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Proposed Committee Substitute by the Committee on Appropriations
(Appropriations Subcommittee on Education)

A bill to be entitled

An act relating to early learning and early grade success; amending s. 20.055, F.S.; conforming provisions to changes made by the act; amending s. 20.15, F.S.; eliminating the Office of Early Learning from the Office of Independent Education and Parental Choice of the Department of Education; establishing the Division of Early Learning within the department; amending s. 39.202, F.S.; conforming provisions to changes made by the act; amending s. 39.604, F.S.; revising approved child care or early education settings for the placement of certain children; conforming a cross-reference to changes made by the act; amending s. 212.08, F.S.; conforming provisions to changes made by the act; amending ss. 383.14, 391.308, and 402.26, F.S.; conforming provisions and cross-references to changes made by the act; transferring, renumbering, and amending s. 402.281, F.S.; revising the requirements of the Gold Seal Quality Care program; requiring the State Board of Education to adopt specified rules; revising accrediting association requirements; providing requirements for accrediting associations; requiring the department to adopt a specified process; providing requirements for such process; deleting a requirement for the department to consult certain entities for specified purposes; providing requirements for certain



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28 providers to maintain Gold Seal Quality Care status;
29 providing exemptions to certain ad valorem taxes;
30 providing rate differentials to certain providers;
31 providing for a type two transfer of the Gold Seal
32 Quality Care program in the Department of Children and
33 Families to the Department of Education; providing for
34 the continuation of certain contracts and interagency
35 agreements; amending s. 402.305, F.S.; requiring
36 minimum child care licensing standards adopted between
37 specified dates to be ratified by the Legislature;
38 revising requirements relating to staff trained in
39 cardiopulmonary resuscitation; amending s. 402.315,
40 F.S.; conforming a cross-reference to changes made by
41 the act; amending s. 402.56, F.S.; revising the
42 membership of the Children and Youth Cabinet; amending
43 ss. 411.226, 411.227, 414.295, 1000.01, 1000.02,
44 1000.03, 1000.04, 1000.21, 1001.02, 1001.03, 1001.10,
45 and 1001.11, F.S.; conforming provisions and cross-
46 references to changes made by the act; repealing s.
47 1001.213, F.S., relating to the Office of Early
48 Learning; amending ss. 1001.215, 1001.23, 1001.70,
49 1001.706, 1002.22, 1002.32, 1002.34, and 1002.36 F.S.;
50 conforming provisions and cross-references to changes
51 made by the act; amending s. 1002.53, F.S.; revising
52 the requirements for certain program provider
53 profiles; requiring students enrolled in the Voluntary
54 Prekindergarten Education Program to participate in a
55 specified screening and progress monitoring program;
56 amending s. 1002.55, F.S.; authorizing certain child



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57 development programs operating on a military
58 installment to be private prekindergarten providers
59 within the Voluntary Prekindergarten Education
60 Program; providing that a private prekindergarten
61 provider is ineligible for participation in the
62 program under certain circumstances; revising
63 requirements that must be met by a prekindergarten
64 instructor; revising requirements for specified
65 courses for prekindergarten instructors; providing
66 that a private school administrator who holds a
67 specified certificate meets certain credential
68 requirements; providing liability insurance
69 requirements for child development programs operating
70 on a military installment participating in the
71 program; requiring early learning coalitions to verify
72 private prekindergarten provider compliance with
73 specified provisions; requiring such coalitions to
74 remove a provider's eligibility under specified
75 circumstances; amending s. 1002.57, F.S.; revising the
76 minimum standards for a credential for certain
77 prekindergarten directors; amending s. 1002.59, F.S.;
78 revising requirements for emergent literacy and
79 performance standards training courses for
80 prekindergarten instructors; requiring the department
81 to make certain courses available; amending s.
82 1002.61, F.S.; authorizing certain child development
83 programs operating on a military installment to be
84 private prekindergarten providers within the summer
85 Voluntary Prekindergarten Education Program; revising



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86 the criteria for a teacher to receive priority for the
87 summer program in a school district; requiring child
88 development programs operating on a military
89 installment to comply with specified criteria;
90 requiring early learning coalitions to verify
91 specified information; providing for the removal of a
92 program provider from eligibility under certain
93 circumstances; amending s. 1002.63, F.S.; requiring
94 early learning coalitions to verify specified
95 information; providing for the removal of public
96 school program providers from the program under
97 certain circumstances; amending s. 1002.67, F.S.;
98 revising the performance standards for the Voluntary
99 Prekindergarten Education Program; requiring the
100 department to review and revise performance standards
101 on a specified schedule; revising curriculum
102 requirements for the program; requiring the department
103 to adopt procedures for the review and approval of
104 curricula for the program; deleting a required
105 preassessment and postassessment for the program;
106 creating s. 1002.68, F.S.; requiring providers of the
107 Voluntary Prekindergarten Education Program to
108 participate in a specified screening and progress
109 monitoring program; providing specified uses for the
110 results of such program; requiring certain portions of
111 the screening and progress monitoring program to be
112 administered by individuals who meet specified
113 criteria; requiring the results of specified
114 assessments to be reported to the parents of



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115 participating students; providing requirements for
116 such assessments; providing department duties and
117 responsibilities relating to such assessments;
118 providing requirements for a specified methodology
119 used to calculate the results of such assessments;
120 requiring the department to establish a designation
121 system for program providers; providing for the
122 adoption of a minimum performance metric or
123 designation for program participation; providing
124 procedures for a provider whose score or designation
125 falls below the minimum requirement; providing for the
126 revocation of program eligibility for a provider;
127 authorizing the department to grant good cause
128 exemptions to providers under certain circumstances;
129 providing department and provider requirements for
130 such exemptions; repealing s. 1002.69, F.S., relating
131 to statewide kindergarten screening and readiness
132 rates; amending ss. 1002.71 and 1002.72, F.S.;
133 conforming provisions to changes made by the act;
134 amending s. 1002.73, F.S.; requiring the department to
135 adopt a statewide provider contract; requiring such
136 contract to be published on the department's website;
137 providing requirements for such contract; prohibiting
138 providers from offering services during an appeal of
139 termination from the program; providing applicability;
140 requiring the department to adopt specified procedures
141 relating to the Voluntary Prekindergarten Education
142 Program; providing duties of the department relating
143 to such program; repealing s. 1002.75, F.S., relating



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144 to the powers and duties of the Office of Early
145 Learning; repealing s. 1002.77, F.S., relating to the
146 Florida Early Learning Advisory Council; amending ss.
147 1002.79 and 1002.81, F.S.; conforming provisions and
148 cross-references to changes made by the act; amending
149 s. 1002.82, F.S.; providing duties of the department
150 relating to early learning; exempting certain child
151 development programs operating on a military
152 installment from specified inspection requirements;
153 requiring the department to monitor specified
154 standards and benchmarks for certain purposes;
155 requiring the department to provide specified
156 technical support; revising requirements for a
157 specified assessment program; requiring the department
158 to adopt requirements to make certain contracted slots
159 available to serve specified populations; requiring
160 the department to adopt procedures for the merging of
161 early learning coalitions; revising the requirements
162 for a specified report; amending s. 1002.83, F.S.;
163 revising the number of authorized early learning
164 coalitions; revising the number of and requirements
165 for members of an early learning coalition; revising
166 requirements for such coalitions; amending s. 1002.84,
167 F.S.; revising early learning coalition
168 responsibilities and duties; revising requirements for
169 the waiver of specified copayments; amending s.
170 1002.85, F.S.; revising the requirements for school
171 readiness program plans; amending s. 1002.88, F.S.;
172 authorizing certain child development programs



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173 operating on military installations to participate in
174 the school readiness program; revising requirements to
175 deliver such a program; providing that a specified
176 annual inspection for a child development program
177 participating in the school readiness program meets
178 certain provider requirements; providing requirements
179 for a child development program to meet certain
180 liability requirements; amending ss. 1002.89,
181 1002.895, and 1002.91, F.S.; conforming provisions and
182 cross-references to changes made by the act; amending
183 s. 1002.92, F.S.; revising the services that must be
184 provided by child care resource and referral agencies;
185 amending s. 1002.93, F.S.; conforming provisions to
186 changes made by the act; repealing s. 1002.94, F.S.,
187 relating to the Child Care Executive Partnership
188 Program; amending ss. 1002.95, 1002.96, 1002.97,
189 1002.995, 1003.575, and 1007.01, F.S.; conforming
190 provisions and cross-references to changes made by the
191 act; creating s. 1008.2125, F.S.; creating the
192 coordinated screening and progress monitoring program
193 within the department for specified purposes;
194 requiring the Commissioner of Education to design such
195 program; providing requirements for the administration
196 of such program and the use of results from the
197 program; providing requirements for the commissioner;
198 creating the Early Grade Success Advisory Committee;
199 providing duties of the committee; providing for the
200 membership of the committee; requiring the committee
201 to elect a chair and a vice chair; providing



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202 requirements for such appointments; providing for per
203 diem for members of the committee; providing meeting
204 requirements for the committee; providing for a quorum
205 of the committee; amending s. 1008.25, F.S.;

206 authorizing certain students who enrolled in the
207 Voluntary Prekindergarten Education Program to receive
208 intensive reading interventions using specified funds;
209 amending ss. 1008.31, 1008.32, and 1008.33, F.S.;

210 conforming provisions to changes made by the act;
211 amending s. 1011.62, F.S.; revising the research-based
212 reading instruction allocation to authorize the use of
213 such funds for certain intensive reading interventions
214 for certain students; revising the requirements for
215 specified reading instruction and interventions;
216 defining the term "evidence-based"; providing an
217 effective date.

218

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

220

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

223 20.055 Agency inspectors general.—

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

225 (a) "Agency head" means the Governor, a Cabinet officer, or
226 a secretary or executive director as those terms are defined in
227 s. 20.03, the chair of the Public Service Commission, the
228 Director of the Office of Insurance Regulation of the Financial
229 Services Commission, the Director of the Office of Financial
230 Regulation of the Financial Services Commission, the board of



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231 directors of the Florida Housing Finance Corporation, ~~the~~
232 ~~executive director of the Office of Early Learning,~~ and the
233 Chief Justice of the State Supreme Court.

234 (d) "State agency" means each department created pursuant
235 to this chapter and the Executive Office of the Governor, the
236 Department of Military Affairs, the Fish and Wildlife
237 Conservation Commission, the Office of Insurance Regulation of
238 the Financial Services Commission, the Office of Financial
239 Regulation of the Financial Services Commission, the Public
240 Service Commission, the Board of Governors of the State
241 University System, the Florida Housing Finance Corporation, ~~the~~
242 ~~Office of Early Learning,~~ and the state courts system.

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

248 20.15 Department of Education.—There is created a
249 Department of Education.

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

252 (c) Division of Early Learning.

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

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



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260 ~~Prekindergarten Education Program at the state level.~~

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

264 (5) POWERS AND DUTIES.—The State Board of Education and the
265 Commissioner of Education shall assign to the divisions such
266 powers, duties, responsibilities, and functions as are necessary
267 to ensure the greatest possible coordination, efficiency, and
268 effectiveness of education for students in Early Learning-20 ~~K-~~
269 ~~20~~ education under the jurisdiction of the State Board of
270 Education.

271 Section 3. Paragraph (a) of subsection (2) of section
272 39.202, Florida Statutes, is amended to read:

273 39.202 Confidentiality of reports and records in cases of
274 child abuse or neglect.—

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

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

- 284 1. Child or adult protective investigations;
- 285 2. Ongoing child or adult protective services;
- 286 3. Early intervention and prevention services;
- 287 4. Healthy Start services;
- 288 5. Licensure or approval of adoptive homes, foster homes,



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289 child care facilities, facilities licensed under chapter 393,
290 family day care homes, providers who receive school readiness
291 funding under part VI of chapter 1002, or other homes used to
292 provide for the care and welfare of children;

293 6. Employment screening for caregivers in residential group
294 homes; or

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

298

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

302 Section 4. Paragraph (b) of subsection (5) of section
303 39.604, Florida Statutes, is amended to read:

304 39.604 Rilya Wilson Act; short title; legislative intent;
305 child care; early education; preschool.-

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

313 (b) If it is not in the best interest of the child for him
314 or her to remain in his or her child care or early education
315 setting upon entry into out-of-home care, the caregiver must
316 work with the case manager, guardian ad litem, child care and
317 educational staff, and educational surrogate, if one has been



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318 appointed, to determine the best setting for the child. Such
319 setting may be a child care provider that receives a Gold Seal
320 Quality Care designation pursuant to s. 1002.945 ~~s. 402.281~~, a
321 ~~provider participating in a quality rating system~~, a licensed
322 child care provider, a public school provider, or a license-
323 exempt child care provider, including religious-exempt and
324 registered providers, and nonpublic schools.

325 Section 5. Paragraph (m) of subsection (5) of section
326 212.08, Florida Statutes, is amended to read:

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

333 (5) EXEMPTIONS; ACCOUNT OF USE.—

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



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347 Section 6. Paragraph (b) of subsection (1) and paragraph
348 (b) of subsection (2) of section 383.14, Florida Statutes, are
349 amended to read:

350 383.14 Screening for metabolic disorders, other hereditary
351 and congenital disorders, and environmental risk factors.—

352 (1) SCREENING REQUIREMENTS.—To help ensure access to the
353 maternal and child health care system, the Department of Health
354 shall promote the screening of all newborns born in Florida for
355 metabolic, hereditary, and congenital disorders known to result
356 in significant impairment of health or intellect, as screening
357 programs accepted by current medical practice become available
358 and practical in the judgment of the department. The department
359 shall also promote the identification and screening of all
360 newborns in this state and their families for environmental risk
361 factors such as low income, poor education, maternal and family
362 stress, emotional instability, substance abuse, and other high-
363 risk conditions associated with increased risk of infant
364 mortality and morbidity to provide early intervention,
365 remediation, and prevention services, including, but not limited
366 to, parent support and training programs, home visitation, and
367 case management. Identification, perinatal screening, and
368 intervention efforts shall begin prior to and immediately
369 following the birth of the child by the attending health care
370 provider. Such efforts shall be conducted in hospitals,
371 perinatal centers, county health departments, school health
372 programs that provide prenatal care, and birthing centers, and
373 reported to the Office of Vital Statistics.

374 (b) *Postnatal screening.*—A risk factor analysis using the
375 department's designated risk assessment instrument shall also be



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376 conducted as part of the medical screening process upon the
377 birth of a child and submitted to the department's Office of
378 Vital Statistics for recording and other purposes provided for
379 in this chapter. The department's screening process for risk
380 assessment shall include a scoring mechanism and procedures that
381 establish thresholds for notification, further assessment,
382 referral, and eligibility for services by professionals or
383 paraprofessionals consistent with the level of risk. Procedures
384 for developing and using the screening instrument, notification,
385 referral, and care coordination services, reporting
386 requirements, management information, and maintenance of a
387 computer-driven registry in the Office of Vital Statistics which
388 ensures privacy safeguards must be consistent with the
389 provisions and plans established under chapter 411, Pub. L. No.
390 99-457, and this chapter. Procedures established for reporting
391 information and maintaining a confidential registry must include
392 a mechanism for a centralized information depository at the
393 state and county levels. The department shall coordinate with
394 existing risk assessment systems and information registries. The
395 department must ensure, to the maximum extent possible, that the
396 screening information registry is integrated with the
397 department's automated data systems, including the Florida On-
398 line Recipient Integrated Data Access (FLORIDA) system. Tests
399 and screenings must be performed by the State Public Health
400 Laboratory, in coordination with Children's Medical Services, at
401 such times and in such manner as is prescribed by the department
402 after consultation with the Genetics and Newborn Screening
403 Advisory Council and the Department of Education ~~Office of Early~~
404 ~~Learning~~.



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405 (2) RULES.—

406 (b) After consultation with the Department of Education
407 ~~Office of Early Learning~~, the department shall adopt and enforce
408 rules requiring every newborn in this state to be screened for
409 environmental risk factors that place children and their
410 families at risk for increased morbidity, mortality, and other
411 negative outcomes.

412 Section 7. Paragraph (h) of subsection (2) of section
413 391.308, Florida Statutes, is amended to read:

414 391.308 Early Steps Program.—The department shall implement
415 and administer part C of the federal Individuals with
416 Disabilities Education Act (IDEA), which shall be known as the
417 “Early Steps Program.”

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

419 (h) Promote interagency cooperation and coordination, with
420 the Medicaid program, the Department of Education program
421 pursuant to part B of the federal Individuals with Disabilities
422 Education Act, and programs providing child screening such as
423 the Florida Diagnostic and Learning Resources System, ~~the Office~~
424 ~~of Early Learning~~, Healthy Start, and the Help Me Grow program.

425 1. Coordination with the Medicaid program shall be
426 developed and maintained through written agreements with the
427 Agency for Health Care Administration and Medicaid managed care
428 organizations as well as through active and ongoing
429 communication with these organizations. The department shall
430 assist local program offices to negotiate agreements with
431 Medicaid managed care organizations in the service areas of the
432 local program offices. Such agreements may be formal or
433 informal.



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434 2. Coordination with education programs pursuant to part B
435 of the federal Individuals with Disabilities Education Act shall
436 be developed and maintained through written agreements with the
437 Department of Education. The department shall assist local
438 program offices to negotiate agreements with school districts in
439 the service areas of the local program offices.

440 Section 8. Subsection (6) of section 402.26, Florida
441 Statutes, is amended to read:

442 402.26 Child care; legislative intent.—

443 ~~(6) It is the intent of the Legislature that a child care~~
444 ~~facility licensed pursuant to s. 402.305 or a child care~~
445 ~~facility exempt from licensing pursuant to s. 402.316, that~~
446 ~~achieves Gold Seal Quality status pursuant to s. 402.281, be~~
447 ~~considered an educational institution for the purpose of~~
448 ~~qualifying for exemption from ad valorem tax pursuant to s.~~
449 ~~196.198.~~

450 Section 9. Section 402.281, Florida Statutes, is
451 transferred, renumbered as section 1002.945, Florida Statutes,
452 and amended to read:

453 1002.945 ~~402.281~~ Gold Seal Quality Care program.—

454 (1) (a) There is established within the department the Gold
455 Seal Quality Care Program.

456 (b) A child care facility, large family child care home, or
457 family day care home that is accredited by an accrediting
458 association approved by the department under subsection (3) and
459 meets all other requirements shall, upon application to the
460 department, receive a separate "Gold Seal Quality Care"
461 designation.

462 (2) The State Board of Education ~~department~~ shall adopt



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463 rules establishing Gold Seal Quality Care accreditation
464 standards using nationally recognized accrediting standards and
465 input from accrediting associations ~~based on the applicable~~
466 ~~accrediting standards of the National Association for the~~
467 ~~Education of Young Children (NAEYC), the National Association of~~
468 ~~Family Child Care, and the National Early Childhood Program~~
469 ~~Accreditation Commission.~~

470 (3) (a) In order to be approved by the department for
471 participation in the Gold Seal Quality Care program, an
472 accrediting association must apply to the department and
473 demonstrate that it:

474 1. Is a recognized accrediting association.

475 2. Has accrediting standards that substantially meet or
476 exceed the Gold Seal Quality Care standards adopted by the state
477 board ~~department~~ under subsection (2).

478 3. Is a registered corporation with the Department of
479 State.

480 4. Can provide evidence that the process for accreditation
481 has, at a minimum, all of the following components:

482 a. Clearly defined prerequisites that a child care provider
483 must meet before beginning the accreditation process. However,
484 accreditation may not be granted to a child care facility, large
485 family child care home, or family day care home before the site
486 is operational and is attended by children.

487 b. Procedures for completion of a self-study and
488 comprehensive onsite verification process for each classroom
489 that documents compliance with accrediting standards.

490 c. A training process for accreditation verifiers to ensure
491 inter-rater reliability.



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492 d. Ongoing compliance procedures that include requiring
493 each accredited child care facility, large family child care
494 home, and family day care home to file an annual report with the
495 accrediting association and risk-based, on-site auditing
496 protocols for accredited child care facilities, large family
497 child care homes, and family day care homes.

498 e. Procedures for the revocation of accreditation due to
499 failure to maintain accrediting standards as evidenced by sub-
500 subparagraph d. or any other relevant information received by
501 the accrediting association.

502 f. Accreditation renewal procedures that include an onsite
503 verification occurring at least every 5 years.

504 g. A process for verifying continued accreditation
505 compliance in the event of a transfer of ownership of
506 facilities.

507 h. A process to communicate issues that arise during the
508 accreditation period with governmental entities that have a
509 vested interest in the Gold Seal Quality Care Program, including
510 the department, the Department of Children and Families, the
511 Department of Health, local licensing entities, if applicable,
512 and the early learning coalition.

513 (b) The department shall establish a process that verifies
514 that the accrediting association meets the provisions of
515 paragraph (a), which must include an auditing program and any
516 other procedures that may reasonably determine an accrediting
517 association's compliance with this section. If an accrediting
518 association is not in compliance and fails to cure its
519 deficiencies within 30 days, the department shall recommend to
520 the state board termination of the accrediting association's



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521 participation as an accrediting association in the program for a
522 period of at least 2 years but no more than 5 years. If an
523 accrediting association is removed from being an approved
524 accrediting association, each child care provider accredited by
525 that association shall have up to 1 year to obtain a new
526 accreditation from a department approved accreditation
527 association.

528 (c) If an accrediting association has granted accreditation
529 to a child care facility, large family child care home, or
530 family day care under fraudulent terms or failed to conduct on-
531 site verifications, the accrediting association shall be liable
532 for the repayment of any rate differentials paid under
533 subsection (6).

534 ~~(b) In approving accrediting associations, the department~~
535 ~~shall consult with the Department of Education, the Florida Head~~
536 ~~Start Directors Association, the Florida Association of Child~~
537 ~~Care Management, the Florida Family Child Care Home Association,~~
538 ~~the Florida Children's Forum, the Florida Association for the~~
539 ~~Education of the Young, the Child Development Education~~
540 ~~Alliance, the Florida Association of Academic Nonpublic Schools,~~
541 ~~the Association of Early Learning Coalitions, providers~~
542 ~~receiving exemptions under s. 402.316, and parents.~~

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

547 (a) The child care provider must not have had any class I
548 violations, as defined by rule of the Department of Children and
549 Families, within the 2 years preceding its application for



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550 designation as a Gold Seal Quality Care provider. Commission of
551 a class I violation shall be grounds for termination of the
552 designation as a Gold Seal Quality Care provider until the
553 provider has no class I violations for a period of 2 years.

554 (b) The child care provider must not have had three or more
555 class II violations, as defined by rule of the Department of
556 Children and Families, within the 2 years preceding its
557 application for designation as a Gold Seal Quality Care
558 provider. Commission of three or more class II violations within
559 a 2-year period shall be grounds for termination of the
560 designation as a Gold Seal Quality Care provider until the
561 provider has no class II violations for a period of 1 year.

562 (c) The child care provider must not have been cited for
563 the same class III violation, as defined by rule of the
564 Department of Children and Families, three or more times and
565 failed to correct the violation within 1 year after the date of
566 each citation, within the 2 years preceding its application for
567 designation as a Gold Seal Quality Care provider. Commission of
568 the same class III violation three or more times and failure to
569 correct within the required time during a 2-year period may be
570 grounds for termination of the designation as a Gold Seal
571 Quality Care provider until the provider has no class III
572 violations for a period of 1 year.

573 (d) Notwithstanding paragraph (a), if the department
574 determines through a formal process that a provider has been in
575 business for at least 5 years and has no other class I
576 violations recorded, the department may recommend to the state
577 board that the provider maintain its Gold Seal Quality Care
578 status. The state board's determination regarding such



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579 provider's status is final.

580 (5) A child care facility licensed pursuant to s. 402.305
581 or a child care facility exempt from licensing pursuant to s.
582 402.316 which achieves Gold Seal Quality status under this
583 section shall be considered an educational institution for the
584 purpose of qualifying for exemption from ad valorem tax under s.
585 196.198.

586 (6) A child care facility licensed pursuant to s. 402.305
587 or a child care facility exempt from licensing pursuant to s.
588 402.316 which achieves Gold Seal Quality status under this
589 section and which participates in the school readiness program
590 shall receive a minimum of a 20 percent rate differential for
591 each enrolled school readiness child by care level and unit of
592 child care.

593 (7)-(5) The state board Department of Children and Families
594 shall adopt rules under ss. 120.536(1) and 120.54 which provide
595 criteria and procedures for reviewing and approving accrediting
596 associations for participation in the Gold Seal Quality Care
597 program and, conferring and revoking designations of Gold Seal
598 Quality Care providers, and classifying violations.

599 Section 10. Type two transfer from the Department of
600 Children and Families.-

601 (1) All powers, duties, functions, records, offices,
602 personnel, associated administrative support positions,
603 property, pending issues, existing contracts, administrative
604 authority, administrative rules, and unexpended balances of
605 appropriations, allocations, and other funds relating to the
606 Gold Seal Quality Care program within the Department of Children
607 and Families are transferred by a type two transfer, as defined



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608 in s. 20.06(2), Florida Statutes, to the Department of
609 Education.

610 (2) Any binding contract or interagency agreement existing
611 before July 1, 2020, between the Department of Children and
612 Families, or an entity or agent of the department, and any other
613 agency, entity, or person relating to the Gold Seal Quality Care
614 program shall continue as a binding contract or agreement for
615 the remainder of the term of such contract or agreement on the
616 successor entity responsible for the program, activity, or
617 functions relative to the contract or agreement.

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

621 402.305 Licensing standards; child care facilities.—

622 (1) LICENSING STANDARDS.—The department shall establish
623 licensing standards that each licensed child care facility must
624 meet regardless of the origin or source of the fees used to
625 operate the facility or the type of children served by the
626 facility.

627 (c) The minimum standards for child care facilities shall
628 be adopted in the rules of the department and shall address the
629 areas delineated in this section. The department, in adopting
630 rules to establish minimum standards for child care facilities,
631 shall recognize that different age groups of children may
632 require different standards. The department may adopt different
633 minimum standards for facilities that serve children in
634 different age groups, including school-age children. The
635 department shall also adopt by rule a definition for child care
636 which distinguishes between child care programs that require



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637 child care licensure and after-school programs that do not
638 require licensure. Notwithstanding any other provision of law to
639 the contrary, minimum child care licensing standards shall be
640 developed to provide for reasonable, affordable, and safe
641 before-school and after-school care. Licensing standards adopted
642 by the department between July 1, 2020, and June 30, 2022, must
643 be ratified by the Legislature. After-school programs that
644 otherwise meet the criteria for exclusion from licensure may
645 provide snacks and meals through the federal Afterschool Meal
646 Program (AMP) administered by the Department of Health in
647 accordance with federal regulations and standards. The
648 Department of Health shall consider meals to be provided through
649 the AMP only if the program is actively participating in the
650 AMP, is in good standing with the department, and the meals meet
651 AMP requirements. Standards, at a minimum, shall allow for a
652 credentialed director to supervise multiple before-school and
653 after-school sites.

