

By Senator Harrell

25-01567-20

20201616\_\_

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.; adding the Division of Early Learning to  
6       the divisions of the Department of Education; deleting  
7       the Office of Early Learning from the Office of  
8       Independent Education and Parental Choice of the  
9       Department of Education; amending ss. 39.202 and  
10      39.604, F.S.; conforming provisions and cross-  
11      references to changes made by the act; amending s.  
12      212.08, F.S.; providing that certain curricula are  
13      exempt from specified taxes; amending s. 216.136,  
14      F.S.; revising the duties of the Early Learning  
15      Programs Estimating Conference; requiring the  
16      department, rather than the Office of Early Learning,  
17      to provide specified information to the conference;  
18      amending ss. 383.14, 391.308, and 402.26, F.S.;  
19      conforming provisions and cross-references to changes  
20      made by the act; repealing s. 402.281, F.S., relating  
21      to the Gold Seal Quality Care program; amending s.  
22      402.305, F.S.; providing requirements for minimum  
23      child care licensing standards; requiring standards  
24      adopted after a specified date to be ratified by the  
25      Legislature; revising requirements relating to staff  
26      trained in cardiopulmonary resuscitation; amending s.  
27      402.315, F.S.; conforming a cross-reference; amending  
28      s. 402.56, F.S.; revising the membership of the  
29      Children and Youth Cabinet; amending ss. 411.226,

25-01567-20

20201616\_\_

30 411.227, 414.295, 1000.01, 1000.02, 1000.03, 1000.04,  
31 1000.21, 1001.02, 1001.03, 1001.10, and 1001.11, F.S.;  
32 conforming provisions to changes made by the act;  
33 repealing s. 1001.213, F.S., relating to the Office of  
34 Early Learning; amending ss. 1001.215, 1001.23,  
35 1001.70, 1002.32, 1002.34, and 1002.36, F.S.;  
36 conforming provisions and cross-references to changes  
37 made by the act; amending s. 1002.53, F.S.; requiring  
38 students enrolled in the Voluntary Prekindergarten  
39 Education Program to participate in a specified  
40 screening and progress-monitoring program; amending s.  
41 1002.55, F.S.; authorizing certain child development  
42 programs operating on military installations to be  
43 private prekindergarten providers within the Voluntary  
44 Prekindergarten Education Program; providing that a  
45 private prekindergarten provider is ineligible for  
46 participation in the program under certain  
47 circumstances; revising requirements a prekindergarten  
48 instructor must meet; revising requirements for a  
49 specified standards training course; providing  
50 liability insurance requirements for child development  
51 programs that operate on military installations and  
52 participate in the program; requiring early learning  
53 coalitions to verify private prekindergarten provider  
54 compliance with specified provisions; requiring such  
55 coalitions to remove a provider's eligibility under  
56 specified circumstances; amending s. 1002.57, F.S.;  
57 revising the minimum standards for a credential for  
58 certain prekindergarten directors; amending s.

25-01567-20

20201616\_\_

59 1002.59, F.S.; revising requirements for emergent  
60 literacy and performance standards training courses  
61 for prekindergarten instructors; requiring the  
62 department to make certain courses available; amending  
63 s. 1002.61, F.S.; authorizing certain child  
64 development programs operating on military  
65 installations to be private prekindergarten providers  
66 within the summer Voluntary Prekindergarten Education  
67 Program; revising the criteria for teachers to receive  
68 priority consideration from school districts in  
69 staffing the summer program; requiring child  
70 development programs operating on military  
71 installations to comply with specified criteria;  
72 requiring early learning coalitions to verify  
73 specified information; providing for the removal of a  
74 program provider from eligibility under certain  
75 circumstances; amending s. 1002.63, F.S.; revoking the  
76 eligibility of certain public schools to participate  
77 in the program under certain circumstances; providing  
78 for the removal of public school program providers  
79 from the program under certain circumstances; amending  
80 s. 1002.67, F.S.; revising the performance standards  
81 for the Voluntary Prekindergarten Education Program;  
82 requiring the department to review performance  
83 standards on a specified schedule; providing  
84 curriculum requirements for program providers;  
85 requiring the State Board of Education to adopt rules  
86 for the review and approval of curricula for the  
87 program; deleting a required preassessment and

25-01567-20

20201616\_\_

88 postassessment for the program; creating s. 1002.68,  
89 F.S.; requiring providers of the Voluntary  
90 Prekindergarten Education Program to participate in a  
91 specified screening and progress monitoring program;  
92 providing specified uses for the results of such  
93 screening and progress-monitoring program; requiring  
94 certain portions of the screening and progress-  
95 monitoring program to be administered by individuals  
96 who meet specified criteria; requiring the results of  
97 specified assessments to be reported to the parents of  
98 participating students within a certain timeframe;  
99 providing requirements for such assessments; providing  
100 department duties and responsibilities relating to  
101 such assessments; providing requirements for a  
102 specified methodology used to calculate the results of  
103 such assessments; requiring the department to  
104 establish a grading system for program providers;  
105 providing for the adoption of a minimum performance  
106 metric or grade for program participation; providing  
107 procedures for providers whose score or grade falls  
108 below the minimum requirement; providing for the  
109 revocation of program eligibility for certain  
110 providers; authorizing the department to grant good  
111 cause exemptions to providers under certain  
112 circumstances; providing department and provider  
113 requirements for such exemptions; repealing s.  
114 1002.69, F.S., relating to statewide kindergarten  
115 screening and readiness rates; amending ss. 1002.71  
116 and 1002.72, F.S.; conforming provisions to changes

25-01567-20

20201616\_\_

117 made by the act; amending s. 1002.73, F.S.; requiring  
118 the department to adopt a specified standard statewide  
119 provider contract; requiring such contract to be  
120 published on the department's website; providing  
121 requirements for such contract; prohibiting providers  
122 from offering services during an appeal of termination  
123 from the program; providing applicability; requiring  
124 the state board to adopt specified rules relating to  
125 the Voluntary Prekindergarten Education Program;  
126 revising duties of the department relating to the  
127 program; repealing s. 1002.75, F.S., relating to the  
128 powers and duties of the Office of Early Learning;  
129 repealing s. 1002.77, F.S., relating to the Florida  
130 Early Learning Advisory Council; amending ss. 1002.79  
131 and 1002.81, F.S.; redefining a term; conforming  
132 provisions and cross-references to changes made by the  
133 act; amending s. 1002.82, F.S.; providing duties of  
134 the department relating to early learning; exempting  
135 certain child development programs operating on  
136 military installations from specified inspection  
137 requirements; requiring the department to monitor  
138 specified standards and benchmarks for certain  
139 purposes; requiring the department to provide  
140 specified technical support; revising requirements for  
141 a specified assessment program; requiring the  
142 department to adopt requirements to make certain  
143 contracted slots available to serve specified  
144 populations by a specified date; authorizing the  
145 department to remove certain coalitions from

25-01567-20

20201616\_\_

146 eligibility to administer early learning programs  
147 under certain circumstances; requiring the state board  
148 to adopt rules for merging early learning coalitions;  
149 amending s. 1002.83, F.S.; authorizing up to 30 early  
150 learning coalitions rather than 31; revising the  
151 number of members an early learning coalition may  
152 have; revising requirements for such coalitions;  
153 amending s. 1002.84, F.S.; revising early learning  
154 coalition powers and duties; revising requirements for  
155 the waiver of specified copayments; deleting a  
156 provision relating to certain payment schedules;  
157 revising requirements relating to certain contracts;  
158 amending s. 1002.85, F.S.; conforming provisions to  
159 changes made by the act; amending s. 1002.88, F.S.;  
160 authorizing certain child development programs  
161 operating on military installations to participate in  
162 the school readiness program; revising requirements to  
163 deliver services for the program; providing that a  
164 specified annual inspection for child development  
165 programs operating on military installations meets  
166 certain provider requirements; providing a process for  
167 child development programs operating on military  
168 installations to meet certain liability requirements;  
169 amending ss. 1002.89, 1002.895, 1002.91, 1002.92,  
170 1002.93, and 1002.94, F.S.; conforming provisions and  
171 cross-references to changes made by the act; creating  
172 s. 1002.945, F.S.; establishing the Gold Seal Quality  
173 Care Program within the department; providing for the  
174 award of a Gold Seal Quality Care designation by

25-01567-20

20201616\_\_

175 specified accrediting associations; requiring the  
176 state board to adopt standards for the award of such  
177 designation; providing accrediting association  
178 requirements; providing requirements for maintaining  
179 such designation; providing for an exemption from  
180 certain taxes for qualifying providers; providing for  
181 certain child care facilities to receive a specified  
182 rate differential; authorizing the Early Learning  
183 Programs Estimating Conference to determine certain  
184 rate differentials for certain school readiness  
185 programs; requiring the state board to adopt rules;  
186 amending ss. 1002.95, 1002.96, 1002.97, 1002.995,  
187 1003.575, and 1007.01, F.S.; conforming provisions to  
188 changes made by the act; creating s. 1008.2125, F.S.;  
189 creating the coordinated screening and progress-  
190 monitoring program within the department for specified  
191 purposes; requiring the Commissioner of Education to  
192 design the program; providing requirements for the  
193 administration of the program beginning in a specified  
194 school year; requiring results of the program to be  
195 reported to and maintained by the department;  
196 providing duties for the commissioner; creating the  
197 Council for Early Grade Success; providing duties of  
198 the council; providing membership of the council;  
199 requiring the council to elect a chair and a vice  
200 chair; providing for per diem for members of the  
201 council; providing meeting requirements for the  
202 council; providing for a quorum of the council;  
203 amending s. 1008.25, F.S.; authorizing certain

25-01567-20

20201616\_\_

204 students enrolled in the Voluntary Prekindergarten  
205 Education Program to receive intensive reading  
206 interventions using specified funds; amending ss.  
207 1008.31, 1008.32, and 1008.33, F.S.; conforming  
208 provisions to changes made by the act; amending s.  
209 1011.62, F.S.; revising the research-based reading  
210 instruction allocation to authorize the use of such  
211 funds for certain intensive reading interventions for  
212 students enrolled in the Voluntary Prekindergarten  
213 Education Program; amending ss. 1002.22 and 1002.53,  
214 F.S.; conforming cross-references; providing an  
215 effective date.

216

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

218

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

221 20.055 Agency inspectors general.—

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

223 (a) "Agency head" means the Governor, a Cabinet officer, or  
224 a secretary or executive director as those terms are defined in  
225 s. 20.03, the chair of the Public Service Commission, the  
226 Director of the Office of Insurance Regulation of the Financial  
227 Services Commission, the Director of the Office of Financial  
228 Regulation of the Financial Services Commission, the board of  
229 directors of the Florida Housing Finance Corporation, ~~the~~  
230 ~~executive director of the Office of Early Learning,~~ and the  
231 Chief Justice of the State Supreme Court.

232 (d) "State agency" means each department created pursuant

25-01567-20

20201616\_\_

233 to this chapter and the Executive Office of the Governor, the  
234 Department of Military Affairs, the Fish and Wildlife  
235 Conservation Commission, the Office of Insurance Regulation of  
236 the Financial Services Commission, the Office of Financial  
237 Regulation of the Financial Services Commission, the Public  
238 Service Commission, the Board of Governors of the State  
239 University System, the Florida Housing Finance Corporation, ~~the~~  
240 ~~Office of Early Learning,~~ and the state courts system.

241 Section 2. Present paragraphs (c) through (j) of subsection  
242 (3) of section 20.15, Florida Statutes, are redesignated as  
243 paragraphs (d) through (k), respectively, a new paragraph (c) is  
244 added to subsection (3), and present paragraph (i) of subsection  
245 (3) and subsection (5) of that section are amended, to read:

246 20.15 Department of Education.—There is created a  
247 Department of Education.

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

250 (c) Division of Early Learning.

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

253 ~~1. The Office of Early Learning, which shall be~~  
254 ~~administered by an executive director who is fully accountable~~  
255 ~~to the Commissioner of Education. The executive director shall,~~  
256 ~~pursuant to s. 1001.213, administer the early learning programs,~~  
257 ~~including the school readiness program and the Voluntary~~  
258 ~~Prekindergarten Education Program at the state level.~~

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

25-01567-20

20201616\_\_

262 (5) POWERS AND DUTIES.—The State Board of Education and the  
263 Commissioner of Education shall assign to the divisions such  
264 powers, duties, responsibilities, and functions as are necessary  
265 to ensure the greatest possible coordination, efficiency, and  
266 effectiveness of education for students in Early Learning-20 ~~K-~~  
267 ~~20~~ education under the jurisdiction of the State Board of  
268 Education.

269 Section 3. Paragraph (a) of subsection (2) of section  
270 39.202, Florida Statutes, is amended to read:

271 39.202 Confidentiality of reports and records in cases of  
272 child abuse or neglect.—

273 (2) Except as provided in subsection (4), access to such  
274 records, excluding the name of, or other identifying information  
275 with respect to, the reporter which shall be released only as  
276 provided in subsection (5), shall be granted only to the  
277 following persons, officials, and agencies:

278 (a) Employees, authorized agents, or contract providers of  
279 the department, the Department of Health, the Agency for Persons  
280 with Disabilities, ~~the Office of Early Learning,~~ or county  
281 agencies responsible for carrying out:

- 282 1. Child or adult protective investigations;
- 283 2. Ongoing child or adult protective services;
- 284 3. Early intervention and prevention services;
- 285 4. Healthy Start services;
- 286 5. Licensure or approval of adoptive homes, foster homes,  
287 child care facilities, facilities licensed under chapter 393,  
288 family day care homes, providers who receive school readiness  
289 funding under part VI of chapter 1002, or other homes used to  
290 provide for the care and welfare of children;

25-01567-20

20201616\_\_

291           6. Employment screening for caregivers in residential group  
292 homes; or

293           7. Services for victims of domestic violence when provided  
294 by certified domestic violence centers working at the  
295 department's request as case consultants or with shared clients.

296

297 Also, employees or agents of the Department of Juvenile Justice  
298 responsible for the provision of services to children, pursuant  
299 to chapters 984 and 985.

300           Section 4. Paragraph (b) of subsection (5) of section  
301 39.604, Florida Statutes, is amended to read:

302           39.604 Rilya Wilson Act; short title; legislative intent;  
303 child care; early education; preschool.—

304           (5) EDUCATIONAL STABILITY.—Just as educational stability is  
305 important for school-age children, it is also important to  
306 minimize disruptions to secure attachments and stable  
307 relationships with supportive caregivers of children from birth  
308 to school age and to ensure that these attachments are not  
309 disrupted due to placement in out-of-home care or subsequent  
310 changes in out-of-home placement.

311           (b) If it is not in the best interest of the child for him  
312 or her to remain in his or her child care or early education  
313 setting upon entry into out-of-home care, the caregiver must  
314 work with the case manager, guardian ad litem, child care and  
315 educational staff, and educational surrogate, if one has been  
316 appointed, to determine the best setting for the child. Such  
317 setting may be a child care provider that receives a Gold Seal  
318 Quality Care designation pursuant to s. 1002.945 ~~s. 402.281~~, a  
319 provider participating in a quality rating system, a licensed

25-01567-20

20201616\_\_

320 child care provider, a public school provider, or a license-  
321 exempt child care provider, including religious-exempt and  
322 registered providers, and nonpublic schools.

323 Section 5. Paragraph (m) of subsection (5) of section  
324 212.08, Florida Statutes, is amended to read:

325 212.08 Sales, rental, use, consumption, distribution, and  
326 storage tax; specified exemptions.—The sale at retail, the  
327 rental, the use, the consumption, the distribution, and the  
328 storage to be used or consumed in this state of the following  
329 are hereby specifically exempt from the tax imposed by this  
330 chapter.

331 (5) EXEMPTIONS; ACCOUNT OF USE.—

332 (m) *Educational materials purchased by certain child care*  
333 *facilities.*—Educational materials, such as glue, paper, paints,  
334 crayons, unique craft items, scissors, books, ~~and~~ educational  
335 toys, and curricula, purchased by a child care facility that  
336 meets the standards delineated in s. 402.305, is licensed under  
337 s. 402.308, holds a current Gold Seal Quality Care designation  
338 pursuant to s. 1002.945 ~~s. 402.281~~, and provides basic health  
339 insurance to all employees are exempt from the taxes imposed by  
340 this chapter. For purposes of this paragraph, the term “basic  
341 health insurance” shall be defined and promulgated in rules  
342 developed jointly by the Department of Education ~~Children and~~  
343 ~~Families~~, the Agency for Health Care Administration, and the  
344 Financial Services Commission.

345 Section 6. Subsection (8) of section 216.136, Florida  
346 Statutes, is amended to read:

347 216.136 Consensus estimating conferences; duties and  
348 principals.—

25-01567-20

20201616\_\_

349 (8) EARLY LEARNING PROGRAMS ESTIMATING CONFERENCE.—

350 (a) The Early Learning Programs Estimating Conference shall  
351 develop estimates and forecasts by county of the unduplicated  
352 count of children eligible for the school readiness program in  
353 accordance with the standards of eligibility established in s.  
354 1002.87 and of children eligible for the Voluntary  
355 Prekindergarten Education Program in accordance with s.  
356 1002.53(2); review and verify the procedures and data used by  
357 the Department of Education for the adoption of the market rate  
358 schedule under s. 1002.895; determine base payment rates and the  
359 application of legislatively approved differentials under part  
360 VI of chapter 1002 by county, care level, and provider type that  
361 ensure reasonable access to quality early learning settings in  
362 each county and that shall be implemented by each early learning  
363 coalition and used in any school readiness program funding  
364 formula; verify all data sources and calculations used to  
365 determine funding recommendations by county for the school  
366 readiness program and the Voluntary Prekindergarten Education  
367 Program before submission of any legislative budget request; and  
368 meet at least biannually,~~as the conference determines are~~  
369 ~~needed~~ to support the state planning, budgeting, and  
370 appropriations processes.

371 (b) The department ~~Office of Early Learning~~ shall provide  
372 any reasonably related information for the conference or its  
373 principals to be able to complete the duties listed in paragraph  
374 (a) on needs and waiting lists for school readiness programs,  
375 ~~and information on the needs for~~ the Voluntary Prekindergarten  
376 Education Program, as requested by the Early Learning Programs  
377 Estimating Conference or individual conference principals in a

25-01567-20

20201616\_\_

378 timely manner.

379 Section 7. Paragraph (b) of subsection (1) and paragraph  
380 (b) of subsection (2) of section 383.14, Florida Statutes, are  
381 amended to read:

382 383.14 Screening for metabolic disorders, other hereditary  
383 and congenital disorders, and environmental risk factors.—

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

406 (b) *Postnatal screening*.—A risk factor analysis using the

25-01567-20

20201616\_\_

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

25-01567-20

20201616\_\_

436 Learning.

437 (2) RULES.—

438 (b) After consultation with the Department of Education  
439 ~~Office of Early Learning~~, the department shall adopt and enforce  
440 rules requiring every newborn in this state to be screened for  
441 environmental risk factors that place children and their  
442 families at risk for increased morbidity, mortality, and other  
443 negative outcomes.

444 Section 8. Paragraph (h) of subsection (2) of section  
445 391.308, Florida Statutes, is amended to read:

446 391.308 Early Steps Program.—The department shall implement  
447 and administer part C of the federal Individuals with  
448 Disabilities Education Act (IDEA), which shall be known as the  
449 “Early Steps Program.”

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

451 (h) Promote interagency cooperation and coordination, with  
452 the Medicaid program, the Department of Education program  
453 pursuant to part B of the federal Individuals with Disabilities  
454 Education Act, and programs providing child screening such as  
455 the Florida Diagnostic and Learning Resources System, ~~the Office~~  
456 ~~of Early Learning~~, Healthy Start, and the Help Me Grow program.

457 1. Coordination with the Medicaid program shall be  
458 developed and maintained through written agreements with the  
459 Agency for Health Care Administration and Medicaid managed care  
460 organizations as well as through active and ongoing  
461 communication with these organizations. The department shall  
462 assist local program offices to negotiate agreements with  
463 Medicaid managed care organizations in the service areas of the  
464 local program offices. Such agreements may be formal or

25-01567-20

20201616\_\_

465 informal.

466 2. Coordination with education programs pursuant to part B  
467 of the federal Individuals with Disabilities Education Act shall  
468 be developed and maintained through written agreements with the  
469 Department of Education. The department shall assist local  
470 program offices to negotiate agreements with school districts in  
471 the service areas of the local program offices.

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

474 402.26 Child care; legislative intent.—

475 (6) It is the intent of the Legislature that a child care  
476 facility licensed pursuant to s. 402.305 or a child care  
477 facility exempt from licensing pursuant to s. 402.316, that  
478 achieves Gold Seal Quality status pursuant to s. 1002.945 ~~s.~~  
479 ~~402.281~~, be considered an educational institution for the  
480 purpose of qualifying for exemption from ad valorem tax pursuant  
481 to s. 196.198.

482 Section 10. Section 402.281, Florida Statutes, is repealed.

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

486 402.305 Licensing standards; child care facilities.—

487 (1) LICENSING STANDARDS.—The department shall establish  
488 licensing standards that each licensed child care facility must  
489 meet regardless of the origin or source of the fees used to  
490 operate the facility or the type of children served by the  
491 facility.

492 (c) The minimum standards for child care facilities shall  
493 be adopted in the rules of the department and shall address the

25-01567-20

20201616\_\_

494 areas delineated in this section. The department, in adopting  
495 rules to establish minimum standards for child care facilities,  
496 shall recognize that different age groups of children may  
497 require different standards. The department may adopt different  
498 minimum standards for facilities that serve children in  
499 different age groups, including school-age children. The  
500 department shall also adopt by rule a definition for child care  
501 which distinguishes between child care programs that require  
502 child care licensure and after-school programs that do not  
503 require licensure. Notwithstanding any other provision of law to  
504 the contrary, minimum child care licensing standards shall be  
505 developed to provide for reasonable, affordable, and safe  
506 before-school and after-school care and may not exceed standards  
507 expressly set forth in ss. 402.301-402.319. Licensing standards  
508 adopted by the department on or after July 1, 2020, must be  
509 ratified by the Legislature. After-school programs that  
510 otherwise meet the criteria for exclusion from licensure may  
511 provide snacks and meals through the federal Afterschool Meal  
512 Program (AMP) administered by the Department of Health in  
513 accordance with federal regulations and standards. The  
514 Department of Health shall consider meals to be provided through  
515 the AMP only if the program is actively participating in the  
516 AMP, is in good standing with the department, and the meals meet  
517 AMP requirements. Standards, at a minimum, shall allow for a  
518 credentialed director to supervise multiple before-school and  
519 after-school sites.

520 (7) SANITATION AND SAFETY.—

521 (a) Minimum standards shall include requirements for  
522 sanitary and safety conditions, first aid treatment, emergency

25-01567-20

20201616\_\_

523 procedures, and pediatric cardiopulmonary resuscitation. The  
524 minimum standards shall require that ~~at least~~ one staff person  
525 trained in cardiopulmonary resuscitation, as evidenced by  
526 current documentation of course completion, must be present at  
527 all times that children are present.

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

530 402.315 Funding; license fees.—

531 (5) All moneys collected by the department for child care  
532 licensing shall be held in a trust fund of the department to be  
533 reallocated to the department during the following fiscal year  
534 to fund child care licensing activities, including the Gold Seal  
535 Quality Care program created pursuant to s. 1002.945 ~~s. 402.281~~.

536 Section 13. Paragraph (a) of subsection (4) of section  
537 402.56, Florida Statutes, is amended to read:

538 402.56 Children's cabinet; organization; responsibilities;  
539 annual report.—

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

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

543 2. The Secretary of Juvenile Justice;

544 3. The director of the Agency for Persons with  
545 Disabilities;

546 4. A representative from the Division ~~The director of the~~  
547 ~~Office~~ of Early Learning;

548 5. The State Surgeon General;

549 6. The Secretary of Health Care Administration;

550 7. The Commissioner of Education;

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

25-01567-20

20201616\_\_

552 9. A representative of the Office of Adoption and Child  
553 Protection;

554 10. A superintendent of schools, appointed by the Governor;  
555 and

556 11. Five members who represent children and youth advocacy  
557 organizations and who are not service providers, appointed by  
558 the Governor.

559 Section 14. Paragraph (e) of subsection (2) of section  
560 411.226, Florida Statutes, is amended to read:

561 411.226 Learning Gateway.—

562 (2) LEARNING GATEWAY STEERING COMMITTEE.—

563 (e) To support and facilitate system improvements, the  
564 steering committee must consult with representatives from the  
565 Department of Education, the Department of Health, ~~the Office of~~  
566 ~~Early Learning~~, the Department of Children and Families, the  
567 Agency for Health Care Administration, the Department of  
568 Juvenile Justice, and the Department of Corrections and with the  
569 director of the Learning Development and Evaluation Center of  
570 Florida Agricultural and Mechanical University.

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

574 411.227 Components of the Learning Gateway.—The Learning  
575 Gateway system consists of the following components:

576 (1) COMMUNITY EDUCATION STRATEGIES AND FAMILY-ORIENTED  
577 ACCESS.—

578 (d) In collaboration with other local resources, the  
579 demonstration projects shall develop public awareness strategies  
580 to disseminate information about developmental milestones,

25-01567-20

20201616\_\_

581 precursors of learning problems and other developmental delays,  
582 and the service system that is available. The information should  
583 target parents of children from birth through age 9 and should  
584 be distributed to parents, health care providers, and caregivers  
585 of children from birth through age 9. A variety of media should  
586 be used as appropriate, such as print, television, radio, and a  
587 community-based Internet website, as well as opportunities such  
588 as those presented by parent visits to physicians for well-child  
589 checkups. The Learning Gateway Steering Committee shall provide  
590 technical assistance to the local demonstration projects in  
591 developing and distributing educational materials and  
592 information.

593 1. Public awareness strategies targeting parents of  
594 children from birth through age 5 shall be designed to provide  
595 information to public and private preschool programs, child care  
596 providers, pediatricians, parents, and local businesses and  
597 organizations. These strategies should include information on  
598 the school readiness performance standards adopted by the  
599 Department of Education ~~Office of Early Learning~~.

600 2. Public awareness strategies targeting parents of  
601 children from ages 6 through 9 must be designed to disseminate  
602 training materials and brochures to parents and public and  
603 private school personnel, and must be coordinated with the local  
604 school board and the appropriate school advisory committees in  
605 the demonstration projects. The materials should contain  
606 information on state and district proficiency levels for grades  
607 K-3.

608 (2) SCREENING AND DEVELOPMENTAL MONITORING.—

609 (a) In coordination with ~~the Office of Early Learning~~, the

25-01567-20

20201616\_\_

610 Department of Education~~7~~ and the Florida Pediatric Society, and  
611 using information learned from the local demonstration projects,  
612 the Learning Gateway Steering Committee shall establish  
613 guidelines for screening children from birth through age 9. The  
614 guidelines should incorporate recent research on the indicators  
615 most likely to predict early learning problems, mild  
616 developmental delays, child-specific precursors of school  
617 failure, and other related developmental indicators in the  
618 domains of cognition; communication; attention; perception;  
619 behavior; and social, emotional, sensory, and motor functioning.

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

621 (c) The steering committee, in cooperation with the  
622 Department of Children and Families and~~7~~ the Department of  
623 Education, ~~and the Office of Early Learning~~~~7~~, shall identify the  
624 elements of an effective research-based curriculum for early  
625 care and education programs.

