of provider contracts revoked and the  
1042 reasons for revocation.



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1043 (b) A summary of the activities and detailed expenditures  
1044 related to the Child Care Executive Partnership Program.

1045 (6) (a) Parental choice of child care providers, including  
1046 private and faith-based providers, shall be established to the  
1047 maximum extent practicable in accordance with 45 C.F.R. s.  
1048 98.30.

1049 (b) As used in this subsection, the term "payment  
1050 certificate" means a child care certificate as defined in 45  
1051 C.F.R. s. 98.2.

1052 (c) The school readiness program shall, in accordance with  
1053 45 C.F.R. s. 98.30, provide parental choice through a payment  
1054 certificate that provides, to the maximum extent possible,  
1055 flexibility in the school readiness program and payment  
1056 arrangements. The payment certificate must bear the names of the  
1057 beneficiary and the program provider and, when redeemed, must  
1058 bear the signatures of both the beneficiary and an authorized  
1059 representative of the provider.

1060 (d) If it is determined that a provider has given any cash  
1061 or other consideration to the beneficiary in return for  
1062 receiving a payment certificate, the early learning coalition or  
1063 its fiscal agent shall refer the matter to the Department of  
1064 Financial Services pursuant to s. 414.411 for investigation.

1065 (7) Participation in the school readiness program does not  
1066 expand the regulatory authority of the state, its officers, or  
1067 an early learning coalition to impose any additional regulation  
1068 on providers beyond those necessary to enforce the requirements  
1069 set forth in this part and part V of this chapter.

1070 1002.83 Early learning coalitions.—

1071 (1) Thirty-one or fewer early learning coalitions are



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1072 established and shall maintain direct enhancement services at  
1073 the local level and provide access to such services in all 67  
1074 counties. Two or more early learning coalitions may join for  
1075 purposes of planning and implementing a school readiness program  
1076 and the Voluntary Prekindergarten Education Program.

1077 (2) Each early learning coalition shall be composed of at  
1078 least 15 members but not more than 30 members.

1079 (3) The Governor shall appoint the chair and two other  
1080 members of each early learning coalition, who must each meet the  
1081 same qualifications as private sector business members appointed  
1082 by the coalition under subsection (5).

1083 (4) Each early learning coalition must include the  
1084 following member positions; however, in a multicounty coalition,  
1085 each ex officio member position may be filled by multiple  
1086 nonvoting members but no more than one voting member shall be  
1087 seated per member position. If an early learning coalition has  
1088 more than one member representing the same entity, only one of  
1089 such members may serve as a voting member:

1090 (a) A Department of Children and Families regional  
1091 administrator or his or her permanent designee who is authorized  
1092 to make decisions on behalf of the department.

1093 (b) A district superintendent of schools or his or her  
1094 permanent designee who is authorized to make decisions on behalf  
1095 of the district.

1096 (c) A regional workforce board executive director or his or  
1097 her permanent designee.

1098 (d) A county health department director or his or her  
1099 designee.

1100 (e) A children's services council or juvenile welfare board



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1101 chair or executive director, if applicable.  
1102 (f) An agency head of a local licensing agency as defined  
1103 in s. 402.302, where applicable.  
1104 (g) A president of a Florida College System institution or  
1105 his or her permanent designee.  
1106 (h) One member appointed by a board of county commissioners  
1107 or the governing board of a municipality.  
1108 (i) A central agency administrator, where applicable.  
1109 (j) A Head Start director.  
1110 (k) A representative of private for-profit child care  
1111 providers, including private for-profit family day care homes.  
1112 (l) A representative of faith-based child care providers.  
1113 (m) A representative of programs for children with  
1114 disabilities under the federal Individuals with Disabilities  
1115 Education Act.  
1116 (5) Including the members appointed by the Governor under  
1117 subsection (3), more than one-third of the members of each early  
1118 learning coalition must be private sector business members,  
1119 either for-profit or nonprofit, who do not have, and none of  
1120 whose relatives as defined in s. 112.3143 has, a substantial  
1121 financial interest in the design or delivery of the Voluntary  
1122 Prekindergarten Education Program created under part V of this  
1123 chapter or the school readiness program. To meet this  
1124 requirement an early learning coalition must appoint additional  
1125 members. The office shall establish criteria for appointing  
1126 private sector business members. These criteria must include  
1127 standards for determining whether a member or relative has a  
1128 substantial financial interest in the design or delivery of the  
1129 Voluntary Prekindergarten Education Program or the school



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1130 readiness program.

1131 (6) A majority of the voting membership of an early  
1132 learning coalition constitutes a quorum required to conduct the  
1133 business of the coalition. An early learning coalition may use  
1134 any method of telecommunications to conduct meetings, including  
1135 establishing a quorum through telecommunications, provided that  
1136 the public is given proper notice of a telecommunications  
1137 meeting and reasonable access to observe and, when appropriate,  
1138 participate.

1139 (7) A voting member of an early learning coalition may not  
1140 appoint a designee to act in his or her place, except as  
1141 otherwise provided in this subsection. A voting member may send  
1142 a representative to coalition meetings but that representative  
1143 does not have voting privileges. When a regional administrator  
1144 for the Department of Children and Families appoints a designee  
1145 to an early learning coalition, the designee is the voting  
1146 member of the coalition, and any individual attending in the  
1147 designee's place, including the district administrator, does not  
1148 have voting privileges.

1149 (8) Each member of an early learning coalition is subject  
1150 to ss. 112.313, 112.3135, and 112.3143. For purposes of s.  
1151 112.3143(3)(a), each voting member is a local public officer who  
1152 must abstain from voting when a voting conflict exists.

1153 (9) For purposes of tort liability, each member or employee  
1154 of an early learning coalition shall be governed by s. 768.28.

1155 (10) An early learning coalition serving a multicounty  
1156 region must include representation from each county.

1157 (11) Each early learning coalition shall establish terms  
1158 for all appointed members of the coalition. The terms must be





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1159 staggered and must be a uniform length that does not exceed 4  
1160 years per term. Coalition chairs shall be appointed for 4 years  
1161 in conjunction with their membership on the Early Learning  
1162 Advisory Council pursuant to s. 20.052. Appointed members may  
1163 serve a maximum of two consecutive terms. When a vacancy occurs  
1164 in an appointed position, the coalition must advertise the  
1165 vacancy.

1166 (12) State, federal, and local matching funds provided to  
1167 the early learning coalitions may not be used directly or  
1168 indirectly to pay for meals, food, or beverages for coalition  
1169 members, coalition employees, or for subcontractor employees.  
1170 Preapproved, reasonable, and necessary per diem allowances and  
1171 travel expenses may be reimbursed. Such reimbursement shall be  
1172 at the standard travel reimbursement rates established in s.  
1173 112.061 and must comply with applicable federal and state  
1174 requirements.

1175 (13) Each early learning coalition shall use a coordinated  
1176 professional development system that supports the achievement  
1177 and maintenance of core competencies by school readiness program  
1178 teachers in helping children attain the performance standards  
1179 adopted by the office.

1180 (14) Each school district shall, upon request of the  
1181 coalition, make a list of all individuals currently eligible to  
1182 act as a substitute teacher within the school district, pursuant  
1183 to rules adopted by the school district pursuant to s. 1012.35,  
1184 available to an early learning coalition serving students within  
1185 the school district. Child care facilities as defined in s.  
1186 402.302 may employ individuals listed as substitute instructors  
1187 for the purpose of offering the school readiness program, the



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1188 Voluntary Prekindergarten Education Program, and all other  
1189 legally operating child care programs.

1190 1002.84 Early learning coalitions; school readiness powers  
1191 and duties.—Each early learning coalition shall:

1192 (1) Administer and implement a local comprehensive program  
1193 of school readiness program services in accordance with this  
1194 part and the rules adopted by the office, which enhances the  
1195 cognitive, social, and physical development of children to  
1196 achieve the performance standards.

1197 (2) Establish a uniform waiting list to track eligible  
1198 children waiting for enrollment in the school readiness program  
1199 in accordance with rules adopted by the office.

1200 (3) Establish a resource and referral network operating  
1201 under s. 1002.92 to assist parents in making an informed choice  
1202 and provide maximum parental choice of providers and to provide  
1203 information on available community resources.

1204 (4) Establish a regional Warm-Line as directed by the  
1205 office pursuant to s. 1002.82(2)(r). Regional Warm-Line staff  
1206 shall provide onsite technical assistance, when requested, to  
1207 assist child care facilities and family day care homes with  
1208 inquiries relating to the strategies, curriculum, and  
1209 environmental adaptations the child care facilities and family  
1210 day care homes may need as they serve children with disabilities  
1211 and other special needs.

1212 (5) Establish an age-appropriate screening, for children  
1213 ages birth to 5 years, of each child's development and an  
1214 appropriate referral process for children with identified  
1215 delays. Such screening shall not be a requirement of entry into  
1216 the school readiness program and shall be only given with



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1217 parental consent.

1218 (6) Implement an age-appropriate preassessment and  
1219 postassessment of children if specified in the coalition's  
1220 approved plan.

1221 (7) Determine child eligibility pursuant to s. 1002.87 and  
1222 provider eligibility pursuant to s. 1002.88. At a minimum, child  
1223 eligibility must be redetermined annually. Redetermination must  
1224 also be conducted twice per year for an additional 50 percent of  
1225 a coalition's enrollment through a statistically valid random  
1226 sampling. A coalition must document the reason why a child is no  
1227 longer eligible for the school readiness program according to  
1228 the standard codes prescribed by the office.

