

1 A bill to be entitled
2 An act relating to early learning; creating s.
3 1001.213, F.S.; creating the Office of Early Learning
4 within the Department of Education; providing duties
5 relating to the establishment and operation of the
6 school readiness program and the Voluntary
7 Prekindergarten Education Program; amending s.
8 1002.51, F.S.; conforming a cross-reference; amending
9 s. 1002.53, F.S.; clarifying Voluntary Prekindergarten
10 Education Program student enrollment provisions;
11 amending s. 1002.55, F.S.; providing additional
12 requirements for private prekindergarten providers and
13 instructors; providing duties of the office; amending
14 s. 1002.57, F.S.; requiring the office to adopt
15 standards for a prekindergarten director credential;
16 amending s. 1002.59, F.S.; requiring the office to
17 adopt standards for training courses; amending s.
18 1002.61, F.S.; providing a requirement for a public
19 school delivering the summer prekindergarten program;
20 amending s. 1002.63, F.S.; providing a requirement for
21 a public school delivering the school-year
22 prekindergarten program; amending s. 1002.66, F.S.;
23 deleting obsolete provisions; amending s. 1002.67,
24 F.S.; requiring the office to adopt performance
25 standards for students in the Voluntary
26 Prekindergarten Education Program and approve
27 curricula; revising provisions relating to removal of
28 provider eligibility, submission of an improvement

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

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

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

108 |
109 | Be It Enacted by the Legislature of the State of Florida:

110 |
111 | Section 1. Section 1001.213, Florida Statutes, is created
112 | to read:

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113 1001.213 Office of Early Learning.—There is created within
114 the Department of Education the Office of Early Learning, which
115 shall be administered by an executive director. The office shall
116 be fully accountable to the Commissioner of Education but shall:

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

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

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

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

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

137 (6) Keep administrative staff to the minimum necessary to
138 administer the duties of the office.

139 Section 2. Subsection (4) of section 1002.51, Florida
140 Statutes, is amended to read:

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141 1002.51 Definitions.—As used in this part, the term:

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

144 Section 3. Paragraph (a) of subsection (4) and paragraph
145 (b) of subsection (6) of section 1002.53, Florida Statutes, is
146 amended to read:

147 1002.53 Voluntary Prekindergarten Education Program;
148 eligibility and enrollment.—

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

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

163 Section 4. Paragraphs (c) and (g) of subsection (3) of
164 section 1002.55, Florida Statutes, are amended, paragraph (i) is
165 redesignated as paragraph (m), and new paragraphs (i), (j), (k),
166 and (l) are added to that subsection, to read:

167 1002.55 School-year prekindergarten program delivered by
168 private prekindergarten providers.—

169 (3) To be eligible to deliver the prekindergarten program,
 170 a private prekindergarten provider must meet each of the
 171 following requirements:

172 (c) The private prekindergarten provider must have, for
 173 each prekindergarten class of 11 children or fewer, at least one
 174 prekindergarten instructor who meets each of the following
 175 requirements:

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

178 a. A child development associate credential issued by the
 179 National Credentialing Program of the Council for Professional
 180 Recognition; or

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

184
 185 The Department of Children and Families ~~Family Services~~ may
 186 adopt rules under ss. 120.536(1) and 120.54 which provide
 187 criteria and procedures for approving equivalent credentials
 188 under sub-subparagraph b.

189 2. The prekindergarten instructor must successfully
 190 complete an emergent literacy training course and a student
 191 performance standards training course approved by the office
 192 ~~department~~ as meeting or exceeding the minimum standards adopted
 193 under s. 1002.59. The requirement for completion of the
 194 standards training course shall take effect July 1, 2014, and
 195 the course shall be available online. ~~This subparagraph does not~~
 196 ~~apply to a prekindergarten instructor who successfully completes~~

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197 ~~approved training in early literacy and language development~~
198 ~~under s. 402.305(2)(d)5., s. 402.313(6), or s. 402.3131(5)~~
199 ~~before the establishment of one or more emergent literacy~~
200 ~~training courses under s. 1002.59 or April 1, 2005, whichever~~
201 ~~occurs later.~~

202 (g) ~~Before the beginning of the 2006-2007 school year,~~ The
203 private prekindergarten provider must have a prekindergarten
204 director who has a prekindergarten director credential that is
205 approved by the office ~~department~~ as meeting or exceeding the
206 minimum standards adopted under s. 1002.57. Successful
207 completion of a child care facility director credential under s.
208 402.305(2)(f) before the establishment of the prekindergarten
209 director credential under s. 1002.57 or July 1, 2006, whichever
210 occurs later, satisfies the requirement for a prekindergarten
211 director credential under this paragraph.

212 (i) The private prekindergarten provider must execute the
213 statewide provider contract prescribed under s. 1002.75, except
214 that an individual who owns or operates multiple private
215 prekindergarten providers within a coalition's service area may
216 execute a single agreement with the coalition on behalf of each
217 provider.

218 (j) The private prekindergarten provider must maintain
219 general liability insurance and provide the coalition with
220 written evidence of general liability insurance coverage,
221 including coverage for transportation of children if
222 prekindergarten students are transported by the provider. A
223 provider must obtain and retain an insurance policy that
224 provides a minimum of \$100,000 of coverage per occurrence and a

225 minimum of \$300,000 general aggregate coverage. The office may
 226 authorize lower limits upon request, as appropriate. A provider
 227 must add the coalition as a named certificateholder and as an
 228 additional insured. A provider must provide the coalition with a
 229 minimum of 10 calendar days' advance written notice of
 230 cancellation of or changes to coverage. The general liability
 231 insurance required by this paragraph must remain in full force
 232 and effect for the entire period of the provider contract with
 233 the coalition.

234 (k) The private prekindergarten provider must obtain and
 235 maintain any required workers' compensation insurance under
 236 chapter 440 and any required reemployment assistance or
 237 unemployment compensation coverage under chapter 443.

238 (l) Notwithstanding paragraph (j), for a private
 239 prekindergarten provider that is a state agency or a subdivision
 240 thereof, as defined in s. 768.28(2), the provider must agree to
 241 notify the coalition of any additional liability coverage
 242 maintained by the provider in addition to that otherwise
 243 established under s. 768.28. The provider shall indemnify the
 244 coalition to the extent permitted by s. 768.28.

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

247 1002.57 Prekindergarten director credential.—

248 (1) ~~By July 1, 2006,~~ The office, in consultation with the
 249 Department of Children and Families, department shall adopt
 250 minimum standards for a credential for prekindergarten directors
 251 of private prekindergarten providers delivering the Voluntary
 252 Prekindergarten Education Program. The credential must encompass

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253 requirements for education and onsite experience.

254 Section 6. Section 1002.59, Florida Statutes, is amended
255 to read:

256 1002.59 Emergent literacy and performance standards
257 training courses.—

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

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

280 Section 7. Subsections (3), (4), and (8) of section

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281 1002.61, Florida Statutes, are amended to read:

282 1002.61 Summer prekindergarten program delivered by public
283 schools and private prekindergarten providers.—

284 (3) (a) Each district school board shall determine which
285 public schools in the school district are eligible to deliver
286 the summer prekindergarten program. The school district shall
287 use educational facilities available in the public schools
288 during the summer term for the summer prekindergarten program.

289 (b) Each public school delivering the summer
290 prekindergarten program must execute the statewide provider
291 contract prescribed under s. 1002.75, except that the school
292 district may execute a single agreement with the early learning
293 coalition on behalf of all district schools.

294 (c) ~~(b)~~ Except as provided in this section, to be eligible
295 to deliver the summer prekindergarten program, a private
296 prekindergarten provider must meet each requirement in s.
297 1002.55.

298 (4) Notwithstanding ss. 1002.55(3)(c)1. and 1002.63(4),
299 each public school and private prekindergarten provider must
300 have, for each prekindergarten class, at least one
301 prekindergarten instructor who—

302 ~~(a)~~ is a certified teacher~~+~~ or

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

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

312 (8) Each public school delivering the summer
 313 prekindergarten program must also:

314 ~~(a)~~ register with the early learning coalition on forms
 315 prescribed by the Office of Early Learning~~;~~ and

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

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

320 1002.63 School-year prekindergarten program delivered by
 321 public schools.—

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

325 (b) Each public school delivering the school-year
 326 prekindergarten program must execute the statewide provider
 327 contract prescribed under s. 1002.75, except that the school
 328 district may execute a single agreement with the early learning
 329 coalition on behalf of all district schools.

330 (8) Each public school delivering the school-year
 331 prekindergarten program must:

332 ~~(a)~~ register with the early learning coalition on forms
 333 prescribed by the Office of Early Learning~~;~~ and

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

336 Section 9. Subsection (1) of section 1002.66, Florida

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337 Statutes, is amended to read:

338 1002.66 Specialized instructional services for children
339 with disabilities.—

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

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

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

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

352 1002.67 Performance standards; curricula and
353 accountability.—

354 (1)(a) The office ~~department~~ shall develop and adopt
355 performance standards for students in the Voluntary
356 Prekindergarten Education Program. The performance standards
357 must address the age-appropriate progress of students in the
358 development of:

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

361 2. Emergent literacy skills, including oral communication,
362 knowledge of print and letters, phonemic and phonological
363 awareness, and vocabulary and comprehension development.

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365 By October 1, 2013, the office shall examine the existing
366 performance standards in the area of mathematical thinking and
367 develop a plan to make appropriate professional development and
368 training courses available to prekindergarten instructors.

369 (b) The office ~~State Board of Education~~ shall periodically
370 review and revise the performance standards for the statewide
371 kindergarten screening administered under s. 1002.69 and align
372 the standards to the standards established by the state board
373 for student performance on the statewide assessments
374 administered pursuant to s. 1008.22.

375 (2)

376 (c) The office ~~department~~ shall review and approve
377 curricula for use by private prekindergarten providers and
378 public schools that are placed on probation under paragraph
379 (4) (c). The office ~~department~~ shall maintain a list of the
380 curricula approved under this paragraph. Each approved
381 curriculum must meet the requirements of paragraph (b).

382 (4) (a) Each early learning coalition shall verify that
383 each private prekindergarten provider delivering the Voluntary
384 Prekindergarten Education Program within the coalition's county
385 or multicounty region complies with this part. Each district
386 school board shall verify that each public school delivering the
387 program within the school district complies with this part.

388 (b) If a private prekindergarten provider or public school
389 fails or refuses to comply with this part, or if a provider or
390 school engages in misconduct, the office ~~of Early Learning~~ shall
391 require the early learning coalition to remove the provider, and
392 ~~the Department of Education shall~~ require the school district to

393 remove the school from eligibility to deliver the Voluntary
 394 Prekindergarten Education Program and receive state funds under
 395 this part for a period of 5 years.

396 (c)1. If the kindergarten readiness rate of a private
 397 prekindergarten provider or public school falls below the
 398 minimum rate adopted by the office ~~State Board of Education~~ as
 399 satisfactory under s. 1002.69(6), the early learning coalition
 400 or school district, as applicable, shall require the provider or
 401 school to submit an improvement plan for approval by the
 402 coalition or school district, as applicable, and to implement
 403 the plan;~~;~~

404 ~~2. If a private prekindergarten provider or public school~~
 405 ~~fails to meet the minimum rate adopted by the State Board of~~
 406 ~~Education as satisfactory under s. 1002.69(6), the early~~
 407 ~~learning coalition or school district, as applicable, shall~~
 408 place the provider or school on probation; and shall ~~must~~
 409 require the provider or school to take certain corrective
 410 actions, including the use of a curriculum approved by the
 411 office ~~department~~ under paragraph (2)(c) or a staff development
 412 plan to strengthen instruction in language development and
 413 phonological awareness approved by the office ~~department~~.

414 ~~2.3.~~ A private prekindergarten provider or public school
 415 that is placed on probation must continue the corrective actions
 416 required under subparagraph 1. 2.~~2.~~, including the use of a
 417 curriculum or a staff development plan to strengthen instruction
 418 in language development and phonological awareness approved by
 419 the office ~~department~~, until the provider or school meets the
 420 minimum rate adopted by the office ~~State Board of Education~~ as

421 | satisfactory under s. 1002.69(6). Failure to implement an
 422 | approved improvement plan or staff development plan shall result
 423 | in the termination of the provider's contract to deliver the
 424 | Voluntary Prekindergarten Education Program for a period of 5
 425 | years.

426 | 3.4. If a private prekindergarten provider or public
 427 | school remains on probation for 2 consecutive years and fails to
 428 | meet the minimum rate adopted by the office ~~State Board of~~
 429 | ~~Education~~ as satisfactory under s. 1002.69(6) and is not granted
 430 | a good cause exemption by the office ~~department~~ pursuant to s.
 431 | 1002.69(7), the office ~~of Early Learning~~ shall require the early
 432 | learning coalition or ~~the Department of Education~~ shall require
 433 | the school district to remove, as applicable, the provider or
 434 | school from eligibility to deliver the Voluntary Prekindergarten
 435 | Education Program and receive state funds for the program for a
 436 | period of 5 years.

