

1 A bill to be entitled
2 An act relating to early learning and early grade
3 success; amending s. 20.055, F.S.; conforming
4 provisions to changes made by the act; amending s.
5 20.15, F.S.; deleting the Office of Early Learning
6 from within the Office of Independent Education and
7 Parental Choice of the Department of Education;
8 amending ss. 39.202 and 39.604, F.S.; conforming
9 provisions and cross-references to changes made by the
10 act; amending s. 212.08, F.S.; providing that certain
11 curricula are exempt from specified taxes; amending s.
12 216.136, F.S.; revising the duties of the Early
13 Learning Programs Estimating Conference; requiring the
14 department, rather than the Office of Early Learning,
15 to provide specified information to the conference;
16 amending ss. 383.14, 391.308, and 402.26, F.S.;
17 conforming provisions and cross-references to changes
18 made by the act; repealing s. 402.281, F.S., relating
19 to Gold Seal Quality Care program; amending s.
20 402.305, F.S.; providing requirements for minimum
21 child care licensing standards; requiring such
22 standards adopted after a specified date to be
23 ratified by the Legislature; revising requirements
24 relating to staff trained in cardiopulmonary
25 resuscitation; amending s. 402.315, F.S.; conforming a

26 cross-reference to changes made by the act; amending
27 s. 402.56, F.S.; revising the membership of the
28 Children and Youth Cabinet; amending ss. 411.226,
29 411.227, 414.295, 1000.01, 1001.02, 1000.03, 1000.04,
30 1000.21, 1001.02, 1001.03, 1001.10, and 1001.11, F.S.;
31 conforming provisions and cross-references to changes
32 made by the act; repealing s. 1001.213, F.S., relating
33 to the Office of Early Learning; transferring the
34 responsibilities of the Office of Early Learning to
35 the Division of Early Learning; amending ss. 1001.215,
36 1001.23, 1001.70, 1002.32, 1002.34, and 1002.36 F.S.;
37 conforming provisions and cross-references to changes
38 made by the act; amending s. 1002.53, F.S.; requiring
39 students enrolled in the Voluntary Prekindergarten
40 Education Program to participate in a specified
41 screening and progress monitoring program; amending s.
42 1002.55, F.S.; authorizing certain child development
43 programs operating on a military installment to be
44 private prekindergarten providers within the Voluntary
45 Prekindergarten Education Program; providing that a
46 private prekindergarten provider is ineligible for
47 participation in the program under certain
48 circumstances; revising requirements a prekindergarten
49 instructor must meet; revising requirements for a
50 specified standards training course; providing

51 liability insurance requirements for child development
52 programs operating on a military installment
53 participating in the program; requiring early learning
54 coalitions to verify private prekindergarten provider
55 compliance with specified provisions; requiring such
56 coalitions to remove a providers eligibility under
57 specified circumstances; amending s. 1002.57, F.S.;
58 revising the minimum standards for a credential for
59 certain prekindergarten directors; amending s.
60 1002.59, F.S.; revising requirements for emergent
61 literacy and performance standards training courses
62 for prekindergarten instructors; requiring the
63 department to make certain courses available; amending
64 s. 1002.61, F.S.; authorizing certain child
65 development programs operating on a military
66 installment to be private prekindergarten providers
67 within the summer Voluntary Prekindergarten Education
68 Program; requiring providers of the summer program to
69 participate in a specified assessment; providing that
70 providers are ineligible for the program under certain
71 circumstances; revising the criteria for a teacher to
72 receive priority for the summer program in school
73 district; requiring a child development programs
74 operating on a military installment to comply with
75 specified criteria; requiring early learning

76 | coalitions to verify specified information; providing
77 | for the removal of a program provider from eligibility
78 | under certain circumstances; amending s. 1002.63,
79 | F.S.; requiring school-year public school program
80 | providers to participate in a specified program
81 | assessment; revoking certain public schools
82 | eligibility to participate in the program under
83 | certain circumstances; providing for the removal of
84 | public school program providers from the program under
85 | certain circumstances; amending s. 1002.67, F.S.;
86 | revising the performance standards for the Voluntary
87 | Prekindergarten Education Program; requiring the
88 | department to review performance standards on a
89 | specified schedule; providing curriculum requirements
90 | for program providers; requiring the department to
91 | adopt procedures for the review and approval of
92 | curricula for the program; deleting a required
93 | preassessment and postassessment for the program;
94 | creating s. 1002.68, F.S.; requiring providers of the
95 | Voluntary Prekindergarten Education Program to
96 | participate in a specified screening and progress
97 | monitoring program; providing specified uses for the
98 | results of such program; requiring certain portions of
99 | the screening and progress monitoring program to be
100 | administered by individuals who meet specified

101 criteria; requiring the results of specified
102 assessments to reported to the parents of
103 participating students; providing requirements for
104 such assessments; providing department duties and
105 responsibilities relating to such assessments;
106 providing requirements for a specified methodology
107 used to calculating the results of such assessments;
108 requiring the department to establish a grading system
109 for program providers; providing for the adoption of a
110 minimum performance metric or grade for program
111 participation; providing procedures for a provider
112 whose score or grade falls below the minimum
113 requirement; providing for the revocation of program
114 eligibility for a provider; authorizing the department
115 to grant good cause exemptions to providers under
116 certain circumstances; providing department and
117 provider requirements for such exemptions; repealing
118 s. 1002.69, F.S., relating to Statewide kindergarten
119 screening and readiness rates; amending ss. 1002.71
120 and 1002.72, F.S.; conforming provisions to changes
121 made by the act; amending s. 1002.73, F.S.; requiring
122 the department to adopt a statewide provider contract;
123 requiring such contract to be published on the
124 department's website; providing requirements for such
125 contract; prohibiting providers from offering services

126 during an appeal of termination from the program;
127 providing applicability; requiring the department to
128 adopt specified procedures relating to the Voluntary
129 Prekindergarten Education Program; providing duties of
130 the department relating to such program; repealing s.
131 1002.75, F.S., relating to the powers and duties of
132 the Office of Early Learning; repealing s. 1002.77,
133 F.S., relating to the Florida Early Learning Advisory
134 Council; amending ss. 1002.79 and 1002.81, F.S.;
135 conforming provisions and cross-references to changes
136 made by the act; amending s. 1002.82, F.S.; providing
137 duties of the department relating to early learning;
138 exempting certain child development programs operating
139 on a military installment from specified inspection
140 requirements; requiring the department to monitor
141 specified standards and benchmarks for certain
142 purposes; requiring the department to provide
143 specified technical support; revising requirements for
144 a specified assessment program; requiring the
145 department to adopt requirements to make certain
146 contracted slots available to serve specified
147 populations; amending s. 1002.83, F.S.; authorizing up
148 to 30 early learning coalitions rather than 31;
149 revising the number of members an early learning
150 coalition may have; revising requirements for such

151 coalitions; amending s. 1002.84, F.S.; revising early
152 learning coalition responsibilities and duties;
153 revising requirements for the waiver of specified
154 copayments; amending s. 1002.85, F.S.; conforming
155 provisions to changes made by the act; amending s.
156 1002.88, F.S.; authorizing certain child development
157 programs operating on military installations to
158 participate in the school readiness program; revising
159 requirements to deliver such program; providing that a
160 specified annual inspection for a child development
161 program participating in the school readiness program
162 meets specified provider requirements; providing
163 requirements for a child development program to meet
164 certain liability requirements; amending ss. 1002.89,
165 1002.895, 1002.91, 1002.92, 1002.93, and 1002.94,
166 F.S.; conforming provisions and cross-references to
167 changes made by the act; creating s. 1002.945, F.S.;
168 establishing the Gold Seal Quality Care Program within
169 the Department; providing for the award of a Gold Seal
170 Quality Care designation by specified accrediting
171 associations; requiring the State Board of Education
172 to adopt standards for the award of such designation;
173 providing accrediting association requirements;
174 providing requirements for maintaining such
175 designation; providing for an exemption from certain

176 taxes for qualifying providers; requiring the state
177 board to adopt rules; amending ss. 1002.95, 1002.96,
178 1002.97, 1002.995, 1003.575, and 1007.01, F.S.;
179 conforming provisions and cross-references to changes
180 made by the act; creating s. 1008.2125, F.S.; creating
181 the coordinated screening and progress monitoring
182 program within the department for specified purposes
183 relating to students participating in the Voluntary
184 Prekindergarten Education Program; requiring the
185 Commissioner of Education to design such program;
186 providing requirements for the administration of such
187 program and the use of results from the program;
188 providing requirements for the Commissioner of
189 Education; creating the Council for Early Grade
190 Success; providing duties of the council; providing
191 membership of the council; requiring the council to
192 elect a chair and a vice chair; providing requirements
193 for such appointments; providing for per diem for
194 members of the council; providing meeting requirements
195 for the council; providing for a quorum of the
196 council; amending s. 1008.25, F.S.; authorizing
197 certain students who enrolled in the Voluntary
198 Prekindergarten Education Program to receive intensive
199 reading interventions using specified funds; amending
200 ss. 1008.31, 1008.32, and 1008.33, F.S.; conforming

201 provisions to changes made by the act; amending s.
 202 1011.62, F.S.; revising the research-based reading
 203 instruction allocation to authorize the use of such
 204 funds for certain intensive reading interventions for
 205 students who enrolled in the Voluntary Prekindergarten
 206 Education Program; providing an effective date.

207

208 Be It Enacted by the Legislature of the State of Florida:

209

210 Section 1. Paragraphs (a) and (d) of subsection (1) of
 211 section 20.055, Florida Statutes, are amended to read:

212 20.055 Agency inspectors general.—

213 (1) As used in this section, the term:

214 (a) "Agency head" means the Governor, a Cabinet officer,
 215 or a secretary or executive director as those terms are defined
 216 in s. 20.03, the chair of the Public Service Commission, the
 217 Director of the Office of Insurance Regulation of the Financial
 218 Services Commission, the Director of the Office of Financial
 219 Regulation of the Financial Services Commission, the board of
 220 directors of the Florida Housing Finance Corporation, ~~the~~
 221 ~~executive director of the Office of Early Learning,~~ and the
 222 Chief Justice of the State Supreme Court.

223 (d) "State agency" means each department created pursuant
 224 to this chapter and the Executive Office of the Governor, the
 225 Department of Military Affairs, the Fish and Wildlife

226 Conservation Commission, the Office of Insurance Regulation of
 227 the Financial Services Commission, the Office of Financial
 228 Regulation of the Financial Services Commission, the Public
 229 Service Commission, the Board of Governors of the State
 230 University System, the Florida Housing Finance Corporation, ~~the~~
 231 ~~Office of Early Learning,~~ and the state courts system.

232 Section 2. Paragraphs (c) through (j) of subsection (3) of
 233 section 20.15, Florida Statutes, are redesignated as paragraphs
 234 (d) through (k), respectively, present paragraph (i) of
 235 subsection (3) and subsection (5) are amended, and a new
 236 paragraph (c) is added to subsection (3) of that section, to
 237 read:

238 20.15 Department of Education.—There is created a
 239 Department of Education.

240 (3) DIVISIONS.—The following divisions of the Department
 241 of Education are established:

242 (c) Division of Early Learning.

243 (j)(i) The Office of Independent Education and Parental
 244 Choice, which must include ~~the following offices:~~

245 ~~1. The Office of Early Learning, which shall be~~
 246 ~~administered by an executive director who is fully accountable~~
 247 ~~to the Commissioner of Education. The executive director shall,~~
 248 ~~pursuant to s. 1001.213, administer the early learning programs,~~
 249 ~~including the school readiness program and the Voluntary~~
 250 ~~Prekindergarten Education Program at the state level.~~

251 ~~2.~~ the Office of K-12 School Choice, which shall be
 252 administered by an executive director who is fully accountable
 253 to the Commissioner of Education.

254 (5) POWERS AND DUTIES.—The State Board of Education and
 255 the Commissioner of Education shall assign to the divisions such
 256 powers, duties, responsibilities, and functions as are necessary
 257 to ensure the greatest possible coordination, efficiency, and
 258 effectiveness of education for students in Early Learning-20 ~~K-~~
 259 ~~20~~ education under the jurisdiction of the State Board of
 260 Education.

261 Section 3. Paragraph (a) of subsection (2) of section
 262 39.202, Florida Statutes, is amended to read:

263 39.202 Confidentiality of reports and records in cases of
 264 child abuse or neglect.—

265 (2) Except as provided in subsection (4), access to such
 266 records, excluding the name of, or other identifying information
 267 with respect to, the reporter which shall be released only as
 268 provided in subsection (5), shall be granted only to the
 269 following persons, officials, and agencies:

270 (a) Employees, authorized agents, or contract providers of
 271 the department, the Department of Health, the Agency for Persons
 272 with Disabilities, ~~the Office of Early Learning,~~ or county
 273 agencies responsible for carrying out:

- 274 1. Child or adult protective investigations;
- 275 2. Ongoing child or adult protective services;

- 276 3. Early intervention and prevention services;
277 4. Healthy Start services;
278 5. Licensure or approval of adoptive homes, foster homes,
279 child care facilities, facilities licensed under chapter 393,
280 family day care homes, providers who receive school readiness
281 funding under part VI of chapter 1002, or other homes used to
282 provide for the care and welfare of children;
283 6. Employment screening for caregivers in residential
284 group homes; or
285 7. Services for victims of domestic violence when provided
286 by certified domestic violence centers working at the
287 department's request as case consultants or with shared clients.
288

289 Also, employees or agents of the Department of Juvenile Justice
290 responsible for the provision of services to children, pursuant
291 to chapters 984 and 985.

292 Section 4. Paragraph (b) of subsection (5) of section
293 39.604, Florida Statutes, is amended to read:

294 39.604 Rilya Wilson Act; short title; legislative intent;
295 child care; early education; preschool.—

296 (5) EDUCATIONAL STABILITY.—Just as educational stability
297 is important for school-age children, it is also important to
298 minimize disruptions to secure attachments and stable
299 relationships with supportive caregivers of children from birth
300 to school age and to ensure that these attachments are not

301 | disrupted due to placement in out-of-home care or subsequent
302 | changes in out-of-home placement.

303 | (b) If it is not in the best interest of the child for him
304 | or her to remain in his or her child care or early education
305 | setting upon entry into out-of-home care, the caregiver must
306 | work with the case manager, guardian ad litem, child care and
307 | educational staff, and educational surrogate, if one has been
308 | appointed, to determine the best setting for the child. Such
309 | setting may be a child care provider that receives a Gold Seal
310 | Quality Care designation pursuant to s. 1002.945 ~~s. 402.281~~, a
311 | provider participating in a quality rating system, a licensed
312 | child care provider, a public school provider, or a license-
313 | exempt child care provider, including religious-exempt and
314 | registered providers, and nonpublic schools.

315 | Section 5. Paragraph (m) of subsection (5) of section
316 | 212.08, Florida Statutes, is amended to read:

317 | 212.08 Sales, rental, use, consumption, distribution, and
318 | storage tax; specified exemptions.—The sale at retail, the
319 | rental, the use, the consumption, the distribution, and the
320 | storage to be used or consumed in this state of the following
321 | are hereby specifically exempt from the tax imposed by this
322 | chapter.

323 | (5) EXEMPTIONS; ACCOUNT OF USE.—

324 | (m) Educational materials purchased by certain child care
325 | facilities.—Educational materials, such as glue, paper, paints,

326 | crayons, unique craft items, scissors, books, ~~and~~ educational
 327 | toys, and curriculum, purchased by a child care facility that
 328 | meets the standards delineated in s. 402.305, is licensed under
 329 | s. 402.308, holds a current Gold Seal Quality Care designation
 330 | pursuant to s. 1002.945 ~~s. 402.281~~, and provides basic health
 331 | insurance to all employees are exempt from the taxes imposed by
 332 | this chapter. For purposes of this paragraph, the term "basic
 333 | health insurance" shall be defined and promulgated in rules
 334 | developed jointly by the Department of Education ~~Children and~~
 335 | ~~Families~~, the Agency for Health Care Administration, and the
 336 | Financial Services Commission.

337 | Section 6. Subsection (8) of section 216.136, Florida
 338 | Statutes, is amended to read:

339 | 216.136 Consensus estimating conferences; duties and
 340 | principals.—

341 | (8) EARLY LEARNING PROGRAMS ESTIMATING CONFERENCE.—

342 | (a) The Early Learning Programs Estimating Conference
 343 | shall develop estimates and forecasts by county of the
 344 | unduplicated count of children eligible for the school readiness
 345 | program in accordance with the standards of eligibility
 346 | established in s. 1002.87 and of children eligible for the
 347 | Voluntary Prekindergarten Education Program in accordance with
 348 | s. 1002.53(2); review and verify the procedures and data used by
 349 | the Department of Education for the adoption of the market rate
 350 | schedule under s. 1002.895; determine base payment rates and the

351 application of legislatively approved differentials under part
352 VI of chapter 1002 by county, care level, and provider type that
353 ensures reasonable access to quality early learning settings in
354 each county and that shall be implemented by each early learning
355 coalition and used in any school readiness program funding
356 formula; verify all data sources and calculations used to
357 determine funding recommendations by county for the school
358 readiness program and the Voluntary Prekindergarten Education
359 Program before submission of any legislative budget request; and
360 meet at least biannually, as the conference determines are
361 needed to support the state planning, budgeting, and
362 appropriations processes.

363 (b) The department ~~Office of Early Learning~~ shall provide
364 any reasonably related information for the conference or its
365 principals to be able to complete the duties listed in paragraph
366 (a) on needs and waiting lists for school readiness programs,
367 and ~~information on the needs for~~ the Voluntary Prekindergarten
368 Education Program, as requested by the Early Learning Programs
369 Estimating Conference or individual conference principals in a
370 timely manner.

371 Section 7. Paragraph (b) of subsection (1) and paragraph
372 (b) of subsection (2) of section 383.14, Florida Statutes, are
373 amended to read:

374 383.14 Screening for metabolic disorders, other hereditary
375 and congenital disorders, and environmental risk factors.-

376 (1) SCREENING REQUIREMENTS.—To help ensure access to the
377 maternal and child health care system, the Department of Health
378 shall promote the screening of all newborns born in Florida for
379 metabolic, hereditary, and congenital disorders known to result
380 in significant impairment of health or intellect, as screening
381 programs accepted by current medical practice become available
382 and practical in the judgment of the department. The department
383 shall also promote the identification and screening of all
384 newborns in this state and their families for environmental risk
385 factors such as low income, poor education, maternal and family
386 stress, emotional instability, substance abuse, and other high-
387 risk conditions associated with increased risk of infant
388 mortality and morbidity to provide early intervention,
389 remediation, and prevention services, including, but not limited
390 to, parent support and training programs, home visitation, and
391 case management. Identification, perinatal screening, and
392 intervention efforts shall begin prior to and immediately
393 following the birth of the child by the attending health care
394 provider. Such efforts shall be conducted in hospitals,
395 perinatal centers, county health departments, school health
396 programs that provide prenatal care, and birthing centers, and
397 reported to the Office of Vital Statistics.

398 (b) Postnatal screening.—A risk factor analysis using the
399 department's designated risk assessment instrument shall also be
400 conducted as part of the medical screening process upon the

401 birth of a child and submitted to the department's Office of
402 Vital Statistics for recording and other purposes provided for
403 in this chapter. The department's screening process for risk
404 assessment shall include a scoring mechanism and procedures that
405 establish thresholds for notification, further assessment,
406 referral, and eligibility for services by professionals or
407 paraprofessionals consistent with the level of risk. Procedures
408 for developing and using the screening instrument, notification,
409 referral, and care coordination services, reporting
410 requirements, management information, and maintenance of a
411 computer-driven registry in the Office of Vital Statistics which
412 ensures privacy safeguards must be consistent with the
413 provisions and plans established under chapter 411, Pub. L. No.
414 99-457, and this chapter. Procedures established for reporting
415 information and maintaining a confidential registry must include
416 a mechanism for a centralized information depository at the
417 state and county levels. The department shall coordinate with
418 existing risk assessment systems and information registries. The
419 department must ensure, to the maximum extent possible, that the
420 screening information registry is integrated with the
421 department's automated data systems, including the Florida On-
422 line Recipient Integrated Data Access (FLORIDA) system. Tests
423 and screenings must be performed by the State Public Health
424 Laboratory, in coordination with Children's Medical Services, at
425 such times and in such manner as is prescribed by the department

HB 1013

2020

426 after consultation with the Genetics and Newborn Screening
427 Advisory Council and the Department of Education ~~Office of Early~~
428 ~~Learning~~.

429 (2) RULES.—

430 (b) After consultation with the Department of Education
431 ~~Office of Early Learning~~, the department shall adopt and enforce
432 rules requiring every newborn in this state to be screened for
433 environmental risk factors that place children and their
434 families at risk for increased morbidity, mortality, and other
435 negative outcomes.

436 Section 8. Paragraph (h) of subsection (2) of section
437 391.308, Florida Statutes, is amended to read:

438 391.308 Early Steps Program.—The department shall
439 implement and administer part C of the federal Individuals with
440 Disabilities Education Act (IDEA), which shall be known as the
441 "Early Steps Program."

442 (2) DUTIES OF THE DEPARTMENT.—The department shall:

443 (h) Promote interagency cooperation and coordination, with
444 the Medicaid program, the Department of Education program
445 pursuant to part B of the federal Individuals with Disabilities
446 Education Act, and programs providing child screening such as
447 the Florida Diagnostic and Learning Resources System, ~~the Office~~
448 ~~of Early Learning~~, Healthy Start, and the Help Me Grow program.

449 1. Coordination with the Medicaid program shall be
450 developed and maintained through written agreements with the

451 Agency for Health Care Administration and Medicaid managed care
452 organizations as well as through active and ongoing
453 communication with these organizations. The department shall
454 assist local program offices to negotiate agreements with
455 Medicaid managed care organizations in the service areas of the
456 local program offices. Such agreements may be formal or
457 informal.

458 2. Coordination with education programs pursuant to part B
459 of the federal Individuals with Disabilities Education Act shall
460 be developed and maintained through written agreements with the
461 Department of Education. The department shall assist local
462 program offices to negotiate agreements with school districts in
463 the service areas of the local program offices.

464 Section 9. Subsection (6) of section 402.26, Florida
465 Statutes, is amended to read:

466 402.26 Child care; legislative intent.—

467 (6) It is the intent of the Legislature that a child care
468 facility licensed pursuant to s. 402.305 or a child care
469 facility exempt from licensing pursuant to s. 402.316, that
470 achieves Gold Seal Quality status pursuant to s. 1002.954 ~~s.~~
471 ~~402.281~~, be considered an educational institution for the
472 purpose of qualifying for exemption from ad valorem tax pursuant
473 to s. 196.198.

474 Section 10. Section 402.281, Florida Statutes, is
475 repealed.

476 Section 11. Paragraph (c) of subsection (1) and paragraph
477 (a) of subsection (7) of section 402.305, Florida Statutes, are
478 amended to read:

479 402.305 Licensing standards; child care facilities.—

480 (1) LICENSING STANDARDS.—The department shall establish
481 licensing standards that each licensed child care facility must
482 meet regardless of the origin or source of the fees used to
483 operate the facility or the type of children served by the
484 facility.

485 (c) The minimum standards for child care facilities shall
486 be adopted in the rules of the department and shall address the
487 areas delineated in this section. The department, in adopting
488 rules to establish minimum standards for child care facilities,
489 shall recognize that different age groups of children may
490 require different standards. The department may adopt different
491 minimum standards for facilities that serve children in
492 different age groups, including school-age children. The
493 department shall also adopt by rule a definition for child care
494 which distinguishes between child care programs that require
495 child care licensure and after-school programs that do not
496 require licensure. Notwithstanding any other provision of law to
497 the contrary, minimum child care licensing standards shall be
498 developed to provide for reasonable, affordable, and safe
499 before-school and after-school care and may not exceed standards
500 expressly set forth in ss. 402.301-401.319. Licensing standards

501 adopted by the department on or after July 1, 2020, must be
502 ratified by the Legislature. After-school programs that
503 otherwise meet the criteria for exclusion from licensure may
504 provide snacks and meals through the federal Afterschool Meal
505 Program (AMP) administered by the Department of Health in
506 accordance with federal regulations and standards. The
507 Department of Health shall consider meals to be provided through
508 the AMP only if the program is actively participating in the
509 AMP, is in good standing with the department, and the meals meet
510 AMP requirements. Standards, at a minimum, shall allow for a
511 credentialed director to supervise multiple before-school and
512 after-school sites.

513 (7) SANITATION AND SAFETY.—

514 (a) Minimum standards shall include requirements for
515 sanitary and safety conditions, first aid treatment, emergency
516 procedures, and pediatric cardiopulmonary resuscitation. The
517 minimum standards shall require that ~~at least~~ one staff person
518 trained in cardiopulmonary resuscitation, as evidenced by
519 current documentation of course completion, must be present at
520 all times that children are present.

521 Section 12. Subsection (5) of section 402.315, Florida
522 Statutes, is amended to read:

523 402.315 Funding; license fees.—

524 (5) All moneys collected by the department for child care
525 licensing shall be held in a trust fund of the department to be

526 | reallocated to the department during the following fiscal year
 527 | to fund child care licensing activities, including the Gold Seal
 528 | Quality Care program created pursuant to s. 1002.954 ~~s. 402.281~~.

529 | Section 13. Paragraph (a) of subsection (4) of section
 530 | 402.56, Florida Statutes, is amended to read:

531 | 402.56 Children's cabinet; organization; responsibilities;
 532 | annual report.—

533 | (4) MEMBERS.—The cabinet shall consist of 16 members
 534 | including the Governor and the following persons:

535 | (a)1. The Secretary of Children and Families;

536 | 2. The Secretary of Juvenile Justice;

537 | 3. The director of the Agency for Persons with
 538 | Disabilities;

539 | 4. A representative from the Division ~~The director of the~~
 540 | ~~Office~~ of Early Learning;

541 | 5. The State Surgeon General;

542 | 6. The Secretary of Health Care Administration;

543 | 7. The Commissioner of Education;

544 | 8. The director of the Statewide Guardian Ad Litem Office;

545 | 9. A representative of the Office of Adoption and Child
 546 | Protection;

547 | 10. A superintendent of schools, appointed by the
 548 | Governor; and

549 | 11. Five members who represent children and youth advocacy
 550 | organizations and who are not service providers, appointed by

551 the Governor.