1229 (8) Establish a parent sliding fee scale that requires a  
1230 parent copayment to participate in the school readiness program.  
1231 Providers are required to collect the parent's copayment. A  
1232 coalition may, on a case-by-case basis, waive the copayment for  
1233 an at-risk child or temporarily waive the copayment for a child  
1234 whose family experiences a natural disaster or an event that  
1235 limits the parent's ability to pay, such as incarceration,  
1236 placement in residential treatment, or becoming homeless, or an  
1237 emergency situation such as a household fire or burglary, or  
1238 while the parent is participating in parenting classes. A parent  
1239 may not transfer school readiness program services to another  
1240 school readiness program provider until the parent has submitted  
1241 documentation from the current school readiness program provider  
1242 to the early learning coalition stating that the parent has  
1243 satisfactorily fulfilled the copayment obligation.

1244 (9) Establish proper maintenance of records related to  
1245 eligibility and enrollment files, provider payments, coalition



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1246 staff background screenings, and other documents required for  
1247 the implementation of the school readiness program.

1248 (10) Establish a records retention requirement for sign-in  
1249 and sign-out records that is consistent with state and federal  
1250 law. Attendance records may not be altered or amended after  
1251 December 31 of the subsequent year.

1252 (11) Comply with the tangible personal property  
1253 requirements of chapter 274 and any rules adopted thereunder.

1254 (12) Comply with federal procurement requirements and the  
1255 procurement requirements of ss. 215.971, 287.057, and 287.058,  
1256 except that an early learning coalition is not required to  
1257 competitively procure direct services for school readiness  
1258 program and Voluntary Prekindergarten Education Program  
1259 providers.

1260 (13) Establish proper information technology security  
1261 controls, including, but not limited to, periodically reviewing  
1262 the appropriateness of access privileges assigned to users of  
1263 certain systems; monitoring system hardware performance and  
1264 capacity-related issues; and ensuring appropriate backup  
1265 procedures and disaster recovery plans are in place.

1266 (14) Develop written policies, procedures, and standards  
1267 for monitoring vendor contracts, including, but not limited to,  
1268 provisions specifying the particular procedures that may be used  
1269 to evaluate contractor performance and the documentation that is  
1270 to be maintained to serve as a record of contractor performance.  
1271 This subsection does not apply to contracts with school  
1272 readiness program providers or Voluntary Prekindergarten  
1273 Education Program providers.

1274 (15) Monitor school readiness program providers in



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1275 accordance with its plan, or in response to a parental  
1276 complaint, to verify that the standards prescribed in ss.  
1277 1002.82 and 1002.88 are being met using a standard monitoring  
1278 tool adopted by the office. Providers determined to be high-risk  
1279 by the coalition, as demonstrated by substantial findings of  
1280 violations of federal law or the general or local laws of the  
1281 state, shall be monitored more frequently. Providers with 3  
1282 consecutive years of compliance may be monitored biennially.

1283 (16) Adopt a payment schedule that encompasses all programs  
1284 funded under this part and part V of this chapter. The payment  
1285 schedule must take into consideration the average market rate,  
1286 include the projected number of children to be served, and be  
1287 submitted for approval by the office. Informal child care  
1288 arrangements shall be reimbursed at not more than 50 percent of  
1289 the rate adopted for a family day care home.

1290 (17) Implement an anti-fraud plan addressing the detection,  
1291 reporting, and prevention of overpayments, abuse, and fraud  
1292 relating to the provision of and payment for school readiness  
1293 program and Voluntary Prekindergarten Education Program services  
1294 and submit the plan to the office for approval, as required by  
1295 s. 1002.91.

1296 (18) By October 1 of each year, submit an annual report to  
1297 the office. The report shall conform to the format adopted by  
1298 the office and must include:

1299 (a) Segregation of school readiness program funds,  
1300 Voluntary Prekindergarten Education Program funds, Child Care  
1301 Executive Partnership Program funds, and other local revenues  
1302 available to the coalition.

1303 (b) Details of expenditures by fund source, including total



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1304 expenditures for administrative activities, quality activities,  
1305 nondirect services, and direct services for children.

1306 (c) The total number of coalition staff and the related  
1307 expenditures for salaries and benefits. For any subcontracts,  
1308 the total number of contracted staff and the related  
1309 expenditures for salaries and benefits must be included.

1310 (d) The number of children served in the school readiness  
1311 program, by provider type, enumerated by age and eligibility  
1312 priority category, reported as the number of children served  
1313 during the month, the average participation throughout the  
1314 month, and the number of children served during the month.

1315 (e) The total number of children disenrolled during the  
1316 year and the reasons for disenrollment.

1317 (f) The total number of providers by provider type.

1318 (g) A listing of any school readiness program provider, by  
1319 type, whose eligibility to deliver the school readiness program  
1320 is revoked, including a brief description of the state or  
1321 federal violation that resulted in the revocation.

1322 (h) An evaluation of its direct enhancement services.

1323 (i) The total number of children served in each provider  
1324 facility.

1325 (19) Maintain its administrative staff at the minimum  
1326 necessary to administer the duties of the early learning  
1327 coalition.

1328 (20) To increase transparency and accountability, comply  
1329 with the requirements of this section before contracting with a  
1330 member of the coalition or a relative, as defined in s.  
1331 112.3143(1) (b), of a coalition member or of an employee of the  
1332 coalition. Such contracts may not be executed without the



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1333 approval of the office. Such contracts, as well as documentation  
1334 demonstrating adherence to this section by the coalition, must  
1335 be approved by a two-thirds vote of the coalition, a quorum  
1336 having been established; all conflicts of interest must be  
1337 disclosed before the vote; and any member who may benefit from  
1338 the contract, or whose relative may benefit from the contract,  
1339 must abstain from the vote. A contract under \$25,000 between an  
1340 early learning coalition and a member of that coalition or  
1341 between a relative, as defined in s. 112.3143(1)(b), of a  
1342 coalition member or of an employee of the coalition is not  
1343 required to have the prior approval of the office but must be  
1344 approved by a two-thirds vote of the coalition, a quorum having  
1345 been established, and must be reported to the office within 30  
1346 days after approval. If a contract cannot be approved by the  
1347 office, a review of the decision to disapprove the contract may  
1348 be requested by the early learning coalition or other parties to  
1349 the disapproved contract.

1350 1002.85 Early learning coalition plans.—

1351 (1) The office shall adopt rules prescribing the  
1352 standardized format and required content of school readiness  
1353 program plans as necessary for a coalition or other qualified  
1354 entity to administer the school readiness program as provided in  
1355 this part.

1356 (2) Each early learning coalition must biennially submit a  
1357 school readiness program plan to the office before the  
1358 expenditure of funds. A coalition may not implement its school  
1359 readiness program plan until it receives approval from the  
1360 office. A coalition may not implement any revision to its school  
1361 readiness program plan until the coalition submits the revised



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1362 plan to and receives approval from the office. If the office  
1363 rejects a plan or revision, the coalition must continue to  
1364 operate under its previously approved plan. The plan must  
1365 include, but is not limited to:

1366 (a) The coalition's operations, including its membership  
1367 and business organization, and the coalition's articles of  
1368 incorporation and bylaws if the coalition is organized as a  
1369 corporation. If the coalition is not organized as a corporation  
1370 or other business entity, the plan must include the contract  
1371 with a fiscal agent.

1372 (b) The minimum number of children to be served by care  
1373 level.

1374 (c) The coalition's procedures for implementing the  
1375 requirements of this part, including:

1376 1. Single point of entry.

1377 2. Uniform waiting list.

1378 4. Eligibility and enrollment processes.

1379 5. Parent access and choice.

1380 6. Sliding fee scale and policies on applying the waiver or  
1381 reduction of fees in accordance with 1002.84(8).

1382 7. Use of preassessments and postassessments, as  
1383 applicable.

1384 8. Payment rate.

1385 (d) A detailed description of the coalition's quality  
1386 activities and services, including:

1387 1. Resource and referral and school-age child care.

1388 2. Infant and toddler early learning.

1389 3. Inclusive early learning programs.

1390 (e) A detailed budget that outlines estimated expenditures





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1391 for state, federal, and local matching funds at the lowest level  
1392 of detail available by other-cost-accumulator code number; all  
1393 estimated sources of revenue with identifiable descriptions; a  
1394 listing of full-time equivalent positions; contracted  
1395 subcontractor costs with related annual compensation amount or  
1396 hourly rate of compensation; and a capital improvements plan  
1397 outlining existing fixed capital outlay projects and proposed  
1398 capital outlay projects that will begin during the budget year.

1399 (f) A detailed accounting, in the format prescribed by the  
1400 office, of all revenues and expenditures during the previous  
1401 state fiscal year. Revenue sources should be identifiable and  
1402 expenditures should be reported by three categories: state and  
1403 federal funds, local matching funds, and Child Care Executive  
1404 Partnership Program funds.

1405 (g) Updated policies and procedures, including those  
1406 governing procurement, maintenance of tangible personal  
1407 property, maintenance of records, information technology  
1408 security, and disbursement controls.

