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LEGISLATIVE ACTION

Senate

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House

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Floor: 2/AD/2R

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04/30/2014 10:16 AM

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Senator Legg moved the following:

**Senate Amendment**

Delete lines 1249 - 1460

and insert:

Section 20. Subsection (1) of section 1002.75, Florida Statutes, is amended to read:

1002.75 Office of Early Learning; powers and duties.-

(1) The Office of Early Learning shall adopt by rule a standard statewide provider contract to be used with each Voluntary Prekindergarten Education Program provider, with standardized attachments by provider type. The office shall



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12 publish a copy of the standard statewide provider contract on  
13 its website. The standard statewide contract must ~~shall~~ include,  
14 at a minimum, provisions that:

15 (a) Govern ~~for~~ provider probation, termination for cause,  
16 and emergency termination for those actions or inactions of a  
17 provider that pose an immediate and serious danger to the  
18 health, safety, or welfare of children. The standard statewide  
19 contract must ~~shall~~ also include appropriate due process  
20 procedures. During the pendency of an appeal of a termination,  
21 the provider may not continue to offer its services.

22 (b) Require each private prekindergarten provider to  
23 conspicuously post violations on the premises, pursuant to s.  
24 402.3125(1) (b), and to post class I and class II violations, as  
25 defined by rules of the Department of Children and Families,  
26 which result in disciplinary action, on the provider's Internet  
27 website, if available. Such postings must use simple language to  
28 describe each violation with specificity and include a copy of  
29 the citation and the contact information of the Department of  
30 Children and Families or the local licensing agency from which  
31 the parent may obtain additional information regarding the  
32 citation. The provider must post such violations within 24 hours  
33 after receipt of the citation. Additionally, such provider shall  
34 post each inspection report on the premises in an area visible  
35 to parents, which report must remain posted until the next  
36 inspection report is available.

37 (c) Specify that child care personnel employed by the  
38 provider who are responsible for supervising children in care  
39 must be trained in developmentally appropriate practices aligned  
40 to the age and needs of children over which the personnel are



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41 assigned supervision duties. This requirement is met by the  
42 completion of developmentally appropriate practice courses  
43 administered by the Department of Children and Families under s.  
44 402.305(2)(d)1. within 30 days after being assigned such  
45 children if the child care personnel has not previously  
46 completed the training.

47  
48 Any provision imposed upon a provider that is inconsistent with,  
49 or prohibited by, law is void and unenforceable.

50 Section 21. Subsections (1), (3), and (5) of section  
51 1002.77, Florida Statutes, are amended to read:

52 1002.77 Florida Early Learning Advisory Council.—

53 (1) There is created the Florida Early Learning Advisory  
54 Council within the Office of Early Learning. The purpose of the  
55 advisory council is to provide written input ~~submit~~  
56 ~~recommendations~~ to the executive director ~~office~~ on early  
57 learning best practices, including ~~recommendations relating to~~  
58 ~~the most effective program administration; of the Voluntary~~  
59 ~~Prekindergarten Education Program under this part and the school~~  
60 ~~readiness program under part VI of this chapter. The advisory~~  
61 ~~council shall periodically analyze and provide recommendations~~  
62 ~~to the office on the~~ effective and efficient use of local,  
63 state, and federal funds; ~~the content of professional~~  
64 development training programs; and ~~best practices for the~~  
65 ~~development and implementation of~~ coalition plans pursuant to s.  
66 1002.85.

67 (3) The advisory council shall meet at least quarterly upon  
68 the call of the executive director ~~but may meet as often as~~  
69 ~~necessary to carry out its duties and responsibilities.~~ The



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70 executive director is encouraged to ~~advisory council may use~~  
71 communications media technology ~~any method of telecommunications~~  
72 to conduct meetings in accordance with s. 120.54(5) (b) ~~,~~  
73 ~~including establishing a quorum through telecommunications, only~~  
74 ~~if the public is given proper notice of a telecommunications~~  
75 ~~meeting and reasonable access to observe and, when appropriate,~~  
76 ~~participate.~~

77 (5) The Office of Early Learning shall provide staff and  
78 administrative support for the advisory council as determined by  
79 the executive director.

80 Section 22. Paragraph (f) of subsection (1) and subsections  
81 (8) and (16) of section 1002.81, Florida Statutes, are amended  
82 to read:

83 1002.81 Definitions.—Consistent with the requirements of 45  
84 C.F.R. parts 98 and 99 and as used in this part, the term:

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

86 (f) A child in the custody of a parent who is considered  
87 homeless as verified by a designated lead agency on the homeless  
88 assistance continuum of care established under ss. 420.622-  
89 420.624 ~~Department of Children and Families certified homeless~~  
90 ~~shelter.~~

91 (8) "Family income" means the combined gross income,  
92 whether earned or unearned, that is derived from any source by  
93 all family or household members who are 18 years of age or older  
94 who are currently residing together in the same dwelling unit.  
95 The term does not include:

96 (a) Income earned by a currently enrolled high school  
97 student who, since attaining the age of 18 years, or a student  
98 with a disability who, since attaining the age of 22 years, has



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99 not terminated school enrollment or received a high school  
100 diploma, high school equivalency diploma, special diploma, or  
101 certificate of high school completion.

102 (b) Income earned by a teen parent residing in the same  
103 residence as a separate family unit.