552 Section 14. Paragraph (e) of subsection (2) of section
553 411.226, Florida Statutes, is amended to read:

554 411.226 Learning Gateway.—

555 (2) LEARNING GATEWAY STEERING COMMITTEE.—

556 (e) To support and facilitate system improvements, the
557 steering committee must consult with representatives from the
558 Department of Education, the Department of Health, ~~the Office of~~
559 ~~Early Learning~~, the Department of Children and Families, the
560 Agency for Health Care Administration, the Department of
561 Juvenile Justice, and the Department of Corrections and with the
562 director of the Learning Development and Evaluation Center of
563 Florida Agricultural and Mechanical University.

564 Section 15. Paragraph (d) of subsection (1), paragraph (a)
565 of subsection (2), and paragraph (c) of subsection (3) of
566 section 411.227, Florida Statutes, are amended to read:

567 411.227 Components of the Learning Gateway.—The Learning
568 Gateway system consists of the following components:

569 (1) COMMUNITY EDUCATION STRATEGIES AND FAMILY-ORIENTED
570 ACCESS.—

571 (d) In collaboration with other local resources, the
572 demonstration projects shall develop public awareness strategies
573 to disseminate information about developmental milestones,
574 precursors of learning problems and other developmental delays,
575 and the service system that is available. The information should

576 target parents of children from birth through age 9 and should
577 be distributed to parents, health care providers, and caregivers
578 of children from birth through age 9. A variety of media should
579 be used as appropriate, such as print, television, radio, and a
580 community-based Internet website, as well as opportunities such
581 as those presented by parent visits to physicians for well-child
582 checkups. The Learning Gateway Steering Committee shall provide
583 technical assistance to the local demonstration projects in
584 developing and distributing educational materials and
585 information.

586 1. Public awareness strategies targeting parents of
587 children from birth through age 5 shall be designed to provide
588 information to public and private preschool programs, child care
589 providers, pediatricians, parents, and local businesses and
590 organizations. These strategies should include information on
591 the school readiness performance standards adopted by the
592 Department of Education ~~Office of Early Learning~~.

593 2. Public awareness strategies targeting parents of
594 children from ages 6 through 9 must be designed to disseminate
595 training materials and brochures to parents and public and
596 private school personnel, and must be coordinated with the local
597 school board and the appropriate school advisory committees in
598 the demonstration projects. The materials should contain
599 information on state and district proficiency levels for grades
600 K-3.

601 (2) SCREENING AND DEVELOPMENTAL MONITORING.—

602 (a) In coordination with ~~the Office of Early Learning,~~ the
 603 Department of Education~~,~~ and the Florida Pediatric Society, and
 604 using information learned from the local demonstration projects,
 605 the Learning Gateway Steering Committee shall establish
 606 guidelines for screening children from birth through age 9. The
 607 guidelines should incorporate recent research on the indicators
 608 most likely to predict early learning problems, mild
 609 developmental delays, child-specific precursors of school
 610 failure, and other related developmental indicators in the
 611 domains of cognition; communication; attention; perception;
 612 behavior; and social, emotional, sensory, and motor functioning.

613 (3) EARLY EDUCATION, SERVICES AND SUPPORTS.—

614 (c) The steering committee, in cooperation with the
 615 Department of Children and Families and, the Department of
 616 Education, ~~and the Office of Early Learning,~~ shall identify the
 617 elements of an effective research-based curriculum for early
 618 care and education programs.

619 Section 16. Subsection (1) of section 414.295, Florida
 620 Statutes, is amended to read:

621 414.295 Temporary cash assistance programs; public records
 622 exemption.—

623 (1) Personal identifying information of a temporary cash
 624 assistance program participant, a participant's family, or a
 625 participant's family or household member, except for information

626 identifying a parent who does not live in the same home as the
627 child, which is held by the department, ~~the Office of Early~~
628 ~~Learning~~, CareerSource Florida, Inc., the Department of Health,
629 the Department of Revenue, the Department of Education, or a
630 local workforce development board or local committee created
631 pursuant to s. 445.007 is confidential and exempt from s.
632 119.07(1) and s. 24(a), Art. I of the State Constitution. Such
633 confidential and exempt information may be released for purposes
634 directly connected with:

635 (a) The administration of the temporary assistance for
636 needy families plan under Title IV-A of the Social Security Act,
637 as amended, by the department, ~~the Office of Early Learning~~,
638 CareerSource Florida, Inc., the Department of Military Affairs,
639 the Department of Health, the Department of Revenue, the
640 Department of Education, a local workforce development board or
641 local committee created pursuant to s. 445.007, or a school
642 district.

643 (b) The administration of the state's plan or program
644 approved under Title IV-B, Title IV-D, or Title IV-E of the
645 Social Security Act, as amended, or under Title I, Title X,
646 Title XIV, Title XVI, Title XIX, Title XX, or Title XXI of the
647 Social Security Act, as amended.

648 (c) An investigation, prosecution, or criminal, civil, or
649 administrative proceeding conducted in connection with the
650 administration of any of the plans or programs specified in

651 paragraph (a) or paragraph (b) by a federal, state, or local
652 governmental entity, upon request by that entity, if such
653 request is made pursuant to the proper exercise of that entity's
654 duties and responsibilities.

655 (d) The administration of any other state, federal, or
656 federally assisted program that provides assistance or services
657 on the basis of need, in cash or in kind, directly to a
658 participant.

659 (e) An audit or similar activity, such as a review of
660 expenditure reports or financial review, conducted in connection
661 with the administration of plans or programs specified in
662 paragraph (a) or paragraph (b) by a governmental entity
663 authorized by law to conduct such audit or activity.

664 (f) The administration of the reemployment assistance
665 program.

666 (g) The reporting to the appropriate agency or official of
667 information about known or suspected instances of physical or
668 mental injury, sexual abuse or exploitation, or negligent
669 treatment or maltreatment of a child or elderly person receiving
670 assistance, if circumstances indicate that the health or welfare
671 of the child or elderly person is threatened.

672 (h) The administration of services to elderly persons
673 under ss. 430.601-430.606.

674 Section 17. Section 1000.01, Florida Statutes, is amended
675 to read:

676 1000.01 The Florida Early Learning-20 ~~K-20~~ education
 677 system; technical provisions.—

678 (1) NAME.—Chapters 1000 through 1013 shall be known and
 679 cited as the "Florida Early Learning-20 ~~K-20~~ Education Code."

680 (2) LIBERAL CONSTRUCTION.—The provisions of the Florida
 681 Early Learning-20 ~~K-20~~ Education Code shall be liberally
 682 construed to the end that its objectives may be effected. It is
 683 the legislative intent that if any section, subsection,
 684 sentence, clause, or provision of the Florida Early Learning-20
 685 ~~K-20~~ Education Code is held invalid, the remainder of the code
 686 shall not be affected.

687 (3) PURPOSE.—The purpose of the Florida Early Learning-20
 688 ~~K-20~~ Education Code is to provide by law for a state system of
 689 schools, courses, classes, and educational institutions and
 690 services adequate to allow, for all Florida's students, the
 691 opportunity to obtain a high quality education. The Florida
 692 Early Learning-20 ~~K-20~~ education system is established to
 693 accomplish this purpose; however, nothing in this code shall be
 694 construed to require the provision of free public education
 695 beyond grade 12.

696 (4) UNIFORM SYSTEM OF PUBLIC K-12 SCHOOLS INCLUDED.—As
 697 required by s. 1, Art. IX of the State Constitution, the Florida
 698 Early Learning-20 ~~K-20~~ education system shall include the
 699 uniform system of free public K-12 schools. These public K-12
 700 schools shall provide 13 consecutive years of instruction,

701 beginning with kindergarten, and shall also provide such
 702 instruction for students with disabilities, gifted students,
 703 limited English proficient students, and students in Department
 704 of Juvenile Justice programs as may be required by law. The
 705 funds for support and maintenance of the uniform system of free
 706 public K-12 schools shall be derived from state, district,
 707 federal, and other lawful sources or combinations of sources,
 708 including any fees charged nonresidents as provided by law.

709 Section 18. Subsection (2) of section 1000.02, Florida
 710 Statutes, is amended to read:

711 1000.02 Policy and guiding principles for the Florida K-20
 712 education system.—

713 (2) The guiding principles for Florida's Early Learning-20
 714 ~~K-20~~ education system are:

715 (a) A coordinated, seamless system for kindergarten
 716 through graduate school education.

717 (b) A system that is student-centered in every facet.

718 (c) A system that maximizes education access and allows
 719 the opportunity for a high quality education for all Floridians.

720 (d) A system that safeguards equity and supports academic
 721 excellence.

722 (e) A system that provides for local operational
 723 flexibility while promoting accountability for student
 724 achievement and improvement.

725 Section 19. Section 1000.03, Florida Statutes, is amended

726 | to read:

727 | 1000.03 Function, mission, and goals of the Florida Early
 728 | Learning-20 ~~K-20~~ education system.—

729 | (1) Florida's Early Learning-20 ~~K-20~~ education system
 730 | shall be a decentralized system without excess layers of
 731 | bureaucracy. Florida's Early Learning-20 ~~K-20~~ education system
 732 | shall maintain a systemwide technology plan based on a common
 733 | set of data definitions.

734 | (2) (a) The Legislature shall establish education policy,
 735 | enact education laws, and appropriate and allocate education
 736 | resources.

737 | (b) With the exception of matters relating to the State
 738 | University System, the State Board of Education shall oversee
 739 | the enforcement of all laws and rules, and the timely provision
 740 | of direction, resources, assistance, intervention when needed,
 741 | and strong incentives and disincentives to force accountability
 742 | for results.

743 | (c) The Board of Governors shall oversee the enforcement
 744 | of all state university laws and rules and regulations and the
 745 | timely provision of direction, resources, assistance,
 746 | intervention when needed, and strong incentives and
 747 | disincentives to force accountability for results.

748 | (3) Public education is a cooperative function of the
 749 | state and local educational authorities. The state retains
 750 | responsibility for establishing a system of public education

751 through laws, standards, and rules to assure efficient operation
752 of an Early Learning-20 ~~a K-20~~ system of public education and
753 adequate educational opportunities for all individuals. Local
754 educational authorities have a duty to fully and faithfully
755 comply with state laws, standards, and rules and to efficiently
756 use the resources available to them to assist the state in
757 allowing adequate educational opportunities.

758 (4) The mission of Florida's Early Learning-20 ~~K-20~~
759 education system is to allow its students to increase their
760 proficiency by allowing them the opportunity to expand their
761 knowledge and skills through rigorous and relevant learning
762 opportunities, in accordance with the mission statement and
763 accountability requirements of s. 1008.31.

764 (5) The priorities of Florida's Early Learning-20 ~~K-20~~
765 education system include:

766 (a) Learning and completion at all levels, including
767 increased high school graduation rate and readiness for
768 postsecondary education without remediation.—All students
769 demonstrate increased learning and completion at all levels,
770 graduate from high school, and are prepared to enter
771 postsecondary education without remediation.

772 (b) Student performance.—Students demonstrate that they
773 meet the expected academic standards consistently at all levels
774 of their education.

775 (c) Civic literacy.—Students are prepared to become

776 civically engaged and knowledgeable adults who make positive
777 contributions to their communities.

778 (d) Alignment of standards and resources.—Academic
779 standards for every level of the Early Learning-20 ~~K-20~~
780 education system are aligned, and education financial resources
781 are aligned with student performance expectations at each level
782 of the Early Learning-20 ~~K-20~~ education system.

783 (e) Educational leadership.—The quality of educational
784 leadership at all levels of Early Learning-20 ~~K-20~~ education is
785 improved.

786 (f) Workforce education.—Workforce education is
787 appropriately aligned with the skills required by the new global
788 economy.

789 (g) Parental, student, family, educational institution,
790 and community involvement.—Parents, students, families,
791 educational institutions, and communities are collaborative
792 partners in education, and each plays an important role in the
793 success of individual students. Therefore, the State of Florida
794 cannot be the guarantor of each individual student's success.
795 The goals of Florida's Early Learning-20 ~~K-20~~ education system
796 are not guarantees that each individual student will succeed or
797 that each individual school will perform at the level indicated
798 in the goals.

799 (h) Comprehensive K-20 career and education planning.—It
800 is essential that Florida's Early Learning-20 ~~K-20~~ education

801 system better prepare all students at every level for the
 802 transition from school to postsecondary education or work by
 803 providing information regarding:

804 1. Career opportunities, educational requirements
 805 associated with each career, educational institutions that
 806 prepare students to enter each career, and student financial aid
 807 available to pursue postsecondary instruction required to enter
 808 each career.

809 2. How to make informed decisions about the program of
 810 study that best addresses the students' interests and abilities
 811 while preparing them to enter postsecondary education or the
 812 workforce.

813 3. Recommended coursework and programs that prepare
 814 students for success in their areas of interest and ability.

815

816 This information shall be provided to students and parents
 817 through websites, handbooks, manuals, or other regularly
 818 provided communications.

819 Section 20. Section 1000.04, Florida Statutes, is amended
 820 to read:

821 1000.04 Components for the delivery of public education
 822 within the Florida Early Learning-20 ~~K-20~~ education system.—
 823 Florida's Early Learning-20 ~~K-20~~ education system provides for
 824 the delivery of early learning and public education through
 825 publicly supported and controlled K-12 schools, Florida College

826 System institutions, state universities and other postsecondary
 827 educational institutions, other educational institutions, and
 828 other educational services as provided or authorized by the
 829 Constitution and laws of the state.

830 (1) EARLY LEARNING.—Early learning includes the Voluntary
 831 Prekindergarten Program and the school readiness program.

832 (2)~~(1)~~ PUBLIC K-12 SCHOOLS.—The public K-12 schools
 833 include charter schools and consist of kindergarten classes;
 834 elementary, middle, and high school grades and special classes;
 835 virtual instruction programs; workforce education; career
 836 centers; adult, part-time, and evening schools, courses, or
 837 classes, as authorized by law to be operated under the control
 838 of district school boards; and lab schools operated under the
 839 control of state universities.

840 (3)~~(2)~~ PUBLIC POSTSECONDARY EDUCATIONAL INSTITUTIONS.—
 841 Public postsecondary educational institutions include workforce
 842 education; Florida College System institutions; state
 843 universities; and all other state-supported postsecondary
 844 educational institutions that are authorized and established by
 845 law.

846 (4)~~(3)~~ FLORIDA SCHOOL FOR THE DEAF AND THE BLIND.—The
 847 Florida School for the Deaf and the Blind is a component of the
 848 delivery of public education within Florida's Early Learning-20
 849 ~~K-20~~ education system.

850 (5)~~(4)~~ THE FLORIDA VIRTUAL SCHOOL.—The Florida Virtual

851 School is a component of the delivery of public education within
852 Florida's Early Learning-20 ~~K-20~~ education system.

853 Section 21. Section 1000.21, Florida Statutes, is amended
854 to read:

855 1000.21 Systemwide definitions.—As used in the Florida
856 Early Learning-20 ~~K-20~~ Education Code:

857 (1) "Articulation" is the systematic coordination that
858 provides the means by which students proceed toward their
859 educational objectives in as rapid and student-friendly manner
860 as their circumstances permit, from grade level to grade level,
861 from elementary to middle to high school, to and through
862 postsecondary education, and when transferring from one
863 educational institution or program to another.

864 (2) "Commissioner" is the Commissioner of Education.

865 (3) "Florida College System institution" except as
866 otherwise specifically provided, includes all of the following
867 public postsecondary educational institutions in the Florida
868 College System and any branch campuses, centers, or other
869 affiliates of the institution:

870 (a) Eastern Florida State College, which serves Brevard
871 County.

872 (b) Broward College, which serves Broward County.

873 (c) College of Central Florida, which serves Citrus, Levy,
874 and Marion Counties.

875 (d) Chipola College, which serves Calhoun, Holmes,

- 876 Jackson, Liberty, and Washington Counties.
- 877 (e) Daytona State College, which serves Flagler and
878 Volusia Counties.
- 879 (f) Florida SouthWestern State College, which serves
880 Charlotte, Collier, Glades, Hendry, and Lee Counties.
- 881 (g) Florida State College at Jacksonville, which serves
882 Duval and Nassau Counties.
- 883 (h) The College of the Florida Keys, which serves Monroe
884 County.
- 885 (i) Gulf Coast State College, which serves Bay, Franklin,
886 and Gulf Counties.
- 887 (j) Hillsborough Community College, which serves
888 Hillsborough County.
- 889 (k) Indian River State College, which serves Indian River,
890 Martin, Okeechobee, and St. Lucie Counties.
- 891 (l) Florida Gateway College, which serves Baker, Columbia,
892 Dixie, Gilchrist, and Union Counties.
- 893 (m) Lake-Sumter State College, which serves Lake and
894 Sumter Counties.
- 895 (n) State College of Florida, Manatee-Sarasota, which
896 serves Manatee and Sarasota Counties.
- 897 (o) Miami Dade College, which serves Miami-Dade County.
- 898 (p) North Florida College, which serves Hamilton,
899 Jefferson, Lafayette, Madison, Suwannee, and Taylor Counties.
- 900 (q) Northwest Florida State College, which serves Okaloosa

901 and Walton Counties.

902 (r) Palm Beach State College, which serves Palm Beach
 903 County.

904 (s) Pasco-Hernando State College, which serves Hernando
 905 and Pasco Counties.

906 (t) Pensacola State College, which serves Escambia and
 907 Santa Rosa Counties.

908 (u) Polk State College, which serves Polk County.

909 (v) St. Johns River State College, which serves Clay,
 910 Putnam, and St. Johns Counties.

911 (w) St. Petersburg College, which serves Pinellas County.

912 (x) Santa Fe College, which serves Alachua and Bradford
 913 Counties.

914 (y) Seminole State College of Florida, which serves
 915 Seminole County.

916 (z) South Florida State College, which serves DeSoto,
 917 Hardee, and Highlands Counties.

918 (aa) Tallahassee Community College, which serves Gadsden,
 919 Leon, and Wakulla Counties.

920 (bb) Valencia College, which serves Orange and Osceola
 921 Counties.

922 (4) "Department" is the Department of Education.

923 (5) "Parent" is either or both parents of a student, any
 924 guardian of a student, any person in a parental relationship to
 925 a student, or any person exercising supervisory authority over a

926 student in place of the parent.

927 (6) "State university," except as otherwise specifically
 928 provided, includes the following institutions and any branch
 929 campuses, centers, or other affiliates of the institution:

- 930 (a) The University of Florida.
- 931 (b) The Florida State University.
- 932 (c) The Florida Agricultural and Mechanical University.
- 933 (d) The University of South Florida.
- 934 (e) The Florida Atlantic University.
- 935 (f) The University of West Florida.
- 936 (g) The University of Central Florida.
- 937 (h) The University of North Florida.
- 938 (i) The Florida International University.
- 939 (j) The Florida Gulf Coast University.
- 940 (k) New College of Florida.
- 941 (l) The Florida Polytechnic University.

942 (7) "Next Generation Sunshine State Standards" means the
 943 state's public K-12 curricular standards adopted under s.
 944 1003.41.

945 (8) "Board of Governors" is the Board of Governors of the
 946 State University System.

947 Section 22. Subsection (1) and paragraphs (e) and (s) of
 948 subsection (2) of section 1001.02, Florida Statutes, are amended
 949 to read:

950 1001.02 General powers of State Board of Education.—

951 (1) The State Board of Education is the chief implementing
 952 and coordinating body of public education in Florida except for
 953 the State University System, and it shall focus on high-level
 954 policy decisions. It has authority to adopt rules pursuant to
 955 ss. 120.536(1) and 120.54 to implement the provisions of law
 956 conferring duties upon it for the improvement of the state
 957 system of Early Learning-20 ~~K-20~~ public education except for the
 958 State University System. Except as otherwise provided herein, it
 959 may, as it finds appropriate, delegate its general powers to the
 960 Commissioner of Education or the directors of the divisions of
 961 the department.

962 (2) The State Board of Education has the following duties:

963 (e) To adopt and submit to the Governor and Legislature,
 964 as provided in s. 216.023, a coordinated Early Learning-20 ~~K-20~~
 965 education budget that estimates the expenditure requirements for
 966 the Board of Governors, as provided in s. 1001.706, the State
 967 Board of Education, including the Department of Education and
 968 the Commissioner of Education, and all of the boards,
 969 institutions, agencies, and services under the general
 970 supervision of the Board of Governors, as provided in s.
 971 1001.706, or the State Board of Education for the ensuing fiscal
 972 year. The State Board of Education may not amend the budget
 973 request submitted by the Board of Governors. Any program
 974 recommended by the Board of Governors or the State Board of
 975 Education which will require increases in state funding for more

976 | than 1 year must be presented in a multiyear budget plan.

977 | (s) To establish a detailed procedure for the
978 | implementation and operation of a systemwide ~~K-20~~ technology
979 | plan that is based on a common set of data definitions.

980 | Section 23. Subsections (8) and (9) of section 1001.03,
981 | Florida Statutes, are amended to read:

982 | 1001.03 Specific powers of State Board of Education.—

983 | (8) SYSTEMWIDE ENFORCEMENT.—The State Board of Education
984 | shall enforce compliance with law and state board rule by all
985 | school districts, early learning coalitions, and public
986 | postsecondary educational institutions, except for the State
987 | University System, in accordance with the provisions of s.
988 | 1008.32.

989 | (9) MANAGEMENT INFORMATION DATABASES.—The State Board of
990 | Education, in conjunction with the Board of Governors regarding
991 | the State University System, shall continue to collect and
992 | maintain, at a minimum, the management information databases for
993 | state universities, and all other components of the public Early
994 | Learning-20 ~~K-20~~ education system as such databases existed on
995 | June 30, 2002.

996 | Section 24. Subsection (1), paragraphs (g), (k), and (l)
997 | of subsection (6), and subsection (8) of section 1001.10,
998 | Florida Statutes, are amended to read:

999 | 1001.10 Commissioner of Education; general powers and
1000 | duties.—

1001 (1) The Commissioner of Education is the chief educational
 1002 officer of the state and the sole custodian of the Educational
 1003 ~~K-20~~ data warehouse, and is responsible for giving full
 1004 assistance to the State Board of Education in enforcing
 1005 compliance with the mission and goals of the Early Learning ~~K-20~~
 1006 education system, except for the State University System.

1007 (6) Additionally, the commissioner has the following
 1008 general powers and duties:

1009 (g) To submit to the State Board of Education, on or
 1010 before October 1 of each year, recommendations for a coordinated
 1011 Early Learning-20 ~~K-20~~ education budget that estimates the
 1012 expenditures for the Board of Governors, the State Board of
 1013 Education, including the Department of Education and the
 1014 Commissioner of Education, and all of the boards, institutions,
 1015 agencies, and services under the general supervision of the
 1016 Board of Governors or the State Board of Education for the
 1017 ensuing fiscal year. Any program recommended to the State Board
 1018 of Education that will require increases in state funding for
 1019 more than 1 year must be presented in a multiyear budget plan.

1020 (k) To prepare, publish, and disseminate user-friendly
 1021 materials relating to the state's education system, including
 1022 the state's K-12 scholarship programs, the school readiness
 1023 program, and the Voluntary Prekindergarten Education Program.

1024 (l) To prepare and publish annually reports giving
 1025 statistics and other useful information pertaining to the

1026 state's K-12 scholarship programs, the school readiness program,
 1027 and the Voluntary Prekindergarten Education Program.

1028 (8) In the event of an emergency situation, the
 1029 commissioner may coordinate through the most appropriate means
 1030 of communication with early learning coalitions, local school
 1031 districts, Florida College System institutions, and satellite
 1032 offices of the Division of Blind Services and the Division of
 1033 Vocational Rehabilitation to assess the need for resources and
 1034 assistance to enable each school, institution, or satellite
 1035 office the ability to reopen as soon as possible after
 1036 considering the health, safety, and welfare of students and
 1037 clients.

1038 Section 25. Paragraph (b) of subsection (1) and subsection
 1039 (4) of section 1001.11, Florida Statutes, are amended to read:

1040 1001.11 Commissioner of Education; other duties.—

1041 (1) The Commissioner of Education must independently
 1042 perform the following duties:

1043 (b) Serve as the primary source of information to the
 1044 Legislature, including the President of the Senate and the
 1045 Speaker of the House of Representatives, concerning the State
 1046 Board of Education, the Early Learning-20 ~~K-20~~ education system,
 1047 and early learning programs.

1048 (4) The commissioner shall develop and implement an
 1049 integrated Early Learning-20 ~~K-20~~ information system for
 1050 educational management in accordance with the requirements of

1051 chapter 1008.

1052 Section 26. Section 1001.213, Florida Statutes, is
 1053 repealed.

1054 Section 27. Subsection (7) of section 1001.215, Florida
 1055 Statutes, is amended to read:

1056 1001.215 Just Read, Florida! Office.—There is created in
 1057 the Department of Education the Just Read, Florida! Office. The
 1058 office is fully accountable to the Commissioner of Education and
 1059 shall:

1060 (7) Review, evaluate, and provide technical assistance to
 1061 school districts' implementation of the ~~K-12~~ comprehensive
 1062 reading plan required in s. 1011.62(9).

1063 Section 28. Subsection (1) of section 1001.23, Florida
 1064 Statutes, is amended to read:

1065 1001.23 Specific powers and duties of the Department of
 1066 Education.—In addition to all other duties assigned to it by law
 1067 or by rule of the State Board of Education, the department
 1068 shall:

1069 ~~(1) Adopt the statewide kindergarten screening in~~
 1070 ~~accordance with s. 1002.69.~~

1071 Section 29. Subsection (3) of section 1001.70, Florida
 1072 Statutes, is amended to read:

1073 1001.70 Board of Governors of the State University
 1074 System.—

1075 (3) The Board of Governors, in exercising its authority

1076 | under the State Constitution and statutes, shall exercise its
 1077 | authority in a manner that supports, promotes, and enhances an
 1078 | Early Learning-20 ~~a K-20~~ education system that provides
 1079 | affordable access to postsecondary educational opportunities for
 1080 | residents of the state to the extent authorized by the State
 1081 | Constitution and state law.

1082 | Section 30. Subsection (3) of section 1002.32, Florida
 1083 | Statutes, is amended to read:

1084 | 1002.32 Developmental research (laboratory) schools.—

1085 | (3) MISSION.—The mission of a lab school shall be the
 1086 | provision of a vehicle for the conduct of research,
 1087 | demonstration, and evaluation regarding management, teaching,
 1088 | and learning. Programs to achieve the mission of a lab school
 1089 | shall embody the goals and standards established pursuant to ss.
 1090 | 1000.03(5) and 1001.23(1) ~~1001.23(2)~~ and shall ensure an
 1091 | appropriate education for its students.