1409 (h) A description of the procedures for monitoring school  
1410 readiness program providers, including in response to a parental  
1411 complaint, to determine that the standards prescribed in ss.  
1412 1002.82 and 1002.88 are met using a standard monitoring tool  
1413 adopted by the office. Providers determined to be high risk by  
1414 the coalition as demonstrated by substantial findings of  
1415 violations of law shall be monitored more frequently.

1416 (i) Documentation that the coalition has solicited and  
1417 considered comments regarding the proposed school readiness  
1418 program plan from the local community.

1419 (3) The coalition may periodically amend its plan as



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1420 necessary. An amended plan must be submitted to and approved by  
1421 the office before any expenditures are incurred on the new  
1422 activities proposed in the amendment.

1423 (4) The office shall publish a copy of the standardized  
1424 format and required content of school readiness program plans on  
1425 its website.

1426 (5) The office shall collect and report data on coalition  
1427 delivery of early learning programs. Elements shall include, but  
1428 are not limited to, measures related to progress towards  
1429 reducing the number of children on the waitlist, the percentage  
1430 of children served by the program as compared to the number of  
1431 administrative staff and overhead, the percentage of children  
1432 served compared to total number of children under the age of 5  
1433 years below 150 percent of the federal poverty level, provider  
1434 payment processes, fraud intervention, child attendance and  
1435 stability, use of child care resource and referral, and  
1436 kindergarten readiness outcomes for children in the Voluntary  
1437 Prekindergarten Education Program or the school readiness  
1438 program upon entry into kindergarten. The office shall request  
1439 input from the coalitions and school readiness program providers  
1440 before finalizing the format and data to be used. The report  
1441 shall be implemented beginning July 1, 2014, and results of the  
1442 report must be included in the annual report under s. 1002.82.

1443 1002.86 School readiness program; education component.—The  
1444 education component of the school readiness program should be  
1445 developmentally appropriate and based on research, involve the  
1446 parent as the child's first teacher, serve as a preventive  
1447 measure for children at risk of future school failure, and  
1448 enhance the educational readiness of eligible children. The



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1449 school readiness program should be of assistance to parents in  
1450 preparing their at-risk children for educational success,  
1451 including, as appropriate, health screening and referral.

1452 1002.87 School readiness program; eligibility and  
1453 enrollment.-

1454 (1) Effective August 1, 2013, or upon reevaluation of  
1455 eligibility for children currently served, whichever is later,  
1456 each early learning coalition shall give priority for  
1457 participation in the school readiness program as follows:

1458 (a) Priority shall be given first to a child younger than  
1459 13 years of age from a family that includes a parent who is  
1460 receiving temporary cash assistance under chapter 414 and  
1461 subject to the federal work requirements.

1462 (b) Priority shall be given next to an at-risk child  
1463 younger than 9 years of age.

1464 (c) Priority shall be given next to a child from birth to  
1465 the beginning of the school year for which the child is eligible  
1466 for admission to kindergarten in a public school under s.  
1467 1003.21(1)(a)2. who is from a working family that is  
1468 economically disadvantaged, and may include such child's  
1469 eligible siblings, beginning with the school year in which the  
1470 sibling is eligible for admission to kindergarten in a public  
1471 school under s. 1003.21(1)(a)2. until the beginning of the  
1472 school year in which the sibling is eligible to begin 6th grade,  
1473 provided that the first priority for funding an eligible sibling  
1474 is local revenues available to the coalition for funding direct  
1475 services. However, a child eligible under this paragraph ceases  
1476 to be eligible if his or her family income exceeds 200 percent  
1477 of the federal poverty level.



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1478 (d) Priority shall be given next to an at-risk child who is  
1479 at least 9 years of age but younger than 13 years of age. An at-  
1480 risk child whose sibling is enrolled in the school readiness  
1481 program within an eligibility priority category listed in  
1482 paragraphs (a)-(c) shall be given priority over other children  
1483 who are eligible under this paragraph.

1484 (e) Priority shall be given next to a child who is younger  
1485 than 13 years of age from a working family that is economically  
1486 disadvantaged. A child who is eligible under this paragraph  
1487 whose sibling is enrolled in the school readiness program under  
1488 paragraph (c) shall be given priority over other children who  
1489 are eligible under this paragraph. However, a child eligible  
1490 under this paragraph ceases to be eligible if his or her family  
1491 income exceeds 200 percent of the federal poverty level.

1492 (f) Priority shall be given next to a child who has special  
1493 needs, has been determined eligible as a student with a  
1494 disability, has a current individual education plan with a  
1495 Florida school district, and is not younger than 3 years of age.  
1496 A special needs child eligible under this paragraph remains  
1497 eligible until the child is eligible for admission to  
1498 kindergarten in a public school under s. 1003.21(1)(a)2.

1499 (g) Priority shall be given next to a child of a parent who  
1500 transitions from the work program into employment as described  
1501 in s. 445.032.

1502 (h) Notwithstanding paragraphs (a)-(d), priority shall be  
1503 given last to a child who otherwise meets one of the eligibility  
1504 criteria in paragraphs (a)-(d) but who is also enrolled  
1505 concurrently in the federal Head Start Program and the Voluntary  
1506 Prekindergarten Education Program.



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1507       (2) A school readiness program provider may be paid only  
1508 for authorized hours of care provided for a child in the school  
1509 readiness program. A child enrolled in the Voluntary  
1510 Prekindergarten Education Program may receive care from the  
1511 school readiness program if the child is eligible according to  
1512 the eligibility priorities in this section.

1513       (3) Contingent upon the availability of funds, a coalition  
1514 shall enroll eligible children, including those from its waiting  
1515 list, according to the eligibility priorities in this section.

1516       (4) The parent of a child enrolled in the school readiness  
1517 program must notify the coalition or its designee within 10 days  
1518 after any change in employment, income, or family size. Upon  
1519 notification by the parent, the child's eligibility must be  
1520 reevaluated.

1521       (5) A child whose eligibility priority category requires  
1522 the child to be from a working family ceases to be eligible for  
1523 the school readiness program if a parent with whom the child  
1524 resides does not reestablish employment within 60 days after  
1525 becoming unemployed.

1526       (6) Eligibility for each child must be reevaluated  
1527 annually. Upon reevaluation, a child may not continue to receive  
1528 school readiness program services if he or she has ceased to be  
1529 eligible under this section.

1530       (7) If a coalition disenrolls children from the school  
1531 readiness program, the coalition must disenroll the children in  
1532 reverse order of the eligibility priorities listed in subsection  
1533 (1) beginning with children from families with the highest  
1534 family incomes. A notice of disenrollment must be sent to the  
1535 parent and school readiness program provider at least 2 weeks



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1536 before disenrollment to provide adequate time for the parent to  
1537 arrange alternative care for the child. However, an at-risk  
1538 child may not be disenrolled from the program without the  
1539 written approval of the Child Welfare Program Office of the  
1540 Department of Children and Families or the community-based lead  
1541 agency.

1542 (8) If a child is absent from the program for 5 consecutive  
1543 days without parental notification to the program of such  
1544 absence, the school readiness program provider shall report the  
1545 absence to the early learning coalition for a determination of  
1546 the need for continued care.

1547 (9) Notwithstanding s. 39.604, a school readiness program  
1548 provider, regardless of whether the provider is licensed, shall  
1549 comply with the reporting requirements of the Rilya Wilson Act  
1550 for each at-risk child under the age of school entry who is  
1551 enrolled in the school readiness program.

1552 1002.88 School readiness program provider standards;  
1553 eligibility to deliver the school readiness program.-

1554 (1) To be eligible to deliver the school readiness program,  
1555 a school readiness program provider must:

1556 (a) Be a child care facility licensed under s. 402.305, a  
1557 family day care home licensed or registered under s. 402.313, a  
1558 large family child care home licensed under s. 402.3131, a  
1559 public school or nonpublic school exempt from licensure under s.  
1560 402.3025, a faith-based child care provider exempt from  
1561 licensure under s. 402.316, a before-school or after-school  
1562 program described in s. 402.305(1)(c), or an informal child care  
1563 provider to the extent authorized in the state's Child Care and  
1564 Development Fund Plan as approved by the United States



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1565 Department of Health and Human Services pursuant to 45 C.F.R. s.  
1566 98.18.

1567 (b) Provide instruction and activities to enhance the age-  
1568 appropriate progress of each child in attaining the child  
1569 development standards adopted by the office pursuant to s.  
1570 1002.82(2)(j). A provider should include activities to foster  
1571 brain development in infants and toddlers; provide an  
1572 environment that is rich in language and music and filled with  
1573 objects of various colors, shapes, textures, and sizes to  
1574 stimulate visual, tactile, auditory, and linguistic senses; and  
1575 include 30 minutes of reading to children each day.

1576 (c) Provide basic health and safety of its premises and  
1577 facilities and compliance with requirements for age-appropriate  
1578 immunizations of children enrolled in the school readiness  
1579 program. For a child care facility, a large family child care  
1580 home, or a licensed family day care home, compliance with s.  
1581 402.305, s. 402.3131, or s. 402.313 satisfies this requirement.  
1582 For a public or nonpublic school, compliance with s. 402.3025 or  
1583 s. 1003.22 satisfies this requirement. A faith-based child care  
1584 provider, an informal child care provider, or a nonpublic  
1585 school, exempt from licensure under ss. 402.316 or 402.3025,  
1586 shall annually complete the health and safety checklist adopted  
1587 by the office, post the checklist prominently on its premises in  
1588 plain sight for visitors and parents, and submit it annually to  
1589 its local early learning coalition.