654 (7) SANITATION AND SAFETY.—

655 (a) Minimum standards shall include requirements for
656 sanitary and safety conditions, first aid treatment, emergency
657 procedures, and pediatric cardiopulmonary resuscitation. The
658 minimum standards shall require that ~~at least~~ one staff person
659 trained in cardiopulmonary resuscitation, as evidenced by
660 current documentation of course completion, must be present at
661 all times that children are present.

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

664 402.315 Funding; license fees.—

665 (5) All moneys collected by the department for child care



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666 licensing shall be held in a trust fund of the department to be
667 reallocated to the department during the following fiscal year
668 to fund child care licensing activities, including the Gold Seal
669 Quality Care program created pursuant to s. 1002.945 ~~s. 402.281~~.

670 Section 13. Paragraph (a) of subsection (4) of section
671 402.56, Florida Statutes, is amended to read:

672 402.56 Children's cabinet; organization; responsibilities;
673 annual report.—

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

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

677 2. The Secretary of Juvenile Justice;

678 3. The director of the Agency for Persons with
679 Disabilities;

680 4. A representative from the Division ~~The director of the~~
681 ~~Office~~ of Early Learning;

682 5. The State Surgeon General;

683 6. The Secretary of Health Care Administration;

684 7. The Commissioner of Education;

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

686 9. A representative of the Office of Adoption and Child
687 Protection;

688 10. A superintendent of schools, appointed by the Governor;
689 and

690 11. Five members who represent children and youth advocacy
691 organizations and who are not service providers, appointed by
692 the Governor.

693 Section 14. Paragraph (e) of subsection (2) of section
694 411.226, Florida Statutes, is amended to read:



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695 411.226 Learning Gateway.—

696 (2) LEARNING GATEWAY STEERING COMMITTEE.—

697 (e) To support and facilitate system improvements, the
698 steering committee must consult with representatives from the
699 Department of Education, the Department of Health, ~~the Office of~~
700 ~~Early Learning~~, the Department of Children and Families, the
701 Agency for Health Care Administration, the Department of
702 Juvenile Justice, and the Department of Corrections and with the
703 director of the Learning Development and Evaluation Center of
704 Florida Agricultural and Mechanical University.

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

708 411.227 Components of the Learning Gateway.—The Learning
709 Gateway system consists of the following components:

710 (1) COMMUNITY EDUCATION STRATEGIES AND FAMILY-ORIENTED
711 ACCESS.—

712 (d) In collaboration with other local resources, the
713 demonstration projects shall develop public awareness strategies
714 to disseminate information about developmental milestones,
715 precursors of learning problems and other developmental delays,
716 and the service system that is available. The information should
717 target parents of children from birth through age 9 and should
718 be distributed to parents, health care providers, and caregivers
719 of children from birth through age 9. A variety of media should
720 be used as appropriate, such as print, television, radio, and a
721 community-based Internet website, as well as opportunities such
722 as those presented by parent visits to physicians for well-child
723 checkups. The Learning Gateway Steering Committee shall provide



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724 technical assistance to the local demonstration projects in
725 developing and distributing educational materials and
726 information.

727 1. Public awareness strategies targeting parents of
728 children from birth through age 5 shall be designed to provide
729 information to public and private preschool programs, child care
730 providers, pediatricians, parents, and local businesses and
731 organizations. These strategies should include information on
732 the school readiness performance standards adopted by the
733 Department of Education ~~Office of Early Learning~~.

734 2. Public awareness strategies targeting parents of
735 children from ages 6 through 9 must be designed to disseminate
736 training materials and brochures to parents and public and
737 private school personnel, and must be coordinated with the local
738 school board and the appropriate school advisory committees in
739 the demonstration projects. The materials should contain
740 information on state and district proficiency levels for grades
741 K-3.

742 (2) SCREENING AND DEVELOPMENTAL MONITORING.—

743 (a) In coordination with ~~the Office of Early Learning~~, the
744 Department of Education, and the Florida Pediatric Society, and
745 using information learned from the local demonstration projects,
746 the Learning Gateway Steering Committee shall establish
747 guidelines for screening children from birth through age 9. The
748 guidelines should incorporate recent research on the indicators
749 most likely to predict early learning problems, mild
750 developmental delays, child-specific precursors of school
751 failure, and other related developmental indicators in the
752 domains of cognition; communication; attention; perception;



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753 behavior; and social, emotional, sensory, and motor functioning.

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

755 (c) The steering committee, in cooperation with the
756 Department of Children and Families and, the Department of
757 Education, ~~and the Office of Early Learning~~, shall identify the
758 elements of an effective research-based curriculum for early
759 care and education programs.

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

762 414.295 Temporary cash assistance programs; public records
763 exemption.—

764 (1) Personal identifying information of a temporary cash
765 assistance program participant, a participant's family, or a
766 participant's family or household member, except for information
767 identifying a parent who does not live in the same home as the
768 child, which is held by the department, ~~the Office of Early
769 Learning~~, CareerSource Florida, Inc., the Department of Health,
770 the Department of Revenue, the Department of Education, or a
771 local workforce development board or local committee created
772 pursuant to s. 445.007 is confidential and exempt from s.
773 119.07(1) and s. 24(a), Art. I of the State Constitution. Such
774 confidential and exempt information may be released for purposes
775 directly connected with:

776 (a) The administration of the temporary assistance for
777 needy families plan under Title IV-A of the Social Security Act,
778 as amended, by the department, ~~the Office of Early Learning~~,
779 CareerSource Florida, Inc., the Department of Military Affairs,
780 the Department of Health, the Department of Revenue, the
781 Department of Education, a local workforce development board or



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782 local committee created pursuant to s. 445.007, or a school
783 district.

784 (b) The administration of the state's plan or program
785 approved under Title IV-B, Title IV-D, or Title IV-E of the
786 Social Security Act, as amended, or under Title I, Title X,
787 Title XIV, Title XVI, Title XIX, Title XX, or Title XXI of the
788 Social Security Act, as amended.

789 (c) An investigation, prosecution, or criminal, civil, or
790 administrative proceeding conducted in connection with the
791 administration of any of the plans or programs specified in
792 paragraph (a) or paragraph (b) by a federal, state, or local
793 governmental entity, upon request by that entity, if such
794 request is made pursuant to the proper exercise of that entity's
795 duties and responsibilities.

796 (d) The administration of any other state, federal, or
797 federally assisted program that provides assistance or services
798 on the basis of need, in cash or in kind, directly to a
799 participant.

800 (e) An audit or similar activity, such as a review of
801 expenditure reports or financial review, conducted in connection
802 with the administration of plans or programs specified in
803 paragraph (a) or paragraph (b) by a governmental entity
804 authorized by law to conduct such audit or activity.

805 (f) The administration of the reemployment assistance
806 program.

807 (g) The reporting to the appropriate agency or official of
808 information about known or suspected instances of physical or
809 mental injury, sexual abuse or exploitation, or negligent
810 treatment or maltreatment of a child or elderly person receiving



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811 assistance, if circumstances indicate that the health or welfare
812 of the child or elderly person is threatened.

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

815 Section 17. Section 1000.01, Florida Statutes, is amended
816 to read:

817 1000.01 The Florida Early Learning-20 ~~K-20~~ education
818 system; technical provisions.—

819 (1) NAME.—Chapters 1000 through 1013 shall be known and
820 cited as the “Florida Early Learning-20 ~~K-20~~ Education Code.”

821 (2) LIBERAL CONSTRUCTION.—The provisions of the Florida
822 Early Learning-20 ~~K-20~~ Education Code shall be liberally
823 construed to the end that its objectives may be effected. It is
824 the legislative intent that if any section, subsection,
825 sentence, clause, or provision of the Florida Early Learning-20
826 ~~K-20~~ Education Code is held invalid, the remainder of the code
827 shall not be affected.

828 (3) PURPOSE.—The purpose of the Florida Early Learning-20
829 ~~K-20~~ Education Code is to provide by law for a state system of
830 schools, courses, classes, and educational institutions and
831 services adequate to allow, for all Florida’s students, the
832 opportunity to obtain a high quality education. The Florida
833 Early Learning-20 ~~K-20~~ education system is established to
834 accomplish this purpose; however, nothing in this code shall be
835 construed to require the provision of free public education
836 beyond grade 12.

837 (4) UNIFORM SYSTEM OF PUBLIC K-12 SCHOOLS INCLUDED.—As
838 required by s. 1, Art. IX of the State Constitution, the Florida
839 Early Learning-20 ~~K-20~~ education system shall include the



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840 uniform system of free public K-12 schools. These public K-12
841 schools shall provide 13 consecutive years of instruction,
842 beginning with kindergarten, and shall also provide such
843 instruction for students with disabilities, gifted students,
844 limited English proficient students, and students in Department
845 of Juvenile Justice programs as may be required by law. The
846 funds for support and maintenance of the uniform system of free
847 public K-12 schools shall be derived from state, district,
848 federal, and other lawful sources or combinations of sources,
849 including any fees charged nonresidents as provided by law.

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

852 1000.02 Policy and guiding principles for the Florida Early
853 Learning-20 ~~K-20~~ education system.—

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

856 (a) A coordinated, seamless system for early learning
857 ~~kindergarten~~ through graduate school education.

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

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

861 (d) A system that safeguards equity and supports academic
862 excellence.

863 (e) A system that provides for local operational
864 flexibility while promoting accountability for student
865 achievement and improvement.

866 Section 19. Section 1000.03, Florida Statutes, is amended
867 to read:

868 1000.03 Function, mission, and goals of the Florida Early



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869 Learning-20 ~~K-20~~ education system.-

870 (1) Florida's Early Learning-20 ~~K-20~~ education system shall
871 be a decentralized system without excess layers of bureaucracy.
872 Florida's Early Learning-20 ~~K-20~~ education system shall maintain
873 a systemwide technology plan based on a common set of data
874 definitions.

875 (2) (a) The Legislature shall establish education policy,
876 enact education laws, and appropriate and allocate education
877 resources.

878 (b) With the exception of matters relating to the State
879 University System, the State Board of Education shall oversee
880 the enforcement of all laws and rules, and the timely provision
881 of direction, resources, assistance, intervention when needed,
882 and strong incentives and disincentives to force accountability
883 for results.

884 (c) The Board of Governors shall oversee the enforcement of
885 all state university laws and rules and regulations and the
886 timely provision of direction, resources, assistance,
887 intervention when needed, and strong incentives and
888 disincentives to force accountability for results.

889 (3) Public education is a cooperative function of the state
890 and local educational authorities. The state retains
891 responsibility for establishing a system of public education
892 through laws, standards, and rules to assure efficient operation
893 of an Early Learning-20 ~~a K-20~~ system of public education and
894 adequate educational opportunities for all individuals. Local
895 educational authorities have a duty to fully and faithfully
896 comply with state laws, standards, and rules and to efficiently
897 use the resources available to them to assist the state in



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898 allowing adequate educational opportunities.

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

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

907 (a) *Learning and completion at all levels, including*
908 *increased high school graduation rate and readiness for*
909 *postsecondary education without remediation.*—All students
910 demonstrate increased learning and completion at all levels,
911 graduate from high school, and are prepared to enter
912 postsecondary education without remediation.

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

916 (c) *Civic literacy.*—Students are prepared to become
917 civically engaged and knowledgeable adults who make positive
918 contributions to their communities.

919 (d) *Alignment of standards and resources.*—Academic
920 standards for every level of the Early Learning-20 ~~K-20~~
921 education system are aligned, and education financial resources
922 are aligned with student performance expectations at each level
923 of the Early Learning-20 ~~K-20~~ education system.

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



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927 (f) *Workforce education.*—Workforce education is
928 appropriately aligned with the skills required by the new global
929 economy.

930 (g) *Parental, student, family, educational institution, and*
931 *community involvement.*—Parents, students, families, educational
932 institutions, and communities are collaborative partners in
933 education, and each plays an important role in the success of
934 individual students. Therefore, the State of Florida cannot be
935 the guarantor of each individual student's success. The goals of
936 Florida's Early Learning-20 ~~K-20~~ education system are not
937 guarantees that each individual student will succeed or that
938 each individual school will perform at the level indicated in
939 the goals.

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

945 1. Career opportunities, educational requirements
946 associated with each career, educational institutions that
947 prepare students to enter each career, and student financial aid
948 available to pursue postsecondary instruction required to enter
949 each career.

950 2. How to make informed decisions about the program of
951 study that best addresses the students' interests and abilities
952 while preparing them to enter postsecondary education or the
953 workforce.

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



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

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

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

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

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

(3) ~~(2)~~ PUBLIC POSTSECONDARY EDUCATIONAL INSTITUTIONS.— Public postsecondary educational institutions include workforce education; Florida College System institutions; state



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985 universities; and all other state-supported postsecondary
986 educational institutions that are authorized and established by
987 law.

988 (4)~~(3)~~ FLORIDA SCHOOL FOR THE DEAF AND THE BLIND.—The
989 Florida School for the Deaf and the Blind is a component of the
990 delivery of public education within Florida's Early Learning-20
991 ~~K-20~~ education system.

992 (5)~~(4)~~ THE FLORIDA VIRTUAL SCHOOL.—The Florida Virtual
993 School is a component of the delivery of public education within
994 Florida's Early Learning-20 ~~K-20~~ education system.

995 Section 21. Section 1000.21, Florida Statutes, is amended
996 to read:

997 1000.21 Systemwide definitions.—As used in the Florida
998 Early Learning-20 ~~K-20~~ Education Code:

999 (1) "Articulation" is the systematic coordination that
1000 provides the means by which students proceed toward their
1001 educational objectives in as rapid and student-friendly manner
1002 as their circumstances permit, from grade level to grade level,
1003 from elementary to middle to high school, to and through
1004 postsecondary education, and when transferring from one
1005 educational institution or program to another.

1006 (2) "Commissioner" is the Commissioner of Education.

1007 (3) "Florida College System institution" except as
1008 otherwise specifically provided, includes all of the following
1009 public postsecondary educational institutions in the Florida
1010 College System and any branch campuses, centers, or other
1011 affiliates of the institution:

1012 (a) Eastern Florida State College, which serves Brevard
1013 County.



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- 1014 (b) Broward College, which serves Broward County.
- 1015 (c) College of Central Florida, which serves Citrus, Levy,
1016 and Marion Counties.
- 1017 (d) Chipola College, which serves Calhoun, Holmes, Jackson,
1018 Liberty, and Washington Counties.
- 1019 (e) Daytona State College, which serves Flagler and Volusia
1020 Counties.
- 1021 (f) Florida SouthWestern State College, which serves
1022 Charlotte, Collier, Glades, Hendry, and Lee Counties.
- 1023 (g) Florida State College at Jacksonville, which serves
1024 Duval and Nassau Counties.
- 1025 (h) The College of the Florida Keys, which serves Monroe
1026 County.
- 1027 (i) Gulf Coast State College, which serves Bay, Franklin,
1028 and Gulf Counties.
- 1029 (j) Hillsborough Community College, which serves
1030 Hillsborough County.
- 1031 (k) Indian River State College, which serves Indian River,
1032 Martin, Okeechobee, and St. Lucie Counties.
- 1033 (l) Florida Gateway College, which serves Baker, Columbia,
1034 Dixie, Gilchrist, and Union Counties.
- 1035 (m) Lake-Sumter State College, which serves Lake and Sumter
1036 Counties.
- 1037 (n) State College of Florida, Manatee-Sarasota, which
1038 serves Manatee and Sarasota Counties.
- 1039 (o) Miami Dade College, which serves Miami-Dade County.
- 1040 (p) North Florida College, which serves Hamilton,
1041 Jefferson, Lafayette, Madison, Suwannee, and Taylor Counties.
- 1042 (q) Northwest Florida State College, which serves Okaloosa



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- 1043 and Walton Counties.
- 1044 (r) Palm Beach State College, which serves Palm Beach
- 1045 County.
- 1046 (s) Pasco-Hernando State College, which serves Hernando and
- 1047 Pasco Counties.
- 1048 (t) Pensacola State College, which serves Escambia and
- 1049 Santa Rosa Counties.
- 1050 (u) Polk State College, which serves Polk County.
- 1051 (v) St. Johns River State College, which serves Clay,
- 1052 Putnam, and St. Johns Counties.
- 1053 (w) St. Petersburg College, which serves Pinellas County.
- 1054 (x) Santa Fe College, which serves Alachua and Bradford
- 1055 Counties.
- 1056 (y) Seminole State College of Florida, which serves
- 1057 Seminole County.
- 1058 (z) South Florida State College, which serves DeSoto,
- 1059 Hardee, and Highlands Counties.
- 1060 (aa) Tallahassee Community College, which serves Gadsden,
- 1061 Leon, and Wakulla Counties.
- 1062 (bb) Valencia College, which serves Orange and Osceola
- 1063 Counties.
- 1064 (4) "Department" is the Department of Education.
- 1065 (5) "Parent" is either or both parents of a student, any
- 1066 guardian of a student, any person in a parental relationship to
- 1067 a student, or any person exercising supervisory authority over a
- 1068 student in place of the parent.
- 1069 (6) "State university," except as otherwise specifically
- 1070 provided, includes the following institutions and any branch
- 1071 campuses, centers, or other affiliates of the institution:



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- 1072 (a) The University of Florida.
- 1073 (b) The Florida State University.
- 1074 (c) The Florida Agricultural and Mechanical University.
- 1075 (d) The University of South Florida.
- 1076 (e) The Florida Atlantic University.
- 1077 (f) The University of West Florida.
- 1078 (g) The University of Central Florida.
- 1079 (h) The University of North Florida.
- 1080 (i) The Florida International University.
- 1081 (j) The Florida Gulf Coast University.
- 1082 (k) New College of Florida.
- 1083 (l) The Florida Polytechnic University.
- 1084 (7) "Next Generation Sunshine State Standards" means the
- 1085 state's public K-12 curricular standards adopted under s.
- 1086 1003.41.
- 1087 (8) "Board of Governors" is the Board of Governors of the
- 1088 State University System.
- 1089 Section 22. Subsection (1) and paragraphs (e) and (s) of
- 1090 subsection (2) of section 1001.02, Florida Statutes, are amended
- 1091 to read:
- 1092 1001.02 General powers of State Board of Education.—
- 1093 (1) The State Board of Education is the chief implementing
- 1094 and coordinating body of public education in Florida except for
- 1095 the State University System, and it shall focus on high-level
- 1096 policy decisions. It has authority to adopt rules pursuant to
- 1097 ss. 120.536(1) and 120.54 to implement the provisions of law
- 1098 conferring duties upon it for the improvement of the state
- 1099 system of Early Learning-20 ~~K-20~~ public education except for the
- 1100 State University System. Except as otherwise provided herein, it



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1101 may, as it finds appropriate, delegate its general powers to the
1102 Commissioner of Education or the directors of the divisions of
1103 the department.

1104 (2) The State Board of Education has the following duties:

1105 (e) To adopt and submit to the Governor and Legislature, as
1106 provided in s. 216.023, a coordinated Early Learning-20 ~~K-20~~
1107 education budget that estimates the expenditure requirements for
1108 the Board of Governors, as provided in s. 1001.706, the State
1109 Board of Education, including the Department of Education and
1110 the Commissioner of Education, and all of the boards,
1111 institutions, agencies, and services under the general
1112 supervision of the Board of Governors, as provided in s.
1113 1001.706, or the State Board of Education for the ensuing fiscal
1114 year. The State Board of Education may not amend the budget
1115 request submitted by the Board of Governors. Any program
1116 recommended by the Board of Governors or the State Board of
1117 Education which will require increases in state funding for more
1118 than 1 year must be presented in a multiyear budget plan.

1119 (s) To establish a detailed procedure for the
1120 implementation and operation of a systemwide ~~K-20~~ technology
1121 plan that is based on a common set of data definitions.

1122 Section 23. Subsections (8) and (9) of section 1001.03,
1123 Florida Statutes, are amended to read:

1124 1001.03 Specific powers of State Board of Education.—

1125 (8) SYSTEMWIDE ENFORCEMENT.—The State Board of Education
1126 shall enforce compliance with law and state board rule by all
1127 school districts, early learning coalitions, and public
1128 postsecondary educational institutions, except for the State
1129 University System, in accordance with the provisions of s.



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1130 1008.32.

1131 (9) MANAGEMENT INFORMATION DATABASES.—The State Board of
1132 Education, in conjunction with the Board of Governors regarding
1133 the State University System, shall continue to collect and
1134 maintain, at a minimum, the management information databases for
1135 state universities, and all other components of the public Early
1136 Learning-20 ~~K-20~~ education system as such databases existed on
1137 June 30, 2002.

1138 Section 24. Subsection (1), paragraphs (g), (k), and (l) of
1139 subsection (6), and subsection (8) of section 1001.10, Florida
1140 Statutes, are amended to read:

1141 1001.10 Commissioner of Education; general powers and
1142 duties.—

1143 (1) The Commissioner of Education is the chief educational
1144 officer of the state and the sole custodian of the educational
1145 ~~K-20~~ data warehouse, and is responsible for giving full
1146 assistance to the State Board of Education in enforcing
1147 compliance with the mission and goals of the Early Learning ~~K-20~~
1148 education system, except for the State University System.

1149 (6) Additionally, the commissioner has the following
1150 general powers and duties:

1151 (g) To submit to the State Board of Education, on or before
1152 October 1 of each year, recommendations for a coordinated Early
1153 Learning-20 ~~K-20~~ education budget that estimates the
1154 expenditures for the Board of Governors, the State Board of
1155 Education, including the Department of Education and the
1156 Commissioner of Education, and all of the boards, institutions,
1157 agencies, and services under the general supervision of the
1158 Board of Governors or the State Board of Education for the



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1159 ensuing fiscal year. Any program recommended to the State Board
1160 of Education that will require increases in state funding for
1161 more than 1 year must be presented in a multiyear budget plan.

1162 (k) To prepare, publish, and disseminate user-friendly
1163 materials relating to the state's education system, including
1164 the state's K-12 scholarship programs, the school readiness
1165 program, and the Voluntary Prekindergarten Education Program.

1166 (l) To prepare and publish annually reports giving
1167 statistics and other useful information pertaining to the
1168 state's K-12 scholarship programs, the school readiness program,
1169 and the Voluntary Prekindergarten Education Program.

1170 (8) In the event of an emergency situation, the
1171 commissioner may coordinate through the most appropriate means
1172 of communication with early learning coalitions, local school
1173 districts, Florida College System institutions, and satellite
1174 offices of the Division of Blind Services and the Division of
1175 Vocational Rehabilitation to assess the need for resources and
1176 assistance to enable each school, institution, or satellite
1177 office the ability to reopen as soon as possible after
1178 considering the health, safety, and welfare of students and
1179 clients.

1180 Section 25. Paragraph (b) of subsection (1) and subsection
1181 (4) of section 1001.11, Florida Statutes, are amended to read:

1182 1001.11 Commissioner of Education; other duties.—

1183 (1) The Commissioner of Education must independently
1184 perform the following duties:

1185 (b) Serve as the primary source of information to the
1186 Legislature, including the President of the Senate and the
1187 Speaker of the House of Representatives, concerning the State



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1188 Board of Education, the Early Learning-20 ~~K-20~~ education system,
1189 and early learning programs.

1190 (4) The commissioner shall develop and implement an
1191 integrated Early Learning-20 ~~K-20~~ information system for
1192 educational management in accordance with the requirements of
1193 chapter 1008.

1194 Section 26. Section 1001.213, Florida Statutes, is
1195 repealed.

1196 Section 27. Subsection (7) of section 1001.215, Florida
1197 Statutes, is amended to read:

1198 1001.215 Just Read, Florida! Office.—There is created in
1199 the Department of Education the Just Read, Florida! Office. The
1200 office is fully accountable to the Commissioner of Education and
1201 shall:

1202 (7) Review, evaluate, and provide technical assistance to
1203 school districts' implementation of the ~~K-12~~ comprehensive
1204 reading plan required in s. 1011.62(9).

1205 Section 28. Subsection (1) of section 1001.23, Florida
1206 Statutes, is amended to read:

1207 1001.23 Specific powers and duties of the Department of
1208 Education.—In addition to all other duties assigned to it by law
1209 or by rule of the State Board of Education, the department
1210 shall:

1211 ~~(1) Adopt the statewide kindergarten screening in~~
1212 ~~accordance with s. 1002.69.~~

1213 Section 29. Subsection (3) of section 1001.70, Florida
1214 Statutes, is amended to read:

1215 1001.70 Board of Governors of the State University System.—

1216 (3) The Board of Governors, in exercising its authority



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1217 under the State Constitution and statutes, shall exercise its
1218 authority in a manner that supports, promotes, and enhances an
1219 Early Learning-20 ~~a K-20~~ education system that provides
1220 affordable access to postsecondary educational opportunities for
1221 residents of the state to the extent authorized by the State
1222 Constitution and state law.

1223 Section 30. Paragraph (b) of subsection (4) of section
1224 1001.706, Florida Statutes, is amended to read:

1225 1001.706 Powers and duties of the Board of Governors.—

1226 (4) POWERS AND DUTIES RELATING TO FINANCE.—

1227 (b) The Board of Governors shall prepare the legislative
1228 budget requests for the State University System, including a
1229 request for fixed capital outlay, and submit them to the State
1230 Board of Education for inclusion in the Early Learning-20 ~~K-20~~
1231 legislative budget request. The Board of Governors shall provide
1232 the state universities with fiscal policy guidelines, formats,
1233 and instruction for the development of individual university
1234 budget requests.

1235 Section 31. Paragraph (b) of subsection (1) of section
1236 1002.22, Florida Statutes, is amended to read:

1237 1002.22 Education records and reports of K-12 students;
1238 rights of parents and students; notification; penalty.—

1239 (1) DEFINITIONS.—As used in this section, the term:

1240 (b) "Institution" means any public school, center,
1241 institution, or other entity that is part of Florida's education
1242 system under s. 1000.04(2), (4), and (5) ~~s. 1000.04(1), (3), and~~
1243 ~~(4)~~.

1244 Section 32. Subsections (3) and (10) of section 1002.32,
1245 Florida Statutes, are amended to read:



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1246 1002.32 Developmental research (laboratory) schools.-
1247 (3) MISSION.—The mission of a lab school shall be the
1248 provision of a vehicle for the conduct of research,
1249 demonstration, and evaluation regarding management, teaching,
1250 and learning. Programs to achieve the mission of a lab school
1251 shall embody the goals and standards established pursuant to ss.
1252 1000.03(5) and 1001.23(1) ~~1001.23(2)~~ and shall ensure an
1253 appropriate education for its students.

1254 (a) Each lab school shall emphasize mathematics, science,
1255 computer science, and foreign languages. The primary goal of a
1256 lab school is to enhance instruction and research in such
1257 specialized subjects by using the resources available on a state
1258 university campus, while also providing an education in
1259 nonspecialized subjects. Each lab school shall provide
1260 sequential elementary and secondary instruction where
1261 appropriate. A lab school may not provide instruction at grade
1262 levels higher than grade 12 without authorization from the State
1263 Board of Education. Each lab school shall develop and implement
1264 a school improvement plan pursuant to s. 1003.02(3).