1092 | (a) Each lab school shall emphasize mathematics, science,
 1093 | computer science, and foreign languages. The primary goal of a
 1094 | lab school is to enhance instruction and research in such
 1095 | specialized subjects by using the resources available on a state
 1096 | university campus, while also providing an education in
 1097 | nonspecialized subjects. Each lab school shall provide
 1098 | sequential elementary and secondary instruction where
 1099 | appropriate. A lab school may not provide instruction at grade
 1100 | levels higher than grade 12 without authorization from the State

1101 Board of Education. Each lab school shall develop and implement
 1102 a school improvement plan pursuant to s. 1003.02(3).

1103 (b) Research, demonstration, and evaluation conducted at a
 1104 lab school may be generated by the college of education and
 1105 other colleges within the university with which the school is
 1106 affiliated.

1107 (c) Research, demonstration, and evaluation conducted at a
 1108 lab school may be generated by the State Board of Education.
 1109 Such research shall respond to the needs of the education
 1110 community at large, rather than the specific needs of the
 1111 affiliated college.

1112 (d) Research, demonstration, and evaluation conducted at a
 1113 lab school may consist of pilot projects to be generated by the
 1114 affiliated college, the State Board of Education, or the
 1115 Legislature.

1116 (e) The exceptional education programs offered at a lab
 1117 school shall be determined by the research and evaluation goals
 1118 and the availability of students for efficiently sized programs.
 1119 The fact that a lab school offers an exceptional education
 1120 program in no way lessens the general responsibility of the
 1121 local school district to provide exceptional education programs.

1122 Section 31. Paragraph (b) of subsection (10) of section
 1123 1002.34, Florida Statutes, is amended to read:

1124 1002.34 Charter technical career centers.—

1125 (10) EXEMPTION FROM STATUTES.—

1126 (b) A center must comply with the Florida Early Learning-
 1127 20 ~~K-20~~ Education Code with respect to providing services to
 1128 students with disabilities.

1129 Section 32. Subsection (1) of section 1002.36, Florida
 1130 Statutes, is amended to read:

1131 1002.36 Florida School for the Deaf and the Blind.—

1132 (1) RESPONSIBILITIES.—The Florida School for the Deaf and
 1133 the Blind, located in St. Johns County, is a state-supported
 1134 residential public school for hearing-impaired and visually
 1135 impaired students in preschool through 12th grade. The school is
 1136 a component of the delivery of public education within Florida's
 1137 Early Learning-20 ~~K-20~~ education system and shall be funded
 1138 through the Department of Education. The school shall provide
 1139 educational programs and support services appropriate to meet
 1140 the education and related evaluation and counseling needs of
 1141 hearing-impaired and visually impaired students in the state who
 1142 meet enrollment criteria. Unless otherwise provided by law, the
 1143 school shall comply with all laws and rules applicable to state
 1144 agencies. Education services may be provided on an outreach
 1145 basis for sensory-impaired children ages 0 through 5 years and
 1146 to district school boards upon request. Graduates of the Florida
 1147 School for the Deaf and the Blind shall be eligible for the
 1148 William L. Boyd, IV, Effective Access to Student Education Grant
 1149 Program as provided in s. 1009.89.

1150 Section 33. Paragraph (b) of subsection (4) and subsection

1151 (5) of section 1002.53, Florida Statutes, are amended, and
 1152 paragraph (d) is added to subsection (6), to read:

1153 1002.53 Voluntary Prekindergarten Education Program;
 1154 eligibility and enrollment.—

1155 (4)

1156 (b) The application must be submitted on forms prescribed
 1157 by the department ~~Office of Early Learning~~ and must be
 1158 accompanied by a certified copy of the child's birth
 1159 certificate. The forms must include a certification, in
 1160 substantially the form provided in s. 1002.71(6)(b)2., that the
 1161 parent chooses the private prekindergarten provider or public
 1162 school in accordance with this section and directs that payments
 1163 for the program be made to the provider or school. The
 1164 department ~~Office of Early Learning~~ may authorize alternative
 1165 methods for submitting proof of the child's age in lieu of a
 1166 certified copy of the child's birth certificate.

1167 (5) The early learning coalition shall provide each parent
 1168 enrolling a child in the Voluntary Prekindergarten Education
 1169 Program with a profile of every private prekindergarten provider
 1170 and public school delivering the program within the county where
 1171 the child is being enrolled. The profiles shall be provided to
 1172 parents in a format prescribed by the department ~~Office of Early~~
 1173 ~~Learning~~. The profiles must include, at a minimum, the following
 1174 information about each provider and school:

1175 (a) The provider's or school's services, curriculum,

1176 instructor credentials, and instructor-to-student ratio; and
1177 (b) The provider's or school's kindergarten readiness rate
1178 ~~calculated in accordance with s. 1002.69~~, based upon the most
1179 recent available results of the statewide kindergarten screening
1180 or, when available, the performance metric in accordance with s.
1181 1002.68.

1182 (6)

1183 (d) Each parent who enrolls his or her child in the
1184 Voluntary Prekindergarten Education Program must allow his or
1185 her child to participate in the coordinated screening and
1186 progress monitoring program under s. 1008.2125.

1187 Section 34. Paragraphs (a), (b), (c), (e), (g), (h), (i),
1188 (j), and (l) of subsection (3), subsection (4), and paragraph
1189 (b) of subsection (5) of section 1002.55, Florida Statutes, are
1190 amended, and subsection (6) is added to that section, to read:

1191 1002.55 School-year prekindergarten program delivered by
1192 private prekindergarten providers.—

1193 (3) To be eligible to deliver the prekindergarten program,
1194 a private prekindergarten provider must meet each of the
1195 following requirements:

1196 (a) The private prekindergarten provider must be a child
1197 care facility licensed under s. 402.305, family day care home
1198 licensed under s. 402.313, large family child care home licensed
1199 under s. 402.3131, nonpublic school exempt from licensure under
1200 s. 402.3025(2), ~~or~~ faith-based child care provider exempt from

1201 licensure under s. 402.316, child development program operating
1202 on a military installation that is certified by the United
1203 States Department of Defense and accredited by a national
1204 accrediting body, or a private prekindergarten provider who has
1205 been issued a provisional license pursuant to s. 402.309. A
1206 private prekindergarten provider may not deliver the program
1207 while its license has been converted to a probation-status
1208 license pursuant to s. 402.210.

1209 (b) The private prekindergarten provider must:

1210 1. Be accredited by an accrediting association that is a
1211 member of the National Council for Private School Accreditation,
1212 or the Florida Association of Academic Nonpublic Schools, or be
1213 accredited by the Southern Association of Colleges and Schools,
1214 or Western Association of Colleges and Schools, or North Central
1215 Association of Colleges and Schools, or Middle States
1216 Association of Colleges and Schools, or New England Association
1217 of Colleges and Schools; and have written accreditation
1218 standards that meet or exceed the state's licensing requirements
1219 under s. 402.305, s. 402.313, or s. 402.3131 and require at
1220 least one onsite visit to the provider or school before
1221 accreditation is granted;

1222 2. Hold a current Gold Seal Quality Care designation under
1223 s. 1002.945 ~~s. 402.281~~; or

1224 3. Be licensed under s. 402.305, s. 402.313, or s.
1225 402.3131 and demonstrate, before delivering the Voluntary

1226 Prekindergarten Education Program, as verified by the early
1227 learning coalition, that the provider meets each of the
1228 requirements of the program under this part, including, but not
1229 limited to, the requirements for credentials and background
1230 screenings of prekindergarten instructors under paragraphs (c)
1231 and (d), minimum and maximum class sizes under paragraph (f),
1232 prekindergarten director credentials under paragraph (g), and a
1233 developmentally appropriate curriculum under s. 1002.67(2)(b).

1234 (c) The private prekindergarten provider must have, for
1235 each prekindergarten class of 11 children or fewer, at least one
1236 prekindergarten instructor who meets each of the following
1237 requirements:

1238 1. The prekindergarten instructor must hold, at a minimum,
1239 one of the following credentials:

1240 a. A child development associate credential issued by the
1241 National Credentialing Program of the Council for Professional
1242 Recognition; or

1243 b. A credential approved by the Department of Children and
1244 Families as being equivalent to or greater than the credential
1245 described in sub-subparagraph a.

1246

1247 The Department of Children and Families may adopt rules under
1248 ss. 120.536(1) and 120.54 which provide criteria and procedures
1249 for approving equivalent credentials under sub-subparagraph b.

1250 2. The prekindergarten instructor must successfully

1251 complete at least three ~~an~~ emergent literacy training courses
1252 ~~course~~ and a student performance standards training course
1253 approved by the department ~~office~~ as meeting or exceeding the
1254 minimum standards adopted under s. 1002.59. The requirement for
1255 completion of the standards training course shall take effect
1256 July 1, 2021 ~~2014~~, and the course shall be free or at a low-cost
1257 and available online or in person.

1258 (e) A private prekindergarten provider may assign a
1259 substitute instructor to temporarily replace a credentialed
1260 instructor if the credentialed instructor assigned to a
1261 prekindergarten class is absent, as long as the substitute
1262 instructor is of good moral character and has been screened
1263 before employment in accordance with level 2 background
1264 screening requirements in chapter 435. The department ~~Office of~~
1265 ~~Early Learning~~ shall adopt rules to implement this paragraph
1266 which shall include required qualifications of substitute
1267 instructors and the circumstances and time limits for which a
1268 private prekindergarten provider may assign a substitute
1269 instructor.

1270 (g) The private prekindergarten provider must have a
1271 prekindergarten director who has a prekindergarten director
1272 credential that is approved by the department ~~office~~ as meeting
1273 or exceeding the minimum standards adopted under s. 1002.57.
1274 ~~Successful completion of a child care facility director~~
1275 ~~credential under s. 402.305(2)(g) before the establishment of~~

1276 ~~the prekindergarten director credential under s. 1002.57 or July~~
1277 ~~1, 2006, whichever occurs later, satisfies the requirement for a~~
1278 ~~prekindergarten director credential under this paragraph.~~

1279 (h) The private prekindergarten provider must register
1280 with the early learning coalition on forms prescribed by the
1281 department ~~Office of Early Learning~~.

1282 (i) The private prekindergarten provider must execute the
1283 statewide provider contract prescribed under s. 1002.73 ~~s.~~
1284 ~~1002.75~~, except that an individual who owns or operates multiple
1285 private prekindergarten providers within a coalition's service
1286 area may execute a single agreement with the coalition on behalf
1287 of each provider.

1288 (j) The private prekindergarten provider must maintain
1289 general liability insurance and provide the coalition with
1290 written evidence of general liability insurance coverage,
1291 including coverage for transportation of children if
1292 prekindergarten students are transported by the provider. A
1293 provider must obtain and retain an insurance policy that
1294 provides a minimum of \$100,000 of coverage per occurrence and a
1295 minimum of \$300,000 general aggregate coverage. The department
1296 ~~office~~ may authorize lower limits upon request, as appropriate.
1297 A provider must add the coalition as a named certificateholder
1298 and as an additional insured. A provider must provide the
1299 coalition with a minimum of 10 calendar days' advance written
1300 notice of cancellation of or changes to coverage. The general

1301 liability insurance required by this paragraph must remain in
 1302 full force and effect for the entire period of the provider
 1303 contract with the coalition.

1304 (1) Notwithstanding paragraph (j), for a private
 1305 prekindergarten provider that is a state agency or a subdivision
 1306 thereof, as defined in s. 768.28(2), the provider must agree to
 1307 notify the coalition of any additional liability coverage
 1308 maintained by the provider in addition to that otherwise
 1309 established under s. 768.28. The provider shall indemnify the
 1310 coalition to the extent permitted by s. 768.28. Notwithstanding
 1311 paragraph (k), for a child development program operating on a
 1312 military installation that is certified by the United States
 1313 Department of Defense and accredited by a national accrediting
 1314 body, the provider may demonstrate liability coverage by
 1315 affirming that it is subject to the Federal Tort Claims Act, 28
 1316 U.S.C. s. 2671 et seq.

1317 (4) A prekindergarten instructor, in lieu of the minimum
 1318 credentials ~~and courses~~ required under paragraph (3)(c), may
 1319 hold one of the following educational credentials:

1320 (a) A bachelor's or higher degree in early childhood
 1321 education, prekindergarten or primary education, preschool
 1322 education, or family and consumer science;

1323 (b) A bachelor's or higher degree in elementary education,
 1324 if the prekindergarten instructor has been certified to teach
 1325 children any age from birth through 6th grade, regardless of

1326 whether the instructor's educator certificate is current, and if
 1327 the instructor is not ineligible to teach in a public school
 1328 because his or her educator certificate is suspended or revoked;

1329 (c) An associate's or higher degree in child development;

1330 (d) An associate's or higher degree in an unrelated field,
 1331 at least 6 credit hours in early childhood education or child
 1332 development, and at least 480 hours of experience in teaching or
 1333 providing child care services for children any age from birth
 1334 through 8 years of age; or

1335 (e) An educational credential approved by the department
 1336 as being equivalent to or greater than an educational credential
 1337 described in this subsection. The department may adopt criteria
 1338 and procedures for approving equivalent educational credentials
 1339 under this paragraph.

1340 (5)

1341 (b) Notwithstanding any other provision of law, if a
 1342 private prekindergarten provider has been cited for a class I
 1343 violation, as defined by rule by the Child Care Services Program
 1344 Office of the Department of Children and Families, the coalition
 1345 may refuse to contract with the provider.

1346 (6) Each early learning coalition must verify that each
 1347 private prekindergarten provider delivering the Voluntary
 1348 Prekindergarten Education Program within the coalition's county
 1349 or multicounty region complies with this part. If a private
 1350 prekindergarten provider fails or refuses to comply with this

1351 part or if a provider engages in misconduct, the department
1352 shall require the early learning coalition to remove the
1353 provider from eligibility to deliver the program and receive
1354 state funds under this part for a period of at least 2 years but
1355 no more than 5 years.

1356 Section 35. Paragraphs (b) and (c) of subsection (2) of
1357 section 1002.57, Florida Statutes, are redesignated as
1358 paragraphs (c) and (d), respectively, subsection (1) is amended,
1359 and a new paragraph (b) is added to subsection (2) of that
1360 section, to read:

1361 1002.57 Prekindergarten director credential.—

1362 (1) The department ~~office~~, in consultation with the
1363 Department of Children and Families, shall adopt minimum
1364 standards for a credential for prekindergarten directors of
1365 private prekindergarten providers delivering the Voluntary
1366 Prekindergarten Education Program. The credential must encompass
1367 requirements for education and onsite experience.

1368 (2) The educational requirements must include training in
1369 the following:

1370 (b) Implementation of curriculum and usage of student-
1371 level data to inform the delivery of instruction.

1372 Section 36. Section 1002.59, Florida Statutes, is amended
1373 to read:

1374 1002.59 Emergent literacy and performance standards
1375 training courses.—

1376 (1) The department ~~office~~ shall adopt minimum standards
1377 for ~~one or more training~~ courses in emergent literacy for
1378 prekindergarten instructors. Each course must comprise 5 clock
1379 hours and provide instruction in strategies and techniques to
1380 address the age-appropriate progress of prekindergarten students
1381 in developing emergent literacy skills, including oral
1382 communication, knowledge of print and letters, phonemic and
1383 phonological awareness, and vocabulary and comprehension
1384 development. Each course must also provide resources containing
1385 strategies that allow students with disabilities and other
1386 special needs to derive maximum benefit from the Voluntary
1387 Prekindergarten Education Program. Successful completion of an
1388 emergent literacy training course approved under this section
1389 satisfies requirements for approved training in early literacy
1390 and language development under ss. 402.305(2)(e)5., 402.313(6),
1391 and 402.3131(5).

1392 (2) The department ~~office~~ shall adopt minimum standards
1393 for ~~one or more training~~ courses on the performance standards
1394 adopted under s. 1002.67(1). Each course must be comprised of
1395 ~~comprise~~ at least 3 clock hours, provide instruction in
1396 strategies and techniques to address age-appropriate progress of
1397 each child in attaining the standards, and be available online.

1398 (3) The department shall make available online
1399 professional development and training courses comprised of at
1400 least 8 clock hours that supports prekindergarten instructors in

1401 increasing the competency of teacher-child interactions.

1402 Section 37. Subsections (6) through (8) of section
1403 1002.61, Florida Statutes, are renumbered as subsections (7)
1404 through (9), respectively, paragraph (b) of subsection (1),
1405 paragraph (b) of subsection (3), subsection (4), and present
1406 subsections (6) and (8) are amended, and new subsections (6) and
1407 (10) are added to that section, to read:

1408 1002.61 Summer prekindergarten program delivered by public
1409 schools and private prekindergarten providers.—

1410 (1)

1411 (b) Each early learning coalition shall administer the
1412 Voluntary Prekindergarten Education Program at the county or
1413 regional level for students enrolled under s. 1002.53(3)(b) in a
1414 summer prekindergarten program delivered by a private
1415 prekindergarten provider. A child development program operating
1416 on a military installation that is certified by the United
1417 States Department of Defense and accredited by a national
1418 accrediting body may administer the summer prekindergarten
1419 program as a private prekindergarten provider.

1420 (3)

1421 (b) Each public school delivering the summer
1422 prekindergarten program must execute the statewide provider
1423 contract prescribed under s. 1002.73 ~~s. 1002.75~~, except that the
1424 school district may execute a single agreement with the early
1425 learning coalition on behalf of all district schools.

1426 (4) Notwithstanding ss. 1002.55(3)(c)1. and 1002.63(4),
1427 each public school and private prekindergarten provider must
1428 have, for each prekindergarten class, at least one
1429 prekindergarten instructor who is a certified teacher or holds
1430 one of the educational credentials specified in s. 1002.55(4)(a)
1431 or (b). As used in this subsection, the term "certified teacher"
1432 means a teacher holding a valid Florida educator certificate
1433 under s. 1012.56 who has the qualifications required by the
1434 district school board to instruct students in the summer
1435 prekindergarten program. In selecting instructional staff for
1436 the summer prekindergarten program, each school district shall
1437 give priority to teachers who have experience or coursework in
1438 early childhood education and have completed emergent literacy
1439 and performance standards courses, as defined in s.
1440 1002.55(3)(c)2.

1441 (6) A child development program operating on a military
1442 installation that is certified by the United States Department
1443 of Defense and accredited by a national accrediting body shall
1444 comply with the requirements of a private prekindergarten
1445 provider in this section.

1446 (7)~~(6)~~ A public school or private prekindergarten provider
1447 may assign a substitute instructor to temporarily replace a
1448 credentialed instructor if the credentialed instructor assigned
1449 to a prekindergarten class is absent, as long as the substitute
1450 instructor is of good moral character and has been screened

1451 before employment in accordance with level 2 background
1452 screening requirements in chapter 435. This subsection does not
1453 supersede employment requirements for instructional personnel in
1454 public schools which are more stringent than the requirements of
1455 this subsection. The department ~~Office of Early Learning~~ shall
1456 adopt rules to implement this subsection which shall include
1457 required qualifications of substitute instructors and the
1458 circumstances and time limits for which a public school or
1459 private prekindergarten provider may assign a substitute
1460 instructor.

1461 ~~(9)(8)~~ Each public school delivering the summer
1462 prekindergarten program must also register with the early
1463 learning coalition on forms prescribed by the department ~~Office~~
1464 ~~of Early Learning~~ and deliver the Voluntary Prekindergarten
1465 Education Program in accordance with this part.

1466 (10) (a) Each early learning coalition shall verify that
1467 each private prekindergarten provider delivering the Voluntary
1468 Prekindergarten Education Program within the coalition's county
1469 or multicounty region complies with this part. Each district
1470 school board shall verify that each public school delivering the
1471 program within the school district complies with this part.

1472 (b) If a private prekindergarten provider or public school
1473 fails or refuses to comply with this part, or if a provider or
1474 school engages in misconduct, the department shall require the
1475 early learning coalition to remove the provider or require the

1476 school district to remove the school from eligibility to deliver
1477 the Voluntary Prekindergarten Education Program and receive
1478 state funds under this part for a period of at least 2 years but
1479 no more than 5 years.

1480 Section 38. Paragraph (b) of subsection (3), and
1481 subsections (6) and (8) of section 1002.63, Florida Statutes,
1482 are amended, and subsection (9) is added to that section, to
1483 read:

1484 1002.63 School-year prekindergarten program delivered by
1485 public schools.—

1486 (3)

1487 (b) Each public school delivering the school-year
1488 prekindergarten program must execute the statewide provider
1489 contract prescribed under s. 1002.73 ~~s. 1002.75~~, except that the
1490 school district may execute a single agreement with the early
1491 learning coalition on behalf of all district schools.

1492 (6) A public school prekindergarten provider may assign a
1493 substitute instructor to temporarily replace a credentialed
1494 instructor if the credentialed instructor assigned to a
1495 prekindergarten class is absent, as long as the substitute
1496 instructor is of good moral character and has been screened
1497 before employment in accordance with level 2 background
1498 screening requirements in chapter 435. This subsection does not
1499 supersede employment requirements for instructional personnel in
1500 public schools which are more stringent than the requirements of

1501 this subsection. The department ~~Office of Early Learning~~ shall
 1502 adopt rules to implement this subsection which shall include
 1503 required qualifications of substitute instructors and the
 1504 circumstances and time limits for which a public school
 1505 prekindergarten provider may assign a substitute instructor.

1506 (8) Each public school delivering the school-year
 1507 prekindergarten program must register with the early learning
 1508 coalition on forms prescribed by the department ~~Office of Early~~
 1509 ~~Learning~~ and deliver the Voluntary Prekindergarten Education
 1510 Program in accordance with this part.

1511 (9) (a) Each district school board shall verify that each
 1512 public school delivering the Voluntary Prekindergarten Education
 1513 Program within the school district complies with this part.

1514 (b) If a public school fails or refuses to comply with
 1515 this part, or if a school engages in misconduct, the department
 1516 shall require the school district to remove the school from
 1517 eligibility to deliver the Voluntary Prekindergarten Education
 1518 Program and receive state funds under this part for a period of
 1519 at least 2 years but no more than 5 years.

1520 Section 39. Section 1002.67, Florida Statutes, is amended
 1521 to read:

1522 1002.67 Performance standards and, ~~curricula~~~~and~~
 1523 ~~accountability~~.—

1524 (1) (a) The department ~~office~~ shall develop and adopt
 1525 performance standards for students in the Voluntary

HB 1013

2020

1526 Prekindergarten Education Program. The performance standards
1527 must address the age-appropriate progress of students in the
1528 development of:

- 1529 1. The capabilities, capacities, and skills required under
1530 s. 1(b), Art. IX of the State Constitution; ~~and~~
- 1531 2. Emergent literacy skills, including oral communication,
1532 knowledge of print and letters, phonemic and phonological
1533 awareness, and vocabulary and comprehension development; ~~and~~.
- 1534 3. Mathematical thinking and early math skills.

1535
1536 ~~By October 1, 2013, the office shall examine the existing~~
1537 ~~performance standards in the area of mathematical thinking and~~
1538 ~~develop a plan to make appropriate professional development and~~
1539 ~~training courses available to prekindergarten instructors.~~

1540 (b) At least every 3 years, the department ~~office~~ shall
1541 ~~periodically~~ review and, if necessary, revise the performance
1542 standards established under s. 1002.67 ~~for the statewide~~
1543 ~~kindergarten screening administered under s. 1002.69~~ and align
1544 the standards to the standards established by the state board
1545 for student performance on the statewide assessments
1546 administered pursuant to s. 1008.22.

1547 (2) (a) Each private prekindergarten provider and public
1548 school may select or design the curriculum that the provider or
1549 school uses to implement the Voluntary Prekindergarten Education
1550 Program, except as otherwise required for a provider or school

1551 that is placed on probation under s. 1002.68 ~~paragraph (4)(c)~~.

1552 (b) Each private prekindergarten provider's and public
1553 school's curriculum must be developmentally appropriate and
1554 must:

1555 1. Be designed to prepare a student for early literacy and
1556 provide for instruction in early math skills;

1557 2. Enhance the age-appropriate progress of students in
1558 attaining the performance standards adopted by the department
1559 under subsection (1); and

1560 3. Support student learning gains through differentiated
1561 instruction that shall be measured by the coordinated screening
1562 and progress monitoring program under s. 1008.2125 ~~Prepare~~
1563 ~~students to be ready for kindergarten based upon the statewide~~
1564 ~~kindergarten screening administered under s. 1002.69.~~

1565 (c) The department office shall adopt procedures for the
1566 review and approval of ~~approve~~ curricula for use by private
1567 prekindergarten providers and public schools that are placed on
1568 probation under s. 1002.68 ~~paragraph (4)(c)~~. The department
1569 ~~office~~ shall administer the review and approval process and
1570 maintain a list of the curricula approved under this paragraph.
1571 Each approved curriculum must meet the requirements of paragraph
1572 (b).