437 | (d) Each early learning coalition and, ~~the office of Early~~
 438 | ~~Learning, and the department~~ shall coordinate with the Child
 439 | Care Services Program Office of the Department of Children and
 440 | Families ~~Family Services~~ to minimize interagency duplication of
 441 | activities for monitoring private prekindergarten providers for
 442 | compliance with requirements of the Voluntary Prekindergarten
 443 | Education Program under this part, the school readiness program
 444 | ~~programs~~ under part VI of this chapter ~~s. 411.01~~, and the
 445 | licensing of providers under ss. 402.301-402.319.

446 | Section 11. Subsections (2), (5), (6), and (7) of section
 447 | 1002.69, Florida Statutes, are amended to read:

448 | 1002.69 Statewide kindergarten screening; kindergarten

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449 readiness rates; state-approved prekindergarten enrollment
450 screening; good cause exemption.—

451 (2) The statewide kindergarten screening shall provide
452 objective data concerning each student's readiness for
453 kindergarten and progress in attaining the performance standards
454 adopted by the office ~~department~~ under s. 1002.67(1).

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

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

475 (7) (a) Notwithstanding s. 1002.67(4)(c)3. ~~1002.67(4)(e)4.~~,
476 the office ~~State Board of Education~~, upon the request of a

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477 private prekindergarten provider or public school that remains
478 on probation for 2 consecutive years or more and subsequently
479 fails to meet the minimum rate adopted under subsection (6) and
480 for good cause shown, may grant to the provider or school an
481 exemption from being determined ineligible to deliver the
482 Voluntary Prekindergarten Education Program and receive state
483 funds for the program. Such exemption is valid for 1 year and,
484 upon the request of the private prekindergarten provider or
485 public school and for good cause shown, may be renewed.

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

491 1. Submission of data by the private prekindergarten
492 provider or public school which documents the achievement and
493 progress of the children served as measured by the state-
494 approved prekindergarten enrollment screening and the
495 standardized postassessment approved by the office ~~department~~
496 pursuant to subparagraph (c)1.

497 2. Submission and review of data available from the
498 respective early learning coalition or district school board,
499 the Department of Children and Families ~~Family Services~~, local
500 licensing authority, or an accrediting association, as
501 applicable, relating to the private prekindergarten provider's
502 or public school's compliance with state and local health and
503 safety standards.

504 3. Submission and review of data available to the office

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505 ~~department~~ on the performance of the children served and the
506 calculation of the private prekindergarten provider's or public
507 school's kindergarten readiness rate.

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

511 1. Learning gains of children served in the Voluntary
512 Prekindergarten Education Program by the private prekindergarten
513 provider or public school.

514 2. Verification that local and state health and safety
515 requirements are met.

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

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

528 (f) ~~The State Board of Education shall notify the Office~~
529 ~~of Early Learning of any good cause exemption granted to a~~
530 ~~private prekindergarten provider under this subsection.~~ If a
531 good cause exemption is granted to a private prekindergarten
532 provider who remains on probation for 2 consecutive years, the

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533 office ~~of Early Learning~~ shall notify the early learning
534 coalition of the good cause exemption and direct that the
535 coalition, notwithstanding s. 1002.67(4)(c)3. ~~1002.67(4)(e)4.~~,
536 not remove the provider from eligibility to deliver the
537 Voluntary Prekindergarten Education Program or to receive state
538 funds for the program, if the provider meets all other
539 applicable requirements of this part.

540 Section 12. Paragraph (d) of subsection (3) and
541 subsections (5) and (7) of section 1002.71, Florida Statutes,
542 are amended to read:

543 1002.71 Funding; financial and attendance reporting.—

544 (3)

545 (d) For programs offered by school districts pursuant to
546 s. 1002.61 ~~and beginning with the 2009 summer program~~, each
547 district's funding shall be based on a student enrollment that
548 is evenly divisible by 12. If the result of dividing a
549 district's student enrollment by 12 is not a whole number, the
550 district's enrollment calculation shall be adjusted by adding
551 the minimum number of students to produce a student enrollment
552 calculation that is evenly divisible by 12.

553 (5) (a) Each early learning coalition shall maintain
554 through the single point of entry established under s. 1002.82
555 ~~411.01~~ a current database of the students enrolled in the
556 Voluntary Prekindergarten Education Program for each county
557 within the coalition's region.

558 (b) The Office of Early Learning shall adopt procedures
559 for the payment of private prekindergarten providers and public
560 schools delivering the Voluntary Prekindergarten Education

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561 Program. The procedures shall provide for the advance payment of
562 providers and schools based upon student enrollment in the
563 program, the certification of student attendance, and the
564 reconciliation of advance payments in accordance with the
565 uniform attendance policy adopted under paragraph (6)(d). The
566 procedures shall provide for the monthly distribution of funds
567 by the Office of Early Learning to the early learning coalitions
568 for payment by the coalitions to private prekindergarten
569 providers and public schools. ~~The department shall transfer to~~
570 ~~the Office of Early Learning at least once each quarter the~~
571 ~~funds available for payment to private prekindergarten providers~~
572 ~~and public schools in accordance with this paragraph from the~~
573 ~~funds appropriated for that purpose.~~

574 (7) The Office of Early Learning shall require that
575 administrative expenditures be kept to the minimum necessary for
576 efficient and effective administration of the Voluntary
577 Prekindergarten Education Program. Administrative policies and
578 procedures shall be revised, to the maximum extent practicable,
579 to incorporate the use of automation and electronic submission
580 of forms, including those required for child eligibility and
581 enrollment, provider and class registration, and monthly
582 certification of attendance for payment. A school district may
583 use its automated daily attendance reporting system for the
584 purpose of transmitting attendance records to the early learning
585 coalition in a mutually agreed-upon format. In addition, actions
586 shall be taken to reduce paperwork, eliminate the duplication of
587 reports, and eliminate other duplicative activities. Beginning
588 ~~with the 2011-2012 fiscal year,~~ Each early learning coalition

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589 | may retain and expend no more than 4.0 percent of the funds paid
590 | by the coalition to private prekindergarten providers and public
591 | schools under paragraph (5) (b). Funds retained by an early
592 | learning coalition under this subsection may be used only for
593 | administering the Voluntary Prekindergarten Education Program
594 | and may not be used for the school readiness program or other
595 | programs.

596 | Section 13. Paragraph (a) of subsection (3) of section
597 | 1002.72, Florida Statutes, is amended to read:

598 | 1002.72 Records of children in the Voluntary
599 | Prekindergarten Education Program.—

600 | (3) (a) Confidential and exempt Voluntary Prekindergarten
601 | Education Program records may be released to:

602 | 1. The United States Secretary of Education, the United
603 | States Secretary of Health and Human Services, and the
604 | Comptroller General of the United States for the purpose of
605 | federal audits or investigations.

606 | 2. Individuals or organizations conducting studies for
607 | institutions to develop, validate, or administer assessments or
608 | improve instruction.

609 | 3. Accrediting organizations in order to carry out their
610 | accrediting functions.

611 | 4. Appropriate parties in connection with an emergency if
612 | the information is necessary to protect the health or safety of
613 | the child or other individuals.

614 | 5. The Auditor General in connection with his or her
615 | official functions.

616 | 6. A court of competent jurisdiction in compliance with an

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617 order of that court pursuant to a lawfully issued subpoena.

618 7. Parties to an interagency agreement among early
619 learning coalitions, local governmental agencies, Voluntary
620 Prekindergarten Education Program providers, or state agencies
621 for the purpose of implementing the Voluntary Prekindergarten
622 Education Program.

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

626 1002.75 Office of Early Learning; powers and duties~~+~~
627 ~~operational requirements.-~~

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

645 (2) The Office of Early Learning shall adopt procedures
 646 governing the administration of the Voluntary Prekindergarten
 647 Education Program by the early learning coalitions and school
 648 districts for:

649 (a) Enrolling children in and determining the eligibility
 650 of children for the Voluntary Prekindergarten Education Program
 651 under s. 1002.53, which shall include the enrollment of children
 652 by public schools and private providers that meet specified
 653 requirements.

654 (d) Determining the eligibility of private prekindergarten
 655 providers to deliver the program under ss. 1002.55 and 1002.61
 656 and streamlining the process of provider eligibility whenever
 657 possible.

658 Section 15. Subsections (1), (2), and (3) of section
 659 1002.77, Florida Statutes, are amended to read:

660 1002.77 Florida Early Learning Advisory Council.—

661 (1) There is created the Florida Early Learning Advisory
 662 Council within the Office of Early Learning. The purpose of the
 663 advisory council is to submit recommendations to the office
 664 ~~department~~ on the early learning best practices ~~policy of this~~
 665 ~~state,~~ including recommendations relating to the most effective
 666 administration of the Voluntary Prekindergarten Education
 667 Program under this part and the school readiness program
 668 ~~programs~~ under part VI of this chapter s. 411.01. The advisory
 669 council shall periodically analyze and provide recommendations
 670 to the office on the effective and efficient use of local,
 671 state, and federal funds; the content of professional
 672 development training programs; and best practices for the

673 development and implementation of coalition plans pursuant to s.
 674 1002.85.

675 (2) The advisory council shall be composed of the
 676 following members:

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

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

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

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

684
 685 The chair of the advisory council appointed by the Governor and
 686 the members appointed by the presiding officers of the
 687 Legislature must be from the business community and be in
 688 compliance with s. 1002.83(5) each have a background in early
 689 learning.

690 (3) The advisory council shall meet at least quarterly but
 691 may meet as often as necessary to carry out its duties and
 692 responsibilities. The advisory council may use any method of
 693 telecommunications to conduct meetings, including establishing a
 694 quorum through telecommunications, only if the public is given
 695 proper notice of a telecommunications meeting and reasonable
 696 access to observe and, when appropriate, participate.

697 Section 16. Section 1002.79, Florida Statutes, is amended
 698 to read:

699 1002.79 Rulemaking authority.—

700 ~~(1) The State Board of Education shall adopt rules under~~

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701 ~~ss. 120.536(1) and 120.54 to administer the provisions of this~~
702 ~~part conferring duties upon the department.~~

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

706 Section 17. Part VI of chapter 1002, Florida Statutes,
707 consisting of sections 1002.81 through 1002.96, is created to
708 read:

709 PART VI

710 SCHOOL READINESS PROGRAM

711 1002.81 Definitions.—Consistent with the requirements of
712 45 C.F.R. parts 98 and 99 and as used in this part, the term:

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

714 (a) A child from a family under investigation by the
715 Department of Children and Families or a designated sheriff's
716 office for child abuse, neglect, abandonment, or exploitation.

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

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

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

729 (e) A child in the custody of a parent who is a victim of
730 domestic violence residing in a certified domestic violence
731 center.

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

735 (2) "Authorized hours of care" means the hours of care
736 that are necessary to provide protection, maintain employment,
737 or complete work activities or eligible educational activities,
738 including reasonable travel time.

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

742 (4) "Direct enhancement services" means services for
743 families and children that are in addition to payments for the
744 placement of children in the school readiness program. Direct
745 enhancement services for families and children may include
746 supports for providers, parent training and involvement
747 activities, and strategies to meet the needs of unique
748 populations and local eligibility priorities. Direct enhancement
749 services offered by an early learning coalition shall be
750 consistent with the activities prescribed in s. 1002.89(6)(b).

751 (5) "Disenrollment" means the removal either temporary or
752 permanent, of a child from participation in the school readiness
753 program. Removal of a child from the school readiness program
754 may be based on the following events: a reduction in available
755 school readiness program funding, participant's failure to meet

756 eligibility or program participation requirements, fraud, or a
757 change in local service priorities.

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

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

769 (8) "Family income" means the combined gross income,
770 whether earned or unearned, that is derived from any source by
771 all family or household members who are 18 years of age or older
772 who are currently residing together in the same dwelling unit.
773 The term does not include income earned by a currently enrolled
774 high school student who, since attaining the age of 18 years, or
775 a student with a disability who, since attaining the age of 22
776 years, has not terminated school enrollment or received a high
777 school diploma, high school equivalency diploma, special
778 diploma, or certificate of high school completion. The term also
779 does not include food stamp benefits or federal housing
780 assistance payments issued directly to a landlord or the
781 associated utilities expenses.

782 (9) "Family or household members" means spouses, former
783 spouses, persons related by blood or marriage, persons who are

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784 parents of a child in common regardless of whether they have
785 been married, and other persons who are currently residing
786 together in the same dwelling unit as if a family.

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

790 (11) "Market rate" means the price that a child care or
791 early childhood education provider charges for full-time or
792 part-time daily, weekly, or monthly child care or early
793 childhood education services.

794 (12) "Office" means the Office of Early Learning of the
795 Department of Education.

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

799 (14) "Single point of entry" means an integrated
800 information system that allows a parent to enroll his or her
801 child in the school readiness program or the Voluntary
802 Prekindergarten Education Program at various locations
803 throughout a county, that may allow a parent to enroll his or
804 her child by telephone or through a website, and that uses a
805 uniform waiting list to track eligible children waiting for
806 enrollment in the school readiness program.

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

809 (a) Documented alimony and child support received.

810 (b) Social security benefits.

811 (c) Supplemental security income benefits.

812 (d) Workers' compensation benefits.

813 (e) Reemployment assistance or unemployment compensation
 814 benefits.