104 (c) Selected items from the state's Child Care and  
105 Development Fund Plan, such as ~~The term also does not include~~  
106 food stamp benefits, documented child support and alimony  
107 payments paid out of the home, or federal housing assistance  
108 payments issued directly to a landlord or the associated  
109 utilities expenses.

110 (16) "Working family" means:

111 (a) A single-parent family in which the parent with whom  
112 the child resides is employed or engaged in eligible work or  
113 education activities for at least 20 hours per week or is exempt  
114 from work requirements due to age or disability, as determined  
115 and documented by a physician licensed under chapter 458 or  
116 chapter 459;

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

121 (c) A two-parent family in which one of the parents with  
122 whom the child resides is exempt from work requirements due to  
123 age or disability, as determined and documented by a physician  
124 licensed under chapter 458 or chapter 459, and one parent is  
125 employed or engaged in eligible work or education activities at  
126 least 20 hours per week; or

127 (d) A two-parent family in which both of the parents with



128 whom the child resides are exempt from work requirements due to  
129 age or disability, as determined and documented by a physician  
130 licensed under chapter 458 or chapter 459.

131 Section 23. Paragraphs (b), (j), (m), and (p) of subsection  
132 (2) of section 1002.82, Florida Statutes, are amended to read:

133 1002.82 Office of Early Learning; powers and duties.—

134 (2) The office shall:

135 (b) Preserve parental choice by permitting parents to  
136 choose from a variety of child care categories authorized in s.  
137 1002.88(1)(a), ~~including center-based care, family child care,~~  
138 ~~and informal child care~~ to the extent authorized in the state's  
139 Child Care and Development Fund Plan as approved by the United  
140 States Department of Health and Human Services pursuant to 45  
141 C.F.R. s. 98.18. Care and curriculum by a faith-based provider  
142 may not be limited or excluded in any of these categories.

143 (j) Develop and adopt standards and benchmarks that address  
144 the age-appropriate progress of children in the development of  
145 school readiness skills. The standards for children from birth  
146 to 5 years of age in the school readiness program must be  
147 aligned with the performance standards adopted for children in  
148 the Voluntary Prekindergarten Education Program and must address  
149 the following domains:

- 150 1. Approaches to learning.
- 151 2. Cognitive development and general knowledge.
- 152 3. Numeracy, language, and communication.
- 153 4. Physical development.
- 154 5. Self-regulation.

155  
156 By July 1, 2015, the Office of Early Learning shall develop and



157 implement an online training course on the performance standards  
158 for school readiness program provider personnel pursuant to this  
159 paragraph.

160 (m) Adopt by rule a standard statewide provider contract to  
161 be used with each school readiness program provider, with  
162 standardized attachments by provider type. The office shall  
163 publish a copy of the standard statewide provider contract on  
164 its website. The standard statewide contract must ~~shall~~ include,  
165 at a minimum, provisions that:

166 1. Govern ~~for~~ provider probation, termination for cause,  
167 and emergency termination for those actions or inactions of a  
168 provider that pose an immediate and serious danger to the  
169 health, safety, or welfare of the children. The standard  
170 statewide provider contract must ~~shall~~ also include appropriate  
171 due process procedures. During the pendency of an appeal of a  
172 termination, the provider may not continue to offer its  
173 services.

174 2. Require each provider that is eligible to provide the  
175 program pursuant to s. 1002.88(1) (a) to conspicuously post  
176 violations, in an area visible to parents, on the premises,  
177 pursuant to s. 402.3125(1) (b), and to post class I and class II  
178 violations, as defined by rule of the Department of Children and  
179 Families, which result in disciplinary action, on the provider's  
180 Internet website, if available. Such postings must use simple  
181 language to describe each violation with specificity and include  
182 a copy of the citation and the contact information of the  
183 Department of Children and Families or the local licensing  
184 agency from which the parent may obtain additional information  
185 regarding the citation. The provider must post such violations



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186 within 24 hours after receipt of the citation. Additionally,  
187 such provider shall post each inspection report on the premises  
188 in an area visible to parents, which report must remain posted  
189 until the next inspection report is available.

190 3. Specify that child care personnel employed by the  
191 provider who are responsible for supervising children in care  
192 must be trained in developmentally appropriate practices aligned  
193 to the age and needs of children over which the personnel are  
194 assigned supervision duties. This requirement is met by  
195 completion of developmentally appropriate practice courses  
196 administered by the Department of Children and Families under s.  
197 402.305(2)(d)1. within 30 days after being assigned such  
198 children if the child care personnel has not previously  
199 completed the training.

200 4. Require child care personnel who are employed by the  
201 provider to complete an online training course on the  
202 performance standards adopted pursuant to paragraph (j).

203  
204 Any provision imposed upon a provider that is inconsistent with,  
205 or prohibited by, law is void and unenforceable.

206 (p) Monitor and evaluate the performance of each early  
207 learning coalition in administering the school readiness program  
208 and the Voluntary Prekindergarten Education Program, ensuring  
209 proper payments for school readiness program and Voluntary  
210 Prekindergarten Education Program services, and implementing the  
211 coalition's school readiness program plan, ~~and administering the~~  
212 ~~Voluntary Prekindergarten Education Program~~. These monitoring  
213 and performance evaluations must include, at a minimum, onsite  
214 monitoring of each coalition's finances, management, operations,





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215 | and programs.