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

628 414.295 Temporary cash assistance programs; public records  
629 exemption.—

630 (1) Personal identifying information of a temporary cash  
631 assistance program participant, a participant's family, or a  
632 participant's family or household member, except for information  
633 identifying a parent who does not live in the same home as the  
634 child, which is held by the department, ~~the Office of Early~~  
635 ~~Learning~~~~7~~, CareerSource Florida, Inc., the Department of Health,  
636 the Department of Revenue, the Department of Education, or a  
637 local workforce development board or local committee created  
638 pursuant to s. 445.007 is confidential and exempt from s.

25-01567-20

20201616\_\_

639 119.07(1) and s. 24(a), Art. I of the State Constitution. Such  
640 confidential and exempt information may be released for purposes  
641 directly connected with:

642 (a) The administration of the temporary assistance for  
643 needy families plan under Title IV-A of the Social Security Act,  
644 as amended, by the department, ~~the Office of Early Learning,~~  
645 CareerSource Florida, Inc., the Department of Military Affairs,  
646 the Department of Health, the Department of Revenue, the  
647 Department of Education, a local workforce development board or  
648 local committee created pursuant to s. 445.007, or a school  
649 district.

650 (b) The administration of the state's plan or program  
651 approved under Title IV-B, Title IV-D, or Title IV-E of the  
652 Social Security Act, as amended, or under Title I, Title X,  
653 Title XIV, Title XVI, Title XIX, Title XX, or Title XXI of the  
654 Social Security Act, as amended.

655 (c) An investigation, prosecution, or criminal, civil, or  
656 administrative proceeding conducted in connection with the  
657 administration of any of the plans or programs specified in  
658 paragraph (a) or paragraph (b) by a federal, state, or local  
659 governmental entity, upon request by that entity, if such  
660 request is made pursuant to the proper exercise of that entity's  
661 duties and responsibilities.

662 (d) The administration of any other state, federal, or  
663 federally assisted program that provides assistance or services  
664 on the basis of need, in cash or in kind, directly to a  
665 participant.

666 (e) An audit or similar activity, such as a review of  
667 expenditure reports or financial review, conducted in connection

25-01567-20

20201616\_\_

668 with the administration of plans or programs specified in  
669 paragraph (a) or paragraph (b) by a governmental entity  
670 authorized by law to conduct such audit or activity.

671 (f) The administration of the reemployment assistance  
672 program.

673 (g) The reporting to the appropriate agency or official of  
674 information about known or suspected instances of physical or  
675 mental injury, sexual abuse or exploitation, or negligent  
676 treatment or maltreatment of a child or elderly person receiving  
677 assistance, if circumstances indicate that the health or welfare  
678 of the child or elderly person is threatened.

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

681 Section 17. Section 1000.01, Florida Statutes, is amended  
682 to read:

683 1000.01 The Florida Early Learning-20 ~~K-20~~ education  
684 system; technical provisions.-

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

687 (2) LIBERAL CONSTRUCTION.-The provisions of the Florida  
688 Early Learning-20 ~~K-20~~ Education Code shall be liberally  
689 construed to the end that its objectives may be effected. It is  
690 the legislative intent that if any section, subsection,  
691 sentence, clause, or provision of the Florida Early Learning-20  
692 ~~K-20~~ Education Code is held invalid, the remainder of the code  
693 shall not be affected.

694 (3) PURPOSE.-The purpose of the Florida Early Learning-20  
695 ~~K-20~~ Education Code is to provide by law for a state system of  
696 schools, courses, classes, and educational institutions and

25-01567-20

20201616\_\_

697 services adequate to allow, for all Florida's students, the  
698 opportunity to obtain a high quality education. The Florida  
699 Early Learning-20 ~~K-20~~ education system is established to  
700 accomplish this purpose; however, nothing in this code shall be  
701 construed to require the provision of free public education  
702 beyond grade 12.

703 (4) UNIFORM SYSTEM OF PUBLIC K-12 SCHOOLS INCLUDED.—As  
704 required by s. 1, Art. IX of the State Constitution, the Florida  
705 Early Learning-20 ~~K-20~~ education system shall include the  
706 uniform system of free public K-12 schools. These public K-12  
707 schools shall provide 13 consecutive years of instruction,  
708 beginning with kindergarten, and shall also provide such  
709 instruction for students with disabilities, gifted students,  
710 limited English proficient students, and students in Department  
711 of Juvenile Justice programs as may be required by law. The  
712 funds for support and maintenance of the uniform system of free  
713 public K-12 schools shall be derived from state, district,  
714 federal, and other lawful sources or combinations of sources,  
715 including any fees charged nonresidents as provided by law.

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

718 1000.02 Policy and guiding principles for the Florida K-20  
719 education system.—

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

722 (a) A coordinated, seamless system for kindergarten through  
723 graduate school education.

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

725 (c) A system that maximizes education access and allows the

25-01567-20

20201616\_\_

726 opportunity for a high quality education for all Floridians.

727 (d) A system that safeguards equity and supports academic  
728 excellence.

729 (e) A system that provides for local operational  
730 flexibility while promoting accountability for student  
731 achievement and improvement.

732 Section 19. Section 1000.03, Florida Statutes, is amended  
733 to read:

734 1000.03 Function, mission, and goals of the Florida Early  
735 Learning-20 ~~K-20~~ education system.—

736 (1) Florida's Early Learning-20 ~~K-20~~ education system shall  
737 be a decentralized system without excess layers of bureaucracy.  
738 Florida's Early Learning-20 ~~K-20~~ education system shall maintain  
739 a systemwide technology plan based on a common set of data  
740 definitions.

741 (2) (a) The Legislature shall establish education policy,  
742 enact education laws, and appropriate and allocate education  
743 resources.

744 (b) With the exception of matters relating to the State  
745 University System, the State Board of Education shall oversee  
746 the enforcement of all laws and rules, and the timely provision  
747 of direction, resources, assistance, intervention when needed,  
748 and strong incentives and disincentives to force accountability  
749 for results.

750 (c) The Board of Governors shall oversee the enforcement of  
751 all state university laws and rules and regulations and the  
752 timely provision of direction, resources, assistance,  
753 intervention when needed, and strong incentives and  
754 disincentives to force accountability for results.

25-01567-20

20201616\_\_

755 (3) Public education is a cooperative function of the state  
756 and local educational authorities. The state retains  
757 responsibility for establishing a system of public education  
758 through laws, standards, and rules to assure efficient operation  
759 of an Early Learning-20 ~~a K-20~~ system of public education and  
760 adequate educational opportunities for all individuals. Local  
761 educational authorities have a duty to fully and faithfully  
762 comply with state laws, standards, and rules and to efficiently  
763 use the resources available to them to assist the state in  
764 allowing adequate educational opportunities.

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

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

773 (a) *Learning and completion at all levels, including*  
774 *increased high school graduation rate and readiness for*  
775 *postsecondary education without remediation.*—All students  
776 demonstrate increased learning and completion at all levels,  
777 graduate from high school, and are prepared to enter  
778 postsecondary education without remediation.

779 (b) *Student performance.*—Students demonstrate that they  
780 meet the expected academic standards consistently at all levels  
781 of their education.

782 (c) *Civic literacy.*—Students are prepared to become  
783 civically engaged and knowledgeable adults who make positive

25-01567-20

20201616\_\_

784 contributions to their communities.

785 (d) *Alignment of standards and resources.*—Academic  
786 standards for every level of the Early Learning-20 ~~K-20~~  
787 education system are aligned, and education financial resources  
788 are aligned with student performance expectations at each level  
789 of the Early Learning-20 ~~K-20~~ education system.

790 (e) *Educational leadership.*—The quality of educational  
791 leadership at all levels of Early Learning-20 ~~K-20~~ education is  
792 improved.

793 (f) *Workforce education.*—Workforce education is  
794 appropriately aligned with the skills required by the new global  
795 economy.

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

806 (h) *Comprehensive K-20 career and education planning.*—It is  
807 essential that Florida's Early Learning-20 ~~K-20~~ education system  
808 better prepare all students at every level for the transition  
809 from school to postsecondary education or work by providing  
810 information regarding:

811 1. Career opportunities, educational requirements  
812 associated with each career, educational institutions that

25-01567-20

20201616\_\_

813 prepare students to enter each career, and student financial aid  
814 available to pursue postsecondary instruction required to enter  
815 each career.

816 2. How to make informed decisions about the program of  
817 study that best addresses the students' interests and abilities  
818 while preparing them to enter postsecondary education or the  
819 workforce.

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

822

823 This information shall be provided to students and parents  
824 through websites, handbooks, manuals, or other regularly  
825 provided communications.

826 Section 20. Section 1000.04, Florida Statutes, is amended  
827 to read:

828 1000.04 Components for the delivery of public education  
829 within the Florida Early Learning-20 K-20 education system.—  
830 Florida's Early Learning-20 K-20 education system provides for  
831 the delivery of early learning and public education through  
832 publicly supported and controlled K-12 schools, Florida College  
833 System institutions, state universities and other postsecondary  
834 educational institutions, other educational institutions, and  
835 other educational services as provided or authorized by the  
836 Constitution and laws of the state.

837 (1) EARLY LEARNING.—Early learning includes the Voluntary  
838 Prekindergarten Education Program and the school readiness  
839 program.

840 (2)~~(1)~~ PUBLIC K-12 SCHOOLS.—The public K-12 schools include  
841 charter schools and consist of kindergarten classes; elementary,

25-01567-20

20201616\_\_

842 middle, and high school grades and special classes; virtual  
843 instruction programs; workforce education; career centers;  
844 adult, part-time, and evening schools, courses, or classes, as  
845 authorized by law to be operated under the control of district  
846 school boards; and lab schools operated under the control of  
847 state universities.

848 (3)~~(2)~~ PUBLIC POSTSECONDARY EDUCATIONAL INSTITUTIONS.—  
849 Public postsecondary educational institutions include workforce  
850 education; Florida College System institutions; state  
851 universities; and all other state-supported postsecondary  
852 educational institutions that are authorized and established by  
853 law.

854 (4)~~(3)~~ FLORIDA SCHOOL FOR THE DEAF AND THE BLIND.—The  
855 Florida School for the Deaf and the Blind is a component of the  
856 delivery of public education within Florida's Early Learning-20  
857 ~~K-20~~ education system.

858 (5)~~(4)~~ THE FLORIDA VIRTUAL SCHOOL.—The Florida Virtual  
859 School is a component of the delivery of public education within  
860 Florida's Early Learning-20 ~~K-20~~ education system.

861 Section 21. Section 1000.21, Florida Statutes, is amended  
862 to read:

863 1000.21 Systemwide definitions.—As used in the Florida  
864 Early Learning-20 ~~K-20~~ Education Code:

865 (1) "Articulation" is the systematic coordination that  
866 provides the means by which students proceed toward their  
867 educational objectives in as rapid and student-friendly manner  
868 as their circumstances permit, from grade level to grade level,  
869 from elementary to middle to high school, to and through  
870 postsecondary education, and when transferring from one

25-01567-20

20201616\_\_

871 educational institution or program to another.

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

873 (3) "Florida College System institution" except as  
874 otherwise specifically provided, includes all of the following  
875 public postsecondary educational institutions in the Florida  
876 College System and any branch campuses, centers, or other  
877 affiliates of the institution:

878 (a) Eastern Florida State College, which serves Brevard  
879 County.

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

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

883 (d) Chipola College, which serves Calhoun, Holmes, Jackson,  
884 Liberty, and Washington Counties.

885 (e) Daytona State College, which serves Flagler and Volusia  
886 Counties.

887 (f) Florida SouthWestern State College, which serves  
888 Charlotte, Collier, Glades, Hendry, and Lee Counties.

889 (g) Florida State College at Jacksonville, which serves  
890 Duval and Nassau Counties.

891 (h) The College of the Florida Keys, which serves Monroe  
892 County.

893 (i) Gulf Coast State College, which serves Bay, Franklin,  
894 and Gulf Counties.

895 (j) Hillsborough Community College, which serves  
896 Hillsborough County.

897 (k) Indian River State College, which serves Indian River,  
898 Martin, Okeechobee, and St. Lucie Counties.

899 (l) Florida Gateway College, which serves Baker, Columbia,

25-01567-20

20201616\_\_

900 Dixie, Gilchrist, and Union Counties.

901 (m) Lake-Sumter State College, which serves Lake and Sumter

902 Counties.

903 (n) State College of Florida, Manatee-Sarasota, which

904 serves Manatee and Sarasota Counties.

905 (o) Miami Dade College, which serves Miami-Dade County.

906 (p) North Florida College, which serves Hamilton,

907 Jefferson, Lafayette, Madison, Suwannee, and Taylor Counties.

908 (q) Northwest Florida State College, which serves Okaloosa

909 and Walton Counties.

910 (r) Palm Beach State College, which serves Palm Beach

911 County.

912 (s) Pasco-Hernando State College, which serves Hernando and

913 Pasco Counties.

914 (t) Pensacola State College, which serves Escambia and

915 Santa Rosa Counties.

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

917 (v) St. Johns River State College, which serves Clay,

918 Putnam, and St. Johns Counties.

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

920 (x) Santa Fe College, which serves Alachua and Bradford

921 Counties.

922 (y) Seminole State College of Florida, which serves

923 Seminole County.

924 (z) South Florida State College, which serves DeSoto,

925 Hardee, and Highlands Counties.

926 (aa) Tallahassee Community College, which serves Gadsden,

927 Leon, and Wakulla Counties.

928 (bb) Valencia College, which serves Orange and Osceola

25-01567-20

20201616\_\_

929 Counties.

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

931 (5) "Parent" is either or both parents of a student, any  
932 guardian of a student, any person in a parental relationship to  
933 a student, or any person exercising supervisory authority over a  
934 student in place of the parent.

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

938 (a) The University of Florida.

939 (b) The Florida State University.

940 (c) The Florida Agricultural and Mechanical University.

941 (d) The University of South Florida.

942 (e) The Florida Atlantic University.

943 (f) The University of West Florida.

944 (g) The University of Central Florida.

945 (h) The University of North Florida.

946 (i) The Florida International University.

947 (j) The Florida Gulf Coast University.

948 (k) New College of Florida.

949 (l) The Florida Polytechnic University.

950 (7) "Next Generation Sunshine State Standards" means the  
951 state's public K-12 curricular standards adopted under s.  
952 1003.41.

953 (8) "Board of Governors" is the Board of Governors of the  
954 State University System.

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

25-01567-20

20201616\_\_

958 1001.02 General powers of State Board of Education.—

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

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

971 (e) To adopt and submit to the Governor and Legislature, as  
972 provided in s. 216.023, a coordinated Early Learning-20 ~~K-20~~  
973 education budget that estimates the expenditure requirements for  
974 the Board of Governors, as provided in s. 1001.706, the State  
975 Board of Education, including the Department of Education and  
976 the Commissioner of Education, and all of the boards,  
977 institutions, agencies, and services under the general  
978 supervision of the Board of Governors, as provided in s.  
979 1001.706, or the State Board of Education for the ensuing fiscal  
980 year. The State Board of Education may not amend the budget  
981 request submitted by the Board of Governors. Any program  
982 recommended by the Board of Governors or the State Board of  
983 Education which will require increases in state funding for more  
984 than 1 year must be presented in a multiyear budget plan.

985 (s) To establish a detailed procedure for the  
986 implementation and operation of a systemwide ~~K-20~~ technology

25-01567-20

20201616\_\_

987 plan that is based on a common set of data definitions.

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

990 1001.03 Specific powers of State Board of Education.—

991 (8) SYSTEMWIDE ENFORCEMENT.—The State Board of Education  
992 shall enforce compliance with law and state board rule by all  
993 school districts, early learning coalitions, and public  
994 postsecondary educational institutions, except for the State  
995 University System, in accordance with the provisions of s.  
996 1008.32.

997 (9) MANAGEMENT INFORMATION DATABASES.—The State Board of  
998 Education, in conjunction with the Board of Governors regarding  
999 the State University System, shall continue to collect and  
1000 maintain, at a minimum, the management information databases for  
1001 state universities, and all other components of the public Early  
1002 Learning-20 ~~K-20~~ education system as such databases existed on  
1003 June 30, 2002.

1004 Section 24. Subsection (1), paragraphs (g), (k), and (l) of  
1005 subsection (6), and subsection (8) of section 1001.10, Florida  
1006 Statutes, are amended to read:

1007 1001.10 Commissioner of Education; general powers and  
1008 duties.—

1009 (1) The Commissioner of Education is the chief educational  
1010 officer of the state and the sole custodian of the Educational  
1011 ~~K-20~~ data warehouse, and is responsible for giving full  
1012 assistance to the State Board of Education in enforcing  
1013 compliance with the mission and goals of the Early Learning ~~K-20~~  
1014 education system, except for the State University System.

1015 (6) Additionally, the commissioner has the following

25-01567-20

20201616\_\_

1016 general powers and duties:

1017 (g) To submit to the State Board of Education, on or before  
1018 October 1 of each year, recommendations for a coordinated Early  
1019 Learning-20 ~~K-20~~ education budget that estimates the  
1020 expenditures for the Board of Governors, the State Board of  
1021 Education, including the Department of Education and the  
1022 Commissioner of Education, and all of the boards, institutions,  
1023 agencies, and services under the general supervision of the  
1024 Board of Governors or the State Board of Education for the  
1025 ensuing fiscal year. Any program recommended to the State Board  
1026 of Education that will require increases in state funding for  
1027 more than 1 year must be presented in a multiyear budget plan.

1028 (k) To prepare, publish, and disseminate user-friendly  
1029 materials relating to the state's education system, including  
1030 the state's K-12 scholarship programs, the school readiness  
1031 program, and the Voluntary Prekindergarten Education Program.

1032 (l) To prepare and publish annually reports giving  
1033 statistics and other useful information pertaining to the  
1034 state's K-12 scholarship programs, the school readiness program,  
1035 and the Voluntary Prekindergarten Education Program.

1036 (8) In the event of an emergency situation, the  
1037 commissioner may coordinate through the most appropriate means  
1038 of communication with early learning coalitions, local school  
1039 districts, Florida College System institutions, and satellite  
1040 offices of the Division of Blind Services and the Division of  
1041 Vocational Rehabilitation to assess the need for resources and  
1042 assistance to enable each school, institution, or satellite  
1043 office the ability to reopen as soon as possible after  
1044 considering the health, safety, and welfare of students and

25-01567-20

20201616\_\_

1045 clients.

1046 Section 25. Paragraph (b) of subsection (1) and subsection  
1047 (4) of section 1001.11, Florida Statutes, are amended to read:

1048 1001.11 Commissioner of Education; other duties.—

1049 (1) The Commissioner of Education must independently  
1050 perform the following duties:

1051 (b) Serve as the primary source of information to the  
1052 Legislature, including the President of the Senate and the  
1053 Speaker of the House of Representatives, concerning the State  
1054 Board of Education, the Early Learning-20 ~~K-20~~ education system,  
1055 and early learning programs.

1056 (4) The commissioner shall develop and implement an  
1057 integrated Early Learning-20 ~~K-20~~ information system for  
1058 educational management in accordance with the requirements of  
1059 chapter 1008.

1060 Section 26. Section 1001.213, Florida Statutes, is  
1061 repealed.

1062 Section 27. Subsection (7) of section 1001.215, Florida  
1063 Statutes, is amended to read:

1064 1001.215 Just Read, Florida! Office.—There is created in  
1065 the Department of Education the Just Read, Florida! Office. The  
1066 office is fully accountable to the Commissioner of Education and  
1067 shall:

1068 (7) Review, evaluate, and provide technical assistance to  
1069 school districts' implementation of the ~~K-12~~ comprehensive  
1070 reading plan required in s. 1011.62(9).

1071 Section 28. Subsection (1) of section 1001.23, Florida  
1072 Statutes, is amended to read:

1073 1001.23 Specific powers and duties of the Department of

25-01567-20

20201616\_\_

1074 Education.—In addition to all other duties assigned to it by law  
 1075 or by rule of the State Board of Education, the department  
 1076 shall:

1077 ~~(1) Adopt the statewide kindergarten screening in~~  
 1078 ~~accordance with s. 1002.69.~~

1079 Section 29. Subsection (3) of section 1001.70, Florida  
 1080 Statutes, is amended to read:

1081 1001.70 Board of Governors of the State University System.—

1082 (3) The Board of Governors, in exercising its authority  
 1083 under the State Constitution and statutes, shall exercise its  
 1084 authority in a manner that supports, promotes, and enhances an  
 1085 Early Learning-20 ~~a K-20~~ education system that provides  
 1086 affordable access to postsecondary educational opportunities for  
 1087 residents of the state to the extent authorized by the State  
 1088 Constitution and state law.

1089 Section 30. Subsection (3) of section 1002.32, Florida  
 1090 Statutes, is amended to read:

1091 1002.32 Developmental research (laboratory) schools.—

1092 (3) MISSION.—The mission of a lab school shall be the  
 1093 provision of a vehicle for the conduct of research,  
 1094 demonstration, and evaluation regarding management, teaching,  
 1095 and learning. Programs to achieve the mission of a lab school  
 1096 shall embody the goals and standards established pursuant to ss.  
 1097 1000.03(5) and 1001.23(1) ~~1001.23(2)~~ and shall ensure an  
 1098 appropriate education for its students.

1099 (a) Each lab school shall emphasize mathematics, science,  
 1100 computer science, and foreign languages. The primary goal of a  
 1101 lab school is to enhance instruction and research in such  
 1102 specialized subjects by using the resources available on a state

25-01567-20

20201616\_\_

1103 university campus, while also providing an education in  
1104 nonspecialized subjects. Each lab school shall provide  
1105 sequential elementary and secondary instruction where  
1106 appropriate. A lab school may not provide instruction at grade  
1107 levels higher than grade 12 without authorization from the State  
1108 Board of Education. Each lab school shall develop and implement  
1109 a school improvement plan pursuant to s. 1003.02(3).

1110 (b) Research, demonstration, and evaluation conducted at a  
1111 lab school may be generated by the college of education and  
1112 other colleges within the university with which the school is  
1113 affiliated.

1114 (c) Research, demonstration, and evaluation conducted at a  
1115 lab school may be generated by the State Board of Education.  
1116 Such research shall respond to the needs of the education  
1117 community at large, rather than the specific needs of the  
1118 affiliated college.

1119 (d) Research, demonstration, and evaluation conducted at a  
1120 lab school may consist of pilot projects to be generated by the  
1121 affiliated college, the State Board of Education, or the  
1122 Legislature.

1123 (e) The exceptional education programs offered at a lab  
1124 school shall be determined by the research and evaluation goals  
1125 and the availability of students for efficiently sized programs.  
1126 The fact that a lab school offers an exceptional education  
1127 program in no way lessens the general responsibility of the  
1128 local school district to provide exceptional education programs.

1129 (10) EXCEPTIONS TO LAW.—To encourage innovative practices  
1130 and facilitate the mission of the lab schools, in addition to  
1131 the exceptions to law specified in s. 1001.23(1) ~~s. 1001.23(2)~~,

25-01567-20

20201616\_\_

1132 the following exceptions shall be permitted for lab schools:

1133 (a) The methods and requirements of the following statutes  
 1134 shall be held in abeyance: ss. 316.75; 1001.30; 1001.31;  
 1135 1001.32; 1001.33; 1001.34; 1001.35; 1001.36; 1001.361; 1001.362;  
 1136 1001.363; 1001.37; 1001.371; 1001.372; 1001.38; 1001.39;  
 1137 1001.395; 1001.40; 1001.41; 1001.44; 1001.453; 1001.46;  
 1138 1001.461; 1001.462; 1001.463; 1001.464; 1001.47; 1001.48;  
 1139 1001.49; 1001.50; 1001.51; 1006.12(2); 1006.21(3), (4); 1006.23;  
 1140 1010.07(2); 1010.40; 1010.41; 1010.42; 1010.43; 1010.44;  
 1141 1010.45; 1010.46; 1010.47; 1010.48; 1010.49; 1010.50; 1010.51;  
 1142 1010.52; 1010.53; 1010.54; 1010.55; 1011.02(1)-(3), (5);  
 1143 1011.04; 1011.20; 1011.21; 1011.22; 1011.23; 1011.71; 1011.72;  
 1144 1011.73; and 1011.74.

1145 (b) With the exception of s. 1001.42(18), s. 1001.42 shall  
 1146 be held in abeyance. Reference to district school boards in s.  
 1147 1001.42(18) shall mean the president of the university or the  
 1148 president's designee.

1149 Section 31. Paragraph (b) of subsection (10) of section  
 1150 1002.34, Florida Statutes, is amended to read:

1151 1002.34 Charter technical career centers.—

1152 (10) EXEMPTION FROM STATUTES.—

1153 (b) A center must comply with the Florida Early Learning-20  
 1154 ~~K-20~~ Education Code with respect to providing services to  
 1155 students with disabilities.

1156 Section 32. Subsection (1) of section 1002.36, Florida  
 1157 Statutes, is amended to read:

1158 1002.36 Florida School for the Deaf and the Blind.—

1159 (1) RESPONSIBILITIES.—The Florida School for the Deaf and  
 1160 the Blind, located in St. Johns County, is a state-supported

25-01567-20

20201616\_\_

1161 residential public school for hearing-impaired and visually  
 1162 impaired students in preschool through 12th grade. The school is  
 1163 a component of the delivery of public education within Florida's  
 1164 Early Learning-20 ~~K-20~~ education system and shall be funded  
 1165 through the Department of Education. The school shall provide  
 1166 educational programs and support services appropriate to meet  
 1167 the education and related evaluation and counseling needs of  
 1168 hearing-impaired and visually impaired students in the state who  
 1169 meet enrollment criteria. Unless otherwise provided by law, the  
 1170 school shall comply with all laws and rules applicable to state  
 1171 agencies. Education services may be provided on an outreach  
 1172 basis for sensory-impaired children ages 0 through 5 years and  
 1173 to district school boards upon request. Graduates of the Florida  
 1174 School for the Deaf and the Blind shall be eligible for the  
 1175 William L. Boyd, IV, Effective Access to Student Education Grant  
 1176 Program as provided in s. 1009.89.

1177 Section 33. Paragraph (b) of subsection (4) and subsection  
 1178 (5) of section 1002.53, Florida Statutes, are amended, and  
 1179 paragraph (d) is added to subsection (6), to read:

1180 1002.53 Voluntary Prekindergarten Education Program;  
 1181 eligibility and enrollment.-

1182 (4)

1183 (b) The application must be submitted on forms prescribed  
 1184 by the department ~~Office of Early Learning~~ and must be  
 1185 accompanied by a certified copy of the child's birth  
 1186 certificate. The forms must include a certification, in  
 1187 substantially the form provided in s. 1002.71(6)(b)2., that the  
 1188 parent chooses the private prekindergarten provider or public  
 1189 school in accordance with this section and directs that payments

25-01567-20

20201616\_\_

1190 for the program be made to the provider or school. The  
1191 department Office of Early Learning may authorize alternative  
1192 methods for submitting proof of the child's age in lieu of a  
1193 certified copy of the child's birth certificate.