1573 ~~(3)(a) Contingent upon legislative appropriation, each~~
1574 ~~private prekindergarten provider and public school in the~~
1575 ~~Voluntary Prekindergarten Education Program must implement an~~

1576 ~~evidence-based pre- and post-assessment that has been approved~~
1577 ~~by rule of the State Board of Education.~~

1578 ~~(b) In order to be approved, the assessment must be valid,~~
1579 ~~reliable, developmentally appropriate, and designed to measure~~
1580 ~~student progress on domains which must include, but are not~~
1581 ~~limited to, early literacy, numeracy, and language.~~

1582 ~~(c) The pre- and post-assessment must be administered by~~
1583 ~~individuals meeting requirements established by rule of the~~
1584 ~~State Board of Education.~~

1585 ~~(4)(a) Each early learning coalition shall verify that~~
1586 ~~each private prekindergarten provider delivering the Voluntary~~
1587 ~~Prekindergarten Education Program within the coalition's county~~
1588 ~~or multicounty region complies with this part. Each district~~
1589 ~~school board shall verify that each public school delivering the~~
1590 ~~program within the school district complies with this part.~~

1591 ~~(b) If a private prekindergarten provider or public school~~
1592 ~~fails or refuses to comply with this part, or if a provider or~~
1593 ~~school engages in misconduct, the office shall require the early~~
1594 ~~learning coalition to remove the provider and require the school~~
1595 ~~district to remove the school from eligibility to deliver the~~
1596 ~~Voluntary Prekindergarten Education Program and receive state~~
1597 ~~funds under this part for a period of 5 years.~~

1598 ~~(c)1. If the kindergarten readiness rate of a private~~
1599 ~~prekindergarten provider or public school falls below the~~
1600 ~~minimum rate adopted by the office as satisfactory under s.~~

1601 ~~1002.69(6), the early learning coalition or school district, as~~
1602 ~~applicable, shall require the provider or school to submit an~~
1603 ~~improvement plan for approval by the coalition or school~~
1604 ~~district, as applicable, and to implement the plan; shall place~~
1605 ~~the provider or school on probation; and shall require the~~
1606 ~~provider or school to take certain corrective actions, including~~
1607 ~~the use of a curriculum approved by the office under paragraph~~
1608 ~~(2)(c) or a staff development plan to strengthen instruction in~~
1609 ~~language development and phonological awareness approved by the~~
1610 ~~office.~~

1611 ~~2. A private prekindergarten provider or public school~~
1612 ~~that is placed on probation must continue the corrective actions~~
1613 ~~required under subparagraph 1., including the use of a~~
1614 ~~curriculum or a staff development plan to strengthen instruction~~
1615 ~~in language development and phonological awareness approved by~~
1616 ~~the office, until the provider or school meets the minimum rate~~
1617 ~~adopted by the office as satisfactory under s. 1002.69(6).~~
1618 ~~Failure to implement an approved improvement plan or staff~~
1619 ~~development plan shall result in the termination of the~~
1620 ~~provider's contract to deliver the Voluntary Prekindergarten~~
1621 ~~Education Program for a period of 5 years.~~

1622 ~~3. If a private prekindergarten provider or public school~~
1623 ~~remains on probation for 2 consecutive years and fails to meet~~
1624 ~~the minimum rate adopted by the office as satisfactory under s.~~
1625 ~~1002.69(6) and is not granted a good cause exemption by the~~

1626 ~~office pursuant to s. 1002.69(7), the office shall require the~~
1627 ~~early learning coalition or the school district to remove, as~~
1628 ~~applicable, the provider or school from eligibility to deliver~~
1629 ~~the Voluntary Prekindergarten Education Program and receive~~
1630 ~~state funds for the program for a period of 5 years.~~

1631 ~~(d) Each early learning coalition and the office shall~~
1632 ~~coordinate with the Child Care Services Program Office of the~~
1633 ~~Department of Children and Families to minimize interagency~~
1634 ~~duplication of activities for monitoring private prekindergarten~~
1635 ~~providers for compliance with requirements of the Voluntary~~
1636 ~~Prekindergarten Education Program under this part, the school~~
1637 ~~readiness program under part VI of this chapter, and the~~
1638 ~~licensing of providers under ss. 402.301-402.319.~~

1639 Section 40. Section 1002.68, Florida Statutes, is created
1640 to read:

1641 1002.68 Voluntary Prekindergarten Education Program
1642 accountability.—

1643 (1) (a) Beginning with the 2021-2022 program year, each
1644 private prekindergarten provider and public school participating
1645 in the Voluntary Prekindergarten Education Program must
1646 participate in the coordinated screening and progress monitoring
1647 program in accordance with s. 1008.2125. The coordinated
1648 screening and progress monitoring program results shall be used
1649 by the department to identify student learning gains, index
1650 development learning outcomes upon program completion relative

1651 to the performance standards established under s. 1002.67 and
1652 representative norms, and inform a provider's performance
1653 metric.

1654 (b) At a minimum, the initial and final progress
1655 monitoring or screening must be administered by individuals
1656 meeting requirements adopted by the department pursuant to s.
1657 1008.2125.

1658 (c) Each private prekindergarten provider and public
1659 school must provide a student's performance results to the
1660 student's parents no later than 7 days after the administration
1661 of such screening and progress monitoring.

1662 (2) Beginning with the 2020-2021 program year, each
1663 private prekindergarten provider and public school in the
1664 Voluntary Prekindergarten Education Program must participate in
1665 a program assessment of each voluntary prekindergarten education
1666 classroom. The program assessment shall measure the quality of
1667 teacher-child interactions, including emotional and behavioral
1668 support, engaged support for learning, classroom organization,
1669 and instructional support for children ages 3 to 5 years. Each
1670 private prekindergarten provider and public school in the
1671 Voluntary Prekindergarten Education Program shall receive the
1672 results of the program assessment for each classroom within 14
1673 days of the observation.

1674
1675 The program assessment and screening and progress monitoring

1676 must be administered by individuals meeting requirements
1677 established by rule of the State Board of Education.

1678 (3) (a) For the 2019-2020 program year, the department
1679 shall calculate a performance metric for each provider based
1680 upon learning gains and the percentage of students who are
1681 assessed as ready for kindergarten. The department shall require
1682 that each school district administer the statewide kindergarten
1683 screening in use before the 2020-2021 school year to each
1684 kindergarten student in the school district within the first 30
1685 school days of the 2020-2021 school year. Nonpublic schools may
1686 administer the statewide kindergarten screening to each
1687 kindergarten student in a nonpublic school who was enrolled in
1688 the Voluntary Prekindergarten Education Program.

1689 (b) For the 2020-2021 program year, the department shall
1690 calculate a program performance metric for each provider based
1691 upon learning gains and the program assessment, which shall be
1692 weighted at a minimum of approximately 50 percent of a program's
1693 performance metric and administered pursuant to this section.

1694 (c) For purposes of this subsection, learning gains shall
1695 be determined using a value-added measure based on growth
1696 demonstrated by the results of the preassessment and
1697 postassessment in use before the 2021-2022 program year.

1698 (d) Any provider who fails to meet the minimum Voluntary
1699 Prekindergarten readiness rate or program performance metric
1700 during the 2020-2021 program year shall be subject to the

1701 probation requirements of subsection (5).

1702 (4) (a) Beginning with the 2021-2022 program year, the
1703 department shall adopt a methodology for calculating each
1704 provider's performance metric, which must be based on a
1705 combination of the following:

1706 1. Program assessment scores under subsection (2), which
1707 shall be weighted at approximately 50 percent.

1708 2. Learning gains operationalized as change in ability
1709 scores from the initial and final progress monitoring results
1710 described in subsection (1).

1711 3. Norm-references developmental learning outcomes
1712 described in subsection (1).

1713 (b) For purposes of this subsection, the methodology for
1714 calculation shall only include prekindergarten students who have
1715 attended at least 85 percent of a private prekindergarten
1716 provider's or public school's program.

1717 (c) The methodology shall include a statistical latent
1718 profile analysis that is conducted by a contracted independent
1719 expert with experience in relevant quantitative analysis, early
1720 childhood assessment, and designing state-level accountability
1721 systems. Such expert must be able to produce a limited number of
1722 program performance metric profiles that summarize all programs'
1723 profiles that inform the assignment of a letter grading system
1724 to include grades "A" through "F". The contracted independent
1725 expert may not be a direct stakeholder or have had a financial

1726 interest in the design or delivery of the Voluntary
1727 Prekindergarten Education Program or public school systems
1728 within the last 5 years.

1729 (d) The grading system shall provide for a differential
1730 payment to a private prekindergarten provider and public school
1731 based on program performance. The maximum differential payment
1732 may not exceed a total of 15 percent of the base student
1733 allocation per full-time equivalent as defined in s. 1002.71. A
1734 private prekindergarten provider or public school may not
1735 receive a differential if they are assigned a grade of "C" or
1736 below. Before the adoption of a methodology, the department and
1737 the contracted expert shall confer with the Council for Early
1738 Grade Success under s. 1008.2125 before gaining approval for the
1739 final recommendations on the grading system and differential
1740 payments.

1741 (e) The department shall adopt procedures to annually
1742 calculate each private prekindergarten provider's and public
1743 school's program performance metric and grade based on the
1744 methodology adopted in paragraphs (a) and (b). Beginning with
1745 the 2022-2023 program year, each private prekindergarten
1746 provider or public school shall be assigned a grade within 45
1747 days of the conclusion of the school year Voluntary
1748 Prekindergarten Education Program delivered by all participating
1749 private prekindergarten providers or public schools and within
1750 45 days of the conclusion of the summer prekindergarten program

1751 delivered by all participating private prekindergarten providers
1752 or public schools.

1753 (f) The department shall adopt a minimum program
1754 performance metric or grade that, if achieved by a private
1755 prekindergarten provider or public school, would demonstrate the
1756 provider's or school's satisfactory delivery of the Voluntary
1757 Prekindergarten Education Program.

1758 (5) (a) If a public school's or private prekindergarten
1759 provider's program assessment composite score for its
1760 prekindergarten classrooms fails to meet the minimum threshold
1761 for contracting established by the department pursuant to s.
1762 1002.82(2)(n), then the public school or private prekindergarten
1763 provider may not participate in the Voluntary Prekindergarten
1764 Education Program beginning in the consecutive program year and
1765 thereafter until the public school or private prekindergarten
1766 provider meets the minimum threshold for contracting.

1767 (b) If a private prekindergarten provider's or public
1768 school's program performance metric or grade falls below the
1769 minimum program performance metric or grade, the early learning
1770 coalition or school district, as applicable, shall:

1771 1. Require the provider or school to submit an improvement
1772 plan for approval by the coalition or school district, as
1773 applicable, and to implement the plan;

1774 2. Place the provider or school on probation; and

1775 3. Require the provider or school to take certain

1776 corrective actions, including the use of a curriculum approved
1777 by the department under s. 1002.67(2)(c) or a staff development
1778 plan approved by the department to strengthen instructional
1779 practices in emotional and behavioral support, engaged support
1780 for learning, classroom organization, language development,
1781 phonological awareness, alphabet knowledge, and mathematical
1782 thinking.

1783 (c) A private prekindergarten provider or public school
1784 that is placed on probation must continue the corrective actions
1785 required under paragraph (b) until the provider or school meets
1786 the minimum program performance metric or grade adopted by the
1787 department. Failure to meet the requirements of subparagraphs
1788 (b)1. and 3. shall result in the termination of the provider's
1789 or school's contract to deliver the Voluntary Prekindergarten
1790 Education Program for a period of at least 2 years but no more
1791 than 5 years.

1792 (d) If a private prekindergarten provider or public school
1793 remains on probation for 2 consecutive years and fails to meet
1794 the minimum program performance metric or grade, or is not
1795 granted a good cause exemption by the department, the department
1796 shall require the early learning coalition or the school
1797 district to revoke the provider's or school's eligibility to
1798 deliver the Voluntary Prekindergarten Education Program and
1799 receive state funds for the program for a period of at least 2
1800 years but no more than 5 years.

1801 (6) (a) The department, upon the request of a private
1802 prekindergarten provider or public school that remains on
1803 probation for at least 2 consecutive years and subsequently
1804 fails to meet the minimum program performance metric or grade
1805 adopted pursuant to paragraph (5) (c), and for good cause shown,
1806 may grant to the provider or school an exemption from being
1807 determined ineligible to deliver the Voluntary Prekindergarten
1808 Education Program and receive state funds for the program. Such
1809 exemption is valid for 1 year and, upon the request of the
1810 private prekindergarten provider or public school and for good
1811 cause shown, may be renewed.

1812 (b) A private prekindergarten provider's or public
1813 school's request for a good cause exemption, or renewal of such
1814 an exemption, must be submitted to the department in the manner
1815 and within the timeframes prescribed by the department and must
1816 include the following:

1817 1. Data from the private prekindergarten provider or
1818 public school which documents the achievement and progress of
1819 the children served, as measured by any required screenings or
1820 assessments.

1821 2. Data from the program assessment required under s.
1822 1002.55 which demonstrates effective teaching practices as
1823 recognized by the contracted expert.

1824 3. Data from the early learning coalition or district
1825 school board, as applicable, the Department of Children and

1826 Families, the local licensing authority, or an accrediting
 1827 association, as applicable, relating to the private
 1828 prekindergarten provider's or public school's compliance with
 1829 state and local health and safety standards.

1830 (c) The department shall adopt criteria for granting good
 1831 cause exemptions. Such criteria must include, but is not limited
 1832 to, all of the following:

1833 1. Child demographic data that evidences a private
 1834 prekindergarten provider or public school serves a statistically
 1835 significant population of children with special needs who have
 1836 individual education plans and can demonstrate progress toward
 1837 meeting the goals outlined in the student's individual education
 1838 plans.

1839 2. Learning gains of children served in the Voluntary
 1840 Prekindergarten Education Program by the private prekindergarten
 1841 provider or public school on an alternative measure that has
 1842 comparable validity and reliability of the screening and
 1843 progress monitoring program in accordance with s. 1008.2125.

1844 3. Program assessment data under subsection (2) which
 1845 demonstrates effective teaching practices as recognized by the
 1846 contracted expert.

1847 4. Verification that local and state health and safety
 1848 requirements are met.

1849 (d) A good cause exemption may not be granted to any
 1850 private prekindergarten provider or public school that has any

1851 class I violations or two or more class II violations within the
1852 2 years preceding the provider's or school's request for the
1853 exemption. For purposes of this paragraph, class I and class II
1854 violations have the same meaning as provided in s. 1002.945.

1855 (e) A private prekindergarten provider or public school
1856 granted a good cause exemption shall continue to implement its
1857 improvement plan and continue the corrective actions required
1858 under subsection (5) (b) until the provider or school meets the
1859 minimum program performance metric.

1860 (f) If a good cause exemption is granted to a private
1861 prekindergarten provider or public school that remains on
1862 probation for 2 consecutive years, the department shall notify
1863 the early learning coalition or school district of the good
1864 cause exemption and direct that the coalition or school district
1865 not remove the provider from eligibility to deliver the
1866 Voluntary Prekindergarten Education Program or to receive state
1867 funds for the program, if the provider meets all other
1868 applicable requirements of this part.

1869 (g) The department shall report the number of Voluntary
1870 Prekindergarten Education providers or public schools that have
1871 received a good cause exemption and the reasons for the
1872 exemptions as part of its annual reporting requirements under s.
1873 1002.82 (5).

1874 (7) Representatives from the school districts and early
1875 learning coalitions must meet annually to develop strategies to

1876 | transition students from the Voluntary Prekindergarten Education
1877 | Program to kindergarten.

1878 | Section 41. Section 1002.69, Florida Statutes, is
1879 | repealed.

1880 | Section 42. Paragraph (c) of subsection (3), subsection
1881 | (4), paragraph (b) of subsection (5), paragraphs (b) and (d) of
1882 | subsection (6), and subsection (7) of section 1002.71, Florida
1883 | Statutes, are amended to read:

1884 | 1002.71 Funding; financial and attendance reporting.—

1885 | (3)

1886 | (c) The initial allocation shall be based on estimated
1887 | student enrollment in each coalition service area. The
1888 | department ~~Office of Early Learning~~ shall reallocate funds among
1889 | the coalitions based on actual full-time equivalent student
1890 | enrollment in each coalition service area. Each coalition shall
1891 | report student enrollment pursuant to subsection (2) on a
1892 | monthly basis. A student enrollment count for the prior fiscal
1893 | year may not be amended after September 30 of the subsequent
1894 | fiscal year.

1895 | (4) Notwithstanding s. 1002.53(3) and subsection (2):

1896 | (a) A child who, for any of the prekindergarten programs
1897 | listed in s. 1002.53(3), has not completed more than 70 percent
1898 | of the hours authorized to be reported for funding under
1899 | subsection (2), or has not expended more than 70 percent of the
1900 | funds authorized for the child under s. 1002.66, may withdraw

1901 from the program for good cause and reenroll in one of the
1902 programs. The total funding for a child who reenrolls in one of
1903 the programs for good cause may not exceed one full-time
1904 equivalent student. Funding for a child who withdraws and
1905 reenrolls in one of the programs for good cause shall be issued
1906 in accordance with the department's ~~Office of Early Learning's~~
1907 uniform attendance policy adopted pursuant to paragraph (6) (d).

1908 (b) A child who has not substantially completed any of the
1909 prekindergarten programs listed in s. 1002.53(3) may withdraw
1910 from the program due to an extreme hardship that is beyond the
1911 child's or parent's control, reenroll in one of the summer
1912 programs, and be reported for funding purposes as a full-time
1913 equivalent student in the summer program for which the child is
1914 reenrolled.

1915
1916 A child may reenroll only once in a prekindergarten program
1917 under this section. A child who reenrolls in a prekindergarten
1918 program under this subsection may not subsequently withdraw from
1919 the program and reenroll, unless the child is granted a good
1920 cause exemption under this subsection. The department ~~Office of~~
1921 ~~Early Learning~~ shall establish criteria specifying whether a
1922 good cause exists for a child to withdraw from a program under
1923 paragraph (a), whether a child has substantially completed a
1924 program under paragraph (b), and whether an extreme hardship
1925 exists which is beyond the child's or parent's control under

1926 | paragraph (b).

1927 | (5)

1928 | (b) The department ~~Office of Early Learning~~ shall adopt
 1929 | procedures for the payment of private prekindergarten providers
 1930 | and public schools delivering the Voluntary Prekindergarten
 1931 | Education Program. The procedures shall provide for the advance
 1932 | payment of providers and schools based upon student enrollment
 1933 | in the program, the certification of student attendance, and the
 1934 | reconciliation of advance payments in accordance with the
 1935 | uniform attendance policy adopted under paragraph (6) (d). The
 1936 | procedures shall provide for the monthly distribution of funds
 1937 | by the department ~~Office of Early Learning~~ to the early learning
 1938 | coalitions for payment by the coalitions to private
 1939 | prekindergarten providers and public schools.

1940 | (6)

1941 | (b)1. Each private prekindergarten provider's and district
 1942 | school board's attendance policy must require the parent of each
 1943 | student in the Voluntary Prekindergarten Education Program to
 1944 | verify, each month, the student's attendance on the prior
 1945 | month's certified student attendance.

1946 | 2. The parent must submit the verification of the
 1947 | student's attendance to the private prekindergarten provider or
 1948 | public school on forms prescribed by the department ~~Office of~~
 1949 | ~~Early Learning~~. The forms must include, in addition to the
 1950 | verification of the student's attendance, a certification, in

1951 substantially the following form, that the parent continues to
 1952 choose the private prekindergarten provider or public school in
 1953 accordance with s. 1002.53 and directs that payments for the
 1954 program be made to the provider or school:

1955 VERIFICATION OF STUDENT'S ATTENDANCE
 1956 AND CERTIFICATION OF PARENTAL CHOICE

1957 I, ...(Name of Parent)..., swear (or affirm) that my child,
 1958 ...(Name of Student)..., attended the Voluntary Prekindergarten
 1959 Education Program on the days listed above and certify that I
 1960 continue to choose ...(Name of Provider or School)... to deliver
 1961 the program for my child and direct that program funds be paid
 1962 to the provider or school for my child.

1963 ... (Signature of Parent) ...

1964 ... (Date) ...

1965 3. The private prekindergarten provider or public school
 1966 must keep each original signed form for at least 2 years. Each
 1967 private prekindergarten provider must permit the early learning
 1968 coalition, and each public school must permit the school
 1969 district, to inspect the original signed forms during normal
 1970 business hours. The department ~~Office of Early Learning~~ shall
 1971 adopt procedures for early learning coalitions and school
 1972 districts to review the original signed forms against the
 1973 certified student attendance. The review procedures shall
 1974 provide for the use of selective inspection techniques,
 1975 including, but not limited to, random sampling. Each early

1976 | learning coalition and the school districts must comply with the
 1977 | review procedures.

1978 | (d) The department ~~Office of Early Learning~~ shall adopt,
 1979 | for funding purposes, a uniform attendance policy for the
 1980 | Voluntary Prekindergarten Education Program. The attendance
 1981 | policy must apply statewide and apply equally to all private
 1982 | prekindergarten providers and public schools. The attendance
 1983 | policy must include at least the following provisions:

1984 | 1. A student's attendance may be reported on a pro rata
 1985 | basis as a fractional part of a full-time equivalent student.

1986 | 2. At a maximum, 20 percent of the total payment made on
 1987 | behalf of a student to a private prekindergarten provider or a
 1988 | public school may be for hours a student is absent.

1989 | 3. A private prekindergarten provider or public school may
 1990 | not receive payment for absences that occur before a student's
 1991 | first day of attendance or after a student's last day of
 1992 | attendance.

1993 |
 1994 | The uniform attendance policy shall be used only for funding
 1995 | purposes and does not prohibit a private prekindergarten
 1996 | provider or public school from adopting and enforcing its
 1997 | attendance policy under paragraphs (a) and (c).

1998 | (7) The department ~~Office of Early Learning~~ shall require
 1999 | that administrative expenditures be kept to the minimum
 2000 | necessary for efficient and effective administration of the

2001 Voluntary Prekindergarten Education Program. Administrative
2002 policies and procedures shall be revised, to the maximum extent
2003 practicable, to incorporate the use of automation and electronic
2004 submission of forms, including those required for child
2005 eligibility and enrollment, provider and class registration, and
2006 monthly certification of attendance for payment. A school
2007 district may use its automated daily attendance reporting system
2008 for the purpose of transmitting attendance records to the early
2009 learning coalition in a mutually agreed-upon format. In
2010 addition, actions shall be taken to reduce paperwork, eliminate
2011 the duplication of reports, and eliminate other duplicative
2012 activities. Each early learning coalition may retain and expend
2013 no more than 4.0 percent of the funds paid by the coalition to
2014 private prekindergarten providers and public schools under
2015 paragraph (5) (b). Funds retained by an early learning coalition
2016 under this subsection may be used only for administering the
2017 Voluntary Prekindergarten Education Program and may not be used
2018 for the school readiness program or other programs.

2019 Section 43. Subsection (1) of section 1002.72, Florida
2020 Statutes, is amended to read:

2021 1002.72 Records of children in the Voluntary
2022 Prekindergarten Education Program.—

2023 (1) (a) The records of a child enrolled in the Voluntary
2024 Prekindergarten Education Program held by an early learning
2025 coalition, the department ~~Office of Early Learning~~, or a

HB 1013

2020

2026 Voluntary Prekindergarten Education Program provider are
2027 confidential and exempt from s. 119.07(1) and s. 24(a), Art. I
2028 of the State Constitution. For purposes of this section, such
2029 records include assessment data, health data, records of teacher
2030 observations, and personal identifying information of an
2031 enrolled child and his or her parent.

2032 (b) This exemption applies to the records of a child
2033 enrolled in the Voluntary Prekindergarten Education Program held
2034 by an early learning coalition, the department ~~Office of Early~~
2035 ~~Learning~~, or a Voluntary Prekindergarten Education Program
2036 provider before, on, or after the effective date of this
2037 exemption.

2038 Section 44. Section 1002.73, Florida Statutes, is amended
2039 to read:

2040 1002.73 Department of Education; powers and duties;
2041 accountability requirements.—

2042 (1) The department shall adopt by rule a standard
2043 statewide provider contract to be used with each Voluntary
2044 Prekindergarten Education Program provider, with standardized
2045 attachments by provider type. The department shall publish a
2046 copy of the standard statewide provider contract on its website.
2047 The standard statewide contract shall include, at a minimum,
2048 provisions for provider probation, termination for cause, and
2049 emergency termination for those actions or inactions of a
2050 provider that pose an immediate and serious danger to the

2051 health, safety, or welfare of children. The standard statewide
2052 provider contract shall also include appropriate due process
2053 procedures. During the pendency of an appeal of a termination,
2054 the provider may not continue to offer its services. Any
2055 provision imposed upon a provider that is inconsistent with, or
2056 prohibited by, law is void and unenforceable ~~administer the~~
2057 ~~accountability requirements of the Voluntary Prekindergarten~~
2058 ~~Education Program at the state level.~~

2059 (2) The department shall adopt procedures for ~~its~~:

2060 (a) Approval of prekindergarten director credentials under
2061 ss. 1002.55 and 1002.57.

2062 (b) Approval of emergent literacy training courses under
2063 ss. 1002.55 and 1002.59.

2064 (c) Annually notifying providers placed on probation for
2065 not meeting the minimum performance metric as required by s.
2066 1002.68 of the free and low-cost high-quality professional
2067 development opportunities developed or supported by the
2068 department.

2069 (3) The department shall adopt procedures governing the
2070 administration of the Voluntary Prekindergarten Education
2071 Program by the early learning coalitions and school districts
2072 for:

2073 (a) Enrolling children in and determining the eligibility
2074 of children for the Voluntary Prekindergarten Education Program
2075 under s. 1002.53, which shall include the enrollment of children

2076 by public schools and private providers that meet specified
2077 requirements.

2078 (b) Providing parents with profiles of private
2079 prekindergarten providers and public schools under s. 1002.53.

2080 (c) Registering private prekindergarten providers and
2081 public schools to deliver the program under ss. 1002.55,
2082 1002.61, and 1002.63.

2083 (d) Determining the eligibility of private prekindergarten
2084 providers to deliver the program under ss. 1002.55 and 1002.61
2085 and streamlining the process of provider eligibility whenever
2086 possible.

2087 (e) Verifying the compliance of private prekindergarten
2088 providers and public schools and removing providers or schools
2089 from eligibility to deliver the program due to noncompliance or
2090 misconduct as provided in s. 1002.67.

2091 (f) Paying private prekindergarten providers and public
2092 schools under s. 1002.71.

2093 (g) Documenting and certifying student enrollment and
2094 student attendance under s. 1002.71.

2095 (h) Reconciling advance payments in accordance with the
2096 uniform attendance policy under s. 1002.71.

2097 (i) Reenrolling students dismissed by a private
2098 prekindergarten provider or public school for noncompliance with
2099 the provider's or school district's attendance policy under s.
2100 1002.71.

2101 (4) The department shall administer the accountability
 2102 requirements of the Voluntary Prekindergarten Education Program
 2103 at the state level.

2104 (5) The department shall adopt procedures governing the
 2105 administration of the Voluntary Prekindergarten Education
 2106 Program by the early learning coalitions and school districts
 2107 for:

2108 (a) Approving improvement plans of private prekindergarten
 2109 providers and public schools under s. 1002.68.

2110 (b) Placing private prekindergarten providers and public
 2111 schools on probation and requiring corrective actions under s.
 2112 1002.68.

2113 (c) Removing a private prekindergarten provider or public
 2114 school from eligibility to deliver the program due to the
 2115 provider's or school's remaining on probation beyond the time
 2116 permitted under s. 1002.68. Notwithstanding any other provision
 2117 of law, if a private prekindergarten provider has been cited for
 2118 a class I violation, as defined by rule by the Child Care
 2119 Services Program Office of the Department of Children and
 2120 Families, the coalition may refuse to contract with the provider
 2121 or revoke the provider's eligibility to deliver the Voluntary
 2122 Prekindergarten Education Program.

2123 (d) Enrolling children in and determining the eligibility
 2124 of children for the Voluntary Prekindergarten Education Program
 2125 under s. 1002.66.

2126 (e) Paying specialized instructional services providers
 2127 under s. 1002.66.

2128 ~~(c) Administration of the statewide kindergarten screening~~
 2129 ~~and calculation of kindergarten readiness rates under s.~~
 2130 ~~1002.69.~~

2131 ~~(d) Implementation of, and determination of costs~~
 2132 ~~associated with, the state-approved prekindergarten enrollment~~
 2133 ~~screening and the standardized postassessment approved by the~~
 2134 ~~department, and determination of the learning gains of students~~
 2135 ~~who complete the state-approved prekindergarten enrollment~~
 2136 ~~screening and the standardized postassessment approved by the~~
 2137 ~~department.~~

2138 (f)(e) Approving ~~Approval~~ of specialized instructional
 2139 services providers under s. 1002.66.

