

By Senator Rouson

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1 A bill to be entitled
2 An act relating to early learning; amending s.
3 1002.67, F.S.; revising provisions relating to removal
4 of a provider from eligibility to deliver the
5 Voluntary Prekindergarten Education Program or receive
6 certain funding under certain circumstances; amending
7 s. 1002.83, F.S.; revising provisions relating to
8 membership of early learning coalitions; amending s.
9 1002.87, F.S.; requiring each coalition to establish
10 child eligibility criteria based on local community
11 needs for participation in the school readiness
12 program; removing certain child eligibility priorities
13 for such program; conforming provisions to changes
14 made by the act; amending s. 1002.88, F.S.; revising a
15 provision relating to revocation of a provider's
16 eligibility to deliver the school readiness program or
17 receive certain funding under certain circumstances;
18 amending s. 1002.91, F.S.; conforming provisions to
19 changes made by the act; providing an effective date.

20
21 Be It Enacted by the Legislature of the State of Florida:

22
23 Section 1. Paragraphs (b) and (c) of subsection (4) of
24 section 1002.67, Florida Statutes, are amended to read:

25 1002.67 Performance standards; curricula and
26 accountability.—

27 (4)

28 (b) If a private prekindergarten provider or public school
29 fails or refuses to comply with this part, or if a provider or

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30 school engages in misconduct, the office shall require the early
31 learning coalition to remove the provider and require the school
32 district to remove the school from eligibility to deliver the
33 Voluntary Prekindergarten Education Program and receive state
34 funds under this part for a period of no more than 5 years.

35 (c)1. If the kindergarten readiness rate of a private
36 prekindergarten provider or public school falls below the
37 minimum rate adopted by the office as satisfactory under s.
38 1002.69(6), the early learning coalition or school district, as
39 applicable, shall require the provider or school to submit an
40 improvement plan for approval by the coalition or school
41 district, as applicable, and to implement the plan; shall place
42 the provider or school on probation; and shall require the
43 provider or school to take certain corrective actions, including
44 the use of a curriculum approved by the office under paragraph
45 (2)(c) or a staff development plan to strengthen instruction in
46 language development and phonological awareness approved by the
47 office.

48 2. A private prekindergarten provider or public school that
49 is placed on probation must continue the corrective actions
50 required under subparagraph 1., including the use of a
51 curriculum or a staff development plan to strengthen instruction
52 in language development and phonological awareness approved by
53 the office, until the provider or school meets the minimum rate
54 adopted by the office as satisfactory under s. 1002.69(6).
55 Failure to implement an approved improvement plan or staff
56 development plan shall result in the termination of the
57 provider's contract to deliver the Voluntary Prekindergarten
58 Education Program for a period of no more than 5 years.

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59 3. If a private prekindergarten provider or public school
60 remains on probation for 2 consecutive years and fails to meet
61 the minimum rate adopted by the office as satisfactory under s.
62 1002.69(6) and is not granted a good cause exemption by the
63 office pursuant to s. 1002.69(7), the office shall require the
64 early learning coalition or the school district to remove, as
65 applicable, the provider or school from eligibility to deliver
66 the Voluntary Prekindergarten Education Program and receive
67 state funds for the program for a period of no more than 5
68 years.

69 Section 2. Subsections (2) and (3) of section 1002.83,
70 Florida Statutes, are amended, present paragraphs (g) through
71 (m) of subsection (4) are redesignated as paragraphs (h) through
72 (n), respectively, and a new paragraph (g) is added to that
73 subsection, to read:

74 1002.83 Early learning coalitions.—

75 (2) Each early learning coalition shall be composed of at
76 least 15 ~~members~~ but not more than 30 members. Notwithstanding
77 this section, an early learning coalition may appoint an at-
78 large member who does not have, and whose relatives as defined
79 in s. 112.3143(1)(c) do not have, a substantial financial
80 interest in the design or delivery of the Voluntary
81 Prekindergarten Education Program or the school readiness
82 program.

83 (3) The Governor shall appoint the chair and two other
84 members of each early learning coalition, who must each meet the
85 same qualifications as private sector business members appointed
86 by the coalition under subsection (5). If a coalition's chair
87 resigns or has not been appointed, the coalition's vice chair

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88 shall serve as chair.

89 (4) Each early learning coalition must include the
90 following member positions; however, in a multicounty coalition,
91 each ex officio member position may be filled by multiple
92 nonvoting members but no more than one voting member shall be
93 seated per member position. If an early learning coalition has
94 more than one member representing the same entity, only one of
95 such members may serve as a voting member:

96 (g) A president of a state university or his or her
97 permanent designee.

98 Section 3. Subsections (1), (2), (3), and (7) of section
99 1002.87, Florida Statutes, are amended to read:

100 1002.87 School readiness program; eligibility and
101 enrollment.—

102 (1) Each early learning coalition shall give priority for
103 participation in the school readiness program as follows:

104 (a) Priority shall be given first to a child younger than
105 13 years of age from a family that includes a parent who is
106 receiving temporary cash assistance under chapter 414 and
107 subject to the federal work requirements.