1194 (5) The early learning coalition shall provide each parent  
1195 enrolling a child in the Voluntary Prekindergarten Education  
1196 Program with a profile of every private prekindergarten provider  
1197 and public school delivering the program within the county where  
1198 the child is being enrolled. The profiles shall be provided to  
1199 parents in a format prescribed by the department Office of Early  
1200 Learning. The profiles must include, at a minimum, the following  
1201 information about each provider and school:

1202 (a) The provider's or school's services, curriculum,  
1203 instructor credentials, and instructor-to-student ratio; and

1204 (b) The provider's or school's kindergarten readiness rate  
1205 ~~calculated in accordance with s. 1002.69~~, based upon the most  
1206 recent available results of the statewide kindergarten screening  
1207 or, when available, the performance metric in accordance with s.  
1208 1002.68.

1209 (6)

1210 (d) Each parent who enrolls his or her child in the  
1211 Voluntary Prekindergarten Education Program must allow his or  
1212 her child to participate in the coordinated screening and  
1213 progress-monitoring program under s. 1008.2125.

1214 Section 34. Paragraphs (a), (b), (c), (e), (g), (h), (i),  
1215 (j), and (l) of subsection (3), subsection (4), and paragraph  
1216 (b) of subsection (5) of section 1002.55, Florida Statutes, are  
1217 amended, and subsection (6) is added to that section, to read:

1218 1002.55 School-year prekindergarten program delivered by

25-01567-20

20201616\_\_

1219 private prekindergarten providers.—

1220 (3) To be eligible to deliver the prekindergarten program,  
1221 a private prekindergarten provider must meet each of the  
1222 following requirements:

1223 (a) The private prekindergarten provider must be a child  
1224 care facility licensed under s. 402.305, family day care home  
1225 licensed under s. 402.313, large family child care home licensed  
1226 under s. 402.3131, nonpublic school exempt from licensure under  
1227 s. 402.3025(2), ~~or~~ faith-based child care provider exempt from  
1228 licensure under s. 402.316, child development program that is  
1229 operating on a military installation that is certified by the  
1230 United States Department of Defense and accredited by a national  
1231 accrediting body, or a private prekindergarten provider who has  
1232 been issued a provisional license pursuant to s. 402.309. A  
1233 private prekindergarten provider may not deliver the program  
1234 while its license has been converted to a probation-status  
1235 license pursuant to s. 402.310.

1236 (b) The private prekindergarten provider must:

1237 1. Be accredited by an accrediting association that is a  
1238 member of the National Council for Private School Accreditation,  
1239 or the Florida Association of Academic Nonpublic Schools, or be  
1240 accredited by the Southern Association of Colleges and Schools,  
1241 or Western Association of Colleges and Schools, or North Central  
1242 Association of Colleges and Schools, or Middle States  
1243 Association of Colleges and Schools, or New England Association  
1244 of Colleges and Schools; and have written accreditation  
1245 standards that meet or exceed the state's licensing requirements  
1246 under s. 402.305, s. 402.313, or s. 402.3131 and require at  
1247 least one onsite visit to the provider or school before

25-01567-20

20201616\_\_

1248 accreditation is granted;

1249 2. Hold a current Gold Seal Quality Care designation under  
1250 s. 1002.945 ~~s. 402.281~~; or

1251 3. Be licensed under s. 402.305, s. 402.313, or s. 402.3131  
1252 and demonstrate, before delivering the Voluntary Prekindergarten  
1253 Education Program, as verified by the early learning coalition,  
1254 that the provider meets each of the requirements of the program  
1255 under this part, including, but not limited to, the requirements  
1256 for credentials and background screenings of prekindergarten  
1257 instructors under paragraphs (c) and (d), minimum and maximum  
1258 class sizes under paragraph (f), prekindergarten director  
1259 credentials under paragraph (g), and a developmentally  
1260 appropriate curriculum under s. 1002.67(2)(b).

1261 (c) The private prekindergarten provider must have, for  
1262 each prekindergarten class of 11 children or fewer, at least one  
1263 prekindergarten instructor who meets each of the following  
1264 requirements:

1265 1. The prekindergarten instructor must hold, at a minimum,  
1266 one of the following credentials:

1267 a. A child development associate credential issued by the  
1268 National Credentialing Program of the Council for Professional  
1269 Recognition; or

1270 b. A credential approved by the Department of Children and  
1271 Families as being equivalent to or greater than the credential  
1272 described in sub-subparagraph a.

1273  
1274 The Department of Children and Families may adopt rules under  
1275 ss. 120.536(1) and 120.54 which provide criteria and procedures  
1276 for approving equivalent credentials under sub-subparagraph b.

25-01567-20

20201616\_\_

1277           2. The prekindergarten instructor must successfully  
1278 complete at least three ~~an~~ emergent literacy training courses  
1279 ~~course~~ and a student performance standards training course  
1280 approved by the department ~~office~~ as meeting or exceeding the  
1281 minimum standards adopted under s. 1002.59. The requirement for  
1282 completion of the standards training course shall take effect  
1283 July 1, 2021 ~~2014~~, and the course shall be free or at a low cost  
1284 and available online or in person.

1285           (e) A private prekindergarten provider may assign a  
1286 substitute instructor to temporarily replace a credentialed  
1287 instructor if the credentialed instructor assigned to a  
1288 prekindergarten class is absent, as long as the substitute  
1289 instructor is of good moral character and has been screened  
1290 before employment in accordance with level 2 background  
1291 screening requirements in chapter 435. The department ~~Office of~~  
1292 ~~Early Learning~~ shall adopt rules to implement this paragraph  
1293 which shall include required qualifications of substitute  
1294 instructors and the circumstances and time limits for which a  
1295 private prekindergarten provider may assign a substitute  
1296 instructor.

1297           (g) The private prekindergarten provider must have a  
1298 prekindergarten director who has a prekindergarten director  
1299 credential that is approved by the department ~~office~~ as meeting  
1300 or exceeding the minimum standards adopted under s. 1002.57.  
1301 ~~Successful completion of a child care facility director~~  
1302 ~~credential under s. 402.305(2)(g) before the establishment of~~  
1303 ~~the prekindergarten director credential under s. 1002.57 or July~~  
1304 ~~1, 2006, whichever occurs later, satisfies the requirement for a~~  
1305 ~~prekindergarten director credential under this paragraph.~~

25-01567-20

20201616\_\_

1306 (h) The private prekindergarten provider must register with  
1307 the early learning coalition on forms prescribed by the  
1308 department ~~Office of Early Learning~~.

1309 (i) The private prekindergarten provider must execute the  
1310 statewide provider contract prescribed under s. 1002.73 ~~s.~~  
1311 ~~1002.75~~, except that an individual who owns or operates multiple  
1312 private prekindergarten providers within a coalition's service  
1313 area may execute a single agreement with the coalition on behalf  
1314 of each provider.

1315 (j) The private prekindergarten provider must maintain  
1316 general liability insurance and provide the coalition with  
1317 written evidence of general liability insurance coverage,  
1318 including coverage for transportation of children if  
1319 prekindergarten students are transported by the provider. A  
1320 provider must obtain and retain an insurance policy that  
1321 provides a minimum of \$100,000 of coverage per occurrence and a  
1322 minimum of \$300,000 general aggregate coverage. The department  
1323 ~~office~~ may authorize lower limits upon request, as appropriate.  
1324 A provider must add the coalition as a named certificateholder  
1325 and as an additional insured. A provider must provide the  
1326 coalition with a minimum of 10 calendar days' advance written  
1327 notice of cancellation of or changes to coverage. The general  
1328 liability insurance required by this paragraph must remain in  
1329 full force and effect for the entire period of the provider  
1330 contract with the coalition.

1331 (l) Notwithstanding paragraph (j), for a private  
1332 prekindergarten provider that is a state agency or a subdivision  
1333 thereof, as defined in s. 768.28(2), the provider must agree to  
1334 notify the coalition of any additional liability coverage

25-01567-20

20201616\_\_

1335 maintained by the provider in addition to that otherwise  
1336 established under s. 768.28. The provider shall indemnify the  
1337 coalition to the extent permitted by s. 768.28. Notwithstanding  
1338 paragraph (k), for a child development program operating on a  
1339 military installation that is certified by the United States  
1340 Department of Defense and accredited by a national accrediting  
1341 body, the provider may demonstrate liability coverage by  
1342 affirming that it is subject to the Tort Claims Act, 28 U.S.C.  
1343 s. 2671 et seq.

1344 (4) A prekindergarten instructor, in lieu of the minimum  
1345 credentials ~~and courses~~ required under paragraph (3)(c), may  
1346 hold one of the following educational credentials:

1347 (a) A bachelor's or higher degree in early childhood  
1348 education, prekindergarten or primary education, preschool  
1349 education, or family and consumer science;

1350 (b) A bachelor's or higher degree in elementary education,  
1351 if the prekindergarten instructor has been certified to teach  
1352 children any age from birth through 6th grade, regardless of  
1353 whether the instructor's educator certificate is current, and if  
1354 the instructor is not ineligible to teach in a public school  
1355 because his or her educator certificate is suspended or revoked;

1356 (c) An associate's or higher degree in child development;

1357 (d) An associate's or higher degree in an unrelated field,  
1358 at least 6 credit hours in early childhood education or child  
1359 development, and at least 480 hours of experience in teaching or  
1360 providing child care services for children any age from birth  
1361 through 8 years of age; or

1362 (e) An educational credential approved by the department as  
1363 being equivalent to or greater than an educational credential

25-01567-20

20201616\_\_

1364 described in this subsection. The department may adopt criteria  
1365 and procedures for approving equivalent educational credentials  
1366 under this paragraph.

1367 (5)

1368 (b) Notwithstanding any other provision of law, if a  
1369 private prekindergarten provider has been cited for a Class I  
1370 violation, as defined by rule by the Child Care Services Program  
1371 Office of the Department of Children and Families, the coalition  
1372 may refuse to contract with the provider.

1373 (6) Each early learning coalition must verify that each  
1374 private prekindergarten provider delivering the Voluntary  
1375 Prekindergarten Education Program within the coalition's county  
1376 or multicounty region complies with this part. If a private  
1377 prekindergarten provider fails or refuses to comply with this  
1378 part or if a provider engages in misconduct, the department  
1379 shall require the early learning coalition to remove the  
1380 provider from eligibility to deliver the program and receive  
1381 state funds under this part for a period of at least 2 years but  
1382 not more than 5 years.

1383 Section 35. Present paragraphs (b) and (c) of subsection  
1384 (2) of section 1002.57, Florida Statutes, are redesignated as  
1385 paragraphs (c) and (d), respectively, a new paragraph (b) is  
1386 added to that subsection, and subsection (1) of that section is  
1387 amended, to read:

1388 1002.57 Prekindergarten director credential.—

1389 (1) The department ~~office~~, in consultation with the  
1390 Department of Children and Families, shall adopt minimum  
1391 standards for a credential for prekindergarten directors of  
1392 private prekindergarten providers delivering the Voluntary

25-01567-20

20201616\_\_

1393 Prekindergarten Education Program. The credential must encompass  
1394 requirements for education and onsite experience.

1395 (2) The educational requirements must include training in  
1396 the following:

1397 (a) Professionally accepted standards for prekindergarten  
1398 programs, early learning, and strategies and techniques to  
1399 address the age-appropriate progress of prekindergarten students  
1400 in attaining the performance standards adopted by the department  
1401 under s. 1002.67;

1402 (b) Implementation of curriculum and usage of student-level  
1403 data to inform the delivery of instruction;

1404 (c)~~(b)~~ Strategies that allow students with disabilities and  
1405 other special needs to derive maximum benefit from the Voluntary  
1406 Prekindergarten Education Program; and

1407 (d)~~(e)~~ Program administration and operations, including  
1408 management, organizational leadership, and financial and legal  
1409 issues.

1410 Section 36. Section 1002.59, Florida Statutes, is amended  
1411 to read:

1412 1002.59 Emergent literacy and performance standards  
1413 training courses.—

1414 (1) The department ~~office~~ shall adopt minimum standards for  
1415 ~~one or more training~~ courses in emergent literacy for  
1416 prekindergarten instructors. Each course must comprise 5 clock  
1417 hours and provide instruction in strategies and techniques to  
1418 address the age-appropriate progress of prekindergarten students  
1419 in developing emergent literacy skills, including oral  
1420 communication, knowledge of print and letters, phonemic and  
1421 phonological awareness, and vocabulary and comprehension

25-01567-20

20201616\_\_

1422 development. Each course must also provide resources containing  
1423 strategies that allow students with disabilities and other  
1424 special needs to derive maximum benefit from the Voluntary  
1425 Prekindergarten Education Program. Successful completion of an  
1426 emergent literacy training course approved under this section  
1427 satisfies requirements for approved training in early literacy  
1428 and language development under ss. 402.305(2)(e)5., 402.313(6),  
1429 and 402.3131(5).

1430 (2) The department ~~office~~ shall adopt minimum standards for  
1431 ~~one or more training~~ courses on the performance standards  
1432 adopted under s. 1002.67(1). Each course must consist of  
1433 ~~comprise~~ at least 3 clock hours, provide instruction in  
1434 strategies and techniques to address age-appropriate progress of  
1435 each child in attaining the standards, and be available online.

1436 (3) The department shall make available online professional  
1437 development and training courses consisting of at least 8 clock  
1438 hours that support prekindergarten instructors in increasing the  
1439 competency of teacher-child interactions.

1440 Section 37. Present subsections (6) through (8) of section  
1441 1002.61, Florida Statutes, are redesignated as subsections (7)  
1442 through (9), respectively, new subsections (6) and (10) are  
1443 added to that section, and paragraph (b) of subsection (1),  
1444 paragraph (b) of subsection (3), subsection (4), and present  
1445 subsections (6) and (8) of that section are amended, to read:

1446 1002.61 Summer prekindergarten program delivered by public  
1447 schools and private prekindergarten providers.—

1448 (1)

1449 (b) Each early learning coalition shall administer the  
1450 Voluntary Prekindergarten Education Program at the county or

25-01567-20

20201616\_\_

1451 regional level for students enrolled under s. 1002.53(3)(b) in a  
1452 summer prekindergarten program delivered by a private  
1453 prekindergarten provider. A child development program operating  
1454 on a military installation that is certified by the United  
1455 States Department of Defense and accredited by a national  
1456 accrediting body may administer the summer prekindergarten  
1457 program as a private prekindergarten provider.

1458 (3)

1459 (b) Each public school delivering the summer  
1460 prekindergarten program must execute the statewide provider  
1461 contract prescribed under s. 1002.73 ~~s. 1002.75~~, except that the  
1462 school district may execute a single agreement with the early  
1463 learning coalition on behalf of all district schools.

1464 (4) Notwithstanding ss. 1002.55(3)(c)1. and 1002.63(4),  
1465 each public school and private prekindergarten provider must  
1466 have, for each prekindergarten class, at least one  
1467 prekindergarten instructor who is a certified teacher or holds  
1468 one of the educational credentials specified in s. 1002.55(4)(a)  
1469 or (b). As used in this subsection, the term "certified teacher"  
1470 means a teacher holding a valid Florida educator certificate  
1471 under s. 1012.56 who has the qualifications required by the  
1472 district school board to instruct students in the summer  
1473 prekindergarten program. In selecting instructional staff for  
1474 the summer prekindergarten program, each school district shall  
1475 give priority to teachers who have experience or coursework in  
1476 early childhood education and have completed emergent literacy  
1477 and performance standards courses, as defined in s.  
1478 1002.55(3)(c)2.

1479 (6) A child development program operating on a military

25-01567-20

20201616\_\_

1480 installation that is certified by the United States Department  
1481 of Defense and accredited by a national accrediting body shall  
1482 comply with the requirements of a private prekindergarten  
1483 provider in this section.

1484 (7)~~(6)~~ A public school or private prekindergarten provider  
1485 may assign a substitute instructor to temporarily replace a  
1486 credentialed instructor if the credentialed instructor assigned  
1487 to a prekindergarten class is absent, as long as the substitute  
1488 instructor is of good moral character and has been screened  
1489 before employment in accordance with level 2 background  
1490 screening requirements in chapter 435. This subsection does not  
1491 supersede employment requirements for instructional personnel in  
1492 public schools which are more stringent than the requirements of  
1493 this subsection. The department ~~Office of Early Learning~~ shall  
1494 adopt rules to implement this subsection which shall include  
1495 required qualifications of substitute instructors and the  
1496 circumstances and time limits for which a public school or  
1497 private prekindergarten provider may assign a substitute  
1498 instructor.

1499 (9)~~(8)~~ Each public school delivering the summer  
1500 prekindergarten program must also register with the early  
1501 learning coalition on forms prescribed by the department ~~Office~~  
1502 ~~of Early Learning~~ and deliver the Voluntary Prekindergarten  
1503 Education Program in accordance with this part.

1504 (10) (a) Each early learning coalition shall verify that  
1505 each private prekindergarten provider delivering the Voluntary  
1506 Prekindergarten Education Program within the coalition's county  
1507 or multicounty region complies with this part. Each district  
1508 school board shall verify that each public school delivering the

25-01567-20

20201616\_\_

1509 program within the school district complies with this part.

1510 (b) If a private prekindergarten provider or public school  
1511 fails or refuses to comply with this part, or if a provider or  
1512 school engages in misconduct, the department shall require the  
1513 early learning coalition to remove the provider or require the  
1514 school district to remove the school from eligibility to deliver  
1515 the Voluntary Prekindergarten Education Program and receive  
1516 state funds under this part for a period of at least 2 years but  
1517 not more than 5 years.

1518 Section 38. Paragraph (b) of subsection (3) and subsections  
1519 (6) and (8) of section 1002.63, Florida Statutes, are amended,  
1520 and subsection (9) is added to that section, to read:

1521 1002.63 School-year prekindergarten program delivered by  
1522 public schools.—

1523 (3)

1524 (b) Each public school delivering the school-year  
1525 prekindergarten program must execute the statewide provider  
1526 contract prescribed under s. 1002.73 ~~s. 1002.75~~, except that the  
1527 school district may execute a single agreement with the early  
1528 learning coalition on behalf of all district schools.

1529 (6) A public school prekindergarten provider may assign a  
1530 substitute instructor to temporarily replace a credentialed  
1531 instructor if the credentialed instructor assigned to a  
1532 prekindergarten class is absent, as long as the substitute  
1533 instructor is of good moral character and has been screened  
1534 before employment in accordance with level 2 background  
1535 screening requirements in chapter 435. This subsection does not  
1536 supersede employment requirements for instructional personnel in  
1537 public schools which are more stringent than the requirements of

25-01567-20

20201616\_\_

1538 this subsection. The State Board of Education ~~Office of Early~~  
1539 ~~Learning~~ shall adopt rules to implement this subsection which  
1540 shall include required qualifications of substitute instructors  
1541 and the circumstances and time limits for which a public school  
1542 prekindergarten provider may assign a substitute instructor.

1543 (8) Each public school delivering the school-year  
1544 prekindergarten program must register with the early learning  
1545 coalition on forms prescribed by the department ~~Office of Early~~  
1546 ~~Learning~~ and deliver the Voluntary Prekindergarten Education  
1547 Program in accordance with this part.

1548 (9) (a) Each district school board shall verify that each  
1549 public school delivering the Voluntary Prekindergarten Education  
1550 Program within the school district complies with this part.

1551 (b) If a public school fails or refuses to comply with this  
1552 part, or if a school engages in misconduct, the department shall  
1553 require the school district to remove the school from  
1554 eligibility to deliver the Voluntary Prekindergarten Education  
1555 Program and receive state funds under this part for a period of  
1556 at least 2 years but not more than 5 years.

1557 Section 39. Section 1002.67, Florida Statutes, is amended  
1558 to read:

1559 1002.67 Performance standards ~~and~~ and ~~curricula and~~  
1560 ~~accountability.~~—

1561 (1) (a) The department ~~office~~ shall develop and adopt  
1562 performance standards for students in the Voluntary  
1563 Prekindergarten Education Program. The performance standards  
1564 must address the age-appropriate progress of students in the  
1565 development of:

1566 1. The capabilities, capacities, and skills required under

25-01567-20

20201616\_\_

1567 s. 1(b), Art. IX of the State Constitution; ~~and~~

1568 2. Emergent literacy skills, including oral communication,  
1569 knowledge of print and letters, phonemic and phonological  
1570 awareness, and vocabulary and comprehension development; and

1571 3. Mathematical thinking and early math skills.

1572  
1573 ~~By October 1, 2013, the office shall examine the existing~~  
1574 ~~performance standards in the area of mathematical thinking and~~  
1575 ~~develop a plan to make appropriate professional development and~~  
1576 ~~training courses available to prekindergarten instructors.~~

1577 (b) At least every 3 years, the department office shall  
1578 ~~periodically~~ review and, if necessary, revise the performance  
1579 standards established under s. 1002.67 ~~for the statewide~~  
1580 ~~kindergarten screening administered under s. 1002.69~~ and align  
1581 the standards to the standards established by the state board  
1582 for student performance on the statewide assessments  
1583 administered pursuant to s. 1008.22.

1584 (2) (a) Each private prekindergarten provider and public  
1585 school may select or design the curriculum that the provider or  
1586 school uses to implement the Voluntary Prekindergarten Education  
1587 Program, except as otherwise required for a provider or school  
1588 that is placed on probation under s. 1002.68 ~~paragraph (4) (c).~~

1589 (b) Each private prekindergarten provider's and public  
1590 school's curriculum must be developmentally appropriate and  
1591 must:

1592 1. Be designed to prepare a student for early literacy and  
1593 provide for instruction in early math skills;

1594 2. Enhance the age-appropriate progress of students in  
1595 attaining the performance standards adopted by the department

25-01567-20

20201616\_\_

1596 under subsection (1); and

1597 3. Support student learning gains through differentiated  
1598 instruction that shall be measured by the coordinated screening  
1599 and progress-monitoring program under s. 1008.2125 Prepare  
1600 ~~students to be ready for kindergarten based upon the statewide~~  
1601 ~~kindergarten screening administered under s. 1002.69.~~

1602 (c) The State Board of Education office shall adopt rules  
1603 for the review and approval of ~~approve~~ curricula for use by  
1604 private prekindergarten providers and public schools that are  
1605 placed on probation under s. 1002.68 ~~paragraph (4)(c)~~. The  
1606 department office shall administer the review and approval  
1607 process and maintain a list of the curricula approved under this  
1608 paragraph. Each approved curriculum must meet the requirements  
1609 of paragraph (b).

1610 ~~(3)(a) Contingent upon legislative appropriation, each~~  
1611 ~~private prekindergarten provider and public school in the~~  
1612 ~~Voluntary Prekindergarten Education Program must implement an~~  
1613 ~~evidence-based pre- and post-assessment that has been approved~~  
1614 ~~by rule of the State Board of Education.~~

1615 ~~(b) In order to be approved, the assessment must be valid,~~  
1616 ~~reliable, developmentally appropriate, and designed to measure~~  
1617 ~~student progress on domains which must include, but are not~~  
1618 ~~limited to, early literacy, numeracy, and language.~~

1619 ~~(c) The pre- and post-assessment must be administered by~~  
1620 ~~individuals meeting requirements established by rule of the~~  
1621 ~~State Board of Education.~~

1622 ~~(4)(a) Each early learning coalition shall verify that each~~  
1623 ~~private prekindergarten provider delivering the Voluntary~~  
1624 ~~Prekindergarten Education Program within the coalition's county~~

25-01567-20

20201616\_\_

1625 ~~or multicounty region complies with this part. Each district~~  
1626 ~~school board shall verify that each public school delivering the~~  
1627 ~~program within the school district complies with this part.~~

1628 ~~(b) If a private prekindergarten provider or public school~~  
1629 ~~fails or refuses to comply with this part, or if a provider or~~  
1630 ~~school engages in misconduct, the office shall require the early~~  
1631 ~~learning coalition to remove the provider and require the school~~  
1632 ~~district to remove the school from eligibility to deliver the~~  
1633 ~~Voluntary Prekindergarten Education Program and receive state~~  
1634 ~~funds under this part for a period of 5 years.~~

1635 ~~(c)1. If the kindergarten readiness rate of a private~~  
1636 ~~prekindergarten provider or public school falls below the~~  
1637 ~~minimum rate adopted by the office as satisfactory under s.~~  
1638 ~~1002.69(6), the early learning coalition or school district, as~~  
1639 ~~applicable, shall require the provider or school to submit an~~  
1640 ~~improvement plan for approval by the coalition or school~~  
1641 ~~district, as applicable, and to implement the plan; shall place~~  
1642 ~~the provider or school on probation; and shall require the~~  
1643 ~~provider or school to take certain corrective actions, including~~  
1644 ~~the use of a curriculum approved by the office under paragraph~~  
1645 ~~(2)(c) or a staff development plan to strengthen instruction in~~  
1646 ~~language development and phonological awareness approved by the~~  
1647 ~~office.~~

1648 ~~2. A private prekindergarten provider or public school that~~  
1649 ~~is placed on probation must continue the corrective actions~~  
1650 ~~required under subparagraph 1., including the use of a~~  
1651 ~~curriculum or a staff development plan to strengthen instruction~~  
1652 ~~in language development and phonological awareness approved by~~  
1653 ~~the office, until the provider or school meets the minimum rate~~

25-01567-20

20201616\_\_

1654 ~~adopted by the office as satisfactory under s. 1002.69(6).~~  
1655 ~~Failure to implement an approved improvement plan or staff~~  
1656 ~~development plan shall result in the termination of the~~  
1657 ~~provider's contract to deliver the Voluntary Prekindergarten~~  
1658 ~~Education Program for a period of 5 years.~~

1659 ~~3. If a private prekindergarten provider or public school~~  
1660 ~~remains on probation for 2 consecutive years and fails to meet~~  
1661 ~~the minimum rate adopted by the office as satisfactory under s.~~  
1662 ~~1002.69(6) and is not granted a good cause exemption by the~~  
1663 ~~office pursuant to s. 1002.69(7), the office shall require the~~  
1664 ~~early learning coalition or the school district to remove, as~~  
1665 ~~applicable, the provider or school from eligibility to deliver~~  
1666 ~~the Voluntary Prekindergarten Education Program and receive~~  
1667 ~~state funds for the program for a period of 5 years.~~

1668 ~~(d) Each early learning coalition and the office shall~~  
1669 ~~coordinate with the Child Care Services Program Office of the~~  
1670 ~~Department of Children and Families to minimize interagency~~  
1671 ~~duplication of activities for monitoring private prekindergarten~~  
1672 ~~providers for compliance with requirements of the Voluntary~~  
1673 ~~Prekindergarten Education Program under this part, the school~~  
1674 ~~readiness program under part VI of this chapter, and the~~  
1675 ~~licensing of providers under ss. 402.301-402.319.~~

1676 Section 40. Section 1002.68, Florida Statutes, is created  
1677 to read:

1678 1002.68 Voluntary Prekindergarten Education Program  
1679 accountability.—

1680 (1) (a) Beginning with the 2021-2022 program year, each  
1681 private prekindergarten provider and public school participating  
1682 in the Voluntary Prekindergarten Education Program must

25-01567-20

20201616\_\_

1683 participate in the coordinated screening and progress-monitoring  
1684 program in accordance with s. 1008.2125. The coordinated  
1685 screening and progress-monitoring program results shall be used  
1686 by the department to identify student learning gains, index  
1687 development learning outcomes upon program completion relative  
1688 to the performance standards established under s. 1002.67 and  
1689 representative norms, and inform a provider's performance  
1690 metric.

1691 (b) At a minimum, the initial and final progress-monitoring  
1692 or screening must be administered by individuals meeting  
1693 requirements adopted by the department pursuant to s. 1008.2125.