815 (f) Veterans' benefits.

816 (g) Retirement benefits.

817 (h) Temporary cash assistance under chapter 414.

818 (16) "Working family" means:

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

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

826 (c) A two-parent family in which one of the parents with
 827 whom the child resides is exempt from work requirements due to
 828 age or disability, as determined and documented by a physician
 829 licensed under chapter 458 or chapter 459, and one parent is
 830 employed or engaged in eligible work or education activities at
 831 least 20 hours per week.

832 1002.82 Office of Early Learning; powers and duties.—

833 (1) For purposes of administration of the Child Care and
 834 Development Block Grant Trust Fund, pursuant to 45 C.F.R. parts
 835 98 and 99, the Office of Early Learning is designated as the
 836 lead agency and must comply with lead agency responsibilities
 837 pursuant to federal law. The office may apply to the Governor
 838 and Cabinet for a waiver of, and the Governor and Cabinet may
 839 waive, any provision of ss. 411.223 and 1003.54 if the waiver is

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840 necessary for implementation of the school readiness program.
841 Section 125.901(2)(a)3. does not apply to the school readiness
842 program.

843 (2) The office shall:

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

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

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

860 1. The adoption of a uniform chart of accounts for
861 budgeting and financial reporting purposes that provides
862 standardized definitions for expenditures and reporting,
863 consistent with the requirements of 45 C.F.R. part 98 and s.
864 1002.89 for each of the following categories of expenditure:

865 a. Direct services to children.

866 b. Administrative costs.

867 c. Quality activities.

868 d. Nondirect services.
 869 2. Coordination with other state and federal agencies to
 870 perform data matches on children participating in the school
 871 readiness program and their families in order to verify the
 872 children's eligibility pursuant to s. 1002.87.

873 (d) Establish procedures for the biennial calculation of
 874 the average market rate.

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

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

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

883 a. Statewide data information program requirements that
 884 include:

- 885 (I) Eligibility requirements.
- 886 (II) Financial reports.
- 887 (III) Program accountability measures.
- 888 (IV) Child progress reports.

889 b. Child care resource and referral services.

890 c. A single point of entry and uniform waiting list.

891 2. May provide technical assistance and guidance on
 892 additional support services to complement the school readiness
 893 program, including:

- 894 a. Rating and improvement systems.
- 895 b. Warm-Line services.

- 896 c. Anti-fraud plans.
- 897 d. School readiness program standards.
- 898 e. Child screening and assessments.
- 899 f. Training and support for parental involvement in
 900 children's early education.
- 901 g. Family literacy activities and services.
- 902 (g) Provide technical assistance to early learning
 903 coalitions.
- 904 (h) In cooperation with the early learning coalitions,
 905 coordinate with the Child Care Services Program Office of the
 906 Department of Children and Families to reduce paperwork and to
 907 avoid duplicating interagency activities, health and safety
 908 monitoring, and acquiring and composing data pertaining to child
 909 care training and credentialing.
- 910 (i) Develop, in coordination with the Child Care Services
 911 Program Office of the Department of Children and Families, and
 912 adopt a health and safety checklist to be completed by license-
 913 exempt providers that does not exceed the requirements s.
 914 402.305.
- 915 (j) Develop and adopt standards and benchmarks that
 916 address the age-appropriate progress of children in the
 917 development of school readiness skills. The standards for
 918 children from birth to 5 years of age in the school readiness
 919 program must be aligned with the performance standards adopted
 920 for children in the Voluntary Prekindergarten Education Program
 921 and must address the following domains:
- 922 1. Approaches to learning.
- 923 2. Cognitive development and general knowledge.

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924 3. Numeracy, language, and communication.

925 4. Physical development.

926 5. Self-regulation.

927 (k) Select assessments that are valid, reliable, and
928 developmentally appropriate for use as preassessment and
929 postassessment for the age ranges specified in the coalition
930 plans. The assessments must be designed to measure progress in
931 the domains of the performance standards adopted pursuant to
932 paragraph (j), provide appropriate accommodations for children
933 with disabilities and English language learners, and be
934 administered by qualified individuals, consistent with the
935 publisher's instructions.

936 (l) Adopt a list of approved curricula that meet the
937 performance standards for the school readiness program and
938 establish a process for the review and approval of a provider's
939 curriculum that meets the performance standards.

940 (m) Adopt by rule a standard statewide provider contract
941 to be used with each school readiness program provider, with
942 standardized attachments by provider type. The office shall
943 publish a copy of the standard statewide provider contract on
944 its website. The standard statewide contract shall include, at a
945 minimum, provisions for provider probation, termination for
946 cause, and emergency termination for those actions or inactions
947 of a provider that pose an immediate and serious danger to the
948 health, safety, or welfare of the children. The standard
949 statewide provider contract shall also include appropriate due
950 process procedures. During the pendency of an appeal of a
951 termination, the provider may not continue to offer its

952 services. Any provision imposed upon a provider that is
 953 inconsistent with, or prohibited by, law is void and
 954 unenforceable.

955 (n) Establish a single statewide information system that
 956 each coalition must use for the purposes of managing the single
 957 point of entry, tracking children's progress, coordinating
 958 services among stakeholders, determining eligibility of
 959 children, tracking child attendance, and streamlining
 960 administrative processes for providers and early learning
 961 coalitions.

962 (o) Adopt by rule standardized procedures for coalitions
 963 to use when monitoring the compliance of school readiness
 964 program providers with the terms of the standard statewide
 965 provider contract.

966 (p) Monitor and evaluate the performance of each early
 967 learning coalition in administering the school readiness
 968 program, ensuring proper payments for school readiness program
 969 services, implementing the coalition's school readiness program
 970 plan, and administering the Voluntary Prekindergarten Education
 971 Program. These monitoring and performance evaluations must
 972 include, at a minimum, onsite monitoring of each coalition's
 973 finances, management, operations, and programs.

974 (q) Work in conjunction with the Bureau of Federal
 975 Education Programs within the Department of Education to
 976 coordinate readiness and voluntary prekindergarten services to
 977 the populations served by the bureau.

978 (r) Administer a statewide toll-free Warm-Line to provide
 979 assistance and consultation to child care facilities and family

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980 day care homes regarding health, developmental, disability, and
981 special needs issues of the children they are serving,
982 particularly children with disabilities and other special needs.

983 The office shall:

984 1. Annually inform child care facilities and family day
985 care homes of the availability of this service through the child
986 care resource and referral network under s. 1002.92.

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

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

1003 (4) The office may request the Governor to apply for a
1004 waiver to allow a coalition to administer the Head Start Program
1005 to accomplish the purposes of the school readiness program.

1006 (5) By January 1 of each year, the office shall annually
1007 publish on its website a report of its activities conducted

1008 under this section. The report must include a summary of the
 1009 coalitions' annual reports, a statewide summary, and the
 1010 following:

1011 (a) An analysis of early learning activities throughout
 1012 the state, including the school readiness program and the
 1013 Voluntary Prekindergarten Education Program.

1014 1. The total and average number of children served in the
 1015 school readiness program, enumerated by age, eligibility
 1016 priority category, and coalition, and the total number of
 1017 children served in the Voluntary Prekindergarten Education
 1018 Program.

1019 2. A summary of expenditures by coalition, by fund source,
 1020 including a breakdown by coalition of the percentage of
 1021 expenditures for administrative activities, quality activities,
 1022 nondirect services, and direct services for children.

1023 3. A description of the office's and each coalition's
 1024 expenditures by fund source for the quality and enhancement
 1025 activities described in s. 1002.89(6) (b).

1026 4. A summary of annual findings and collections related to
 1027 provider fraud and parent fraud.

1028 5. Data regarding the coalitions' delivery of early
 1029 learning programs.

1030 6. The total number of children disenrolled statewide and
 1031 the reason for disenrollment.

1032 7. The total number of providers by provider type.

1033 8. The total number of provider contracts revoked and the
 1034 reasons for revocation.

1035 (b) A summary of the activities and detailed expenditures

1036 related to the Child Care Executive Partnership Program.
 1037 (6) (a) Parental choice of child care providers, including
 1038 private and faith-based providers, shall be established to the
 1039 maximum extent practicable in accordance with 45 C.F.R. s.
 1040 98.30.
 1041 (b) As used in this subsection, the term "payment
 1042 certificate" means a child care certificate as defined in 45
 1043 C.F.R. s. 98.2.
 1044 (c) The school readiness program shall, in accordance with
 1045 45 C.F.R. s. 98.30, provide parental choice through a payment
 1046 certificate that provides, to the maximum extent possible,
 1047 flexibility in the school readiness program and payment
 1048 arrangements. The payment certificate must bear the names of the
 1049 beneficiary and the program provider and, when redeemed, must
 1050 bear the signatures of both the beneficiary and an authorized
 1051 representative of the provider.
 1052 (d) If it is determined that a provider has given any cash
 1053 or other consideration to the beneficiary in return for
 1054 receiving a payment certificate, the early learning coalition or
 1055 its fiscal agent shall refer the matter to the Department of
 1056 Financial Services pursuant to s. 414.411 for investigation.
 1057 (7) Participation in the school readiness program does not
 1058 expand the regulatory authority of the state, its officers, or
 1059 an early learning coalition to impose any additional regulation
 1060 on providers beyond those necessary to enforce the requirements
 1061 set forth in this part and part V of this chapter.
 1062 1002.83 Early learning coalitions.—

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1063 (1) Thirty-one or fewer early learning coalitions are
1064 established and shall maintain direct enhancement services at
1065 the local level and provide access to such services in all 67
1066 counties. Two or more early learning coalitions may join for
1067 purposes of planning and implementing a school readiness program
1068 and the Voluntary Prekindergarten Education Program.

1069 (2) Each early learning coalition shall be composed of at
1070 least 15 members but not more than 30 members.

1071 (3) The Governor shall appoint the chair and two other
1072 members of each early learning coalition, who must each meet the
1073 same qualifications as private sector business members appointed
1074 by the coalition under subsection (5).

1075 (4) Each early learning coalition must include the
1076 following member positions; however, in a multicounty coalition,
1077 each ex officio member position may be filled by multiple
1078 nonvoting members but no more than one voting member shall be
1079 seated per member position. If an early learning coalition has
1080 more than one member representing the same entity, only one of
1081 such members may serve as a voting member:

1082 (a) A Department of Children and Families regional
1083 administrator or his or her permanent designee who is authorized
1084 to make decisions on behalf of the department.

1085 (b) A district superintendent of schools or his or her
1086 permanent designee who is authorized to make decisions on behalf
1087 of the district.

1088 (c) A regional workforce board executive director or his
1089 or her permanent designee.

1090 (d) A county health department director or his or her
 1091 designee.

1092 (e) A children's services council or juvenile welfare
 1093 board chair or executive director, if applicable.

1094 (f) An agency head of a local licensing agency as defined
 1095 in s. 402.302, where applicable.

1096 (g) A president of a Florida College System institution or
 1097 his or her permanent designee.

1098 (h) One member appointed by a board of county
 1099 commissioners or the governing board of a municipality.

1100 (i) A Head Start director.

1101 (j) A representative of private for-profit child care
 1102 providers, including private for-profit family day care homes.

1103 (k) A representative of faith-based child care providers.

1104 (l) A representative of programs for children with
 1105 disabilities under the federal Individuals with Disabilities
 1106 Education Act.

1107 (5) Including the members appointed by the Governor under
 1108 subsection (3), more than one-third of the members of each early
 1109 learning coalition must be private sector business members,
 1110 either for-profit or nonprofit, who do not have, and none of
 1111 whose relatives as defined in s. 112.3143 has, a substantial
 1112 financial interest in the design or delivery of the Voluntary
 1113 Prekindergarten Education Program created under part V of this
 1114 chapter or the school readiness program. To meet this
 1115 requirement an early learning coalition must appoint additional
 1116 members. The office shall establish criteria for appointing
 1117 private sector business members. These criteria must include

1118 standards for determining whether a member or relative has a
 1119 substantial financial interest in the design or delivery of the
 1120 Voluntary Prekindergarten Education Program or the school
 1121 readiness program.

1122 (6) A majority of the voting membership of an early
 1123 learning coalition constitutes a quorum required to conduct the
 1124 business of the coalition. An early learning coalition may use
 1125 any method of telecommunications to conduct meetings, including
 1126 establishing a quorum through telecommunications, provided that
 1127 the public is given proper notice of a telecommunications
 1128 meeting and reasonable access to observe and, when appropriate,
 1129 participate.

1130 (7) A voting member of an early learning coalition may not
 1131 appoint a designee to act in his or her place, except as
 1132 otherwise provided in this subsection. A voting member may send
 1133 a representative to coalition meetings but that representative
 1134 does not have voting privileges. When a regional administrator
 1135 for the Department of Children and Families appoints a designee
 1136 to an early learning coalition, the designee is the voting
 1137 member of the coalition, and any individual attending in the
 1138 designee's place, including the district administrator, does not
 1139 have voting privileges.

1140 (8) Each member of an early learning coalition is subject
 1141 to ss. 112.313, 112.3135, and 112.3143. For purposes of s.
 1142 112.3143(3)(a), each voting member is a local public officer who
 1143 must abstain from voting when a voting conflict exists.