1265 (b) Research, demonstration, and evaluation conducted at a
1266 lab school may be generated by the college of education and
1267 other colleges within the university with which the school is
1268 affiliated.

1269 (c) Research, demonstration, and evaluation conducted at a
1270 lab school may be generated by the State Board of Education.
1271 Such research shall respond to the needs of the education
1272 community at large, rather than the specific needs of the
1273 affiliated college.

1274 (d) Research, demonstration, and evaluation conducted at a



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1275 lab school may consist of pilot projects to be generated by the
1276 affiliated college, the State Board of Education, or the
1277 Legislature.

1278 (e) The exceptional education programs offered at a lab
1279 school shall be determined by the research and evaluation goals
1280 and the availability of students for efficiently sized programs.
1281 The fact that a lab school offers an exceptional education
1282 program in no way lessens the general responsibility of the
1283 local school district to provide exceptional education programs.

1284 (10) EXCEPTIONS TO LAW.—To encourage innovative practices
1285 and facilitate the mission of the lab schools, in addition to
1286 the exceptions to law specified in s. 1001.23(1) ~~s. 1001.23(2)~~,
1287 the following exceptions shall be permitted for lab schools:

1288 (a) The methods and requirements of the following statutes
1289 shall be held in abeyance: ss. 316.75; 1001.30; 1001.31;
1290 1001.32; 1001.33; 1001.34; 1001.35; 1001.36; 1001.361; 1001.362;
1291 1001.363; 1001.37; 1001.371; 1001.372; 1001.38; 1001.39;
1292 1001.395; 1001.40; 1001.41; 1001.44; 1001.453; 1001.46;
1293 1001.461; 1001.462; 1001.463; 1001.464; 1001.47; 1001.48;
1294 1001.49; 1001.50; 1001.51; 1006.12(2); 1006.21(3), (4); 1006.23;
1295 1010.07(2); 1010.40; 1010.41; 1010.42; 1010.43; 1010.44;
1296 1010.45; 1010.46; 1010.47; 1010.48; 1010.49; 1010.50; 1010.51;
1297 1010.52; 1010.53; 1010.54; 1010.55; 1011.02(1)-(3), (5);
1298 1011.04; 1011.20; 1011.21; 1011.22; 1011.23; 1011.71; 1011.72;
1299 1011.73; and 1011.74.

1300 (b) With the exception of s. 1001.42(18), s. 1001.42 shall
1301 be held in abeyance. Reference to district school boards in s.
1302 1001.42(18) shall mean the president of the university or the
1303 president's designee.



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1304 Section 33. Paragraph (b) of subsection (10) of section
1305 1002.34, Florida Statutes, is amended to read:

1306 1002.34 Charter technical career centers.—

1307 (10) EXEMPTION FROM STATUTES.—

1308 (b) A center must comply with the Florida Early Learning-20
1309 ~~K-20~~ Education Code with respect to providing services to
1310 students with disabilities.

1311 Section 34. Subsection (1) of section 1002.36, Florida
1312 Statutes, is amended to read:

1313 1002.36 Florida School for the Deaf and the Blind.—

1314 (1) RESPONSIBILITIES.—The Florida School for the Deaf and
1315 the Blind, located in St. Johns County, is a state-supported
1316 residential public school for hearing-impaired and visually
1317 impaired students in preschool through 12th grade. The school is
1318 a component of the delivery of public education within Florida's
1319 Early Learning-20 ~~K-20~~ education system and shall be funded
1320 through the Department of Education. The school shall provide
1321 educational programs and support services appropriate to meet
1322 the education and related evaluation and counseling needs of
1323 hearing-impaired and visually impaired students in the state who
1324 meet enrollment criteria. Unless otherwise provided by law, the
1325 school shall comply with all laws and rules applicable to state
1326 agencies. Education services may be provided on an outreach
1327 basis for sensory-impaired children ages 0 through 5 years and
1328 to district school boards upon request. Graduates of the Florida
1329 School for the Deaf and the Blind shall be eligible for the
1330 William L. Boyd, IV, Effective Access to Student Education Grant
1331 Program as provided in s. 1009.89.

1332 Section 35. Paragraph (b) of subsection (4) and subsection



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1333 (5) of section 1002.53, Florida Statutes, are amended, and
1334 paragraph (d) is added to subsection (6), to read:

1335 1002.53 Voluntary Prekindergarten Education Program;
1336 eligibility and enrollment.-

1337 (4)

1338 (b) The application must be submitted on forms prescribed
1339 by the department ~~Office of Early Learning~~ and must be
1340 accompanied by a certified copy of the child's birth
1341 certificate. The forms must include a certification, in
1342 substantially the form provided in s. 1002.71(6)(b)2., that the
1343 parent chooses the private prekindergarten provider or public
1344 school in accordance with this section and directs that payments
1345 for the program be made to the provider or school. The
1346 department ~~Office of Early Learning~~ may authorize alternative
1347 methods for submitting proof of the child's age in lieu of a
1348 certified copy of the child's birth certificate.

1349 (5) The early learning coalition shall provide each parent
1350 enrolling a child in the Voluntary Prekindergarten Education
1351 Program with a profile of every private prekindergarten provider
1352 and public school delivering the program within the county where
1353 the child is being enrolled. The profiles shall be provided to
1354 parents in a format prescribed by the department in accordance
1355 with s. 1002.92(3) ~~Office of Early Learning~~. ~~The profiles must~~
1356 ~~include, at a minimum, the following information about each~~
1357 ~~provider and school:~~

1358 ~~(a) The provider's or school's services, curriculum,~~
1359 ~~instructor credentials, and instructor-to-student ratio; and~~

1360 ~~(b) The provider's or school's kindergarten readiness rate~~
1361 ~~calculated in accordance with s. 1002.69, based upon the most~~



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1362 ~~recent available results of the statewide kindergarten~~
1363 ~~screening.~~

1364 (6)

1365 (d) Each parent who enrolls his or her child in the
1366 Voluntary Prekindergarten Education Program must allow his or
1367 her child to participate in the coordinated screening and
1368 progress monitoring program under s. 1008.2125.

1369 Section 36. Paragraphs (a), (b), (c), (e), (g), (h), (i),
1370 (j), and (l) of subsection (3), subsection (4), and paragraph
1371 (b) of subsection (5) of section 1002.55, Florida Statutes, are
1372 amended, and subsection (6) is added to that section, to read:

1373 1002.55 School-year prekindergarten program delivered by
1374 private prekindergarten providers.—

1375 (3) To be eligible to deliver the prekindergarten program,
1376 a private prekindergarten provider must meet each of the
1377 following requirements:

1378 (a) The private prekindergarten provider must be a child
1379 care facility licensed under s. 402.305, family day care home
1380 licensed under s. 402.313, large family child care home licensed
1381 under s. 402.3131, nonpublic school exempt from licensure under
1382 s. 402.3025(2), ~~or~~ faith-based child care provider exempt from
1383 licensure under s. 402.316, child development program that is
1384 accredited by a national accrediting body and operates on a
1385 military installation that is certified by the United States
1386 Department of Defense, or private prekindergarten provider that
1387 has been issued a provisional license under s. 402.309. A
1388 private prekindergarten provider may not deliver the program
1389 while holding a probation-status license under s. 402.310.

1390 (b) The private prekindergarten provider must:



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1391 1. Be accredited by an accrediting association that is a
1392 member of the National Council for Private School Accreditation,
1393 or the Florida Association of Academic Nonpublic Schools, or be
1394 accredited by the Southern Association of Colleges and Schools,
1395 or Western Association of Colleges and Schools, or North Central
1396 Association of Colleges and Schools, or Middle States
1397 Association of Colleges and Schools, or New England Association
1398 of Colleges and Schools; and have written accreditation
1399 standards that meet or exceed the state's licensing requirements
1400 under s. 402.305, s. 402.313, or s. 402.3131 and require at
1401 least one onsite visit to the provider or school before
1402 accreditation is granted;

1403 2. Hold a current Gold Seal Quality Care designation under
1404 s. 1002.945 ~~s. 402.281~~; or

1405 3. Be licensed under s. 402.305, s. 402.313, or s. 402.3131
1406 and demonstrate, before delivering the Voluntary Prekindergarten
1407 Education Program, as verified by the early learning coalition,
1408 that the provider meets each of the requirements of the program
1409 under this part, including, but not limited to, the requirements
1410 for credentials and background screenings of prekindergarten
1411 instructors under paragraphs (c) and (d), minimum and maximum
1412 class sizes under paragraph (f), prekindergarten director
1413 credentials under paragraph (g), and a developmentally
1414 appropriate curriculum under s. 1002.67(2)(b).

1415 (c) The private prekindergarten provider must have, for
1416 each prekindergarten class of 11 children or fewer, at least one
1417 prekindergarten instructor who meets each of the following
1418 requirements:

1419 1. The prekindergarten instructor must hold, at a minimum,



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1420 one of the following credentials:

1421 a. A child development associate credential issued by the
1422 National Credentialing Program of the Council for Professional
1423 Recognition; or

1424 b. A credential approved by the Department of Children and
1425 Families as being equivalent to or greater than the credential
1426 described in sub-subparagraph a.

1427
1428 The Department of Children and Families may adopt rules under
1429 ss. 120.536(1) and 120.54 which provide criteria and procedures
1430 for approving equivalent credentials under sub-subparagraph b.

1431 2. The prekindergarten instructor must successfully
1432 complete at least three ~~an~~ emergent literacy training courses
1433 that include developmentally appropriate and experiential
1434 learning practices for children ~~course~~ and a student performance
1435 standards training course approved by the department ~~office~~ as
1436 meeting or exceeding the minimum standards adopted under s.
1437 1002.59. The requirement for completion of the standards
1438 training course shall take effect July 1, 2021 ~~2014~~, and be
1439 recognized as part of the informal early learning career pathway
1440 identified by the department under s. 1002.995(1)(b). ~~Such and~~
1441 ~~the~~ course shall be available online or in person.

1442 (e) A private prekindergarten provider may assign a
1443 substitute instructor to temporarily replace a credentialed
1444 instructor if the credentialed instructor assigned to a
1445 prekindergarten class is absent, as long as the substitute
1446 instructor is of good moral character and has been screened
1447 before employment in accordance with level 2 background
1448 screening requirements in chapter 435. The department ~~Office of~~



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1449 ~~Early Learning~~ shall adopt rules to implement this paragraph
1450 which shall include required qualifications of substitute
1451 instructors and the circumstances and time limits for which a
1452 private prekindergarten provider may assign a substitute
1453 instructor.

1454 (g) The private prekindergarten provider must have a
1455 prekindergarten director who has a prekindergarten director
1456 credential that is approved by the department ~~office~~ as meeting
1457 or exceeding the minimum standards adopted under s. 1002.57. A
1458 private school administrator who holds a valid certificate in
1459 educational leadership issued by the department satisfies the
1460 requirement for a prekindergarten director credential under s.
1461 1002.57 ~~Successful completion of a child care facility director~~
1462 ~~credential under s. 402.305(2)(g) before the establishment of~~
1463 ~~the prekindergarten director credential under s. 1002.57 or July~~
1464 ~~1, 2006, whichever occurs later, satisfies the requirement for a~~
1465 ~~prekindergarten director credential under this paragraph.~~

1466 (h) The private prekindergarten provider must register with
1467 the early learning coalition on forms prescribed by the
1468 department ~~Office of Early Learning~~.

1469 (i) The private prekindergarten provider must execute the
1470 statewide provider contract prescribed under s. 1002.73 ~~s.~~
1471 ~~1002.75~~, except that an individual who owns or operates multiple
1472 private prekindergarten sites ~~providers~~ within a coalition's
1473 service area may execute a single agreement with the coalition
1474 on behalf of each site ~~provider~~.

1475 (j) The private prekindergarten provider must maintain
1476 general liability insurance and provide the coalition with
1477 written evidence of general liability insurance coverage,



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1478 including coverage for transportation of children if
1479 prekindergarten students are transported by the provider. A
1480 provider must obtain and retain an insurance policy that
1481 provides a minimum of \$100,000 of coverage per occurrence and a
1482 minimum of \$300,000 general aggregate coverage. The department
1483 ~~office~~ may authorize lower limits upon request, as appropriate.
1484 A provider must add the coalition as a named certificateholder
1485 and as an additional insured. A provider must provide the
1486 coalition with a minimum of 10 calendar days' advance written
1487 notice of cancellation of or changes to coverage. The general
1488 liability insurance required by this paragraph must remain in
1489 full force and effect for the entire period of the provider
1490 contract with the coalition.

1491 (1) Notwithstanding paragraph (j), for a private
1492 prekindergarten provider that is a state agency or a subdivision
1493 thereof, as defined in s. 768.28(2), the provider must agree to
1494 notify the coalition of any additional liability coverage
1495 maintained by the provider in addition to that otherwise
1496 established under s. 768.28. The provider shall indemnify the
1497 coalition to the extent permitted by s. 768.28. Notwithstanding
1498 paragraph (j), for a child development program that is
1499 accredited by a national accrediting body and operates on a
1500 military installation that is certified by the United States
1501 Department of Defense, the provider may demonstrate liability
1502 coverage by affirming that it is subject to the Federal Tort
1503 Claims Act, 28 U.S.C. s. 2671 et seq.

1504 (4) A prekindergarten instructor, in lieu of the minimum
1505 credentials ~~and courses~~ required under paragraph (3)(c), may
1506 hold one of the following educational credentials:



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1507 (a) A bachelor's or higher degree in early childhood
1508 education, prekindergarten or primary education, preschool
1509 education, or family and consumer science;

1510 (b) A bachelor's or higher degree in elementary education,
1511 if the prekindergarten instructor has been certified to teach
1512 children any age from birth through 6th grade, regardless of
1513 whether the instructor's educator certificate is current, and if
1514 the instructor is not ineligible to teach in a public school
1515 because his or her educator certificate is suspended or revoked;

1516 (c) An associate's or higher degree in child development;

1517 (d) An associate's or higher degree in an unrelated field,
1518 at least 6 credit hours in early childhood education or child
1519 development, and at least 480 hours of experience in teaching or
1520 providing child care services for children any age from birth
1521 through 8 years of age; or

1522 (e) An educational credential approved by the department as
1523 being equivalent to or greater than an educational credential
1524 described in this subsection. The department may adopt criteria
1525 and procedures for approving equivalent educational credentials
1526 under this paragraph.

1527 (5)

1528 (b) Notwithstanding any other ~~provision of~~ law, if a
1529 private prekindergarten provider has been cited for a class I
1530 violation, as defined by rule of the Child Care Services Program
1531 Office of the Department of Children and Families, the coalition
1532 may refuse to contract with the provider.

1533 (6) Each early learning coalition must verify that each
1534 private prekindergarten provider delivering the Voluntary
1535 Prekindergarten Education Program within the coalition's county



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1536 or multicounty region complies with this part. If a private
1537 prekindergarten provider fails or refuses to comply with this
1538 part or engages in misconduct, the department shall require the
1539 early learning coalition to remove the provider from eligibility
1540 to deliver the program and receive state funds under this part
1541 for a period of at least 2 years but no more than 5 years.

1542 Section 37. Subsections (1) and (2) of section 1002.57,
1543 Florida Statutes, is amended to read:

1544 1002.57 Prekindergarten director credential.—

1545 (1) The department office, in consultation with the
1546 Department of Children and Families, shall adopt minimum
1547 standards for a credential for prekindergarten directors of
1548 private prekindergarten providers delivering the Voluntary
1549 Prekindergarten Education Program. The credential must encompass
1550 requirements for education and onsite experience.

1551 (2) The educational requirements must include training in
1552 the following:

1553 (a) Professionally accepted standards for prekindergarten
1554 programs, early learning, and strategies and techniques to
1555 address the age-appropriate progress of prekindergarten students
1556 in attaining the performance standards adopted by the department
1557 under s. 1002.67;

1558 (b) Implementation of curriculum and usage of student-level
1559 data to inform the delivery of instruction;

1560 (c) ~~(b)~~ Strategies that allow students with disabilities and
1561 other special needs to derive maximum benefit from the Voluntary
1562 Prekindergarten Education Program; and

1563 (d) ~~(e)~~ Program administration and operations, including
1564 management, organizational leadership, and financial and legal



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1565 issues.

1566 Section 38. Section 1002.59, Florida Statutes, is amended
1567 to read:

1568 1002.59 Emergent literacy and performance standards
1569 training courses.—

1570 (1) The department ~~office~~ shall adopt minimum standards for
1571 ~~one or more training~~ courses in emergent literacy for
1572 prekindergarten instructors. Each course must comprise 5 clock
1573 hours and provide instruction in strategies and techniques to
1574 address the age-appropriate progress of prekindergarten students
1575 in developing emergent literacy skills, including oral
1576 communication, knowledge of print and letters, phonemic and
1577 phonological awareness, and vocabulary and comprehension
1578 development. Each course must also provide resources containing
1579 strategies that allow students with disabilities and other
1580 special needs to derive maximum benefit from the Voluntary
1581 Prekindergarten Education Program. Successful completion of an
1582 emergent literacy training course approved under this section
1583 satisfies requirements for approved training in early literacy
1584 and language development under ss. 402.305(2)(e)5., 402.313(6),
1585 and 402.3131(5).

1586 (2) The department ~~office~~ shall adopt minimum standards for
1587 ~~one or more training~~ courses on the performance standards
1588 adopted under s. 1002.67(1). Each course must be comprised of
1589 ~~comprise~~ at least 3 clock hours, provide instruction in
1590 strategies and techniques to address age-appropriate progress of
1591 each child in attaining the standards, and be available online.

1592 (3) The department shall make available online professional
1593 development and training courses comprised of at least 8 clock



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1594 hours that support prekindergarten instructors in increasing the
1595 competency of teacher-child interactions.

1596 Section 39. Present subsections (6) through (8) of section
1597 1002.61, Florida Statutes, are redesignated as subsections (7)
1598 through (9), respectively, new subsection (6) and subsection
1599 (10) are added to that section, and paragraph (b) of subsection
1600 (1), paragraph (b) of subsection (3), subsection (4), and
1601 present subsections (6) and (8) are amended, to read:

1602 1002.61 Summer prekindergarten program delivered by public
1603 schools and private prekindergarten providers.—

1604 (1)

1605 (b) Each early learning coalition shall administer the
1606 Voluntary Prekindergarten Education Program at the county or
1607 regional level for students enrolled under s. 1002.53(3)(b) in a
1608 summer prekindergarten program delivered by a private
1609 prekindergarten provider. A child development program that is
1610 accredited by a national accrediting body and operates on a
1611 military installation that is certified by the United States
1612 Department of Defense may administer the summer prekindergarten
1613 program as a private prekindergarten provider.

1614 (3)

1615 (b) Each public school delivering the summer
1616 prekindergarten program must execute the statewide provider
1617 contract prescribed under s. 1002.73 ~~s. 1002.75~~, except that the
1618 school district may execute a single agreement with the early
1619 learning coalition on behalf of all district schools.

1620 (4) Notwithstanding ss. 1002.55(3)(c)1. and 1002.63(4),
1621 each public school and private prekindergarten provider must
1622 have, for each prekindergarten class, at least one



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1623 prekindergarten instructor who is a certified teacher or holds
1624 one of the educational credentials specified in s. 1002.55(4) (a)
1625 or (b). As used in this subsection, the term "certified teacher"
1626 means a teacher holding a valid Florida educator certificate
1627 under s. 1012.56 who has the qualifications required by the
1628 district school board to instruct students in the summer
1629 prekindergarten program. In selecting instructional staff for
1630 the summer prekindergarten program, each school district shall
1631 give priority to teachers who have experience or coursework in
1632 early childhood education and have completed emergent literacy
1633 and performance standards courses, as defined in s.

1634 1002.55(3)(c)2.

1635 (6) A child development program that is accredited by a
1636 national accrediting body and operates on a military
1637 installation that is certified by the United States Department
1638 of Defense shall comply with the requirements of a private
1639 prekindergarten provider in this section.

1640 (7)~~(6)~~ A public school or private prekindergarten provider
1641 may assign a substitute instructor to temporarily replace a
1642 credentialed instructor if the credentialed instructor assigned
1643 to a prekindergarten class is absent, as long as the substitute
1644 instructor is of good moral character and has been screened
1645 before employment in accordance with level 2 background
1646 screening requirements in chapter 435. This subsection does not
1647 supersede employment requirements for instructional personnel in
1648 public schools which are more stringent than the requirements of
1649 this subsection. The department ~~Office of Early Learning~~ shall
1650 adopt rules to implement this subsection which shall include
1651 required qualifications of substitute instructors and the



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1652 circumstances and time limits for which a public school or
1653 private prekindergarten provider may assign a substitute
1654 instructor.

1655 (9)(8) Each public school delivering the summer
1656 prekindergarten program must also register with the early
1657 learning coalition on forms prescribed by the department Office
1658 of Early Learning and deliver the Voluntary Prekindergarten
1659 Education Program in accordance with this part.

1660 (10) (a) Each early learning coalition shall verify that
1661 each private prekindergarten provider and public school
1662 delivering the Voluntary Prekindergarten Education Program
1663 within the coalition's county or multicounty region complies
1664 with this part.

1665 (b) If a private prekindergarten provider or public school
1666 fails or refuses to comply with this part or engages in
1667 misconduct, the department shall require the early learning
1668 coalition to remove the provider or school from eligibility to
1669 deliver the Voluntary Prekindergarten Education Program and
1670 receive state funds under this part for a period of at least 2
1671 years but no more than 5 years.

1672 Section 40. Paragraph (b) of subsection (3) and subsections
1673 (6) and (8) of section 1002.63, Florida Statutes, are amended,
1674 and subsection (9) is added to that section, to read:

1675 1002.63 School-year prekindergarten program delivered by
1676 public schools.—

1677 (3)

1678 (b) Each public school delivering the school-year
1679 prekindergarten program must execute the statewide provider
1680 contract prescribed under s. 1002.73 ~~s. 1002.75~~, except that the



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1681 school district may execute a single agreement with the early
1682 learning coalition on behalf of all district schools.

1683 (6) A public school prekindergarten provider may assign a
1684 substitute instructor to temporarily replace a credentialed
1685 instructor if the credentialed instructor assigned to a
1686 prekindergarten class is absent, as long as the substitute
1687 instructor is of good moral character and has been screened
1688 before employment in accordance with level 2 background
1689 screening requirements in chapter 435. This subsection does not
1690 supersede employment requirements for instructional personnel in
1691 public schools which are more stringent than the requirements of
1692 this subsection. The department ~~Office of Early Learning~~ shall
1693 adopt rules to implement this subsection which shall include
1694 required qualifications of substitute instructors and the
1695 circumstances and time limits for which a public school
1696 prekindergarten provider may assign a substitute instructor.

1697 (8) Each public school delivering the school-year
1698 prekindergarten program must register with the early learning
1699 coalition on forms prescribed by the department ~~Office of Early~~
1700 ~~Learning~~ and deliver the Voluntary Prekindergarten Education
1701 Program in accordance with this part.

1702 (9) (a) Each early learning coalition shall verify that each
1703 public school delivering the Voluntary Prekindergarten Education
1704 Program within the coalition's service area complies with this
1705 part.

1706 (b) If a public school fails or refuses to comply with this
1707 part or engages in misconduct, the department shall require the
1708 early learning coalition to remove the school from eligibility
1709 to deliver the Voluntary Prekindergarten Education Program and



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1710 receive state funds under this part for a period of at least 2
1711 years but no more than 5 years.

1712 Section 41. Section 1002.67, Florida Statutes, is amended
1713 to read:

1714 1002.67 Performance standards ~~and~~ curricula ~~and~~
1715 ~~accountability.~~—

1716 (1) (a) The department office shall develop and adopt
1717 performance standards for students in the Voluntary
1718 Prekindergarten Education Program. The performance standards
1719 must address the age-appropriate progress of students in the
1720 development of:

1721 1. The capabilities, capacities, and skills required under
1722 s. 1(b), Art. IX of the State Constitution; ~~and~~

1723 2. Emergent literacy skills, including oral communication,
1724 knowledge of print and letters, phonemic and phonological
1725 awareness, and vocabulary and comprehension development; and

1726 3. Mathematical thinking and early math skills.

1727
1728 ~~By October 1, 2013, the office shall examine the existing~~
1729 ~~performance standards in the area of mathematical thinking and~~
1730 ~~develop a plan to make appropriate professional development and~~
1731 ~~training courses available to prekindergarten instructors.~~

1732 (b) At least every 3 years, the department office shall
1733 periodically review and, if necessary, revise the performance
1734 standards established under s. 1002.67 ~~for the statewide~~
1735 ~~kindergarten screening administered under s. 1002.69~~ and align
1736 the standards to the standards established by the state board
1737 for student performance on the statewide assessments
1738 administered pursuant to s. 1008.22.



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1739 (2) (a) Each private prekindergarten provider and public
1740 school may select or design the curriculum that the provider or
1741 school uses to implement the Voluntary Prekindergarten Education
1742 Program, except as otherwise required for a provider or school
1743 that is placed on probation under s. 1002.68 ~~paragraph (4) (c)~~.

1744 (b) Each private prekindergarten provider's and public
1745 school's curriculum must be developmentally appropriate and
1746 must:

1747 1. Be designed to prepare a student for early literacy and
1748 provide for instruction in early math skills;

1749 2. Enhance the age-appropriate progress of students in
1750 attaining the performance standards adopted by the department
1751 under subsection (1); and

1752 3. Support student learning gains through differentiated
1753 instruction that shall be measured by the coordinated screening
1754 and progress monitoring program under s. 1008.2125 ~~Prepare~~
1755 ~~students to be ready for kindergarten based upon the statewide~~
1756 ~~kindergarten screening administered under s. 1002.69.~~

1757 (c) The department office shall adopt procedures for the
1758 review and approval of ~~approve~~ curricula for use by private
1759 prekindergarten providers and public schools that are placed on
1760 probation under s. 1002.68 ~~paragraph (4) (c)~~. The department
1761 ~~office~~ shall administer the review and approval process and
1762 maintain a list of the curricula approved under this paragraph.
1763 Each approved curriculum must meet the requirements of paragraph
1764 (b).