1694 (c) Each private prekindergarten provider and public school  
1695 must provide a student's performance results to the student's  
1696 parents no later than 7 days after the administration of such  
1697 screening and progress monitoring.

1698 (2) Beginning with the 2020-2021 program year, each private  
1699 prekindergarten provider and public school in the Voluntary  
1700 Prekindergarten Education Program must participate in a program  
1701 assessment of each voluntary prekindergarten education  
1702 classroom. The program assessment shall measure the quality of  
1703 teacher-child interactions, including emotional and behavioral  
1704 support, engaged support for learning, classroom organization,  
1705 and instructional support for children ages 3 to 5 years. Each  
1706 private prekindergarten provider and public school in the  
1707 Voluntary Prekindergarten Education Program shall receive the  
1708 results of the program assessment for each classroom within 14  
1709 days of the observation.

1710  
1711 The program assessment and screening and progress-monitoring

25-01567-20

20201616\_\_

1712 must be administered by individuals meeting requirements  
1713 established by rule of the State Board of Education.

1714 (3) (a) For the 2019-2020 program year, the department shall  
1715 calculate a performance metric for each provider based upon  
1716 learning gains and the percentage of students who are assessed  
1717 as ready for kindergarten. The department shall require that  
1718 each school district administer the statewide kindergarten  
1719 screening in use before the 2020-2021 school year to each  
1720 kindergarten student in the school district within the first 30  
1721 school days of the 2020-2021 school year. Nonpublic schools may  
1722 administer the statewide kindergarten screening to each  
1723 kindergarten student in a nonpublic school who was enrolled in  
1724 the Voluntary Prekindergarten Education Program.

1725 (b) For the 2020-2021 program year, the department shall  
1726 calculate a program performance metric for each provider based  
1727 upon learning gains and the program assessment, which shall be  
1728 weighted at a minimum of approximately 50 percent of a program's  
1729 performance metric and administered pursuant to this section.

1730 (c) For purposes of this subsection, learning gains shall  
1731 be determined using a value-added measure based on growth  
1732 demonstrated by the results of the preassessment and  
1733 postassessment in use before the 2021-2022 program year.

1734 (d) Any provider who fails to meet the minimum voluntary  
1735 prekindergarten readiness rate or program performance metric  
1736 during the 2020-2021 program year shall be subject to the  
1737 probation requirements of subsection (5).

1738 (4) (a) Beginning with the 2021-2022 program year, the  
1739 department shall adopt a methodology for calculating each  
1740 provider's performance metric, which must be based on a

25-01567-20

20201616\_\_

1741 combination of the following:

1742 1. Program assessment scores under subsection (2), which  
1743 shall be weighted at approximately 50 percent.

1744 2. Learning gains expressed as the change in ability scores  
1745 from the initial and final progress-monitoring results described  
1746 in subsection (1).

1747 3. Norm-referenced developmental learning outcomes  
1748 described in subsection (1).

1749 (b) For purposes of this subsection, the methodology for  
1750 calculation may only include prekindergarten students who have  
1751 attended at least 85 percent of a private prekindergarten  
1752 provider's or public school's program.

1753 (c) The methodology must include a statistical latent  
1754 profile analysis that is conducted by a contracted independent  
1755 expert with experience in relevant quantitative analysis, early  
1756 childhood assessment, and designing state-level accountability  
1757 systems. Such expert must be able to produce a limited number of  
1758 program performance metric profiles that summarize all programs'  
1759 profiles that inform the assignment of a letter grading system  
1760 to include grades "A" through "F." The contracted independent  
1761 expert may not be a direct stakeholder or have had a financial  
1762 interest in the design or delivery of the Voluntary  
1763 Prekindergarten Education Program or public school systems  
1764 within the last 5 years.

1765 (d) The grading system must provide for a differential  
1766 payment to a private prekindergarten provider and public school  
1767 based on program performance. The maximum differential payment  
1768 may not exceed a total of 15 percent of the base student  
1769 allocation per full-time equivalent as defined in s. 1002.71. A

25-01567-20

20201616\_\_

1770 private prekindergarten provider or public school may not  
1771 receive a differential if it is assigned a grade of "C" or  
1772 below. Before the adoption of a methodology, the department and  
1773 the contracted expert shall confer with the Council for Early  
1774 Grade Success under s. 1008.2125 before receiving approval for  
1775 the final recommendations on the grading system and differential  
1776 payments.

1777 (e) The department shall adopt procedures to annually  
1778 calculate each private prekindergarten provider's and public  
1779 school's program performance metric and grade based on the  
1780 methodology adopted in paragraphs (a) and (b). Beginning with  
1781 the 2022-2023 program year, each private prekindergarten  
1782 provider or public school shall be assigned a grade within 45  
1783 days of the conclusion of the school year Voluntary  
1784 Prekindergarten Education Program delivered by all participating  
1785 private prekindergarten providers or public schools and within  
1786 45 days of the conclusion of the summer prekindergarten program  
1787 delivered by all participating private prekindergarten providers  
1788 or public schools.

1789 (f) The department shall adopt a minimum program  
1790 performance metric or grade that, if achieved by a private  
1791 prekindergarten provider or public school, would demonstrate the  
1792 provider's or school's satisfactory delivery of the Voluntary  
1793 Prekindergarten Education Program.

1794 (5) (a) If a public school's or private prekindergarten  
1795 provider's program assessment composite score for its  
1796 prekindergarten classrooms fails to meet the minimum threshold  
1797 for contracting established by the department pursuant to s.  
1798 1002.82 (2) (n), then the public school or private prekindergarten

25-01567-20

20201616\_\_

1799 provider may not participate in the Voluntary Prekindergarten  
1800 Education Program beginning in the subsequent program year and  
1801 thereafter until the public school or private prekindergarten  
1802 provider meets the minimum threshold for contracting.

1803 (b) If a private prekindergarten provider's or public  
1804 school's program performance metric or grade falls below the  
1805 minimum program performance metric or grade, the early learning  
1806 coalition or school district, as applicable, shall:

1807 1. Require the provider or school to submit an improvement  
1808 plan for approval by the coalition or school district, as  
1809 applicable, and to implement the plan;

1810 2. Place the provider or school on probation; and

1811 3. Require the provider or school to take certain  
1812 corrective actions, including the use of a curriculum approved  
1813 by the department under s. 1002.67(2)(c) or a staff development  
1814 plan approved by the department to strengthen instructional  
1815 practices in emotional and behavioral support, engaged support  
1816 for learning, classroom organization, language development,  
1817 phonological awareness, alphabet knowledge, and mathematical  
1818 thinking.

1819 (c) A private prekindergarten provider or public school  
1820 that is placed on probation must continue the corrective actions  
1821 required under paragraph (b) until the provider or school meets  
1822 the minimum program performance metric or grade adopted by the  
1823 department. Failure to meet the requirements of subparagraphs  
1824 (b)1. and 3. shall result in the termination of the provider's  
1825 or school's contract to deliver the Voluntary Prekindergarten  
1826 Education Program for a period of at least 2 years but no more  
1827 than 5 years.

25-01567-20

20201616\_\_

1828       (d) If a private prekindergarten provider or public school  
1829 remains on probation for 2 consecutive years and fails to meet  
1830 the minimum program performance metric or grade, or is not  
1831 granted a good cause exemption by the department, the department  
1832 shall require the early learning coalition or the school  
1833 district to revoke the provider's or school's eligibility to  
1834 deliver the Voluntary Prekindergarten Education Program and  
1835 receive state funds for the program for a period of at least 2  
1836 years but no more than 5 years.

1837       (6) (a) The department, upon the request of a private  
1838 prekindergarten provider or public school that remains on  
1839 probation for at least 2 consecutive years and subsequently  
1840 fails to meet the minimum program performance metric or grade  
1841 adopted pursuant to paragraph (5) (c), and for good cause shown,  
1842 may grant to the provider or school an exemption from being  
1843 determined ineligible to deliver the Voluntary Prekindergarten  
1844 Education Program and receive state funds for the program. Such  
1845 exemption is valid for 1 year and, upon the request of the  
1846 private prekindergarten provider or public school and for good  
1847 cause shown, may be renewed.

1848       (b) A private prekindergarten provider's or public school's  
1849 request for a good cause exemption, or renewal of such an  
1850 exemption, must be submitted to the department in the manner and  
1851 within the timeframes prescribed by the department and must  
1852 include the following:

1853       1. Data from the private prekindergarten provider or public  
1854 school which documents the achievement and progress of the  
1855 children served, as measured by any required screenings or  
1856 assessments.

25-01567-20

20201616\_\_

1857       2. Data from the program assessment required under s.  
1858 1002.55 which demonstrates effective teaching practices as  
1859 recognized by the contracted expert.

1860       3. Data from the early learning coalition or district  
1861 school board, as applicable, the Department of Children and  
1862 Families, the local licensing authority, or an accrediting  
1863 association, as applicable, relating to the private  
1864 prekindergarten provider's or public school's compliance with  
1865 state and local health and safety standards.

1866       (c) The department shall adopt criteria for granting good  
1867 cause exemptions. Such criteria must include, but are not  
1868 limited to, all of the following:

1869       1. Child demographic data that evidences a private  
1870 prekindergarten provider or public school serves a statistically  
1871 significant population of children with special needs who have  
1872 individual education plans and can demonstrate progress toward  
1873 meeting the goals outlined in the students' individual education  
1874 plans.

1875       2. Learning gains of children served in the Voluntary  
1876 Prekindergarten Education Program by the private prekindergarten  
1877 provider or public school on an alternative measure that has  
1878 comparable validity and reliability of the screening and  
1879 progress-monitoring program in accordance with s. 1008.2125.

1880       3. Program assessment data under subsection (2) which  
1881 demonstrates effective teaching practices as recognized by the  
1882 contracted expert.

1883       4. Verification that local and state health and safety  
1884 requirements are met.

1885       (d) A good cause exemption may not be granted to any

25-01567-20

20201616\_\_

1886 private prekindergarten provider or public school that has any  
1887 Class I violations or two or more Class II violations within the  
1888 2 years preceding the provider's or school's request for the  
1889 exemption. For purposes of this paragraph, Class I and Class II  
1890 violations have the same meaning as provided in s. 1002.945.

1891 (e) A private prekindergarten provider or public school  
1892 granted a good cause exemption shall continue to implement its  
1893 improvement plan and continue the corrective actions required  
1894 under subsection (5) (b) until the provider or school meets the  
1895 minimum program performance metric.

1896 (f) If a good cause exemption is granted to a private  
1897 prekindergarten provider or public school that remains on  
1898 probation for 2 consecutive years, the department shall notify  
1899 the early learning coalition or school district of the good  
1900 cause exemption and direct that the coalition or school district  
1901 not remove the provider from eligibility to deliver the  
1902 Voluntary Prekindergarten Education Program or to receive state  
1903 funds for the program if the provider meets all other applicable  
1904 requirements of this part.

1905 (g) The department shall report the number of Voluntary  
1906 Prekindergarten Education Program providers or public schools  
1907 that have received a good cause exemption and the reasons for  
1908 the exemptions as part of its annual reporting requirements  
1909 under s. 1002.82(5).

1910 (7) Representatives from the school districts and early  
1911 learning coalitions must meet annually to develop strategies to  
1912 transition students from the Voluntary Prekindergarten Education  
1913 Program to kindergarten.

1914 Section 41. Section 1002.69, Florida Statutes, is repealed.

25-01567-20

20201616\_\_

1915 Section 42. Paragraph (c) of subsection (3), subsection  
1916 (4), paragraph (b) of subsection (5), paragraphs (b) and (d) of  
1917 subsection (6), and subsection (7) of section 1002.71, Florida  
1918 Statutes, are amended to read:

1919 1002.71 Funding; financial and attendance reporting.—

1920 (3)

1921 (c) The initial allocation shall be based on estimated  
1922 student enrollment in each coalition service area. The  
1923 department ~~Office of Early Learning~~ shall reallocate funds among  
1924 the coalitions based on actual full-time equivalent student  
1925 enrollment in each coalition service area. Each coalition shall  
1926 report student enrollment pursuant to subsection (2) on a  
1927 monthly basis. A student enrollment count for the prior fiscal  
1928 year may not be amended after September 30 of the subsequent  
1929 fiscal year.

1930 (4) Notwithstanding s. 1002.53(3) and subsection (2):

1931 (a) A child who, for any of the prekindergarten programs  
1932 listed in s. 1002.53(3), has not completed more than 70 percent  
1933 of the hours authorized to be reported for funding under  
1934 subsection (2), or has not expended more than 70 percent of the  
1935 funds authorized for the child under s. 1002.66, may withdraw  
1936 from the program for good cause and reenroll in one of the  
1937 programs. The total funding for a child who reenrolls in one of  
1938 the programs for good cause may not exceed one full-time  
1939 equivalent student. Funding for a child who withdraws and  
1940 reenrolls in one of the programs for good cause shall be issued  
1941 in accordance with the department's ~~Office of Early Learning's~~  
1942 uniform attendance policy adopted pursuant to paragraph (6)(d).

1943 (b) A child who has not substantially completed any of the

25-01567-20

20201616\_\_

1944 prekindergarten programs listed in s. 1002.53(3) may withdraw  
1945 from the program due to an extreme hardship that is beyond the  
1946 child's or parent's control, reenroll in one of the summer  
1947 programs, and be reported for funding purposes as a full-time  
1948 equivalent student in the summer program for which the child is  
1949 reenrolled.

1950  
1951 A child may reenroll only once in a prekindergarten program  
1952 under this section. A child who reenrolls in a prekindergarten  
1953 program under this subsection may not subsequently withdraw from  
1954 the program and reenroll, unless the child is granted a good  
1955 cause exemption under this subsection. The department ~~Office of~~  
1956 ~~Early Learning~~ shall establish criteria specifying whether a  
1957 good cause exists for a child to withdraw from a program under  
1958 paragraph (a), whether a child has substantially completed a  
1959 program under paragraph (b), and whether an extreme hardship  
1960 exists which is beyond the child's or parent's control under  
1961 paragraph (b).

1962 (5)

1963 (b) The department ~~Office of Early Learning~~ shall adopt  
1964 procedures for the payment of private prekindergarten providers  
1965 and public schools delivering the Voluntary Prekindergarten  
1966 Education Program. The procedures shall provide for the advance  
1967 payment of providers and schools based upon student enrollment  
1968 in the program, the certification of student attendance, and the  
1969 reconciliation of advance payments in accordance with the  
1970 uniform attendance policy adopted under paragraph (6) (d). The  
1971 procedures shall provide for the monthly distribution of funds  
1972 by the department ~~Office of Early Learning~~ to the early learning

25-01567-20

20201616\_\_

1973 coalitions for payment by the coalitions to private  
 1974 prekindergarten providers and public schools.

1975 (6)

1976 (b)1. Each private prekindergarten provider's and district  
 1977 school board's attendance policy must require the parent of each  
 1978 student in the Voluntary Prekindergarten Education Program to  
 1979 verify, each month, the student's attendance on the prior  
 1980 month's certified student attendance.

1981 2. The parent must submit the verification of the student's  
 1982 attendance to the private prekindergarten provider or public  
 1983 school on forms prescribed by the department ~~Office of Early~~  
 1984 ~~Learning~~. The forms must include, in addition to the  
 1985 verification of the student's attendance, a certification, in  
 1986 substantially the following form, that the parent continues to  
 1987 choose the private prekindergarten provider or public school in  
 1988 accordance with s. 1002.53 and directs that payments for the  
 1989 program be made to the provider or school:

1990 VERIFICATION OF STUDENT'S ATTENDANCE

1991 AND CERTIFICATION OF PARENTAL CHOICE

1992 I, ...(Name of Parent)..., swear (or affirm) that my child,  
 1993 ...(Name of Student)..., attended the Voluntary Prekindergarten  
 1994 Education Program on the days listed above and certify that I  
 1995 continue to choose ...(Name of Provider or School)... to deliver  
 1996 the program for my child and direct that program funds be paid  
 1997 to the provider or school for my child.

1998 ...(Signature of Parent)...

1999 ...(Date)...

2000 3. The private prekindergarten provider or public school  
 2001 must keep each original signed form for at least 2 years. Each

25-01567-20

20201616\_\_

2002 private prekindergarten provider must permit the early learning  
2003 coalition, and each public school must permit the school  
2004 district, to inspect the original signed forms during normal  
2005 business hours. The department ~~Office of Early Learning~~ shall  
2006 adopt procedures for early learning coalitions and school  
2007 districts to review the original signed forms against the  
2008 certified student attendance. The review procedures shall  
2009 provide for the use of selective inspection techniques,  
2010 including, but not limited to, random sampling. Each early  
2011 learning coalition and the school districts must comply with the  
2012 review procedures.

2013 (d) The department ~~Office of Early Learning~~ shall adopt,  
2014 for funding purposes, a uniform attendance policy for the  
2015 Voluntary Prekindergarten Education Program. The attendance  
2016 policy must apply statewide and apply equally to all private  
2017 prekindergarten providers and public schools. The attendance  
2018 policy must include at least the following provisions:

2019 1. A student's attendance may be reported on a pro rata  
2020 basis as a fractional part of a full-time equivalent student.

2021 2. At a maximum, 20 percent of the total payment made on  
2022 behalf of a student to a private prekindergarten provider or a  
2023 public school may be for hours a student is absent.

2024 3. A private prekindergarten provider or public school may  
2025 not receive payment for absences that occur before a student's  
2026 first day of attendance or after a student's last day of  
2027 attendance.

2028  
2029 The uniform attendance policy shall be used only for funding  
2030 purposes and does not prohibit a private prekindergarten

25-01567-20

20201616\_\_

2031 provider or public school from adopting and enforcing its  
2032 attendance policy under paragraphs (a) and (c).

2033       (7) The department ~~Office of Early Learning~~ shall require  
2034 that administrative expenditures be kept to the minimum  
2035 necessary for efficient and effective administration of the  
2036 Voluntary Prekindergarten Education Program. Administrative  
2037 policies and procedures shall be revised, to the maximum extent  
2038 practicable, to incorporate the use of automation and electronic  
2039 submission of forms, including those required for child  
2040 eligibility and enrollment, provider and class registration, and  
2041 monthly certification of attendance for payment. A school  
2042 district may use its automated daily attendance reporting system  
2043 for the purpose of transmitting attendance records to the early  
2044 learning coalition in a mutually agreed-upon format. In  
2045 addition, actions shall be taken to reduce paperwork, eliminate  
2046 the duplication of reports, and eliminate other duplicative  
2047 activities. Each early learning coalition may retain and expend  
2048 no more than 4.0 percent of the funds paid by the coalition to  
2049 private prekindergarten providers and public schools under  
2050 paragraph (5)(b). Funds retained by an early learning coalition  
2051 under this subsection may be used only for administering the  
2052 Voluntary Prekindergarten Education Program and may not be used  
2053 for the school readiness program or other programs.

2054       Section 43. Subsection (1) of section 1002.72, Florida  
2055 Statutes, is amended to read:

2056       1002.72 Records of children in the Voluntary  
2057 Prekindergarten Education Program.—

2058       (1)(a) The records of a child enrolled in the Voluntary  
2059 Prekindergarten Education Program held by an early learning

25-01567-20

20201616\_\_

2060 coalition, the department ~~Office of Early Learning~~, or a  
2061 Voluntary Prekindergarten Education Program provider are  
2062 confidential and exempt from s. 119.07(1) and s. 24(a), Art. I  
2063 of the State Constitution. For purposes of this section, such  
2064 records include assessment data, health data, records of teacher  
2065 observations, and personal identifying information of an  
2066 enrolled child and his or her parent.

2067 (b) This exemption applies to the records of a child  
2068 enrolled in the Voluntary Prekindergarten Education Program held  
2069 by an early learning coalition, the department ~~Office of Early~~  
2070 ~~Learning~~, or a Voluntary Prekindergarten Education Program  
2071 provider before, on, or after the effective date of this  
2072 exemption.

2073 Section 44. Section 1002.73, Florida Statutes, is amended  
2074 to read:

2075 1002.73 Department of Education; powers and duties;  
2076 accountability requirements.—

2077 (1) The department shall adopt by rule a standard statewide  
2078 provider contract to be used with each Voluntary Prekindergarten  
2079 Education Program provider, with standardized attachments by  
2080 provider type. The department shall publish a copy of the  
2081 standard statewide provider contract on its website. The  
2082 standard statewide provider contract shall include, at a  
2083 minimum, provisions for provider probation, termination for  
2084 cause, and emergency termination for those actions or inactions  
2085 of a provider that pose an immediate and serious danger to the  
2086 health, safety, or welfare of children. The standard statewide  
2087 provider contract shall also include appropriate due process  
2088 procedures. During the pendency of an appeal of a termination,

25-01567-20

20201616\_\_

2089 the provider may not continue to offer its services. Any  
2090 provision imposed upon a provider that is inconsistent with, or  
2091 prohibited by, law is void and unenforceable ~~administer the~~  
2092 ~~accountability requirements of the Voluntary Prekindergarten~~  
2093 ~~Education Program at the state level.~~

2094 (2) The department shall adopt procedures for ~~its~~:

2095 (a) Approval of prekindergarten director credentials under  
2096 ss. 1002.55 and 1002.57.

2097 (b) Approval of emergent literacy training courses under  
2098 ss. 1002.55 and 1002.59.

2099 (c) Annually notifying providers placed on probation for  
2100 not meeting the minimum performance metric as required by s.  
2101 1002.68 of the free and low-cost, high-quality professional  
2102 development opportunities developed or supported by the  
2103 department.

2104 (3) 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) Enrolling children in and determining the eligibility  
2109 of children for the Voluntary Prekindergarten Education Program  
2110 under s. 1002.53, which shall include the enrollment of children  
2111 by public schools and private providers that meet specified  
2112 requirements.

2113 (b) Providing parents with profiles of private  
2114 prekindergarten providers and public schools under s. 1002.53.

2115 (c) Registering private prekindergarten providers and  
2116 public schools to deliver the program under ss. 1002.55,  
2117 1002.61, and 1002.63.

25-01567-20

20201616\_\_

2118 (d) Determining the eligibility of private prekindergarten  
2119 providers to deliver the program under ss. 1002.55 and 1002.61  
2120 and streamlining the process of determining provider eligibility  
2121 whenever possible.

2122 (e) Verifying the compliance of private prekindergarten  
2123 providers and public schools and removing providers or schools  
2124 from eligibility to deliver the program due to noncompliance or  
2125 misconduct as provided in s. 1002.67.

2126 (f) Paying private prekindergarten providers and public  
2127 schools under s. 1002.71.

2128 (g) Documenting and certifying student enrollment and  
2129 student attendance under s. 1002.71.

2130 (h) Reconciling advance payments in accordance with the  
2131 uniform attendance policy under s. 1002.71.

2132 (i) Reenrolling students dismissed by a private  
2133 prekindergarten provider or public school for noncompliance with  
2134 the provider's or school district's attendance policy under s.  
2135 1002.71.

2136 (4) The department shall administer the accountability  
2137 requirements of the Voluntary Prekindergarten Education Program  
2138 at the state level.

2139 (5) The department shall adopt rules governing the  
2140 administration of the Voluntary Prekindergarten Education  
2141 Program by the early learning coalitions and school districts  
2142 for:

2143 (a) Approving improvement plans of private prekindergarten  
2144 providers and public schools under s. 1002.68.

2145 (b) Placing private prekindergarten providers and public  
2146 schools on probation and requiring corrective actions under s.

25-01567-20

20201616\_\_

2147 1002.68.

2148 (c) Removing a private prekindergarten provider or public  
2149 school from eligibility to deliver the program due to the  
2150 provider's or school's remaining on probation beyond the time  
2151 permitted under s. 1002.68. Notwithstanding any other law, if a  
2152 private prekindergarten provider has been cited for a Class I  
2153 violation, as defined by rule by the Child Care Services Program  
2154 Office of the Department of Children and Families, the coalition  
2155 may refuse to contract with the provider or revoke the  
2156 provider's eligibility to deliver the Voluntary Prekindergarten  
2157 Education Program.

2158 (d) Enrolling children in and determining the eligibility  
2159 of children for the Voluntary Prekindergarten Education Program  
2160 under s. 1002.66.

2161 (e) Paying specialized instructional services providers  
2162 under s. 1002.66.

2163 ~~(c) Administration of the statewide kindergarten screening~~  
2164 ~~and calculation of kindergarten readiness rates under s.~~  
2165 ~~1002.69.~~

2166 ~~(d) Implementation of, and determination of costs~~  
2167 ~~associated with, the state-approved prekindergarten enrollment~~  
2168 ~~screening and the standardized postassessment approved by the~~  
2169 ~~department, and determination of the learning gains of students~~  
2170 ~~who complete the state-approved prekindergarten enrollment~~  
2171 ~~screening and the standardized postassessment approved by the~~  
2172 ~~department.~~

2173 (f)(e) Approving Approval of specialized instructional  
2174 services providers under s. 1002.66.

2175 ~~(f) Annual reporting of the percentage of kindergarten~~

25-01567-20

20201616\_\_

2176 ~~students who meet all state readiness measures.~~

2177 (g) Granting of a private prekindergarten provider's or  
2178 public school's request for a good cause exemption under s.  
2179 1002.68 ~~s. 1002.69(7)~~.

2180 (6) The department shall adopt procedures for the  
2181 distribution of funds to early learning coalitions under s.  
2182 1002.71.

2183 (7)~~(3)~~ Except as provided by law, the department may not  
2184 impose requirements on a private prekindergarten provider or  
2185 public school that does not deliver the Voluntary  
2186 Prekindergarten Education Program or receive state funds under  
2187 this part.

2188 Section 45. Sections 1002.75 and 1002.77, Florida Statutes,  
2189 are repealed.

2190 Section 46. Section 1002.79, Florida Statutes, is amended  
2191 to read:

2192 1002.79 Rulemaking authority.—The State Board of Education  
2193 ~~Office of Early Learning~~ shall adopt rules under ss. 120.536(1)  
2194 and 120.54 to administer the provisions of this part conferring  
2195 duties upon the department ~~office~~.

2196 Section 47. Subsections (13) through (16) of section  
2197 1002.81, Florida Statutes, are renumbered as subsections (12)  
2198 through (15), respectively, and subsections (3), (4), and (12)  
2199 of that section are amended, to read:

2200 1002.81 Definitions.—Consistent with the requirements of 45  
2201 C.F.R. parts 98 and 99 and as used in this part, the term:

2202 (3) "Prevailing Average market rate" means the biennially  
2203 determined 75th percentile of a reasonable frequency  
2204 distribution ~~average~~ of the market rate by program care level

25-01567-20

20201616\_\_

2205 and provider type in a predetermined geographic market at which  
2206 child care providers charge a person for child care services.

2207 (4) "Direct enhancement services" means services for  
2208 families and children that are in addition to payments for the  
2209 placement of children in the school readiness program. Direct  
2210 enhancement services for families and children may include  
2211 supports for providers, parent training and involvement  
2212 activities, and strategies to meet the needs of unique  
2213 populations and local eligibility priorities. Direct enhancement  
2214 services offered by an early learning coalition shall be  
2215 consistent with the activities prescribed in s. 1002.89(5)(b) ~~s.~~  
2216 ~~1002.89(6)(b).~~

2217 ~~(12) "Office" means the Office of Early Learning of the~~  
2218 ~~Department of Education.~~

2219 Section 48. Section 1002.82, Florida Statutes, is amended  
2220 to read:

2221 1002.82 Department of Education ~~Office of Early Learning~~;  
2222 powers and duties.—

2223 (1) For purposes of administration of the Child Care and  
2224 Development Block Grant Trust Fund, pursuant to 45 C.F.R. parts  
2225 98 and 99, the Department of Education ~~Office of Early Learning~~  
2226 is designated as the lead agency and must comply with lead  
2227 agency responsibilities pursuant to federal law. The department  
2228 ~~office~~ may apply to the Governor and Cabinet for a waiver of,  
2229 and the Governor and Cabinet may waive, any provision of ss.  
2230 411.223 and 1003.54 if the waiver is necessary for  
2231 implementation of the school readiness program. Section  
2232 125.901(2)(a)3. does not apply to the school readiness program.