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1144 (9) For purposes of tort liability, each member or
1145 employee of an early learning coalition shall be governed by s.
1146 768.28.

1147 (10) An early learning coalition serving a multicounty
1148 region must include representation from each county.

1149 (11) Each early learning coalition shall establish terms
1150 for all appointed members of the coalition. The terms must be
1151 staggered and must be a uniform length that does not exceed 4
1152 years per term. Coalition chairs shall be appointed for 4 years
1153 in conjunction with their membership on the Early Learning
1154 Advisory Council pursuant to s. 20.052. Appointed members may
1155 serve a maximum of two consecutive terms. When a vacancy occurs
1156 in an appointed position, the coalition must advertise the
1157 vacancy.

1158 (12) State, federal, and local matching funds provided to
1159 the early learning coalitions may not be used directly or
1160 indirectly to pay for meals, food, or beverages for coalition
1161 members, coalition employees, or for subcontractor employees.
1162 Preapproved, reasonable, and necessary per diem allowances and
1163 travel expenses may be reimbursed. Such reimbursement shall be
1164 at the standard travel reimbursement rates established in s.
1165 112.061 and must comply with applicable federal and state
1166 requirements.

1167 (13) Each early learning coalition shall use a coordinated
1168 professional development system that supports the achievement
1169 and maintenance of core competencies by school readiness program
1170 teachers in helping children attain the performance standards
1171 adopted by the office.

1172 (14) Each school district shall, upon request of the
 1173 coalition, make a list of all individuals currently eligible to
 1174 act as a substitute teacher within the school district, pursuant
 1175 to rules adopted by the school district pursuant to s. 1012.35,
 1176 available to an early learning coalition serving students within
 1177 the school district. Child care facilities as defined in s.
 1178 402.302 may employ individuals listed as substitute instructors
 1179 for the purpose of offering the school readiness program, the
 1180 Voluntary Prekindergarten Education Program, and all other
 1181 legally operating child care programs.

1182 1002.84 Early learning coalitions; school readiness powers
 1183 and duties.—Each early learning coalition shall:

1184 (1) Administer and implement a local comprehensive program
 1185 of school readiness program services in accordance with this
 1186 part and the rules adopted by the office, which enhances the
 1187 cognitive, social, and physical development of children to
 1188 achieve the performance standards.

1189 (2) Establish a uniform waiting list to track eligible
 1190 children waiting for enrollment in the school readiness program
 1191 in accordance with rules adopted by the office.

1192 (3) Establish a resource and referral network operating
 1193 under 1002.92 to assist parents in making an informed choice and
 1194 provide maximum parental choice of providers and to provide
 1195 information on available community resources.

1196 (4) Establish a regional Warm-Line as directed by the
 1197 office pursuant to s. 1002.82(2)(r). Regional Warm-Line staff
 1198 shall provide onsite technical assistance, when requested, to
 1199 assist child care facilities and family day care homes with

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1200 inquiries relating to the strategies, curriculum, and
1201 environmental adaptations the child care facilities and family
1202 day care homes may need as they serve children with disabilities
1203 and other special needs.

1204 (5) Establish an age-appropriate screening, for children
1205 ages birth to 5 years, of each child's development and an
1206 appropriate referral process for children with identified
1207 delays. Such screening shall not be a requirement of entry into
1208 the school readiness program and shall be only given with
1209 parental consent.

1210 (6) Implement an age-appropriate preassessment and
1211 postassessment of children if specified in the coalition's
1212 approved plan.

1213 (7) Determine child eligibility pursuant to s. 1002.87 and
1214 provider eligibility pursuant to s. 1002.88. At a minimum, child
1215 eligibility must be redetermined annually. Redetermination must
1216 also be conducted twice per year for an additional 50 percent of
1217 a coalition's enrollment through a statistically valid random
1218 sampling. A coalition must document the reason why a child is no
1219 longer eligible for the school readiness program according to
1220 the standard codes prescribed by the office.

1221 (8) Establish a parent sliding fee scale that requires a
1222 parent copayment to participate in the school readiness program.
1223 Providers are required to collect the parent's copayment. A
1224 coalition may, on a case-by-case basis, waive the copayment for
1225 an at-risk child or temporarily waive the copayment for a child
1226 whose family experiences a natural disaster or an event that
1227 limits the parent's ability to pay, such as incarceration,

1228 placement in residential treatment, or becoming homeless, or an
 1229 emergency situation such as a household fire or burglary, or
 1230 while the parent is participating in parenting classes. A parent
 1231 may not transfer school readiness program services to another
 1232 school readiness program provider until the parent has submitted
 1233 documentation from the current school readiness program provider
 1234 to the early learning coalition stating that the parent has
 1235 satisfactorily fulfilled the copayment obligation.

1236 (9) Establish proper maintenance of records related to
 1237 eligibility and enrollment files, provider payments, coalition
 1238 staff background screenings, and other documents required for
 1239 the implementation of the school readiness program.

1240 (10) Establish a records retention requirement for sign-in
 1241 and sign-out records that is consistent with state and federal
 1242 law. Attendance records may not be altered or amended after
 1243 December 31 of the subsequent year.

1244 (11) Follow the requirements established by the Chief
 1245 Financial Officer for the recording of property and for the
 1246 periodic review of property for inventory purposes.

1247 (12) Comply with federal procurement requirements and the
 1248 procurement requirements of ss. 215.971, 287.057, and 287.058,
 1249 except that an early learning coalition is not required to
 1250 competitively procure direct services for school readiness
 1251 program and Voluntary Prekindergarten Education Program
 1252 providers.

1253 (13) Establish proper information technology security
 1254 controls, including, but not limited to, periodically reviewing
 1255 the appropriateness of access privileges assigned to users of

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1256 certain systems; monitoring system hardware performance and
1257 capacity-related issues; and ensuring appropriate backup
1258 procedures and disaster recovery plans are in place.

1259 (14) Develop written policies, procedures, and standards
1260 for monitoring vendor contracts, including, but not limited to,
1261 provisions specifying the particular procedures that may be used
1262 to evaluate contractor performance and the documentation that is
1263 to be maintained to serve as a record of contractor performance.
1264 This subsection does not apply to contracts with school
1265 readiness program providers or Voluntary Prekindergarten
1266 Education Program providers.

1267 (15) Monitor school readiness program providers in
1268 accordance with its plan, or in response to a parental
1269 complaint, to verify that the standards prescribed in ss.
1270 1002.82 and 1002.88 are being met using a standard monitoring
1271 tool adopted by the office. Providers determined to be high-risk
1272 by the coalition, as demonstrated by substantial findings of
1273 violations of federal law or the general or local laws of the
1274 state, shall be monitored more frequently. Providers with 3
1275 consecutive years of compliance may be monitored biennially.

1276 (16) Adopt a payment schedule that encompasses all
1277 programs funded under this part and part V of this chapter. The
1278 payment schedule must take into consideration the average market
1279 rate, include the projected number of children to be served, and
1280 be submitted for approval by the office. Informal child care
1281 arrangements shall be reimbursed at not more than 50 percent of
1282 the rate adopted for a family day care home.

1283 (17) Implement an anti-fraud plan addressing the

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1284 detection, reporting, and prevention of overpayments, abuse, and
1285 fraud relating to the provision of and payment for school
1286 readiness program and Voluntary Prekindergarten Education
1287 Program services and submit the plan to the office for approval,
1288 as required by s. 1002.91.

1289 (18) By October 1 of each year, submit an annual report to
1290 the office. The report shall conform to the format adopted by
1291 the office and must include:

1292 (a) Segregation of school readiness program funds,
1293 Voluntary Prekindergarten Education Program funds, Child Care
1294 Executive Partnership Program funds, and other local revenues
1295 available to the coalition.

1296 (b) Details of expenditures by fund source, including
1297 total expenditures for administrative activities, quality
1298 activities, nondirect services, and direct services for
1299 children.

1300 (c) The total number of coalition staff and the related
1301 expenditures for salaries and benefits. For any subcontracts,
1302 the total number of contracted staff and the related
1303 expenditures for salaries and benefits must be included.

1304 (d) The number of children served in the school readiness
1305 program, by provider type, enumerated by age and eligibility
1306 priority category, reported as the number of children served
1307 during the month, the average participation throughout the
1308 month, and the number of children served during the month.

1309 (e) The total number of children disenrolled during the
1310 year and the reasons for disenrollment.

1311 (f) The total number of providers by provider type.

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1312 (g) A listing of any school readiness program provider, by
1313 type, whose eligibility to deliver the school readiness program
1314 is revoked, including a brief description of the state or
1315 federal violation that resulted in the revocation.

1316 (h) An evaluation of its direct enhancement services.

1317 (i) The total number of children served in each provider
1318 facility.

1319 (19) Maintain its administrative staff at the minimum
1320 necessary to administer the duties of the early learning
1321 coalition.

1322 (20) To increase transparency and accountability, comply
1323 with the requirements of this section before contracting with a
1324 member of the coalition or a relative, as defined in s.
1325 112.3143(1)(b), of a coalition member or of an employee of the
1326 coalition. Such contracts may not be executed without the
1327 approval of the office. Such contracts, as well as documentation
1328 demonstrating adherence to this section by the coalition, must
1329 be approved by a two-thirds vote of the coalition, a quorum
1330 having been established; all conflicts of interest must be
1331 disclosed before the vote; and any member who may benefit from
1332 the contract, or whose relative may benefit from the contract,
1333 must abstain from the vote. A contract under \$25,000 between an
1334 early learning coalition and a member of that coalition or
1335 between a relative, as defined in s. 112.3143(1)(b), of a
1336 coalition member or of an employee of the coalition is not
1337 required to have the prior approval of the office but must be
1338 approved by a two-thirds vote of the coalition, a quorum having
1339 been established, and must be reported to the office within 30

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1340 days after approval. If a contract cannot be approved by the
1341 office, a review of the decision to disapprove the contract may
1342 be requested by the early learning coalition or other parties to
1343 the disapproved contract.

1344 1002.85 Early learning coalition plans.—

1345 (1) The office shall adopt rules prescribing the
1346 standardized format and required content of school readiness
1347 program plans as necessary for a coalition or other qualified
1348 entity to administer the school readiness program as provided in
1349 this part.

1350 (2) Each early learning coalition must biennially submit a
1351 school readiness program plan to the office before the
1352 expenditure of funds. A coalition may not implement its school
1353 readiness program plan until it receives approval from the
1354 office. A coalition may not implement any revision to its school
1355 readiness program plan until the coalition submits the revised
1356 plan to and receives approval from the office. If the office
1357 rejects a plan or revision, the coalition must continue to
1358 operate under its previously approved plan. The plan must
1359 include, but is not limited to:

1360 (a) The coalition's operations, including its membership
1361 and business organization, and the coalition's articles of
1362 incorporation and bylaws if the coalition is organized as a
1363 corporation. If the coalition is not organized as a corporation
1364 or other business entity, the plan must include the contract
1365 with a fiscal agent.

1366 (b) The minimum number of children to be served by care
1367 level.

1368 (c) The coalition's procedures for implementing the
 1369 requirements of this part, including:
 1370 1. Single point of entry.
 1371 2. Uniform waiting list.
 1372 4. Eligibility and enrollment processes.
 1373 5. Parent access and choice.
 1374 6. Sliding fee scale and policies on applying the waiver or
 1375 reduction of fees in accordance with 1002.84(8).
 1376 7. Use of preassessments and postassessments, as
 1377 applicable.
 1378 8. Payment rate.
 1379 (d) A detailed description of the coalition's quality
 1380 activities and services, including:
 1381 1. Resource and referral and school-age child care.
 1382 2. Infant and toddler early learning.
 1383 3. Inclusive early learning programs.
 1384 (e) A detailed budget that outlines estimated expenditures
 1385 for state, federal, and local matching funds at the lowest level
 1386 of detail available by other-cost-accumulator code number; all
 1387 estimated sources of revenue with identifiable descriptions; a
 1388 listing of full-time equivalent positions; contracted
 1389 subcontractor costs with related annual compensation amount or
 1390 hourly rate of compensation; and a capital improvements plan
 1391 outlining existing fixed capital outlay projects and proposed
 1392 capital outlay projects that will begin during the budget year.
 1393 (f) A detailed accounting, in the format prescribed by the
 1394 office, of all revenues and expenditures during the previous
 1395 state fiscal year. Revenue sources should be identifiable and

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1396 expenditures should be reported by three categories: state and
1397 federal funds, local matching funds, and Child Care Executive
1398 Partnership Program funds.

1399 (g) Updated policies and procedures, including those
1400 governing procurement, maintenance of tangible personal
1401 property, maintenance of records, information technology
1402 security, and disbursement controls.

1403 (h) A description of the procedures for monitoring school
1404 readiness program providers, including in response to a parental
1405 complaint, to determine that the standards prescribed in ss.
1406 1002.82 and 1002.88 are met using a standard monitoring tool
1407 adopted by the office. Providers determined to be high risk by
1408 the coalition as demonstrated by substantial findings of
1409 violations of law shall be monitored more frequently.