1765 ~~(3) (a) Contingent upon legislative appropriation, each~~
1766 ~~private prekindergarten provider and public school in the~~
1767 ~~Voluntary Prekindergarten Education Program must implement an~~



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1768 ~~evidence-based pre- and post-assessment that has been approved~~
1769 ~~by rule of the State Board of Education.~~

1770 ~~(b) In order to be approved, the assessment must be valid,~~
1771 ~~reliable, developmentally appropriate, and designed to measure~~
1772 ~~student progress on domains which must include, but are not~~
1773 ~~limited to, early literacy, numeracy, and language.~~

1774 ~~(c) The pre- and post-assessment must be administered by~~
1775 ~~individuals meeting requirements established by rule of the~~
1776 ~~State Board of Education.~~

1777 ~~(4)(a) Each early learning coalition shall verify that each~~
1778 ~~private prekindergarten provider delivering the Voluntary~~
1779 ~~Prekindergarten Education Program within the coalition's county~~
1780 ~~or multicounty region complies with this part. Each district~~
1781 ~~school board shall verify that each public school delivering the~~
1782 ~~program within the school district complies with this part.~~

1783 ~~(b) If a private prekindergarten provider or public school~~
1784 ~~fails or refuses to comply with this part, or if a provider or~~
1785 ~~school engages in misconduct, the office shall require the early~~
1786 ~~learning coalition to remove the provider and require the school~~
1787 ~~district to remove the school from eligibility to deliver the~~
1788 ~~Voluntary Prekindergarten Education Program and receive state~~
1789 ~~funds under this part for a period of 5 years.~~

1790 ~~(c)1. If the kindergarten readiness rate of a private~~
1791 ~~prekindergarten provider or public school falls below the~~
1792 ~~minimum rate adopted by the office as satisfactory under s.~~
1793 ~~1002.69(6), the early learning coalition or school district, as~~
1794 ~~applicable, shall require the provider or school to submit an~~
1795 ~~improvement plan for approval by the coalition or school~~
1796 ~~district, as applicable, and to implement the plan; shall place~~



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1797 ~~the provider or school on probation; and shall require the~~
1798 ~~provider or school to take certain corrective actions, including~~
1799 ~~the use of a curriculum approved by the office under paragraph~~
1800 ~~(2) (c) or a staff development plan to strengthen instruction in~~
1801 ~~language development and phonological awareness approved by the~~
1802 ~~office.~~

1803 ~~2. A private prekindergarten provider or public school that~~
1804 ~~is placed on probation must continue the corrective actions~~
1805 ~~required under subparagraph 1., including the use of a~~
1806 ~~curriculum or a staff development plan to strengthen instruction~~
1807 ~~in language development and phonological awareness approved by~~
1808 ~~the office, until the provider or school meets the minimum rate~~
1809 ~~adopted by the office as satisfactory under s. 1002.69(6).~~
1810 ~~Failure to implement an approved improvement plan or staff~~
1811 ~~development plan shall result in the termination of the~~
1812 ~~provider's contract to deliver the Voluntary Prekindergarten~~
1813 ~~Education Program for a period of 5 years.~~

1814 ~~3. If a private prekindergarten provider or public school~~
1815 ~~remains on probation for 2 consecutive years and fails to meet~~
1816 ~~the minimum rate adopted by the office as satisfactory under s.~~
1817 ~~1002.69(6) and is not granted a good cause exemption by the~~
1818 ~~office pursuant to s. 1002.69(7), the office shall require the~~
1819 ~~early learning coalition or the school district to remove, as~~
1820 ~~applicable, the provider or school from eligibility to deliver~~
1821 ~~the Voluntary Prekindergarten Education Program and receive~~
1822 ~~state funds for the program for a period of 5 years.~~

1823 ~~(d) Each early learning coalition and the office shall~~
1824 ~~coordinate with the Child Care Services Program Office of the~~
1825 ~~Department of Children and Families to minimize interagency~~



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1826 ~~duplication of activities for monitoring private prekindergarten~~
1827 ~~providers for compliance with requirements of the Voluntary~~
1828 ~~Prekindergarten Education Program under this part, the school~~
1829 ~~readiness program under part VI of this chapter, and the~~
1830 ~~licensing of providers under ss. 402.301-402.319.~~

1831 Section 42. Section 1002.68, Florida Statutes, is created
1832 to read:

1833 1002.68 Voluntary Prekindergarten Education Program
1834 accountability.—

1835 (1) (a) Beginning with the 2021-2022 program year, each
1836 private prekindergarten provider and public school participating
1837 in the Voluntary Prekindergarten Education Program must
1838 participate in the coordinated screening and progress monitoring
1839 program in accordance with s. 1008.2125. The coordinated
1840 screening and progress monitoring program results shall be used
1841 by the department to identify student learning gains, index
1842 development learning outcomes upon program completion relative
1843 to the performance standards established under s. 1002.67 and
1844 representative norms, and inform a private prekindergarten
1845 provider's and public school's performance metric.

1846 (b) At a minimum, the initial and final progress monitoring
1847 or screening must be administered by individuals meeting
1848 requirements adopted by the department pursuant to s. 1008.2125.

1849 (c) Each private prekindergarten provider and public school
1850 must provide a student's performance results from the
1851 coordinated screening and progress monitoring to the student's
1852 parents within 7 days after the administration of such
1853 coordinated screening and progress monitoring.

1854 (2) Beginning with the 2020-2021 program year, each private



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1855 prekindergarten provider and public school in the Voluntary
1856 Prekindergarten Education Program must participate in a program
1857 assessment of each voluntary prekindergarten education
1858 classroom. The program assessment shall measure the quality of
1859 teacher-child interactions, including emotional support,
1860 classroom organization, and instructional support for children
1861 ages 3 to 5 years. Each private prekindergarten provider and
1862 public school in the Voluntary Prekindergarten Education Program
1863 shall receive from the department the results of the program
1864 assessment for each classroom within 14 days after the
1865 observation. The program assessment must be administered by
1866 individuals who meet requirements established by rule of the
1867 State Board of Education.

1868 (3) (a) For the 2019-2020 program year, the department shall
1869 calculate a kindergarten readiness rate for each private
1870 prekindergarten provider and public school in the Voluntary
1871 Prekindergarten Education Program based upon learning gains and
1872 the percentage of students who are assessed as ready for
1873 kindergarten. The department shall require that each school
1874 district administer the statewide kindergarten screening in use
1875 before the 2020-2021 school year to each kindergarten student in
1876 the school district within the first 30 school days of the 2020-
1877 2021 school year. Private schools may administer the statewide
1878 kindergarten screening to each kindergarten student in a private
1879 school who was enrolled in the Voluntary Prekindergarten
1880 Education Program. Learning gains shall be determined using a
1881 value-added measure based on growth demonstrated by the results
1882 of the preassessment and postassessment in use before the 2020-
1883 2021 program year. Any private prekindergarten provider or



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1884 public school in the Voluntary Prekindergarten Education Program
1885 which fails to meet the minimum kindergarten readiness rate for
1886 the 2019-2020 program year is subject to the probation
1887 requirements of subsection (5).

1888 (b) For the 2020-2021 program year, the department shall
1889 calculate a program assessment composite score for each provider
1890 based on the program assessment under subsection (2). Any
1891 private prekindergarten provider or public school in the
1892 Voluntary Prekindergarten Education Program which fails to meet
1893 the minimum program assessment composite score established by
1894 the department pursuant to s. 1002.82(2)(n) for the 2020-2021
1895 program year is subject to the probation requirements of
1896 subsection (5).

1897 (4)(a) Beginning with the 2021-2022 program year, the
1898 department shall adopt a methodology for calculating each
1899 private prekindergarten provider's and public school provider's
1900 performance metric, which must be based on a combination of the
1901 following:

1902 1. Program assessment composite scores under subsection
1903 (2), which must be weighted at no less than 50 percent.

1904 2. Learning gains operationalized as change in ability
1905 scores from the initial and final progress monitoring results
1906 described in subsection (1).

1907 3. Norm-referenced developmental learning outcomes
1908 described in subsection (1).

1909 (b) The methodology for calculating a provider's
1910 performance metric may only include prekindergarten students who
1911 have attended at least 85 percent of a private prekindergarten
1912 provider's or public school's program.



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1913 (c) The program assessment composite score and performance
1914 metric must be calculated for each private prekindergarten or
1915 public school site.

1916 (d) The methodology shall include a statistical latent
1917 profile analysis that has been conducted by an independent
1918 expert with experience in relevant quantitative analysis, early
1919 childhood assessment, and designing state-level accountability
1920 systems. The independent expert shall be able to produce a
1921 limited number of performance metric profiles that summarize the
1922 profiles of all sites that must be used to inform the following
1923 designations: "unsatisfactory," "emerging proficiency,"
1924 "proficient," "highly proficient," and "excellent" or comparable
1925 terminology determined by the State Board of Education which may
1926 not include letter grades. The independent expert may not be a
1927 direct stakeholder or have had a financial interest in the
1928 design or delivery of the Voluntary Prekindergarten Education
1929 Program or public school system within the last 5 years.

1930 (e) Subject to an appropriation, the department shall
1931 provide for a differential payment to a private prekindergarten
1932 provider and public school based on the provider's designation.
1933 The maximum differential payment may not exceed a total of 15
1934 percent of the base student allocation per full-time equivalent
1935 student under s. 1002.71 attending in the consecutive program
1936 year for that program. A private prekindergarten provider or
1937 public school may not receive a differential payment if it
1938 receives a designation of "proficient" or lower. Before the
1939 adoption of the methodology, the department and the independent
1940 expert shall confer with the Early Grade Success Advisory
1941 Committee under s. 1008.2125 before receiving approval from the



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1942 State Board of Education for the final recommendations on the
1943 designation system and differential payments.

1944 (f) The department shall adopt procedures to annually
1945 calculate each private prekindergarten provider's and public
1946 school's performance metric, based on the methodology adopted in
1947 paragraphs (a) and (b), and assign a designation under paragraph
1948 (d). Beginning with the 2022-2023 program year, each private
1949 prekindergarten provider or public school shall be assigned a
1950 designation within 45 days after the conclusion of the school-
1951 year Voluntary Prekindergarten Education Program delivered by
1952 all participating private prekindergarten providers or public
1953 schools and within 45 days after the conclusion of the summer
1954 Voluntary Prekindergarten Education Program delivered by all
1955 participating private prekindergarten providers or public
1956 schools.

1957 (g) A private prekindergarten provider or public school
1958 that is designated "proficient," "highly proficient," or
1959 "excellent" demonstrates the provider's or school's satisfactory
1960 delivery of the Voluntary Prekindergarten Education Program.

1961 (h) The designations shall be displayed in the early
1962 learning provider performance profiles required under s.
1963 1002.92(3).

1964 (5) (a) If a public school's or private prekindergarten
1965 provider's program assessment composite score for its
1966 prekindergarten classrooms fails to meet the minimum program
1967 assessment composite score for contracting established by the
1968 department pursuant to s. 1002.82(2)(n), the private
1969 prekindergarten provider or public school may not participate in
1970 the Voluntary Prekindergarten Education Program beginning in the



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1971 consecutive program year and thereafter until the public school
1972 or private prekindergarten provider meets the minimum composite
1973 score for contracting.

1974 (b) If a private prekindergarten provider's or public
1975 school's performance metric or designation falls below the
1976 minimum performance metric or designation, the early learning
1977 coalition shall:

1978 1. Require the provider or school to submit for approval to
1979 the early learning coalition an improvement plan and implement
1980 the plan.

1981 2. Place the provider or school on probation.

1982 3. Require the provider or school to take certain
1983 corrective actions, including the use of a curriculum approved
1984 by the department under s. 1002.67(2)(c) and a staff development
1985 plan approved by the department to strengthen instructional
1986 practices in emotional support, classroom organization,
1987 instructional support, language development, phonological
1988 awareness, alphabet knowledge, and mathematical thinking.

1989 (c) A private prekindergarten provider or public school
1990 that is placed on probation must continue the corrective actions
1991 required under paragraph (b) until the provider or school meets
1992 the minimum performance metric or designation adopted by the
1993 department. Failure to meet the requirements of subparagraphs
1994 (b)1. and 3. shall result in the termination of the provider's
1995 or school's contract to deliver the Voluntary Prekindergarten
1996 Education Program for a period of at least 2 years but no more
1997 than 5 years.

1998 (d) If a private prekindergarten provider or public school
1999 remains on probation for 2 consecutive years and fails to meet



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2000 the minimum performance metric or designation, or is not granted
2001 a good cause exemption by the department, the department shall
2002 require the early learning coalition to revoke the provider's or
2003 school's eligibility to deliver the Voluntary Prekindergarten
2004 Education Program and receive state funds for the program for a
2005 period of at least 2 years but no more than 5 years.

2006 (6) (a) The department, upon the request of a private
2007 prekindergarten provider or public school that remains on
2008 probation for at least 2 consecutive years and subsequently
2009 fails to meet the minimum performance metric or designation, and
2010 for good cause shown, may grant to the provider or school an
2011 exemption from being determined ineligible to deliver the
2012 Voluntary Prekindergarten Education Program and receive state
2013 funds for the program. Such exemption is valid for 1 year and,
2014 upon the request of the private prekindergarten provider or
2015 public school and for good cause shown, may be renewed.

2016 (b) A private prekindergarten provider's or public school's
2017 request for a good cause exemption, or renewal of such an
2018 exemption, must be submitted to the department in the manner and
2019 within the timeframes prescribed by the department and must
2020 include the following:

2021 1. Data from the private prekindergarten provider or public
2022 school which documents the achievement and progress of the
2023 children served, as measured by any required screenings or
2024 assessments.

2025 2. Data from the program assessment required under
2026 subsection (2) which demonstrates effective teaching practices
2027 as recognized by the tool developer.

2028 3. Data from the early learning coalition or district



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2029 school board, as applicable, the Department of Children and
2030 Families, the local licensing authority, or an accrediting
2031 association, as applicable, relating to the private
2032 prekindergarten provider's or public school's compliance with
2033 state and local health and safety standards.

2034 (c) The department shall adopt criteria for granting good
2035 cause exemptions. Such criteria must include, but are not
2036 limited to, all of the following:

2037 1. Child demographic data that evidences a private
2038 prekindergarten provider or public school serves a statistically
2039 significant population of children with special needs who have
2040 individual education plans and can demonstrate progress toward
2041 meeting the goals outlined in the students' individual education
2042 plans.

2043 2. Learning gains of children served in the Voluntary
2044 Prekindergarten Education Program by the private prekindergarten
2045 provider or public school on an alternative measure that has
2046 comparable validity and reliability of the coordinated screening
2047 and progress monitoring program in accordance with s. 1008.2125.

2048 3. Program assessment data under subsection (2) which
2049 demonstrates effective teaching practices as recognized by the
2050 tool developer.

2051 4. Verification that local and state health and safety
2052 requirements are met.

2053 (d) A good cause exemption may not be granted to any
2054 private prekindergarten provider or public school that has any
2055 class I violations or two or more class II violations, as
2056 defined by rule of the Department of Children and Families,
2057 within the 2 years preceding the provider's or school's request



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2058 for the exemption.

2059 (e) A private prekindergarten provider or public school
2060 granted a good cause exemption shall continue to implement its
2061 improvement plan and continue the corrective actions required
2062 under subsection (5) (b) until the provider or school meets the
2063 minimum performance metric.

2064 (f) If a good cause exemption is granted to a private
2065 prekindergarten provider or public school that remains on
2066 probation for 2 consecutive years and if the provider meets all
2067 other applicable requirements of this part, the department shall
2068 notify the early learning coalition of the good cause exemption
2069 and direct that the early learning coalition not remove the
2070 provider from eligibility to deliver the Voluntary
2071 Prekindergarten Education Program or to receive state funds for
2072 the program.

2073 (g) The department shall report the number of private
2074 prekindergarten providers or public schools that have received a
2075 good cause exemption and the reasons for the exemptions as part
2076 of its annual reporting requirements under s. 1002.82(6).

2077 (7) Representatives from each school district and
2078 corresponding early learning coalitions must meet annually to
2079 develop strategies to transition students from the Voluntary
2080 Prekindergarten Education Program to kindergarten.

2081 Section 43. Section 1002.69, Florida Statutes, is repealed.

2082 Section 44. Paragraph (c) of subsection (3), subsection
2083 (4), paragraph (b) of subsection (5), paragraphs (b) and (d) of
2084 subsection (6), and subsection (7) of section 1002.71, Florida
2085 Statutes, are amended to read:

2086 1002.71 Funding; financial and attendance reporting.-



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2087 (3)
2088 (c) The initial allocation shall be based on estimated
2089 student enrollment in each coalition service area. The
2090 department ~~Office of Early Learning~~ shall reallocate funds among
2091 the coalitions based on actual full-time equivalent student
2092 enrollment in each coalition service area. Each coalition shall
2093 report student enrollment pursuant to subsection (2) on a
2094 monthly basis. A student enrollment count for the prior fiscal
2095 year may not be amended after September 30 of the subsequent
2096 fiscal year.

2097 (4) Notwithstanding s. 1002.53(3) and subsection (2):
2098 (a) A child who, for any of the prekindergarten programs
2099 listed in s. 1002.53(3), has not completed more than 70 percent
2100 of the hours authorized to be reported for funding under
2101 subsection (2), or has not expended more than 70 percent of the
2102 funds authorized for the child under s. 1002.66, may withdraw
2103 from the program for good cause and reenroll in one of the
2104 programs. The total funding for a child who reenrolls in one of
2105 the programs for good cause may not exceed one full-time
2106 equivalent student. Funding for a child who withdraws and
2107 reenrolls in one of the programs for good cause shall be issued
2108 in accordance with the department's ~~Office of Early Learning's~~
2109 uniform attendance policy adopted pursuant to paragraph (6)(d).
2110 (b) A child who has not substantially completed any of the
2111 prekindergarten programs listed in s. 1002.53(3) may withdraw
2112 from the program due to an extreme hardship that is beyond the
2113 child's or parent's control, reenroll in one of the summer
2114 programs, and be reported for funding purposes as a full-time
2115 equivalent student in the summer program for which the child is



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2116 reenrolled.

2117

2118 A child may reenroll only once in a prekindergarten program
2119 under this section. A child who reenrolls in a prekindergarten
2120 program under this subsection may not subsequently withdraw from
2121 the program and reenroll, unless the child is granted a good
2122 cause exemption under this subsection. The department ~~Office of~~
2123 ~~Early Learning~~ shall establish criteria specifying whether a
2124 good cause exists for a child to withdraw from a program under
2125 paragraph (a), whether a child has substantially completed a
2126 program under paragraph (b), and whether an extreme hardship
2127 exists which is beyond the child's or parent's control under
2128 paragraph (b).

2129 (5)

2130 (b) The department ~~Office of Early Learning~~ shall adopt
2131 procedures for the payment of private prekindergarten providers
2132 and public schools delivering the Voluntary Prekindergarten
2133 Education Program. The procedures shall provide for the advance
2134 payment of providers and schools based upon student enrollment
2135 in the program, the certification of student attendance, and the
2136 reconciliation of advance payments in accordance with the
2137 uniform attendance policy adopted under paragraph (6) (d). The
2138 procedures shall provide for the monthly distribution of funds
2139 by the department ~~Office of Early Learning~~ to the early learning
2140 coalitions for payment by the coalitions to private
2141 prekindergarten providers and public schools.

2142 (6)

2143 (b)1. Each private prekindergarten provider's and district
2144 school board's attendance policy must require the parent of each



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2145 student in the Voluntary Prekindergarten Education Program to
2146 verify, each month, the student's attendance on the prior
2147 month's certified student attendance.

2148 2. The parent must submit the verification of the student's
2149 attendance to the private prekindergarten provider or public
2150 school on forms prescribed by the department ~~Office of Early~~
2151 ~~Learning~~. The forms must include, in addition to the
2152 verification of the student's attendance, a certification, in
2153 substantially the following form, that the parent continues to
2154 choose the private prekindergarten provider or public school in
2155 accordance with s. 1002.53 and directs that payments for the
2156 program be made to the provider or school:

2157 VERIFICATION OF STUDENT'S ATTENDANCE

2158 AND CERTIFICATION OF PARENTAL CHOICE

2159 I, ...(Name of Parent)..., swear (or affirm) that my child,
2160 ...(Name of Student)..., attended the Voluntary Prekindergarten
2161 Education Program on the days listed above and certify that I
2162 continue to choose ...(Name of Provider or School)... to deliver
2163 the program for my child and direct that program funds be paid
2164 to the provider or school for my child.

2165 ...(Signature of Parent)...

2166 ...(Date)...

2167 3. The private prekindergarten provider or public school
2168 must keep each original signed form for at least 2 years. Each
2169 private prekindergarten provider must permit the early learning
2170 coalition, and each public school must permit the school
2171 district, to inspect the original signed forms during normal
2172 business hours. The department ~~Office of Early Learning~~ shall
2173 adopt procedures for early learning coalitions and school



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2174 districts to review the original signed forms against the
2175 certified student attendance. The review procedures shall
2176 provide for the use of selective inspection techniques,
2177 including, but not limited to, random sampling. Each early
2178 learning coalition and the school districts must comply with the
2179 review procedures.

2180 (d) The department ~~Office of Early Learning~~ shall adopt,
2181 for funding purposes, a uniform attendance policy for the
2182 Voluntary Prekindergarten Education Program. The attendance
2183 policy must apply statewide and apply equally to all private
2184 prekindergarten providers and public schools. The attendance
2185 policy must include at least the following provisions:

2186 1. A student's attendance may be reported on a pro rata
2187 basis as a fractional part of a full-time equivalent student.

2188 2. At a maximum, 20 percent of the total payment made on
2189 behalf of a student to a private prekindergarten provider or a
2190 public school may be for hours a student is absent.

2191 3. A private prekindergarten provider or public school may
2192 not receive payment for absences that occur before a student's
2193 first day of attendance or after a student's last day of
2194 attendance.

2195

2196 The uniform attendance policy shall be used only for funding
2197 purposes and does not prohibit a private prekindergarten
2198 provider or public school from adopting and enforcing its
2199 attendance policy under paragraphs (a) and (c).

2200 (7) The department ~~Office of Early Learning~~ shall require
2201 that administrative expenditures be kept to the minimum
2202 necessary for efficient and effective administration of the



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2203 Voluntary Prekindergarten Education Program. Administrative
2204 policies and procedures shall be revised, to the maximum extent
2205 practicable, to incorporate the use of automation and electronic
2206 submission of forms, including those required for child
2207 eligibility and enrollment, provider and class registration, and
2208 monthly certification of attendance for payment. A school
2209 district may use its automated daily attendance reporting system
2210 for the purpose of transmitting attendance records to the early
2211 learning coalition in a mutually agreed-upon format. In
2212 addition, actions shall be taken to reduce paperwork, eliminate
2213 the duplication of reports, and eliminate other duplicative
2214 activities. Each early learning coalition may retain and expend
2215 no more than 4.0 percent of the funds paid by the coalition to
2216 private prekindergarten providers and public schools under
2217 paragraph (5) (b). Funds retained by an early learning coalition
2218 under this subsection may be used only for administering the
2219 Voluntary Prekindergarten Education Program and may not be used
2220 for the school readiness program or other programs.

2221 Section 45. Subsection (1) of section 1002.72, Florida
2222 Statutes, is amended to read:

2223 1002.72 Records of children in the Voluntary
2224 Prekindergarten Education Program.—

2225 (1) (a) The records of a child enrolled in the Voluntary
2226 Prekindergarten Education Program held by an early learning
2227 coalition, the department ~~Office of Early Learning~~, or a
2228 Voluntary Prekindergarten Education Program provider are
2229 confidential and exempt from s. 119.07(1) and s. 24(a), Art. I
2230 of the State Constitution. For purposes of this section, such
2231 records include assessment data, health data, records of teacher



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2232 observations, and personal identifying information of an
2233 enrolled child and his or her parent.

2234 (b) This exemption applies to the records of a child
2235 enrolled in the Voluntary Prekindergarten Education Program held
2236 by an early learning coalition, the department ~~Office of Early~~
2237 ~~Learning~~, or a Voluntary Prekindergarten Education Program
2238 provider before, on, or after the effective date of this
2239 exemption.

2240 Section 46. Section 1002.73, Florida Statutes, is amended
2241 to read:

2242 1002.73 Department of Education; powers and duties;
2243 accountability requirements.—

2244 (1) The department shall adopt by rule a standard statewide
2245 provider contract to be used with each Voluntary Prekindergarten
2246 Education Program provider, with standardized attachments by
2247 provider type. The department shall publish a copy of the
2248 standard statewide provider contract on its website. The
2249 standard statewide provider contract shall include, at a
2250 minimum, provisions for provider probation, termination for
2251 cause, and emergency termination for actions or inactions of a
2252 provider that pose an immediate and serious danger to the
2253 health, safety, or welfare of children. The standard statewide
2254 provider contract shall also include appropriate due process
2255 procedures. During the pendency of an appeal of a termination,
2256 the provider may not continue to offer its services. Any
2257 provision imposed upon a provider that is inconsistent with, or
2258 prohibited by, law is void and unenforceable ~~administer the~~
2259 ~~accountability requirements of the Voluntary Prekindergarten~~
2260 ~~Education Program at the state level.~~



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- 2261 (2) The department shall adopt procedures for ~~its~~:
- 2262 (a) The approval of prekindergarten director credentials
- 2263 under ss. 1002.55 and 1002.57.
- 2264 (b) The approval of emergent literacy and early mathematics
- 2265 skills training courses under ss. 1002.55 and 1002.59.
- 2266 (c) Annually notifying private prekindergarten providers
- 2267 and public schools placed on probation for not meeting the
- 2268 minimum performance metric as required by s. 1002.68 of the
- 2269 high-quality professional development opportunities developed or
- 2270 supported by the department.
- 2271 (d) The administration of the Voluntary Prekindergarten
- 2272 Education Program by the early learning coalitions, including,
- 2273 but not limited to, procedures for:
- 2274 1. Enrolling children in and determining the eligibility of
- 2275 children for the Voluntary Prekindergarten Education Program
- 2276 under s. 1002.53, which shall include the enrollment of children
- 2277 by public schools and private providers that meet specified
- 2278 requirements.
- 2279 2. Providing parents with profiles of private
- 2280 prekindergarten providers and public schools under s. 1002.53.
- 2281 3. Registering private prekindergarten providers and public
- 2282 schools to deliver the program under ss. 1002.55, 1002.61, and
- 2283 1002.63.
- 2284 4. Determining the eligibility of private prekindergarten
- 2285 providers to deliver the program under ss. 1002.55 and 1002.61
- 2286 and streamlining the process of determining provider eligibility
- 2287 whenever possible.
- 2288 5. Verifying the compliance of private prekindergarten
- 2289 providers and public schools and removing providers or schools



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2290 from eligibility to deliver the program due to noncompliance or
2291 misconduct as provided in s. 1002.67.

2292 6. Paying private prekindergarten providers and public
2293 schools under s. 1002.71.

2294 7. Documenting and certifying student enrollment and
2295 student attendance under s. 1002.71.

2296 8. Reconciling advance payments in accordance with the
2297 uniform attendance policy under s. 1002.71.

2298 9. Reenrolling students dismissed by a private
2299 prekindergarten provider or public school for noncompliance with
2300 the provider's or school district's attendance policy under s.
2301 1002.71.

2302 (3) The department shall administer the accountability
2303 requirements of the Voluntary Prekindergarten Education Program
2304 at the state level.

2305 (4) The department shall adopt procedures governing the
2306 administration of the Voluntary Prekindergarten Education
2307 Program by the early learning coalitions for:

2308 (a) Approving improvement plans of private prekindergarten
2309 providers and public schools under s. 1002.68.

2310 (b) Placing private prekindergarten providers and public
2311 schools on probation and requiring corrective actions under s.
2312 1002.68.