2140 ~~(f) Annual reporting of the percentage of kindergarten~~
 2141 ~~students who meet all state readiness measures.~~

2142 (g) Granting of a private prekindergarten provider's or
 2143 public school's request for a good cause exemption under s.
 2144 1002.68 ~~s. 1002.69(7).~~

2145 (6) The department shall adopt procedures for the
 2146 distribution of funds to early learning coalitions under s.
 2147 1002.71.

2148 (7)(3) Except as provided by law, the department may not
 2149 impose requirements on a private prekindergarten provider or
 2150 public school that does not deliver the Voluntary

2151 Prekindergarten Education Program or receive state funds under
 2152 this part.

2153 Section 45. Sections 1002.75 and 1002.77, Florida
 2154 Statutes, are repealed.

2155 Section 46. Section 1002.79, Florida Statutes, is amended
 2156 to read:

2157 1002.79 Rulemaking authority.—The State Board of Education
 2158 ~~Office of Early Learning~~ shall adopt rules under ss. 120.536(1)
 2159 and 120.54 to administer the provisions of this part conferring
 2160 duties upon the department ~~office~~.

2161 Section 47. Subsections (13) through (16) of section
 2162 1002.81, Florida Statutes, are renumbered as subsections (12)
 2163 through (15), respectively, and subsections (3), (4), and (12)
 2164 of that section are amended, to read:

2165 1002.81 Definitions.—Consistent with the requirements of
 2166 45 C.F.R. parts 98 and 99 and as used in this part, the term:

2167 (3) "Prevailing Average market rate" means the biennially
 2168 determined 75th percentile of a reasonable frequency
 2169 distribution ~~average~~ of the market rate by program care level
 2170 and provider type in a predetermined geographic market at which
 2171 child care providers charge a person for child care services.

2172 (4) "Direct enhancement services" means services for
 2173 families and children that are in addition to payments for the
 2174 placement of children in the school readiness program. Direct
 2175 enhancement services for families and children may include

2176 supports for providers, parent training and involvement
 2177 activities, and strategies to meet the needs of unique
 2178 populations and local eligibility priorities. Direct enhancement
 2179 services offered by an early learning coalition shall be
 2180 consistent with the activities prescribed in s. 1002.89(5)(b) ~~s.~~
 2181 ~~1002.89(6)(b)~~.

2182 ~~(12) "Office" means the Office of Early Learning of the~~
 2183 ~~Department of Education.~~

2184 Section 48. Section 1002.82, Florida Statutes, is amended
 2185 to read:

2186 1002.82 Department of Education ~~Office of Early Learning~~;
 2187 powers and duties.—

2188 (1) For purposes of administration of the Child Care and
 2189 Development Block Grant Trust Fund, pursuant to 45 C.F.R. parts
 2190 98 and 99, the Department of Education ~~Office of Early Learning~~
 2191 is designated as the lead agency and must comply with lead
 2192 agency responsibilities pursuant to federal law. The department
 2193 ~~office~~ may apply to the Governor and Cabinet for a waiver of,
 2194 and the Governor and Cabinet may waive, any provision of ss.
 2195 411.223 and 1003.54 if the waiver is necessary for
 2196 implementation of the school readiness program. Section
 2197 125.901(2)(a)3. does not apply to the school readiness program.

2198 (2) The department ~~office~~ shall:

2199 (a) Focus on improving the educational quality delivered
 2200 by all providers participating in the school readiness program.

2201 (b) Preserve parental choice by permitting parents to
 2202 choose from a variety of child care categories, including
 2203 center-based care, family child care, and informal child care to
 2204 the extent authorized in the state's Child Care and Development
 2205 Fund Plan as approved by the United States Department of Health
 2206 and Human Services pursuant to 45 C.F.R. s. 98.18. Care and
 2207 curriculum by a faith-based provider may not be limited or
 2208 excluded in any of these categories.

2209 (c) Be responsible for the prudent use of all public and
 2210 private funds in accordance with all legal and contractual
 2211 requirements, safeguarding the effective use of federal, state,
 2212 and local resources to achieve the highest practicable level of
 2213 school readiness for the children described in s. 1002.87,
 2214 including:

2215 1. The adoption of a uniform chart of accounts for
 2216 budgeting and financial reporting purposes that provides
 2217 standardized definitions for expenditures and reporting,
 2218 consistent with the requirements of 45 C.F.R. part 98 and s.
 2219 1002.89 for each of the following categories of expenditure:

- 2220 a. Direct services to children.
- 2221 b. Administrative costs.
- 2222 c. Quality activities.
- 2223 d. Nondirect services.

2224 2. Coordination with other state and federal agencies to
 2225 perform data matches on children participating in the school

2226 | readiness program and their families in order to verify the
 2227 | children's eligibility pursuant to s. 1002.87.

2228 | (d) Establish procedures for the biennial calculation of
 2229 | the prevailing ~~average~~ market rate.

2230 | (e) Review each early learning coalition's school
 2231 | readiness program plan every 2 years and provide final approval
 2232 | of the plan and any amendments submitted.

2233 | (f) Establish a unified approach to the state's efforts to
 2234 | coordinate a comprehensive early learning program. In support of
 2235 | this effort, the department ~~office~~:

2236 | 1. Shall adopt specific program support services that
 2237 | address the state's school readiness program, including:

2238 | a. Statewide data information program requirements that
 2239 | include:

- 2240 | (I) Eligibility requirements.
- 2241 | (II) Financial reports.
- 2242 | (III) Program accountability measures.
- 2243 | (IV) Child progress reports.

2244 | b. Child care resource and referral services.

2245 | c. A single point of entry and uniform waiting list.

2246 | 2. May provide technical assistance and guidance on
 2247 | additional support services to complement the school readiness
 2248 | program, including:

- 2249 | a. Rating and improvement systems.
- 2250 | b. Warm-Line services.

2251 c. Anti-fraud plans.

2252 d. School readiness program standards.

2253 e. Child screening and assessments.

2254 f. Training and support for parental involvement in

2255 children's early education.

2256 g. Family literacy activities and services.

2257 (g) Provide technical assistance to early learning

2258 coalitions.

2259 (h) In cooperation with the early learning coalitions,

2260 coordinate with the Child Care Services Program Office of the

2261 Department of Children and Families to reduce paperwork and to

2262 avoid duplicating interagency activities, health and safety

2263 monitoring, and acquiring and composing data pertaining to child

2264 care training and credentialing.

2265 (i) Enter into a memorandum of understanding with local

2266 licensing agencies and the Child Care Services Program Office of

2267 the Department of Children and Families for inspections of

2268 school readiness program providers to monitor and verify

2269 compliance with s. 1002.88 and the health and safety checklist

2270 adopted by the department ~~office~~. The provider contract of a

2271 school readiness program provider that refuses permission for

2272 entry or inspection shall be terminated. The health and safety

2273 checklist may not exceed the requirements of s. 402.305 and the

2274 Child Care and Development Fund pursuant to 45 C.F.R. part 98. A

2275 child development program operating on a military installation

2276 that is certified by the United States Department of Defense and
2277 accredited by a national accrediting body is exempted from the
2278 inspection requirements under s. 1002.88.

2279 (j) Monitor the alignment and consistency of the Develop
2280 and adopt standards and benchmarks developed and adopted by the
2281 department that address the age-appropriate progress of children
2282 in the development of school readiness skills. The standards for
2283 children from birth to 5 years of age in the school readiness
2284 program must be aligned with the performance standards adopted
2285 for children in the Voluntary Prekindergarten Education Program
2286 and must address the following domains:

- 2287 1. Approaches to learning.
- 2288 2. Cognitive development and general knowledge.
- 2289 3. Numeracy, language, and communication.
- 2290 4. Physical development.
- 2291 5. Self-regulation.

2292 (k) Identify observation-based child assessments that are
2293 valid, reliable, and developmentally appropriate for use at
2294 least three times a year. The assessments must:

2295 1. Provide interval level and criterion-referenced data
2296 that measures equivalent levels of growth across the core
2297 domains of early childhood development and that can be used for
2298 determining developmentally appropriate learning gains.

2299 2. Measure progress in the performance standards adopted
2300 pursuant to paragraph (j).

2301 3. Provide for appropriate accommodations for children
 2302 with disabilities and English language learners and be
 2303 administered by qualified individuals, consistent with the
 2304 developer's instructions.

2305 4. Coordinate with the performance standards adopted by
 2306 the department under s. 1002.67(1) for the Voluntary
 2307 Prekindergarten Education Program.

2308 5. Provide data in a format for use in the single
 2309 statewide information system to meet the requirements of
 2310 paragraph (q) ~~(p)~~.

2311 (1) Adopt a list of approved curricula that meet the
 2312 performance standards for the school readiness program and
 2313 establish a process for the review and approval of a provider's
 2314 curriculum that meets the performance standards.

2315 (m) Provide technical support to an early learning
 2316 coalition to facilitate the use of ~~Adopt by rule~~ a standard
 2317 statewide provider contract to be used with each school
 2318 readiness program provider, with standardized attachments by
 2319 provider type. The department ~~office~~ shall publish a copy of the
 2320 standard statewide provider contract on its website. The
 2321 standard statewide contract shall include, at a minimum,
 2322 contracted slots, if applicable, in accordance with the Child
 2323 Care and Development Block Grant Act of 2014, 45 C.F.R. parts 98
 2324 and 99; quality improvement strategies, if applicable; program
 2325 assessment requirements; and provisions for provider probation,

2326 termination for cause, and emergency termination for those
2327 actions or inactions of a provider that pose an immediate and
2328 serious danger to the health, safety, or welfare of the
2329 children. The standard statewide provider contract shall also
2330 include appropriate due process procedures. During the pendency
2331 of an appeal of a termination, the provider may not continue to
2332 offer its services. Any provision imposed upon a provider that
2333 is inconsistent with, or prohibited by, law is void and
2334 unenforceable. Provisions for termination for cause must also
2335 include failure to meet the minimum quality measures established
2336 under paragraph (n) for a period of up to 5 years, unless the
2337 coalition determines that the provider is essential to meeting
2338 capacity needs based on the assessment under s. 1002.85(2)(j)
2339 and the provider has an active improvement plan pursuant to
2340 paragraph (n).

2341 (n) Adopt a program assessment for school readiness
2342 program providers that measures the quality of teacher-child
2343 interactions, including emotional and behavioral support,
2344 engaged support for learning, classroom organization, and
2345 instructional support for children ages birth to 5 years. The
2346 implementation of the program assessment must also include the
2347 following components adopted by rule by the State Board of
2348 Education:

2349 1. Quality measures, including a minimum threshold for
2350 contracting purposes and program improvement through an

2351 improvement plan.

2352 2. Requirements for program participation, frequency of
2353 program assessment, and exemptions.

2354 (o) No later than July 1, 2019, develop a differential
2355 payment program based on the quality measures adopted by the
2356 department ~~office~~ under paragraph (n). The differential payment
2357 may not exceed a total of 15 percent for each care level and
2358 unit of child care for a child care provider. No more than 5
2359 percent of the 15 percent total differential may be provided to
2360 providers who submit valid and reliable data to the statewide
2361 information system in the domains of language and executive
2362 functioning using a child assessment identified pursuant to
2363 paragraph (k). Providers below the minimum threshold for
2364 contracting purposes are ineligible for such payment.

2365 (p) No later than July 1, 2021, develop and adopt
2366 requirements for the implementation of a program designed to
2367 make available contracted slots to serve homeless and foster
2368 care children, as defined in s. 1002.81(1)(d) and (f), and to
2369 children at the greatest risk of school failure as determined by
2370 being located in an area that has been designated as a poverty
2371 area tract according to the latest census data. The contracted
2372 slot program may also be used increase the availability of child
2373 care capacity based on the assessment under s. 1002.85(2)(j).

2374 ~~(q)-(p)~~ Establish a single statewide information system
2375 that each coalition must use for the purposes of managing the

2376 single point of entry, tracking children's progress,
 2377 coordinating services among stakeholders, determining
 2378 eligibility of children, tracking child attendance, and
 2379 streamlining administrative processes for providers and early
 2380 learning coalitions. By July 1, 2019, the system, subject to ss.
 2381 1002.72 and 1002.97, shall:

2382 1. Allow a parent to monitor the development of his or her
 2383 child as the child moves among programs within the state.

2384 2. Enable analysis at the state, regional, and local level
 2385 to measure child growth over time, program impact, and quality
 2386 improvement and investment decisions.

2387 (r)~~(s)~~ Provide technical support to coalitions to
 2388 facilitate the use of ~~Adopt by rule~~ standardized procedures
 2389 adopted by rule by the state board for coalitions to use when
 2390 monitoring the compliance of school readiness program providers
 2391 with the terms of the standard statewide provider contract.

2392 (s)~~(r)~~ Monitor and evaluate the performance of each early
 2393 learning coalition in administering the school readiness
 2394 program, ensuring proper payments for school readiness program
 2395 services, implementing the coalition's school readiness program
 2396 plan, and administering the Voluntary Prekindergarten Education
 2397 Program. These monitoring and performance evaluations must
 2398 include, at a minimum, onsite monitoring of each coalition's
 2399 finances, management, operations, and programs.

2400 (t)~~(s)~~ Work in conjunction with the Bureau of Federal

2401 Education Programs within the Department of Education to
 2402 coordinate readiness and voluntary prekindergarten services to
 2403 the populations served by the bureau.

2404 (u)~~(t)~~ Administer a statewide toll-free Warm-Line to
 2405 provide assistance and consultation to child care facilities and
 2406 family day care homes regarding health, developmental,
 2407 disability, and special needs issues of the children they are
 2408 serving, particularly children with disabilities and other
 2409 special needs. The department ~~office~~ shall:

2410 1. Annually inform child care facilities and family day
 2411 care homes of the availability of this service through the child
 2412 care resource and referral network under s. 1002.92.

2413 2. Expand or contract for the expansion of the Warm-Line
 2414 to maintain at least one Warm-Line in each early learning
 2415 coalition service area.

2416 (v)~~(u)~~ Develop and implement strategies to increase the
 2417 supply and improve the quality of child care services for
 2418 infants and toddlers, children with disabilities, children who
 2419 receive care during nontraditional hours, children in
 2420 underserved areas, and children in areas that have significant
 2421 concentrations of poverty and unemployment.

2422 (w)~~(v)~~ Establish preservice and inservice training
 2423 requirements that address, at a minimum, school readiness child
 2424 development standards, health and safety requirements, and
 2425 social-emotional behavior intervention models, which may include

2426 positive behavior intervention and support models, including the
2427 integration of early learning professional development pathways
2428 established in s. 1002.995.

2429 ~~(x)(w)~~ Establish standards for emergency preparedness
2430 plans for school readiness program providers.

2431 ~~(y)(x)~~ Establish group sizes.

2432 ~~(z)(y)~~ Establish staff-to-children ratios that do not
2433 exceed the requirements of s. 402.302(8) or (11) or s.
2434 402.305(4), as applicable, for school readiness program
2435 providers.

2436 ~~(aa)(z)~~ Establish eligibility criteria, including
2437 limitations based on income and family assets, in accordance
2438 with s. 1002.87 and federal law.

2439 (3) If the department ~~office~~ determines during the review
2440 of school readiness program plans, or through monitoring and
2441 performance evaluations conducted under s. 1002.85, that an
2442 early learning coalition has not substantially implemented its
2443 plan, has not substantially met the performance standards and
2444 outcome measures adopted by the department ~~office~~, or has not
2445 effectively administered the school readiness program or
2446 Voluntary Prekindergarten Education Program, the department
2447 ~~office~~ may remove the coalition from eligibility to administer
2448 early learning programs and temporarily contract with a
2449 qualified entity to continue school readiness program and
2450 prekindergarten services in the coalition's county or

2451 multicounty region until the department ~~office~~ reestablishes or
2452 merges the coalition and a new school readiness program plan is
2453 approved in accordance with the rules adopted by the State Board
2454 of Education ~~office~~.

2455 (4) The department shall adopt procedures for merging
2456 early learning coalitions, including procedures for the
2457 consolidation of merging coalitions that minimizes duplication
2458 of programs and services due to the merger, and for the early
2459 termination of the terms of the coalition members which are
2460 necessary to accomplish the mergers.

2461 (5)~~(4)~~ The department ~~office~~ may request the Governor to
2462 apply for a waiver to allow a coalition to administer the Head
2463 Start Program to accomplish the purposes of the school readiness
2464 program.

2465 (6)~~(5)~~ By January 1 of each year, the department ~~office~~
2466 shall annually publish on its website a report of its activities
2467 conducted under this section. The report must include a summary
2468 of the coalitions' annual reports, a statewide summary, and the
2469 following:

2470 (a) An analysis of early learning activities throughout
2471 the state, including the school readiness program and the
2472 Voluntary Prekindergarten Education Program.

2473 1. The total and average number of children served in the
2474 school readiness program, enumerated by age, eligibility
2475 priority category, and coalition, and the total number of

2476 children served in the Voluntary Prekindergarten Education
 2477 Program.

2478 2. A summary of expenditures by coalition, by fund source,
 2479 including a breakdown by coalition of the percentage of
 2480 expenditures for administrative activities, quality activities,
 2481 nondirect services, and direct services for children.

2482 3. A description of the department's ~~office's~~ and each
 2483 coalition's expenditures by fund source for the quality and
 2484 enhancement activities described in s. 1002.89(5)(b) ~~s.~~
 2485 ~~1002.89(6)(b)~~.

2486 4. A summary of annual findings and collections related to
 2487 provider fraud and parent fraud.

2488 5. Data regarding the coalitions' delivery of early
 2489 learning programs.

2490 6. The total number of children disenrolled statewide and
 2491 the reason for disenrollment.

2492 7. The total number of providers by provider type.

2493 8. The number of school readiness program providers who
 2494 have completed the program assessment required under paragraph
 2495 (2)(n); the number of providers who have not met the minimum
 2496 threshold for contracting established under paragraph (2)(n);
 2497 and the number of providers that have an active improvement plan
 2498 based on the results of the program assessment under paragraph
 2499 (2)(n).

2500 9. The total number of provider contracts revoked and the

2501 reasons for revocation.

2502 (b) A summary of the activities and detailed expenditures
2503 related to the Child Care Executive Partnership Program.

2504 (6) (a) Parental choice of child care providers, including
2505 private and faith-based providers, shall be established to the
2506 maximum extent practicable in accordance with 45 C.F.R. s.
2507 98.30.

2508 (b) As used in this subsection, the term "payment
2509 certificate" means a child care certificate as defined in 45
2510 C.F.R. s. 98.2.

2511 (c) The school readiness program shall, in accordance with
2512 45 C.F.R. s. 98.30, provide parental choice through a payment
2513 certificate that provides, to the maximum extent possible,
2514 flexibility in the school readiness program and payment
2515 arrangements. The payment certificate must bear the names of the
2516 beneficiary and the program provider and, when redeemed, must
2517 bear the signatures of both the beneficiary and an authorized
2518 representative of the provider.

2519 (d) If it is determined that a provider has given any cash
2520 or other consideration to the beneficiary in return for
2521 receiving a payment certificate, the early learning coalition or
2522 its fiscal agent shall refer the matter to the Department of
2523 Financial Services pursuant to s. 414.411 for investigation.

2524 (7) Participation in the school readiness program does not
2525 expand the regulatory authority of the state, its officers, or

2526 an early learning coalition to impose any additional regulation
2527 on providers beyond those necessary to enforce the requirements
2528 set forth in this part and part V of this chapter.

2529 Section 49. Subsections (1), (2), and (3), paragraph (m)
2530 of subsection (4), and subsections (5), (11), and (13) of
2531 section 1002.83, Florida Statutes, are amended to read:

2532 1002.83 Early learning coalitions.—

2533 (1) Thirty ~~Thirty-one~~ or fewer early learning coalitions
2534 are established and shall maintain direct enhancement services
2535 at the local level and provide access to such services in all 67
2536 counties. Two or more early learning coalitions may join for
2537 purposes of planning and implementing a school readiness program
2538 and the Voluntary Prekindergarten Education Program.

2539 (2) Each early learning coalition shall be composed of at
2540 least 13 ~~15~~ members but not more than 15 ~~30~~ members.

2541 (3) The Governor shall appoint the chair and two other
2542 members of each early learning coalition, who must each meet the
2543 ~~same~~ qualifications of a ~~as~~ private sector business member
2544 ~~members appointed by the coalition~~ under subsection (5).

2545 (4) Each early learning coalition must include the
2546 following member positions; however, in a multicounty coalition,
2547 each ex officio member position may be filled by multiple
2548 nonvoting members but no more than one voting member shall be
2549 seated per member position. If an early learning coalition has
2550 more than one member representing the same entity, only one of

2551 such members may serve as a voting member:

2552 ~~(m) A central agency administrator, where applicable.~~

2553 (5) ~~Including the~~ Members appointed by the Governor under
2554 subsection (3), ~~more than one-third of the members of each early~~
2555 ~~learning coalition~~ must be private sector business members,
2556 either for-profit or nonprofit, who do not have, and none of
2557 whose relatives as defined in s. 112.3143 has, a substantial
2558 financial interest in the design or delivery of the Voluntary
2559 Prekindergarten Education Program created under part V of this
2560 chapter or the school readiness program. ~~To meet this~~
2561 ~~requirement, an early learning coalition must appoint additional~~
2562 ~~members.~~ The department office shall establish criteria for
2563 appointing private sector business members. These criteria must
2564 include standards for determining whether a member or relative
2565 has a substantial financial interest in the design or delivery
2566 of the Voluntary Prekindergarten Education Program or the school
2567 readiness program.

2568 (11) Each early learning coalition shall establish terms
2569 for all appointed members of the coalition. The terms must be
2570 staggered and must be a uniform length that does not exceed 4
2571 years per term. ~~Coalition chairs shall be appointed for 4 years~~
2572 ~~in conjunction with their membership on the Early Learning~~
2573 ~~Advisory Council pursuant to s. 20.052.~~ Appointed members may
2574 serve a maximum of two consecutive terms. When a vacancy occurs
2575 in an appointed position, the coalition must advertise the

2576 | vacancy.

2577 | (13) Each early learning coalition shall use a coordinated
 2578 | professional development system that supports the achievement
 2579 | and maintenance of core competencies by school readiness program
 2580 | teachers in helping children attain the performance standards
 2581 | adopted by the department ~~office~~.

2582 | Section 50. Subsections (17) through (20) of section
 2583 | 1002.84, Florida Statutes, are renumbered as subsections (16)
 2584 | through (19), respectively, and subsections (1), (2), (4), (7),
 2585 | (8), (15), and (16) and present subsections (17), (18), and (20)
 2586 | of that section are amended to read:

2587 | 1002.84 Early learning coalitions; school readiness powers
 2588 | and duties.—Each early learning coalition shall:

2589 | (1) Administer and implement a local comprehensive program
 2590 | of school readiness program services in accordance with this
 2591 | part and the rules adopted by the department ~~office~~, which
 2592 | enhances the cognitive, social, and physical development of
 2593 | children to achieve the performance standards.

2594 | (2) Establish a uniform waiting list to track eligible
 2595 | children waiting for enrollment in the school readiness program
 2596 | in accordance with rules adopted by the State Board of Education
 2597 | ~~office~~.

2598 | (4) Establish a regional Warm-Line as directed by the
 2599 | department ~~office~~ pursuant to s. 1002.82(2)(u) ~~s. 1002.82(2)(t)~~.
 2600 | Regional Warm-Line staff shall provide onsite technical

2601 assistance, when requested, to assist child care facilities and
2602 family day care homes with inquiries relating to the strategies,
2603 curriculum, and environmental adaptations the child care
2604 facilities and family day care homes may need as they serve
2605 children with disabilities and other special needs.

2606 (7) Determine child eligibility pursuant to s. 1002.87 and
2607 provider eligibility pursuant to s. 1002.88. Child eligibility
2608 must be redetermined annually. A coalition must document the
2609 reason a child is no longer eligible for the school readiness
2610 program according to the standard codes prescribed by the
2611 department office.

2612 (8) Establish a parent sliding fee scale that provides for
2613 a parent copayment that is not a barrier to families receiving
2614 school readiness program services. ~~Providers are required to~~
2615 ~~collect the parent's copayment.~~ A coalition may, ~~on a case-by-~~
2616 ~~case basis,~~ waive the copayment for an at-risk child or
2617 temporarily waive the copayment for a child whose family's
2618 income is at or below the federal poverty level or ~~and~~ whose
2619 family experiences a natural disaster or an event that limits
2620 the parent's ability to pay, such as incarceration, placement in
2621 residential treatment, or becoming homeless, or an emergency
2622 situation such as a household fire or burglary, or while the
2623 parent is participating in parenting classes or participating in
2624 an Early Head Start program or Head Start Program. A parent may
2625 not transfer school readiness program services to another school

2626 | readiness program provider until the parent has submitted
 2627 | documentation from the current school readiness program provider
 2628 | to the early learning coalition stating that the parent has
 2629 | satisfactorily fulfilled the copayment obligation.

2630 | (15) Monitor school readiness program providers in
 2631 | accordance with its plan, or in response to a parental
 2632 | complaint, to verify that the standards prescribed in ss.
 2633 | 1002.82 and 1002.88 are being met using a standard monitoring
 2634 | tool adopted by the department ~~office~~. Providers determined to
 2635 | be high-risk by the coalition, as demonstrated by substantial
 2636 | findings of violations of federal law or the general or local
 2637 | laws of the state, shall be monitored more frequently. Providers
 2638 | with 3 consecutive years of compliance may be monitored
 2639 | biennially.

2640 | ~~(16) Adopt a payment schedule that encompasses all~~
 2641 | ~~programs funded under this part and part V of this chapter. The~~
 2642 | ~~payment schedule must take into consideration the average market~~
 2643 | ~~rate, include the projected number of children to be served, and~~
 2644 | ~~be submitted for approval by the office. Informal child care~~
 2645 | ~~arrangements shall be reimbursed at not more than 50 percent of~~
 2646 | ~~the rate adopted for a family day care home.~~

2647 | (16) ~~(17)~~ Implement an anti-fraud plan addressing the
 2648 | detection, reporting, and prevention of overpayments, abuse, and
 2649 | fraud relating to the provision of and payment for school
 2650 | readiness program and Voluntary Prekindergarten Education

2651 Program services and submit the plan to the department ~~office~~
 2652 for approval, as required by s. 1002.91.

2653 ~~(17)-(18)~~ By October 1 of each year, submit an annual
 2654 report to the department ~~office~~. The report shall conform to the
 2655 format adopted by the department ~~office~~ and must include:

2656 (a) Segregation of school readiness program funds,
 2657 Voluntary Prekindergarten Education Program funds, Child Care
 2658 Executive Partnership Program funds, and other local revenues
 2659 available to the coalition.