1410 (i) Documentation that the coalition has solicited and
1411 considered comments regarding the proposed school readiness
1412 program plan from the local community.

1413 (3) The coalition may periodically amend its plan as
1414 necessary. An amended plan must be submitted to and approved by
1415 the office before any expenditures are incurred on the new
1416 activities proposed in the amendment.

1417 (4) The office shall publish a copy of the standardized
1418 format and required content of school readiness program plans on
1419 its website.

1420 (5) The office shall collect and report data on coalition
1421 delivery of early learning programs. Elements shall include, but
1422 are not limited to, measures related to progress towards
1423 reducing the number of children on the waitlist, the percentage

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1424 of children served by the program as compared to the number of
1425 administrative staff and overhead, the percentage of children
1426 served compared to total number of children under the age of 5
1427 years below 150 percent of the federal poverty level, provider
1428 payment processes, fraud intervention, child attendance and
1429 stability, use of child care resource and referral, and
1430 kindergarten readiness outcomes for children in the Voluntary
1431 Prekindergarten Education Program or the school readiness
1432 program upon entry into kindergarten. The office shall request
1433 input from the coalitions and school readiness program providers
1434 before finalizing the format and data to be used. The report
1435 shall be implemented beginning July 1, 2014, and results of the
1436 report must be included in the annual report under s. 1002.82.

1437 1002.86 School readiness program; education component.—The
1438 education component of the school readiness program should be
1439 developmentally appropriate and based on research, involve the
1440 parent as the child's first teacher, serve as a preventive
1441 measure for children at risk of future school failure, and
1442 enhance the educational readiness of eligible children. The
1443 school readiness program should be of assistance to parents in
1444 preparing their at-risk children for educational success,
1445 including, as appropriate, health screening and referral.

1446 1002.87 School readiness program; eligibility and
1447 enrollment.—

1448 (1) Effective August 1, 2013, or upon reevaluation of
1449 eligibility for children currently served, whichever is later,
1450 each early learning coalition shall give priority for
1451 participation in the school readiness program as follows:

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1452 (a) Priority shall be given first to a child younger than
1453 13 years of age from a family that includes a parent who is
1454 receiving temporary cash assistance under chapter 414 and
1455 subject to the federal work requirements.

1456 (b) Priority shall be given next to an at-risk child
1457 younger than 9 years of age.

1458 (c) Priority shall be given next to a child from birth to
1459 the beginning of the school year for which the child is eligible
1460 for admission to kindergarten in a public school under s.
1461 1003.21(1)(a)2. who is from a working family that is
1462 economically disadvantaged, and may include such child's
1463 eligible siblings, beginning with the school year in which the
1464 sibling is eligible for admission to kindergarten in a public
1465 school under s. 1003.21(1)(a)2. until the beginning of the
1466 school year in which the sibling is eligible to begin 6th grade,
1467 provided that the first priority for funding an eligible sibling
1468 is local revenues available to the coalition for funding direct
1469 services. However, a child eligible under this paragraph ceases
1470 to be eligible if his or her family income exceeds 200 percent
1471 of the federal poverty level.

1472 (d) Priority shall be given next to an at-risk child who
1473 is at least 9 years of age but younger than 13 years of age. An
1474 at-risk child whose sibling is enrolled in the school readiness
1475 program within an eligibility priority category listed in
1476 paragraphs (a)-(c) shall be given priority over other children
1477 who are eligible under this paragraph.

1478 (e) Priority shall be given next to a child who is younger
1479 than 13 years of age from a working family that is economically

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1480 disadvantaged. A child who is eligible under this paragraph
1481 whose sibling is enrolled in the school readiness program under
1482 paragraph (c) shall be given priority over other children who
1483 are eligible under this paragraph. However, a child eligible
1484 under this paragraph ceases to be eligible if his or her family
1485 income exceeds 200 percent of the federal poverty level.

1486 (f) Priority shall be given next to a child who has
1487 special needs, has been determined eligible as a student with a
1488 disability, has a current individual education plan with a
1489 Florida school district, and is not younger than 3 years of age.
1490 A special needs child eligible under this paragraph remains
1491 eligible until the child is eligible for admission to
1492 kindergarten in a public school under s. 1003.21(1)(a)2.

1493 (g) Priority shall be given next to a child of a parent
1494 who transitions from the work program into employment as
1495 described in s. 445.032.

1496 (h) Notwithstanding paragraphs (a)-(d), priority shall be
1497 given last to a child who otherwise meets one of the eligibility
1498 criteria in paragraphs (a)-(d) but who is also enrolled
1499 concurrently in the federal Head Start Program and the Voluntary
1500 Prekindergarten Education Program.

1501 (2) A school readiness program provider may be paid only
1502 for authorized hours of care provided for a child in the school
1503 readiness program. A child enrolled in the Voluntary
1504 Prekindergarten Education Program may receive care from the
1505 school readiness program if the child is eligible according to
1506 the eligibility priorities in this section.

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1507 (3) Contingent upon the availability of funds, a coalition
1508 shall enroll eligible children, including those from its waiting
1509 list, according to the eligibility priorities in this section.

1510 (4) The parent of a child enrolled in the school readiness
1511 program must notify the coalition or its designee within 10 days
1512 after any change in employment, income, or family size. Upon
1513 notification by the parent, the child's eligibility must be
1514 reevaluated.

1515 (5) A child whose eligibility priority category requires
1516 the child to be from a working family ceases to be eligible for
1517 the school readiness program if a parent with whom the child
1518 resides does not reestablish employment within 60 days after
1519 becoming unemployed.

1520 (6) Eligibility for each child must be reevaluated
1521 annually. Upon reevaluation, a child may not continue to receive
1522 school readiness program services if he or she has ceased to be
1523 eligible under this section.

1524 (7) If a coalition disenrolls children from the school
1525 readiness program, the coalition must disenroll the children in
1526 reverse order of the eligibility priorities listed in subsection
1527 (1) beginning with children from families with the highest
1528 family incomes. A notice of disenrollment must be sent to the
1529 parent and school readiness program provider at least 2 weeks
1530 before disenrollment to provide adequate time for the parent to
1531 arrange alternative care for the child. However, an at-risk
1532 child may not be disenrolled from the program without the
1533 written approval of the Child Welfare Program Office of the

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1534 Department of Children and Families or the community-based lead
 1535 agency.

1536 (8) If a child is absent from the program for 5
 1537 consecutive days without parental notification to the program of
 1538 such absence, the school readiness program provider shall report
 1539 the absence to the early learning coalition for a determination
 1540 of the need for continued care.

1541 (9) Notwithstanding s. 39.604, a school readiness program
 1542 provider, regardless of whether the provider is licensed, shall
 1543 comply with the reporting requirements of the Rilya Wilson Act
 1544 for each at-risk child under the age of school entry who is
 1545 enrolled in the school readiness program.

1546 1002.88 School readiness program provider standards;
 1547 eligibility to deliver the school readiness program.-

1548 (1) To be eligible to deliver the school readiness
 1549 program, a school readiness program provider must:

1550 (a) Be a child care facility licensed under s. 402.305, a
 1551 family day care home licensed or registered under s. 402.313, a
 1552 large family child care home licensed under s. 402.3131, a
 1553 public school or nonpublic school exempt from licensure under s.
 1554 402.3025, a faith-based child care provider exempt from
 1555 licensure under s. 402.316, a before-school or after-school
 1556 program described in s. 402.305(1)(c), or an informal child care
 1557 provider to the extent authorized in the state's Child Care and
 1558 Development Fund Plan as approved by the United States
 1559 Department of Health and Human Services pursuant to 45 C.F.R. s.
 1560 98.18.

1561 (b) Provide instruction and activities to enhance the age-

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1562 appropriate progress of each child in attaining the child
1563 development standards adopted by the office pursuant to s.
1564 1002.82(2)(j). A provider should include activities to foster
1565 brain development in infants and toddlers; provide an
1566 environment that is rich in language and music and filled with
1567 objects of various colors, shapes, textures, and sizes to
1568 stimulate visual, tactile, auditory, and linguistic senses; and
1569 include 30 minutes of reading to children each day.

1570 (c) Provide basic health and safety of its premises and
1571 facilities and compliance with requirements for age-appropriate
1572 immunizations of children enrolled in the school readiness
1573 program. For a child care facility, a large family child care
1574 home, or a licensed family day care home, compliance with s.
1575 402.305, s. 402.3131, or s. 402.313 satisfies this requirement.
1576 For a public or nonpublic school, compliance with s. 402.3025 or
1577 s. 1003.22 satisfies this requirement. A faith-based child care
1578 provider, an informal child care provider, or a nonpublic
1579 school, exempt from licensure under ss. 402.316 or 402.3025,
1580 shall annually complete the health and safety checklist adopted
1581 by the office, post the checklist prominently on its premises in
1582 plain sight for visitors and parents, and submit it annually to
1583 its local early learning coalition.

1584 (d) Provide an appropriate staff-to-children ratio,
1585 pursuant to s. 402.305(4) or s. 402.302(8) or (11), as
1586 applicable, and as verified pursuant to s. 402.311.

1587 (e) Provide a healthy and safe environment pursuant to s.
1588 402.305(5), (6), and (7), as applicable, and as verified
1589 pursuant to s. 402.311.

1590 (f) Implement one of the curricula approved by the office
 1591 that meets the child development standards.

1592 (g) Implement a character development program to develop
 1593 basic values.

1594 (h) Collaborate with the respective early learning
 1595 coalition to complete initial screening for each child, aged 6
 1596 weeks to kindergarten eligibility, within 45 days after the
 1597 child's first or subsequent enrollment, to identify a child who
 1598 may need individualized supports.

1599 (i) Implement minimum standards for child discipline
 1600 practices that are age-appropriate and consistent with the
 1601 requirements in s. 402.305(12). Such standards must provide that
 1602 children not be subjected to discipline that is severe,
 1603 humiliating, or frightening or discipline that is associated
 1604 with food, rest, or toileting. Spanking or any other form of
 1605 physical punishment is prohibited.

1606 (j) Obtain and keep on file record of the child's
 1607 immunizations, physical development, and other health
 1608 requirements as necessary, including appropriate vision and
 1609 hearing screening and examination, within 30 days after
 1610 enrollment.

1611 (k) Implement before-school or after-school programs that
 1612 meet or exceed the requirements of s. 402.305(5), (6), and (7).

1613 (l) For a provider that is not an informal provider,
 1614 maintain general liability insurance and provide the coalition
 1615 with written evidence of general liability insurance coverage,
 1616 including coverage for transportation of children if school
 1617 readiness program children are transported by the provider. A

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1618 provider must obtain and retain an insurance policy that
1619 provides a minimum of \$100,000 of coverage per occurrence and a
1620 minimum of \$300,000 general aggregate coverage. The office may
1621 authorize lower limits upon request, as appropriate. A provider
1622 must add the coalition as a named certificateholder and as an
1623 additional insured. A provider must provide the coalition with a
1624 minimum of 10 calendar days' advance written notice of
1625 cancellation of or changes to coverage. The general liability
1626 insurance required by this paragraph must remain in full force
1627 and effect for the entire period of the provider contract with
1628 the coalition.

1629 (m) For a provider that is an informal provider, comply
1630 with the provisions of paragraph (l) or maintain homeowner's
1631 liability insurance and, if applicable, a business rider. If an
1632 informal provider chooses to maintain a homeowner's policy, the
1633 provider must obtain and retain a homeowner's insurance policy
1634 that provides a minimum of \$100,000 of coverage per occurrence
1635 and a minimum of \$300,000 general aggregate coverage. The office
1636 may authorize lower limits upon request, as appropriate. An
1637 informal provider must add the coalition as a named
1638 certificateholder and as an additional insured. An informal
1639 provider must provide the coalition with a minimum of 10
1640 calendar days' advance written notice of cancellation of or
1641 changes to coverage. The general liability insurance required by
1642 this paragraph must remain in full force and effect for the
1643 entire period of the provider's contract with the coalition.

1644 (n) Obtain and maintain any required workers' compensation
1645 insurance under chapter 440 and any required reemployment

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1646 assistance or unemployment compensation coverage under chapter
1647 443.

1648 (o) Notwithstanding paragraph (l), for a provider that is
1649 a state agency or a subdivision thereof, as defined in s.
1650 768.28(2), agree to notify the coalition of any additional
1651 liability coverage maintained by the provider in addition to
1652 that otherwise established under s. 768.28. The provider shall
1653 indemnify the coalition to the extent permitted by s. 768.28.

1654 (p) Execute the standard statewide provider contract
1655 adopted by the office.

1656 (q) Operate on a full-time and part-time basis and provide
1657 extended-day and extended-year services to the maximum extent
1658 possible without compromising the quality of the program to meet
1659 the needs of parents who work.

1660 (2) If a school readiness program provider fails or
1661 refuses to comply with this part or any contractual obligation
1662 of the statewide provider contract under s. 1002.82(2)(m), the
1663 coalition may revoke the provider's eligibility to deliver the
1664 school readiness program or receive state or federal funds under
1665 this chapter for a period of 5 years.