2313 (c) Removing a private prekindergarten provider or public
2314 school from eligibility to deliver the program due to the
2315 provider's or school's remaining on probation beyond the time
2316 permitted under s. 1002.68. Notwithstanding any other law, if a
2317 private prekindergarten provider has been cited for a class I
2318 violation, as defined by rule of the Child Care Services Program



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2319 Office of the Department of Children and Families, the coalition
2320 may refuse to contract with the provider or revoke the
2321 provider's eligibility to deliver the Voluntary Prekindergarten
2322 Education Program.

2323 (d) Enrolling children in and determining the eligibility
2324 of children for the Voluntary Prekindergarten Education Program
2325 under s. 1002.66.

2326 (e) Paying specialized instructional services providers
2327 under s. 1002.66.

2328 ~~(c) Administration of the statewide kindergarten screening~~
2329 ~~and calculation of kindergarten readiness rates under s.~~
2330 ~~1002.69.~~

2331 ~~(d) Implementation of, and determination of costs~~
2332 ~~associated with, the state-approved prekindergarten enrollment~~
2333 ~~screening and the standardized postassessment approved by the~~
2334 ~~department, and determination of the learning gains of students~~
2335 ~~who complete the state-approved prekindergarten enrollment~~
2336 ~~screening and the standardized postassessment approved by the~~
2337 ~~department.~~

2338 ~~(f)~~ (e) Approving Approval of specialized instructional
2339 services providers under s. 1002.66.

2340 ~~(f) Annual reporting of the percentage of kindergarten~~
2341 ~~students who meet all state readiness measures.~~

2342 (g) Granting of a private prekindergarten provider's or
2343 public school's request for a good cause exemption under s.
2344 1002.68 s. 1002.69(7).

2345 (5) The department shall adopt procedures for the
2346 distribution of funds to early learning coalitions under s.
2347 1002.71.



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2348 ~~(6)(3)~~ Except as provided by law, the department may not
2349 impose requirements on a private prekindergarten provider or
2350 public school that does not deliver the Voluntary
2351 Prekindergarten Education Program or receive state funds under
2352 this part.

2353 Section 47. Sections 1002.75 and 1002.77, Florida Statutes,
2354 are repealed.

2355 Section 48. Section 1002.79, Florida Statutes, is amended
2356 to read:

2357 1002.79 Rulemaking authority.—The State Board of Education
2358 ~~Office of Early Learning~~ shall adopt rules under ss. 120.536(1)
2359 and 120.54 to administer the provisions of this part conferring
2360 duties upon the department ~~office~~.

2361 Section 49. Section 1002.81, Florida Statutes, is reordered
2362 amended to read:

2363 1002.81 Definitions.—Consistent with the requirements of 45
2364 C.F.R. parts 98 and 99 and as used in this part, the term:

2365 (1) "At-risk child" means:

2366 (a) A child from a family under investigation by the
2367 Department of Children and Families or a designated sheriff's
2368 office for child abuse, neglect, abandonment, or exploitation.

2369 (b) A child who is in a diversion program provided by the
2370 Department of Children and Families or its contracted provider
2371 and who is from a family that is actively participating and
2372 complying in department-prescribed activities, including
2373 education, health services, or work.

2374 (c) A child from a family that is under supervision by the
2375 Department of Children and Families or a contracted service
2376 provider for abuse, neglect, abandonment, or exploitation.



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2377 (d) A child placed in court-ordered, long-term custody or
2378 under the guardianship of a relative or nonrelative after
2379 termination of supervision by the Department of Children and
2380 Families or its contracted provider.

2381 (e) A child in the custody of a parent who is considered a
2382 victim of domestic violence and is receiving services through a
2383 certified domestic violence center.

2384 (f) A child in the custody of a parent who is considered
2385 homeless as verified by a Department of Children and Families
2386 certified homeless shelter.

2387 (2) "Authorized hours of care" means the hours of care that
2388 are necessary to provide protection, maintain employment, or
2389 complete work activities or eligible educational activities,
2390 including reasonable travel time.

2391 ~~(12)~~~~(3)~~ "Prevailing Average market rate" means the
2392 biennially determined 75th percentile of a reasonable frequency
2393 distribution average of the market rate by program care level
2394 and provider type in a predetermined geographic market at which
2395 child care providers charge a person for child care services.

2396 ~~(3)~~~~(4)~~ "Direct enhancement services" means services for
2397 families and children that are in addition to payments for the
2398 placement of children in the school readiness program. Direct
2399 enhancement services for families and children may include
2400 supports for providers, parent training and involvement
2401 activities, and strategies to meet the needs of unique
2402 populations and local eligibility priorities. Direct enhancement
2403 services offered by an early learning coalition shall be
2404 consistent with the activities prescribed in s. 1002.89(5)(b) ~~s.~~
2405 ~~1002.89(6)(b).~~



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2406 (4)~~(5)~~ "Disenrollment" means the removal, either temporary
2407 or permanent, of a child from participation in the school
2408 readiness program. Removal of a child from the school readiness
2409 program may be based on the following events: a reduction in
2410 available school readiness program funding, participant's
2411 failure to meet eligibility or program participation
2412 requirements, fraud, or a change in local service priorities.

2413 (5)~~(6)~~ "Earned income" means gross remuneration derived
2414 from work, professional service, or self-employment. The term
2415 includes commissions, bonuses, back pay awards, and the cash
2416 value of all remuneration paid in a medium other than cash.

2417 (6)~~(7)~~ "Economically disadvantaged" means having a family
2418 income that does not exceed 150 percent of the federal poverty
2419 level and includes being a child of a working migratory family
2420 as defined by 34 C.F.R. s. 200.81(d) or (f) or an agricultural
2421 worker who is employed by more than one agricultural employer
2422 during the course of a year, and whose income varies according
2423 to weather conditions and market stability.

2424 (7)~~(8)~~ "Family income" means the combined gross income,
2425 whether earned or unearned, that is derived from any source by
2426 all family or household members who are 18 years of age or older
2427 who are currently residing together in the same dwelling unit.
2428 The term does not include income earned by a currently enrolled
2429 high school student who, since attaining the age of 18 years, or
2430 a student with a disability who, since attaining the age of 22
2431 years, has not terminated school enrollment or received a high
2432 school diploma, high school equivalency diploma, special
2433 diploma, or certificate of high school completion. The term also
2434 does not include food stamp benefits or federal housing



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2435 assistance payments issued directly to a landlord or the
2436 associated utilities expenses.

2437 ~~(8)~~(9) "Family or household members" means spouses, former
2438 spouses, persons related by blood or marriage, persons who are
2439 parents of a child in common regardless of whether they have
2440 been married, and other persons who are currently residing
2441 together in the same dwelling unit as if a family.

2442 ~~(9)~~(10) "Full-time care" means at least 6 hours, but not
2443 more than 11 hours, of child care or early childhood education
2444 services within a 24-hour period.

2445 ~~(10)~~(11) "Market rate" means the price that a child care or
2446 early childhood education provider charges for full-time or
2447 part-time daily, weekly, or monthly child care or early
2448 childhood education services.

2449 ~~(12)~~ "Office" means the Office of Early Learning of the
2450 Department of Education.

2451 ~~(11)~~(13) "Part-time care" means less than 6 hours of child
2452 care or early childhood education services within a 24-hour
2453 period.

2454 ~~(13)~~(14) "Single point of entry" means an integrated
2455 information system that allows a parent to enroll his or her
2456 child in the school readiness program or the Voluntary
2457 Prekindergarten Education Program at various locations
2458 throughout a county, that may allow a parent to enroll his or
2459 her child by telephone or through a website, and that uses a
2460 uniform waiting list to track eligible children waiting for
2461 enrollment in the school readiness program.

2462 ~~(14)~~(15) "Unearned income" means income other than earned
2463 income. The term includes, but is not limited to:



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- 2464 (a) Documented alimony and child support received.
- 2465 (b) Social security benefits.
- 2466 (c) Supplemental security income benefits.
- 2467 (d) Workers' compensation benefits.
- 2468 (e) Reemployment assistance or unemployment compensation
- 2469 benefits.
- 2470 (f) Veterans' benefits.
- 2471 (g) Retirement benefits.
- 2472 (h) Temporary cash assistance under chapter 414.
- 2473 (15)~~(16)~~ "Working family" means:
- 2474 (a) A single-parent family in which the parent with whom
- 2475 the child resides is employed or engaged in eligible work or
- 2476 education activities for at least 20 hours per week;
- 2477 (b) A two-parent family in which both parents with whom the
- 2478 child resides are employed or engaged in eligible work or
- 2479 education activities for a combined total of at least 40 hours
- 2480 per week; or
- 2481 (c) A two-parent family in which one of the parents with
- 2482 whom the child resides is exempt from work requirements due to
- 2483 age or disability, as determined and documented by a physician
- 2484 licensed under chapter 458 or chapter 459, and one parent is
- 2485 employed or engaged in eligible work or education activities at
- 2486 least 20 hours per week.
- 2487 Section 50. Section 1002.82, Florida Statutes, is amended
- 2488 to read:
- 2489 1002.82 Department of Education ~~Office of Early Learning~~;
- 2490 powers and duties.—
- 2491 (1) For purposes of administration of the Child Care and
- 2492 Development Block Grant Trust Fund, pursuant to 45 C.F.R. parts



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2493 98 and 99, the Department of Education ~~Office of Early Learning~~
2494 is designated as the lead agency and must comply with lead
2495 agency responsibilities pursuant to federal law. The department
2496 ~~office~~ may apply to the Governor and Cabinet for a waiver of,
2497 and the Governor and Cabinet may waive, any provision of ss.
2498 411.223 and 1003.54 if the waiver is necessary for
2499 implementation of the school readiness program. Section
2500 125.901(2)(a)3. does not apply to the school readiness program.

2501 (2) The department ~~office~~ shall:

2502 (a) Focus on improving the educational quality delivered by
2503 all providers participating in the school readiness program.

2504 (b) Preserve parental choice by permitting parents to
2505 choose from a variety of child care categories, including
2506 center-based care, family child care, and informal child care to
2507 the extent authorized in the state's Child Care and Development
2508 Fund Plan as approved by the United States Department of Health
2509 and Human Services pursuant to 45 C.F.R. s. 98.18. Care and
2510 curriculum by a faith-based provider may not be limited or
2511 excluded in any of these categories.

2512 (c) Be responsible for the prudent use of all public and
2513 private funds in accordance with all legal and contractual
2514 requirements, safeguarding the effective use of federal, state,
2515 and local resources to achieve the highest practicable level of
2516 school readiness for the children described in s. 1002.87,
2517 including:

2518 1. The adoption of a uniform chart of accounts for
2519 budgeting and financial reporting purposes that provides
2520 standardized definitions for expenditures and reporting,
2521 consistent with the requirements of 45 C.F.R. part 98 and s.



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2522 1002.89 for each of the following categories of expenditure:
2523 a. Direct services to children.
2524 b. Administrative costs.
2525 c. Quality activities.
2526 d. Nondirect services.
2527 2. Coordination with other state and federal agencies to
2528 perform data matches on children participating in the school
2529 readiness program and their families in order to verify the
2530 children's eligibility pursuant to s. 1002.87.
2531 (d) Establish procedures for the biennial calculation of
2532 the prevailing ~~average~~ market rate.
2533 (e) Review each early learning coalition's school readiness
2534 program plan every 2 years and provide final approval of the
2535 plan and any amendments submitted.
2536 (f) Establish a unified approach to the state's efforts to
2537 coordinate a comprehensive early learning program. In support of
2538 this effort, the department ~~office~~:
2539 1. Shall adopt specific program support services that
2540 address the state's school readiness program, including:
2541 a. Statewide data information program requirements that
2542 include:
2543 (I) Eligibility requirements.
2544 (II) Financial reports.
2545 (III) Program accountability measures.
2546 (IV) Child progress reports.
2547 b. Child care resource and referral services.
2548 c. A single point of entry and uniform waiting list.
2549 2. May provide technical assistance and guidance on
2550 additional support services to complement the school readiness



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2551 program, including:

2552 ~~a. Rating and improvement systems.~~

2553 ~~a.b.~~ Warm-Line services.

2554 ~~b.e.~~ Anti-fraud plans.

2555 ~~d. School readiness program standards.~~

2556 ~~e. Child screening and assessments.~~

2557 ~~c.f.~~ Training and support for parental involvement in
2558 children's early education.

2559 ~~d.g.~~ Family literacy activities and services.

2560 (g) Provide technical assistance to early learning
2561 coalitions.

2562 (h) In cooperation with the early learning coalitions,
2563 coordinate with the Child Care Services Program Office of the
2564 Department of Children and Families to reduce paperwork and to
2565 avoid duplicating interagency activities, health and safety
2566 monitoring, and acquiring and composing data pertaining to child
2567 care training and credentialing.

2568 (i) Enter into a memorandum of understanding with local
2569 licensing agencies and the Child Care Services Program Office of
2570 the Department of Children and Families for inspections of
2571 school readiness program providers to monitor and verify
2572 compliance with s. 1002.88 and the health and safety checklist
2573 adopted by the department office. The provider contract of a
2574 school readiness program provider that refuses permission for
2575 entry or inspection shall be terminated. The health and safety
2576 checklist may not exceed the requirements of s. 402.305 and the
2577 Child Care and Development Fund pursuant to 45 C.F.R. part 98. A
2578 child development program that is accredited by a national
2579 accrediting body and operates on a military installation that is



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2580 certified by the United States Department of Defense is exempted
2581 from the inspection requirements under s. 1002.88.

2582 (j) Monitor the alignment and consistency of the Develop
2583 and adopt standards and benchmarks developed and adopted by the
2584 department that address the age-appropriate progress of children
2585 in the development of school readiness skills. The standards for
2586 children from birth to 5 years of age in the school readiness
2587 program must be aligned with the performance standards adopted
2588 for children in the Voluntary Prekindergarten Education Program
2589 and must address the following domains:

- 2590 1. Approaches to learning.
- 2591 2. Cognitive development and general knowledge.
- 2592 3. Numeracy, language, and communication.
- 2593 4. Physical development.
- 2594 5. Self-regulation.

2595 (k) Identify observation-based child assessments that are
2596 valid, reliable, and developmentally appropriate for use at
2597 least three times a year. The assessments must:

2598 1. Provide interval level and norm-referenced criterion-
2599 referenced data that measures equivalent levels of growth across
2600 the core domains of early childhood development and that can be
2601 used for determining developmentally appropriate learning gains.

2602 2. Measure progress in the performance standards adopted
2603 pursuant to paragraph (j).

2604 3. Provide for appropriate accommodations for children with
2605 disabilities and English language learners and be administered
2606 by qualified individuals, consistent with the developer's
2607 instructions.

2608 4. Coordinate with the performance standards adopted by the



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2609 department under s. 1002.67(1) for the Voluntary Prekindergarten
2610 Education Program.

2611 5. Provide data in a format for use in the single statewide
2612 information system to meet the requirements of paragraph (q)
2613 ~~(p)~~.

2614 (l) Adopt a list of approved curricula that meet the
2615 performance standards for the school readiness program and
2616 establish a process for the review and approval of a provider's
2617 curriculum that meets the performance standards.

2618 (m) Provide technical support to an early learning
2619 coalition to facilitate the use of ~~Adopt by rule~~ a standard
2620 statewide provider contract to be used with each school
2621 readiness program provider, with standardized attachments by
2622 provider type. The department ~~office~~ shall publish a copy of the
2623 standard statewide provider contract on its website. The
2624 standard statewide contract shall include, at a minimum,
2625 contracted slots, if applicable, in accordance with the Child
2626 Care and Development Block Grant Act of 2014, 45 C.F.R. parts 98
2627 and 99; quality improvement strategies, if applicable; program
2628 assessment requirements; and provisions for provider probation,
2629 termination for cause, and emergency termination for those
2630 actions or inactions of a provider that pose an immediate and
2631 serious danger to the health, safety, or welfare of the
2632 children. The standard statewide provider contract shall also
2633 include appropriate due process procedures. During the pendency
2634 of an appeal of a termination, the provider may not continue to
2635 offer its services. Any provision imposed upon a provider that
2636 is inconsistent with, or prohibited by, law is void and
2637 unenforceable. Provisions for termination for cause must also



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2638 include failure to meet the minimum quality measures established
2639 under paragraph (n) for a period of up to 5 years, unless the
2640 coalition determines that the provider is essential to meeting
2641 capacity needs based on the assessment under s. 1002.85(2)(j)
2642 and the provider has an active improvement plan pursuant to
2643 paragraph (n).

2644 (n) Adopt a program assessment for school readiness program
2645 providers that measures the quality of teacher-child
2646 interactions, including emotional and behavioral support,
2647 engaged support for learning, classroom organization, and
2648 instructional support for children ages birth to 5 years. The
2649 implementation of the program assessment must ~~also~~ include the
2650 following components adopted by rule of the State Board of
2651 Education:

2652 1. Quality measures, including a minimum program assessment
2653 composite score threshold for contracting purposes and program
2654 improvement through an improvement plan. The minimum program
2655 assessment composite score required for the Voluntary
2656 Prekindergarten Education Program contracting threshold must be
2657 the same as the minimum program assessment composite score
2658 required for contracting for the school readiness program. The
2659 methodology for the calculation of the minimum program
2660 assessment composite score shall be reviewed by the independent
2661 expert identified in s. 1002.68(4)(d).

2662 2. Requirements for program participation, frequency of
2663 program assessment, and exemptions.

2664 (o) No later than July 1, 2019, develop a differential
2665 payment program based on the quality measures adopted by the
2666 department ~~office~~ under paragraph (n). The differential payment



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2667 may not exceed a total of 15 percent for each care level and
2668 unit of child care for a child care provider. No more than 5
2669 percent of the 15 percent total differential may be provided to
2670 providers who submit valid and reliable data to the statewide
2671 information system in the domains of language and executive
2672 functioning using a child assessment identified pursuant to
2673 paragraph (k). Providers below the minimum program assessment
2674 score adopted threshold for contracting purposes are ineligible
2675 for such payment.

2676 (p) No later than July 1, 2021, develop and adopt
2677 requirements for the implementation of a program designed to
2678 make available contracted slots to serve children at the
2679 greatest risk of school failure as determined by such children
2680 being located in an area that has been designated as a poverty
2681 area tract according to the latest census data. The contracted
2682 slot program may also be used to increase the availability of
2683 child care capacity based on the assessment under s.
2684 1002.85(2)(j).

2685 (q) ~~(p)~~ Establish a single statewide information system that
2686 each coalition must use for the purposes of managing the single
2687 point of entry, tracking children's progress, coordinating
2688 services among stakeholders, determining eligibility of
2689 children, tracking child attendance, and streamlining
2690 administrative processes for providers and early learning
2691 coalitions. By July 1, 2019, the system, subject to ss. 1002.72
2692 and 1002.97, shall:

- 2693 1. Allow a parent to monitor the development of his or her
2694 child as the child moves among programs within the state.
2695 2. Enable analysis at the state, regional, and local level



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2696 to measure child growth over time, program impact, and quality
2697 improvement and investment decisions.

2698 (r)~~(q)~~ Provide technical support to coalitions to
2699 facilitate the use of ~~Adopt by rule~~ standardized procedures
2700 adopted in state board rule for early learning coalitions to use
2701 when monitoring the compliance of school readiness program
2702 providers with the terms of the standard statewide provider
2703 contract.

2704 (s)~~(r)~~ At least biennially, provide fiscal and programmatic
2705 monitoring to ~~Monitor and~~ evaluate the performance of each early
2706 learning coalition in administering the school readiness
2707 program, ensuring proper payments for school readiness program
2708 services, implementing the coalition's school readiness program
2709 plan, and administering the Voluntary Prekindergarten Education
2710 Program. These monitoring and performance evaluations must
2711 include, at a minimum, onsite monitoring of each coalition's
2712 finances, management, operations, and programs.

2713 (t)~~(s)~~ Work in conjunction with the Bureau of Federal
2714 Education Programs within the Department of Education to
2715 coordinate readiness and voluntary prekindergarten services to
2716 the populations served by the bureau.

2717 (u)~~(t)~~ Administer a statewide toll-free Warm-Line to
2718 provide assistance and consultation to child care facilities and
2719 family day care homes regarding health, developmental,
2720 disability, and special needs issues of the children they are
2721 serving, particularly children with disabilities and other
2722 special needs. The department ~~office~~ shall:

2723 1. Annually inform child care facilities and family day
2724 care homes of the availability of this service through the child



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2725 care resource and referral network under s. 1002.92.

2726 2. Expand or contract for the expansion of the Warm-Line to
2727 maintain at least one Warm-Line in each early learning coalition
2728 service area.

2729 (v)~~(u)~~ Develop and implement strategies to increase the
2730 supply and improve the quality of child care services for
2731 infants and toddlers, children with disabilities, children who
2732 receive care during nontraditional hours, children in
2733 underserved areas, and children in areas that have significant
2734 concentrations of poverty and unemployment.

2735 (w)~~(v)~~ Establish preservice and inservice training
2736 requirements that address, at a minimum, school readiness child
2737 development standards, health and safety requirements, and
2738 social-emotional behavior intervention models, which may include
2739 positive behavior intervention and support models, including the
2740 integration of early learning professional development pathways
2741 established in s. 1002.995.

2742 (x)~~(w)~~ Establish standards for emergency preparedness plans
2743 for school readiness program providers.

2744 (y)~~(x)~~ Establish group sizes.

2745 (z)~~(y)~~ Establish staff-to-children ratios that do not
2746 exceed the requirements of s. 402.302(8) or (11) or s.
2747 402.305(4), as applicable, for school readiness program
2748 providers.

2749 (aa)~~(z)~~ Establish eligibility criteria, including
2750 limitations based on income and family assets, in accordance
2751 with s. 1002.87 and federal law.

2752 (3)(a) The department shall adopt performance standards and
2753 outcome measures for early learning coalitions which, at a



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2754 minimum, include the development of objective customer service
2755 surveys that shall be deployed to:

2756 1. Customers who use the services in s. 1002.92 upon the
2757 completion of a referral inquiry.

2758 2. Annually to parents at the time of eligibility
2759 determination.

2760 3. Child care providers that participate in the school
2761 readiness program or the Voluntary Prekindergarten Education
2762 Program at the time of execution of the statewide provider
2763 contract.

2764 4. Board members required under s. 1002.83.

2765 (b) Results of the survey shall be based on a statistically
2766 significant sample size and calculated annually for each early
2767 learning coalition and included in the department's annual
2768 report published under subsection (7). Beginning with the 2022-
2769 2023 fiscal year, if an early learning coalition's customer
2770 satisfaction survey results are below 60 percent, the coalition
2771 shall be placed on a 1-year corrective action plan. If, after
2772 being placed on corrective action, an early learning coalition's
2773 customer satisfaction survey results do not improve above the 60
2774 percent threshold, the department may contract out or merge the
2775 coalition.

2776 (4)~~(3)~~ If the department office determines during the
2777 review of school readiness program plans, or through monitoring
2778 and performance evaluations conducted under s. 1002.85, that an
2779 early learning coalition has not substantially implemented its
2780 plan, has not substantially met the performance standards and
2781 outcome measures adopted by the department office, or has not
2782 effectively administered the school readiness program or



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2783 Voluntary Prekindergarten Education Program, the department
2784 ~~office~~ may remove the coalition from eligibility to administer
2785 early learning programs and temporarily contract with a
2786 qualified entity to continue school readiness program and
2787 prekindergarten services in the coalition's county or
2788 multicounty region until the department ~~office~~ reestablishes or
2789 merges the coalition and a new school readiness program plan is
2790 approved in accordance with the rules adopted by the state board
2791 ~~office~~.

2792 (5) The department shall adopt procedures for merging early
2793 learning coalitions for failure to meet the requirements of
2794 subsection (3) or subsection (4), including procedures for the
2795 consolidation of merging coalitions that minimizes duplication
2796 of programs and services due to the merger, and for the early
2797 termination of the terms of the coalition members which are
2798 necessary to accomplish the mergers.

2799 (6)(4) The department ~~office~~ may request the Governor to
2800 apply for a waiver to allow a coalition to administer the Head
2801 Start Program to accomplish the purposes of the school readiness
2802 program.

2803 (7)(5) By January 1 of each year, the department ~~office~~
2804 shall annually publish on its website a report of its activities
2805 conducted under this section. The report must include a summary
2806 of the coalitions' annual reports, a statewide summary, and the
2807 following:

2808 (a) An analysis of early learning activities throughout the
2809 state, including the school readiness program and the Voluntary
2810 Prekindergarten Education Program.

2811 1. The total and average number of children served in the



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2812 school readiness program, enumerated by age, eligibility
2813 priority category, and coalition, and the total number of
2814 children served in the Voluntary Prekindergarten Education
2815 Program.

2816 2. A summary of expenditures by coalition, by fund source,
2817 including a breakdown by coalition of the percentage of
2818 expenditures for administrative activities, quality activities,
2819 nondirect services, and direct services for children.

2820 3. A description of the department's office's and each
2821 coalition's expenditures by fund source for the quality and
2822 enhancement activities described in s. 1002.89(5)(b) ~~s.~~
2823 ~~1002.89(6)(b)~~.

2824 4. A summary of annual findings and collections related to
2825 provider fraud and parent fraud.

2826 5. Data regarding the coalitions' delivery of early
2827 learning programs.

2828 6. The total number of children disenrolled statewide and
2829 the reason for disenrollment.

2830 7. The total number of providers by provider type.

2831 8. The number of school readiness program providers who
2832 have completed the program assessment required under paragraph
2833 (2)(n); the number of providers who have not met the minimum
2834 program assessment composite score threshold for contracting
2835 established under paragraph (2)(n); and the number of providers
2836 that have an active improvement plan based on the results of the
2837 program assessment under paragraph (2)(n).

2838 9. The total number of provider contracts revoked and the
2839 reasons for revocation.

2840 (b) A detailed summary of the analysis compiled using the



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2841 single statewide information system established in subsection
2842 (2) activities and detailed expenditures related to the Child
2843 Care Executive Partnership Program.

2844 (8) (a) (6) (a) Parental choice of child care providers,
2845 including private and faith-based providers, shall be
2846 established to the maximum extent practicable in accordance with
2847 45 C.F.R. s. 98.30.

2848 (b) As used in this subsection, the term "payment
2849 certificate" means a child care certificate as defined in 45
2850 C.F.R. s. 98.2.

2851 (c) The school readiness program shall, in accordance with
2852 45 C.F.R. s. 98.30, provide parental choice through a payment
2853 certificate that provides, to the maximum extent possible,
2854 flexibility in the school readiness program and payment
2855 arrangements. The payment certificate must bear the names of the
2856 beneficiary and the program provider and, when redeemed, must
2857 bear the signatures of both the beneficiary and an authorized
2858 representative of the provider.

2859 (d) If it is determined that a provider has given any cash
2860 or other consideration to the beneficiary in return for
2861 receiving a payment certificate, the early learning coalition or
2862 its fiscal agent shall refer the matter to the Department of
2863 Financial Services pursuant to s. 414.411 for investigation.

2864 (9) (7) Participation in the school readiness program does
2865 not expand the regulatory authority of the state, its officers,
2866 or an early learning coalition to impose any additional
2867 regulation on providers beyond those necessary to enforce the
2868 requirements set forth in this part and part V of this chapter.