1590 (d) Provide an appropriate staff-to-children ratio,  
1591 pursuant to s. 402.305(4) or s. 402.302(8) or (11), as  
1592 applicable, and as verified pursuant to s. 402.311.

1593 (e) Provide a healthy and safe environment pursuant to s.



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1594 402.305(5), (6), and (7), as applicable, and as verified  
1595 pursuant to s. 402.311.

1596 (f) Implement one of the curricula approved by the office  
1597 that meets the child development standards.

1598 (g) Implement a character development program to develop  
1599 basic values.

1600 (h) Collaborate with the respective early learning  
1601 coalition to complete initial screening for each child, aged 6  
1602 weeks to kindergarten eligibility, within 45 days after the  
1603 child's first or subsequent enrollment, to identify a child who  
1604 may need individualized supports.

1605 (i) Implement minimum standards for child discipline  
1606 practices that are age-appropriate and consistent with the  
1607 requirements in s. 402.305(12). Such standards must provide that  
1608 children not be subjected to discipline that is severe,  
1609 humiliating, or frightening or discipline that is associated  
1610 with food, rest, or toileting. Spanking or any other form of  
1611 physical punishment is prohibited.

1612 (j) Obtain and keep on file record of the child's  
1613 immunizations, physical development, and other health  
1614 requirements as necessary, including appropriate vision and  
1615 hearing screening and examination, within 30 days after  
1616 enrollment.

1617 (k) Implement before-school or after-school programs that  
1618 meet or exceed the requirements of s. 402.305(5), (6), and (7).

1619 (l) For a provider that is not an informal provider,  
1620 maintain general liability insurance and provide the coalition  
1621 with written evidence of general liability insurance coverage,  
1622 including coverage for transportation of children if school





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1623 readiness program children are transported by the provider. A  
1624 provider must obtain and retain an insurance policy that  
1625 provides a minimum of \$100,000 of coverage per occurrence and a  
1626 minimum of \$300,000 general aggregate coverage. The office may  
1627 authorize lower limits upon request, as appropriate. A provider  
1628 must add the coalition as a named certificateholder and as an  
1629 additional insured. A provider must provide the coalition with a  
1630 minimum of 10 calendar days' advance written notice of  
1631 cancellation of or changes to coverage. The general liability  
1632 insurance required by this paragraph must remain in full force  
1633 and effect for the entire period of the provider contract with  
1634 the coalition.

1635 (m) For a provider that is an informal provider, comply  
1636 with the provisions of paragraph (l) or maintain homeowner's  
1637 liability insurance and, if applicable, a business rider. If an  
1638 informal provider chooses to maintain a homeowner's policy, the  
1639 provider must obtain and retain a homeowner's insurance policy  
1640 that provides a minimum of \$100,000 of coverage per occurrence  
1641 and a minimum of \$300,000 general aggregate coverage. The office  
1642 may authorize lower limits upon request, as appropriate. An  
1643 informal provider must add the coalition as a named  
1644 certificateholder and as an additional insured. An informal  
1645 provider must provide the coalition with a minimum of 10  
1646 calendar days' advance written notice of cancellation of or  
1647 changes to coverage. The general liability insurance required by  
1648 this paragraph must remain in full force and effect for the  
1649 entire period of the provider's contract with the coalition.

1650 (n) Obtain and maintain any required workers' compensation  
1651 insurance under chapter 440 and any required reemployment



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1652 assistance or unemployment compensation coverage under chapter  
1653 443.

1654 (o) Notwithstanding paragraph (l), for a provider that is a  
1655 state agency or a subdivision thereof, as defined in s.  
1656 768.28(2), agree to notify the coalition of any additional  
1657 liability coverage maintained by the provider in addition to  
1658 that otherwise established under s. 768.28. The provider shall  
1659 indemnify the coalition to the extent permitted by s. 768.28.

1660 (p) Execute the standard statewide provider contract  
1661 adopted by the office.

1662 (q) Operate on a full-time and part-time basis and provide  
1663 extended-day and extended-year services to the maximum extent  
1664 possible without compromising the quality of the program to meet  
1665 the needs of parents who work.

1666 (2) If a school readiness program provider fails or refuses  
1667 to comply with this part or any contractual obligation of the  
1668 statewide provider contract under s. 1002.82(2)(m), the  
1669 coalition may revoke the provider's eligibility to deliver the  
1670 school readiness program or receive state or federal funds under  
1671 this chapter for a period of 5 years.

1672 (3) The office and the coalitions may not:

1673 (a) Impose any requirement on a child care provider or  
1674 early childhood education provider that does not deliver  
1675 services under the school readiness program or receive state or  
1676 federal funds under this part;

1677 (b) Impose any requirement on a school readiness program  
1678 provider that exceeds the authority provided under this part or  
1679 part V of this chapter or rules adopted pursuant to this part or  
1680 part V of this chapter; or



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1681       (c) Require a provider to administer a preassessment or  
1682 postassessment.

1683       1002.89 School readiness program; funding.—

1684       (1) Funding for the school readiness program shall be  
1685 allocated among the early learning coalitions in accordance with  
1686 this section and the General Appropriations Act.

1687       (2) The office shall administer school readiness program  
1688 funds and prepare and submit a unified budget request for the  
1689 school readiness program in accordance with chapter 216.

1690       (3) All instructions to early learning coalitions for  
1691 administering this section shall emanate from the office in  
1692 accordance with the policies of the Legislature.

1693       (4) All cost savings and all revenues received through a  
1694 mandatory sliding fee scale shall be used to increase the number  
1695 of children served.

1696       (5) All state, federal, and local matching funds provided  
1697 to an early learning coalition for purposes of this section  
1698 shall be used for implementation of its approved school  
1699 readiness program plan, including the hiring of staff to  
1700 effectively operate the school readiness program.

1701       (6) Costs shall be kept to the minimum necessary for the  
1702 efficient and effective administration of the school readiness  
1703 program with the highest priority of expenditure being direct  
1704 services for eligible children. However, no more than 5 percent  
1705 of the funds described in subsection (5) may be used for  
1706 administrative costs and no more than 22 percent of the funds  
1707 described in subsection (5) may be used in any fiscal year for  
1708 any combination of administrative costs, quality activities, and  
1709 nondirect services as follows:



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1710           (a) Administrative costs as described in 45 C.F.R. s.  
1711 98.52, which shall include monitoring providers using the  
1712 standard methodology adopted under s. 1002.82 to improve  
1713 compliance with state and federal regulations and law pursuant  
1714 to the requirements of the statewide provider contract adopted  
1715 under s. 1002.82(2)(m).

1716           (b) Activities to improve the quality of child care as  
1717 described in 45 C.F.R. s. 98.51, which shall be limited to the  
1718 following:

1719           1. Developing, establishing, expanding, operating, and  
1720 coordinating resource and referral programs specifically related  
1721 to the provision of comprehensive consumer education to parents  
1722 and the public regarding participation in the school readiness  
1723 program and parental choice.

1724           2. Awarding grants to school readiness program providers to  
1725 assist them in meeting applicable state requirements for child  
1726 care performance standards, implementing developmentally  
1727 appropriate curricula and related classroom resources that  
1728 support curricula, providing literacy supports, and providing  
1729 professional development. Any grants awarded pursuant to this  
1730 subparagraph shall comply with the requirements of ss. 215.971  
1731 and 287.058.

1732           3. Providing training and technical assistance for school  
1733 readiness program providers, staff, and parents on standards,  
1734 child screenings, child assessments, developmentally appropriate  
1735 curricula, character development, teacher-child interactions,  
1736 age-appropriate discipline practices, health and safety,  
1737 nutrition, first aid, the recognition of communicable diseases,  
1738 and child abuse detection and prevention.



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1739 4. Providing from among the funds provided for the  
1740 activities described in subparagraphs 1.-3., adequate funding  
1741 for infants and toddlers as necessary to meet federal  
1742 requirements related to expenditures for quality activities for  
1743 infant and toddler care.

1744 5. Improving the monitoring of compliance with, and  
1745 enforcement of, applicable state and local requirements as  
1746 described in and limited by 45 C.F.R. s. 98.40.

1747 6. Responding to Warm-Line requests by providers and  
1748 parents related to school readiness program children, including  
1749 providing developmental and health screenings to school  
1750 readiness program children.

1751 (c) Nondirect services as described in applicable Office of  
1752 Management and Budget instructions are those services not  
1753 defined as administrative, direct, or quality services that are  
1754 required to administer the school readiness program. Such  
1755 services include, but are not limited to:

1756 1. Assisting families to complete the required application  
1757 and eligibility documentation.

1758 2. Determining child and family eligibility.

1759 3. Recruiting eligible child care providers.

1760 4. Processing and tracking attendance records.

1761 5. Developing and maintaining a statewide child care  
1762 information system.

1763  
1764 As used in this paragraph, the term "nondirect services" does  
1765 not include payments to school readiness program providers for  
1766 direct services provided to children who are eligible under s.  
1767 1002.87, administrative costs as described in paragraph (a), or



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1768 quality activities as described in paragraph (b).