1666 (3) The office and the coalitions may not:

1667 (a) Impose any requirement on a child care provider or
1668 early childhood education provider that does not deliver
1669 services under the school readiness program or receive state or
1670 federal funds under this part;

1671 (b) Impose any requirement on a school readiness program
1672 provider that exceeds the authority provided under this part or
1673 part V of this chapter or rules adopted pursuant to this part or

1674 part V of this chapter; or
 1675 (c) Require a provider to administer a preassessment or
 1676 postassessment.
 1677 1002.89 School readiness program; funding.—
 1678 (1) Funding for the school readiness program shall be
 1679 allocated among the early learning coalitions in accordance with
 1680 this section and the General Appropriations Act.
 1681 (2) The office shall administer school readiness program
 1682 funds and prepare and submit a unified budget request for the
 1683 school readiness program in accordance with chapter 216.
 1684 (3) All instructions to early learning coalitions for
 1685 administering this section shall emanate from the office in
 1686 accordance with the policies of the Legislature.
 1687 (4) All cost savings and all revenues received through a
 1688 mandatory sliding fee scale shall be used to increase the number
 1689 of children served.
 1690 (5) All state, federal, and local matching funds provided
 1691 to an early learning coalition for purposes of this section
 1692 shall be used for implementation of its approved school
 1693 readiness program plan, including the hiring of staff to
 1694 effectively operate the school readiness program.
 1695 (6) Costs shall be kept to the minimum necessary for the
 1696 efficient and effective administration of the school readiness
 1697 program with the highest priority of expenditure being direct
 1698 services for eligible children. However, no more than 5 percent
 1699 of the funds described in subsection (5) may be used for
 1700 administrative costs and, except as otherwise specified in the
 1701 General Appropriations Act, for the 2013-2014 fiscal year no

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1702 more than 22 percent, for the 2014-2015 fiscal year no more than
1703 20 percent, and for the 2015-2016 fiscal year and thereafter no
1704 more than 18 percent of the funds described in subsection (5)
1705 may be used for any combination of administrative costs, quality
1706 activities, and nondirect services as follows:

1707 (a) Administrative costs as described in 45 C.F.R. s.
1708 98.52, which shall include monitoring providers using the
1709 standard methodology adopted under s. 1002.82 to improve
1710 compliance with state and federal regulations and law pursuant
1711 to the requirements of the statewide provider contract adopted
1712 under s. 1002.82(2)(m).

1713 (b) Activities to improve the quality of child care as
1714 described in 45 C.F.R. s. 98.51, which shall be limited to the
1715 following:

1716 1. Developing, establishing, expanding, operating, and
1717 coordinating resource and referral programs specifically related
1718 to the provision of comprehensive consumer education to parents
1719 and the public regarding participation in the school readiness
1720 program and parental choice.

1721 2. Awarding grants to school readiness program providers
1722 to assist them in meeting applicable state requirements for
1723 child care performance standards, implementing developmentally
1724 appropriate curricula and related classroom resources that
1725 support curricula, providing literacy supports, and providing
1726 professional development. Any grants awarded pursuant to this
1727 subparagraph shall comply with the requirements of ss. 215.971
1728 and 287.058.

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1729 3. Providing training and technical assistance for school
1730 readiness program providers, staff, and parents on standards,
1731 child screenings, child assessments, developmentally appropriate
1732 curricula, character development, teacher-child interactions,
1733 age-appropriate discipline practices, health and safety,
1734 nutrition, first aid, the recognition of communicable diseases,
1735 and child abuse detection and prevention.

1736 4. Providing from among the funds provided for the
1737 activities described in subparagraphs 1.-3., adequate funding
1738 for infants and toddlers as necessary to meet federal
1739 requirements related to expenditures for quality activities for
1740 infant and toddler care.

1741 5. Improving the monitoring of compliance with, and
1742 enforcement of, applicable state and local requirements as
1743 described in and limited by 45 C.F.R. s. 98.40.

1744 6. Responding to Warm-Line requests by providers and
1745 parents related to school readiness program children, including
1746 providing developmental and health screenings to school
1747 readiness program children.

1748 (c) Nondirect services as described in applicable Office
1749 of Management and Budget instructions are those services not
1750 defined as administrative, direct, or quality services that are
1751 required to administer the school readiness program. Such
1752 services include, but are not limited to:

1753 1. Assisting families to complete the required application
1754 and eligibility documentation.

1755 2. Determining child and family eligibility.

1756 3. Recruiting eligible child care providers.

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1757 4. Processing and tracking attendance records.

1758 5. Developing and maintaining a statewide child care
1759 information system.

1760
1761 As used in this paragraph, the term "nondirect services" does
1762 not include payments to school readiness program providers for
1763 direct services provided to children who are eligible under s.
1764 1002.87, administrative costs as described in paragraph (a), or
1765 quality activities as described in paragraph (b).

1766 (7) Funds appropriated for the school readiness program
1767 may not be expended for the purchase or improvement of land, for
1768 the purchase, construction, or permanent improvement of any
1769 building or facility, or for the purchase of buses. However,
1770 funds may be expended for minor remodeling and upgrading child
1771 care facilities to ensure that providers meet state and local
1772 child care standards, including applicable health and safety
1773 requirements.

1774 (8) Beginning in the 2014-2015 fiscal year, all state-
1775 appropriated funding for the school readiness program shall be
1776 allocated to early learning coalitions based on the average
1777 prior year enrollment and the uniform waiting list as adopted by
1778 the Early Learning Programs Estimating Conference pursuant to s.
1779 216.136(8) and using the average market rate by program care
1780 level and provider type pursuant to s. 1002.895.

1781 1002.895 Market rate schedule.—The school readiness
1782 program market rate schedule shall be implemented as follows:

1783 (1) The office shall establish procedures for the adoption
1784 of a market rate schedule. The schedule must include, at a

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- 1785 minimum, county-by-county rates:
- 1786 (a) The market rate, including the minimum and the maximum
1787 rates for child care providers that hold a Gold Seal Quality
1788 Care designation under s. 402.281.
- 1789 (b) The market rate for child care providers that do not
1790 hold a Gold Seal Quality Care designation.
- 1791 (2) The market rate schedule, at a minimum, must:
- 1792 (a) Differentiate rates by type, including, but not
1793 limited to, a child care provider that holds a Gold Seal Quality
1794 Care designation under s. 402.281, a child care facility
1795 licensed under s. 402.305, a public or nonpublic school exempt
1796 from licensure under s. 402.3025, a faith-based child care
1797 facility exempt from licensure under s. 402.316 that does not
1798 hold a Gold Seal Quality Care designation, a large family child
1799 care home licensed under s. 402.3131, or a family day care home
1800 licensed or registered under s. 402.313.
- 1801 (b) Differentiate rates by the type of child care services
1802 provided for children with special needs or risk categories,
1803 infants, toddlers, preschool-age children, and school-age
1804 children.
- 1805 (c) Differentiate rates between full-time and part-time
1806 child care services.
- 1807 (d) Consider discounted rates for child care services for
1808 multiple children in a single family.
- 1809 (3) The market rate schedule must be based exclusively on
1810 the prices charged for child care services.
- 1811 (4) The market rate schedule shall be considered by an
1812 early learning coalition in the adoption of a payment schedule.

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1813 The payment schedule must take into consideration the average
1814 market rate, include the projected number of children to be
1815 served, and be submitted for approval by the office. Informal
1816 child care arrangements shall be reimbursed at not more than 50
1817 percent of the rate adopted for a family day care home.

1818 (5) The office may contract with one or more qualified
1819 entities to administer this section and provide support and
1820 technical assistance for child care providers.

1821 (6) The office may adopt rules for establishing procedures
1822 for the collection of child care providers' market rate, the
1823 calculation of the average market rate by program care level and
1824 provider type in a predetermined geographic market, and the
1825 publication of the market rate schedule.

1826 1002.91 Investigations of fraud or overpayment;
1827 penalties.—

1828 (1) As used in this subsection, the term "fraud" means an
1829 intentional deception, omission, or misrepresentation made by a
1830 person with knowledge that the deception, omission, or
1831 misrepresentation may result in unauthorized benefit to that
1832 person or another person, or any aiding and abetting of the
1833 commission of such an act. The term includes any act that
1834 constitutes fraud under applicable federal or state law.

1835 (2) To recover state, federal, and local matching funds,
1836 the office shall investigate early learning coalitions,
1837 recipients, and providers of the school readiness program and
1838 the Voluntary Prekindergarten Education Program to determine
1839 possible fraud or overpayment. If by its own inquiries, or as a
1840 result of a complaint, the office has reason to believe that a

1841 person, coalition, or provider has engaged in, or is engaging
 1842 in, a fraudulent act, it shall investigate and determine whether
 1843 any overpayment has occurred due to the fraudulent act. During
 1844 the investigation, the office may examine all records, including
 1845 electronic benefits transfer records, and make inquiry of all
 1846 persons who may have knowledge as to any irregularity incidental
 1847 to the disbursement of public moneys or other items or benefits
 1848 authorizations to recipients.

1849 (3) Based on the results of the investigation, the office
 1850 may, in its discretion, refer the investigation to the
 1851 Department of Financial Services for criminal investigation or
 1852 refer the matter to the applicable coalition. Any suspected
 1853 criminal violation identified by the office must be referred to
 1854 the Department of Financial Services for criminal investigation.

1855 (4) An early learning coalition may suspend or terminate a
 1856 provider from participation in the school readiness program or
 1857 the Voluntary Prekindergarten Education Program when it has
 1858 reasonable cause to believe that the provider has committed
 1859 fraud. The office shall adopt by rule appropriate due process
 1860 procedures that the early learning coalition shall apply in
 1861 suspending or terminating any provider, including the suspension
 1862 or termination of payment. If suspended, the provider shall
 1863 remain suspended until the completion of any investigation by
 1864 the office, the Department of Financial Services, or any other
 1865 state or federal agency, and any subsequent prosecution or other
 1866 legal proceeding.

1867 (5) If a school readiness program provider or a Voluntary
 1868 Prekindergarten Education Program provider, or an owner,

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

1883 (6) If the investigation is not confidential or otherwise
1884 exempt from disclosure by law, the results of the investigation
1885 may be reported by the office to the appropriate legislative
1886 committees, the Department of Children and Families, and such
1887 other persons as the office deems appropriate.

1888 (7) The early learning coalition may not contract with a
1889 school readiness program provider or a Voluntary Prekindergarten
1890 Education Program provider who is on the United States
1891 Department of Agriculture National Disqualified List. In
1892 addition, the coalition may not contract with any provider that
1893 shares an officer or director with a provider that is on the
1894 United States Department of Agriculture National Disqualified
1895 List.

1896 (8) Each early learning coalition shall adopt an anti-

1897 fraud plan addressing the detection and prevention of
 1898 overpayments, abuse, and fraud relating to the provision of and
 1899 payment for school readiness program and Voluntary
 1900 Prekindergarten Education Program services and submit the plan
 1901 to the office for approval. The office shall adopt rules
 1902 establishing criteria for the anti-fraud plan, including
 1903 appropriate due process provisions. The anti-fraud plan must
 1904 include, at a minimum:

1905 (a) A written description or chart outlining the
 1906 organizational structure of the plan's personnel who are
 1907 responsible for the investigation and reporting of possible
 1908 overpayment, abuse, or fraud.

1909 (b) A description of the plan's procedures for detecting
 1910 and investigating possible acts of fraud, abuse, or overpayment.

1911 (c) A description of the plan's procedures for the
 1912 mandatory reporting of possible overpayment, abuse, or fraud to
 1913 the Office of Inspector General within the office.

1914 (d) A description of the plan's program and procedures for
 1915 educating and training personnel on how to detect and prevent
 1916 fraud, abuse, and overpayment.

1917 (e) A description of the plan's procedures, including the
 1918 appropriate due process provisions adopted by the office for
 1919 suspending or terminating from the school readiness program or
 1920 the Voluntary Prekindergarten Education Program a recipient or
 1921 provider who the early learning coalition believes has committed
 1922 fraud.

1923 (9) A person who commits an act of fraud as defined in
 1924 this section is subject to the penalties provided in s.

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1925 | 414.39(5)(a) and (b).

1926 | 1002.92 Child care and early childhood resource and
 1927 | referral.—

1928 | (1) As a part of the school readiness program, the office
 1929 | shall establish a statewide child care resource and referral
 1930 | network that is unbiased and provides referrals to families for
 1931 | child care and information on available community resources.
 1932 | Preference shall be given to using early learning coalitions as
 1933 | the child care resource and referral agencies. If an early
 1934 | learning coalition cannot comply with the requirements to offer
 1935 | the resource information component or does not want to offer
 1936 | that service, the early learning coalition shall select the
 1937 | resource and referral agency for its county or multicounty
 1938 | region based upon the procurement requirements of s.

1939 | 1002.84(12).

1940 | (2) At least one child care resource and referral agency
 1941 | must be established in each early learning coalition's county or
 1942 | multicounty region. The office shall adopt rules regarding
 1943 | accessibility of child care resource and referral services
 1944 | offered through child care resource and referral agencies in
 1945 | each county or multicounty region which include, at a minimum,
 1946 | required hours of operation, methods by which parents may
 1947 | request services, and child care resource and referral staff
 1948 | training requirements.