2233 (2) The department ~~office~~ shall:

25-01567-20

20201616\_\_

2234 (a) Focus on improving the educational quality delivered by  
2235 all providers participating in the school readiness program.

2236 (b) Preserve parental choice by permitting parents to  
2237 choose from a variety of child care categories, including  
2238 center-based care, family child care, and informal child care to  
2239 the extent authorized in the state's Child Care and Development  
2240 Fund Plan as approved by the United States Department of Health  
2241 and Human Services pursuant to 45 C.F.R. s. 98.18. Care and  
2242 curriculum by a faith-based provider may not be limited or  
2243 excluded in any of these categories.

2244 (c) Be responsible for the prudent use of all public and  
2245 private funds in accordance with all legal and contractual  
2246 requirements, safeguarding the effective use of federal, state,  
2247 and local resources to achieve the highest practicable level of  
2248 school readiness for the children described in s. 1002.87,  
2249 including:

2250 1. The adoption of a uniform chart of accounts for  
2251 budgeting and financial reporting purposes that provides  
2252 standardized definitions for expenditures and reporting,  
2253 consistent with the requirements of 45 C.F.R. part 98 and s.  
2254 1002.89 for each of the following categories of expenditure:

- 2255 a. Direct services to children.  
2256 b. Administrative costs.  
2257 c. Quality activities.  
2258 d. Nondirect services.

2259 2. Coordination with other state and federal agencies to  
2260 perform data matches on children participating in the school  
2261 readiness program and their families in order to verify the  
2262 children's eligibility pursuant to s. 1002.87.

25-01567-20

20201616\_\_

2263 (d) Establish procedures for the biennial calculation of  
2264 the prevailing ~~average~~ market rate.

2265 (e) Review each early learning coalition's school readiness  
2266 program plan every 2 years and provide final approval of the  
2267 plan and any amendments submitted.

2268 (f) Establish a unified approach to the state's efforts to  
2269 coordinate a comprehensive early learning program. In support of  
2270 this effort, the department ~~office~~:

2271 1. Shall adopt specific program support services that  
2272 address the state's school readiness program, including:

2273 a. Statewide data information program requirements that  
2274 include:

2275 (I) Eligibility requirements.

2276 (II) Financial reports.

2277 (III) Program accountability measures.

2278 (IV) Child progress reports.

2279 b. Child care resource and referral services.

2280 c. A single point of entry and uniform waiting list.

2281 2. May provide technical assistance and guidance on  
2282 additional support services to complement the school readiness  
2283 program, including:

2284 a. Rating and improvement systems.

2285 b. Warm-Line services.

2286 c. Anti-fraud plans.

2287 d. School readiness program standards.

2288 e. Child screening and assessments.

2289 f. Training and support for parental involvement in  
2290 children's early education.

2291 g. Family literacy activities and services.

25-01567-20

20201616\_\_

2292 (g) Provide technical assistance to early learning  
2293 coalitions.

2294 (h) In cooperation with the early learning coalitions,  
2295 coordinate with the Child Care Services Program Office of the  
2296 Department of Children and Families to reduce paperwork and to  
2297 avoid duplicating interagency activities, health and safety  
2298 monitoring, and acquiring and composing data pertaining to child  
2299 care training and credentialing.

2300 (i) Enter into a memorandum of understanding with local  
2301 licensing agencies and the Child Care Services Program Office of  
2302 the Department of Children and Families for inspections of  
2303 school readiness program providers to monitor and verify  
2304 compliance with s. 1002.88 and the health and safety checklist  
2305 adopted by the department ~~office~~. The provider contract of a  
2306 school readiness program provider that refuses permission for  
2307 entry or inspection shall be terminated. The health and safety  
2308 checklist may not exceed the requirements of s. 402.305 and the  
2309 Child Care and Development Fund pursuant to 45 C.F.R. part 98. A  
2310 child development program operating on a military installation  
2311 that is certified by the United States Department of Defense and  
2312 accredited by a national accrediting body is exempt from the  
2313 inspection requirements under s. 1002.88.

2314 (j) Monitor the alignment and consistency of the ~~Develop~~  
2315 ~~and adopt~~ standards and benchmarks developed and adopted by the  
2316 department that address the age-appropriate progress of children  
2317 in the development of school readiness skills. The standards for  
2318 children from birth to 5 years of age in the school readiness  
2319 program must be aligned with the performance standards adopted  
2320 for children in the Voluntary Prekindergarten Education Program

25-01567-20

20201616\_\_

2321 and must address the following domains:

- 2322 1. Approaches to learning.
- 2323 2. Cognitive development and general knowledge.
- 2324 3. Numeracy, language, and communication.
- 2325 4. Physical development.
- 2326 5. Self-regulation.

2327 (k) Identify observation-based child assessments that are  
2328 valid, reliable, and developmentally appropriate for use at  
2329 least three times a year. The assessments must:

- 2330 1. Provide interval level and criterion-referenced data  
2331 that measures equivalent levels of growth across the core  
2332 domains of early childhood development and that can be used for  
2333 determining developmentally appropriate learning gains.
- 2334 2. Measure progress in the performance standards adopted  
2335 pursuant to paragraph (j).
- 2336 3. Provide for appropriate accommodations for children with  
2337 disabilities and English language learners and be administered  
2338 by qualified individuals, consistent with the developer's  
2339 instructions.
- 2340 4. Coordinate with the performance standards adopted by the  
2341 department under s. 1002.67(1) for the Voluntary Prekindergarten  
2342 Education Program.
- 2343 5. Provide data in a format for use in the single statewide  
2344 information system to meet the requirements of paragraph (q)  
2345 ~~(p)~~.
- 2346 (l) Adopt a list of approved curricula that meet the  
2347 performance standards for the school readiness program and  
2348 establish a process for the review and approval of a provider's  
2349 curriculum that meets the performance standards.

25-01567-20

20201616\_\_

2350           (m) Provide technical support to an early learning  
2351 coalition to facilitate the use of ~~Adopt by rule~~ a standard  
2352 statewide provider contract to be used with each school  
2353 readiness program provider, with standardized attachments by  
2354 provider type. The department ~~office~~ shall publish a copy of the  
2355 standard statewide provider contract on its website. The  
2356 standard statewide contract shall include, at a minimum,  
2357 contracted slots, if applicable, in accordance with the Child  
2358 Care and Development Block Grant Act of 2014, 45 C.F.R. parts 98  
2359 and 99; quality improvement strategies, if applicable; program  
2360 assessment requirements; and provisions for provider probation,  
2361 termination for cause, and emergency termination for those  
2362 actions or inactions of a provider that pose an immediate and  
2363 serious danger to the health, safety, or welfare of the  
2364 children. The standard statewide provider contract shall also  
2365 include appropriate due process procedures. During the pendency  
2366 of an appeal of a termination, the provider may not continue to  
2367 offer its services. Any provision imposed upon a provider that  
2368 is inconsistent with, or prohibited by, law is void and  
2369 unenforceable. Provisions for termination for cause must also  
2370 include failure to meet the minimum quality measures established  
2371 under paragraph (n) for a period of up to 5 years, unless the  
2372 coalition determines that the provider is essential to meeting  
2373 capacity needs based on the assessment under s. 1002.85(2)(j)  
2374 and the provider has an active improvement plan pursuant to  
2375 paragraph (n).

2376           (n) Adopt a program assessment for school readiness program  
2377 providers that measures the quality of teacher-child  
2378 interactions, including emotional and behavioral support,

25-01567-20

20201616\_\_

2379 engaged support for learning, classroom organization, and  
2380 instructional support for children ages birth to 5 years. The  
2381 implementation of the program assessment must also include the  
2382 following components adopted by rule by the State Board of  
2383 Education:

2384 1. Quality measures, including a minimum threshold for  
2385 contracting purposes and program improvement through an  
2386 improvement plan.

2387 2. Requirements for program participation, frequency of  
2388 program assessment, and exemptions.

2389 (o) No later than July 1, 2019, develop a differential  
2390 payment program based on the quality measures adopted by the  
2391 department ~~office~~ under paragraph (n). The differential payment  
2392 may not exceed a total of 15 percent for each care level and  
2393 unit of child care for a child care provider. No more than 5  
2394 percent of the 15 percent total differential may be provided to  
2395 providers who submit valid and reliable data to the statewide  
2396 information system in the domains of language and executive  
2397 functioning using a child assessment identified pursuant to  
2398 paragraph (k). Providers below the minimum threshold for  
2399 contracting purposes are ineligible for such payment.

2400 (p) No later than July 1, 2021, develop and adopt  
2401 requirements for the implementation of a program designed to  
2402 make available contracted slots to serve an at-risk child, as  
2403 defined in s. 1002.81(1)(d) and (f), and to serve children at  
2404 the greatest risk of school failure as determined by the  
2405 children being located in an area that has been designated as a  
2406 poverty area tract according to the latest census data. The  
2407 contracted slot program may also be used to increase the

25-01567-20

20201616\_\_

2408 availability of child care capacity based on the assessment  
2409 under s. 1002.85(2)(j).

2410 (q)~~(p)~~ Establish a single statewide information system that  
2411 each coalition must use for the purposes of managing the single  
2412 point of entry, tracking children's progress, coordinating  
2413 services among stakeholders, determining eligibility of  
2414 children, tracking child attendance, and streamlining  
2415 administrative processes for providers and early learning  
2416 coalitions. By July 1, 2019, the system, subject to ss. 1002.72  
2417 and 1002.97, shall:

2418 1. Allow a parent to monitor the development of his or her  
2419 child as the child moves among programs within the state.

2420 2. Enable analysis at the state, regional, and local level  
2421 to measure child growth over time, program impact, and quality  
2422 improvement and investment decisions.

2423 (r)~~(q)~~ Provide technical support to coalitions to  
2424 facilitate the use of ~~Adopt by rule~~ standardized procedures  
2425 adopted by rule by the State Board of Education for coalitions  
2426 to use when monitoring the compliance of school readiness  
2427 program providers with the terms of the standard statewide  
2428 provider contract.

2429 (s)~~(r)~~ Monitor and evaluate the performance of each early  
2430 learning coalition in administering the school readiness  
2431 program, ensuring proper payments for school readiness program  
2432 services, implementing the coalition's school readiness program  
2433 plan, and administering the Voluntary Prekindergarten Education  
2434 Program. These monitoring and performance evaluations must  
2435 include, at a minimum, onsite monitoring of each coalition's  
2436 finances, management, operations, and programs.

25-01567-20

20201616\_\_

2437        (t)~~(s)~~ Work in conjunction with the Bureau of Federal  
2438 Education Programs within the Department of Education to  
2439 coordinate readiness and voluntary prekindergarten services to  
2440 the populations served by the bureau.

2441        (u)~~(t)~~ Administer a statewide toll-free Warm-Line to  
2442 provide assistance and consultation to child care facilities and  
2443 family day care homes regarding health, developmental,  
2444 disability, and special needs issues of the children they are  
2445 serving, particularly children with disabilities and other  
2446 special needs. The department ~~office~~ shall:

2447            1. Annually inform child care facilities and family day  
2448 care homes of the availability of this service through the child  
2449 care resource and referral network under s. 1002.92.

2450            2. Expand or contract for the expansion of the Warm-Line to  
2451 maintain at least one Warm-Line in each early learning coalition  
2452 service area.

2453        (v)~~(u)~~ Develop and implement strategies to increase the  
2454 supply and improve the quality of child care services for  
2455 infants and toddlers, children with disabilities, children who  
2456 receive care during nontraditional hours, children in  
2457 underserved areas, and children in areas that have significant  
2458 concentrations of poverty and unemployment.

2459        (w)~~(v)~~ Establish preservice and inservice training  
2460 requirements that address, at a minimum, school readiness child  
2461 development standards, health and safety requirements, and  
2462 social-emotional behavior intervention models, which may include  
2463 positive behavior intervention and support models, including the  
2464 integration of early learning professional development pathways  
2465 established in s. 1002.995.

25-01567-20

20201616\_\_

2466        (x)~~(w)~~ Establish standards for emergency preparedness plans  
2467 for school readiness program providers.

2468        (y)~~(x)~~ Establish group sizes.

2469        (z)~~(y)~~ Establish staff-to-children ratios that do not  
2470 exceed the requirements of s. 402.302(8) or (11) or s.  
2471 402.305(4), as applicable, for school readiness program  
2472 providers.

2473        (aa)~~(z)~~ Establish eligibility criteria, including  
2474 limitations based on income and family assets, in accordance  
2475 with s. 1002.87 and federal law.

2476        (3) If the department ~~office~~ determines during the review  
2477 of school readiness program plans, or through monitoring and  
2478 performance evaluations conducted under s. 1002.85, that an  
2479 early learning coalition has not substantially implemented its  
2480 plan, has not substantially met the performance standards and  
2481 outcome measures adopted by the department ~~office~~, or has not  
2482 effectively administered the school readiness program or  
2483 Voluntary Prekindergarten Education Program, the department  
2484 ~~office~~ may remove the coalition from eligibility to administer  
2485 early learning programs and temporarily contract with a  
2486 qualified entity to continue school readiness program and  
2487 prekindergarten services in the coalition's county or  
2488 multicounty region until the department ~~office~~ reestablishes or  
2489 merges the coalition and a new school readiness program plan is  
2490 approved in accordance with the rules adopted by the State Board  
2491 of Education ~~office~~.

2492        (4) The department shall adopt procedures for merging early  
2493 learning coalitions, including procedures for the consolidation  
2494 of merging coalitions that minimize duplication of programs and

25-01567-20

20201616\_\_

2495 services due to the merger, and for the early termination of the  
2496 terms of the coalition members which are necessary to accomplish  
2497 the mergers.

2498 (5)-(4) The department ~~office~~ may request the Governor to  
2499 apply for a waiver to allow a coalition to administer the Head  
2500 Start Program to accomplish the purposes of the school readiness  
2501 program.

2502 (6)-(5) By January 1 of each year, the department ~~office~~  
2503 shall annually publish on its website a report of its activities  
2504 conducted under this section. The report must include a summary  
2505 of the coalitions' annual reports, a statewide summary, and the  
2506 following:

2507 (a) An analysis of early learning activities throughout the  
2508 state, including the school readiness program and the Voluntary  
2509 Prekindergarten Education Program.

2510 1. The total and average number of children served in the  
2511 school readiness program, enumerated by age, eligibility  
2512 priority category, and coalition, and the total number of  
2513 children served in the Voluntary Prekindergarten Education  
2514 Program.

2515 2. A summary of expenditures by coalition, by fund source,  
2516 including a breakdown by coalition of the percentage of  
2517 expenditures for administrative activities, quality activities,  
2518 nondirect services, and direct services for children.

2519 3. A description of the department's ~~office's~~ and each  
2520 coalition's expenditures by fund source for the quality and  
2521 enhancement activities described in s. 1002.89(5)(b) ~~s.~~  
2522 ~~1002.89(6)(b)~~.

2523 4. A summary of annual findings and collections related to

25-01567-20

20201616\_\_

2524 provider fraud and parent fraud.

2525 5. Data regarding the coalitions' delivery of early  
2526 learning programs.

2527 6. The total number of children disenrolled statewide and  
2528 the reason for disenrollment.

2529 7. The total number of providers by provider type.

2530 8. The number of school readiness program providers who  
2531 have completed the program assessment required under paragraph  
2532 (2) (n); the number of providers who have not met the minimum  
2533 threshold for contracting established under paragraph (2) (n);  
2534 and the number of providers that have an active improvement plan  
2535 based on the results of the program assessment under paragraph  
2536 (2) (n).

2537 9. The total number of provider contracts revoked and the  
2538 reasons for revocation.

2539 (b) A summary of the activities and detailed expenditures  
2540 related to the Child Care Executive Partnership Program.

2541 (7) (a) ~~(6) (a)~~ Parental choice of child care providers,  
2542 including private and faith-based providers, shall be  
2543 established to the maximum extent practicable in accordance with  
2544 45 C.F.R. s. 98.30.

2545 (b) As used in this subsection, the term "payment  
2546 certificate" means a child care certificate as defined in 45  
2547 C.F.R. s. 98.2.

2548 (c) The school readiness program shall, in accordance with  
2549 45 C.F.R. s. 98.30, provide parental choice through a payment  
2550 certificate that provides, to the maximum extent possible,  
2551 flexibility in the school readiness program and payment  
2552 arrangements. The payment certificate must bear the names of the

25-01567-20

20201616\_\_

2553 beneficiary and the program provider and, when redeemed, must  
 2554 bear the signatures of both the beneficiary and an authorized  
 2555 representative of the provider.

2556 (d) If it is determined that a provider has given any cash  
 2557 or other consideration to the beneficiary in return for  
 2558 receiving a payment certificate, the early learning coalition or  
 2559 its fiscal agent shall refer the matter to the Department of  
 2560 Financial Services pursuant to s. 414.411 for investigation.

2561 (8)~~(7)~~ Participation in the school readiness program does  
 2562 not expand the regulatory authority of the state, its officers,  
 2563 or an early learning coalition to impose any additional  
 2564 regulation on providers beyond those necessary to enforce the  
 2565 requirements set forth in this part and part V of this chapter.

2566 Section 49. Subsections (1), (2), and (3), paragraph (m) of  
 2567 subsection (4), and subsections (5), (11), and (13) of section  
 2568 1002.83, Florida Statutes, are amended to read:

2569 1002.83 Early learning coalitions.—

2570 (1) Thirty ~~Thirty-one~~ or fewer early learning coalitions  
 2571 are established and shall maintain direct enhancement services  
 2572 at the local level and provide access to such services in all 67  
 2573 counties. Two or more early learning coalitions may join for  
 2574 purposes of planning and implementing a school readiness program  
 2575 and the Voluntary Prekindergarten Education Program.

2576 (2) Each early learning coalition shall be composed of at  
 2577 least 13 ~~15~~ members but not more than 15 ~~30~~ members.

2578 (3) The Governor shall appoint the chair and two other  
 2579 members of each early learning coalition, who must each meet the  
 2580 ~~same~~ qualifications of a ~~as~~ private sector business member  
 2581 ~~members appointed by the coalition~~ under subsection (5).

25-01567-20

20201616\_\_

2582 (4) Each early learning coalition must include the  
2583 following member positions; however, in a multicounty coalition,  
2584 each ex officio member position may be filled by multiple  
2585 nonvoting members but no more than one voting member shall be  
2586 seated per member position. If an early learning coalition has  
2587 more than one member representing the same entity, only one ~~of~~  
2588 ~~such members~~ may serve as a voting member:

2589 ~~(m) A central agency administrator, where applicable.~~

2590 (5) ~~Including the~~ Members appointed by the Governor under  
2591 subsection (3), ~~more than one-third of the members of each early~~  
2592 ~~learning coalition~~ must be private sector business members,  
2593 either for-profit or nonprofit, who do not have, and none of  
2594 whose relatives as defined in s. 112.3143 has, a substantial  
2595 financial interest in the design or delivery of the Voluntary  
2596 Prekindergarten Education Program created under part V of this  
2597 chapter or the school readiness program. ~~To meet this~~  
2598 ~~requirement, an early learning coalition must appoint additional~~  
2599 ~~members.~~ The department office shall establish criteria for  
2600 appointing private sector business members. These criteria must  
2601 include standards for determining whether a member or relative  
2602 has a substantial financial interest in the design or delivery  
2603 of the Voluntary Prekindergarten Education Program or the school  
2604 readiness program.

2605 (11) Each early learning coalition shall establish terms  
2606 for all appointed members of the coalition. The terms must be  
2607 staggered and must be a uniform length that does not exceed 4  
2608 years per term. ~~Coalition chairs shall be appointed for 4 years~~  
2609 ~~in conjunction with their membership on the Early Learning~~  
2610 ~~Advisory Council pursuant to s. 20.052.~~ Appointed members may

25-01567-20

20201616\_\_

2611 serve a maximum of two consecutive terms. When a vacancy occurs  
2612 in an appointed position, the coalition must advertise the  
2613 vacancy.

2614 (13) Each early learning coalition shall use a coordinated  
2615 professional development system that supports the achievement  
2616 and maintenance of core competencies by school readiness program  
2617 teachers in helping children attain the performance standards  
2618 adopted by the department ~~office~~.

2619 Section 50. Subsections (17) through (20) of section  
2620 1002.84, Florida Statutes, are renumbered as subsections (16)  
2621 through (19), respectively, and subsections (1), (2), (4), (7),  
2622 (8), (15), and (16) and present subsections (17), (18), and (20)  
2623 of that section are amended to read:

2624 1002.84 Early learning coalitions; school readiness powers  
2625 and duties.—Each early learning coalition shall:

2626 (1) Administer and implement a local comprehensive program  
2627 of school readiness program services in accordance with this  
2628 part and the rules adopted by the State Board of Education  
2629 ~~office~~, which enhances the cognitive, social, and physical  
2630 development of children to achieve the performance standards.

2631 (2) Establish a uniform waiting list to track eligible  
2632 children waiting for enrollment in the school readiness program  
2633 in accordance with rules adopted by the State Board of Education  
2634 ~~office~~.

2635 (4) Establish a regional Warm-Line as directed by the  
2636 department ~~office~~ pursuant to s. 1002.82(2)(u) ~~s. 1002.82(2)(t)~~.  
2637 Regional Warm-Line staff shall provide onsite technical  
2638 assistance, when requested, to assist child care facilities and  
2639 family day care homes with inquiries relating to the strategies,

25-01567-20

20201616\_\_

2640 curriculum, and environmental adaptations the child care  
2641 facilities and family day care homes may need as they serve  
2642 children with disabilities and other special needs.

2643 (7) Determine child eligibility pursuant to s. 1002.87 and  
2644 provider eligibility pursuant to s. 1002.88. Child eligibility  
2645 must be redetermined annually. A coalition must document the  
2646 reason a child is no longer eligible for the school readiness  
2647 program according to the standard codes prescribed by the  
2648 department office.

2649 (8) Establish a parent sliding fee scale that provides for  
2650 a parent copayment that is not a barrier to families receiving  
2651 school readiness program services. ~~Providers are required to~~  
2652 ~~collect the parent's copayment.~~ A coalition may, ~~on a case-by-~~  
2653 ~~case basis,~~ waive the copayment for an at-risk child or  
2654 temporarily waive the copayment for a child whose family's  
2655 income is at or below the federal poverty level or ~~and~~ whose  
2656 family experiences a natural disaster or an event that limits  
2657 the parent's ability to pay, such as incarceration, placement in  
2658 residential treatment, or becoming homeless, or an emergency  
2659 situation such as a household fire or burglary, or while the  
2660 parent is participating in parenting classes or participating in  
2661 an Early Head Start program or Head Start Program. A parent may  
2662 not transfer school readiness program services to another school  
2663 readiness program provider until the parent has submitted  
2664 documentation from the current school readiness program provider  
2665 to the early learning coalition stating that the parent has  
2666 satisfactorily fulfilled the copayment obligation.

2667 (15) Monitor school readiness program providers in  
2668 accordance with its plan, or in response to a parental

25-01567-20

20201616\_\_

2669 complaint, to verify that the standards prescribed in ss.  
2670 1002.82 and 1002.88 are being met using a standard monitoring  
2671 tool adopted by the department ~~office~~. Providers determined to  
2672 be high-risk by the coalition, as demonstrated by substantial  
2673 findings of violations of federal law or the general or local  
2674 laws of the state, shall be monitored more frequently. Providers  
2675 with 3 consecutive years of compliance may be monitored  
2676 biennially.

2677 ~~(16) Adopt a payment schedule that encompasses all programs~~  
2678 ~~funded under this part and part V of this chapter. The payment~~  
2679 ~~schedule must take into consideration the average market rate,~~  
2680 ~~include the projected number of children to be served, and be~~  
2681 ~~submitted for approval by the office. Informal child care~~  
2682 ~~arrangements shall be reimbursed at not more than 50 percent of~~  
2683 ~~the rate adopted for a family day care home.~~

2684 (16) ~~(17)~~ Implement an anti-fraud plan addressing the  
2685 detection, reporting, and prevention of overpayments, abuse, and  
2686 fraud relating to the provision of and payment for school  
2687 readiness program and Voluntary Prekindergarten Education  
2688 Program services and submit the plan to the department ~~office~~  
2689 for approval, as required by s. 1002.91.

2690 (17) ~~(18)~~ By October 1 of each year, submit an annual report  
2691 to the department ~~office~~. The report must ~~shall~~ conform to the  
2692 format adopted by the department ~~office~~ and must include:

2693 (a) Segregation of school readiness program funds,  
2694 Voluntary Prekindergarten Education Program funds, Child Care  
2695 Executive Partnership Program funds, and other local revenues  
2696 available to the coalition.

2697 (b) Details of expenditures by fund source, including total

25-01567-20

20201616\_\_

2698 expenditures for administrative activities, quality activities,  
2699 nondirect services, and direct services for children.

2700 (c) The total number of coalition staff and the related  
2701 expenditures for salaries and benefits. For any subcontracts,  
2702 the total number of contracted staff and the related  
2703 expenditures for salaries and benefits must be included.

2704 (d) The number of children served in the school readiness  
2705 program, by provider type, enumerated by age and eligibility  
2706 priority category, reported as the number of children served  
2707 during the month, the average participation throughout the  
2708 month, and the number of children served during the month.

2709 (e) The total number of children disenrolled during the  
2710 year and the reasons for disenrollment.

2711 (f) The total number of providers by provider type.

2712 (g) A listing of any school readiness program provider, by  
2713 type, whose eligibility to deliver the school readiness program  
2714 is revoked, including a brief description of the state or  
2715 federal violation that resulted in the revocation.

2716 (h) An evaluation of its direct enhancement services.

2717 (i) The total number of children served in each provider  
2718 facility.

2719 (19) (a) ~~(20)~~ To increase transparency and accountability,  
2720 comply with the requirements of this section before contracting  
2721 with one or more of the following persons or business entities  
2722 which employs, has a contractual relationship with, or is owned  
2723 by the following persons:

2724 1. A member of the coalition appointed pursuant to s.  
2725 1002.83(4);

2726 2. A board member of any other early learning subrecipient

25-01567-20

20201616\_\_

2727 entity;

2728 3. A coalition employee; or

2729 4. A relative, as defined in s. 112.3143(1)(c), of any  
2730 person identified in subparagraphs 1.-3 a coalition member or of  
2731 an employee of the coalition.