2869 Section 51. Present subsections (5) through (14) of section



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2870 1002.83, Florida Statutes, are redesignated as subsections (6)
2871 through (15), respectively, a new subsection (5) is added to
2872 that section, and subsections (1) and (3), paragraphs (e), (f),
2873 and (m) of subsection (4), and present subsections (5), (11),
2874 and (13) are amended, to read:

2875 1002.83 Early learning coalitions.—

2876 (1) Thirty ~~Thirty-one~~ or fewer early learning coalitions
2877 are established and shall maintain direct enhancement services
2878 at the local level and provide access to such services in all 67
2879 counties. Two or more early learning coalitions may join for
2880 purposes of planning and implementing a school readiness program
2881 and the Voluntary Prekindergarten Education Program.

2882 (3) The Governor shall appoint the chair and two other
2883 members of each early learning coalition, who must each meet the
2884 ~~same~~ qualifications of a ~~as~~ private sector business member
2885 ~~members appointed by the coalition~~ under subsection (6) ~~(5)~~. In
2886 the absence of a governor-appointed chair, the Commissioner of
2887 Education may appoint an interim chair from the current early
2888 learning coalition board membership.

2889 (4) Each early learning coalition must include the
2890 following member positions; however, in a multicounty coalition,
2891 each ex officio member position may be filled by multiple
2892 nonvoting members but no more than one voting member shall be
2893 seated per member position. If an early learning coalition has
2894 more than one member representing the same entity, only one of
2895 such members may serve as a voting member:

2896 (e) A children's services council or juvenile welfare board
2897 chair or executive director from each county, if applicable.

2898 (f) A Department of Children and Families child care



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2899 regulation representative or an agency head of a local licensing
2900 agency as defined in s. 402.302, where applicable.

2901 ~~(m) A central agency administrator, where applicable.~~

2902 (5) If members of the board are found to be
2903 nonparticipating according to the early learning coalition
2904 bylaws, the early learning coalition may request an alternate
2905 designee who meets the same qualifications or membership
2906 requirements of the nonparticipating member.

2907 ~~(6)~~(5) The early learning coalition may appoint additional
2908 ~~Including the members who appointed by the Governor under~~
2909 ~~subsection (3), more than one-third of the members of each early~~
2910 ~~learning coalition must be private sector business members,~~
2911 ~~either for-profit or nonprofit, who do not have, and none of~~
2912 ~~whose relatives as defined in s. 112.3143 has, a substantial~~
2913 ~~financial interest in the design or delivery of the Voluntary~~
2914 ~~Prekindergarten Education Program created under part V of this~~
2915 ~~chapter or the school readiness program. To meet this~~
2916 ~~requirement, an early learning coalition must appoint additional~~
2917 ~~members. The department office shall establish criteria for~~
2918 ~~appointing private sector business members. These criteria must~~
2919 ~~include standards for determining whether a member or relative~~
2920 ~~has a substantial financial interest in the design or delivery~~
2921 ~~of the Voluntary Prekindergarten Education Program or the school~~
2922 ~~readiness program.~~

2923 ~~(12)~~(11) Each early learning coalition shall establish
2924 terms for all appointed members of the coalition. The terms must
2925 be staggered and must be a uniform length that does not exceed 4
2926 years per term. Coalition chairs shall be appointed for 4 years
2927 in conjunction with their membership on the Early Learning



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2928 ~~Advisory Council pursuant to s. 20.052.~~ Appointed members may
2929 serve a maximum of two consecutive terms. When a vacancy occurs
2930 in an appointed position, the coalition must advertise the
2931 vacancy.

2932 (14) ~~(13)~~ Each early learning coalition shall complete an
2933 annual evaluation of the early learning coalition's executive
2934 director or chief executive officer on forms adopted by the
2935 department. The annual evaluation must be submitted to the
2936 commissioner by June 30 of each year ~~use a coordinated~~
2937 ~~professional development system that supports the achievement~~
2938 ~~and maintenance of core competencies by school readiness program~~
2939 ~~teachers in helping children attain the performance standards~~
2940 ~~adopted by the office.~~

2941 Section 52. Present subsections (7) through (20) of section
2942 1002.84, Florida Statutes, are redesignated as subsections (8)
2943 through (21), respectively, a new subsection (7) is added to
2944 that section, and subsections (1), (2), and (4) and present
2945 subsections (7), (8), (15), (16), (17), (18), and (20) of that
2946 section are amended, to read:

2947 1002.84 Early learning coalitions; school readiness powers
2948 and duties.—Each early learning coalition shall:

2949 (1) Administer and implement a local comprehensive program
2950 of school readiness program services in accordance with this
2951 part and the rules adopted by the department ~~office~~, which
2952 enhances the cognitive, social, and physical development of
2953 children to achieve the performance standards.

2954 (2) Establish a uniform waiting list to track eligible
2955 children waiting for enrollment in the school readiness program
2956 in accordance with rules adopted by the State Board of Education



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2957 ~~office.~~

2958 (4) Establish a regional Warm-Line as directed by the
2959 department office pursuant to s. 1002.82(2)(u) ~~s. 1002.82(2)(t)~~.
2960 Regional Warm-Line staff shall provide onsite technical
2961 assistance, when requested, to assist child care facilities and
2962 family day care homes with inquiries relating to the strategies,
2963 curriculum, and environmental adaptations the child care
2964 facilities and family day care homes may need as they serve
2965 children with disabilities and other special needs.

2966 (7) Use a coordinated professional development system that
2967 supports the achievement and maintenance of core competencies by
2968 school readiness program teachers in helping children attain the
2969 performance standards adopted by the department.

2970 (8) ~~(7)~~ Determine child eligibility pursuant to s. 1002.87
2971 and provider eligibility pursuant to s. 1002.88. Child
2972 eligibility must be redetermined annually. A coalition must
2973 document the reason a child is no longer eligible for the school
2974 readiness program according to the standard codes prescribed by
2975 the department office.

2976 (9) ~~(8)~~ Establish a parent sliding fee scale that provides
2977 for a parent copayment that is not a barrier to families
2978 receiving school readiness program services. ~~Providers are~~
2979 ~~required to collect the parent's copayment.~~ A coalition may, ~~on~~
2980 ~~a case-by-case basis,~~ waive the copayment for an at-risk child
2981 or temporarily waive the copayment for a child whose family's
2982 income is at or below the federal poverty level or ~~and~~ whose
2983 family experiences a natural disaster or an event that limits
2984 the parent's ability to pay, such as incarceration, placement in
2985 residential treatment, or becoming homeless, or an emergency



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2986 situation such as a household fire or burglary, or while the
2987 parent is participating in parenting classes or participating in
2988 an Early Head Start program or Head Start Program. A parent may
2989 not transfer school readiness program services to another school
2990 readiness program provider until the parent has submitted
2991 documentation from the current school readiness program provider
2992 to the early learning coalition stating that the parent has
2993 satisfactorily fulfilled the copayment obligation.

2994 (16)~~(15)~~ Monitor school readiness program providers in
2995 accordance with its plan, or in response to a parental
2996 complaint, to verify that the standards prescribed in ss.
2997 1002.82 and 1002.88 are being met using a standard monitoring
2998 tool adopted by the department ~~office~~. Providers determined to
2999 be high-risk by the coalition, as demonstrated by substantial
3000 findings of violations of federal law or the general or local
3001 laws of the state, shall be monitored more frequently. Providers
3002 with 3 consecutive years of compliance may be monitored
3003 biennially.

3004 (17)~~(16)~~ Adopt a payment schedule that encompasses all
3005 programs funded under this part and part V of this chapter. The
3006 payment schedule must take into consideration the prevailing
3007 ~~average~~ market rate, include the projected number of children to
3008 be served, and be submitted for approval by the department
3009 ~~office~~. Informal child care arrangements shall be reimbursed at
3010 not more than 50 percent of the rate adopted for a family day
3011 care home.

3012 (18)~~(17)~~ Implement an anti-fraud plan addressing the
3013 detection, reporting, and prevention of overpayments, abuse, and
3014 fraud relating to the provision of and payment for school



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3015 readiness program and Voluntary Prekindergarten Education
3016 Program services and submit the plan to the department ~~office~~
3017 for approval, as required by s. 1002.91.

3018 ~~(19)-(18)~~ By October 1 of each year, submit an annual report
3019 to the department ~~office~~. The report shall conform to the format
3020 adopted by the department ~~office~~ and must include:

3021 (a) Segregation of school readiness program funds,
3022 Voluntary Prekindergarten Education Program funds, ~~Child Care~~
3023 ~~Executive Partnership Program funds~~, and other local revenues
3024 available to the coalition.

3025 (b) Details of expenditures by fund source, including total
3026 expenditures for administrative activities, quality activities,
3027 nondirect services, and direct services for children.

3028 (c) The total number of coalition staff and the related
3029 expenditures for salaries and benefits. For any subcontracts,
3030 the total number of contracted staff and the related
3031 expenditures for salaries and benefits must be included.

3032 (d) The number of children served in the school readiness
3033 program, by provider type, enumerated by age and eligibility
3034 priority category, reported as the number of children served
3035 during the month, the average participation throughout the
3036 month, and the number of children served during the month.

3037 (e) The total number of children disenrolled during the
3038 year and the reasons for disenrollment.

3039 (f) The total number of providers by provider type.

3040 (g) A listing of any school readiness program provider, by
3041 type, whose eligibility to deliver the school readiness program
3042 is revoked, including a brief description of the state or
3043 federal violation that resulted in the revocation.



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3044 (h) An evaluation of its direct enhancement services.
3045 (i) The total number of children served in each provider
3046 facility.
3047 (21) (a) ~~(20)~~ To increase transparency and accountability,
3048 comply with the requirements of this section before contracting
3049 with one or more of the following persons or business entities
3050 which employs, has a contractual relationship with, or is owned
3051 by the following persons:
3052 1. A member of the coalition appointed pursuant to s.
3053 1002.83(4);
3054 2. A board member of any other early learning subrecipient
3055 entity;
3056 3. A coalition employee; or
3057 4. A relative, as defined in s. 112.3143(1)(c), of any
3058 person listed in subparagraphs 1.-3 ~~a coalition member or of an~~
3059 ~~employee of the coalition.~~
3060 (b) Such contracts may not be executed without the approval
3061 of the department ~~office~~. Such contracts, as well as
3062 documentation demonstrating adherence to this section by the
3063 coalition, must be approved by a two-thirds vote of the
3064 coalition, a quorum having been established; all conflicts of
3065 interest must be disclosed before the vote; and any member who
3066 may benefit from the contract, or whose relative may benefit
3067 from the contract, must abstain from the vote. A contract under
3068 \$25,000 ~~between an early learning coalition and a member of that~~
3069 ~~coalition or between a relative, as defined in s.~~
3070 ~~112.3143(1)(c), of a coalition member or of an employee of the~~
3071 ~~coalition~~ is not required to have the prior approval of the
3072 department ~~office~~ but must be approved by a two-thirds vote of



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3073 the coalition, a quorum having been established, and must be
3074 reported to the department ~~office~~ within 30 days after approval.
3075 If a contract cannot be approved by the department ~~office~~, a
3076 review of the decision to disapprove the contract may be
3077 requested by the early learning coalition or other parties to
3078 the disapproved contract.

3079 Section 53. Section 1002.85, Florida Statutes, is amended
3080 to read:

3081 1002.85 Early learning coalition plans.—

3082 (1) The department ~~office~~ shall adopt rules prescribing the
3083 standardized format and required content of school readiness
3084 program plans as necessary for a coalition or other qualified
3085 entity to administer the school readiness program as provided in
3086 this part.

3087 (2) Each early learning coalition must biennially submit a
3088 school readiness program plan to the department ~~office~~ before
3089 the expenditure of funds. A coalition may not implement its
3090 school readiness program plan until it receives approval from
3091 the department ~~office~~. A coalition may not implement any
3092 revision to its school readiness program plan until the
3093 coalition submits the revised plan to and receives approval from
3094 the department ~~office~~. If the department ~~office~~ rejects a plan
3095 or revision, the coalition must continue to operate under its
3096 previously approved plan. The plan must include, but is not
3097 limited to:

3098 (a) The coalition's operations, including its membership
3099 and business organization, and the coalition's articles of
3100 incorporation and bylaws if the coalition is organized as a
3101 corporation. If the coalition is not organized as a corporation



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3102 or other business entity, the plan must include the contract
3103 with a fiscal agent.

3104 (b) The minimum number of children to be served by care
3105 level.

3106 (c) The coalition's procedures for implementing the
3107 requirements of this part, including:

3108 1. Single point of entry.

3109 2. Uniform waiting list.

3110 3. Eligibility and enrollment processes and local
3111 eligibility priorities for children pursuant to s. 1002.87.

3112 4. Parent access and choice.

3113 5. Sliding fee scale and policies on applying the waiver or
3114 reduction of fees in accordance with s. 1002.84(9) ~~s.~~
3115 ~~1002.84(8)~~.

3116 6. Use of preassessments and postassessments, as
3117 applicable.

3118 7. Payment rate schedule.

3119 8. Use of contracted slots, as applicable, based on the
3120 results of the assessment required under paragraph (j).

3121 (d) A detailed description of the coalition's quality
3122 activities and services, including, but not limited to:

3123 1. Resource and referral and school-age child care.

3124 2. Infant and toddler early learning.

3125 3. Inclusive early learning programs.

3126 4. Quality improvement strategies that strengthen teaching
3127 practices and increase child outcomes.

3128 (e) A detailed budget that outlines estimated expenditures
3129 for state, federal, and local matching funds at the lowest level
3130 of detail available by other-cost-accumulator code number; all



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3131 estimated sources of revenue with identifiable descriptions; a
3132 listing of full-time equivalent positions; contracted
3133 subcontractor costs with related annual compensation amount or
3134 hourly rate of compensation; and a capital improvements plan
3135 outlining existing fixed capital outlay projects and proposed
3136 capital outlay projects that will begin during the budget year.

3137 (f) A detailed accounting, in the format prescribed by the
3138 department office, of all revenues and expenditures during the
3139 previous state fiscal year. Revenue sources should be
3140 identifiable, and expenditures should be reported by two ~~three~~
3141 categories: state and federal funds and, ~~local matching funds,~~
3142 ~~and Child Care Executive Partnership Program funds.~~

3143 (g) Updated policies and procedures, including those
3144 governing procurement, maintenance of tangible personal
3145 property, maintenance of records, information technology
3146 security, and disbursement controls.

3147 (h) A description of the procedures for monitoring school
3148 readiness program providers, including in response to a parental
3149 complaint, to determine that the standards prescribed in ss.
3150 1002.82 and 1002.88 are met using a standard monitoring tool
3151 adopted by the department office. Providers determined to be
3152 high risk by the coalition as demonstrated by substantial
3153 findings of violations of law shall be monitored more
3154 frequently.

3155 (i) Documentation that the coalition has solicited and
3156 considered comments regarding the proposed school readiness
3157 program plan from the local community.

3158 (j) An assessment of local priorities within the county or
3159 multicounty region based on the needs of families and provider



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3160 capacity using available community data.

3161 (3) The coalition may periodically amend its plan as
3162 necessary. An amended plan must be submitted to and approved by
3163 the department ~~office~~ before any expenditures are incurred on
3164 the new activities proposed in the amendment.

3165 (4) The department ~~office~~ shall publish a copy of the
3166 standardized format and required content of school readiness
3167 program plans on its website.

3168 (5) The department ~~office~~ shall collect and report data on
3169 coalition delivery of early learning programs. Elements shall
3170 include, but are not limited to, measures related to progress
3171 towards reducing the number of children on the waiting list, the
3172 percentage of children served by the program as compared to the
3173 number of administrative staff and overhead, the percentage of
3174 children served compared to total number of children under the
3175 age of 5 years below 150 percent of the federal poverty level,
3176 provider payment processes, fraud intervention, child attendance
3177 and stability, use of child care resource and referral, and
3178 kindergarten readiness outcomes for children in the Voluntary
3179 Prekindergarten Education Program or the school readiness
3180 program upon entry into kindergarten. The department ~~office~~
3181 shall request input from the coalitions and school readiness
3182 program providers before finalizing the format and data to be
3183 used. The report shall be implemented beginning July 1, 2014,
3184 and results of the report must be included in the annual report
3185 under s. 1002.82.

3186 Section 54. Paragraphs (a), (b), (c), (e), (f), (m), (n),
3187 (p), and (q) of subsection (1) and subsection (3) of section
3188 1002.88, Florida Statutes, are amended, and paragraph (s) is



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3189 added to subsection (1) of that section, to read:

3190 1002.88 School readiness program provider standards;
3191 eligibility to deliver the school readiness program.—

3192 (1) To be eligible to deliver the school readiness program,
3193 a school readiness program provider must:

3194 (a) Be a child care facility licensed under s. 402.305, a
3195 family day care home licensed or registered under s. 402.313, a
3196 large family child care home licensed under s. 402.3131, a
3197 public school or nonpublic school exempt from licensure under s.
3198 402.3025, a faith-based child care provider exempt from
3199 licensure under s. 402.316, a before-school or after-school
3200 program described in s. 402.305(1)(c), a child development
3201 program that is accredited by a national accrediting body and
3202 operates on a military installation that is certified by the
3203 United States Department of Defense, ~~or~~ an informal child care
3204 provider to the extent authorized in the state's Child Care and
3205 Development Fund Plan as approved by the United States
3206 Department of Health and Human Services pursuant to 45 C.F.R. s.
3207 98.18, or a provider who has been issued a provisional license
3208 pursuant to s. 402.309. A provider may not deliver the program
3209 while holding a probation-status license under s. 402.310.

3210 (b) Provide instruction and activities to enhance the age-
3211 appropriate progress of each child in attaining the child
3212 development standards adopted by the department ~~office~~ pursuant
3213 to s. 1002.82(2)(j). A provider should include activities to
3214 foster brain development in infants and toddlers; provide an
3215 environment that is rich in language and music and filled with
3216 objects of various colors, shapes, textures, and sizes to
3217 stimulate visual, tactile, auditory, and linguistic senses; and



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3218 include 30 minutes of reading to children each day.

3219 (c) Provide basic health and safety of its premises and
3220 facilities and compliance with requirements for age-appropriate
3221 immunizations of children enrolled in the school readiness
3222 program.

3223 1. For a provider that is licensed, compliance with s.
3224 402.305, s. 402.3131, or s. 402.313 and this subsection, as
3225 verified pursuant to s. 402.311, satisfies this requirement.

3226 2. For a provider that is a registered family day care home
3227 or is not subject to licensure or registration by the Department
3228 of Children and Families, compliance with this subsection, as
3229 verified pursuant to s. 402.311, satisfies this requirement.
3230 Upon verification pursuant to s. 402.311, the provider shall
3231 annually post the health and safety checklist adopted by the
3232 department office prominently on its premises in plain sight for
3233 visitors and parents and shall annually submit the checklist to
3234 its local early learning coalition.

3235 3. For a child development program that is accredited by a
3236 national accrediting body and operates on a military
3237 installation that is certified by the United States Department
3238 of Defense, the submission and verification of annual
3239 inspections pursuant to United States Department of Defense
3240 Instructions 6060.2 and 1402.05 satisfies this requirement.

3241 (e) Employ child care personnel, as defined in s.
3242 402.302(3), who have satisfied the screening requirements of
3243 chapter 402 and fulfilled the training requirements of the
3244 department office.

3245 (f) Implement one of the curricula approved by the
3246 department office that meets the child development standards.



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3247 (m) For a provider that is not an informal provider,
3248 maintain general liability insurance and provide the coalition
3249 with written evidence of general liability insurance coverage,
3250 including coverage for transportation of children if school
3251 readiness program children are transported by the provider. A
3252 provider must obtain and retain an insurance policy that
3253 provides a minimum of \$100,000 of coverage per occurrence and a
3254 minimum of \$300,000 general aggregate coverage. The department
3255 ~~office~~ may authorize lower limits upon request, as appropriate.
3256 A provider must add the coalition as a named certificateholder
3257 and as an additional insured. A provider must provide the
3258 coalition with a minimum of 10 calendar days' advance written
3259 notice of cancellation of or changes to coverage. The general
3260 liability insurance required by this paragraph must remain in
3261 full force and effect for the entire period of the provider
3262 contract with the coalition.

3263 (n) For a provider that is an informal provider, comply
3264 with the provisions of paragraph (m) or maintain homeowner's
3265 liability insurance and, if applicable, a business rider. If an
3266 informal provider chooses to maintain a homeowner's policy, the
3267 provider must obtain and retain a homeowner's insurance policy
3268 that provides a minimum of \$100,000 of coverage per occurrence
3269 and a minimum of \$300,000 general aggregate coverage. The
3270 department ~~office~~ may authorize lower limits upon request, as
3271 appropriate. An informal provider must add the coalition as a
3272 named certificateholder and as an additional insured. An
3273 informal provider must provide the coalition with a minimum of
3274 10 calendar days' advance written notice of cancellation of or
3275 changes to coverage. The general liability insurance required by



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3276 this paragraph must remain in full force and effect for the
3277 entire period of the provider's contract with the coalition.

3278 (p) Notwithstanding paragraph (m), for a provider that is a
3279 state agency or a subdivision thereof, as defined in s.

3280 768.28(2), agree to notify the coalition of any additional
3281 liability coverage maintained by the provider in addition to
3282 that otherwise established under s. 768.28. The provider shall
3283 indemnify the coalition to the extent permitted by s. 768.28.

3284 Notwithstanding paragraph (m), for a child development program
3285 that is accredited by a national accrediting body and operates
3286 on a military installation that is certified by the United
3287 States Department of Defense, the provider may demonstrate
3288 liability coverage by affirming that it is subject to the
3289 Federal Tort Claims Act, 28 U.S.C. ss. 2671 et seq.

3290 (q) Execute the standard statewide provider contract
3291 adopted by the department office.

3292 (s) Collect all parent copayment fees, unless a waiver has
3293 been granted under s. 1002.84(8).

3294 (3) The department office and the coalitions may not:

3295 (a) Impose any requirement on a child care provider or
3296 early childhood education provider that does not deliver
3297 services under the school readiness program or receive state or
3298 federal funds under this part;

3299 (b) Impose any requirement on a school readiness program
3300 provider that exceeds the authority provided under this part or
3301 part V of this chapter or rules adopted pursuant to this part or
3302 part V of this chapter; or

3303 (c) Require a provider to administer a preassessment or
3304 postassessment.



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3305 Section 55. Present subsections (3) through (7) of section
3306 1002.89, Florida Statutes, are redesignated as subsections (2)
3307 through (6), respectively, and present subsections (2), (3), and
3308 (6) of that section are amended, to read:

3309 1002.89 School readiness program; funding.—

3310 ~~(2) The office shall administer school readiness program~~
3311 ~~funds and prepare and submit a unified budget request for the~~
3312 ~~school readiness program in accordance with chapter 216.~~

3313 (2)~~(3)~~ All instructions to early learning coalitions for
3314 administering this section shall emanate from the department
3315 ~~office~~ in accordance with the policies of the Legislature.

3316 (5)~~(6)~~ Costs shall be kept to the minimum necessary for the
3317 efficient and effective administration of the school readiness
3318 program with the highest priority of expenditure being direct
3319 services for eligible children. However, no more than 5 percent
3320 of the funds described in subsection (4) ~~subsection (5)~~ may be
3321 used for administrative costs and no more than 22 percent of the
3322 funds described in subsection (4) ~~subsection (5)~~ may be used in
3323 any fiscal year for any combination of administrative costs,
3324 quality activities, and nondirect services as follows:

3325 (a) Administrative costs as described in 45 C.F.R. s.
3326 98.52, which shall include monitoring providers using the
3327 standard methodology adopted under s. 1002.82 to improve
3328 compliance with state and federal regulations and law pursuant
3329 to the requirements of the statewide provider contract adopted
3330 under s. 1002.82(2)(m).

3331 (b) Activities to improve the quality of child care as
3332 described in 45 C.F.R. s. 98.51, which shall be limited to the
3333 following:



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3334 1. Developing, establishing, expanding, operating, and
3335 coordinating resource and referral programs specifically related
3336 to the provision of comprehensive consumer education to parents
3337 and the public to promote informed child care choices specified
3338 in 45 C.F.R. s. 98.33.

3339 2. Awarding grants and providing financial support to
3340 school readiness program providers and their staff to assist
3341 them in meeting applicable state requirements for the program
3342 assessment required under s. 1002.82(2)(n), child care
3343 performance standards, implementing developmentally appropriate
3344 curricula and related classroom resources that support
3345 curricula, providing literacy supports, and providing continued
3346 professional development and training. Any grants awarded
3347 pursuant to this subparagraph shall comply with ss. 215.971 and
3348 287.058.

3349 3. Providing training, technical assistance, and financial
3350 support to school readiness program providers, staff, and
3351 parents on standards, child screenings, child assessments, child
3352 development research and best practices, developmentally
3353 appropriate curricula, character development, teacher-child
3354 interactions, age-appropriate discipline practices, health and
3355 safety, nutrition, first aid, cardiopulmonary resuscitation, the
3356 recognition of communicable diseases, and child abuse detection,
3357 prevention, and reporting.

3358 4. Providing, from among the funds provided for the
3359 activities described in subparagraphs 1.-3., adequate funding
3360 for infants and toddlers as necessary to meet federal
3361 requirements related to expenditures for quality activities for
3362 infant and toddler care.



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3363 5. Improving the monitoring of compliance with, and
3364 enforcement of, applicable state and local requirements as
3365 described in and limited by 45 C.F.R. s. 98.40.

3366 6. Responding to Warm-Line requests by providers and
3367 parents, including providing developmental and health screenings
3368 to school readiness program children.

3369 (c) Nondirect services as described in applicable Office of
3370 Management and Budget instructions are those services not
3371 defined as administrative, direct, or quality services that are
3372 required to administer the school readiness program. Such
3373 services include, but are not limited to:

3374 1. Assisting families to complete the required application
3375 and eligibility documentation.

3376 2. Determining child and family eligibility.

3377 3. Recruiting eligible child care providers.

3378 4. Processing and tracking attendance records.

3379 5. Developing and maintaining a statewide child care
3380 information system.

3381
3382 As used in this paragraph, the term "nondirect services" does
3383 not include payments to school readiness program providers for
3384 direct services provided to children who are eligible under s.
3385 1002.87, administrative costs as described in paragraph (a), or
3386 quality activities as described in paragraph (b).

3387 Section 56. Subsection (1), paragraph (a) of subsection
3388 (2), and subsections (4), (5), and (6) of section 1002.895,
3389 Florida Statutes, are amended to read:

3390 1002.895 Market rate schedule.—The school readiness program
3391 market rate schedule shall be implemented as follows:



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3392 (1) The department office shall establish procedures for
3393 the adoption of a market rate schedule. The schedule must
3394 include, at a minimum, county-by-county rates:

3395 (a) The market rate, including the minimum and the maximum
3396 rates for child care providers that hold a Gold Seal Quality
3397 Care designation under s. 1002.945 and adhere to its accrediting
3398 association's teacher-to-child ratios and group size
3399 requirements ~~s. 402.281~~.