1949 | (3) Child care resource and referral agencies shall
 1950 | provide the following services:

1951 | (a) Identification of existing public and private child
 1952 | care and early childhood education services, including child

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

- 1966 | 1. Type of program.
- 1967 | 2. Hours of service.
- 1968 | 3. Ages of children served.
- 1969 | 4. Number of children served.
- 1970 | 5. Program information.
- 1971 | 6. Fees and eligibility for services.
- 1972 | 7. Availability of transportation.

1973 | (b) Establishment of a referral process that responds to
 1974 | parental need for information and that is provided with full
 1975 | recognition of the confidentiality rights of parents. The
 1976 | resource and referral network shall make referrals to legally
 1977 | operating child care facilities. Referrals may not be made to a
 1978 | child care facility that is operating illegally.

1979 | (c) Maintenance of ongoing documentation of requests for
 1980 | service tabulated through the internal referral process through

1981 | the single statewide information system. The following
 1982 | documentation of requests for service shall be maintained by the
 1983 | child care resource and referral network:

1984 | 1. Number of calls and contacts to the child care resource
 1985 | information and referral network component by type of service
 1986 | requested.

1987 | 2. Ages of children for whom service was requested.

1988 | 3. Time category of child care requests for each child.

1989 | 4. Special time category, such as nights, weekends, and
 1990 | swing shift.

1991 | 5. Reason that the child care is needed.

1992 | 6. Name of the employer and primary focus of the business
 1993 | for an employer based child care program.

1994 | (d) Provision of technical assistance to existing and
 1995 | potential providers of child care services. This assistance may
 1996 | include:

1997 | 1. Information on initiating new child care services,
 1998 | zoning, and program and budget development and assistance in
 1999 | finding such information from other sources.

2000 | 2. Information and resources which help existing child
 2001 | care services providers to maximize their ability to serve
 2002 | children and parents in their community.

2003 | 3. Information and incentives that may help existing or
 2004 | planned child care services offered by public or private
 2005 | employers seeking to maximize their ability to serve the
 2006 | children of their working parent employees in their community,
 2007 | through contractual or other funding arrangements with
 2008 | businesses.

2009 (e) Assistance to families and employers in applying for
 2010 various sources of subsidy, including, but not limited to, the
 2011 Voluntary Prekindergarten Education Program, the school
 2012 readiness program, Head Start, Project Independence, private
 2013 scholarships, and the federal child and dependent care tax
 2014 credit.

2015 (f) Assistance to families to negotiate discounts or other
 2016 special arrangements with child care providers.

2017 (g) Assistance to families in identifying summer
 2018 recreation camp and summer day camp programs to help families
 2019 make informed choice. Contingent upon specific appropriation, a
 2020 checklist of important health and safety qualities that parents
 2021 can use to choose their summer camp programs shall be developed
 2022 and distributed in a manner that will reach parents interested
 2023 in such programs for their children.

2024 (h) Assistance to families for accessing local community
 2025 resources.

2026 (4) A child care facility licensed under s. 402.305 and
 2027 licensed and registered family day care homes must provide the
 2028 statewide child care and resource and referral network with the
 2029 following information annually:

2030 (a) Type of program.

2031 (b) Hours of service.

2032 (c) Ages of children served.

2033 (d) Fees and eligibility for services.

2034 1002.93 School readiness program transportation services.-

2035 (1) The office may authorize an early learning coalition
 2036 to establish school readiness program transportation services

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

2041 (2) The transportation servicers may only provide
 2042 transportation to each child participating in the school
 2043 readiness program to the extent that such transportation is
 2044 necessary to provide child care opportunities that otherwise
 2045 would not be available to a child whose home is more than a
 2046 reasonable walking distance from the nearest child care facility
 2047 or family day care home.

2048 1002.94 Child Care Executive Partnership Program.—

2049 (1) There is created a body politic and corporate known as
 2050 the Child Care Executive Partnership which shall establish and
 2051 govern the Child Care Executive Partnership Program. The purpose
 2052 of the Child Care Executive Partnership Program is to use state
 2053 and federal funds as incentives for matching local funds derived
 2054 from local governments, employers, charitable foundations, and
 2055 other sources so that Florida communities may create local
 2056 flexible partnerships with employers. The Child Care Executive
 2057 Partnership Program funds shall be used at the discretion of
 2058 local communities to meet the needs of working parents. A child
 2059 care purchasing pool shall be developed with the state, federal,
 2060 and local funds to provide subsidies to low-income working
 2061 parents whose family income does not exceed the allowable income
 2062 for any federally subsidized child care program with a dollar-
 2063 for-dollar match from employers, local government, and other
 2064 matching contributions. The funds used from the child care

2065 purchasing pool must be used to supplement or extend the use of
 2066 existing public or private funds for direct services.

2067 (2) The Child Care Executive Partnership, staffed by the
 2068 office, shall consist of a representative of the Executive
 2069 Office of the Governor and nine members of the corporate or
 2070 child care community, appointed by the Governor.

2071 (a) Members shall serve for a period of 4 years, except
 2072 that the representative of the Executive Office of the Governor
 2073 shall serve at the pleasure of the Governor.

2074 (b) The Child Care Executive Partnership shall be chaired
 2075 by a member chosen by a majority vote and shall meet at least
 2076 quarterly and at other times upon the call of the chair. The
 2077 Child Care Executive Partnership may use any method of
 2078 telecommunications to conduct meetings, including establishing a
 2079 quorum through telecommunications, only if the public is given
 2080 proper notice of a telecommunications meeting and reasonable
 2081 access to observe and, when appropriate, participate.

2082 (c) Members shall serve without compensation, but may be
 2083 reimbursed for per diem and travel expenses in accordance with
 2084 s. 112.061.

2085 (d) The Child Care Executive Partnership shall have all
 2086 the powers and authority, not explicitly prohibited by law,
 2087 necessary to carry out and effectuate the purposes of this
 2088 section, as well as the functions, duties, and responsibilities
 2089 of the partnership, including, but not limited to, the
 2090 following:

2091 1. Making recommendations concerning the implementation
 2092 and coordination of the school readiness program.

- 2093 2. Soliciting, accepting, receiving, investing, and
 2094 expending funds from public or private sources.
- 2095 3. Contracting with public or private entities as
 2096 necessary.
- 2097 4. Approving an annual budget.
- 2098 5. Providing a report to the Governor, the Speaker of the
 2099 House of Representatives, and the President of the Senate on or
 2100 before December 1 of each year.

2101

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

2109 (3) (a) The Legislature shall annually determine the amount
 2110 of state or federal low-income child care moneys which shall be
 2111 used to create Child Care Executive Partnership Program child
 2112 care purchasing pools in counties chosen by the Child Care
 2113 Executive Partnership provided that at least two of the counties
 2114 have populations of no more than 300,000. The Legislature shall
 2115 annually review the effectiveness of the child care purchasing
 2116 pool program and reevaluate the percentage of additional state
 2117 or federal funds, if any, which can be used for the program's
 2118 expansion.

2119 (b) To ensure a seamless service delivery and ease of
 2120 access for families, the office shall administer the child care

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2121 purchasing pool funds.

2122 (c) The office, in conjunction with the Child Care
2123 Executive Partnership, shall develop procedures for disbursement
2124 of funds through the child care purchasing pools. In order to be
2125 considered for funding, an early learning coalition or the
2126 office must commit to:

2127 1. Matching the state purchasing pool funds on a dollar-
2128 for-dollar basis.

2129 2. Expending only those public funds that are matched by
2130 employers, local government, and other matching contributors who
2131 contribute to the purchasing pool. Parents shall also pay a fee,
2132 which may not be less than the amount identified in the early
2133 learning coalition's school readiness program sliding fee scale.

2134 (d) Each early learning coalition shall establish a
2135 community child care task force for each child care purchasing
2136 pool. The task force must be composed of employers, parents,
2137 private child care providers, and one representative from the
2138 local children's services council, if one exists in the area of
2139 the purchasing pool. The early learning coalition is expected to
2140 recruit the task force members from existing child care
2141 councils, commissions, or task forces already operating in the
2142 area of a purchasing pool. A majority of the task force shall
2143 consist of employers.

2144 (e) Each participating early learning coalition shall
2145 develop a plan for the use of child care purchasing pool funds.
2146 The plan must show how many children will be served by the
2147 purchasing pool, how many will be new to receiving child care
2148 services, and how the early learning coalition intends to

2149 | attract new employers and their employees to the program.

2150 | (4) The office may adopt any rules necessary for the
 2151 | implementation and administration of this section.

2152 | 1002.95 Teacher Education and Compensation Helps (TEACH)
 2153 | scholarship program.—

2154 | (1) The office may contract for the administration of the
 2155 | Teacher Education and Compensation Helps (TEACH) scholarship
 2156 | program, which provides educational scholarships to caregivers
 2157 | and administrators of early childhood programs, family day care
 2158 | homes, and large family child care homes. The goal of the
 2159 | program is to increase the education and training for
 2160 | caregivers, increase the compensation for child caregivers who
 2161 | complete the program requirements, and reduce the rate of
 2162 | participant turnover in the field of early childhood education.

2163 | (2) The office shall adopt rules as necessary to
 2164 | administer this section.

2165 | 1002.96 Early Head Start collaboration grants.—

2166 | (1) Contingent upon specific appropriation, the office
 2167 | shall establish a program to award collaboration grants to
 2168 | assist local agencies in securing Early Head Start programs
 2169 | through Early Head Start program federal grants. The
 2170 | collaboration grants shall provide the required matching funds
 2171 | for public and private nonprofit agencies that have been
 2172 | approved for Early Head Start program federal grants.

2173 | (2) Public and private nonprofit agencies providing Early
 2174 | Head Start programs applying for collaborative grants must:

2175 | (a) Meet the requirements in the Head Start program
 2176 | performance standards and other applicable rules and

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2177 regulations.

2178 (b) Collaborate with other service providers at the local
 2179 level.

2180 (c) Provide a comprehensive array of health, nutritional,
 2181 and other services to the program's pregnant women and very
 2182 young children, and their families.

2183 (3) The office may adopt rules as necessary for the award
 2184 of collaboration grants to competing agencies and the
 2185 administration of the collaboration grants program under this
 2186 section.

2187 Section 18. Section 411.011, Florida Statutes, is
 2188 transferred, renumbered as section 1002.97, Florida Statutes,
 2189 and amended to read:

2190 1002.97 ~~411.011~~ Records of children in the school
 2191 readiness program ~~programs.~~

2192 (1) The individual records of children enrolled in the
 2193 school readiness program ~~programs~~ provided under this part s.
 2194 ~~411.01~~, held by an early learning coalition or the office ~~of~~
 2195 ~~Early Learning~~, are confidential and exempt from s. 119.07(1)
 2196 and s. 24(a), Art. I of the State Constitution. For purposes of
 2197 this section, records include assessment data, health data,
 2198 records of teacher observations, and personal identifying
 2199 information.

2200 (2) A parent, ~~guardian, or individual acting as a parent~~
 2201 ~~in the absence of a parent or guardian~~ has the right to inspect
 2202 and review the individual school readiness program record of his
 2203 or her child and to obtain a copy of the record.

2204 (3) School readiness program records may be released to:

2205 (a) The United States Secretary of Education, the United
 2206 States Secretary of Health and Human Services, and the
 2207 Comptroller General of the United States for the purpose of
 2208 federal audits and investigations.

2209 (b) Individuals or organizations conducting studies for
 2210 institutions to develop, validate, or administer assessments or
 2211 improve instruction.

2212 (c) Accrediting organizations in order to carry out their
 2213 accrediting functions.

2214 (d) Appropriate parties in connection with an emergency if
 2215 the information is necessary to protect the health or safety of
 2216 the child enrollee or other individuals.

2217 (e) The Office of Program Policy Analysis and Government
 2218 Accountability and the Auditor General in connection with their
 2219 ~~his or her~~ official functions.

2220 (f) A court of competent jurisdiction in compliance with
 2221 an order of that court in accordance with a lawfully issued
 2222 subpoena.

2223 (g) Parties to an interagency agreement among early
 2224 learning coalitions, local governmental agencies, providers of
 2225 the school readiness program ~~programs~~, state agencies, and the
 2226 office ~~of Early Learning~~ for the purpose of implementing the
 2227 school readiness program.

2228
 2229 Agencies, organizations, or individuals that receive school
 2230 readiness program records in order to carry out their official
 2231 functions must protect the data in a manner that does not permit
 2232 the personal identification of a child enrolled in a school

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2233 | readiness program and his or her parent ~~parents~~ by persons other
 2234 | than those authorized to receive the records.

2235 | Section 19. Paragraph (p) of subsection (3) of section
 2236 | 11.45, Florida Statutes, is amended to read:

2237 | 11.45 Definitions; duties; authorities; reports; rules.—

2238 | (3) AUTHORITY FOR AUDITS AND OTHER ENGAGEMENTS.—The
 2239 | Auditor General may, pursuant to his or her own authority, or at
 2240 | the direction of the Legislative Auditing Committee, conduct
 2241 | audits or other engagements as determined appropriate by the
 2242 | Auditor General of:

2243 | (p) The school readiness program system, including the
 2244 | early learning coalitions, ~~created~~ under part VI of chapter 1002
 2245 | ~~s. 411.01~~.