2732 (b) Such contracts may not be executed without the approval  
2733 of the department office. Such contracts, as well as  
2734 documentation demonstrating adherence to this section by the  
2735 coalition, must be approved by a two-thirds vote of the  
2736 coalition, a quorum having been established; all conflicts of  
2737 interest must be disclosed before the vote; and any member who  
2738 may benefit from the contract, or whose relative may benefit  
2739 from the contract, must abstain from the vote. A contract under  
2740 \$25,000 between an early learning coalition and a member of that  
2741 coalition or between a relative, as defined in s.  
2742 112.3143(1)(c), of a coalition member or of an employee of the  
2743 coalition is not required to have the prior approval of the  
2744 department office but must be approved by a two-thirds vote of  
2745 the coalition, a quorum having been established, and must be  
2746 reported to the department office within 30 days after approval.  
2747 If a contract cannot be approved by the department office, a  
2748 review of the decision to disapprove the contract may be  
2749 requested by the early learning coalition or other parties to  
2750 the disapproved contract.

2751 Section 51. Section 1002.85, Florida Statutes, is amended  
2752 to read:

2753 1002.85 Early learning coalition plans.—

2754 (1) The department office shall adopt rules prescribing the  
2755 standardized format and required content of school readiness

25-01567-20

20201616\_\_

2756 program plans as necessary for a coalition or other qualified  
2757 entity to administer the school readiness program as provided in  
2758 this part.

2759 (2) Each early learning coalition must biennially submit a  
2760 school readiness program plan to the department ~~office~~ before  
2761 the expenditure of funds. A coalition may not implement its  
2762 school readiness program plan until it receives approval from  
2763 the department ~~office~~. A coalition may not implement any  
2764 revision to its school readiness program plan until the  
2765 coalition submits the revised plan to and receives approval from  
2766 the department ~~office~~. If the department ~~office~~ rejects a plan  
2767 or revision, the coalition must continue to operate under its  
2768 previously approved plan. The plan must include, but is not  
2769 limited to:

2770 (a) The coalition's operations, including its membership  
2771 and business organization, and the coalition's articles of  
2772 incorporation and bylaws if the coalition is organized as a  
2773 corporation. If the coalition is not organized as a corporation  
2774 or other business entity, the plan must include the contract  
2775 with a fiscal agent.

2776 (b) The minimum number of children to be served by care  
2777 level.

2778 (c) The coalition's procedures for implementing the  
2779 requirements of this part, including:

- 2780 1. Single point of entry.
- 2781 2. Uniform waiting list.
- 2782 3. Eligibility and enrollment processes and local  
2783 eligibility priorities for children pursuant to s. 1002.87.
- 2784 4. Parent access and choice.

25-01567-20

20201616\_\_

2785           5. Sliding fee scale and policies on applying the waiver or  
2786 reduction of fees in accordance with s. 1002.84(8).

2787           6. Use of preassessments and postassessments, as  
2788 applicable.

2789           7. Payment rate schedule.

2790           8. Use of contracted slots, as applicable, based on the  
2791 results of the assessment required under paragraph (j).

2792           (d) A detailed description of the coalition's quality  
2793 activities and services, including, but not limited to:

2794           1. Resource and referral and school-age child care.

2795           2. Infant and toddler early learning.

2796           3. Inclusive early learning programs.

2797           4. Quality improvement strategies that strengthen teaching  
2798 practices and increase child outcomes.

2799           (e) A detailed budget that outlines estimated expenditures  
2800 for state, federal, and local matching funds at the lowest level  
2801 of detail available by other-cost-accumulator code number; all  
2802 estimated sources of revenue with identifiable descriptions; a  
2803 listing of full-time equivalent positions; contracted  
2804 subcontractor costs with related annual compensation amount or  
2805 hourly rate of compensation; and a capital improvements plan  
2806 outlining existing fixed capital outlay projects and proposed  
2807 capital outlay projects that will begin during the budget year.

2808           (f) A detailed accounting, in the format prescribed by the  
2809 department ~~office~~, of all revenues and expenditures during the  
2810 previous state fiscal year. Revenue sources should be  
2811 identifiable, and expenditures should be reported by three  
2812 categories: state and federal funds, local matching funds, and  
2813 Child Care Executive Partnership Program funds.

25-01567-20

20201616\_\_

2814 (g) Updated policies and procedures, including those  
2815 governing procurement, maintenance of tangible personal  
2816 property, maintenance of records, information technology  
2817 security, and disbursement controls.

2818 (h) A description of the procedures for monitoring school  
2819 readiness program providers, including in response to a parental  
2820 complaint, to determine that the standards prescribed in ss.  
2821 1002.82 and 1002.88 are met using a standard monitoring tool  
2822 adopted by the department ~~office~~. Providers determined to be  
2823 high risk by the coalition as demonstrated by substantial  
2824 findings of violations of law shall be monitored more  
2825 frequently.

2826 (i) Documentation that the coalition has solicited and  
2827 considered comments regarding the proposed school readiness  
2828 program plan from the local community.

2829 (j) An assessment of local priorities within the county or  
2830 multicounty region based on the needs of families and provider  
2831 capacity using available community data.

2832 (3) The coalition may periodically amend its plan as  
2833 necessary. An amended plan must be submitted to and approved by  
2834 the department ~~office~~ before any expenditures are incurred on  
2835 the new activities proposed in the amendment.

2836 (4) The department ~~office~~ shall publish a copy of the  
2837 standardized format and required content of school readiness  
2838 program plans on its website.

2839 (5) The department ~~office~~ shall collect and report data on  
2840 coalition delivery of early learning programs. Elements must  
2841 ~~shall~~ include, but need not be ~~are not~~ limited to, measures  
2842 related to progress towards reducing the number of children on

25-01567-20

20201616\_\_

2843 the waiting list, the percentage of children served by the  
2844 program as compared to the number of administrative staff and  
2845 overhead, the percentage of children served compared to total  
2846 number of children under the age of 5 years below 150 percent of  
2847 the federal poverty level, provider payment processes, fraud  
2848 intervention, child attendance and stability, use of child care  
2849 resource and referral, and kindergarten readiness outcomes for  
2850 children in the Voluntary Prekindergarten Education Program or  
2851 the school readiness program upon entry into kindergarten. The  
2852 department ~~office~~ shall request input from the coalitions and  
2853 school readiness program providers before finalizing the format  
2854 and data to be used. The report shall be implemented beginning  
2855 July 1, 2014, and results of the report must be included in the  
2856 annual report under s. 1002.82.

2857 Section 52. Paragraphs (a), (b), (c), (e), (f), (m), (n),  
2858 (p), and (q) of subsection (1) and subsection (3) of section  
2859 1002.88, Florida Statutes, are amended, and paragraph (s) is  
2860 added to subsection (1) of that section, to read:

2861 1002.88 School readiness program provider standards;  
2862 eligibility to deliver the school readiness program.—

2863 (1) To be eligible to deliver the school readiness program,  
2864 a school readiness program provider must:

2865 (a) Be a child care facility licensed under s. 402.305, a  
2866 family day care home licensed or registered under s. 402.313, a  
2867 large family child care home licensed under s. 402.3131, a  
2868 public school or nonpublic school exempt from licensure under s.  
2869 402.3025, a faith-based child care provider exempt from  
2870 licensure under s. 402.316, a before-school or after-school  
2871 program described in s. 402.305(1)(c), a child development

25-01567-20

20201616\_\_

2872 program operating on a military installation that is certified  
2873 by the United States Department of Defense and accredited by a  
2874 national accrediting body, ~~or~~ an informal child care provider to  
2875 the extent authorized in the state's Child Care and Development  
2876 Fund Plan as approved by the United States Department of Health  
2877 and Human Services pursuant to 45 C.F.R. s. 98.18, or a provider  
2878 who has been issued a provisional license pursuant to s.  
2879 402.309. A provider may not deliver the program while its  
2880 license has been converted to a probation-status license  
2881 pursuant to s. 402.310.

2882 (b) Provide instruction and activities to enhance the age-  
2883 appropriate progress of each child in attaining the child  
2884 development standards adopted by the department ~~office~~ pursuant  
2885 to s. 1002.82(2)(j). A provider should include activities to  
2886 foster brain development in infants and toddlers; provide an  
2887 environment that is rich in language and music and filled with  
2888 objects of various colors, shapes, textures, and sizes to  
2889 stimulate visual, tactile, auditory, and linguistic senses; and  
2890 include 30 minutes of reading to children each day.

2891 (c) Provide basic health and safety of its premises and  
2892 facilities and compliance with requirements for age-appropriate  
2893 immunizations of children enrolled in the school readiness  
2894 program.

2895 1. For a provider that is licensed, compliance with s.  
2896 402.305, s. 402.3131, or s. 402.313 and this subsection, as  
2897 verified pursuant to s. 402.311, satisfies this requirement.

2898 2. For a provider that is a registered family day care home  
2899 or is not subject to licensure or registration by the Department  
2900 of Children and Families, compliance with this subsection, as

25-01567-20

20201616\_\_

2901 verified pursuant to s. 402.311, satisfies this requirement.  
2902 Upon verification pursuant to s. 402.311, the provider shall  
2903 annually post the health and safety checklist adopted by the  
2904 department ~~office~~ prominently on its premises in plain sight for  
2905 visitors and parents and shall annually submit the checklist to  
2906 its local early learning coalition.

2907 3. For a child development program operating on a military  
2908 installation that is certified by the United States Department  
2909 of Defense and accredited by a national accrediting body, the  
2910 submission and verification of annual inspections pursuant to  
2911 United States Department of Defense Instructions 6060.2 and  
2912 1402.05 satisfy this requirement.

2913 (e) Employ child care personnel, as defined in s.  
2914 402.302(3), who have satisfied the screening requirements of  
2915 chapter 402 and fulfilled the training requirements of the  
2916 department ~~office~~.

2917 (f) Implement one of the curricula approved by the  
2918 department ~~office~~ that meets the child development standards.

2919 (m) For a provider that is not an informal provider,  
2920 maintain general liability insurance and provide the coalition  
2921 with written evidence of general liability insurance coverage,  
2922 including coverage for transportation of children if school  
2923 readiness program children are transported by the provider. A  
2924 provider must obtain and retain an insurance policy that  
2925 provides a minimum of \$100,000 of coverage per occurrence and a  
2926 minimum of \$300,000 general aggregate coverage. The department  
2927 ~~office~~ may authorize lower limits upon request, as appropriate.  
2928 A provider must add the coalition as a named certificateholder  
2929 and as an additional insured. A provider must provide the

25-01567-20

20201616\_\_

2930 coalition with a minimum of 10 calendar days' advance written  
2931 notice of cancellation of or changes to coverage. The general  
2932 liability insurance required by this paragraph must remain in  
2933 full force and effect for the entire period of the provider  
2934 contract with the coalition.

2935 (n) For a provider that is an informal provider, comply  
2936 with the provisions of paragraph (m) or maintain homeowner's  
2937 liability insurance and, if applicable, a business rider. If an  
2938 informal provider chooses to maintain a homeowner's policy, the  
2939 provider must obtain and retain a homeowner's insurance policy  
2940 that provides a minimum of \$100,000 of coverage per occurrence  
2941 and a minimum of \$300,000 general aggregate coverage. The  
2942 department ~~office~~ may authorize lower limits upon request, as  
2943 appropriate. An informal provider must add the coalition as a  
2944 named certificateholder and as an additional insured. An  
2945 informal provider must provide the coalition with a minimum of  
2946 10 calendar days' advance written notice of cancellation of or  
2947 changes to coverage. The general liability insurance required by  
2948 this paragraph must remain in full force and effect for the  
2949 entire period of the provider's contract with the coalition.

2950 (p) Notwithstanding paragraph (m), for a provider that is a  
2951 state agency or a subdivision thereof, as defined in s.  
2952 768.28(2), agree to notify the coalition of any additional  
2953 liability coverage maintained by the provider in addition to  
2954 that otherwise established under s. 768.28. The provider shall  
2955 indemnify the coalition to the extent permitted by s. 768.28.  
2956 Notwithstanding paragraph (m), for a child development program  
2957 operating on a military installation that is certified by the  
2958 United States Department of Defense and accredited by a national

25-01567-20

20201616\_\_

2959 accrediting body, the provider may demonstrate liability  
 2960 coverage by affirming that it is subject to the Federal Tort  
 2961 Claims Act, 28 U.S.C. ss. 2671 et seq.

2962 (q) Execute the standard statewide provider contract  
 2963 adopted by the department ~~office~~.

2964 (s) Collect all parent copayment fees unless a waiver has  
 2965 been granted under s. 1002.84(8).

2966 (3) The department ~~office~~ and the coalitions may not:

2967 (a) Impose any requirement on a child care provider or  
 2968 early childhood education provider that does not deliver  
 2969 services under the school readiness program or receive state or  
 2970 federal funds under this part;

2971 (b) Impose any requirement on a school readiness program  
 2972 provider that exceeds the authority provided under this part or  
 2973 part V of this chapter or rules adopted pursuant to this part or  
 2974 part V of this chapter; or

2975 (c) Require a provider to administer a preassessment or  
 2976 postassessment or, after its implementation, the program  
 2977 assessment required under s. 1002.67.

2978 Section 53. Subsections (3) through (7) of section 1002.89,  
 2979 Florida Statutes, are renumbered as subsections (2) through (6),  
 2980 respectively, and subsections (2), (3), and (6) of that section  
 2981 are amended, to read:

2982 1002.89 School readiness program; funding.—

2983 (2) ~~The office shall administer school readiness program~~  
 2984 ~~funds and prepare and submit a unified budget request for the~~  
 2985 ~~school readiness program in accordance with chapter 216.~~

2986 ~~(3)~~ All instructions to early learning coalitions for  
 2987 administering this section shall emanate from the department

25-01567-20

20201616\_\_

2988 ~~office~~ in accordance with the policies of the Legislature.

2989 (5)~~(6)~~ Costs shall be kept to the minimum necessary for the  
2990 efficient and effective administration of the school readiness  
2991 program with the highest priority of expenditure being direct  
2992 services for eligible children. However, no more than 5 percent  
2993 of the funds described in subsection (4) ~~subsection (5)~~ may be  
2994 used for administrative costs and no more than 22 percent of the  
2995 funds described in subsection (4) ~~subsection (5)~~ may be used in  
2996 any fiscal year for any combination of administrative costs,  
2997 quality activities, and nondirect services as follows:

2998 (a) Administrative costs as described in 45 C.F.R. s.  
2999 98.52, which shall include monitoring providers using the  
3000 standard methodology adopted under s. 1002.82 to improve  
3001 compliance with state and federal regulations and law pursuant  
3002 to the requirements of the statewide provider contract adopted  
3003 under s. 1002.82(2)(m).

3004 (b) Activities to improve the quality of child care as  
3005 described in 45 C.F.R. s. 98.51, which shall be limited to the  
3006 following:

3007 1. Developing, establishing, expanding, operating, and  
3008 coordinating resource and referral programs specifically related  
3009 to the provision of comprehensive consumer education to parents  
3010 and the public to promote informed child care choices specified  
3011 in 45 C.F.R. s. 98.33.

3012 2. Awarding grants and providing financial support to  
3013 school readiness program providers and their staff to assist  
3014 them in meeting applicable state requirements for the program  
3015 assessment required under s. 1002.82(2)(n), child care  
3016 performance standards, implementing developmentally appropriate

25-01567-20

20201616\_\_

3017 curricula and related classroom resources that support  
3018 curricula, providing literacy supports, and providing continued  
3019 professional development and training. Any grants awarded  
3020 pursuant to this subparagraph shall comply with ss. 215.971 and  
3021 287.058.

3022 3. Providing training, technical assistance, and financial  
3023 support to school readiness program providers, staff, and  
3024 parents on standards, child screenings, child assessments, child  
3025 development research and best practices, developmentally  
3026 appropriate curricula, character development, teacher-child  
3027 interactions, age-appropriate discipline practices, health and  
3028 safety, nutrition, first aid, cardiopulmonary resuscitation, the  
3029 recognition of communicable diseases, and child abuse detection,  
3030 prevention, and reporting.

3031 4. Providing, from among the funds provided for the  
3032 activities described in subparagraphs 1.-3., adequate funding  
3033 for infants and toddlers as necessary to meet federal  
3034 requirements related to expenditures for quality activities for  
3035 infant and toddler care.

3036 5. Improving the monitoring of compliance with, and  
3037 enforcement of, applicable state and local requirements as  
3038 described in and limited by 45 C.F.R. s. 98.40.

3039 6. Responding to Warm-Line requests by providers and  
3040 parents, including providing developmental and health screenings  
3041 to school readiness program children.

3042 (c) Nondirect services as described in applicable Office of  
3043 Management and Budget instructions are those services not  
3044 defined as administrative, direct, or quality services that are  
3045 required to administer the school readiness program. Such

25-01567-20

20201616\_\_

3046 services include, but are not limited to:

- 3047 1. Assisting families to complete the required application  
 3048 and eligibility documentation.
- 3049 2. Determining child and family eligibility.
- 3050 3. Recruiting eligible child care providers.
- 3051 4. Processing and tracking attendance records.
- 3052 5. Developing and maintaining a statewide child care  
 3053 information system.

3054

3055 As used in this paragraph, the term "nondirect services" does  
 3056 not include payments to school readiness program providers for  
 3057 direct services provided to children who are eligible under s.  
 3058 1002.87, administrative costs as described in paragraph (a), or  
 3059 quality activities as described in paragraph (b).

3060 Section 54. Subsection (1), paragraph (a) of subsection  
 3061 (2), and subsections (4), (5), and (6) of section 1002.895,  
 3062 Florida Statutes, are amended to read:

3063 1002.895 Market rate schedule.—The school readiness program  
 3064 market rate schedule shall be implemented as follows:

3065 (1) The department ~~office~~ shall establish procedures for  
 3066 the adoption of a market rate schedule. The schedule must  
 3067 include, at a minimum, county-by-county rates:

3068 (a) The market rate, including the minimum and the maximum  
 3069 rates for child care providers that hold a Gold Seal Quality  
 3070 Care designation under s. 1002.945 and adhere to its accrediting  
 3071 association's teacher-to-child ratios and group size  
 3072 requirements ~~s. 402.281~~.

3073 (b) The market rate for child care providers that do not  
 3074 hold a Gold Seal Quality Care designation.

25-01567-20

20201616\_\_

3075 (2) The market rate schedule, at a minimum, must:

3076 (a) Differentiate rates by type, including, but not limited

3077 to, a child care provider that holds a Gold Seal Quality Care

3078 designation under s. 1002.945 and adheres to its accrediting

3079 association's teacher-to-child ratios and group size

3080 requirements ~~s. 402.281~~, a child care facility licensed under s.

3081 402.305, a public or nonpublic school exempt from licensure

3082 under s. 402.3025, a faith-based child care facility exempt from

3083 licensure under s. 402.316 that does not hold a Gold Seal

3084 Quality Care designation, a large family child care home

3085 licensed under s. 402.3131, or a family day care home licensed

3086 or registered under s. 402.313.

3087 (4) The market rate schedule shall be considered by the

3088 Early Learning Program Estimating Conference under s. 216.136(8)

3089 ~~an early learning coalition~~ in the adoption of a payment

3090 schedule. The payment schedule must take into consideration the

3091 prevailing average market rate, include the projected number of

3092 children to be served by each county, ~~and be submitted for~~

3093 ~~approval by the office~~. Informal child care arrangements shall

3094 be reimbursed at not more than 50 percent of the rate adopted

3095 for a family day care home.

3096 (5) The department ~~office~~ may contract with one or more

3097 qualified entities to administer this section and provide

3098 support and technical assistance for child care providers.

3099 (6) The State Board of Education ~~office~~ may adopt rules for

3100 establishing procedures for the collection of child care

3101 providers' market rate, the calculation of the prevailing

3102 ~~average~~ market rate by program care level and provider type in a

3103 predetermined geographic market, and the publication of the

25-01567-20

20201616\_\_

3104 market rate schedule.

3105 Section 55. Section 1002.91, Florida Statutes, is amended  
3106 to read:

3107 1002.91 Investigations of fraud or overpayment; penalties.—

3108 (1) As used in this subsection, the term "fraud" means an  
3109 intentional deception, omission, or misrepresentation made by a  
3110 person with knowledge that the deception, omission, or  
3111 misrepresentation may result in unauthorized benefit to that  
3112 person or another person, or any aiding and abetting of the  
3113 commission of such an act. The term includes any act that  
3114 constitutes fraud under applicable federal or state law.

3115 (2) To recover state, federal, and local matching funds,  
3116 the department ~~office~~ shall investigate early learning  
3117 coalitions, recipients, and providers of the school readiness  
3118 program and the Voluntary Prekindergarten Education Program to  
3119 determine possible fraud or overpayment. If by its own  
3120 inquiries, or as a result of a complaint, the department ~~office~~  
3121 has reason to believe that a person, coalition, or provider has  
3122 engaged in, or is engaging in, a fraudulent act, it shall  
3123 investigate and determine whether any overpayment has occurred  
3124 due to the fraudulent act. During the investigation, the  
3125 department ~~office~~ may examine all records, including electronic  
3126 benefits transfer records, and make inquiry of all persons who  
3127 may have knowledge as to any irregularity incidental to the  
3128 disbursement of public moneys or other items or benefits  
3129 authorizations to recipients.

3130 (3) Based on the results of the investigation, the  
3131 department ~~office~~ may, in its discretion, refer the  
3132 investigation to the Department of Financial Services for

25-01567-20

20201616\_\_

3133 criminal investigation or refer the matter to the applicable  
3134 coalition. Any suspected criminal violation identified by the  
3135 department ~~office~~ must be referred to the Department of  
3136 Financial Services for criminal investigation.

3137 (4) An early learning coalition may suspend or terminate a  
3138 provider from participation in the school readiness program or  
3139 the Voluntary Prekindergarten Education Program when it has  
3140 reasonable cause to believe that the provider has committed  
3141 fraud. The State Board of Education ~~office~~ shall adopt by rule  
3142 appropriate due process procedures that the early learning  
3143 coalition shall apply in suspending or terminating any provider,  
3144 including the suspension or termination of payment. If  
3145 suspended, the provider shall remain suspended until the  
3146 completion of any investigation by the department ~~office~~, the  
3147 Department of Financial Services, or any other state or federal  
3148 agency, and any subsequent prosecution or other legal  
3149 proceeding.

3150 (5) If a school readiness program provider or a Voluntary  
3151 Prekindergarten Education Program provider, or an owner,  
3152 officer, or director thereof, is convicted of, found guilty of,  
3153 or pleads guilty or nolo contendere to, regardless of  
3154 adjudication, public assistance fraud pursuant to s. 414.39, or  
3155 is acting as the beneficial owner for someone who has been  
3156 convicted of, found guilty of, or pleads guilty or nolo  
3157 contendere to, regardless of adjudication, public assistance  
3158 fraud pursuant to s. 414.39, the early learning coalition shall  
3159 refrain from contracting with, or using the services of, that  
3160 provider for a period of 5 years. In addition, the coalition  
3161 shall refrain from contracting with, or using the services of,

25-01567-20

20201616\_\_

3162 any provider that shares an officer or director with a provider  
3163 that is convicted of, found guilty of, or pleads guilty or nolo  
3164 contendere to, regardless of adjudication, public assistance  
3165 fraud pursuant to s. 414.39 for a period of 5 years.

3166 (6) If the investigation is not confidential or otherwise  
3167 exempt from disclosure by law, the results of the investigation  
3168 may be reported by the department ~~office~~ to the appropriate  
3169 legislative committees, the Department of Children and Families,  
3170 and such other persons as the department ~~office~~ deems  
3171 appropriate.

3172 (7) The early learning coalition may not contract with a  
3173 school readiness program provider or a Voluntary Prekindergarten  
3174 Education Program provider who is on the United States  
3175 Department of Agriculture National Disqualified List. In  
3176 addition, the coalition may not contract with any provider that  
3177 shares an officer or director with a provider that is on the  
3178 United States Department of Agriculture National Disqualified  
3179 List.

3180 (8) Each early learning coalition shall adopt an anti-fraud  
3181 plan addressing the detection and prevention of overpayments,  
3182 abuse, and fraud relating to the provision of and payment for  
3183 school readiness program and Voluntary Prekindergarten Education  
3184 Program services and submit the plan to the department ~~office~~  
3185 for approval. The State Board of Education ~~office~~ shall adopt  
3186 rules establishing criteria for the anti-fraud plan, including  
3187 appropriate due process provisions. The anti-fraud plan must  
3188 include, at a minimum:

3189 (a) A written description or chart outlining the  
3190 organizational structure of the plan's personnel who are

25-01567-20

20201616\_\_

3191 responsible for the investigation and reporting of possible  
3192 overpayment, abuse, or fraud.

3193 (b) A description of the plan's procedures for detecting  
3194 and investigating possible acts of fraud, abuse, or overpayment.

3195 (c) A description of the plan's procedures for the  
3196 mandatory reporting of possible overpayment, abuse, or fraud to  
3197 the Office of Inspector General within the department ~~office~~.

3198 (d) A description of the plan's program and procedures for  
3199 educating and training personnel on how to detect and prevent  
3200 fraud, abuse, and overpayment.

3201 (e) A description of the plan's procedures, including the  
3202 appropriate due process provisions adopted by the department  
3203 ~~office~~ for suspending or terminating from the school readiness  
3204 program or the Voluntary Prekindergarten Education Program a  
3205 recipient or provider who the early learning coalition believes  
3206 has committed fraud.

3207 (9) A person who commits an act of fraud as defined in this  
3208 section is subject to the penalties provided in s. 414.39(5)(a)  
3209 and (b).

3210 Section 56. Subsections (1) and (2) and paragraph (a) of  
3211 subsection (3) of section 1002.92, Florida Statutes, are amended  
3212 to read:

3213 1002.92 Child care and early childhood resource and  
3214 referral.—

3215 (1) As a part of the school readiness program, the  
3216 department ~~office~~ shall establish a statewide child care  
3217 resource and referral network that is unbiased and provides  
3218 referrals to families for child care and information on  
3219 available community resources. Preference shall be given to

25-01567-20

20201616\_\_

3220 using early learning coalitions as the child care resource and  
3221 referral agencies. If an early learning coalition cannot comply  
3222 with the requirements to offer the resource information  
3223 component or does not want to offer that service, the early  
3224 learning coalition shall select the resource and referral agency  
3225 for its county or multicounty region based upon the procurement  
3226 requirements of s. 1002.84(12).

3227 (2) At least one child care resource and referral agency  
3228 must be established in each early learning coalition's county or  
3229 multicounty region. The State Board of Education ~~office~~ shall  
3230 adopt rules regarding accessibility of child care resource and  
3231 referral services offered through child care resource and  
3232 referral agencies in each county or multicounty region which  
3233 include, at a minimum, required hours of operation, methods by  
3234 which parents may request services, and child care resource and  
3235 referral staff training requirements.

3236 (3) Child care resource and referral agencies shall provide  
3237 the following services:

3238 (a) Identification of existing public and private child  
3239 care and early childhood education services, including child  
3240 care services by public and private employers, and the  
3241 development of a resource file of those services through the  
3242 single statewide information system developed by the department  
3243 ~~office~~ under s. 1002.82(2)(q) ~~s. 1002.82(2)(p)~~. These services  
3244 may include family day care, public and private child care  
3245 programs, the Voluntary Prekindergarten Education Program, Head  
3246 Start, the school readiness program, special education programs  
3247 for prekindergarten children with disabilities, services for  
3248 children with developmental disabilities, full-time and part-

25-01567-20

20201616\_\_

3249 time programs, before-school and after-school programs, vacation  
3250 care programs, parent education, the temporary cash assistance  
3251 program, and related family support services. The resource file  
3252 shall include, but not be limited to:

- 3253 1. Type of program.
- 3254 2. Hours of service.
- 3255 3. Ages of children served.
- 3256 4. Number of children served.
- 3257 5. Program information.
- 3258 6. Fees and eligibility for services.
- 3259 7. Availability of transportation.