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

110 (c) Priority shall be given next to a child from birth to
111 the beginning of the school year for which the child is eligible
112 for admission to kindergarten in a public school under s.
113 1003.21(1)(a)2. who is from a working family that is
114 economically disadvantaged, and may include such child's
115 eligible siblings, beginning with the school year in which the
116 sibling is eligible for admission to kindergarten in a public

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117 school under s. 1003.21(1)(a)2. until the beginning of the
118 school year in which the sibling is eligible to begin 6th grade,
119 provided that the first priority for funding an eligible sibling
120 is local revenues available to the coalition for funding direct
121 services.

122

123 In addition to the eligibility priorities listed in this
124 subsection, each early learning coalition shall establish
125 eligibility criteria based on local community needs and
126 consistent with the child eligibility requirements under the
127 school readiness program.

128 ~~(d) Priority shall be given next to a child of a parent who~~
129 ~~transitions from the work program into employment as described~~
130 ~~in s. 445.032 from birth to the beginning of the school year for~~
131 ~~which the child is eligible for admission to kindergarten in a~~
132 ~~public school under s. 1003.21(1)(a)2.~~

133 ~~(e) Priority shall be given next to an at-risk child who is~~
134 ~~at least 9 years of age but younger than 13 years of age. An at-~~
135 ~~risk child whose sibling is enrolled in the school readiness~~
136 ~~program within an eligibility priority category listed in~~
137 ~~paragraphs (a) - (c) shall be given priority over other children~~
138 ~~who are eligible under this paragraph.~~

139 ~~(f) Priority shall be given next to a child who is younger~~
140 ~~than 13 years of age from a working family that is economically~~
141 ~~disadvantaged. A child who is eligible under this paragraph~~
142 ~~whose sibling is enrolled in the school readiness program under~~
143 ~~paragraph (c) shall be given priority over other children who~~
144 ~~are eligible under this paragraph.~~

145 ~~(g) Priority shall be given next to a child of a parent who~~

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146 ~~transitions from the work program into employment as described~~
147 ~~in s. 445.032 who is younger than 13 years of age.~~

148 ~~(h) Priority shall be given next to a child who has special~~
149 ~~needs, has been determined eligible as a student with a~~
150 ~~disability, has a current individual education plan with a~~
151 ~~Florida school district, and is not younger than 3 years of age.~~
152 ~~A special needs child eligible under this paragraph remains~~
153 ~~eligible until the child is eligible for admission to~~
154 ~~kindergarten in a public school under s. 1003.21(1)(a)2.~~

155 ~~(i) Notwithstanding paragraphs (a)-(d), priority shall be~~
156 ~~given last to a child who otherwise meets one of the eligibility~~
157 ~~criteria in paragraphs (a)-(d) but who is also enrolled~~
158 ~~concurrently in the federal Head Start Program and the Voluntary~~
159 ~~Prekindergarten Education Program.~~

160 (2) A school readiness program provider may be paid only
161 for authorized hours of care provided for a child in the school
162 readiness program. A child enrolled in the Voluntary
163 Prekindergarten Education Program may receive care from the
164 school readiness program if the child is eligible according to
165 the eligibility priorities and criteria established pursuant to
166 subsection (1) in this section.

167 (3) Contingent upon the availability of funds, a coalition
168 shall enroll eligible children, including those from its waiting
169 list, according to the eligibility priorities and criteria
170 established pursuant to subsection (1) in this section.

171 (7) If a coalition disenrolls children from the school
172 readiness program, the coalition must disenroll the children in
173 reverse order of the eligibility priorities and criteria
174 established pursuant to ~~listed in~~ subsection (1) beginning with

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175 children from families with the highest family incomes. A notice
176 of disenrollment must be sent to the parent and school readiness
177 program provider at least 2 weeks before disenrollment to
178 provide adequate time for the parent to arrange alternative care
179 for the child. However, an at-risk child may not be disenrolled
180 from the program without the written approval of the Child
181 Welfare Program Office of the Department of Children and
182 Families or the community-based lead agency.

183 Section 4. Subsection (2) of section 1002.88, Florida
184 Statutes, is amended to read:

185 1002.88 School readiness program provider standards;
186 eligibility to deliver the school readiness program.—

187 (2) If a school readiness program provider fails or refuses
188 to comply with this part or any contractual obligation of the
189 statewide provider contract under s. 1002.82(2)(m), the
190 coalition may revoke the provider's eligibility to deliver the
191 school readiness program or receive state or federal funds under
192 this chapter for a period of no more than 5 years.

193 Section 5. Subsection (5) of section 1002.91, Florida
194 Statutes, is amended to read:

195 1002.91 Investigations of fraud or overpayment; penalties.—

196 (5) If a school readiness program provider or a Voluntary
197 Prekindergarten Education Program provider, or an owner,
198 officer, or director thereof, is convicted of, found guilty of,
199 or pleads guilty or nolo contendere to, regardless of
200 adjudication, public assistance fraud pursuant to s. 414.39, or
201 is acting as the beneficial owner for someone who has been
202 convicted of, found guilty of, or pleads guilty or nolo
203 contendere to, regardless of adjudication, public assistance

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204 fraud pursuant to s. 414.39, the early learning coalition shall
205 refrain from contracting with, or using the services of, that
206 provider for a period of no more than 5 years. In addition, the
207 coalition shall refrain from contracting with, or using the
208 services of, any provider that shares an officer or director
209 with a provider that is convicted of, found guilty of, or pleads
210 guilty or nolo contendere to, regardless of adjudication, public
211 assistance fraud pursuant to s. 414.39 for a period of no more
212 than 5 years.

213 Section 6. This act shall take effect July 1, 2017.