3400 (b) The market rate for child care providers that do not
3401 hold a Gold Seal Quality Care designation.

3402 (2) The market rate schedule, at a minimum, must:

3403 (a) Differentiate rates by type, including, but not limited
3404 to, a child care provider that holds a Gold Seal Quality Care
3405 designation under s. 1002.945 and adheres to its accrediting
3406 association's teacher-to-child ratios and group size
3407 requirements ~~s. 402.281~~, a child care facility licensed under s.
3408 402.305, a public or nonpublic school exempt from licensure
3409 under s. 402.3025, a faith-based child care facility exempt from
3410 licensure under s. 402.316 that does not hold a Gold Seal
3411 Quality Care designation, a large family child care home
3412 licensed under s. 402.3131, or a family day care home licensed
3413 or registered under s. 402.313.

3414 (4) The market rate schedule shall be considered by an
3415 early learning coalition in the adoption of a payment schedule.
3416 The payment schedule must take into consideration the prevailing
3417 average market rate and include the projected number of
3418 children to be served by each county and be submitted for
3419 approval by the department office. Informal child care
3420 arrangements shall be reimbursed at not more than 50 percent of



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3421 the rate adopted for a family day care home.

3422 (5) The department ~~office~~ may contract with one or more
3423 qualified entities to administer this section and provide
3424 support and technical assistance for child care providers.

3425 (6) The department ~~office~~ may adopt rules for establishing
3426 procedures for the collection of child care providers' market
3427 rate, the calculation of the prevailing ~~average~~ market rate by
3428 program care level and provider type in a predetermined
3429 geographic market, and the publication of the market rate
3430 schedule.

3431 Section 57. Section 1002.91, Florida Statutes, is amended
3432 to read:

3433 1002.91 Investigations of fraud or overpayment; penalties.—

3434 (1) As used in this subsection, the term "fraud" means an
3435 intentional deception, omission, or misrepresentation made by a
3436 person with knowledge that the deception, omission, or
3437 misrepresentation may result in unauthorized benefit to that
3438 person or another person, or any aiding and abetting of the
3439 commission of such an act. The term includes any act that
3440 constitutes fraud under applicable federal or state law.

3441 (2) To recover state, federal, and local matching funds,
3442 the department ~~office~~ shall investigate early learning
3443 coalitions, recipients, and providers of the school readiness
3444 program and the Voluntary Prekindergarten Education Program to
3445 determine possible fraud or overpayment. If by its own
3446 inquiries, or as a result of a complaint, the department ~~office~~
3447 has reason to believe that a person, coalition, or provider has
3448 engaged in, or is engaging in, a fraudulent act, it shall
3449 investigate and determine whether any overpayment has occurred



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3450 due to the fraudulent act. During the investigation, the
3451 department office may examine all records, including electronic
3452 benefits transfer records, and make inquiry of all persons who
3453 may have knowledge as to any irregularity incidental to the
3454 disbursement of public moneys or other items or benefits
3455 authorizations to recipients.

3456 (3) Based on the results of the investigation, the
3457 department office may, in its discretion, refer the
3458 investigation to the Department of Financial Services for
3459 criminal investigation or refer the matter to the applicable
3460 coalition. Any suspected criminal violation identified by the
3461 department office must be referred to the Department of
3462 Financial Services for criminal investigation.

3463 (4) An early learning coalition may suspend or terminate a
3464 provider from participation in the school readiness program or
3465 the Voluntary Prekindergarten Education Program when it has
3466 reasonable cause to believe that the provider has committed
3467 fraud. The department office shall adopt by rule appropriate due
3468 process procedures that the early learning coalition shall apply
3469 in suspending or terminating any provider, including the
3470 suspension or termination of payment. If suspended, the provider
3471 shall remain suspended until the completion of any investigation
3472 by the department office, the Department of Financial Services,
3473 or any other state or federal agency, and any subsequent
3474 prosecution or other legal proceeding.

3475 (5) If a school readiness program provider or a Voluntary
3476 Prekindergarten Education Program provider, or an owner,
3477 officer, or director thereof, is convicted of, found guilty of,
3478 or pleads guilty or nolo contendere to, regardless of



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3479 adjudication, public assistance fraud pursuant to s. 414.39, or
3480 is acting as the beneficial owner for someone who has been
3481 convicted of, found guilty of, or pleads guilty or nolo
3482 contendere to, regardless of adjudication, public assistance
3483 fraud pursuant to s. 414.39, the early learning coalition shall
3484 refrain from contracting with, or using the services of, that
3485 provider for a period of 5 years. In addition, the coalition
3486 shall refrain from contracting with, or using the services of,
3487 any provider that shares an officer or director with a provider
3488 that is convicted of, found guilty of, or pleads guilty or nolo
3489 contendere to, regardless of adjudication, public assistance
3490 fraud pursuant to s. 414.39 for a period of 5 years.

3491 (6) If the investigation is not confidential or otherwise
3492 exempt from disclosure by law, the results of the investigation
3493 may be reported by the department ~~office~~ to the appropriate
3494 legislative committees, the Department of Children and Families,
3495 and such other persons as the department ~~office~~ deems
3496 appropriate.

3497 (7) The early learning coalition may not contract with a
3498 school readiness program provider or a Voluntary Prekindergarten
3499 Education Program provider who is on the United States
3500 Department of Agriculture National Disqualified List. In
3501 addition, the coalition may not contract with any provider that
3502 shares an officer or director with a provider that is on the
3503 United States Department of Agriculture National Disqualified
3504 List.

3505 (8) Each early learning coalition shall adopt an anti-fraud
3506 plan addressing the detection and prevention of overpayments,
3507 abuse, and fraud relating to the provision of and payment for



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3508 school readiness program and Voluntary Prekindergarten Education
3509 Program services and submit the plan to the department ~~office~~
3510 for approval. The department ~~office~~ shall adopt rules
3511 establishing criteria for the anti-fraud plan, including
3512 appropriate due process provisions. The anti-fraud plan must
3513 include, at a minimum:

3514 (a) A written description or chart outlining the
3515 organizational structure of the plan's personnel who are
3516 responsible for the investigation and reporting of possible
3517 overpayment, abuse, or fraud.

3518 (b) A description of the plan's procedures for detecting
3519 and investigating possible acts of fraud, abuse, or overpayment.

3520 (c) A description of the plan's procedures for the
3521 mandatory reporting of possible overpayment, abuse, or fraud to
3522 the Office of Inspector General within the department ~~office~~.

3523 (d) A description of the plan's program and procedures for
3524 educating and training personnel on how to detect and prevent
3525 fraud, abuse, and overpayment.

3526 (e) A description of the plan's procedures, including the
3527 appropriate due process provisions adopted by the department
3528 ~~office~~ for suspending or terminating from the school readiness
3529 program or the Voluntary Prekindergarten Education Program a
3530 recipient or provider who the early learning coalition believes
3531 has committed fraud.

3532 (9) A person who commits an act of fraud as defined in this
3533 section is subject to the penalties provided in s. 414.39(5)(a)
3534 and (b).

3535 Section 58. Subsections (1) and (2) and paragraphs (a),
3536 (c), and (d) of subsection (3) of section 1002.92, Florida



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3537 Statutes, are amended to read:

3538 1002.92 Child care and early childhood resource and
3539 referral.—

3540 (1) As a part of the school readiness program, the
3541 department office shall establish a statewide child care
3542 resource and referral network that is unbiased and provides
3543 referrals to families for child care and information on
3544 available community resources. Preference shall be given to
3545 using early learning coalitions as the child care resource and
3546 referral agencies. If an early learning coalition cannot comply
3547 with the requirements to offer the resource information
3548 component or does not want to offer that service, the early
3549 learning coalition shall select the resource and referral agency
3550 for its county or multicounty region based upon the procurement
3551 requirements of s. 1002.84(13) ~~s. 1002.84(12)~~.

3552 (2) At least one child care resource and referral agency
3553 must be established in each early learning coalition's county or
3554 multicounty region. The department office shall adopt rules
3555 regarding accessibility of child care resource and referral
3556 services offered through child care resource and referral
3557 agencies in each county or multicounty region which include, at
3558 a minimum, required hours of operation, methods by which parents
3559 may request services, and child care resource and referral staff
3560 training requirements.

3561 (3) Child care resource and referral agencies shall provide
3562 the following services:

3563 (a) Identification of existing public and private child
3564 care and early childhood education services, including child
3565 care services by public and private employers, and the



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3566 development of an early learning provider performance profile a
3567 ~~resource file~~ of those services through the single statewide
3568 information system developed by the department office under s.
3569 1002.82(2)(q) ~~s. 1002.82(2)(p)~~. These services may include
3570 family day care, public and private child care programs, the
3571 Voluntary Prekindergarten Education Program, Head Start, the
3572 school readiness program, special education programs for
3573 prekindergarten children with disabilities, services for
3574 children with developmental disabilities, full-time and part-
3575 time programs, before-school and after-school programs, and
3576 vacation care programs, ~~parent education, the temporary cash~~
3577 ~~assistance program, and related family support services~~. The
3578 early learning provider performance profile resource file shall
3579 include, but not be limited to:
3580 1. Type of program.
3581 2. Hours of service.
3582 3. Ages of children served.
3583 4. Number of children served.
3584 5. Program information.
3585 6. Fees and eligibility for services.
3586 7. Availability of transportation.
3587 8. Participation in the Child Care Food Program, if
3588 applicable.
3589 9. A link to licensing inspection reports, if applicable.
3590 10. The components of the Voluntary Prekindergarten
3591 Education Program performance metric calculated under s.
3592 1002.68, which must consist of the program assessment composite
3593 score, the learning gains score, the achievement score, and its
3594 designations, if applicable.



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3595 11. The school readiness program assessment composite score
3596 and program assessment care level composite scores delineated by
3597 infant classroom, toddler classroom, and preschool classroom
3598 results under s. 1002.82, if applicable.

3599 12. Gold Seal Quality Care designation under s. 1002.945,
3600 if applicable.

3601 13. An indication as to whether the provider implements a
3602 curriculum approved by the department and the name of the
3603 curriculum, if applicable.

3604 14. An indication as to whether the provider participates
3605 in the school readiness child assessment under s. 1002.82.

3606 (c) Maintenance of ongoing documentation of requests for
3607 service tabulated through the internal referral process through
3608 the single statewide information system. The following
3609 documentation of requests for service shall be maintained by the
3610 child care resource and referral network:

3611 1. Number of calls and contacts to the child care resource
3612 information and referral network component by type of service
3613 requested.

3614 2. Ages of children for whom service was requested.

3615 3. Time category of child care requests for each child.

3616 4. Special time category, such as nights, weekends, and
3617 swing shift.

3618 5. Reason that the child care is needed.

3619 6. Customer satisfaction survey data required under s.

3620 1002.82 (3) ~~Name of the employer and primary focus of the~~
3621 ~~business for an employer-based child care program.~~

3622 (d) Assistance to families that connects them to parent
3623 education opportunities, the temporary cash assistance program,



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3624 ~~or social services programs that support families with children,~~
3625 ~~and related child development support services Provision of~~
3626 ~~technical assistance to existing and potential providers of~~
3627 ~~child care services. This assistance may include:~~

3628 ~~1. Information on initiating new child care services,~~
3629 ~~zoning, and program and budget development and assistance in~~
3630 ~~finding such information from other sources.~~

3631 ~~2. Information and resources which help existing child care~~
3632 ~~services providers to maximize their ability to serve children~~
3633 ~~and parents in their community.~~

3634 ~~3. Information and incentives that may help existing or~~
3635 ~~planned child care services offered by public or private~~
3636 ~~employers seeking to maximize their ability to serve the~~
3637 ~~children of their working parent employees in their community,~~
3638 ~~through contractual or other funding arrangements with~~
3639 ~~businesses.~~

3640 Section 59. Subsection (1) of section 1002.93, Florida
3641 Statutes, is amended to read:

3642 1002.93 School readiness program transportation services.-

3643 (1) The department ~~office~~ may authorize an early learning
3644 coalition to establish school readiness program transportation
3645 services for children at risk of abuse or neglect who are
3646 participating in the school readiness program, pursuant to
3647 chapter 427. The early learning coalitions may contract for the
3648 provision of transportation services as required by this
3649 section.

3650 Section 60. Section 1002.94, Florida Statutes, is repealed.

3651 Section 61. Section 1002.95, Florida Statutes, is amended
3652 to read:



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3653 1002.95 Teacher Education and Compensation Helps (TEACH)
3654 scholarship program.—

3655 (1) The department ~~office~~ may contract for the
3656 administration of the Teacher Education and Compensation Helps
3657 (TEACH) scholarship program, which provides educational
3658 scholarships to caregivers and administrators of early childhood
3659 programs, family day care homes, and large family child care
3660 homes. The goal of the program is to increase the education and
3661 training for caregivers, increase the compensation for child
3662 caregivers who complete the program requirements, and reduce the
3663 rate of participant turnover in the field of early childhood
3664 education.

3665 (2) The State Board of Education ~~office~~ shall adopt rules
3666 as necessary to administer this section.

3667 Section 62. Subsections (1) and (3) of section 1002.96,
3668 Florida Statutes, are amended to read:

3669 1002.96 Early Head Start collaboration grants.—

3670 (1) Contingent upon specific appropriation, the department
3671 ~~office~~ shall establish a program to award collaboration grants
3672 to assist local agencies in securing Early Head Start programs
3673 through Early Head Start program federal grants. The
3674 collaboration grants shall provide the required matching funds
3675 for public and private nonprofit agencies that have been
3676 approved for Early Head Start program federal grants.

3677 (3) The department ~~office~~ may adopt rules as necessary for
3678 the award of collaboration grants to competing agencies and the
3679 administration of the collaboration grants program under this
3680 section.

3681 Section 63. Subsection (1) and paragraph (g) of subsection



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3682 (3) of section 1002.97, Florida Statutes, are amended to read:
3683 1002.97 Records of children in the school readiness
3684 program.—

3685 (1) The individual records of children enrolled in the
3686 school readiness program provided under this part, held by an
3687 early learning coalition or the department office, are
3688 confidential and exempt from s. 119.07(1) and s. 24(a), Art. I
3689 of the State Constitution. For purposes of this section, records
3690 include assessment data, health data, records of teacher
3691 observations, and personal identifying information.

3692 (3) School readiness program records may be released to:

3693 (g) Parties to an interagency agreement among early
3694 learning coalitions, local governmental agencies, providers of
3695 the school readiness program, state agencies, and the department
3696 office for the purpose of implementing the school readiness
3697 program.

3698
3699 Agencies, organizations, or individuals that receive school
3700 readiness program records in order to carry out their official
3701 functions must protect the data in a manner that does not permit
3702 the personal identification of a child enrolled in a school
3703 readiness program and his or her parent by persons other than
3704 those authorized to receive the records.

3705 Section 64. Subsections (1) and (3) of section 1002.995,
3706 Florida Statutes, are amended to read:

3707 1002.995 Early learning professional development standards
3708 and career pathways.—

3709 (1) The department office shall:

3710 (a) Develop early learning professional development



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3711 training and course standards to be utilized for school
3712 readiness program providers.

3713 (b) Identify both formal and informal early learning career
3714 pathways with stackable credentials and certifications that
3715 allow early childhood teachers to access specialized
3716 professional development that:

3717 1. Strengthens knowledge and teaching practices.

3718 2. Aligns to established professional standards and core
3719 competencies.

3720 3. Provides a progression of attainable, competency-based
3721 stackable credentials and certifications.

3722 4. Improves outcomes for children to increase kindergarten
3723 readiness and early grade success.

3724 (3) The State Board of Education ~~office~~ shall adopt rules
3725 to administer this section.

3726 Section 65. Subsection (3) of section 1003.575, Florida
3727 Statutes, is amended to read:

3728 1003.575 Assistive technology devices; findings;
3729 interagency agreements.—Accessibility, utilization, and
3730 coordination of appropriate assistive technology devices and
3731 services are essential as a young person with disabilities moves
3732 from early intervention to preschool, from preschool to school,
3733 from one school to another, from school to employment or
3734 independent living, and from school to home and community. If an
3735 individual education plan team makes a recommendation in
3736 accordance with State Board of Education rule for a student with
3737 a disability, as defined in s. 1003.01(3), to receive an
3738 assistive technology assessment, that assessment must be
3739 completed within 60 school days after the team's recommendation.



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3740 To ensure that an assistive technology device issued to a young
3741 person as part of his or her individualized family support plan,
3742 individual support plan, individualized plan for employment, or
3743 individual education plan remains with the individual through
3744 such transitions, the following agencies shall enter into
3745 interagency agreements, as appropriate, to ensure the
3746 transaction of assistive technology devices:

3747 (3) The Voluntary Prekindergarten Education Program
3748 administered by the Department of Education ~~and the Office of~~
3749 ~~Early Learning.~~

3750
3751 Interagency agreements entered into pursuant to this section
3752 shall provide a framework for ensuring that young persons with
3753 disabilities and their families, educators, and employers are
3754 informed about the utilization and coordination of assistive
3755 technology devices and services that may assist in meeting
3756 transition needs, and shall establish a mechanism by which a
3757 young person or his or her parent may request that an assistive
3758 technology device remain with the young person as he or she
3759 moves through the continuum from home to school to postschool.

3760 Section 66. Section 1007.01, Florida Statutes, is amended
3761 to read:

3762 1007.01 Articulation; legislative intent; purpose; role of
3763 the State Board of Education and the Board of Governors;
3764 Articulation Coordinating Committee.-

3765 (1) It is the intent of the Legislature to facilitate
3766 articulation and seamless integration of the Early Learning-20
3767 ~~K-20~~ education system by building, sustaining, and strengthening
3768 relationships among Early Learning-20 ~~K-20~~ public organizations,



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3769 between public and private organizations, and between the
3770 education system as a whole and Florida's communities. The
3771 purpose of building, sustaining, and strengthening these
3772 relationships is to provide for the efficient and effective
3773 progression and transfer of students within the education system
3774 and to allow students to proceed toward their educational
3775 objectives as rapidly as their circumstances permit. The
3776 Legislature further intends that articulation policies and
3777 budget actions be implemented consistently in the practices of
3778 the Department of Education and postsecondary educational
3779 institutions and expressed in the collaborative policy efforts
3780 of the State Board of Education and the Board of Governors.

3781 (2) To improve and facilitate articulation systemwide, the
3782 State Board of Education and the Board of Governors shall
3783 collaboratively establish and adopt policies with input from
3784 statewide K-20 advisory groups established by the Commissioner
3785 of Education and the Chancellor of the State University System
3786 and shall recommend the policies to the Legislature. The
3787 policies shall relate to:

3788 (a) The alignment between the exit requirements of one
3789 education system and the admissions requirements of another
3790 education system into which students typically transfer.

3791 (b) The identification of common courses, the level of
3792 courses, institutional participation in a statewide course
3793 numbering system, and the transferability of credits among such
3794 institutions.

3795 (c) Identification of courses that meet general education
3796 or common degree program prerequisite requirements at public
3797 postsecondary educational institutions.



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- 3798 (d) Dual enrollment course equivalencies.
- 3799 (e) Articulation agreements.
- 3800 (3) The Commissioner of Education, in consultation with the
- 3801 Chancellor of the State University System, shall establish the
- 3802 Articulation Coordinating Committee, which shall make
- 3803 recommendations related to statewide articulation policies and
- 3804 issues regarding access, quality, and reporting of data
- 3805 maintained by the educational ~~K-20~~ data warehouse, established
- 3806 pursuant to ss. 1001.10 and 1008.31, to the Higher Education
- 3807 Coordination Council, the State Board of Education, and the
- 3808 Board of Governors. The committee shall consist of two members
- 3809 each representing the State University System, the Florida
- 3810 College System, public career and technical education, K-12
- 3811 education, and nonpublic postsecondary education and one member
- 3812 representing students. The chair shall be elected from the
- 3813 membership. The Office of K-20 Articulation shall provide
- 3814 administrative support for the committee. The committee shall:
- 3815 (a) Monitor the alignment between the exit requirements of
- 3816 one education system and the admissions requirements of another
- 3817 education system into which students typically transfer and make
- 3818 recommendations for improvement.
- 3819 (b) Propose guidelines for interinstitutional agreements
- 3820 between and among public schools, career and technical education
- 3821 centers, Florida College System institutions, state
- 3822 universities, and nonpublic postsecondary institutions.
- 3823 (c) Annually recommend dual enrollment course and high
- 3824 school subject area equivalencies for approval by the State
- 3825 Board of Education and the Board of Governors.
- 3826 (d) Annually review the statewide articulation agreement



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3827 pursuant to s. 1007.23 and make recommendations for revisions.

3828 (e) Annually review the statewide course numbering system,
3829 the levels of courses, and the application of transfer credit
3830 requirements among public and nonpublic institutions
3831 participating in the statewide course numbering system and
3832 identify instances of student transfer and admissions
3833 difficulties.

3834 (f) Annually publish a list of courses that meet common
3835 general education and common degree program prerequisite
3836 requirements at public postsecondary institutions identified
3837 pursuant to s. 1007.25.

3838 (g) Foster timely collection and reporting of statewide
3839 education data to improve the Early Learning-20 ~~K-20~~ education
3840 performance accountability system pursuant to ss. 1001.10 and
3841 1008.31, including, but not limited to, data quality,
3842 accessibility, and protection of student records.

3843 (h) Recommend roles and responsibilities of public
3844 education entities in interfacing with the single, statewide
3845 computer-assisted student advising system established pursuant
3846 to s. 1006.735.

3847 Section 67. Section 1008.2125, Florida Statutes, is created
3848 to read:

3849 1008.2125 Coordinated screening and progress monitoring
3850 program for students in the Voluntary Prekindergarten Education
3851 Program through grade 3.-

3852 (1) The primary purpose of the coordinated screening and
3853 progress monitoring program for students in the Voluntary
3854 Prekindergarten Education Program through grade 3 is to provide
3855 information on students' progress in mastering the appropriate



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3856 grade-level standards and to provide information on their
3857 progress to parents, teachers, and school and program
3858 administrators. Data shall be used by Voluntary Prekindergarten
3859 Education Program providers and school districts to improve
3860 instruction, by parents and teachers to guide learning
3861 objectives and provide timely and appropriate supports and
3862 interventions to students not meeting grade level expectations,
3863 and by the public to assess the cost benefit of the expenditure
3864 of taxpayer dollars. The coordinated screening and progress
3865 monitoring program must:

3866 (a) Assess the progress of students in the Voluntary
3867 Prekindergarten Education Program through grade 3 in meeting the
3868 appropriate expectations in early literacy and math skills and
3869 in English Language Arts and mathematics, as required by ss.
3870 1002.67(1)(a) and 1003.41.

3871 (b) Provide data for accountability of the Voluntary
3872 Prekindergarten Education Program, as required by s. 1002.68.

3873 (c) Provide baseline data to the department of each
3874 student's readiness for kindergarten, which must be based on
3875 each kindergarten student's progress monitoring results within
3876 the first 30 days of enrollment in accordance with paragraph
3877 (2)(a). The methodology for determining a student's readiness
3878 for kindergarten shall be developed by the same independent
3879 expert identified in s. 1002.68(4)(d).

3880 (d) Identify the educational strengths and needs of
3881 students in the Voluntary Prekindergarten Education Program
3882 through grade 3.

3883 (e) Provide teachers with progress monitoring data to
3884 provide timely interventions and supports pursuant to s.



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3885 1008.25(4).

3886 (f) Assess how well educational goals and curricular
3887 standards are met at the provider, school, district, and state
3888 levels.

3889 (g) Provide information to aid in the evaluation and
3890 development of educational programs and policies.

3891 (2) The Commissioner of Education shall design a statewide,
3892 standardized coordinated screening and progress monitoring
3893 program to assess early literacy and mathematics skills and the
3894 English Language Arts and mathematics standards established in
3895 ss. 1002.67(1)(a) and 1003.41, respectively. The coordinated
3896 screening and progress monitoring program must provide interval
3897 level and norm-referenced data that measures equivalent levels
3898 of growth; be a developmentally appropriate, valid, and reliable
3899 direct assessment; be able to capture data on students who may
3900 be performing below grade or developmental level and which may
3901 enable the identification of early indicators of dyslexia or
3902 other developmental delays; accurately measure the core content
3903 in the applicable grade level standards; document learning gains
3904 for the achievement of these standards; and provide teachers
3905 with progress monitoring supports and materials that enhance
3906 differentiated instruction and parent communication.

3907 Participation in the coordinated screening and progress
3908 monitoring program is mandatory for all students in the
3909 Voluntary Prekindergarten Education Program and enrolled in a
3910 public school in kindergarten through grade 3. The coordinated
3911 screening and progress monitoring program shall be implemented
3912 beginning in the 2021-2022 school year for students in the
3913 Voluntary Prekindergarten Education Program and kindergarten



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3914 students, as follows:

3915 (a) The coordinated screening and progress monitoring
3916 program shall be administered within the first 30 days after
3917 enrollment, midyear, and within the last 30 days of the program
3918 or school year, in accordance with the rules adopted by the
3919 State Board of Education. The state board may adopt alternate
3920 timeframes to address nontraditional school year calendars or
3921 summer programs to ensure administration of the coordinated
3922 screening and progress monitoring program is administered a
3923 minimum of 3 times within a year or program.

3924 (b) The results of the coordinated screening and progress
3925 monitoring program shall be reported to the department, in
3926 accordance with the rules adopted by the state board, and
3927 maintained in the department's educational data warehouse.

3928 (3) The Commissioner of Education shall:

3929 (a) Develop a plan, in coordination with the Early Grade
3930 Success Advisory Committee, for implementing the coordinated
3931 screening and progress monitoring program in consideration of
3932 timelines for implementing new early literacy and mathematics
3933 skills and the English Language Arts and mathematics standards
3934 established in ss. 1002.67(1)(a) and 1003.41, as appropriate.

3935 (b) Provide data, reports, and information as requested to
3936 the Early Grade Success Advisory Committee.

3937 (4) The Early Grade Success Advisory Committee, a committee
3938 as defined in s. 20.03, is created within the Department of
3939 Education to oversee the coordinated screening and progress
3940 monitoring program and, except as otherwise provided in this
3941 section, shall operate consistent with s. 20.052.

3942 (a) The committee shall be responsible for reviewing the



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3943 implementation of, training for, and outcomes from the
3944 coordinated screening and progress monitoring program to provide
3945 recommendations to the department that supports grade 3 students
3946 reading at or above grade level. The committee, at a minimum,
3947 shall:

3948 1. Provide recommendations on the implementation of the
3949 coordinated screening and progress monitoring program, including
3950 reviewing any procurement solicitation documents and criteria
3951 before being published.

3952 2. Develop training plans, and timelines for such training.

3953 3. Identify appropriate personnel, processes, and
3954 procedures required for the administration of the coordinated
3955 screening and progress monitoring program.

3956 4. Provide input on the methodology for calculating a
3957 provider's or school's performance metric and designations under
3958 s. 1002.68.

3959 5. Work with the department's independent expert under s.
3960 1002.68(4)(d) to review the methodology for determining a
3961 child's kindergarten readiness.