3260 Section 57. Subsection (1) of section 1002.93, Florida  
3261 Statutes, is amended to read:

3262 1002.93 School readiness program transportation services.—

3263 (1) The department ~~office~~ may authorize an early learning  
3264 coalition to establish school readiness program transportation  
3265 services for children at risk of abuse or neglect who are  
3266 participating in the school readiness program, pursuant to  
3267 chapter 427. The early learning coalitions may contract for the  
3268 provision of transportation services as required by this  
3269 section.

3270 Section 58. Subsection (2), paragraphs (b) and (c) of  
3271 subsection (3), and subsection (4) of section 1002.94, Florida  
3272 Statutes, are amended to read:

3273 1002.94 Child Care Executive Partnership Program.—

3274 (2) The Child Care Executive Partnership, staffed by the  
3275 department ~~office~~, shall consist of a representative of the  
3276 Executive Office of the Governor and nine members of the  
3277 corporate or child care community, appointed by the Governor.

25-01567-20

20201616\_\_

3278 (a) Members shall serve for a period of 4 years, except  
3279 that the representative of the Executive Office of the Governor  
3280 shall serve at the pleasure of the Governor.

3281 (b) The Child Care Executive Partnership shall be chaired  
3282 by a member chosen by a majority vote and shall meet at least  
3283 quarterly and at other times upon the call of the chair. The  
3284 Child Care Executive Partnership may use any method of  
3285 telecommunications to conduct meetings, including establishing a  
3286 quorum through telecommunications, only if the public is given  
3287 proper notice of a telecommunications meeting and reasonable  
3288 access to observe and, when appropriate, participate.

3289 (c) Members shall serve without compensation, but may be  
3290 reimbursed for per diem and travel expenses in accordance with  
3291 s. 112.061.

3292 (d) The Child Care Executive Partnership shall have all the  
3293 powers and authority, not explicitly prohibited by law,  
3294 necessary to carry out and effectuate the purposes of this  
3295 section, as well as the functions, duties, and responsibilities  
3296 of the partnership, including, but not limited to, the  
3297 following:

3298 1. Making recommendations concerning the implementation and  
3299 coordination of the school readiness program.

3300 2. Soliciting, accepting, receiving, investing, and  
3301 expending funds from public or private sources.

3302 3. Contracting with public or private entities as  
3303 necessary.

3304 4. Approving an annual budget.

3305 5. Providing a report to the Governor, the Speaker of the  
3306 House of Representatives, and the President of the Senate on or

25-01567-20

20201616\_\_

3307 before December 1 of each year.

3308

3309 Notwithstanding this subsection, the corporate body politic  
3310 previously established by prior law is the corporate body  
3311 politic for purposes of this section and shall continue in  
3312 existence. All member terms of the existing corporate body  
3313 politic expire as of June 30, 2013, and new members shall be  
3314 appointed beginning July 1, 2013, in accordance with this  
3315 subsection.

3316 (3)

3317 (b) To ensure a seamless service delivery and ease of  
3318 access for families, the department ~~office~~ shall administer the  
3319 child care purchasing pool funds.

3320 (c) The department ~~office~~, in conjunction with the Child  
3321 Care Executive Partnership, shall develop procedures for  
3322 disbursement of funds through the child care purchasing pools.  
3323 In order to be considered for funding, an early learning  
3324 coalition or the department ~~office~~ must commit to:

3325 1. Matching the state purchasing pool funds on a dollar-  
3326 for-dollar basis.

3327 2. Expending only those public funds that are matched by  
3328 employers, local government, and other matching contributors who  
3329 contribute to the purchasing pool. Parents shall also pay a fee,  
3330 which may not be less than the amount identified in the early  
3331 learning coalition's school readiness program sliding fee scale.

3332 (4) The State Board of Education ~~office~~ may adopt any rules  
3333 necessary for the implementation and administration of this  
3334 section.

3335 Section 59. Section 1002.945, Florida Statutes, is created

25-01567-20

20201616\_\_

3336 to read:

3337 1002.945 Gold Seal Quality Care Program.— The Gold Seal  
3338 Quality Care Program is established within the department.

3339 (1) A child care facility, large family child care home, or  
3340 family day care home that is accredited by an accrediting  
3341 association approved by the department under subsection (3) and  
3342 meets all other requirements shall, upon application to the  
3343 department, receive a separate "Gold Seal Quality Care"  
3344 designation.

3345 (2) The State Board of Education shall adopt rules  
3346 establishing Gold Seal Quality Care accreditation standards  
3347 using nationally recognized accrediting standards as well as  
3348 input from accrediting associations.

3349 (3) (a) In order to be approved by the department for  
3350 participation in the Gold Seal Quality Care Program, an  
3351 accrediting association must apply to the department and  
3352 demonstrate that it:

3353 1. Is a recognized accrediting association.

3354 2. Has accrediting standards that substantially meet or  
3355 exceed the Gold Seal Quality Care standards adopted by the state  
3356 board under subsection (2).

3357 3. Is a registered corporation with the Department of  
3358 State.

3359 4. Can provide evidence that the process for accreditation  
3360 has, at a minimum, the following components:

3361 a. Clearly defined prerequisites that a child care provider  
3362 must meet before beginning the accreditation process;

3363 b. Procedures for completion of a self-study and a  
3364 comprehensive onsite verification process for each classroom

25-01567-20

20201616\_\_

3365 that documents compliance with accrediting standards;

3366 c. A training process for accreditation verifiers to ensure  
3367 inter-rater reliability;

3368 d. Ongoing compliance procedures to include completion of  
3369 an audit and filing of an annual report with the department;

3370 e. Accreditation renewal procedures that include onsite  
3371 verification at least every 3 years;

3372 f. A process for verifying continued accreditation  
3373 compliance in the event of a transfer of ownership of  
3374 facilities;

3375 g. Procedures for the revocation of accreditation due to  
3376 failure to maintain accrediting standards; and

3377 h. A process to communicate issues that arise during the  
3378 accreditation period with government entities that have a vested  
3379 interest in the Gold Seal Quality Care Program, including the  
3380 department, the Department of Children and Families, the  
3381 Department of Health, applicable local licensing entities, and  
3382 the early learning coalition.

3383 (b) Any accrediting association that does not comply with  
3384 the processes and procedures submitted and approved by the  
3385 department must be removed as a recognized accrediting  
3386 association for a period of at least 2 years but no more than 5  
3387 years. If an accrediting association is removed from being an  
3388 approved accrediting association, each child care provider  
3389 accredited by that association has up to 1 year to obtain a new  
3390 accreditation from the remaining department approved  
3391 accreditation associations.

3392 (4) In order to obtain and maintain a designation as a Gold  
3393 Seal Quality Care provider, a child care facility, large family

25-01567-20

20201616\_\_

3394 child care home, or family day care home must meet the following  
3395 additional criteria:

3396 (a) The child care provider may not have had any Class I  
3397 violations, as defined by rule by the Department of Children and  
3398 Families, within the 2 years preceding its application for  
3399 designation as a Gold Seal Quality Care provider. Commission of  
3400 a Class I violation is grounds for termination of the  
3401 designation as a Gold Seal Quality Care provider until the  
3402 provider has not had any Class I violations for a period of 2  
3403 years.

3404 (b) The child care provider may not have had three or more  
3405 Class II violations, as defined by rule by the Department of  
3406 Children and Families, within the 2 years preceding its  
3407 application for designation as a Gold Seal Quality Care  
3408 provider. Commission of three or more Class II violations within  
3409 a 2-year period is grounds for termination of the designation as  
3410 a Gold Seal Quality Care provider until the provider has not had  
3411 any Class II violations for a period of 1 year.

3412 (c) The child care provider may not have been cited for the  
3413 same Class III violation, as defined by rule by the Department  
3414 of Children and Families, three or more times and failed to  
3415 correct the violation within 1 year after the date of each  
3416 citation, within the 2 years preceding its application for  
3417 designation as a Gold Seal Quality Care provider. Commission of  
3418 the same Class III violation three or more times and failure to  
3419 correct within the required time during a 2-year period is  
3420 grounds for termination of the designation until the provider  
3421 has not had any Class III violations for a period of 1 year.

3422 (5) A child care facility licensed under s. 402.305 or a

25-01567-20

20201616\_\_

3423 child care facility exempt from licensing under s. 402.316 that  
3424 achieves Gold Seal Quality Care status pursuant to this section  
3425 is considered an educational institution for the purpose of  
3426 qualifying for exemption from ad valorem tax under s. 196.198.

3427 (6) A child care facility licensed under s. 402.305 or a  
3428 child care facility exempt from licensing under s. 402.316 that  
3429 achieves Gold Seal Quality Care status pursuant to this section  
3430 and that participates in the school readiness program must  
3431 receive a minimum of a 20 percent rate differential for each  
3432 enrolled school readiness child by care level and unit of child  
3433 care. The Early Learning Programs Estimating Conference under s.  
3434 216.136(8) may determine a higher rate differential above 20  
3435 percent for a school readiness program that maintains group size  
3436 and teacher-to-child ratios in accordance with its accrediting  
3437 body standards as a function of setting payment rates, but the  
3438 rate differential may not exceed 40 percent for each enrolled  
3439 school readiness child by care level and unit of child care.

3440 (7) The State Board of Education shall adopt rules under  
3441 ss. 120.536(1) and 120.54 which provide criteria and procedures  
3442 for reviewing and approving accrediting associations for  
3443 participation in the Gold Seal Quality Care Program, and  
3444 conferring and revoking Gold Seal Quality Care provider  
3445 designations.

3446 Section 60. Section 1002.95, Florida Statutes, is amended  
3447 to read:

3448 1002.95 Teacher Education and Compensation Helps (TEACH)  
3449 scholarship program.—

3450 (1) The department ~~office~~ may contract for the  
3451 administration of the Teacher Education and Compensation Helps

25-01567-20

20201616\_\_

3452 (TEACH) scholarship program, which provides educational  
3453 scholarships to caregivers and administrators of early childhood  
3454 programs, family day care homes, and large family child care  
3455 homes. The goal of the program is to increase the education and  
3456 training for caregivers, increase the compensation for child  
3457 caregivers who complete the program requirements, and reduce the  
3458 rate of participant turnover in the field of early childhood  
3459 education.

3460 (2) The State Board of Education ~~office~~ shall adopt rules  
3461 as necessary to administer this section.

3462 Section 61. Subsections (1) and (3) of section 1002.96,  
3463 Florida Statutes, are amended to read:

3464 1002.96 Early Head Start collaboration grants.—

3465 (1) Contingent upon specific appropriation, the department  
3466 ~~office~~ shall establish a program to award collaboration grants  
3467 to assist local agencies in securing Early Head Start programs  
3468 through Early Head Start program federal grants. The  
3469 collaboration grants shall provide the required matching funds  
3470 for public and private nonprofit agencies that have been  
3471 approved for Early Head Start program federal grants.

3472 (3) The State Board of Education ~~office~~ may adopt rules as  
3473 necessary for the award of collaboration grants to competing  
3474 agencies and the administration of the collaboration grants  
3475 program under this section.

3476 Section 62. Subsection (1) and paragraph (g) of subsection  
3477 (3) of section 1002.97, Florida Statutes, are amended to read:

3478 1002.97 Records of children in the school readiness  
3479 program.—

3480 (1) The individual records of children enrolled in the

25-01567-20

20201616\_\_

3481 school readiness program provided under this part, held by an  
3482 early learning coalition or the department ~~office~~, are  
3483 confidential and exempt from s. 119.07(1) and s. 24(a), Art. I  
3484 of the State Constitution. For purposes of this section, records  
3485 include assessment data, health data, records of teacher  
3486 observations, and personal identifying information.

3487 (3) School readiness program records may be released to:

3488 (g) Parties to an interagency agreement among early  
3489 learning coalitions, local governmental agencies, providers of  
3490 the school readiness program, state agencies, and the department  
3491 ~~office~~ for the purpose of implementing the school readiness  
3492 program.

3493  
3494 Agencies, organizations, or individuals that receive school  
3495 readiness program records in order to carry out their official  
3496 functions must protect the data in a manner that does not permit  
3497 the personal identification of a child enrolled in a school  
3498 readiness program and his or her parent by persons other than  
3499 those authorized to receive the records.

3500 Section 63. Subsections (1) and (3) of section 1002.995,  
3501 Florida Statutes, are amended to read:

3502 1002.995 Early learning professional development standards  
3503 and career pathways.—

3504 (1) The department ~~office~~ shall:

3505 (a) Develop early learning professional development  
3506 training and course standards to be utilized for school  
3507 readiness program providers.

3508 (b) Identify both formal and informal early learning career  
3509 pathways with stackable credentials and certifications that

25-01567-20

20201616\_\_

3510 allow early childhood teachers to access specialized  
3511 professional development that:

- 3512 1. Strengthens knowledge and teaching practices.
- 3513 2. Aligns to established professional standards and core  
3514 competencies.
- 3515 3. Provides a progression of attainable, competency-based  
3516 stackable credentials and certifications.
- 3517 4. Improves outcomes for children to increase kindergarten  
3518 readiness and early grade success.

3519 (3) The State Board of Education ~~office~~ shall adopt rules  
3520 to administer this section.

3521 Section 64. Subsection (3) of section 1003.575, Florida  
3522 Statutes, is amended to read:

3523 1003.575 Assistive technology devices; findings;  
3524 interagency agreements.—Accessibility, utilization, and  
3525 coordination of appropriate assistive technology devices and  
3526 services are essential as a young person with disabilities moves  
3527 from early intervention to preschool, from preschool to school,  
3528 from one school to another, from school to employment or  
3529 independent living, and from school to home and community. If an  
3530 individual education plan team makes a recommendation in  
3531 accordance with State Board of Education rule for a student with  
3532 a disability, as defined in s. 1003.01(3), to receive an  
3533 assistive technology assessment, that assessment must be  
3534 completed within 60 school days after the team's recommendation.  
3535 To ensure that an assistive technology device issued to a young  
3536 person as part of his or her individualized family support plan,  
3537 individual support plan, individualized plan for employment, or  
3538 individual education plan remains with the individual through

25-01567-20

20201616\_\_

3539 such transitions, the following agencies shall enter into  
3540 interagency agreements, as appropriate, to ensure the  
3541 transaction of assistive technology devices:

3542 (3) The Voluntary Prekindergarten Education Program  
3543 administered by the Department of Education ~~and the Office of~~  
3544 ~~Early Learning~~.

3545  
3546 Interagency agreements entered into pursuant to this section  
3547 shall provide a framework for ensuring that young persons with  
3548 disabilities and their families, educators, and employers are  
3549 informed about the utilization and coordination of assistive  
3550 technology devices and services that may assist in meeting  
3551 transition needs, and shall establish a mechanism by which a  
3552 young person or his or her parent may request that an assistive  
3553 technology device remain with the young person as he or she  
3554 moves through the continuum from home to school to postschool.

3555 Section 65. Section 1007.01, Florida Statutes, is amended  
3556 to read:

3557 1007.01 Articulation; legislative intent; purpose; role of  
3558 the State Board of Education and the Board of Governors;  
3559 Articulation Coordinating Committee.—

3560 (1) It is the intent of the Legislature to facilitate  
3561 articulation and seamless integration of the K-20 education  
3562 system by building, sustaining, and strengthening relationships  
3563 among Early Learning-20 ~~K-20~~ public organizations, between  
3564 public and private organizations, and between the education  
3565 system as a whole and Florida's communities. The purpose of  
3566 building, sustaining, and strengthening these relationships is  
3567 to provide for the efficient and effective progression and

25-01567-20

20201616\_\_

3568 transfer of students within the education system and to allow  
3569 students to proceed toward their educational objectives as  
3570 rapidly as their circumstances permit. The Legislature further  
3571 intends that articulation policies and budget actions be  
3572 implemented consistently in the practices of the Department of  
3573 Education and postsecondary educational institutions and  
3574 expressed in the collaborative policy efforts of the State Board  
3575 of Education and the Board of Governors.

3576 (2) To improve and facilitate articulation systemwide, the  
3577 State Board of Education and the Board of Governors shall  
3578 collaboratively establish and adopt policies with input from  
3579 statewide K-20 advisory groups established by the Commissioner  
3580 of Education and the Chancellor of the State University System  
3581 and shall recommend the policies to the Legislature. The  
3582 policies shall relate to:

3583 (a) The alignment between the exit requirements of one  
3584 education system and the admissions requirements of another  
3585 education system into which students typically transfer.

3586 (b) The identification of common courses, the level of  
3587 courses, institutional participation in a statewide course  
3588 numbering system, and the transferability of credits among such  
3589 institutions.

3590 (c) Identification of courses that meet general education  
3591 or common degree program prerequisite requirements at public  
3592 postsecondary educational institutions.

3593 (d) Dual enrollment course equivalencies.

3594 (e) Articulation agreements.

3595 (3) The Commissioner of Education, in consultation with the  
3596 Chancellor of the State University System, shall establish the

25-01567-20

20201616\_\_

3597 Articulation Coordinating Committee, which shall make  
3598 recommendations related to statewide articulation policies and  
3599 issues regarding access, quality, and reporting of data  
3600 maintained by the education ~~K-20~~ data warehouse, established  
3601 pursuant to ss. 1001.10 and 1008.31, to the Higher Education  
3602 Coordination Council, the State Board of Education, and the  
3603 Board of Governors. The committee shall consist of two members  
3604 each representing the State University System, the Florida  
3605 College System, public career and technical education, K-12  
3606 education, and nonpublic postsecondary education and one member  
3607 representing students. The chair shall be elected from the  
3608 membership. The Office of K-20 Articulation shall provide  
3609 administrative support for the committee. The committee shall:

3610 (a) Monitor the alignment between the exit requirements of  
3611 one education system and the admissions requirements of another  
3612 education system into which students typically transfer and make  
3613 recommendations for improvement.

3614 (b) Propose guidelines for interinstitutional agreements  
3615 between and among public schools, career and technical education  
3616 centers, Florida College System institutions, state  
3617 universities, and nonpublic postsecondary institutions.

3618 (c) Annually recommend dual enrollment course and high  
3619 school subject area equivalencies for approval by the State  
3620 Board of Education and the Board of Governors.

3621 (d) Annually review the statewide articulation agreement  
3622 pursuant to s. 1007.23 and make recommendations for revisions.

3623 (e) Annually review the statewide course numbering system,  
3624 the levels of courses, and the application of transfer credit  
3625 requirements among public and nonpublic institutions

25-01567-20

20201616\_\_

3626 participating in the statewide course numbering system and  
3627 identify instances of student transfer and admissions  
3628 difficulties.

3629 (f) Annually publish a list of courses that meet common  
3630 general education and common degree program prerequisite  
3631 requirements at public postsecondary institutions identified  
3632 pursuant to s. 1007.25.

3633 (g) Foster timely collection and reporting of statewide  
3634 education data to improve the Early Learning-20 ~~K-20~~ education  
3635 performance accountability system pursuant to ss. 1001.10 and  
3636 1008.31, including, but not limited to, data quality,  
3637 accessibility, and protection of student records.

3638 (h) Recommend roles and responsibilities of public  
3639 education entities in interfacing with the single, statewide  
3640 computer-assisted student advising system established pursuant  
3641 to s. 1006.735.

3642 Section 66. Section 1008.2125, Florida Statutes, is created  
3643 to read:

3644 1008.2125 Coordinated screening and progress-monitoring  
3645 program for students in the Voluntary Prekindergarten Education  
3646 Program through grade 3.-

3647 (1) The primary purpose of the coordinated screening and  
3648 progress-monitoring program for students in the Voluntary  
3649 Prekindergarten Education Program through grade 3 is to provide  
3650 information on students' progress in mastering the appropriate  
3651 grade-level standards to parents, teachers, and school and  
3652 program administrators. Data must be used by Voluntary  
3653 Prekindergarten Education Program providers and school districts  
3654 to improve instruction, by parents and teachers to guide

25-01567-20

20201616\_\_

3655 learning objectives and provide timely and appropriate supports  
3656 and interventions to students not meeting grade level  
3657 expectations, and by the public to assess the cost benefit of  
3658 the expenditure of taxpayer dollars. The program shall:

3659 (a) Assess the progress of students in the Voluntary  
3660 Prekindergarten Education Program through grade 3 in meeting the  
3661 appropriate expectations in early literacy and math skills and  
3662 in English Language Arts and mathematics, as required by ss.  
3663 1002.67(1) (a) and 1003.41.

3664 (b) Provide data for accountability of the Voluntary  
3665 Prekindergarten Education Program, as required by s. 1002.68.

3666 (c) Provide baseline data to the department of each  
3667 student's readiness for kindergarten, which must be based on  
3668 each kindergarten student's progress-monitoring results within  
3669 the first 30 days of enrollment in accordance with paragraph  
3670 (2) (a).

3671 (d) Identify the educational strengths and needs of  
3672 students in the Voluntary Prekindergarten Education Program  
3673 through grade 3.

3674 (e) Provide teachers with progress-monitoring data to  
3675 provide timely interventions and supports pursuant to s.  
3676 1008.25(5).

3677 (f) Assess how well educational goals and curricular  
3678 standards are met at the provider, school, district, and state  
3679 levels.

3680 (g) Provide information to aid in the evaluation and  
3681 development of educational programs and policies.

3682 (2) The Commissioner of Education shall design a statewide,  
3683 standardized screening and progress-monitoring program to assess

25-01567-20

20201616\_\_

3684 early literacy and mathematics skills and the English Language  
3685 Arts and mathematics standards established in ss. 1002.67(1)(a)  
3686 and 1003.41, respectively. The screening and progress-monitoring  
3687 program must provide interval level and criterion-referenced  
3688 data that measures equivalent levels of growth; be a  
3689 developmentally appropriate, valid, and reliable direct  
3690 assessment; be able to capture data on students who may be  
3691 performing below grade or developmental level; accurately  
3692 measure the core content in the applicable grade level standards  
3693 and document learning gains for the achievement of these  
3694 standards; and provide teachers with progress monitoring  
3695 supports and materials that enhance differentiated instruction  
3696 and parent communication. Participation in the screening and  
3697 progress-monitoring program is mandatory for all students in the  
3698 Voluntary Prekindergarten Education Program and in public  
3699 schools. The coordinated screening and progress-monitoring  
3700 program must be implemented beginning in the 2021-2022 school  
3701 year, as follows:

3702 (a) The Voluntary Prekindergarten Education Program through  
3703 grade 3 screening and progress-monitoring program must be  
3704 administered within the first 30 days after enrollment, midyear,  
3705 and within the last 30 days of the program or school year, in  
3706 accordance with the rules adopted by the State Board of  
3707 Education. The State Board of Education may adopt alternate  
3708 timeframes to address nontraditional school year calendars or  
3709 summer programs to ensure that of the Voluntary Prekindergarten  
3710 Education Program through grade 3 screening and progress-  
3711 monitoring is administered at least 3 times within a year or the  
3712 duration of a program.

25-01567-20

20201616\_\_

3713 (b) The results of the Voluntary Prekindergarten Education  
3714 Program through grade 3 screening and progress-monitoring  
3715 program must be reported to the department in accordance with  
3716 rule of the State Board of Education, and maintained in the  
3717 department's Education Data Warehouse.

3718 (3) The Commissioner of Education shall:

3719 (a) Develop a plan, in coordination with the Council for  
3720 Early Grade Success, for implementing the Voluntary  
3721 Prekindergarten Education Program through grade 3 screening and  
3722 progress-monitoring program in consideration of the timelines  
3723 required for the completion of the review of the Next Generation  
3724 Sunshine State Standards and the Voluntary Prekindergarten  
3725 Education Program standards.

3726 (b) Include a request for funding in the agency's 2021-2022  
3727 legislative budget request, and each succeeding budget request,  
3728 for procurement and the provision of training to Voluntary  
3729 Prekindergarten Education Program providers, early learning  
3730 coalitions, and school districts.

3731 (c) Provide any requested data, reports, and information to  
3732 the Council for Early Grade Success.

3733 (4) The Council for Early Grade Success, a council as  
3734 defined in s. 20.03, is created within the Department of  
3735 Education to oversee the coordinated screening and progress-  
3736 monitoring program and, except as otherwise provided in this  
3737 section, shall operate consistent with s. 20.052.

3738 (a) The council shall review the implementation of,  
3739 training for, and outcomes from the coordinated screening and  
3740 progress-monitoring program to provide recommendations to the  
3741 department that support the state's grade 3 students in reading

25-01567-20

20201616\_\_

3742 at or above grade level. At a minimum, the council shall:

3743 1. Provide recommendations on the implementation of the  
3744 coordinated screening and progress-monitoring program, including  
3745 reviewing any procurement solicitation documents and criteria  
3746 prior to being published.

3747 2. Develop training plans and timelines.

3748 3. Identify appropriate personnel, processes, and  
3749 procedures required for the administration of the coordinated  
3750 screening and progress-monitoring program.

3751 4. Provide input on the methodology for calculating a  
3752 provider's or school's performance metric and the grading system  
3753 pursuant to s. 1002.67.

3754 5. Work with the department to identify a methodology for  
3755 determining a child's kindergarten readiness.

3756 6. Review data on age-appropriate learning gains by grade  
3757 level that a student would need to attain in order to  
3758 demonstrate proficiency in reading by grade 3.

3759 7. Continually review anonymized data from the results of  
3760 the coordinated screening and progress-monitoring program for  
3761 students in the Voluntary Prekindergarten Education Program  
3762 through grade 3 to help inform recommendations to the department  
3763 that support practices that will enable grade 3 students to read  
3764 at or above grade level.

3765 (b) The council shall be composed of 15 members, all of  
3766 whom must be residents of the state, appointed as follows:

3767 1. One representative of the Department of Education and  
3768 one parent of a child who is within the range of 4 to 9 years of  
3769 age, both appointed by the Governor.

3770 2. Thirteen members jointly appointed by the President of

25-01567-20

20201616\_\_

3771 the Senate and the Speaker of the House of Representatives, as  
3772 follows:

3773 a. One representative of an urban school district.

3774 b. One representative of a rural school district.

3775 c. One representative of an urban early learning coalition.

3776 d. One representative of a rural early learning coalition.

3777 e. One representative of an early learning provider.

3778 f. One representative of a faith-based early learning  
3779 provider.

3780 g. One representative who is a kindergarten teacher who has  
3781 at least 5 years of teaching experience.

3782 h. One representative who is a grade 2 teacher who has at  
3783 least 5 years of teaching experience.

3784 i. One representative who is a school principal.

3785 j. Four representatives with subject matter expertise in  
3786 early learning, early grade success, or child assessments, none  
3787 of whom may be a direct stakeholder within the 67 early learning  
3788 or public school systems or a potential recipient of a contract  
3789 negotiated at the recommendation of the council.

3790 (5) The council shall elect a chair and a vice chair. The  
3791 chair must be one of the four members with subject matter  
3792 expertise in early learning, early grade success, or child  
3793 assessments. The vice chair must be a member appointed by the  
3794 President of the Senate and the Speaker of the House of  
3795 Representatives who is not one of the four members who are  
3796 subject matter experts in early learning, early grade success,  
3797 or child assessments. Members of the council shall serve without  
3798 compensation but are entitled to reimbursement for per diem and  
3799 travel expenses pursuant to s. 112.061.