1769 (7) Funds appropriated for the school readiness program may  
1770 not be expended for the purchase or improvement of land, for the  
1771 purchase, construction, or permanent improvement of any building  
1772 or facility, or for the purchase of buses. However, funds may be  
1773 expended for minor remodeling and upgrading child care  
1774 facilities to ensure that providers meet state and local child  
1775 care standards, including applicable health and safety  
1776 requirements.

1777 (8) Beginning in the 2014-2015 fiscal year, all state-  
1778 appropriated funding for the school readiness program shall be  
1779 allocated to early learning coalitions based on the average  
1780 prior year enrollment and the uniform waiting list as adopted by  
1781 the Early Learning Programs Estimating Conference pursuant to s.  
1782 216.136(8) and using the average market rate by program care  
1783 level and provider type pursuant to s. 1002.895.

1784 1002.895 Market rate schedule.—The school readiness program  
1785 market rate schedule shall be implemented as follows:

1786 (1) The office shall establish procedures for the adoption  
1787 of a market rate schedule. The schedule must include, at a  
1788 minimum, county-by-county rates:

1789 (a) The market rate, including the minimum and the maximum  
1790 rates for child care providers that hold a Gold Seal Quality  
1791 Care designation under s. 402.281.

1792 (b) The market rate for child care providers that do not  
1793 hold a Gold Seal Quality Care designation.

1794 (2) The market rate schedule, at a minimum, must:

1795 (a) Differentiate rates by type, including, but not limited  
1796 to, a child care provider that holds a Gold Seal Quality Care



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1797 designation under s. 402.281, a child care facility licensed  
1798 under s. 402.305, a public or nonpublic school exempt from  
1799 licensure under s. 402.3025, a faith-based child care facility  
1800 exempt from licensure under s. 402.316 that does not hold a Gold  
1801 Seal Quality Care designation, a large family child care home  
1802 licensed under s. 402.3131, or a family day care home licensed  
1803 or registered under s. 402.313.

1804 (b) Differentiate rates by the type of child care services  
1805 provided for children with special needs or risk categories,  
1806 infants, toddlers, preschool-age children, and school-age  
1807 children.

1808 (c) Differentiate rates between full-time and part-time  
1809 child care services.

1810 (d) Consider discounted rates for child care services for  
1811 multiple children in a single family.

1812 (3) The market rate schedule must be based exclusively on  
1813 the prices charged for child care services.

1814 (4) The market rate schedule shall be considered by an  
1815 early learning coalition in the adoption of a payment schedule.  
1816 The payment schedule must take into consideration the average  
1817 market rate, include the projected number of children to be  
1818 served, and be submitted for approval by the office. Informal  
1819 child care arrangements shall be reimbursed at not more than 50  
1820 percent of the rate adopted for a family day care home.

1821 (5) The office may contract with one or more qualified  
1822 entities to administer this section and provide support and  
1823 technical assistance for child care providers.

1824 (6) The office may adopt rules for establishing procedures  
1825 for the collection of child care providers' market rate, the



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1826 calculation of the average market rate by program care level and  
1827 provider type in a predetermined geographic market, and the  
1828 publication of the market rate schedule.

1829 1002.91 Investigations of fraud or overpayment; penalties.-

1830 (1) As used in this subsection, the term "fraud" means an  
1831 intentional deception, omission, or misrepresentation made by a  
1832 person with knowledge that the deception, omission, or  
1833 misrepresentation may result in unauthorized benefit to that  
1834 person or another person, or any aiding and abetting of the  
1835 commission of such an act. The term includes any act that  
1836 constitutes fraud under applicable federal or state law.

1837 (2) To recover state, federal, and local matching funds,  
1838 the office shall investigate early learning coalitions,  
1839 recipients, and providers of the school readiness program and  
1840 the Voluntary Prekindergarten Education Program to determine  
1841 possible fraud or overpayment. If by its own inquiries, or as a  
1842 result of a complaint, the office has reason to believe that a  
1843 person, coalition, or provider has engaged in, or is engaging  
1844 in, a fraudulent act, it shall investigate and determine whether  
1845 any overpayment has occurred due to the fraudulent act. During  
1846 the investigation, the office may examine all records, including  
1847 electronic benefits transfer records, and make inquiry of all  
1848 persons who may have knowledge as to any irregularity incidental  
1849 to the disbursement of public moneys or other items or benefits  
1850 authorizations to recipients.

1851 (3) Based on the results of the investigation, the office  
1852 may, in its discretion, refer the investigation to the  
1853 Department of Financial Services for criminal investigation or  
1854 refer the matter to the applicable coalition. Any suspected





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1855 criminal violation identified by the office must be referred to  
1856 the Department of Financial Services for criminal investigation.

1857 (4) An early learning coalition may suspend or terminate a  
1858 provider from participation in the school readiness program or  
1859 the Voluntary Prekindergarten Education Program when it has  
1860 reasonable cause to believe that the provider has committed  
1861 fraud. The office shall adopt by rule appropriate due process  
1862 procedures that the early learning coalition shall apply in  
1863 suspending or terminating any provider, including the suspension  
1864 or termination of payment. If suspended, the provider shall  
1865 remain suspended until the completion of any investigation by  
1866 the office, the Department of Financial Services, or any other  
1867 state or federal agency, and any subsequent prosecution or other  
1868 legal proceeding.

1869 (5) If a school readiness program provider or a Voluntary  
1870 Prekindergarten Education Program provider, or an owner,  
1871 officer, or director thereof, is convicted of, found guilty of,  
1872 or pleads guilty or nolo contendere to, regardless of  
1873 adjudication, public assistance fraud pursuant to s. 414.39, or  
1874 is acting as the beneficial owner for someone who has been  
1875 convicted of, found guilty of, or pleads guilty or nolo  
1876 contendere to, regardless of adjudication, public assistance  
1877 fraud pursuant to s. 414.39, the early learning coalition shall  
1878 refrain from contracting with, or using the services of, that  
1879 provider for a period of 5 years. In addition, the coalition  
1880 shall refrain from contracting with, or using the services of,  
1881 any provider that shares an officer or director with a provider  
1882 that is convicted of, found guilty of, or pleads guilty or nolo  
1883 contendere to, regardless of adjudication, public assistance



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1884 fraud pursuant to s. 414.39 for a period of 5 years.

1885 (6) If the investigation is not confidential or otherwise  
1886 exempt from disclosure by law, the results of the investigation  
1887 may be reported by the office to the appropriate legislative  
1888 committees, the Department of Children and Families, and such  
1889 other persons as the office deems appropriate.

1890 (7) The early learning coalition may not contract with a  
1891 school readiness program provider or a Voluntary Prekindergarten  
1892 Education Program provider who is on the United States  
1893 Department of Agriculture National Disqualified List. In  
1894 addition, the coalition may not contract with any provider that  
1895 shares an officer or director with a provider that is on the  
1896 United States Department of Agriculture National Disqualified  
1897 List.

1898 (8) Each early learning coalition shall adopt an anti-fraud  
1899 plan addressing the detection and prevention of overpayments,  
1900 abuse, and fraud relating to the provision of and payment for  
1901 school readiness program and Voluntary Prekindergarten Education  
1902 Program services and submit the plan to the office for approval.  
1903 The office shall adopt rules establishing criteria for the anti-  
1904 fraud plan, including appropriate due process provisions. The  
1905 anti-fraud plan must include, at a minimum:

1906 (a) A written description or chart outlining the  
1907 organizational structure of the plan's personnel who are  
1908 responsible for the investigation and reporting of possible  
1909 overpayment, abuse, or fraud.

1910 (b) A description of the plan's procedures for detecting  
1911 and investigating possible acts of fraud, abuse, or overpayment.

1912 (c) A description of the plan's procedures for the



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1913 mandatory reporting of possible overpayment, abuse, or fraud to  
1914 the Office of Inspector General within the office.

1915 (d) A description of the plan's program and procedures for  
1916 educating and training personnel on how to detect and prevent  
1917 fraud, abuse, and overpayment.

1918 (e) A description of the plan's procedures, including the  
1919 appropriate due process provisions adopted by the office for  
1920 suspending or terminating from the school readiness program or  
1921 the Voluntary Prekindergarten Education Program a recipient or  
1922 provider who the early learning coalition believes has committed  
1923 fraud.

1924 (9) A person who commits an act of fraud as defined in this  
1925 section is subject to the penalties provided in s. 414.39(5)(a)  
1926 and (b).

1927 1002.92 Child care and early childhood resource and  
1928 referral.—

1929 (1) As a part of the school readiness program, the office  
1930 shall establish a statewide child care resource and referral  
1931 network that is unbiased and provides referrals to families for  
1932 child care and information on available community resources.  
1933 Preference shall be given to using early learning coalitions as  
1934 the child care resource and referral agencies. If an early  
1935 learning coalition cannot comply with the requirements to offer  
1936 the resource information component or does not want to offer  
1937 that service, the early learning coalition shall select the  
1938 resource and referral agency for its county or multicounty  
1939 region based upon the procurement requirements of s.  
1940 1002.84(12).

1941 (2) At least one child care resource and referral agency



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1942 must be established in each early learning coalition's county or  
1943 multicounty region. The office shall adopt rules regarding  
1944 accessibility of child care resource and referral services  
1945 offered through child care resource and referral agencies in  
1946 each county or multicounty region which include, at a minimum,  
1947 required hours of operation, methods by which parents may  
1948 request services, and child care resource and referral staff  
1949 training requirements.