2660 (b) Details of expenditures by fund source, including
 2661 total expenditures for administrative activities, quality
 2662 activities, nondirect services, and direct services for
 2663 children.

2664 (c) The total number of coalition staff and the related
 2665 expenditures for salaries and benefits. For any subcontracts,
 2666 the total number of contracted staff and the related
 2667 expenditures for salaries and benefits must be included.

2668 (d) The number of children served in the school readiness
 2669 program, by provider type, enumerated by age and eligibility
 2670 priority category, reported as the number of children served
 2671 during the month, the average participation throughout the
 2672 month, and the number of children served during the month.

2673 (e) The total number of children disenrolled during the
 2674 year and the reasons for disenrollment.

2675 (f) The total number of providers by provider type.

2676 (g) A listing of any school readiness program provider, by
2677 type, whose eligibility to deliver the school readiness program
2678 is revoked, including a brief description of the state or
2679 federal violation that resulted in the revocation.

2680 (h) An evaluation of its direct enhancement services.

2681 (i) The total number of children served in each provider
2682 facility.

2683 (19) (a) ~~(20)~~ To increase transparency and accountability,
2684 comply with the requirements of this section before contracting
2685 with one or more of the following persons or business entities
2686 which employs, has a contractual relationship with, or is owned
2687 by the following persons:

2688 1. A member of the coalition appointed pursuant to s.
2689 1002.83(4);

2690 2. A board member of any other early learning sub-
2691 recipient entity;

2692 3. A coalition employee; or

2693 4. A relative, as defined in s. 112.3143(1)(c), of any
2694 person listed in subparagraphs 1.-3. ~~a coalition member or of an~~
2695 employee of the coalition.

2696 (b) Such contracts may not be executed without the
2697 approval of the department ~~office~~. Such contracts, as well as
2698 documentation demonstrating adherence to this section by the
2699 coalition, must be approved by a two-thirds vote of the
2700 coalition, a quorum having been established; all conflicts of

HB 1013

2020

2701 interest must be disclosed before the vote; and any member who
2702 may benefit from the contract, or whose relative may benefit
2703 from the contract, must abstain from the vote. A contract under
2704 \$25,000 ~~between an early learning coalition and a member of that~~
2705 ~~coalition or between a relative, as defined in s.~~
2706 ~~112.3143(1)(c), of a coalition member or of an employee of the~~
2707 ~~coalition~~ is not required to have the prior approval of the
2708 department office but must be approved by a two-thirds vote of
2709 the coalition, a quorum having been established, and must be
2710 reported to the department office within 30 days after approval.
2711 If a contract cannot be approved by the department office, a
2712 review of the decision to disapprove the contract may be
2713 requested by the early learning coalition or other parties to
2714 the disapproved contract.

2715 Section 51. Section 1002.85, Florida Statutes, is amended
2716 to read:

2717 1002.85 Early learning coalition plans.—

2718 (1) The department office shall adopt rules prescribing
2719 the standardized format and required content of school readiness
2720 program plans as necessary for a coalition or other qualified
2721 entity to administer the school readiness program as provided in
2722 this part.

2723 (2) Each early learning coalition must biennially submit a
2724 school readiness program plan to the department office before
2725 the expenditure of funds. A coalition may not implement its

2726 school readiness program plan until it receives approval from
2727 the department ~~office~~. A coalition may not implement any
2728 revision to its school readiness program plan until the
2729 coalition submits the revised plan to and receives approval from
2730 the department ~~office~~. If the department ~~office~~ rejects a plan
2731 or revision, the coalition must continue to operate under its
2732 previously approved plan. The plan must include, but is not
2733 limited to:

2734 (a) The coalition's operations, including its membership
2735 and business organization, and the coalition's articles of
2736 incorporation and bylaws if the coalition is organized as a
2737 corporation. If the coalition is not organized as a corporation
2738 or other business entity, the plan must include the contract
2739 with a fiscal agent.

2740 (b) The minimum number of children to be served by care
2741 level.

2742 (c) The coalition's procedures for implementing the
2743 requirements of this part, including:

- 2744 1. Single point of entry.
- 2745 2. Uniform waiting list.
- 2746 3. Eligibility and enrollment processes and local
2747 eligibility priorities for children pursuant to s. 1002.87.
- 2748 4. Parent access and choice.
- 2749 5. Sliding fee scale and policies on applying the waiver
2750 or reduction of fees in accordance with s. 1002.84(8).

2751 6. Use of preassessments and postassessments, as
 2752 applicable.

2753 7. Payment rate schedule.

2754 8. Use of contracted slots, as applicable, based on the
 2755 results of the assessment required under paragraph (j).

2756 (d) A detailed description of the coalition's quality
 2757 activities and services, including, but not limited to:

2758 1. Resource and referral and school-age child care.
 2759 2. Infant and toddler early learning.
 2760 3. Inclusive early learning programs.
 2761 4. Quality improvement strategies that strengthen teaching
 2762 practices and increase child outcomes.

2763 (e) A detailed budget that outlines estimated expenditures
 2764 for state, federal, and local matching funds at the lowest level
 2765 of detail available by other-cost-accumulator code number; all
 2766 estimated sources of revenue with identifiable descriptions; a
 2767 listing of full-time equivalent positions; contracted
 2768 subcontractor costs with related annual compensation amount or
 2769 hourly rate of compensation; and a capital improvements plan
 2770 outlining existing fixed capital outlay projects and proposed
 2771 capital outlay projects that will begin during the budget year.

2772 (f) A detailed accounting, in the format prescribed by the
 2773 department ~~office~~, of all revenues and expenditures during the
 2774 previous state fiscal year. Revenue sources should be
 2775 identifiable, and expenditures should be reported by three

2776 categories: state and federal funds, local matching funds, and
2777 Child Care Executive Partnership Program funds.

2778 (g) Updated policies and procedures, including those
2779 governing procurement, maintenance of tangible personal
2780 property, maintenance of records, information technology
2781 security, and disbursement controls.

2782 (h) A description of the procedures for monitoring school
2783 readiness program providers, including in response to a parental
2784 complaint, to determine that the standards prescribed in ss.
2785 1002.82 and 1002.88 are met using a standard monitoring tool
2786 adopted by the department ~~office~~. Providers determined to be
2787 high risk by the coalition as demonstrated by substantial
2788 findings of violations of law shall be monitored more
2789 frequently.

2790 (i) Documentation that the coalition has solicited and
2791 considered comments regarding the proposed school readiness
2792 program plan from the local community.

2793 (j) An assessment of local priorities within the county or
2794 multicounty region based on the needs of families and provider
2795 capacity using available community data.

2796 (3) The coalition may periodically amend its plan as
2797 necessary. An amended plan must be submitted to and approved by
2798 the department ~~office~~ before any expenditures are incurred on
2799 the new activities proposed in the amendment.

2800 (4) The department ~~office~~ shall publish a copy of the

2801 standardized format and required content of school readiness
2802 program plans on its website.

2803 (5) The department ~~office~~ shall collect and report data on
2804 coalition delivery of early learning programs. Elements shall
2805 include, but are not limited to, measures related to progress
2806 towards reducing the number of children on the waiting list, the
2807 percentage of children served by the program as compared to the
2808 number of administrative staff and overhead, the percentage of
2809 children served compared to total number of children under the
2810 age of 5 years below 150 percent of the federal poverty level,
2811 provider payment processes, fraud intervention, child attendance
2812 and stability, use of child care resource and referral, and
2813 kindergarten readiness outcomes for children in the Voluntary
2814 Prekindergarten Education Program or the school readiness
2815 program upon entry into kindergarten. The department ~~office~~
2816 shall request input from the coalitions and school readiness
2817 program providers before finalizing the format and data to be
2818 used. The report shall be implemented beginning July 1, 2014,
2819 and results of the report must be included in the annual report
2820 under s. 1002.82.

2821 Section 52. Paragraphs (a), (b), (c), (e), (f), (m), (n),
2822 (p), and (q) of subsection (1) and subsection (3) of section
2823 1002.88, Florida Statutes, are amended, and paragraph (s) is
2824 added to subsection (1) of that section, to read:

2825 1002.88 School readiness program provider standards;

2826 eligibility to deliver the school readiness program.—

2827 (1) To be eligible to deliver the school readiness
2828 program, a school readiness program provider must:

2829 (a) Be a child care facility licensed under s. 402.305, a
2830 family day care home licensed or registered under s. 402.313, a
2831 large family child care home licensed under s. 402.3131, a
2832 public school or nonpublic school exempt from licensure under s.
2833 402.3025, a faith-based child care provider exempt from
2834 licensure under s. 402.316, a before-school or after-school
2835 program described in s. 402.305(1)(c), a child development
2836 program operating on a military installation that is certified
2837 by the United States Department of Defense and accredited by a
2838 national accrediting body, ~~or~~ an informal child care provider to
2839 the extent authorized in the state's Child Care and Development
2840 Fund Plan as approved by the United States Department of Health
2841 and Human Services pursuant to 45 C.F.R. s. 98.18, or a provider
2842 who has been issued a provisional license pursuant to s.
2843 402.309. A provider may not deliver the program while its
2844 license has been converted to a probation-status license
2845 pursuant to s. 402.210.

2846 (b) Provide instruction and activities to enhance the age-
2847 appropriate progress of each child in attaining the child
2848 development standards adopted by the department ~~office~~ pursuant
2849 to s. 1002.82(2)(j). A provider should include activities to
2850 foster brain development in infants and toddlers; provide an

2851 environment that is rich in language and music and filled with
2852 objects of various colors, shapes, textures, and sizes to
2853 stimulate visual, tactile, auditory, and linguistic senses; and
2854 include 30 minutes of reading to children each day.

2855 (c) Provide basic health and safety of its premises and
2856 facilities and compliance with requirements for age-appropriate
2857 immunizations of children enrolled in the school readiness
2858 program.

2859 1. For a provider that is licensed, compliance with s.
2860 402.305, s. 402.3131, or s. 402.313 and this subsection, as
2861 verified pursuant to s. 402.311, satisfies this requirement.

2862 2. For a provider that is a registered family day care
2863 home or is not subject to licensure or registration by the
2864 Department of Children and Families, compliance with this
2865 subsection, as verified pursuant to s. 402.311, satisfies this
2866 requirement. Upon verification pursuant to s. 402.311, the
2867 provider shall annually post the health and safety checklist
2868 adopted by the department ~~office~~ prominently on its premises in
2869 plain sight for visitors and parents and shall annually submit
2870 the checklist to its local early learning coalition.

2871 3. For a child development program operating on a military
2872 installation that is certified by the United States Department
2873 of Defense and accredited by a national accrediting body, the
2874 submission and verification of annual inspections pursuant to
2875 United States Department of Defense Instructions 6060.2 and

2876 | 1402.05 satisfies this requirement.

2877 | (e) Employ child care personnel, as defined in s.
2878 | 402.302(3), who have satisfied the screening requirements of
2879 | chapter 402 and fulfilled the training requirements of the
2880 | department ~~office~~.

2881 | (f) Implement one of the curricula approved by the
2882 | department ~~office~~ that meets the child development standards.

2883 | (m) For a provider that is not an informal provider,
2884 | maintain general liability insurance and provide the coalition
2885 | with written evidence of general liability insurance coverage,
2886 | including coverage for transportation of children if school
2887 | readiness program children are transported by the provider. A
2888 | provider must obtain and retain an insurance policy that
2889 | provides a minimum of \$100,000 of coverage per occurrence and a
2890 | minimum of \$300,000 general aggregate coverage. The department
2891 | ~~office~~ may authorize lower limits upon request, as appropriate.
2892 | A provider must add the coalition as a named certificateholder
2893 | and as an additional insured. A provider must provide the
2894 | coalition with a minimum of 10 calendar days' advance written
2895 | notice of cancellation of or changes to coverage. The general
2896 | liability insurance required by this paragraph must remain in
2897 | full force and effect for the entire period of the provider
2898 | contract with the coalition.

2899 | (n) For a provider that is an informal provider, comply
2900 | with the provisions of paragraph (m) or maintain homeowner's

2901 liability insurance and, if applicable, a business rider. If an
2902 informal provider chooses to maintain a homeowner's policy, the
2903 provider must obtain and retain a homeowner's insurance policy
2904 that provides a minimum of \$100,000 of coverage per occurrence
2905 and a minimum of \$300,000 general aggregate coverage. The
2906 department ~~office~~ may authorize lower limits upon request, as
2907 appropriate. An informal provider must add the coalition as a
2908 named certificateholder and as an additional insured. An
2909 informal provider must provide the coalition with a minimum of
2910 10 calendar days' advance written notice of cancellation of or
2911 changes to coverage. The general liability insurance required by
2912 this paragraph must remain in full force and effect for the
2913 entire period of the provider's contract with the coalition.

2914 (p) Notwithstanding paragraph (m), for a provider that is
2915 a state agency or a subdivision thereof, as defined in s.
2916 768.28(2), agree to notify the coalition of any additional
2917 liability coverage maintained by the provider in addition to
2918 that otherwise established under s. 768.28. The provider shall
2919 indemnify the coalition to the extent permitted by s. 768.28.
2920 Notwithstanding paragraph (m), for a child development program
2921 operating on a military installation that is certified by the
2922 United States Department of Defense and accredited by a national
2923 accrediting body, the provider may demonstrate liability
2924 coverage by affirming that it is subject to the Federal Tort
2925 Claims Act, 28 U.S.C. ss. 2671 et seq.

2926 (q) Execute the standard statewide provider contract
 2927 adopted by the department ~~office~~.

2928 (s) Collect all parent copayment fees unless a waiver has
 2929 been granted under s. 1002.84(8).

2930 (3) The department ~~office~~ and the coalitions may not:

2931 (a) Impose any requirement on a child care provider or
 2932 early childhood education provider that does not deliver
 2933 services under the school readiness program or receive state or
 2934 federal funds under this part;

2935 (b) Impose any requirement on a school readiness program
 2936 provider that exceeds the authority provided under this part or
 2937 part V of this chapter or rules adopted pursuant to this part or
 2938 part V of this chapter; or

2939 (c) Require a provider to administer a preassessment or
 2940 postassessment, or after its implementation the program
 2941 assessment under s. 1002.68.

2942 Section 53. Subsections (3) through (7) of section
 2943 1002.89, Florida Statutes, are renumbered as subsections (2)
 2944 through (6), respectively, and subsections (2), (3), and (6) of
 2945 that section are amended, to read:

2946 1002.89 School readiness program; funding.—

2947 ~~(2) The office shall administer school readiness program~~
 2948 ~~funds and prepare and submit a unified budget request for the~~
 2949 ~~school readiness program in accordance with chapter 216.~~

2950 (2)~~(3)~~ All instructions to early learning coalitions for

2951 administering this section shall emanate from the department
 2952 ~~office~~ in accordance with the policies of the Legislature.

2953 (5)~~(6)~~ Costs shall be kept to the minimum necessary for
 2954 the efficient and effective administration of the school
 2955 readiness program with the highest priority of expenditure being
 2956 direct services for eligible children. However, no more than 5
 2957 percent of the funds described in subsection (4) ~~subsection (5)~~
 2958 may be used for administrative costs and no more than 22 percent
 2959 of the funds described in subsection (4) ~~subsection (5)~~ may be
 2960 used in any fiscal year for any combination of administrative
 2961 costs, quality activities, and nondirect services as follows:

2962 (a) Administrative costs as described in 45 C.F.R. s.
 2963 98.52, which shall include monitoring providers using the
 2964 standard methodology adopted under s. 1002.82 to improve
 2965 compliance with state and federal regulations and law pursuant
 2966 to the requirements of the statewide provider contract adopted
 2967 under s. 1002.82(2)(m).

2968 (b) Activities to improve the quality of child care as
 2969 described in 45 C.F.R. s. 98.51, which shall be limited to the
 2970 following:

2971 1. Developing, establishing, expanding, operating, and
 2972 coordinating resource and referral programs specifically related
 2973 to the provision of comprehensive consumer education to parents
 2974 and the public to promote informed child care choices specified
 2975 in 45 C.F.R. s. 98.33.

2976 2. Awarding grants and providing financial support to
2977 school readiness program providers and their staff to assist
2978 them in meeting applicable state requirements for the program
2979 assessment required under s. 1002.82(2)(n), child care
2980 performance standards, implementing developmentally appropriate
2981 curricula and related classroom resources that support
2982 curricula, providing literacy supports, and providing continued
2983 professional development and training. Any grants awarded
2984 pursuant to this subparagraph shall comply with ss. 215.971 and
2985 287.058.

2986 3. Providing training, technical assistance, and financial
2987 support to school readiness program providers, staff, and
2988 parents on standards, child screenings, child assessments, child
2989 development research and best practices, developmentally
2990 appropriate curricula, character development, teacher-child
2991 interactions, age-appropriate discipline practices, health and
2992 safety, nutrition, first aid, cardiopulmonary resuscitation, the
2993 recognition of communicable diseases, and child abuse detection,
2994 prevention, and reporting.

2995 4. Providing, from among the funds provided for the
2996 activities described in subparagraphs 1.-3., adequate funding
2997 for infants and toddlers as necessary to meet federal
2998 requirements related to expenditures for quality activities for
2999 infant and toddler care.

3000 5. Improving the monitoring of compliance with, and

3001 enforcement of, applicable state and local requirements as
 3002 described in and limited by 45 C.F.R. s. 98.40.

3003 6. Responding to Warm-Line requests by providers and
 3004 parents, including providing developmental and health screenings
 3005 to school readiness program children.

3006 (c) Nondirect services as described in applicable Office
 3007 of Management and Budget instructions are those services not
 3008 defined as administrative, direct, or quality services that are
 3009 required to administer the school readiness program. Such
 3010 services include, but are not limited to:

- 3011 1. Assisting families to complete the required application
- 3012 and eligibility documentation.
- 3013 2. Determining child and family eligibility.
- 3014 3. Recruiting eligible child care providers.
- 3015 4. Processing and tracking attendance records.
- 3016 5. Developing and maintaining a statewide child care
- 3017 information system.

3018
 3019 As used in this paragraph, the term "nondirect services" does
 3020 not include payments to school readiness program providers for
 3021 direct services provided to children who are eligible under s.
 3022 1002.87, administrative costs as described in paragraph (a), or
 3023 quality activities as described in paragraph (b).

3024 Section 54. Subsection (1), paragraph (a) of subsection
 3025 (2), and subsections (4), (5), and (6) of section 1002.895,

3026 Florida Statutes, are amended to read:

3027 1002.895 Market rate schedule.—The school readiness
3028 program market rate schedule shall be implemented as follows:

3029 (1) The department ~~office~~ shall establish procedures for
3030 the adoption of a market rate schedule. The schedule must
3031 include, at a minimum, county-by-county rates:

3032 (a) The market rate, including the minimum and the maximum
3033 rates for child care providers that hold a Gold Seal Quality
3034 Care designation under s. 1002.954 and adhere to its accrediting
3035 association's teacher to child ratios and group size
3036 requirements ~~s. 402.281~~.

3037 (b) The market rate for child care providers that do not
3038 hold a Gold Seal Quality Care designation.

3039 (2) The market rate schedule, at a minimum, must:

3040 (a) Differentiate rates by type, including, but not
3041 limited to, a child care provider that holds a Gold Seal Quality
3042 Care designation under s. 1002.954 and adheres to its
3043 accrediting association's teacher to child ratios and group size
3044 requirements ~~s. 402.281~~, a child care facility licensed under s.
3045 402.305, a public or nonpublic school exempt from licensure
3046 under s. 402.3025, a faith-based child care facility exempt from
3047 licensure under s. 402.316 that does not hold a Gold Seal
3048 Quality Care designation, a large family child care home
3049 licensed under s. 402.3131, or a family day care home licensed
3050 or registered under s. 402.313.

3051 (4) The market rate schedule shall be considered by the
3052 early learning program estimating conference under s. 216.136(8)
3053 ~~an early learning coalition~~ in the adoption of a payment
3054 schedule. The payment schedule must take into consideration the
3055 prevailing average market rate, include the projected number of
3056 children to be served by each county, ~~and be submitted for~~
3057 ~~approval by the office~~. Informal child care arrangements shall
3058 be reimbursed at not more than 50 percent of the rate adopted
3059 for a family day care home.

3060 (5) The department ~~office~~ may contract with one or more
3061 qualified entities to administer this section and provide
3062 support and technical assistance for child care providers.

3063 (6) The department ~~office~~ may adopt rules for establishing
3064 procedures for the collection of child care providers' market
3065 rate, the calculation of the prevailing average market rate by
3066 program care level and provider type in a predetermined
3067 geographic market, and the publication of the market rate
3068 schedule.

3069 Section 55. Section 1002.91, Florida Statutes, is amended
3070 to read:

3071 1002.91 Investigations of fraud or overpayment;
3072 penalties.—

3073 (1) As used in this subsection, the term "fraud" means an
3074 intentional deception, omission, or misrepresentation made by a
3075 person with knowledge that the deception, omission, or

3076 | misrepresentation may result in unauthorized benefit to that
 3077 | person or another person, or any aiding and abetting of the
 3078 | commission of such an act. The term includes any act that
 3079 | constitutes fraud under applicable federal or state law.

3080 | (2) To recover state, federal, and local matching funds,
 3081 | the department ~~office~~ shall investigate early learning
 3082 | coalitions, recipients, and providers of the school readiness
 3083 | program and the Voluntary Prekindergarten Education Program to
 3084 | determine possible fraud or overpayment. If by its own
 3085 | inquiries, or as a result of a complaint, the department ~~office~~
 3086 | has reason to believe that a person, coalition, or provider has
 3087 | engaged in, or is engaging in, a fraudulent act, it shall
 3088 | investigate and determine whether any overpayment has occurred
 3089 | due to the fraudulent act. During the investigation, the
 3090 | department ~~office~~ may examine all records, including electronic
 3091 | benefits transfer records, and make inquiry of all persons who
 3092 | may have knowledge as to any irregularity incidental to the
 3093 | disbursement of public moneys or other items or benefits
 3094 | authorizations to recipients.

3095 | (3) Based on the results of the investigation, the
 3096 | department ~~office~~ may, in its discretion, refer the
 3097 | investigation to the Department of Financial Services for
 3098 | criminal investigation or refer the matter to the applicable
 3099 | coalition. Any suspected criminal violation identified by the
 3100 | department ~~office~~ must be referred to the Department of

3101 Financial Services for criminal investigation.

3102 (4) An early learning coalition may suspend or terminate a
3103 provider from participation in the school readiness program or
3104 the Voluntary Prekindergarten Education Program when it has
3105 reasonable cause to believe that the provider has committed
3106 fraud. The department ~~office~~ shall adopt by rule appropriate due
3107 process procedures that the early learning coalition shall apply
3108 in suspending or terminating any provider, including the
3109 suspension or termination of payment. If suspended, the provider
3110 shall remain suspended until the completion of any investigation
3111 by the department ~~office~~, the Department of Financial Services,
3112 or any other state or federal agency, and any subsequent
3113 prosecution or other legal proceeding.

3114 (5) If a school readiness program provider or a Voluntary
3115 Prekindergarten Education Program provider, or an owner,
3116 officer, or director thereof, is convicted of, found guilty of,
3117 or pleads guilty or nolo contendere to, regardless of
3118 adjudication, public assistance fraud pursuant to s. 414.39, or
3119 is acting as the beneficial owner for someone who has been
3120 convicted of, found guilty of, or pleads guilty or nolo
3121 contendere to, regardless of adjudication, public assistance
3122 fraud pursuant to s. 414.39, the early learning coalition shall
3123 refrain from contracting with, or using the services of, that
3124 provider for a period of 5 years. In addition, the coalition
3125 shall refrain from contracting with, or using the services of,

3126 any provider that shares an officer or director with a provider
3127 that is convicted of, found guilty of, or pleads guilty or nolo
3128 contendere to, regardless of adjudication, public assistance
3129 fraud pursuant to s. 414.39 for a period of 5 years.

3130 (6) If the investigation is not confidential or otherwise
3131 exempt from disclosure by law, the results of the investigation
3132 may be reported by the department ~~office~~ to the appropriate
3133 legislative committees, the Department of Children and Families,
3134 and such other persons as the department ~~office~~ deems
3135 appropriate.

3136 (7) The early learning coalition may not contract with a
3137 school readiness program provider or a Voluntary Prekindergarten
3138 Education Program provider who is on the United States
3139 Department of Agriculture National Disqualified List. In
3140 addition, the coalition may not contract with any provider that
3141 shares an officer or director with a provider that is on the
3142 United States Department of Agriculture National Disqualified
3143 List.

3144 (8) Each early learning coalition shall adopt an anti-
3145 fraud plan addressing the detection and prevention of
3146 overpayments, abuse, and fraud relating to the provision of and
3147 payment for school readiness program and Voluntary
3148 Prekindergarten Education Program services and submit the plan
3149 to the department ~~office~~ for approval. The department ~~office~~
3150 shall adopt rules establishing criteria for the anti-fraud plan,

3151 including appropriate due process provisions. The anti-fraud
3152 plan must include, at a minimum:

3153 (a) A written description or chart outlining the
3154 organizational structure of the plan's personnel who are
3155 responsible for the investigation and reporting of possible
3156 overpayment, abuse, or fraud.

3157 (b) A description of the plan's procedures for detecting
3158 and investigating possible acts of fraud, abuse, or overpayment.

3159 (c) A description of the plan's procedures for the
3160 mandatory reporting of possible overpayment, abuse, or fraud to
3161 the Office of Inspector General within the department ~~office~~.

3162 (d) A description of the plan's program and procedures for
3163 educating and training personnel on how to detect and prevent
3164 fraud, abuse, and overpayment.

3165 (e) A description of the plan's procedures, including the
3166 appropriate due process provisions adopted by the department
3167 ~~office~~ for suspending or terminating from the school readiness
3168 program or the Voluntary Prekindergarten Education Program a
3169 recipient or provider who the early learning coalition believes
3170 has committed fraud.

3171 (9) A person who commits an act of fraud as defined in
3172 this section is subject to the penalties provided in s.
3173 414.39(5) (a) and (b).