25-01567-20

20201616\_\_

3800       (6) The council must meet at least biannually and may meet  
3801 by teleconference or other electronic means, as possible, to  
3802 reduce costs.

3803       (7) A majority of the members constitutes a quorum.

3804       Section 67. Paragraphs (b) and (c) of subsection (5) of  
3805 section 1008.25, Florida Statutes, are redesignated as  
3806 paragraphs (c) and (d), respectively, paragraph (b) of  
3807 subsection (6), subsection (7), and paragraph (a) of subsection  
3808 (8) are amended, and a new paragraph (b) is added to subsection  
3809 (5) of that section, to read:

3810       1008.25 Public school student progression; student support;  
3811 reporting requirements.—

3812       (5) READING DEFICIENCY AND PARENTAL NOTIFICATION.—

3813       (b) Any Voluntary Prekindergarten Education Program student  
3814 who exhibits a substantial deficiency in early literacy in  
3815 accordance with the standards under s. 1002.67(1) (a) and based  
3816 upon the results of the administration of the final progress  
3817 monitoring screening in s. 1008.2125 must be referred to the  
3818 local school district and may be eligible to receive intensive  
3819 reading interventions before participating in kindergarten. The  
3820 intensive reading interventions may be paid for using funds from  
3821 the district's research-based reading instruction allocation in  
3822 accordance with s. 1011.62(9).

3823       (6) ELIMINATION OF SOCIAL PROMOTION.—

3824       (b) The district school board may only exempt students from  
3825 mandatory retention, as provided in paragraph (5) (c) ~~paragraph~~  
3826 ~~(5) (b)~~, for good cause. A student who is promoted to grade 4  
3827 with a good cause exemption shall be provided intensive reading  
3828 instruction and intervention that include specialized diagnostic

25-01567-20

20201616\_\_

3829 information and specific reading strategies to meet the needs of  
3830 each student so promoted. The school district shall assist  
3831 schools and teachers with the implementation of explicit,  
3832 systematic, and multisensory reading instruction and  
3833 intervention strategies for students promoted with a good cause  
3834 exemption which research has shown to be successful in improving  
3835 reading among students who have reading difficulties. Good cause  
3836 exemptions are limited to the following:

3837 1. Limited English proficient students who have had less  
3838 than 2 years of instruction in an English for Speakers of Other  
3839 Languages program based on the initial date of entry into a  
3840 school in the United States.

3841 2. Students with disabilities whose individual education  
3842 plan indicates that participation in the statewide assessment  
3843 program is not appropriate, consistent with the requirements of  
3844 s. 1008.212.

3845 3. Students who demonstrate an acceptable level of  
3846 performance on an alternative standardized reading or English  
3847 Language Arts assessment approved by the State Board of  
3848 Education.

3849 4. A student who demonstrates through a student portfolio  
3850 that he or she is performing at least at Level 2 on the  
3851 statewide, standardized English Language Arts assessment.

3852 5. Students with disabilities who take the statewide,  
3853 standardized English Language Arts assessment and who have an  
3854 individual education plan or a Section 504 plan that reflects  
3855 that the student has received intensive instruction in reading  
3856 or English Language Arts for more than 2 years but still  
3857 demonstrates a deficiency and was previously retained in

25-01567-20

20201616\_\_

3858 kindergarten, grade 1, grade 2, or grade 3.

3859 6. Students who have received intensive reading  
3860 intervention for 2 or more years but still demonstrate a  
3861 deficiency in reading and who were previously retained in  
3862 kindergarten, grade 1, grade 2, or grade 3 for a total of 2  
3863 years. A student may not be retained more than once in grade 3.

3864 (7) SUCCESSFUL PROGRESSION FOR RETAINED THIRD GRADE  
3865 STUDENTS.—

3866 (a) Students retained under paragraph (5) (c) ~~paragraph~~  
3867 ~~(5) (b)~~ must be provided intensive interventions in reading to  
3868 ameliorate the student's specific reading deficiency and prepare  
3869 the student for promotion to the next grade. These interventions  
3870 must include:

3871 1. Evidence-based, explicit, systematic, and multisensory  
3872 reading instruction in phonemic awareness, phonics, fluency,  
3873 vocabulary, and comprehension and other strategies prescribed by  
3874 the school district.

3875 2. Participation in the school district's summer reading  
3876 camp, which must incorporate the instructional and intervention  
3877 strategies under subparagraph 1.

3878 3. A minimum of 90 minutes of daily, uninterrupted reading  
3879 instruction incorporating the instructional and intervention  
3880 strategies under subparagraph 1. This instruction may include:

3881 a. Integration of content-rich texts in science and social  
3882 studies within the 90-minute block.

3883 b. Small group instruction.

3884 c. Reduced teacher-student ratios.

3885 d. More frequent progress monitoring.

3886 e. Tutoring or mentoring.

25-01567-20

20201616\_\_

3887 f. Transition classes containing 3rd and 4th grade  
3888 students.

3889 g. Extended school day, week, or year.

3890 (b) Each school district shall:

3891 1. Provide written notification to the parent of a student  
3892 who is retained under paragraph (5) (c) ~~paragraph (5) (b)~~ that his  
3893 or her child has not met the proficiency level required for  
3894 promotion and the reasons the child is not eligible for a good  
3895 cause exemption as provided in paragraph (6) (b). The  
3896 notification must comply with paragraph (5) (d) ~~paragraph (5) (c)~~  
3897 and must include a description of proposed interventions and  
3898 supports that will be provided to the child to remediate the  
3899 identified areas of reading deficiency.

3900 2. Implement a policy for the midyear promotion of a  
3901 student retained under paragraph (5) (c) ~~paragraph (5) (b)~~ who can  
3902 demonstrate that he or she is a successful and independent  
3903 reader and performing at or above grade level in reading or,  
3904 upon implementation of English Language Arts assessments,  
3905 performing at or above grade level in English Language Arts.  
3906 Tools that school districts may use in reevaluating a student  
3907 retained may include subsequent assessments, alternative  
3908 assessments, and portfolio reviews, in accordance with rules of  
3909 the State Board of Education. Students promoted during the  
3910 school year after November 1 must demonstrate proficiency levels  
3911 in reading equivalent to the level necessary for the beginning  
3912 of grade 4. The rules adopted by the State Board of Education  
3913 must include standards that provide a reasonable expectation  
3914 that the student's progress is sufficient to master appropriate  
3915 grade 4 level reading skills.

25-01567-20

20201616\_\_

3916 3. Provide students who are retained under paragraph (5) (c)  
3917 ~~paragraph (5) (b)~~, including students participating in the school  
3918 district's summer reading camp under subparagraph (a)2., with a  
3919 highly effective teacher as determined by the teacher's  
3920 performance evaluation under s. 1012.34, and, beginning July 1,  
3921 2020, the teacher must also be certified or endorsed in reading.

3922 4. Establish at each school, when applicable, an intensive  
3923 reading acceleration course for any student retained in grade 3  
3924 who was previously retained in kindergarten, grade 1, or grade  
3925 2. The intensive reading acceleration course must provide the  
3926 following:

3927 a. Uninterrupted reading instruction for the majority of  
3928 student contact time each day and opportunities to master the  
3929 grade 4 Next Generation Sunshine State Standards in other core  
3930 subject areas through content-rich texts.

3931 b. Small group instruction.

3932 c. Reduced teacher-student ratios.

3933 d. The use of explicit, systematic, and multisensory  
3934 reading interventions, including intensive language, phonics,  
3935 and vocabulary instruction, and use of a speech-language  
3936 therapist if necessary, that have proven results in accelerating  
3937 student reading achievement within the same school year.

3938 e. A read-at-home plan.

3939 (8) ANNUAL REPORT.—

3940 (a) In addition to the requirements in paragraph (5) (c)  
3941 ~~paragraph (5) (b)~~, each district school board must annually  
3942 report to the parent of each student the progress of the student  
3943 toward achieving state and district expectations for proficiency  
3944 in English Language Arts, science, social studies, and

25-01567-20

20201616\_\_

3945 mathematics. The district school board must report to the parent  
3946 the student's results on each statewide, standardized  
3947 assessment. The evaluation of each student's progress must be  
3948 based upon the student's classroom work, observations, tests,  
3949 district and state assessments, response to intensive  
3950 interventions provided under paragraph (5) (a), and other  
3951 relevant information. Progress reporting must be provided to the  
3952 parent in writing in a format adopted by the district school  
3953 board.

3954 Section 68. Section 1008.31, Florida Statutes, is amended  
3955 to read:

3956 1008.31 Florida's Early Learning-20 ~~K-20~~ education  
3957 performance accountability system; legislative intent; mission,  
3958 goals, and systemwide measures; data quality improvements.-

3959 (1) LEGISLATIVE INTENT.-It is the intent of the Legislature  
3960 that:

3961 (a) The performance accountability system implemented to  
3962 assess the effectiveness of Florida's seamless Early Learning-20  
3963 ~~K-20~~ education delivery system provide answers to the following  
3964 questions in relation to its mission and goals:

3965 1. What is the public receiving in return for funds it  
3966 invests in education?

3967 2. How effectively is Florida's Early Learning-20 ~~K-20~~  
3968 education system educating its students?

3969 3. How effectively are the major delivery sectors promoting  
3970 student achievement?

3971 4. How are individual schools and postsecondary education  
3972 institutions performing their responsibility to educate their  
3973 students as measured by how students are performing and how much

25-01567-20

20201616\_\_

3974 they are learning?

3975 (b) The Early Learning-20 ~~K-20~~ education performance  
3976 accountability system be established as a single, unified  
3977 accountability system with multiple components, including, but  
3978 not limited to, student performance in public schools and school  
3979 and district grades.

3980 (c) The Early Learning-20 ~~K-20~~ education performance  
3981 accountability system comply with the requirements of the "No  
3982 Child Left Behind Act of 2001," Pub. L. No. 107-110, and the  
3983 Individuals with Disabilities Education Act (IDEA).

3984 (d) The early learning accountability system comply with  
3985 the requirements of Part V and Part VI of chapter 1002 and the  
3986 requirements of the Child Care and Development Block Grant Trust  
3987 Fund, pursuant to 45 C.F.R. parts 98 and 99.

3988 (e) ~~(d)~~ The State Board of Education and the Board of  
3989 Governors of the State University System recommend to the  
3990 Legislature systemwide performance standards; the Legislature  
3991 establish systemwide performance measures and standards; and the  
3992 systemwide measures and standards provide Floridians with  
3993 information on what the public is receiving in return for the  
3994 funds it invests in education and how well the Early Learning-20  
3995 ~~K-20~~ system educates its students.

3996 (f) 1. (e) 1. The State Board of Education establish  
3997 performance measures and set performance standards for  
3998 individual public schools and Florida College System  
3999 institutions, with measures and standards based primarily on  
4000 student achievement.

4001 2. The Board of Governors of the State University System  
4002 establish performance measures and set performance standards for

25-01567-20

20201616\_\_

4003 individual state universities, including actual completion  
4004 rates.

4005 (2) MISSION, GOALS, AND SYSTEMWIDE MEASURES.—

4006 (a) The mission of Florida's Early Learning-20 ~~K-20~~  
4007 education system shall be to increase the proficiency of all  
4008 students within one seamless, efficient system, by allowing them  
4009 the opportunity to expand their knowledge and skills through  
4010 learning opportunities and research valued by students, parents,  
4011 and communities.

4012 (b) The process for establishing state and sector-specific  
4013 standards and measures must be:

- 4014 1. Focused on student success.
- 4015 2. Addressable through policy and program changes.
- 4016 3. Efficient and of high quality.
- 4017 4. Measurable over time.
- 4018 5. Simple to explain and display to the public.
- 4019 6. Aligned with other measures and other sectors to support  
4020 a coordinated Early Learning-20 ~~K-20~~ education system.

4021 (c) The Department of Education shall maintain an  
4022 accountability system that measures student progress toward the  
4023 following goals:

- 4024 1. Highest student achievement, as indicated by evidence of  
4025 student learning gains at all levels.
- 4026 2. Seamless articulation and maximum access, as measured by  
4027 evidence of progression, readiness, and access by targeted  
4028 groups of students identified by the Commissioner of Education.
- 4029 3. Skilled workforce and economic development, as measured  
4030 by evidence of employment and earnings.
- 4031 4. Quality efficient services, as measured by evidence of

25-01567-20

20201616\_\_

4032 return on investment.

4033 5. Other goals as identified by law or rule.

4034 (3) ~~K-20~~ EDUCATION DATA QUALITY IMPROVEMENTS.—To provide  
4035 data required to implement education performance accountability  
4036 measures in state and federal law, the Commissioner of Education  
4037 shall initiate and maintain strategies to improve data quality  
4038 and timeliness. The Board of Governors shall make available to  
4039 the department all data within the State University Database  
4040 System to be integrated into the education ~~K-20~~ data warehouse.  
4041 The commissioner shall have unlimited access to such data for  
4042 the purposes of conducting studies, reporting annual and  
4043 longitudinal student outcomes, and improving college readiness  
4044 and articulation. All public educational institutions shall  
4045 annually provide data from the prior year to the education ~~K-20~~  
4046 data warehouse in a format based on data elements identified by  
4047 the commissioner.

4048 (a) School districts and public postsecondary educational  
4049 institutions shall maintain information systems that will  
4050 provide the State Board of Education, the Board of Governors of  
4051 the State University System, and the Legislature with  
4052 information and reports necessary to address the specifications  
4053 of the accountability system. The level of comprehensiveness and  
4054 quality must be no less than that which was available as of June  
4055 30, 2001.

4056 (b) Colleges and universities eligible to participate in  
4057 the William L. Boyd, IV, Effective Access to Student Education  
4058 Grant Program shall annually report student-level data from the  
4059 prior year for each student who receives state funds in a format  
4060 prescribed by the Department of Education. At a minimum, data

25-01567-20

20201616\_\_

4061 from the prior year must include retention rates, transfer  
4062 rates, completion rates, graduation rates, employment and  
4063 placement rates, and earnings of graduates. By October 1 of each  
4064 year, the colleges and universities described in this paragraph  
4065 shall report the data to the department.

4066 (c) The Commissioner of Education shall determine the  
4067 standards for the required data, monitor data quality, and  
4068 measure improvements. The commissioner shall report annually to  
4069 the State Board of Education, the Board of Governors of the  
4070 State University System, the President of the Senate, and the  
4071 Speaker of the House of Representatives data quality indicators  
4072 and ratings for all school districts and public postsecondary  
4073 educational institutions.

4074 (d) Before establishing any new reporting or data  
4075 collection requirements, the commissioner shall use existing  
4076 data being collected to reduce duplication and minimize  
4077 paperwork.

4078 (4) RULES.—The State Board of Education shall adopt rules  
4079 pursuant to ss. 120.536(1) and 120.54 to implement the  
4080 provisions of this section relating to the education ~~K-20~~ data  
4081 warehouse.

4082 Section 69. Section 1008.32, Florida Statutes, is amended  
4083 to read:

4084 1008.32 State Board of Education oversight enforcement  
4085 authority.—The State Board of Education shall oversee the  
4086 performance of early learning coalitions, district school  
4087 boards, and Florida College System institution boards of  
4088 trustees in enforcement of all laws and rules. District school  
4089 boards and Florida College System institution boards of trustees

25-01567-20

20201616\_\_

4090 shall be primarily responsible for compliance with law and state  
4091 board rule.

4092 (1) In order to ensure compliance with law or state board  
4093 rule, the State Board of Education shall have the authority to  
4094 request and receive information, data, and reports from early  
4095 learning coalitions, school districts, and Florida College  
4096 System institutions. Early Learning Coalition chief executive  
4097 officers or executive directors, district school  
4098 superintendents, and Florida College System institution  
4099 presidents are responsible for the accuracy of the information  
4100 and data reported to the state board.

4101 (2) (a) The Commissioner of Education may investigate  
4102 allegations of noncompliance with law or state board rule and  
4103 determine probable cause. The commissioner shall report  
4104 determinations of probable cause to the State Board of Education  
4105 which shall require the early learning coalition, district  
4106 school board, or Florida College System institution board of  
4107 trustees to document compliance with law or state board rule.

4108 (b) The Commissioner of Education shall report to the State  
4109 Board of Education any findings by the Auditor General that an  
4110 early learning coalition, a district school board, or a Florida  
4111 College System institution is acting without statutory authority  
4112 or contrary to general law. The State Board of Education shall  
4113 require the early learning coalition, district school board, or  
4114 Florida College System institution board of trustees to document  
4115 compliance with such law.

4116 (3) If the early learning coalition, district school board,  
4117 or Florida College System institution board of trustees cannot  
4118 satisfactorily document compliance, the State Board of Education

25-01567-20

20201616\_\_

4119 may order compliance within a specified timeframe.

4120 (4) If the State Board of Education determines that an  
4121 early learning coalition, a district school board, or a Florida  
4122 College System institution board of trustees is unwilling or  
4123 unable to comply with law or state board rule within the  
4124 specified time, the state board shall have the authority to  
4125 initiate any of the following actions:

4126 (a) Report to the Legislature that the early learning  
4127 coalition, school district, or Florida College System  
4128 institution is unwilling or unable to comply with law or state  
4129 board rule and recommend action to be taken by the Legislature.

4130 (b) Withhold the transfer of state funds, discretionary  
4131 grant funds, discretionary lottery funds, or any other funds  
4132 specified as eligible for this purpose by the Legislature until  
4133 the early learning coalition, school district, or Florida  
4134 College System institution complies with the law or state board  
4135 rule.

4136 (c) Declare the early learning coalition, school district,  
4137 or Florida College System institution ineligible for competitive  
4138 grants.

4139 (d) Require monthly or periodic reporting on the situation  
4140 related to noncompliance until it is remedied.

4141 (5) Nothing in this section shall be construed to create a  
4142 private cause of action or create any rights for individuals or  
4143 entities in addition to those provided elsewhere in law or rule.

4144 Section 70. Paragraph (a) of subsection (3) of section  
4145 1008.33, Florida Statutes, is amended to read:

4146 1008.33 Authority to enforce public school improvement.—

4147 (3) (a) The academic performance of all students has a

25-01567-20

20201616\_\_

4148 significant effect on the state school system. Pursuant to Art.  
4149 IX of the State Constitution, which prescribes the duty of the  
4150 State Board of Education to supervise Florida's public school  
4151 system, the state board shall equitably enforce the  
4152 accountability requirements of the state school system and may  
4153 impose state requirements on school districts in order to  
4154 improve the academic performance of all districts, schools, and  
4155 students based upon the provisions of the Florida Early  
4156 Learning-20 ~~K-20~~ Education Code, chapters 1000-1013; the federal  
4157 ESEA and its implementing regulations; and the ESEA flexibility  
4158 waiver approved for Florida by the United States Secretary of  
4159 Education.

4160 Section 71. Subsection (9) of section 1011.62, Florida  
4161 Statutes, is amended to read:

4162 1011.62 Funds for operation of schools.—If the annual  
4163 allocation from the Florida Education Finance Program to each  
4164 district for operation of schools is not determined in the  
4165 annual appropriations act or the substantive bill implementing  
4166 the annual appropriations act, it shall be determined as  
4167 follows:

4168 (9) RESEARCH-BASED READING INSTRUCTION ALLOCATION.—

4169 (a) The research-based reading instruction allocation is  
4170 created to provide comprehensive reading instruction to students  
4171 in kindergarten through grade 12, including certain students who  
4172 exhibit a substantial deficiency in early literacy and completed  
4173 the Voluntary Prekindergarten Education Program pursuant to s.  
4174 1008.25(5)(b). Each school district that has one or more of the  
4175 300 lowest-performing elementary schools based on a 3-year  
4176 average of the state reading assessment data must use the

25-01567-20

20201616\_\_

4177 school's portion of the allocation to provide an additional hour  
4178 per day of intensive reading instruction for the students in  
4179 each school. The additional hour may be provided within the  
4180 school day. Students enrolled in these schools who earned a  
4181 level 4 or level 5 score on the statewide, standardized English  
4182 Language Arts assessment for the previous school year may  
4183 participate in the additional hour of instruction. Exceptional  
4184 student education centers may not be included in the 300  
4185 schools. The intensive reading instruction delivered in this  
4186 additional hour shall include: research-based reading  
4187 instruction that has been proven to accelerate progress of  
4188 students exhibiting a reading deficiency; differentiated  
4189 instruction based on screening, diagnostic, progress monitoring,  
4190 or student assessment data to meet students' specific reading  
4191 needs; explicit and systematic reading strategies to develop  
4192 phonemic awareness, phonics, fluency, vocabulary, and  
4193 comprehension, with more extensive opportunities for guided  
4194 practice, error correction, and feedback; and the integration of  
4195 social studies, science, and mathematics-text reading, text  
4196 discussion, and writing in response to reading.

4197 (b) Funds for comprehensive, research-based reading  
4198 instruction shall be allocated annually to each school district  
4199 in the amount provided in the General Appropriations Act. Each  
4200 eligible school district shall receive the same minimum amount  
4201 as specified in the General Appropriations Act, and any  
4202 remaining funds shall be distributed to eligible school  
4203 districts based on each school district's proportionate share of  
4204 K-12 base funding.

4205 (c) Funds allocated under this subsection must be used to

25-01567-20

20201616\_\_

4206 provide a system of comprehensive reading instruction to  
4207 students enrolled in the K-12 programs and certain students who  
4208 exhibit a substantial deficiency in early literacy and completed  
4209 the Voluntary Prekindergarten Education Program pursuant to s.  
4210 1008.25(5)(b). The system, ~~which~~ may include the following:

4211 1. An additional hour per day of intensive reading  
4212 instruction to students in the 300 lowest-performing elementary  
4213 schools by teachers and reading specialists who have  
4214 demonstrated effectiveness in teaching reading as required in  
4215 paragraph (a).

4216 2. Kindergarten through grade 5 reading intervention  
4217 teachers to provide intensive intervention during the school day  
4218 and in the required extra hour for students identified as having  
4219 a reading deficiency.

4220 3. Highly qualified reading coaches to specifically support  
4221 teachers in making instructional decisions based on student  
4222 data, and improve teacher delivery of effective reading  
4223 instruction, intervention, and reading in the content areas  
4224 based on student need.

4225 4. Professional development for school district teachers in  
4226 scientifically based reading instruction, including strategies  
4227 to teach reading in content areas and with an emphasis on  
4228 technical and informational text, to help school district  
4229 teachers earn a certification or an endorsement in reading.

4230 5. Summer reading camps, using only teachers or other  
4231 district personnel who are certified or endorsed in reading  
4232 consistent with s. 1008.25(7)(b)3., for all students in  
4233 kindergarten through grade 2 who demonstrate a reading  
4234 deficiency as determined by district and state assessments; ~~and~~

25-01567-20

20201616\_\_

4235 students in grades 3 through 5 who score at Level 1 on the  
4236 statewide, standardized English Language Arts assessment; and  
4237 certain students who exhibit a substantial deficiency in early  
4238 literacy and completed the Voluntary Prekindergarten Education  
4239 Program pursuant to s. 1008.25(5)(b).

4240 6. Supplemental instructional materials that are grounded  
4241 in scientifically based reading research as identified by the  
4242 Just Read, Florida! Office pursuant to s. 1001.215(8).

4243 7. Intensive interventions for students in kindergarten  
4244 through grade 12 who have been identified as having a reading  
4245 deficiency or who are reading below grade level as determined by  
4246 the statewide, standardized English Language Arts assessment or  
4247 for certain students who exhibit a substantial deficiency in  
4248 early literacy and completed the Voluntary Prekindergarten  
4249 Education Program pursuant to s. 1008.25(5)(b).

4250 (d)1. Annually, by a date determined by the Department of  
4251 Education but before May 1, school districts shall submit a ~~K-12~~  
4252 comprehensive reading plan for the specific use of the research-  
4253 based reading instruction allocation in the format prescribed by  
4254 the department for review and approval by the Just Read,  
4255 Florida! Office created pursuant to s. 1001.215. The plan  
4256 annually submitted by school districts shall be deemed approved  
4257 unless the department rejects the plan on or before June 1. If a  
4258 school district and the Just Read, Florida! Office cannot reach  
4259 agreement on the contents of the plan, the school district may  
4260 appeal to the State Board of Education for resolution. School  
4261 districts shall be allowed reasonable flexibility in designing  
4262 their plans and shall be encouraged to offer reading  
4263 intervention through innovative methods, including career

25-01567-20

20201616\_\_

4264 academies. The plan format shall be developed with input from  
4265 school district personnel, including teachers and principals,  
4266 and shall provide for intensive reading interventions through  
4267 integrated curricula, provided that, beginning with the 2020-  
4268 2021 school year, the interventions are delivered by a teacher  
4269 who is certified or endorsed in reading. Such interventions must  
4270 incorporate strategies identified by the Just Read, Florida!  
4271 Office pursuant to s. 1001.215(8). No later than July 1  
4272 annually, the department shall release the school district's  
4273 allocation of appropriated funds to those districts having  
4274 approved plans. A school district that spends 100 percent of  
4275 this allocation on its approved plan shall be deemed to have  
4276 been in compliance with the plan. The department may withhold  
4277 funds upon a determination that reading instruction allocation  
4278 funds are not being used to implement the approved plan. The  
4279 department shall monitor and track the implementation of each  
4280 district plan, including conducting site visits and collecting  
4281 specific data on expenditures and reading improvement results.  
4282 By February 1 of each year, the department shall report its  
4283 findings to the Legislature.

4284 2. Each school district that has a school designated as one  
4285 of the 300 lowest-performing elementary schools as specified in  
4286 paragraph (a) shall specifically delineate in the comprehensive  
4287 reading plan, or in an addendum to the comprehensive reading  
4288 plan, the implementation design and reading intervention  
4289 strategies that will be used for the required additional hour of  
4290 reading instruction. The term "reading intervention" includes  
4291 evidence-based strategies frequently used to remediate reading  
4292 deficiencies and also includes individual instruction, tutoring,

25-01567-20

20201616\_\_

4293 mentoring, or the use of technology that targets specific  
4294 reading skills and abilities.

4295 Section 72. Paragraph (b) of subsection (1) of section  
4296 1002.22, Florida Statutes, is amended to read:

4297 1002.22 Education records and reports of K-12 students;  
4298 rights of parents and students; notification; penalty.—

4299 (1) DEFINITIONS.—As used in this section, the term:

4300 (b) "Institution" means any public school, center,  
4301 institution, or other entity that is part of Florida's education  
4302 system under s. 1000.04(2), (4), and (5) ~~s. 1000.04(1), (3), and~~  
4303 ~~(4)~~.

4304 Section 73. Paragraph (b) of subsection (5) of section  
4305 1002.53, Florida Statutes, is amended to read:

4306 1002.53 Voluntary Prekindergarten Education Program;  
4307 eligibility and enrollment.—

4308 (5) The early learning coalition shall provide each parent  
4309 enrolling a child in the Voluntary Prekindergarten Education  
4310 Program with a profile of every private prekindergarten provider  
4311 and public school delivering the program within the county where  
4312 the child is being enrolled. The profiles shall be provided to  
4313 parents in a format prescribed by the Office of Early Learning.  
4314 The profiles must include, at a minimum, the following  
4315 information about each provider and school:

4316 (b) The provider's or school's kindergarten readiness rate  
4317 ~~calculated in accordance with s. 1002.69,~~ based upon the most  
4318 recent available results of the statewide kindergarten  
4319 screening.

4320 Section 74. This act shall take effect July 1, 2020.