1950 (3) Child care resource and referral agencies shall provide  
1951 the following services:

1952 (a) Identification of existing public and private child  
1953 care and early childhood education services, including child  
1954 care services by public and private employers, and the  
1955 development of a resource file of those services through the  
1956 single statewide information system developed by the office  
1957 under s. 1002.82(2)(n). These services may include family day  
1958 care, public and private child care programs, the Voluntary  
1959 Prekindergarten Education Program, Head Start, the school  
1960 readiness program, special education programs for  
1961 prekindergarten children with disabilities, services for  
1962 children with developmental disabilities, full-time and part-  
1963 time programs, before-school and after-school programs, vacation  
1964 care programs, parent education, the temporary cash assistance  
1965 program, and related family support services. The resource file  
1966 shall include, but not be limited to:

- 1967 1. Type of program.  
1968 2. Hours of service.  
1969 3. Ages of children served.  
1970 4. Number of children served.



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- 1971        5. Program information.
- 1972        6. Fees and eligibility for services.
- 1973        7. Availability of transportation.
- 1974        (b) Establishment of a referral process that responds to  
1975 parental need for information and that is provided with full  
1976 recognition of the confidentiality rights of parents. The  
1977 resource and referral network shall make referrals to legally  
1978 operating child care facilities. Referrals may not be made to a  
1979 child care facility that is operating illegally.
- 1980        (c) Maintenance of ongoing documentation of requests for  
1981 service tabulated through the internal referral process through  
1982 the single statewide information system. The following  
1983 documentation of requests for service shall be maintained by the  
1984 child care resource and referral network:
- 1985            1. Number of calls and contacts to the child care resource  
1986 information and referral network component by type of service  
1987 requested.
- 1988            2. Ages of children for whom service was requested.
- 1989            3. Time category of child care requests for each child.
- 1990            4. Special time category, such as nights, weekends, and  
1991 swing shift.
- 1992            5. Reason that the child care is needed.
- 1993            6. Name of the employer and primary focus of the business  
1994 for an employer based child care program.
- 1995        (d) Provision of technical assistance to existing and  
1996 potential providers of child care services. This assistance may  
1997 include:
- 1998            1. Information on initiating new child care services,  
1999 zoning, and program and budget development and assistance in



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2000 finding such information from other sources.

2001 2. Information and resources which help existing child care  
2002 services providers to maximize their ability to serve children  
2003 and parents in their community.

2004 3. Information and incentives that may help existing or  
2005 planned child care services offered by public or private  
2006 employers seeking to maximize their ability to serve the  
2007 children of their working parent employees in their community,  
2008 through contractual or other funding arrangements with  
2009 businesses.

2010 (e) Assistance to families and employers in applying for  
2011 various sources of subsidy, including, but not limited to, the  
2012 Voluntary Prekindergarten Education Program, the school  
2013 readiness program, Head Start, Project Independence, private  
2014 scholarships, and the federal child and dependent care tax  
2015 credit.

2016 (f) Assistance to families to negotiate discounts or other  
2017 special arrangements with child care providers.

2018 (g) Assistance to families in identifying summer recreation  
2019 camp and summer day camp programs to help families make informed  
2020 choice. Contingent upon specific appropriation, a checklist of  
2021 important health and safety qualities that parents can use to  
2022 choose their summer camp programs shall be developed and  
2023 distributed in a manner that will reach parents interested in  
2024 such programs for their children.

2025 (h) Assistance to families for accessing local community  
2026 resources.

2027 (4) A child care facility licensed under s. 402.305 and  
2028 licensed and registered family day care homes must provide the



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2029 statewide child care and resource and referral network with the  
2030 following information annually:

2031 (a) Type of program.

2032 (b) Hours of service.

2033 (c) Ages of children served.

2034 (d) Fees and eligibility for services.

2035 1002.93 School readiness program transportation services.-

2036 (1) The office may authorize an early learning coalition to  
2037 establish school readiness program transportation services for  
2038 children at risk of abuse or neglect who are participating in  
2039 the school readiness program, pursuant to chapter 427. The early  
2040 learning coalitions may contract for the provision of  
2041 transportation services as required by this section.

2042 (2) The transportation servicers may only provide  
2043 transportation to each child participating in the school  
2044 readiness program to the extent that such transportation is  
2045 necessary to provide child care opportunities that otherwise  
2046 would not be available to a child whose home is more than a  
2047 reasonable walking distance from the nearest child care facility  
2048 or family day care home.

2049 1002.94 Child Care Executive Partnership Program.-

2050 (1) There is created a body politic and corporate known as  
2051 the Child Care Executive Partnership which shall establish and  
2052 govern the Child Care Executive Partnership Program. The purpose  
2053 of the Child Care Executive Partnership Program is to use state  
2054 and federal funds as incentives for matching local funds derived  
2055 from local governments, employers, charitable foundations, and  
2056 other sources so that Florida communities may create local  
2057 flexible partnerships with employers. The Child Care Executive



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2058 Partnership Program funds shall be used at the discretion of  
2059 local communities to meet the needs of working parents. A child  
2060 care purchasing pool shall be developed with the state, federal,  
2061 and local funds to provide subsidies to low-income working  
2062 parents whose family income does not exceed the allowable income  
2063 for any federally subsidized child care program with a dollar-  
2064 for-dollar match from employers, local government, and other  
2065 matching contributions. The funds used from the child care  
2066 purchasing pool must be used to supplement or extend the use of  
2067 existing public or private funds for direct services.

2068 (2) The Child Care Executive Partnership, staffed by the  
2069 office, shall consist of a representative of the Executive  
2070 Office of the Governor and nine members of the corporate or  
2071 child care community, appointed by the Governor.

2072 (a) Members shall serve for a period of 4 years, except  
2073 that the representative of the Executive Office of the Governor  
2074 shall serve at the pleasure of the Governor.

2075 (b) The Child Care Executive Partnership shall be chaired  
2076 by a member chosen by a majority vote and shall meet at least  
2077 quarterly and at other times upon the call of the chair. The  
2078 Child Care Executive Partnership may use any method of  
2079 telecommunications to conduct meetings, including establishing a  
2080 quorum through telecommunications, only if the public is given  
2081 proper notice of a telecommunications meeting and reasonable  
2082 access to observe and, when appropriate, participate.

2083 (c) Members shall serve without compensation, but may be  
2084 reimbursed for per diem and travel expenses in accordance with  
2085 s. 112.061.

2086 (d) The Child Care Executive Partnership shall have all the





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2087 powers and authority, not explicitly prohibited by law,  
2088 necessary to carry out and effectuate the purposes of this  
2089 section, as well as the functions, duties, and responsibilities  
2090 of the partnership, including, but not limited to, the  
2091 following:

2092 1. Making recommendations concerning the implementation and  
2093 coordination of the school readiness program.

2094 2. Soliciting, accepting, receiving, investing, and  
2095 expending funds from public or private sources.

2096 3. Contracting with public or private entities as  
2097 necessary.

2098 4. Approving an annual budget.

2099 5. Providing a report to the Governor, the Speaker of the  
2100 House of Representatives, and the President of the Senate on or  
2101 before December 1 of each year.

2102  
2103 Notwithstanding this subsection, the corporate body politic  
2104 previously established by prior law is the corporate body  
2105 politic for purposes of this section and shall continue in  
2106 existence. All member terms of the existing corporate body  
2107 politic expire as of June 30, 2013, and new members shall be  
2108 appointed beginning July 1, 2013, in accordance with this  
2109 subsection.

2110 (3) (a) The Legislature shall annually determine the amount  
2111 of state or federal low-income child care moneys which shall be  
2112 used to create Child Care Executive Partnership Program child  
2113 care purchasing pools in counties chosen by the Child Care  
2114 Executive Partnership provided that at least two of the counties  
2115 have populations of no more than 300,000. The Legislature shall



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2116 annually review the effectiveness of the child care purchasing  
2117 pool program and reevaluate the percentage of additional state  
2118 or federal funds, if any, which can be used for the program's  
2119 expansion.

2120 (b) To ensure a seamless service delivery and ease of  
2121 access for families, the office shall administer the child care  
2122 purchasing pool funds.

2123 (c) The office, in conjunction with the Child Care  
2124 Executive Partnership, shall develop procedures for disbursement  
2125 of funds through the child care purchasing pools. In order to be  
2126 considered for funding, an early learning coalition or the  
2127 office must commit to:

2128 1. Matching the state purchasing pool funds on a dollar-  
2129 for-dollar basis.

2130 2. Expending only those public funds that are matched by  
2131 employers, local government, and other matching contributors who  
2132 contribute to the purchasing pool. Parents shall also pay a fee,  
2133 which may not be less than the amount identified in the early  
2134 learning coalition's school readiness program sliding fee scale.

2135 (d) Each early learning coalition shall establish a  
2136 community child care task force for each child care purchasing  
2137 pool. The task force must be composed of employers, parents,  
2138 private child care providers, and one representative from the  
2139 local children's services council, if one exists in the area of  
2140 the purchasing pool. The early learning coalition is expected to  
2141 recruit the task force members from existing child care  
2142 councils, commissions, or task forces already operating in the  
2143 area of a purchasing pool. A majority of the task force shall  
2144 consist of employers.