3174 Section 56. Subsections (1) and (2) and paragraph (a) of
3175 subsection (3) of section 1002.92, Florida Statutes, are amended

3176 to read:

3177 1002.92 Child care and early childhood resource and
3178 referral.—

3179 (1) As a part of the school readiness program, the
3180 department ~~office~~ shall establish a statewide child care
3181 resource and referral network that is unbiased and provides
3182 referrals to families for child care and information on
3183 available community resources. Preference shall be given to
3184 using early learning coalitions as the child care resource and
3185 referral agencies. If an early learning coalition cannot comply
3186 with the requirements to offer the resource information
3187 component or does not want to offer that service, the early
3188 learning coalition shall select the resource and referral agency
3189 for its county or multicounty region based upon the procurement
3190 requirements of s. 1002.84(12).

3191 (2) At least one child care resource and referral agency
3192 must be established in each early learning coalition's county or
3193 multicounty region. The department ~~office~~ shall adopt rules
3194 regarding accessibility of child care resource and referral
3195 services offered through child care resource and referral
3196 agencies in each county or multicounty region which include, at
3197 a minimum, required hours of operation, methods by which parents
3198 may request services, and child care resource and referral staff
3199 training requirements.

3200 (3) Child care resource and referral agencies shall

3201 provide the following services:

3202 (a) Identification of existing public and private child
 3203 care and early childhood education services, including child
 3204 care services by public and private employers, and the
 3205 development of a resource file of those services through the
 3206 single statewide information system developed by the department
 3207 ~~office~~ under s. 1002.82(2)(q) ~~s. 1002.82(2)(p)~~. These services
 3208 may include family day care, public and private child care
 3209 programs, the Voluntary Prekindergarten Education Program, Head
 3210 Start, the school readiness program, special education programs
 3211 for prekindergarten children with disabilities, services for
 3212 children with developmental disabilities, full-time and part-
 3213 time programs, before-school and after-school programs, vacation
 3214 care programs, parent education, the temporary cash assistance
 3215 program, and related family support services. The resource file
 3216 shall include, but not be limited to:

- 3217 1. Type of program.
- 3218 2. Hours of service.
- 3219 3. Ages of children served.
- 3220 4. Number of children served.
- 3221 5. Program information.
- 3222 6. Fees and eligibility for services.
- 3223 7. Availability of transportation.

3224 Section 57. Subsection (1) of section 1002.93, Florida
 3225 Statutes, is amended to read:

3226 | 1002.93 School readiness program transportation services.—

3227 | (1) The department ~~office~~ may authorize an early learning
 3228 | coalition to establish school readiness program transportation
 3229 | services for children at risk of abuse or neglect who are
 3230 | participating in the school readiness program, pursuant to
 3231 | chapter 427. The early learning coalitions may contract for the
 3232 | provision of transportation services as required by this
 3233 | section.

3234 | Section 58. Subsection (2), paragraphs (b) and (c) of
 3235 | subsection (3), and subsection (4) of section 1002.94, Florida
 3236 | Statutes, are amended to read:

3237 | 1002.94 Child Care Executive Partnership Program.—

3238 | (2) The Child Care Executive Partnership, staffed by the
 3239 | department ~~office~~, shall consist of a representative of the
 3240 | Executive Office of the Governor and nine members of the
 3241 | corporate or child care community, appointed by the Governor.

3242 | (a) Members shall serve for a period of 4 years, except
 3243 | that the representative of the Executive Office of the Governor
 3244 | shall serve at the pleasure of the Governor.

3245 | (b) The Child Care Executive Partnership shall be chaired
 3246 | by a member chosen by a majority vote and shall meet at least
 3247 | quarterly and at other times upon the call of the chair. The
 3248 | Child Care Executive Partnership may use any method of
 3249 | telecommunications to conduct meetings, including establishing a
 3250 | quorum through telecommunications, only if the public is given

3251 | proper notice of a telecommunications meeting and reasonable
 3252 | access to observe and, when appropriate, participate.

3253 | (c) Members shall serve without compensation, but may be
 3254 | reimbursed for per diem and travel expenses in accordance with
 3255 | s. 112.061.

3256 | (d) The Child Care Executive Partnership shall have all
 3257 | the powers and authority, not explicitly prohibited by law,
 3258 | necessary to carry out and effectuate the purposes of this
 3259 | section, as well as the functions, duties, and responsibilities
 3260 | of the partnership, including, but not limited to, the
 3261 | following:

3262 | 1. Making recommendations concerning the implementation
 3263 | and coordination of the school readiness program.

3264 | 2. Soliciting, accepting, receiving, investing, and
 3265 | expending funds from public or private sources.

3266 | 3. Contracting with public or private entities as
 3267 | necessary.

3268 | 4. Approving an annual budget.

3269 | 5. Providing a report to the Governor, the Speaker of the
 3270 | House of Representatives, and the President of the Senate on or
 3271 | before December 1 of each year.

3272 |
 3273 | Notwithstanding this subsection, the corporate body politic
 3274 | previously established by prior law is the corporate body
 3275 | politic for purposes of this section and shall continue in

3276 existence. All member terms of the existing corporate body
3277 politic expire as of June 30, 2013, and new members shall be
3278 appointed beginning July 1, 2013, in accordance with this
3279 subsection.

3280 (3)

3281 (b) To ensure a seamless service delivery and ease of
3282 access for families, the department ~~office~~ shall administer the
3283 child care purchasing pool funds.

3284 (c) The department ~~office~~, in conjunction with the Child
3285 Care Executive Partnership, shall develop procedures for
3286 disbursement of funds through the child care purchasing pools.
3287 In order to be considered for funding, an early learning
3288 coalition or the department ~~office~~ must commit to:

3289 1. Matching the state purchasing pool funds on a dollar-
3290 for-dollar basis.

3291 2. Expending only those public funds that are matched by
3292 employers, local government, and other matching contributors who
3293 contribute to the purchasing pool. Parents shall also pay a fee,
3294 which may not be less than the amount identified in the early
3295 learning coalition's school readiness program sliding fee scale.

3296 (4) The State Board of Education ~~office~~ may adopt any
3297 rules necessary for the implementation and administration of
3298 this section.

3299 Section 59. Section 1002.945, Florida Statutes, is created
3300 to read:

3301 1002.945 Gold Seal Quality Care Program.—

3302 (1) (a) The Gold Seal Quality Care Program is established
 3303 within the department.

3304 (b) A child care facility, large family child care home,
 3305 or family day care home that is accredited by an accrediting
 3306 association approved by the department under subsection (3) and
 3307 meets all other requirements shall, upon application to the
 3308 department, receive a separate "Gold Seal Quality Care"
 3309 designation.

3310 (2) The State Board of Education shall adopt rules
 3311 establishing Gold Seal Quality Care accreditation standards
 3312 using nationally recognized accrediting standards as well as
 3313 input from accrediting associations.

3314 (3) (a) In order to be approved by the department for
 3315 participation in the Gold Seal Quality Care Program, an
 3316 accrediting association must apply to the department and
 3317 demonstrate that it:

3318 1. Is a recognized accrediting association.

3319 2. Has accrediting standards that substantially meet or
 3320 exceed the Gold Seal Quality Care standards adopted by the state
 3321 board under subsection (2).

3322 3. Is a registered corporation with the Department of
 3323 State.

3324 4. Can provide evidence that the process for accreditation
 3325 has at a minimum the following components:

- 3326 a. Clearly defined prerequisites that a child care
 3327 provider must meet before beginning the accreditation process;
 3328 b. Procedures for completion of a self-study and
 3329 comprehensive onsite verification process for each classroom
 3330 that documents compliance with accrediting standards;
 3331 c. A training process for accreditation verifiers to
 3332 ensure inter-rater reliability;
 3333 d. Ongoing compliance procedures to include completion of
 3334 an audit and filing of an annual report with the department;
 3335 e. Accreditation renewal procedures that shall include an
 3336 onsite verification and that must occur at least every 3 years;
 3337 f. A process for verifying continued accreditation
 3338 compliance in the event of a transfer of ownership of
 3339 facilities;
 3340 g. Procedures for the revocation of accreditation due to
 3341 failure to maintain accrediting standards; and
 3342 h. A process to communicate issues that arise during the
 3343 accreditation period with government entities that have a vested
 3344 interest in the Gold Seal Quality Care Program to include the
 3345 department, the Department of Children and Families, the
 3346 Department of Health, local licensing if applicable, and the
 3347 early learning coalition.
- 3348 (b) Any accrediting association that does not comply with
 3349 the processes and procedures submitted and approved by the
 3350 department shall be removed as a recognized accrediting

3351 association for a period of at least 2 years but no more than 5
3352 years. If an accrediting association is removed from being an
3353 approved accrediting association, each child care provider
3354 accredited by that association shall have up to 1 year to obtain
3355 a new accreditation from the remaining department approved
3356 accreditation associations.

3357 (4) In order to obtain and maintain a designation as a
3358 Gold Seal Quality Care provider, a child care facility, large
3359 family child care home, or family day care home must meet the
3360 following additional criteria:

3361 (a) The child care provider must not have had any class I
3362 violations, as defined by rule by the Department of Children and
3363 Families, within the 2 years preceding its application for
3364 designation as a Gold Seal Quality Care provider. Commission of
3365 a class I violation shall be grounds for termination of the
3366 designation as a Gold Seal Quality Care provider until the
3367 provider has no class I violations for a period of 2 years.

3368 (b) The child care provider must not have had three or
3369 more class II violations, as defined by rule by the Department
3370 of Children and Families, within the 2 years preceding its
3371 application for designation as a Gold Seal Quality Care
3372 provider. Commission of three or more class II violations within
3373 a 2-year period shall be grounds for termination of the
3374 designation as a Gold Seal Quality Care provider until the
3375 provider has no class II violations for a period of 1 year.

3376 (c) The child care provider must not have been cited for
3377 the same class III violation, as defined by rule by Department
3378 of Children and Families, three or more times and failed to
3379 correct the violation within 1 year after the date of each
3380 citation, within the 2 years preceding its application for
3381 designation as a Gold Seal Quality Care provider. Commission of
3382 the same class III violation three or more times and failure to
3383 correct within the required time during a 2-year period may be
3384 grounds for termination of the designation as a Gold Seal
3385 Quality Care provider until the provider has no class III
3386 violations for a period of 1 year.

3387 (5) A child care facility licensed pursuant to s. 402.305
3388 or a child care facility exempt from licensing pursuant to s.
3389 402.316 that achieves Gold Seal Quality status pursuant to this
3390 section shall be considered an educational institution for the
3391 purpose of qualifying for exemption from ad valorem tax pursuant
3392 to s. 196.198.

3393 (6) A child care facility licensed pursuant to s. 402.305
3394 or a child care facility exempt from licensing pursuant to s.
3395 402.316 that achieves Gold Seal Quality status pursuant to this
3396 section and that participates in the school readiness program
3397 shall receive a minimum of a 20 percent rate differential for
3398 each enrolled school readiness child by care level and unit of
3399 child care. The Early Learning Programs Estimating Conference
3400 under s. 216.136(8) shall have the authority to determine a rate

3401 differential above the 20 percent for a school readiness program
3402 who maintains the group size and teacher to child ratios of its
3403 accrediting body standards as a function of setting payment
3404 rates, but may not exceed a 40 percent rate differential for
3405 each enrolled school readiness child by care level and unit of
3406 child care.

3407 (7) The state board shall adopt rules under ss. 120.536(1)
3408 and 120.54 which provide criteria and procedures for reviewing
3409 and approving accrediting associations for participation in the
3410 Gold Seal Quality Care Program, and conferring and revoking
3411 designations of Gold Seal Quality Care providers.

3412 Section 60. Section 1002.95, Florida Statutes, is amended
3413 to read:

3414 1002.95 Teacher Education and Compensation Helps (TEACH)
3415 scholarship program.—

3416 (1) The department ~~office~~ may contract for the
3417 administration of the Teacher Education and Compensation Helps
3418 (TEACH) scholarship program, which provides educational
3419 scholarships to caregivers and administrators of early childhood
3420 programs, family day care homes, and large family child care
3421 homes. The goal of the program is to increase the education and
3422 training for caregivers, increase the compensation for child
3423 caregivers who complete the program requirements, and reduce the
3424 rate of participant turnover in the field of early childhood
3425 education.

HB 1013

2020

3426 (2) The State Board of Education ~~office~~ shall adopt rules
3427 as necessary to administer this section.

3428 Section 61. Subsections (1) and (3) of section 1002.96,
3429 Florida Statutes, are amended to read:

3430 1002.96 Early Head Start collaboration grants.—

3431 (1) Contingent upon specific appropriation, the department
3432 ~~office~~ shall establish a program to award collaboration grants
3433 to assist local agencies in securing Early Head Start programs
3434 through Early Head Start program federal grants. The
3435 collaboration grants shall provide the required matching funds
3436 for public and private nonprofit agencies that have been
3437 approved for Early Head Start program federal grants.

3438 (3) The department ~~office~~ may adopt rules as necessary for
3439 the award of collaboration grants to competing agencies and the
3440 administration of the collaboration grants program under this
3441 section.

3442 Section 62. Subsection (1) and paragraph (g) of subsection
3443 (3) of section 1002.97, Florida Statutes, are amended to read:

3444 1002.97 Records of children in the school readiness
3445 program.—

3446 (1) The individual records of children enrolled in the
3447 school readiness program provided under this part, held by an
3448 early learning coalition or the department ~~office~~, are
3449 confidential and exempt from s. 119.07(1) and s. 24(a), Art. I
3450 of the State Constitution. For purposes of this section, records

3451 include assessment data, health data, records of teacher
3452 observations, and personal identifying information.

3453 (3) School readiness program records may be released to:

3454 (g) Parties to an interagency agreement among early
3455 learning coalitions, local governmental agencies, providers of
3456 the school readiness program, state agencies, and the department
3457 ~~office~~ for the purpose of implementing the school readiness
3458 program.

3459

3460 Agencies, organizations, or individuals that receive school
3461 readiness program records in order to carry out their official
3462 functions must protect the data in a manner that does not permit
3463 the personal identification of a child enrolled in a school
3464 readiness program and his or her parent by persons other than
3465 those authorized to receive the records.

3466 Section 63. Subsections (1) and (3) of section 1002.995,
3467 Florida Statutes, are amended to read:

3468 1002.995 Early learning professional development standards
3469 and career pathways.—

3470 (1) The department ~~office~~ shall:

3471 (a) Develop early learning professional development
3472 training and course standards to be utilized for school
3473 readiness program providers.

3474 (b) Identify both formal and informal early learning
3475 career pathways with stackable credentials and certifications

3476 | that allow early childhood teachers to access specialized
 3477 | professional development that:
 3478 | 1. Strengthens knowledge and teaching practices.
 3479 | 2. Aligns to established professional standards and core
 3480 | competencies.
 3481 | 3. Provides a progression of attainable, competency-based
 3482 | stackable credentials and certifications.
 3483 | 4. Improves outcomes for children to increase kindergarten
 3484 | readiness and early grade success.
 3485 | (3) The State Board of Education ~~office~~ shall adopt rules
 3486 | to administer this section.
 3487 | Section 64. Subsection (3) of section 1003.575, Florida
 3488 | Statutes, is amended to read:
 3489 | 1003.575 Assistive technology devices; findings;
 3490 | interagency agreements.—Accessibility, utilization, and
 3491 | coordination of appropriate assistive technology devices and
 3492 | services are essential as a young person with disabilities moves
 3493 | from early intervention to preschool, from preschool to school,
 3494 | from one school to another, from school to employment or
 3495 | independent living, and from school to home and community. If an
 3496 | individual education plan team makes a recommendation in
 3497 | accordance with State Board of Education rule for a student with
 3498 | a disability, as defined in s. 1003.01(3), to receive an
 3499 | assistive technology assessment, that assessment must be
 3500 | completed within 60 school days after the team's recommendation.

3501 To ensure that an assistive technology device issued to a young
 3502 person as part of his or her individualized family support plan,
 3503 individual support plan, individualized plan for employment, or
 3504 individual education plan remains with the individual through
 3505 such transitions, the following agencies shall enter into
 3506 interagency agreements, as appropriate, to ensure the
 3507 transaction of assistive technology devices:

3508 (3) The Voluntary Prekindergarten Education Program
 3509 administered by the Department of Education ~~and the Office of~~
 3510 ~~Early Learning~~.

3511
 3512 Interagency agreements entered into pursuant to this section
 3513 shall provide a framework for ensuring that young persons with
 3514 disabilities and their families, educators, and employers are
 3515 informed about the utilization and coordination of assistive
 3516 technology devices and services that may assist in meeting
 3517 transition needs, and shall establish a mechanism by which a
 3518 young person or his or her parent may request that an assistive
 3519 technology device remain with the young person as he or she
 3520 moves through the continuum from home to school to postschool.

3521 Section 65. Section 1007.01, Florida Statutes, is amended
 3522 to read:

3523 1007.01 Articulation; legislative intent; purpose; role of
 3524 the State Board of Education and the Board of Governors;
 3525 Articulation Coordinating Committee.—

3526 (1) It is the intent of the Legislature to facilitate
 3527 articulation and seamless integration of the K-20 education
 3528 system by building, sustaining, and strengthening relationships
 3529 among Early Learning-20 ~~K-20~~ public organizations, between
 3530 public and private organizations, and between the education
 3531 system as a whole and Florida's communities. The purpose of
 3532 building, sustaining, and strengthening these relationships is
 3533 to provide for the efficient and effective progression and
 3534 transfer of students within the education system and to allow
 3535 students to proceed toward their educational objectives as
 3536 rapidly as their circumstances permit. The Legislature further
 3537 intends that articulation policies and budget actions be
 3538 implemented consistently in the practices of the Department of
 3539 Education and postsecondary educational institutions and
 3540 expressed in the collaborative policy efforts of the State Board
 3541 of Education and the Board of Governors.

3542 (2) To improve and facilitate articulation systemwide, the
 3543 State Board of Education and the Board of Governors shall
 3544 collaboratively establish and adopt policies with input from
 3545 statewide K-20 advisory groups established by the Commissioner
 3546 of Education and the Chancellor of the State University System
 3547 and shall recommend the policies to the Legislature. The
 3548 policies shall relate to:

3549 (a) The alignment between the exit requirements of one
 3550 education system and the admissions requirements of another

3551 education system into which students typically transfer.

3552 (b) The identification of common courses, the level of
 3553 courses, institutional participation in a statewide course
 3554 numbering system, and the transferability of credits among such
 3555 institutions.

3556 (c) Identification of courses that meet general education
 3557 or common degree program prerequisite requirements at public
 3558 postsecondary educational institutions.

3559 (d) Dual enrollment course equivalencies.

3560 (e) Articulation agreements.

3561 (3) The Commissioner of Education, in consultation with
 3562 the Chancellor of the State University System, shall establish
 3563 the Articulation Coordinating Committee, which shall make
 3564 recommendations related to statewide articulation policies and
 3565 issues regarding access, quality, and reporting of data
 3566 maintained by the educational ~~K-20~~ data warehouse, established
 3567 pursuant to ss. 1001.10 and 1008.31, to the Higher Education
 3568 Coordination Council, the State Board of Education, and the
 3569 Board of Governors. The committee shall consist of two members
 3570 each representing the State University System, the Florida
 3571 College System, public career and technical education, K-12
 3572 education, and nonpublic postsecondary education and one member
 3573 representing students. The chair shall be elected from the
 3574 membership. The Office of K-20 Articulation shall provide
 3575 administrative support for the committee. The committee shall:

3576 (a) Monitor the alignment between the exit requirements of
 3577 one education system and the admissions requirements of another
 3578 education system into which students typically transfer and make
 3579 recommendations for improvement.

3580 (b) Propose guidelines for interinstitutional agreements
 3581 between and among public schools, career and technical education
 3582 centers, Florida College System institutions, state
 3583 universities, and nonpublic postsecondary institutions.

3584 (c) Annually recommend dual enrollment course and high
 3585 school subject area equivalencies for approval by the State
 3586 Board of Education and the Board of Governors.

3587 (d) Annually review the statewide articulation agreement
 3588 pursuant to s. 1007.23 and make recommendations for revisions.

3589 (e) Annually review the statewide course numbering system,
 3590 the levels of courses, and the application of transfer credit
 3591 requirements among public and nonpublic institutions
 3592 participating in the statewide course numbering system and
 3593 identify instances of student transfer and admissions
 3594 difficulties.

3595 (f) Annually publish a list of courses that meet common
 3596 general education and common degree program prerequisite
 3597 requirements at public postsecondary institutions identified
 3598 pursuant to s. 1007.25.

3599 (g) Foster timely collection and reporting of statewide
 3600 education data to improve the Early Learning-20 ~~K-20~~ education

3601 performance accountability system pursuant to ss. 1001.10 and
3602 1008.31, including, but not limited to, data quality,
3603 accessibility, and protection of student records.

3604 (h) Recommend roles and responsibilities of public
3605 education entities in interfacing with the single, statewide
3606 computer-assisted student advising system established pursuant
3607 to s. 1006.735.

3608 Section 66. Section 1008.2125, Florida Statutes, is
3609 created to read:

3610 1008.2125 Coordinated screening and progress monitoring
3611 program for students in the Voluntary Prekindergarten Education
3612 Program through grade 3.-

3613 (1) The primary purpose of a coordinated screening and
3614 progress monitoring program for the Voluntary Prekindergarten
3615 Education Program through grade 3 is to provide information on
3616 students' progress in mastering the appropriate grade-level
3617 standards and to provide information on their progress to
3618 parents, teachers, and school and program administrators. Data
3619 shall be used by Voluntary Prekindergarten Education Program
3620 providers and school districts to improve instruction, by
3621 parents and teachers to guide learning objectives and provide
3622 timely and appropriate supports and interventions to students
3623 not meeting grade level expectations, and by the public to
3624 assess the cost benefit of the expenditure of taxpayer dollars.
3625 The program must:

3626 (a) Assess the progress of students in the Voluntary
3627 Prekindergarten Education Program through grade 3 in meeting the
3628 appropriate expectations in early literacy and math skills and
3629 in English Language Arts and mathematics, as required by ss.
3630 1002.67(1)(a) and 1003.41.

3631 (b) Provide data for accountability of the Voluntary
3632 Prekindergarten Education Program, as required by s. 1002.68.

3633 (c) Provide baseline data to the department of each
3634 student's readiness for kindergarten, which must be based on
3635 each kindergarten students progress monitoring results within
3636 the first 30 days of enrollment in accordance with paragraph
3637 (2)(a).

3638 (d) Identify the educational strengths and needs of
3639 students in the Voluntary Prekindergarten Education Program
3640 through grade 3.

3641 (e) Provide teachers with progress monitoring data to
3642 provide timely interventions and supports pursuant to s.
3643 1008.25(5).

3644 (f) Assess how well educational goals and curricular
3645 standards are met at the provider, school, district, and state
3646 levels.

3647 (g) Provide information to aid in the evaluation and
3648 development of educational programs and policies.

3649 (2) The Commissioner of Education shall design a
3650 statewide, standardized screening and progress monitoring

3651 program to assess early literacy and mathematics skills and the
3652 English Language Arts and mathematics standards established in
3653 ss. 1002.67(1)(a) and 1003.41, respectively. The screening and
3654 progress monitoring program must provide interval level and
3655 criterion-referenced data that measures equivalent levels of
3656 growth, be a developmentally appropriate valid and reliable
3657 direct assessment, be able to capture data on students who may
3658 be performing below grade or developmental level, accurately
3659 measure the core content in the applicable grade level
3660 standards, document learning gains for the achievement of these
3661 standards, and provide teachers with progress monitoring
3662 supports and materials that enhance differentiated instruction
3663 and parent communication. Participation in the screening and
3664 progress monitoring program is mandatory for all students in the
3665 Voluntary Prekindergarten Education Program and all public
3666 schools. The coordinated screening and progress monitoring
3667 program shall be implemented beginning in the 2021-2022 school
3668 year, as follows:

3669 (a) The Voluntary Prekindergarten Education Program
3670 through grade 3 screening and progress monitoring program shall
3671 be administered within the first 30 days of enrollment, midyear,
3672 and within the last 30 days of the program or school year, in
3673 accordance with the rules adopted by the State Board of
3674 Education. The state board may adopt alternate timeframes to
3675 address nontraditional school year calendars or summer programs

3676 to ensure administration of the Voluntary Prekindergarten
3677 Education Program through grade 3 screening and progress
3678 monitoring program at a minimum 3 times within a year or
3679 program.

3680 (b) The results of the Voluntary Prekindergarten Education
3681 Program through grade 3 screening and progress monitoring
3682 program shall be reported to the Department, in accordance with
3683 the rules adopted by the state board, and maintained in the
3684 department's Educational Data Warehouse.

3685 (3) The Commissioner of Education shall:

3686 (a) Develop a plan, in coordination with the Council for
3687 Early Grade Success, for implementation of the Voluntary
3688 Prekindergarten Education Program through grade 3 screening and
3689 progress monitoring program in consideration of the timelines
3690 required for the completion of the review of the Next Generation
3691 Sunshine State Standards and the Voluntary Prekindergarten
3692 Education Program standards.

3693 (b) Include a request for funding in the agency's 2020-
3694 2021 legislative budget request for procurement and the
3695 provision of training to Voluntary Prekindergarten Education
3696 Program providers, early learning coalitions, and school
3697 districts.

3698 (c) Provide data, reports, and information as requested to
3699 the Council for Early Grade Success.

3700 (4) The Council for Early Grade Success, a council as

3701 defined in s. 20.03, is created within the Department of
3702 Education to oversee the coordinated screening and progress
3703 monitoring program and, except as otherwise provided in this
3704 section, shall operate consistent with s. 20.052.

3705 (a) The council shall be responsible for reviewing the
3706 implementation of, training for, and outcomes from the
3707 coordinated screening and progress monitoring program to provide
3708 recommendations to the department that supports the state's
3709 grade 3 students reading at or above grade level. The council,
3710 at a minimum, shall:

3711 1. Provide recommendations on the implementation of the
3712 coordinated screening and progress monitoring program, including
3713 reviewing any procurement solicitation documents and criteria
3714 prior to being published.

3715 2. Develop training plans and timelines.

3716 3. Identify appropriate personnel, processes, and
3717 procedures required for the administration of the progress
3718 monitoring and screening program.

3719 4. Provide input on the methodology for calculating a
3720 provider's or school's performance metric and the grading system
3721 pursuant to s. 1002.68.

3722 5. Work with the department to identify a methodology for
3723 determining a child's kindergarten readiness.

3724 6. Review data on age-appropriate learning gains by grade
3725 level that a student would need to attain in order to

3726 demonstrate proficiency in reading by grade 3.

3727 7. Continually review anonymized data from the results of
 3728 the coordinated screening and progress monitoring program for
 3729 students in the Voluntary Prekindergarten Education Program
 3730 through grade 3 to help inform recommendations to the department
 3731 that supports practices that will enable grade 3 students to
 3732 read at or above grade level.