2246 | Section 20. Paragraph (h) of subsection (3) of section
 2247 | 20.15, Florida Statutes, is amended to read:

2248 | 20.15 Department of Education.—There is created a
 2249 | Department of Education.

2250 | (3) DIVISIONS.—The following divisions of the Department
 2251 | of Education are established:

2252 | ~~(h) The Office of Early Learning, which shall administer~~
 2253 | ~~the school readiness system in accordance with s. 411.01 and the~~
 2254 | ~~operational requirements of the Voluntary Prekindergarten~~
 2255 | ~~Education Program in accordance with part V of chapter 1002. The~~
 2256 | ~~office is a separate budget entity and is not subject to~~
 2257 | ~~control, supervision, or direction by the Department of~~
 2258 | ~~Education or the State Board of Education in any manner~~
 2259 | ~~including, but not limited to, personnel, purchasing,~~
 2260 | ~~transactions involving personal property, and budgetary matters.~~

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

2269 Section 21. Section 196.198, Florida Statutes, is amended
2270 to read:

2271 196.198 Educational property exemption.—Educational
2272 institutions within this state and their property used by them
2273 or by any other exempt entity or educational institution
2274 exclusively for educational purposes shall be exempt from
2275 taxation. Sheltered workshops providing rehabilitation and
2276 retraining of disabled individuals and exempted by a certificate
2277 under s. (d) of the federal Fair Labor Standards Act of 1938, as
2278 amended, are declared wholly educational in purpose and shall be
2279 exempted from certification, accreditation, and membership
2280 requirements set forth in s. 196.012. Those portions of property
2281 of college fraternities and sororities certified by the
2282 president of the college or university to the appropriate
2283 property appraiser as being essential to the educational process
2284 shall be exempt from ad valorem taxation. The use of property by
2285 public fairs and expositions chartered by chapter 616 is
2286 presumed to be an educational use of such property and shall be
2287 exempt from ad valorem taxation to the extent of such use.
2288 Property used exclusively for educational purposes shall be

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2289 deemed owned by an educational institution if the entity owning
 2290 100 percent of the educational institution is owned by the
 2291 identical persons who own the property or if the entity owning
 2292 100 percent of the educational institution and the entity owning
 2293 the property are owned by identical natural persons. Land,
 2294 buildings, and other improvements to real property used
 2295 exclusively for educational purposes shall be deemed owned by an
 2296 educational institution if the entity owning 100 percent of the
 2297 land is a nonprofit entity and the land is used, under a ground
 2298 lease or other contractual arrangement, by an educational
 2299 institution that owns the buildings and other improvements to
 2300 the real property, is a nonprofit entity under s. 501(c)(3) of
 2301 the Internal Revenue Code, and provides education limited to
 2302 students in prekindergarten through grade 8. If legal title to
 2303 property is held by a governmental agency that leases the
 2304 property to a lessee, the property shall be deemed to be owned
 2305 by the governmental agency and used exclusively for educational
 2306 purposes if the governmental agency continues to use such
 2307 property exclusively for educational purposes pursuant to a
 2308 sublease or other contractual agreement with that lessee. If the
 2309 title to land is held by the trustee of an irrevocable inter
 2310 vivos trust and if the trust grantor owns 100 percent of the
 2311 entity that owns an educational institution that is using the
 2312 land exclusively for educational purposes, the land is deemed to
 2313 be property owned by the educational institution for purposes of
 2314 this exemption. Property owned by an educational institution
 2315 shall be deemed to be used for an educational purpose if the
 2316 institution has taken affirmative steps to prepare the property

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2317 for educational use. Affirmative steps means environmental or
 2318 land use permitting activities, creation of architectural plans
 2319 or schematic drawings, land clearing or site preparation,
 2320 construction or renovation activities, or other similar
 2321 activities that demonstrate commitment of the property to an
 2322 educational use.

2323 Section 22. Paragraph (a) of subsection (8) of section
 2324 216.136, Florida Statutes, is amended to read:

2325 216.136 Consensus estimating conferences; duties and
 2326 principals.—

2327 (8) EARLY LEARNING PROGRAMS ESTIMATING CONFERENCE.—

2328 (a) The Early Learning Programs Estimating Conference
 2329 shall develop estimates and forecasts of the unduplicated count
 2330 of children eligible for the school readiness program ~~programs~~
 2331 in accordance with the standards of eligibility established in
 2332 s. 1002.87 ~~411.01(6)~~, and of children eligible for the Voluntary
 2333 Prekindergarten Education Program in accordance with s.
 2334 1002.53(2), as the conference determines are needed to support
 2335 the state planning, budgeting, and appropriations processes.

2336 Section 23. Paragraph (b) of subsection (1) and subsection
 2337 (3) of section 402.281, Florida Statutes, are amended to read:

2338 402.281 Gold Seal Quality Care program.—

2339 (1)

2340 (b) A child care facility, large family child care home,
 2341 or family day care home that is accredited by an ~~a nationally~~
 2342 ~~recognized~~ accrediting association approved by the department
 2343 under subsection (3) and meets all other requirements shall,
 2344 upon application to the department, receive a separate "Gold

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2345 Seal Quality Care" designation.

2346 (3) (a) In order to be approved by the department for
 2347 participation in the Gold Seal Quality Care program, an
 2348 accrediting association must apply to the department and
 2349 demonstrate that it:

2350 1. Is a ~~nationally~~ recognized accrediting association.

2351 2. Has accrediting standards that substantially meet or
 2352 exceed the Gold Seal Quality Care standards adopted by the
 2353 department under subsection (2).

2354 (b) In approving accrediting associations, the department
 2355 shall consult with the Department of Education, the Florida Head
 2356 Start Directors Association, the Florida Association of Child
 2357 Care Management, the Florida Family Child Day Care Home
 2358 Association, the Florida Children's Forum, the Florida
 2359 Association for the Education of the Young ~~Early Childhood~~
 2360 Association of Florida, the Child Development Education
 2361 Alliance, the Florida Association of Academic Nonpublic Schools,
 2362 the Association of Early Learning Coalitions, providers
 2363 receiving exemptions under s. 402.316, and parents.

2364 Section 24. Subsection (9) of section 402.302, Florida
 2365 Statutes, is amended to read:

2366 402.302 Definitions.—As used in this chapter, the term:

2367 (9) "Household children" means children who are related by
 2368 blood, marriage, or legal adoption to, or who are the legal
 2369 wards of, the family day care home operator, the large family
 2370 child care home operator, or an adult household member who
 2371 permanently or temporarily resides in the home. Supervision of
 2372 the operator's household children shall be left to the

2373 discretion of the operator unless those children receive
 2374 subsidized child care through the school readiness program
 2375 pursuant to s. 1002.92 ~~411.0101~~ to be in the home.

2376 Section 25. Paragraph (c) of subsection (1) of section
 2377 402.305, Florida Statutes, is amended to read:

2378 402.305 Licensing standards; child care facilities.—

2379 (1) LICENSING STANDARDS.—The department shall establish
 2380 licensing standards that each licensed child care facility must
 2381 meet regardless of the origin or source of the fees used to
 2382 operate the facility or the type of children served by the
 2383 facility.

2384 (c) The minimum standards for child care facilities shall
 2385 be adopted in the rules of the department and shall address the
 2386 areas delineated in this section. The department, in adopting
 2387 rules to establish minimum standards for child care facilities,
 2388 shall recognize that different age groups of children may
 2389 require different standards. The department may adopt different
 2390 minimum standards for facilities that serve children in
 2391 different age groups, including school-age children. The
 2392 department shall also adopt by rule a definition for child care
 2393 which distinguishes between child care programs that require
 2394 child care licensure and after-school programs that do not
 2395 require licensure. Notwithstanding any other provision of law to
 2396 the contrary, minimum child care licensing standards shall be
 2397 developed to provide for reasonable, affordable, and safe
 2398 before-school and after-school care. After-school programs that
 2399 otherwise meet the criteria for exclusion from licensure may
 2400 provide snacks and meals through the federal Afterschool Meal

2401 Program (AMP) administered by the Department of Health in
 2402 accordance with federal regulations and standards. The
 2403 Department of Health shall consider meals to be provided through
 2404 the AMP only if the program is actively participating in the
 2405 AMP, is in good standing with the department, and the meals meet
 2406 AMP requirements. Standards, at a minimum, shall allow for a
 2407 credentialed director to supervise multiple before-school and
 2408 after-school sites.

2409 Section 26. Paragraph (c) of subsection (1) and subsection
 2410 (4) of section 445.023, Florida Statutes, are amended to read:

2411 445.023 Program for dependent care for families with
 2412 children with special needs.—

2413 (1) There is created the program for dependent care for
 2414 families with children with special needs. This program is
 2415 intended to provide assistance to families with children who
 2416 meet the following requirements:

2417 (c) The family meets the income guidelines established
 2418 under s. 1002.87 ~~411.01(6)~~, notwithstanding any financial
 2419 eligibility criteria to the contrary in s. 414.075, s. 414.085,
 2420 or s. 414.095.

2421 (4) In addition to school readiness program services
 2422 provided under part VI of chapter 1002 ~~s. 411.01~~, dependent care
 2423 may be provided for children age 13 years and older who are in
 2424 need of care due to disability and where such care is needed for
 2425 the parent to accept or continue employment or otherwise
 2426 participate in work activities. The amount of subsidy shall be
 2427 consistent with the rates for special needs child care
 2428 established by the department. Dependent care needed for

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2429 employment may be provided as transitional services for up to 2
 2430 years after eligibility for temporary cash assistance ends.

2431 Section 27. Paragraph (a) of subsection (2) of section
 2432 490.014, Florida Statutes, is amended to read:

2433 490.014 Exemptions.—

2434 (2) No person shall be required to be licensed or
 2435 provisionally licensed under this chapter who:

2436 (a) Is a salaried employee of a government agency; a
 2437 developmental disability facility or program; a mental health,
 2438 alcohol, or drug abuse facility operating under chapter 393,
 2439 chapter 394, or chapter 397; the statewide child care resource
 2440 and referral network operating under s. 1002.92 ~~411.0101~~; a
 2441 child-placing or child-caring agency licensed pursuant to
 2442 chapter 409; a domestic violence center certified pursuant to
 2443 chapter 39; an accredited academic institution; or a research
 2444 institution, if such employee is performing duties for which he
 2445 or she was trained and hired solely within the confines of such
 2446 agency, facility, or institution, so long as the employee is not
 2447 held out to the public as a psychologist pursuant to s.
 2448 490.012(1)(a).

2449 Section 28. Paragraph (a) of subsection (4) of section
 2450 491.014, Florida Statutes, is amended to read:

2451 491.014 Exemptions.—

2452 (4) No person shall be required to be licensed,
 2453 provisionally licensed, registered, or certified under this
 2454 chapter who:

2455 (a) Is a salaried employee of a government agency; a
 2456 developmental disability facility or program; a mental health,

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2457 alcohol, or drug abuse facility operating under chapter 393,
2458 chapter 394, or chapter 397; the statewide child care resource
2459 and referral network operating under s. 1002.92 ~~411.0101~~; a
2460 child-placing or child-caring agency licensed pursuant to
2461 chapter 409; a domestic violence center certified pursuant to
2462 chapter 39; an accredited academic institution; or a research
2463 institution, if such employee is performing duties for which he
2464 or she was trained and hired solely within the confines of such
2465 agency, facility, or institution, so long as the employee is not
2466 held out to the public as a clinical social worker, mental
2467 health counselor, or marriage and family therapist.

2468 Section 29. Paragraph (b) of subsection (1) of section
2469 1001.11, Florida Statutes, is amended to read:

2470 1001.11 Commissioner of Education; other duties.—

2471 (1) The Commissioner of Education must independently
2472 perform the following duties:

2473 (b) Serve as the primary source of information to the
2474 Legislature, including the President of the Senate and the
2475 Speaker of the House of Representatives, concerning the State
2476 Board of Education, ~~and~~ the K-20 education system, and early
2477 learning programs.

2478 Section 30. Sections 411.01, 411.0101, 411.01013,
2479 411.01014, 411.01015, 411.0102, 411.0103, 411.0104, 411.0105,
2480 and 411.0106, Florida Statutes, are repealed.

2481 Section 31. Within existing Senior Management Service and
2482 Selected Exempt Service positions authorized for the Office of
2483 Early Learning, a Senior Management Service position for a
2484 general counsel and a Selected Exempt Service position for an

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2485 inspector general are authorized for the office.

2486 Section 32. By October 1, 2013, the Office of Early
2487 Learning, in collaboration with the Commissioner of Education,
2488 shall develop a reorganization plan for the office. The plan
2489 shall include any changes made prior to July 1, 2013; personnel,
2490 purchasing, and budgetary matters and their alignment with the
2491 duties and responsibilities of the office; a report of all
2492 outstanding contractual obligations; and recommendations for
2493 statutory and budgetary changes. The plan shall be provided to
2494 the Governor, the President of the Senate, and the Speaker of
2495 the House of Representatives.

2496 Section 33. This act shall take effect July 1, 2013.