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2145       (e) Each participating early learning coalition shall  
2146 develop a plan for the use of child care purchasing pool funds.  
2147 The plan must show how many children will be served by the  
2148 purchasing pool, how many will be new to receiving child care  
2149 services, and how the early learning coalition intends to  
2150 attract new employers and their employees to the program.

2151       (4) The office may adopt any rules necessary for the  
2152 implementation and administration of this section.

2153       1002.95 Teacher Education and Compensation Helps (TEACH)  
2154 scholarship program.-

2155       (1) The office may contract for the administration of the  
2156 Teacher Education and Compensation Helps (TEACH) scholarship  
2157 program, which provides educational scholarships to caregivers  
2158 and administrators of early childhood programs, family day care  
2159 homes, and large family child care homes. The goal of the  
2160 program is to increase the education and training for  
2161 caregivers, increase the compensation for child caregivers who  
2162 complete the program requirements, and reduce the rate of  
2163 participant turnover in the field of early childhood education.

2164       (2) The office shall adopt rules as necessary to administer  
2165 this section.

2166       1002.96 Early Head Start collaboration grants.-

2167       (1) Contingent upon specific appropriation, the office  
2168 shall establish a program to award collaboration grants to  
2169 assist local agencies in securing Early Head Start programs  
2170 through Early Head Start program federal grants. The  
2171 collaboration grants shall provide the required matching funds  
2172 for public and private nonprofit agencies that have been  
2173 approved for Early Head Start program federal grants.



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2174 (2) Public and private nonprofit agencies providing Early  
2175 Head Start programs applying for collaborative grants must:

2176 (a) Meet the requirements in the Head Start program  
2177 performance standards and other applicable rules and  
2178 regulations.

2179 (b) Collaborate with other service providers at the local  
2180 level.

2181 (c) Provide a comprehensive array of health, nutritional,  
2182 and other services to the program's pregnant women and very  
2183 young children, and their families.

2184 (3) The office may adopt rules as necessary for the award  
2185 of collaboration grants to competing agencies and the  
2186 administration of the collaboration grants program under this  
2187 section.

2188 Section 18. Section 411.011, Florida Statutes, is  
2189 transferred, renumbered as section 1002.97, Florida Statutes,  
2190 and amended to read:

2191 1002.97 ~~411.011~~ Records of children in the school readiness  
2192 program programs.-

2193 (1) The individual records of children enrolled in the  
2194 school readiness program programs provided under this part s.  
2195 ~~411.01~~, held by an early learning coalition or the office of  
2196 ~~Early Learning~~, are confidential and exempt from s. 119.07(1)  
2197 and s. 24(a), Art. I of the State Constitution. For purposes of  
2198 this section, records include assessment data, health data,  
2199 records of teacher observations, and personal identifying  
2200 information.

2201 (2) A parent, ~~guardian, or individual acting as a parent in~~  
2202 ~~the absence of a parent or guardian~~ has the right to inspect and



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2203 review the individual school readiness program record of his or  
2204 her child and to obtain a copy of the record.

2205 (3) School readiness program records may be released to:

2206 (a) The United States Secretary of Education, the United  
2207 States Secretary of Health and Human Services, and the  
2208 Comptroller General of the United States for the purpose of  
2209 federal audits and investigations.

2210 (b) Individuals or organizations conducting studies for  
2211 institutions to develop, validate, or administer assessments or  
2212 improve instruction.

2213 (c) Accrediting organizations in order to carry out their  
2214 accrediting functions.

2215 (d) Appropriate parties in connection with an emergency if  
2216 the information is necessary to protect the health or safety of  
2217 the child enrollee or other individuals.

2218 (e) The Office of Program Policy Analysis and Government  
2219 Accountability and the Auditor General in connection with their  
2220 ~~his or her~~ official functions.

2221 (f) A court of competent jurisdiction in compliance with an  
2222 order of that court in accordance with a lawfully issued  
2223 subpoena.

2224 (g) Parties to an interagency agreement among early  
2225 learning coalitions, local governmental agencies, providers of  
2226 the school readiness program ~~programs~~, state agencies, and the  
2227 ~~office of Early Learning~~ for the purpose of implementing the  
2228 school readiness program.

2229  
2230 Agencies, organizations, or individuals that receive school  
2231 readiness program records in order to carry out their official



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2232 functions must protect the data in a manner that does not permit  
2233 the personal identification of a child enrolled in a school  
2234 readiness program and his or her parent ~~parents~~ by persons other  
2235 than those authorized to receive the records.

2236 Section 19. Paragraph (p) of subsection (3) of section  
2237 11.45, Florida Statutes, is amended to read:

2238 11.45 Definitions; duties; authorities; reports; rules.-

2239 (3) AUTHORITY FOR AUDITS AND OTHER ENGAGEMENTS.-The Auditor  
2240 General may, pursuant to his or her own authority, or at the  
2241 direction of the Legislative Auditing Committee, conduct audits  
2242 or other engagements as determined appropriate by the Auditor  
2243 General of:

2244 (p) The school readiness program ~~system~~, including the  
2245 early learning coalitions, ~~created~~ under part VI of chapter 1002  
2246 ~~s. 411.01.~~

2247 Section 20. Paragraph (h) of subsection (3) of section  
2248 20.15, Florida Statutes, is amended to read:

2249 20.15 Department of Education.-There is created a  
2250 Department of Education.

2251 (3) DIVISIONS.-The following divisions of the Department of  
2252 Education are established:

2253 ~~(h) The Office of Early Learning, which shall administer~~  
2254 ~~the school readiness system in accordance with s. 411.01 and the~~  
2255 ~~operational requirements of the Voluntary Prekindergarten~~  
2256 ~~Education Program in accordance with part V of chapter 1002. The~~  
2257 ~~office is a separate budget entity and is not subject to~~  
2258 ~~control, supervision, or direction by the Department of~~  
2259 ~~Education or the State Board of Education in any manner~~  
2260 ~~including, but not limited to, personnel, purchasing,~~



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2261 ~~transactions involving personal property, and budgetary matters.~~  
2262 ~~The office director shall be appointed by the Governor and~~  
2263 ~~confirmed by the Senate, shall serve at the pleasure of the~~  
2264 ~~Governor, and shall be the agency head of the office for all~~  
2265 ~~purposes. The office shall enter into a service agreement with~~  
2266 ~~the department for professional, technological, and~~  
2267 ~~administrative support services. The office shall be subject to~~  
2268 ~~review and oversight by the Chief Inspector General or his or~~  
2269 ~~her designee.~~

2270 Section 21. Section 196.198, Florida Statutes, is amended  
2271 to read:

2272 196.198 Educational property exemption.—Educational  
2273 institutions within this state and their property used by them  
2274 or by any other exempt entity or educational institution  
2275 exclusively for educational purposes shall be exempt from  
2276 taxation. Sheltered workshops providing rehabilitation and  
2277 retraining of disabled individuals and exempted by a certificate  
2278 under s. (d) of the federal Fair Labor Standards Act of 1938, as  
2279 amended, are declared wholly educational in purpose and shall be  
2280 exempted from certification, accreditation, and membership  
2281 requirements set forth in s. 196.012. Those portions of property  
2282 of college fraternities and sororities certified by the  
2283 president of the college or university to the appropriate  
2284 property appraiser as being essential to the educational process  
2285 shall be exempt from ad valorem taxation. The use of property by  
2286 public fairs and expositions chartered by chapter 616 is  
2287 presumed to be an educational use of such property and shall be  
2288 exempt from ad valorem taxation to the extent of such use.  
2289 Property used exclusively for educational purposes shall be



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2290 deemed owned by an educational institution if the entity owning  
2291 100 percent of the educational institution is owned by the  
2292 identical persons who own the property or if the entity owning  
2293 100 percent of the educational institution and the entity owning  
2294 the property are owned by identical natural persons. Land,  
2295 buildings, and other improvements to real property used  
2296 exclusively for educational purposes shall be deemed owned by an  
2297 educational institution if the entity owning 100 percent of the  
2298 land is a nonprofit entity and the land is used, under a ground  
2299 lease or other contractual arrangement, by an educational  
2300 institution that owns the buildings and other improvements to  
2301 the real property, is a nonprofit entity under s. 501(c)(3) of  
2302 the Internal Revenue Code, and provides education limited to  
2303 students in prekindergarten through grade 8. If legal title to  
2304 property is held by a governmental agency that leases the  
2305 property to a lessee, the property shall be deemed to be owned  
2306 by the governmental agency and used exclusively for educational  
2307 purposes if the governmental agency continues to use such  
2308 property exclusively for educational purposes pursuant to a  
2309 sublease or other contractual agreement with that lessee. If the  
2310 title to land is held by the trustee of an irrevocable inter  
2311 vivos trust and if the trust grantor owns 100 percent of the  
2312 entity that owns an educational institution that is using the  
2313 land exclusively for educational purposes, the land is deemed to  
2314 be property owned by the educational institution for purposes of  
2315 this exemption. Property owned by an educational institution  
2316 shall be deemed to be used for an educational purpose if the  
2317 institution has taken affirmative steps to prepare the property  
2318 for educational use. Affirmative steps means environmental or





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2319 land use permitting activities, creation of architectural plans  
2320 or schematic drawings, land clearing or site preparation,  
2321 construction or renovation activities, or other similar  
2322 activities that demonstrate commitment of the property to an  
2323 educational use.