3962 6. Review data on age-appropriate learning gains by grade
3963 level that a student would need to attain in order to
3964 demonstrate proficiency in reading by grade 3.

3965 7. Continually review anonymized data from the results of
3966 the coordinated screening and progress monitoring program for
3967 students in the Voluntary Prekindergarten Education Program
3968 through grade 3 to help inform recommendations to the department
3969 that support practices that will enable grade 3 students to read
3970 at or above grade level.

3971 (b) The committee shall be composed of 17 members who are



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- 3972 residents of the state and appointed as follows:
- 3973 1. Fifteen members appointed by the Commissioner of
- 3974 Education:
- 3975 a. One representative from the Department of Education.
- 3976 b. One parent of a child who is 4 to 9 years of age.
- 3977 c. One representative of an urban school district.
- 3978 d. One representative of a rural school district.
- 3979 e. One representative of an urban early learning coalition.
- 3980 f. One representative of a rural early learning coalition.
- 3981 g. One representative of an early learning provider.
- 3982 h. One representative of a faith-based early learning
- 3983 provider.
- 3984 i. One representative who is a kindergarten teacher who has
- 3985 at least 5 years of teaching experience.
- 3986 j. One representative who is a second grade teacher with at
- 3987 least 5 years of teaching experience.
- 3988 k. One representative who is a school principal.
- 3989 l. Four representatives with subject matter expertise in
- 3990 early learning, early grade success, or child assessments. The
- 3991 four representatives with subject matter expertise may not be
- 3992 direct stakeholders within the early learning or public school
- 3993 systems or potential recipients of a contract resulting from the
- 3994 committee's recommendations.
- 3995 2. One senator who is appointed by and serves at the
- 3996 pleasure of the President of the Senate.
- 3997 3. One representative who is appointed by and serves at the
- 3998 pleasure of the Speaker of the House of Representatives.
- 3999 (5) The committee shall elect a chair and vice chair, one
- 4000 of whom must be a member who has subject matter expertise in



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4001 early learning, early grade success, or child assessments, and
4002 one of whom must be a senator or representative. Members of the
4003 committee shall serve without compensation, but are entitled to
4004 reimbursement for per diem and travel expenses pursuant to s.
4005 112.061.

4006 (6) The committee must meet at least biennially and may
4007 meet by teleconference or other electronic means, if possible,
4008 to reduce costs.

4009 (7) A majority of the members constitutes a quorum.

4010 (8) The committee terminates on July 1, 2023.

4011 Section 68. Present paragraphs (b) and (c) of subsection
4012 (5) of section 1008.25, Florida Statutes, are redesignated as
4013 paragraphs (c) and (d), respectively, a new paragraph (b) is
4014 added to that subsection, and paragraph (b) of subsection (6),
4015 subsection (7), and paragraph (a) of subsection (8) are amended,
4016 to read:

4017 1008.25 Public school student progression; student support;
4018 reporting requirements.—

4019 (5) READING DEFICIENCY AND PARENTAL NOTIFICATION.—

4020 (b) Any Voluntary Prekindergarten Education Program student
4021 who exhibits a substantial deficiency in early literacy in
4022 accordance with the standards under s. 1002.67(1)(a) and based
4023 upon the results of the administration of the final coordinated
4024 screening and progress monitoring under s. 1008.2125 shall be
4025 referred to the local school district and may be eligible to
4026 receive intensive reading interventions before participating in
4027 kindergarten. Such intensive reading interventions shall be paid
4028 for using funds from the district's research-based reading
4029 instruction allocation in accordance with s. 1011.62(9).



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4030 (6) ELIMINATION OF SOCIAL PROMOTION.-

4031 (b) The district school board may only exempt students from
4032 mandatory retention, as provided in paragraph (5)(c) ~~(5)(b)~~, for
4033 good cause. A student who is promoted to grade 4 with a good
4034 cause exemption shall be provided intensive reading instruction
4035 and intervention that include specialized diagnostic information
4036 and specific reading strategies to meet the needs of each
4037 student so promoted. The school district shall assist schools
4038 and teachers with the implementation of explicit, systematic,
4039 and multisensory reading instruction and intervention strategies
4040 for students promoted with a good cause exemption which research
4041 has shown to be successful in improving reading among students
4042 who have reading difficulties. Good cause exemptions are limited
4043 to the following:

4044 1. Limited English proficient students who have had less
4045 than 2 years of instruction in an English for Speakers of Other
4046 Languages program based on the initial date of entry into a
4047 school in the United States.

4048 2. Students with disabilities whose individual education
4049 plan indicates that participation in the statewide assessment
4050 program is not appropriate, consistent with the requirements of
4051 s. 1008.212.

4052 3. Students who demonstrate an acceptable level of
4053 performance on an alternative standardized reading or English
4054 Language Arts assessment approved by the State Board of
4055 Education.

4056 4. A student who demonstrates through a student portfolio
4057 that he or she is performing at least at Level 2 on the
4058 statewide, standardized English Language Arts assessment.



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4059 5. Students with disabilities who take the statewide,
4060 standardized English Language Arts assessment and who have an
4061 individual education plan or a Section 504 plan that reflects
4062 that the student has received intensive instruction in reading
4063 or English Language Arts for more than 2 years but still
4064 demonstrates a deficiency and was previously retained in
4065 kindergarten, grade 1, grade 2, or grade 3.

4066 6. Students who have received intensive reading
4067 intervention for 2 or more years but still demonstrate a
4068 deficiency in reading and who were previously retained in
4069 kindergarten, grade 1, grade 2, or grade 3 for a total of 2
4070 years. A student may not be retained more than once in grade 3.

4071 (7) SUCCESSFUL PROGRESSION FOR RETAINED THIRD GRADE
4072 STUDENTS.—

4073 (a) Students retained under paragraph (5) (c) ~~(5) (b)~~ must be
4074 provided intensive interventions in reading to ameliorate the
4075 student's specific reading deficiency and prepare the student
4076 for promotion to the next grade. These interventions must
4077 include:

4078 1. Evidence-based, explicit, systematic, and multisensory
4079 reading instruction in phonemic awareness, phonics, fluency,
4080 vocabulary, and comprehension and other strategies prescribed by
4081 the school district.

4082 2. Participation in the school district's summer reading
4083 camp, which must incorporate the instructional and intervention
4084 strategies under subparagraph 1.

4085 3. A minimum of 90 minutes of daily, uninterrupted reading
4086 instruction incorporating the instructional and intervention
4087 strategies under subparagraph 1. This instruction may include:



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- 4088 a. Integration of content-rich texts in science and social
4089 studies within the 90-minute block.
- 4090 b. Small group instruction.
- 4091 c. Reduced teacher-student ratios.
- 4092 d. More frequent progress monitoring.
- 4093 e. Tutoring or mentoring.
- 4094 f. Transition classes containing 3rd and 4th grade
4095 students.
- 4096 g. Extended school day, week, or year.
- 4097 (b) Each school district shall:
- 4098 1. Provide written notification to the parent of a student
4099 who is retained under paragraph (5) (c) ~~(5) (b)~~ that his or her
4100 child has not met the proficiency level required for promotion
4101 and the reasons the child is not eligible for a good cause
4102 exemption as provided in paragraph (6) (b). The notification must
4103 comply with paragraph (5) (d) ~~(5) (e)~~ and must include a
4104 description of proposed interventions and supports that will be
4105 provided to the child to remediate the identified areas of
4106 reading deficiency.
- 4107 2. Implement a policy for the midyear promotion of a
4108 student retained under paragraph (5) (c) ~~(5) (b)~~ who can
4109 demonstrate that he or she is a successful and independent
4110 reader and performing at or above grade level in reading or,
4111 upon implementation of English Language Arts assessments,
4112 performing at or above grade level in English Language Arts.
4113 Tools that school districts may use in reevaluating a student
4114 retained may include subsequent assessments, alternative
4115 assessments, and portfolio reviews, in accordance with rules of
4116 the State Board of Education. Students promoted during the



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4117 school year after November 1 must demonstrate proficiency levels
4118 in reading equivalent to the level necessary for the beginning
4119 of grade 4. The rules adopted by the State Board of Education
4120 must include standards that provide a reasonable expectation
4121 that the student's progress is sufficient to master appropriate
4122 grade 4 level reading skills.

4123 3. Provide students who are retained under paragraph (5) (c)
4124 ~~(5) (b)~~, including students participating in the school
4125 district's summer reading camp under subparagraph (a)2., with a
4126 highly effective teacher as determined by the teacher's
4127 performance evaluation under s. 1012.34, and, beginning July 1,
4128 2020, the teacher must also be certified or endorsed in reading.

4129 4. Establish at each school, when applicable, an intensive
4130 reading acceleration course for any student retained in grade 3
4131 who was previously retained in kindergarten, grade 1, or grade
4132 2. The intensive reading acceleration course must provide the
4133 following:

4134 a. Uninterrupted reading instruction for the majority of
4135 student contact time each day and opportunities to master the
4136 grade 4 Next Generation Sunshine State Standards in other core
4137 subject areas through content-rich texts.

4138 b. Small group instruction.

4139 c. Reduced teacher-student ratios.

4140 d. The use of explicit, systematic, and multisensory
4141 reading interventions, including intensive language, phonics,
4142 and vocabulary instruction, and use of a speech-language
4143 therapist if necessary, that have proven results in accelerating
4144 student reading achievement within the same school year.

4145 e. A read-at-home plan.



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4146 (8) ANNUAL REPORT.—

4147 (a) In addition to the requirements in paragraph (5) (c)
4148 ~~(5) (b)~~, each district school board must annually report to the
4149 parent of each student the progress of the student toward
4150 achieving state and district expectations for proficiency in
4151 English Language Arts, science, social studies, and mathematics.
4152 The district school board must report to the parent the
4153 student's results on each statewide, standardized assessment.
4154 The evaluation of each student's progress must be based upon the
4155 student's classroom work, observations, tests, district and
4156 state assessments, response to intensive interventions provided
4157 under paragraph (5) (a), and other relevant information. Progress
4158 reporting must be provided to the parent in writing in a format
4159 adopted by the district school board.

4160 Section 69. Section 1008.31, Florida Statutes, is amended
4161 to read:

4162 1008.31 Florida's Early Learning-20 ~~K-20~~ education
4163 performance accountability system; legislative intent; mission,
4164 goals, and systemwide measures; data quality improvements.—

4165 (1) LEGISLATIVE INTENT.—It is the intent of the Legislature
4166 that:

4167 (a) The performance accountability system implemented to
4168 assess the effectiveness of Florida's seamless Early Learning-20
4169 ~~K-20~~ education delivery system provide answers to the following
4170 questions in relation to its mission and goals:

4171 1. What is the public receiving in return for funds it
4172 invests in education?

4173 2. How effectively is Florida's Early Learning-20 ~~K-20~~
4174 education system educating its students?



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4175 3. How effectively are the major delivery sectors promoting
4176 student achievement?

4177 4. How are individual schools and postsecondary education
4178 institutions performing their responsibility to educate their
4179 students as measured by how students are performing and how much
4180 they are learning?

4181 (b) The Early Learning-20 ~~K-20~~ education performance
4182 accountability system be established as a single, unified
4183 accountability system with multiple components, including, but
4184 not limited to, student performance in public schools and school
4185 and district grades.

4186 (c) The K-20 education performance accountability system
4187 comply with the requirements of the "No Child Left Behind Act of
4188 2001," Pub. L. No. 107-110, and the Individuals with
4189 Disabilities Education Act (IDEA).

4190 (d) The early learning accountability system comply with
4191 the requirements of part V and part VI of chapter 1002 and the
4192 requirements of the Child Care and Development Block Grant Trust
4193 Fund, pursuant to 45 C.F.R. parts 98 and 99.

4194 ~~(e)-(d)~~ The State Board of Education and the Board of
4195 Governors of the State University System recommend to the
4196 Legislature systemwide performance standards; the Legislature
4197 establish systemwide performance measures and standards; and the
4198 systemwide measures and standards provide Floridians with
4199 information on what the public is receiving in return for the
4200 funds it invests in education and how well the Early Learning-20
4201 ~~K-20~~ system educates its students.

4202 (f) 1. (e)1. The State Board of Education establish
4203 performance measures and set performance standards for



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4204 individual public schools and Florida College System
4205 institutions, with measures and standards based primarily on
4206 student achievement.

4207 2. The Board of Governors of the State University System
4208 establish performance measures and set performance standards for
4209 individual state universities, including actual completion
4210 rates.

4211 (2) MISSION, GOALS, AND SYSTEMWIDE MEASURES.—

4212 (a) The mission of Florida's Early Learning-20 ~~K-20~~
4213 education system shall be to increase the proficiency of all
4214 students within one seamless, efficient system, by allowing them
4215 the opportunity to expand their knowledge and skills through
4216 learning opportunities and research valued by students, parents,
4217 and communities.

4218 (b) The process for establishing state and sector-specific
4219 standards and measures must be:

- 4220 1. Focused on student success.
- 4221 2. Addressable through policy and program changes.
- 4222 3. Efficient and of high quality.
- 4223 4. Measurable over time.
- 4224 5. Simple to explain and display to the public.
- 4225 6. Aligned with other measures and other sectors to support
4226 a coordinated Early Learning-20 ~~K-20~~ education system.

4227 (c) The Department of Education shall maintain an
4228 accountability system that measures student progress toward the
4229 following goals:

- 4230 1. Highest student achievement, as indicated by evidence of
4231 student learning gains at all levels.
- 4232 2. Seamless articulation and maximum access, as measured by



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4233 evidence of progression, readiness, and access by targeted
4234 groups of students identified by the Commissioner of Education.

4235 3. Skilled workforce and economic development, as measured
4236 by evidence of employment and earnings.

4237 4. Quality efficient services, as measured by evidence of
4238 return on investment.

4239 5. Other goals as identified by law or rule.

4240 (3) ~~K-20~~ EDUCATION DATA QUALITY IMPROVEMENTS.—To provide
4241 data required to implement education performance accountability
4242 measures in state and federal law, the Commissioner of Education
4243 shall initiate and maintain strategies to improve data quality
4244 and timeliness. The Board of Governors shall make available to
4245 the department all data within the State University Database
4246 System to be integrated into the educational ~~K-20~~ data
4247 warehouse. The commissioner shall have unlimited access to such
4248 data for the purposes of conducting studies, reporting annual
4249 and longitudinal student outcomes, and improving college
4250 readiness and articulation. All public educational institutions
4251 shall annually provide data from the prior year to the
4252 educational ~~K-20~~ data warehouse in a format based on data
4253 elements identified by the commissioner.

4254 (a) School districts and public postsecondary educational
4255 institutions shall maintain information systems that will
4256 provide the State Board of Education, the Board of Governors of
4257 the State University System, and the Legislature with
4258 information and reports necessary to address the specifications
4259 of the accountability system. The level of comprehensiveness and
4260 quality must be no less than that which was available as of June
4261 30, 2001.



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4262 (b) Colleges and universities eligible to participate in
4263 the William L. Boyd, IV, Effective Access to Student Education
4264 Grant Program shall annually report student-level data from the
4265 prior year for each student who receives state funds in a format
4266 prescribed by the Department of Education. At a minimum, data
4267 from the prior year must include retention rates, transfer
4268 rates, completion rates, graduation rates, employment and
4269 placement rates, and earnings of graduates. By October 1 of each
4270 year, the colleges and universities described in this paragraph
4271 shall report the data to the department.

4272 (c) The Commissioner of Education shall determine the
4273 standards for the required data, monitor data quality, and
4274 measure improvements. The commissioner shall report annually to
4275 the State Board of Education, the Board of Governors of the
4276 State University System, the President of the Senate, and the
4277 Speaker of the House of Representatives data quality indicators
4278 and ratings for all school districts and public postsecondary
4279 educational institutions.

4280 (d) Before establishing any new reporting or data
4281 collection requirements, the commissioner shall use existing
4282 data being collected to reduce duplication and minimize
4283 paperwork.

4284 (4) RULES.—The State Board of Education shall adopt rules
4285 pursuant to ss. 120.536(1) and 120.54 to implement the
4286 provisions of this section relating to the educational ~~K-20~~ data
4287 warehouse.

4288 Section 70. Section 1008.32, Florida Statutes, is amended
4289 to read:

4290 1008.32 State Board of Education oversight enforcement



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4291 authority.—The State Board of Education shall oversee the
4292 performance of early learning coalitions, district school
4293 boards, and Florida College System institution boards of
4294 trustees in enforcement of all laws and rules. District school
4295 boards and Florida College System institution boards of trustees
4296 shall be primarily responsible for compliance with law and state
4297 board rule.

4298 (1) In order to ensure compliance with law or state board
4299 rule, the State Board of Education shall have the authority to
4300 request and receive information, data, and reports from early
4301 learning coalitions, school districts, and Florida College
4302 System institutions. Early Learning Coalition chief executive
4303 officers or executive directors, district school
4304 superintendents, and Florida College System institution
4305 presidents are responsible for the accuracy of the information
4306 and data reported to the state board.

4307 (2) (a) The Commissioner of Education may investigate
4308 allegations of noncompliance with law or state board rule and
4309 determine probable cause. The commissioner shall report
4310 determinations of probable cause to the State Board of Education
4311 which shall require the early learning coalition, district
4312 school board, or Florida College System institution board of
4313 trustees to document compliance with law or state board rule.

4314 (b) The Commissioner of Education shall report to the State
4315 Board of Education any findings by the Auditor General that an
4316 early learning coalition, a district school board, or a Florida
4317 College System institution is acting without statutory authority
4318 or contrary to general law. The State Board of Education shall
4319 require the early learning coalition, district school board, or



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4320 Florida College System institution board of trustees to document
4321 compliance with such law.

4322 (3) If the early learning coalition, district school board,
4323 or Florida College System institution board of trustees cannot
4324 satisfactorily document compliance, the State Board of Education
4325 may order compliance within a specified timeframe.

4326 (4) If the State Board of Education determines that an
4327 early learning coalition, a district school board, or a Florida
4328 College System institution board of trustees is unwilling or
4329 unable to comply with law or state board rule within the
4330 specified time, the state board shall have the authority to
4331 initiate any of the following actions:

4332 (a) Report to the Legislature that the early learning
4333 coalition, school district, or Florida College System
4334 institution is unwilling or unable to comply with law or state
4335 board rule and recommend action to be taken by the Legislature.

4336 (b) Withhold the transfer of state funds, discretionary
4337 grant funds, discretionary lottery funds, or any other funds
4338 specified as eligible for this purpose by the Legislature until
4339 the early learning coalition, school district, or Florida
4340 College System institution complies with the law or state board
4341 rule.

4342 (c) Declare the early learning coalition, school district,
4343 or Florida College System institution ineligible for competitive
4344 grants.

4345 (d) Require monthly or periodic reporting on the situation
4346 related to noncompliance until it is remedied.

4347 (5) Nothing in this section shall be construed to create a
4348 private cause of action or create any rights for individuals or



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4349 entities in addition to those provided elsewhere in law or rule.

4350 Section 71. Paragraph (a) of subsection (3) of section
4351 1008.33, Florida Statutes, is amended to read:

4352 1008.33 Authority to enforce public school improvement.—

4353 (3) (a) The academic performance of all students has a
4354 significant effect on the state school system. Pursuant to Art.
4355 IX of the State Constitution, which prescribes the duty of the
4356 State Board of Education to supervise Florida's public school
4357 system, the state board shall equitably enforce the
4358 accountability requirements of the state school system and may
4359 impose state requirements on school districts in order to
4360 improve the academic performance of all districts, schools, and
4361 students based upon the provisions of the Florida Early
4362 Learning-20 ~~K-20~~ Education Code, chapters 1000-1013; the federal
4363 ESEA and its implementing regulations; and the ESEA flexibility
4364 waiver approved for Florida by the United States Secretary of
4365 Education.

4366 Section 72. Subsection (9) of section 1011.62, Florida
4367 Statutes, is amended to read:

4368 1011.62 Funds for operation of schools.—If the annual
4369 allocation from the Florida Education Finance Program to each
4370 district for operation of schools is not determined in the
4371 annual appropriations act or the substantive bill implementing
4372 the annual appropriations act, it shall be determined as
4373 follows:

4374 (9) RESEARCH-BASED READING INSTRUCTION ALLOCATION.—

4375 (a) The research-based reading instruction allocation is
4376 created to provide comprehensive reading instruction to students
4377 in kindergarten through grade 12, including certain students who



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4378 exhibit a substantial deficiency in early literacy and completed
4379 the Voluntary Prekindergarten Education Program pursuant to s.
4380 1008.25(5)(b). Each school district that has one or more of the
4381 300 lowest-performing elementary schools based on a 3-year
4382 average of the state reading assessment data must use the
4383 school's portion of the allocation to provide an additional hour
4384 per day of intensive reading instruction for the students in
4385 each school. The additional hour may be provided within the
4386 school day. Students enrolled in these schools who earned a
4387 level 4 or level 5 score on the statewide, standardized English
4388 Language Arts assessment for the previous school year may
4389 participate in the additional hour of instruction. Exceptional
4390 student education centers may not be included in the 300
4391 schools. The intensive reading instruction delivered in this
4392 additional hour shall include: research-based reading
4393 instruction that has been proven to accelerate progress of
4394 students exhibiting a reading deficiency; differentiated
4395 instruction based on screening, diagnostic, progress monitoring,
4396 or student assessment data to meet students' specific reading
4397 needs; explicit and systematic reading strategies to develop
4398 phonemic awareness, phonics, fluency, vocabulary, and
4399 comprehension, with more extensive opportunities for guided
4400 practice, error correction, and feedback; and the integration of
4401 social studies, science, and mathematics-text reading, text
4402 discussion, and writing in response to reading.

4403 (b) Funds for comprehensive, research-based reading
4404 instruction shall be allocated annually to each school district
4405 in the amount provided in the General Appropriations Act. Each
4406 eligible school district shall receive the same minimum amount



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4407 as specified in the General Appropriations Act, and any
4408 remaining funds shall be distributed to eligible school
4409 districts based on each school district's proportionate share of
4410 K-12 base funding.

4411 (c) Funds allocated under this subsection must be used to
4412 provide a system of comprehensive reading instruction to
4413 students enrolled in the K-12 programs and certain students who
4414 exhibit a substantial deficiency in early literacy and completed
4415 the Voluntary Prekindergarten Education Program pursuant to s.
4416 1008.25(5)(b), which may include the following:

4417 1. An additional hour per day of evidence-based intensive
4418 reading instruction to students in the 300 lowest-performing
4419 elementary schools by teachers and reading specialists who have
4420 demonstrated effectiveness in teaching reading as required in
4421 paragraph (a).

4422 2. Kindergarten through grade 5 evidence-based ~~reading~~
4423 ~~intervention teachers to provide~~ intensive reading interventions
4424 provided by reading intervention teachers ~~intervention~~ during
4425 the school day and in the required extra hour for students
4426 identified as having a reading deficiency.

4427 3. Highly qualified reading coaches to specifically support
4428 teachers in making instructional decisions based on student
4429 data, and improve teacher delivery of effective reading
4430 instruction, intervention, and reading in the content areas
4431 based on student need.

4432 4. Professional development for school district teachers in
4433 scientifically based reading instruction, including strategies
4434 to teach reading in content areas and with an emphasis on
4435 technical and informational text, to help school district



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4436 teachers earn a certification or an endorsement in reading.

4437 5. Summer reading camps, using only teachers or other
4438 district personnel who are certified or endorsed in reading
4439 consistent with s. 1008.25(7)(b)3., for all students in
4440 kindergarten through grade 2 who demonstrate a reading
4441 deficiency as determined by district and state assessments, ~~and~~
4442 students in grades 3 through 5 who score at Level 1 on the
4443 statewide, standardized English Language Arts assessment, and
4444 certain students who exhibit a substantial deficiency in early
4445 literacy and completed the Voluntary Prekindergarten Education
4446 Program pursuant to s. 1008.25(5)(b).

4447 6. Scientifically researched and evidence-based
4448 supplemental instructional materials ~~that are grounded in~~
4449 ~~scientifically based reading research~~ as identified by the Just
4450 Read, Florida! Office pursuant to s. 1001.215(8).

4451 7. Evidence-based intensive interventions for students in
4452 kindergarten through grade 12 who have been identified as having
4453 a reading deficiency or who are reading below grade level as
4454 determined by the statewide, standardized English Language Arts
4455 assessment or for certain students who exhibit a substantial
4456 deficiency in early literacy and completed the Voluntary
4457 Prekindergarten Education Program pursuant to s. 1008.25(5)(b).

4458 (d)1. Annually, by a date determined by the Department of
4459 Education but before May 1, school districts shall submit a ~~K-12~~
4460 comprehensive reading plan for the specific use of the research-
4461 based reading instruction allocation in the format prescribed by
4462 the department for review and approval by the Just Read,
4463 Florida! Office created pursuant to s. 1001.215. The plan
4464 annually submitted by school districts shall be deemed approved



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4465 unless the department rejects the plan on or before June 1. If a
4466 school district and the Just Read, Florida! Office cannot reach
4467 agreement on the contents of the plan, the school district may
4468 appeal to the State Board of Education for resolution. School
4469 districts shall be allowed reasonable flexibility in designing
4470 their plans and shall be encouraged to offer reading
4471 intervention through innovative methods, including career
4472 academies. The plan format shall be developed with input from
4473 school district personnel, including teachers and principals,
4474 and shall provide for intensive reading interventions through
4475 integrated curricula, provided that, beginning with the 2020-
4476 2021 school year, the interventions are delivered by a teacher
4477 who is certified or endorsed in reading. Such interventions must
4478 incorporate evidence-based strategies identified by the Just
4479 Read, Florida! Office pursuant to s. 1001.215(8). No later than
4480 July 1 annually, the department shall release the school
4481 district's allocation of appropriated funds to those districts
4482 having approved plans. A school district that spends 100 percent
4483 of this allocation on its approved plan shall be deemed to have
4484 been in compliance with the plan. The department may withhold
4485 funds upon a determination that reading instruction allocation
4486 funds are not being used to implement the approved plan. The
4487 department shall monitor and track the implementation of each
4488 district plan, including conducting site visits and collecting
4489 specific data on expenditures and reading improvement results.
4490 By February 1 of each year, the department shall report its
4491 findings to the Legislature.

4492 2. Each school district that has a school designated as one
4493 of the 300 lowest-performing elementary schools as specified in



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4494 paragraph (a) shall specifically delineate in the comprehensive
4495 reading plan, or in an addendum to the comprehensive reading
4496 plan, the implementation design and reading intervention
4497 strategies that will be used for the required additional hour of
4498 reading instruction. The term "reading intervention" includes
4499 evidence-based strategies frequently used to remediate reading
4500 deficiencies and also includes individual instruction, tutoring,
4501 mentoring, or the use of technology that targets specific
4502 reading skills and abilities.

4503
4504 For purposes of this subsection, the term "evidence-based" means
4505 demonstrating a statistically significant effect on improving
4506 student outcomes or other relevant outcomes.

4507 Section 73. This act shall take effect upon becoming a law