3733 (b) The council shall be composed of 15 members who are
 3734 residents of the state and appointed, as follows:

3735 1. Two members appointed by the Governor:

3736 a. One representative from the Department of Education.

3737 b. One parent of a child who is 4 to 9 years of age.

3738 2. Thirteen members jointly appointed by the President of
 3739 the Senate and the Speaker of the House of Representatives, as
 3740 follows:

3741 a. One representative of an urban school district.

3742 b. One representative of a rural school district.

3743 c. One representative of an urban early learning
 3744 coalition.

3745 d. One representative of a rural early learning coalition.

3746 e. One representative of an early learning provider.

3747 f. One representative of a faith-based early learning
 3748 provider.

3749 g. One representative who is a kindergarten teacher with
 3750 at least 5 years of teaching experience.

3751 h. One representative who is a second grade teacher with
3752 at least 5 years of teaching experience.

3753 i. One representative who is a school principal.

3754 j. Four representatives with subject matter expertise in
3755 early learning, early grade success, or child assessments. The
3756 four representatives with subject matter expertise may not be
3757 direct stakeholders within the 67 early learning or public
3758 school systems or potential recipients of a contract resulting
3759 from the council's recommendations.

3760 (5) The council shall elect a chair and vice chair. The
3761 chair must be one of the four members with subject matter
3762 expertise in early learning, early grade success, or child
3763 assessments. The vice chair must be a member appointed by the
3764 President of the Senate and the Speaker of the House of
3765 Representatives, who is not one of the four members who are
3766 subject matter experts in early learning, early grade success,
3767 or child assessments. Members of the council shall serve without
3768 compensation but are entitled to reimbursement for per diem and
3769 travel expenses pursuant to s. 112.061.

3770 (6) The council must meet at least bi-annually and may
3771 meet by teleconference or other electronic means, if possible,
3772 to reduce costs.

3773 (7) A majority of the members constitutes a quorum.

3774 Section 67. Paragraphs (b) and (c) of subsection (5) of
3775 section 1008.25, Florida Statutes, are redesignated as

3776 paragraphs (c) and (d), respectively, paragraph (b) of
3777 subsection (6), subsection (7), and paragraph (a) of subsection
3778 (8) are amended, and a new paragraph (b) is added to subsection
3779 (5) of that section, to read:

3780 1008.25 Public school student progression; student
3781 support; reporting requirements.—

3782 (5) READING DEFICIENCY AND PARENTAL NOTIFICATION.—

3783 (b) Any Voluntary Prekindergarten Education Program
3784 student who exhibits a substantial deficiency in early literacy
3785 in accordance with the standards under s. 1002.67(1)(a) and
3786 based upon the results of the administration of the final
3787 progress monitoring screening in s. 1008.2125 shall be referred
3788 to the local school district and may be eligible to receive
3789 intensive reading interventions before participating in
3790 kindergarten using funds from the district's research-based
3791 reading instruction allocation in accordance with s. 1011.62(9).

3792 (6) ELIMINATION OF SOCIAL PROMOTION.—

3793 (b) The district school board may only exempt students
3794 from mandatory retention, as provided in paragraph (5)(c)
3795 ~~(5)(b)~~, for good cause. A student who is promoted to grade 4
3796 with a good cause exemption shall be provided intensive reading
3797 instruction and intervention that include specialized diagnostic
3798 information and specific reading strategies to meet the needs of
3799 each student so promoted. The school district shall assist
3800 schools and teachers with the implementation of explicit,

3801 systematic, and multisensory reading instruction and
3802 intervention strategies for students promoted with a good cause
3803 exemption which research has shown to be successful in improving
3804 reading among students who have reading difficulties. Good cause
3805 exemptions are limited to the following:

3806 1. Limited English proficient students who have had less
3807 than 2 years of instruction in an English for Speakers of Other
3808 Languages program based on the initial date of entry into a
3809 school in the United States.

3810 2. Students with disabilities whose individual education
3811 plan indicates that participation in the statewide assessment
3812 program is not appropriate, consistent with the requirements of
3813 s. 1008.212.

3814 3. Students who demonstrate an acceptable level of
3815 performance on an alternative standardized reading or English
3816 Language Arts assessment approved by the State Board of
3817 Education.

3818 4. A student who demonstrates through a student portfolio
3819 that he or she is performing at least at Level 2 on the
3820 statewide, standardized English Language Arts assessment.

3821 5. Students with disabilities who take the statewide,
3822 standardized English Language Arts assessment and who have an
3823 individual education plan or a Section 504 plan that reflects
3824 that the student has received intensive instruction in reading
3825 or English Language Arts for more than 2 years but still

3826 demonstrates a deficiency and was previously retained in
 3827 kindergarten, grade 1, grade 2, or grade 3.

3828 6. Students who have received intensive reading
 3829 intervention for 2 or more years but still demonstrate a
 3830 deficiency in reading and who were previously retained in
 3831 kindergarten, grade 1, grade 2, or grade 3 for a total of 2
 3832 years. A student may not be retained more than once in grade 3.

3833 (7) SUCCESSFUL PROGRESSION FOR RETAINED THIRD GRADE
 3834 STUDENTS.—

3835 (a) Students retained under paragraph (5)(c) ~~(5)(b)~~ must
 3836 be provided intensive interventions in reading to ameliorate the
 3837 student's specific reading deficiency and prepare the student
 3838 for promotion to the next grade. These interventions must
 3839 include:

3840 1. Evidence-based, explicit, systematic, and multisensory
 3841 reading instruction in phonemic awareness, phonics, fluency,
 3842 vocabulary, and comprehension and other strategies prescribed by
 3843 the school district.

3844 2. Participation in the school district's summer reading
 3845 camp, which must incorporate the instructional and intervention
 3846 strategies under subparagraph 1.

3847 3. A minimum of 90 minutes of daily, uninterrupted reading
 3848 instruction incorporating the instructional and intervention
 3849 strategies under subparagraph 1. This instruction may include:

3850 a. Integration of content-rich texts in science and social

3851 studies within the 90-minute block.

3852 b. Small group instruction.

3853 c. Reduced teacher-student ratios.

3854 d. More frequent progress monitoring.

3855 e. Tutoring or mentoring.

3856 f. Transition classes containing 3rd and 4th grade

3857 students.

3858 g. Extended school day, week, or year.

3859 (b) Each school district shall:

3860 1. Provide written notification to the parent of a student

3861 who is retained under paragraph (5) (c) ~~(5) (b)~~ that his or her

3862 child has not met the proficiency level required for promotion

3863 and the reasons the child is not eligible for a good cause

3864 exemption as provided in paragraph (6) (b). The notification must

3865 comply with paragraph (5) (d) ~~(5) (e)~~ and must include a

3866 description of proposed interventions and supports that will be

3867 provided to the child to remediate the identified areas of

3868 reading deficiency.

3869 2. Implement a policy for the midyear promotion of a

3870 student retained under paragraph (5) (c) ~~(5) (b)~~ who can

3871 demonstrate that he or she is a successful and independent

3872 reader and performing at or above grade level in reading or,

3873 upon implementation of English Language Arts assessments,

3874 performing at or above grade level in English Language Arts.

3875 Tools that school districts may use in reevaluating a student

3876 retained may include subsequent assessments, alternative
3877 assessments, and portfolio reviews, in accordance with rules of
3878 the State Board of Education. Students promoted during the
3879 school year after November 1 must demonstrate proficiency levels
3880 in reading equivalent to the level necessary for the beginning
3881 of grade 4. The rules adopted by the State Board of Education
3882 must include standards that provide a reasonable expectation
3883 that the student's progress is sufficient to master appropriate
3884 grade 4 level reading skills.

3885 3. Provide students who are retained under paragraph
3886 (5)(c) ~~(5)(b)~~, including students participating in the school
3887 district's summer reading camp under subparagraph (a)2., with a
3888 highly effective teacher as determined by the teacher's
3889 performance evaluation under s. 1012.34, and, beginning July 1,
3890 2020, the teacher must also be certified or endorsed in reading.

3891 4. Establish at each school, when applicable, an intensive
3892 reading acceleration course for any student retained in grade 3
3893 who was previously retained in kindergarten, grade 1, or grade
3894 2. The intensive reading acceleration course must provide the
3895 following:

3896 a. Uninterrupted reading instruction for the majority of
3897 student contact time each day and opportunities to master the
3898 grade 4 Next Generation Sunshine State Standards in other core
3899 subject areas through content-rich texts.

3900 b. Small group instruction.

3901 c. Reduced teacher-student ratios.
 3902 d. The use of explicit, systematic, and multisensory
 3903 reading interventions, including intensive language, phonics,
 3904 and vocabulary instruction, and use of a speech-language
 3905 therapist if necessary, that have proven results in accelerating
 3906 student reading achievement within the same school year.

3907 e. A read-at-home plan.

3908 (8) ANNUAL REPORT.—

3909 (a) In addition to the requirements in paragraph (5) (c)
 3910 ~~(5) (b)~~, each district school board must annually report to the
 3911 parent of each student the progress of the student toward
 3912 achieving state and district expectations for proficiency in
 3913 English Language Arts, science, social studies, and mathematics.
 3914 The district school board must report to the parent the
 3915 student's results on each statewide, standardized assessment.
 3916 The evaluation of each student's progress must be based upon the
 3917 student's classroom work, observations, tests, district and
 3918 state assessments, response to intensive interventions provided
 3919 under paragraph (5) (a), and other relevant information. Progress
 3920 reporting must be provided to the parent in writing in a format
 3921 adopted by the district school board.

3922 Section 68. Section 1008.31, Florida Statutes, are amended
 3923 to read:

3924 1008.31 Florida's Early Learning-20 ~~K-20~~ education
 3925 performance accountability system; legislative intent; mission,

3926 | goals, and systemwide measures; data quality improvements.—

3927 | (1) LEGISLATIVE INTENT.—It is the intent of the
3928 | Legislature that:

3929 | (a) The performance accountability system implemented to
3930 | assess the effectiveness of Florida's seamless Early Learning-20
3931 | ~~K-20~~ education delivery system provide answers to the following
3932 | questions in relation to its mission and goals:

3933 | 1. What is the public receiving in return for funds it
3934 | invests in education?

3935 | 2. How effectively is Florida's Early Learning-20 ~~K-20~~
3936 | education system educating its students?

3937 | 3. How effectively are the major delivery sectors
3938 | promoting student achievement?

3939 | 4. How are individual schools and postsecondary education
3940 | institutions performing their responsibility to educate their
3941 | students as measured by how students are performing and how much
3942 | they are learning?

3943 | (b) The Early Learning-20 ~~K-20~~ education performance
3944 | accountability system be established as a single, unified
3945 | accountability system with multiple components, including, but
3946 | not limited to, student performance in public schools and school
3947 | and district grades.

3948 | (c) The K-20 education performance accountability system
3949 | comply with the requirements of the "No Child Left Behind Act of
3950 | 2001," Pub. L. No. 107-110, and the Individuals with

3951 Disabilities Education Act (IDEA).

3952 (d) The early learning accountability system comply with
 3953 the requirements of Part V and Part VI of Chapter 1002 and the
 3954 requirements of the Child Care and Development Block Grant Trust
 3955 Fund, pursuant to 45 C.F.R. parts 98 and 99.

3956 (e)~~(d)~~ The State Board of Education and the Board of
 3957 Governors of the State University System recommend to the
 3958 Legislature systemwide performance standards; the Legislature
 3959 establish systemwide performance measures and standards; and the
 3960 systemwide measures and standards provide Floridians with
 3961 information on what the public is receiving in return for the
 3962 funds it invests in education and how well the Early Learning-20
 3963 ~~K-20~~ system educates its students.

3964 (f)1.~~(e)1.~~ The State Board of Education establish
 3965 performance measures and set performance standards for
 3966 individual public schools and Florida College System
 3967 institutions, with measures and standards based primarily on
 3968 student achievement.

3969 2. The Board of Governors of the State University System
 3970 establish performance measures and set performance standards for
 3971 individual state universities, including actual completion
 3972 rates.

3973 (2) MISSION, GOALS, AND SYSTEMWIDE MEASURES.—

3974 (a) The mission of Florida's Early Learning-20 ~~K-20~~
 3975 education system shall be to increase the proficiency of all

3976 | students within one seamless, efficient system, by allowing them
 3977 | the opportunity to expand their knowledge and skills through
 3978 | learning opportunities and research valued by students, parents,
 3979 | and communities.

3980 | (b) The process for establishing state and sector-specific
 3981 | standards and measures must be:

- 3982 | 1. Focused on student success.
- 3983 | 2. Addressable through policy and program changes.
- 3984 | 3. Efficient and of high quality.
- 3985 | 4. Measurable over time.
- 3986 | 5. Simple to explain and display to the public.
- 3987 | 6. Aligned with other measures and other sectors to
 3988 | support a coordinated Early Learning-20 ~~K-20~~ education system.

3989 | (c) The Department of Education shall maintain an
 3990 | accountability system that measures student progress toward the
 3991 | following goals:

- 3992 | 1. Highest student achievement, as indicated by evidence
 3993 | of student learning gains at all levels.
- 3994 | 2. Seamless articulation and maximum access, as measured
 3995 | by evidence of progression, readiness, and access by targeted
 3996 | groups of students identified by the Commissioner of Education.
- 3997 | 3. Skilled workforce and economic development, as measured
 3998 | by evidence of employment and earnings.
- 3999 | 4. Quality efficient services, as measured by evidence of
 4000 | return on investment.

4001 5. Other goals as identified by law or rule.

4002 (3) ~~K-20~~ EDUCATION DATA QUALITY IMPROVEMENTS.—To provide
4003 data required to implement education performance accountability
4004 measures in state and federal law, the Commissioner of Education
4005 shall initiate and maintain strategies to improve data quality
4006 and timeliness. The Board of Governors shall make available to
4007 the department all data within the State University Database
4008 System to be integrated into the educational ~~K-20~~ data
4009 warehouse. The commissioner shall have unlimited access to such
4010 data for the purposes of conducting studies, reporting annual
4011 and longitudinal student outcomes, and improving college
4012 readiness and articulation. All public educational institutions
4013 shall annually provide data from the prior year to the
4014 educational ~~K-20~~ data warehouse in a format based on data
4015 elements identified by the commissioner.

4016 (a) School districts and public postsecondary educational
4017 institutions shall maintain information systems that will
4018 provide the State Board of Education, the Board of Governors of
4019 the State University System, and the Legislature with
4020 information and reports necessary to address the specifications
4021 of the accountability system. The level of comprehensiveness and
4022 quality must be no less than that which was available as of June
4023 30, 2001.

4024 (b) Colleges and universities eligible to participate in
4025 the William L. Boyd, IV, Effective Access to Student Education

4026 Grant Program shall annually report student-level data from the
 4027 prior year for each student who receives state funds in a format
 4028 prescribed by the Department of Education. At a minimum, data
 4029 from the prior year must include retention rates, transfer
 4030 rates, completion rates, graduation rates, employment and
 4031 placement rates, and earnings of graduates. By October 1 of each
 4032 year, the colleges and universities described in this paragraph
 4033 shall report the data to the department.

4034 (c) The Commissioner of Education shall determine the
 4035 standards for the required data, monitor data quality, and
 4036 measure improvements. The commissioner shall report annually to
 4037 the State Board of Education, the Board of Governors of the
 4038 State University System, the President of the Senate, and the
 4039 Speaker of the House of Representatives data quality indicators
 4040 and ratings for all school districts and public postsecondary
 4041 educational institutions.

4042 (d) Before establishing any new reporting or data
 4043 collection requirements, the commissioner shall use existing
 4044 data being collected to reduce duplication and minimize
 4045 paperwork.

4046 (4) RULES.—The State Board of Education shall adopt rules
 4047 pursuant to ss. 120.536(1) and 120.54 to implement the
 4048 provisions of this section relating to the educational ~~K-20~~ data
 4049 warehouse.

4050 Section 69. Section 1008.32, Florida Statutes, is amended

4051 to read:

4052 1008.32 State Board of Education oversight enforcement
4053 authority.—The State Board of Education shall oversee the
4054 performance of early learning coalitions, district school
4055 boards, and Florida College System institution boards of
4056 trustees in enforcement of all laws and rules. District school
4057 boards and Florida College System institution boards of trustees
4058 shall be primarily responsible for compliance with law and state
4059 board rule.

4060 (1) In order to ensure compliance with law or state board
4061 rule, the State Board of Education shall have the authority to
4062 request and receive information, data, and reports from early
4063 learning coalitions, school districts, and Florida College
4064 System institutions. Early Learning Coalition Chief Executive
4065 Officers or Executive Directors, district school
4066 superintendents, and Florida College System institution
4067 presidents are responsible for the accuracy of the information
4068 and data reported to the state board.

4069 (2) (a) The Commissioner of Education may investigate
4070 allegations of noncompliance with law or state board rule and
4071 determine probable cause. The commissioner shall report
4072 determinations of probable cause to the State Board of Education
4073 which shall require the early learning coalition, district
4074 school board, or Florida College System institution board of
4075 trustees to document compliance with law or state board rule.

4076 (b) The Commissioner of Education shall report to the
4077 State Board of Education any findings by the Auditor General
4078 that an early learning coalition, ~~a~~ district school board, or
4079 Florida College System institution is acting without statutory
4080 authority or contrary to general law. The State Board of
4081 Education shall require the early learning coalition, district
4082 school board, or Florida College System institution board of
4083 trustees to document compliance with such law.

4084 (3) If the early learning coalition, district school
4085 board, or Florida College System institution board of trustees
4086 cannot satisfactorily document compliance, the State Board of
4087 Education may order compliance within a specified timeframe.

4088 (4) If the State Board of Education determines that an
4089 early learning coalition, ~~a~~ district school board, or Florida
4090 College System institution board of trustees is unwilling or
4091 unable to comply with law or state board rule within the
4092 specified time, the state board shall have the authority to
4093 initiate any of the following actions:

4094 (a) Report to the Legislature that the early learning
4095 coalition, school district, or Florida College System
4096 institution is unwilling or unable to comply with law or state
4097 board rule and recommend action to be taken by the Legislature.

4098 (b) Withhold the transfer of state funds, discretionary
4099 grant funds, discretionary lottery funds, or any other funds
4100 specified as eligible for this purpose by the Legislature until

4101 | the early learning coalition, school district, or Florida
 4102 | College System institution complies with the law or state board
 4103 | rule.

4104 | (c) Declare the early learning coalition, school district,
 4105 | or Florida College System institution ineligible for competitive
 4106 | grants.

4107 | (d) Require monthly or periodic reporting on the situation
 4108 | related to noncompliance until it is remedied.

4109 | (5) Nothing in this section shall be construed to create a
 4110 | private cause of action or create any rights for individuals or
 4111 | entities in addition to those provided elsewhere in law or rule.

4112 | Section 70. Paragraph (a) of subsection (3) of section
 4113 | 1008.33, Florida Statutes, is amended to read:

4114 | 1008.33 Authority to enforce public school improvement.—

4115 | (3) (a) The academic performance of all students has a
 4116 | significant effect on the state school system. Pursuant to Art.
 4117 | IX of the State Constitution, which prescribes the duty of the
 4118 | State Board of Education to supervise Florida's public school
 4119 | system, the state board shall equitably enforce the
 4120 | accountability requirements of the state school system and may
 4121 | impose state requirements on school districts in order to
 4122 | improve the academic performance of all districts, schools, and
 4123 | students based upon the provisions of the Florida Early
 4124 | Learning-20 ~~K-20~~ Education Code, chapters 1000-1013; the federal
 4125 | ESEA and its implementing regulations; and the ESEA flexibility

4126 waiver approved for Florida by the United States Secretary of
4127 Education.

4128 Section 71. Subsection (9) of section 1011.62, Florida
4129 Statutes, is amended to read:

4130 1011.62 Funds for operation of schools.—If the annual
4131 allocation from the Florida Education Finance Program to each
4132 district for operation of schools is not determined in the
4133 annual appropriations act or the substantive bill implementing
4134 the annual appropriations act, it shall be determined as
4135 follows:

4136 (9) RESEARCH-BASED READING INSTRUCTION ALLOCATION.—

4137 (a) The research-based reading instruction allocation is
4138 created to provide comprehensive reading instruction to students
4139 in kindergarten through grade 12, including certain students who
4140 exhibit a substantial deficiency in early literacy and completed
4141 the Voluntary Prekindergarten Education Program pursuant to s.
4142 1008.25(5)(b). Each school district that has one or more of the
4143 300 lowest-performing elementary schools based on a 3-year
4144 average of the state reading assessment data must use the
4145 school's portion of the allocation to provide an additional hour
4146 per day of intensive reading instruction for the students in
4147 each school. The additional hour may be provided within the
4148 school day. Students enrolled in these schools who earned a
4149 level 4 or level 5 score on the statewide, standardized English
4150 Language Arts assessment for the previous school year may

4151 participate in the additional hour of instruction. Exceptional
4152 student education centers may not be included in the 300
4153 schools. The intensive reading instruction delivered in this
4154 additional hour shall include: research-based reading
4155 instruction that has been proven to accelerate progress of
4156 students exhibiting a reading deficiency; differentiated
4157 instruction based on screening, diagnostic, progress monitoring,
4158 or student assessment data to meet students' specific reading
4159 needs; explicit and systematic reading strategies to develop
4160 phonemic awareness, phonics, fluency, vocabulary, and
4161 comprehension, with more extensive opportunities for guided
4162 practice, error correction, and feedback; and the integration of
4163 social studies, science, and mathematics-text reading, text
4164 discussion, and writing in response to reading.

4165 (b) Funds for comprehensive, research-based reading
4166 instruction shall be allocated annually to each school district
4167 in the amount provided in the General Appropriations Act. Each
4168 eligible school district shall receive the same minimum amount
4169 as specified in the General Appropriations Act, and any
4170 remaining funds shall be distributed to eligible school
4171 districts based on each school district's proportionate share of
4172 K-12 base funding.

4173 (c) Funds allocated under this subsection must be used to
4174 provide a system of comprehensive reading instruction to
4175 students enrolled in the K-12 programs and certain students who

4176 exhibit a substantial deficiency in early literacy and completed
4177 the Voluntary Prekindergarten Education Program pursuant to s.
4178 1008.25(5)(b), which may include the following:

4179 1. An additional hour per day of intensive reading
4180 instruction to students in the 300 lowest-performing elementary
4181 schools by teachers and reading specialists who have
4182 demonstrated effectiveness in teaching reading as required in
4183 paragraph (a).

4184 2. Kindergarten through grade 5 reading intervention
4185 teachers to provide intensive intervention during the school day
4186 and in the required extra hour for students identified as having
4187 a reading deficiency.

4188 3. Highly qualified reading coaches to specifically
4189 support teachers in making instructional decisions based on
4190 student data, and improve teacher delivery of effective reading
4191 instruction, intervention, and reading in the content areas
4192 based on student need.

4193 4. Professional development for school district teachers
4194 in scientifically based reading instruction, including
4195 strategies to teach reading in content areas and with an
4196 emphasis on technical and informational text, to help school
4197 district teachers earn a certification or an endorsement in
4198 reading.

4199 5. Summer reading camps, using only teachers or other
4200 district personnel who are certified or endorsed in reading

HB 1013

2020

4201 consistent with s. 1008.25(7)(b)3., for all students in
4202 kindergarten through grade 2 who demonstrate a reading
4203 deficiency as determined by district and state assessments, ~~and~~
4204 students in grades 3 through 5 who score at Level 1 on the
4205 statewide, standardized English Language Arts assessment, and
4206 certain students who exhibit a substantial deficiency in early
4207 literacy and completed the Voluntary Prekindergarten Education
4208 Program pursuant to s. 1008.25(5)(b).

4209 6. Supplemental instructional materials that are grounded
4210 in scientifically based reading research as identified by the
4211 Just Read, Florida! Office pursuant to s. 1001.215(8).

4212 7. Intensive interventions for students in kindergarten
4213 through grade 12 who have been identified as having a reading
4214 deficiency or who are reading below grade level as determined by
4215 the statewide, standardized English Language Arts assessment or
4216 for certain students who exhibit a substantial deficiency in
4217 early literacy and completed the Voluntary Prekindergarten
4218 Education Program pursuant to s. 1008.25(5)(b).

4219 (d)1. Annually, by a date determined by the Department of
4220 Education but before May 1, school districts shall submit a ~~K-12~~
4221 comprehensive reading plan for the specific use of the research-
4222 based reading instruction allocation in the format prescribed by
4223 the department for review and approval by the Just Read,
4224 Florida! Office created pursuant to s. 1001.215. The plan
4225 annually submitted by school districts shall be deemed approved

4226 unless the department rejects the plan on or before June 1. If a
4227 school district and the Just Read, Florida! Office cannot reach
4228 agreement on the contents of the plan, the school district may
4229 appeal to the State Board of Education for resolution. School
4230 districts shall be allowed reasonable flexibility in designing
4231 their plans and shall be encouraged to offer reading
4232 intervention through innovative methods, including career
4233 academies. The plan format shall be developed with input from
4234 school district personnel, including teachers and principals,
4235 and shall provide for intensive reading interventions through
4236 integrated curricula, provided that, beginning with the 2020-
4237 2021 school year, the interventions are delivered by a teacher
4238 who is certified or endorsed in reading. Such interventions must
4239 incorporate strategies identified by the Just Read, Florida!
4240 Office pursuant to s. 1001.215(8). No later than July 1
4241 annually, the department shall release the school district's
4242 allocation of appropriated funds to those districts having
4243 approved plans. A school district that spends 100 percent of
4244 this allocation on its approved plan shall be deemed to have
4245 been in compliance with the plan. The department may withhold
4246 funds upon a determination that reading instruction allocation
4247 funds are not being used to implement the approved plan. The
4248 department shall monitor and track the implementation of each
4249 district plan, including conducting site visits and collecting
4250 specific data on expenditures and reading improvement results.

HB 1013

2020

4251 By February 1 of each year, the department shall report its
4252 findings to the Legislature.

4253 2. Each school district that has a school designated as
4254 one of the 300 lowest-performing elementary schools as specified
4255 in paragraph (a) shall specifically delineate in the
4256 comprehensive reading plan, or in an addendum to the
4257 comprehensive reading plan, the implementation design and
4258 reading intervention strategies that will be used for the
4259 required additional hour of reading instruction. The term
4260 "reading intervention" includes evidence-based strategies
4261 frequently used to remediate reading deficiencies and also
4262 includes individual instruction, tutoring, mentoring, or the use
4263 of technology that targets specific reading skills and
4264 abilities.

4265 Section 72. This act shall take effect July 1, 2020.