2324 Section 22. Paragraph (a) of subsection (8) of section  
2325 216.136, Florida Statutes, is amended to read:

2326 216.136 Consensus estimating conferences; duties and  
2327 principals.—

2328 (8) EARLY LEARNING PROGRAMS ESTIMATING CONFERENCE.—

2329 (a) The Early Learning Programs Estimating Conference shall  
2330 develop estimates and forecasts of the unduplicated count of  
2331 children eligible for the school readiness program ~~programs~~ in  
2332 accordance with the standards of eligibility established in s.  
2333 1002.87 ~~411.01(6)~~, and of children eligible for the Voluntary  
2334 Prekindergarten Education Program in accordance with s.  
2335 1002.53(2), as the conference determines are needed to support  
2336 the state planning, budgeting, and appropriations processes.

2337 Section 23. Paragraph (b) of subsection (1) and subsection  
2338 (3) of section 402.281, Florida Statutes, are amended to read:

2339 402.281 Gold Seal Quality Care program.—

2340 (1)

2341 (b) A child care facility, large family child care home, or  
2342 family day care home that is accredited by an ~~a nationally~~  
2343 ~~recognized~~ accrediting association approved by the department  
2344 under subsection (3) and meets all other requirements shall,  
2345 upon application to the department, receive a separate "Gold  
2346 Seal Quality Care" designation.

2347 (3) (a) In order to be approved by the department for



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2348 participation in the Gold Seal Quality Care program, an  
2349 accrediting association must apply to the department and  
2350 demonstrate that it:

- 2351 1. Is a ~~nationally~~ recognized accrediting association.  
2352 2. Has accrediting standards that substantially meet or  
2353 exceed the Gold Seal Quality Care standards adopted by the  
2354 department under subsection (2).

2355 (b) In approving accrediting associations, the Department  
2356 of Children and Families shall consult with the Department of  
2357 Education, the Florida Head Start Directors Association, the  
2358 Florida Association of Child Care Management, the Florida Family  
2359 Child Day Care Home Association, the Florida Children's Forum,  
2360 the Florida Association for the Education of the Young Early  
2361 Childhood Association of Florida, the Child Development  
2362 Education Alliance, the Florida Association of Academic  
2363 Nonpublic Schools, the Association of Early Learning Coalitions,  
2364 providers receiving exemptions under s. 402.316, and parents.

2365 Section 24. Subsection (9) of section 402.302, Florida  
2366 Statutes, is amended to read:

2367 402.302 Definitions.—As used in this chapter, the term:

2368 (9) "Household children" means children who are related by  
2369 blood, marriage, or legal adoption to, or who are the legal  
2370 wards of, the family day care home operator, the large family  
2371 child care home operator, or an adult household member who  
2372 permanently or temporarily resides in the home. Supervision of  
2373 the operator's household children shall be left to the  
2374 discretion of the operator unless those children receive  
2375 subsidized child care through the school readiness program  
2376 pursuant to s. 1002.92 ~~411.0101~~ to be in the home.



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2377 Section 25. Paragraph (c) of subsection (1) of section  
2378 402.305, Florida Statutes, is amended to read:

2379 402.305 Licensing standards; child care facilities.—

2380 (1) LICENSING STANDARDS.—The department shall establish  
2381 licensing standards that each licensed child care facility must  
2382 meet regardless of the origin or source of the fees used to  
2383 operate the facility or the type of children served by the  
2384 facility.

2385 (c) The minimum standards for child care facilities shall  
2386 be adopted in the rules of the department and shall address the  
2387 areas delineated in this section. The department, in adopting  
2388 rules to establish minimum standards for child care facilities,  
2389 shall recognize that different age groups of children may  
2390 require different standards. The department may adopt different  
2391 minimum standards for facilities that serve children in  
2392 different age groups, including school-age children. The  
2393 department shall also adopt by rule a definition for child care  
2394 which distinguishes between child care programs that require  
2395 child care licensure and after-school programs that do not  
2396 require licensure. Notwithstanding any other provision of law to  
2397 the contrary, minimum child care licensing standards shall be  
2398 developed to provide for reasonable, affordable, and safe  
2399 before-school and after-school care. After-school programs that  
2400 otherwise meet the criteria for exclusion from licensure may  
2401 provide snacks and meals through the federal Afterschool Meal  
2402 Program (AMP) administered by the Department of Health in  
2403 accordance with federal regulations and standards. The  
2404 Department of Health shall consider meals to be provided through  
2405 the AMP only if the program is actively participating in the



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2406 AMP, is in good standing with the department, and the meals meet  
2407 AMP requirements. Standards, at a minimum, shall allow for a  
2408 credentialed director to supervise multiple before-school and  
2409 after-school sites.

2410 Section 26. Paragraph (c) of subsection (1) and subsection  
2411 (4) of section 445.023, Florida Statutes, are amended to read:

2412 445.023 Program for dependent care for families with  
2413 children with special needs.—

2414 (1) There is created the program for dependent care for  
2415 families with children with special needs. This program is  
2416 intended to provide assistance to families with children who  
2417 meet the following requirements:

2418 (c) The family meets the income guidelines established  
2419 under s. 1002.87 ~~411.01(6)~~, notwithstanding any financial  
2420 eligibility criteria to the contrary in s. 414.075, s. 414.085,  
2421 or s. 414.095.

2422 (4) In addition to school readiness program services  
2423 provided under part VI of chapter 1002 ~~s. 411.01~~, dependent care  
2424 may be provided for children age 13 years and older who are in  
2425 need of care due to disability and where such care is needed for  
2426 the parent to accept or continue employment or otherwise  
2427 participate in work activities. The amount of subsidy shall be  
2428 consistent with the rates for special needs child care  
2429 established by the department. Dependent care needed for  
2430 employment may be provided as transitional services for up to 2  
2431 years after eligibility for temporary cash assistance ends.

2432 Section 27. Paragraph (a) of subsection (2) of section  
2433 490.014, Florida Statutes, is amended to read:

2434 490.014 Exemptions.—



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2435 (2) No person shall be required to be licensed or  
2436 provisionally licensed under this chapter who:

2437 (a) Is a salaried employee of a government agency; a  
2438 developmental disability facility or program; a mental health,  
2439 alcohol, or drug abuse facility operating under chapter 393,  
2440 chapter 394, or chapter 397; the statewide child care resource  
2441 and referral network operating under s. 1002.92 ~~411.0101~~; a  
2442 child-placing or child-caring agency licensed pursuant to  
2443 chapter 409; a domestic violence center certified pursuant to  
2444 chapter 39; an accredited academic institution; or a research  
2445 institution, if such employee is performing duties for which he  
2446 or she was trained and hired solely within the confines of such  
2447 agency, facility, or institution, so long as the employee is not  
2448 held out to the public as a psychologist pursuant to s.  
2449 490.012(1)(a).

2450 Section 28. Paragraph (a) of subsection (4) of section  
2451 491.014, Florida Statutes, is amended to read:

2452 491.014 Exemptions.—

2453 (4) No person shall be required to be licensed,  
2454 provisionally licensed, registered, or certified under this  
2455 chapter who:

2456 (a) Is a salaried employee of a government agency; a  
2457 developmental disability facility or program; a mental health,  
2458 alcohol, or drug abuse facility operating under chapter 393,  
2459 chapter 394, or chapter 397; the statewide child care resource  
2460 and referral network operating under s. 1002.92 ~~411.0101~~; a  
2461 child-placing or child-caring agency licensed pursuant to  
2462 chapter 409; a domestic violence center certified pursuant to  
2463 chapter 39; an accredited academic institution; or a research



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2464 institution, if such employee is performing duties for which he  
2465 or she was trained and hired solely within the confines of such  
2466 agency, facility, or institution, so long as the employee is not  
2467 held out to the public as a clinical social worker, mental  
2468 health counselor, or marriage and family therapist.

2469 Section 29. Paragraph (b) of subsection (1) of section  
2470 1001.11, Florida Statutes, is amended to read:

2471 1001.11 Commissioner of Education; other duties.—

2472 (1) The Commissioner of Education must independently  
2473 perform the following duties:

2474 (b) Serve as the primary source of information to the  
2475 Legislature, including the President of the Senate and the  
2476 Speaker of the House of Representatives, concerning the State  
2477 Board of Education, ~~and~~ the K-20 education system, and early  
2478 learning programs.

2479 Section 30. Sections 411.01, 411.0101, 411.01013,  
2480 411.01014, 411.01015, 411.0102, 411.0103, 411.0104, 411.0105,  
2481 and 411.0106, Florida Statutes, are repealed.

2482 Section 31. Within existing Senior Management Service and  
2483 Selected Exempt Service positions authorized for the Office of  
2484 Early Learning, a Senior Management Service position for a  
2485 general counsel and a Selected Exempt Service position for an  
2486 inspector general are authorized for the office.

2487 Section 32. By October 1, 2013, the Office of Early  
2488 Learning, in collaboration with the Commissioner of Education,  
2489 shall develop a reorganization plan for the office. The plan  
2490 shall include any changes made prior to July 1, 2013; personnel,  
2491 purchasing, and budgetary matters and their alignment with the  
2492 duties and responsibilities of the office; a report of all



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2493 outstanding contractual obligations; and recommendations for  
2494 statutory and budgetary changes. The plan shall be provided to  
2495 the Governor, the President of the Senate, and the Speaker of  
2496 the House of Representatives.

2497 Section 33. This act shall take effect July 1, 2013.