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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. 39.604, F.S.; revising approved child care or early education settings for the placement of certain children; conforming cross-references; amending ss. 212.08 and 402.26, F.S.; conforming provisions and cross-references to changes made by the act; providing for a type two transfer of the Gold Seal Quality Care program in the Department of Children and Families to the Office of Early Learning; providing for the continuation of certain contracts and interagency agreements; amending ss. 402.315 and 1001.213, F.S.; conforming cross-references; amending ss. 1001.215 and 1001.23, F.S.; conforming provisions to changes made by the act; amending s. 1002.53, F.S.; revising the requirements for certain program provider profiles; requiring each parent who enrolls his or her child in the Voluntary Prekindergarten Education Program to allow his or her child to participate in a specified screening and progress monitoring program; amending s. 1002.32, F.S.; conforming cross-references; amending s. 1002.55, F.S.; authorizing certain child development programs operating on a military installation to be private prekindergarten providers within the Voluntary Prekindergarten Education Program; providing that a private prekindergarten provider is ineligible for



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28 participation in the program under certain
29 circumstances; revising requirements for
30 prekindergarten instructors; revising requirements for
31 specified courses for prekindergarten instructors;
32 providing that a private school administrator who
33 holds a specified certificate meets certain credential
34 requirements; providing liability insurance
35 requirements for child development programs operating
36 on a military installation participating in the
37 program; requiring early learning coalitions to verify
38 private prekindergarten provider compliance with
39 specified provisions; requiring such coalitions to
40 remove a provider's eligibility under specified
41 circumstances; conforming provisions to changes made
42 by the act; amending s. 1002.57, F.S.; revising the
43 minimum standards for a credential for certain
44 prekindergarten directors; amending s. 1002.59, F.S.;
45 revising requirements for emergent literacy and
46 performance standards training courses for
47 prekindergarten instructors; requiring the department
48 to make certain courses available online; amending s.
49 1002.61, F.S.; authorizing certain child development
50 programs operating on a military installation to be
51 private prekindergarten providers within the summer
52 Voluntary Prekindergarten Education Program;
53 conforming a provision to changes made by the act;
54 revising the criteria for a teacher to receive
55 priority for the summer program in a school district;
56 requiring a child development program operating on a



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57 military installation to comply with specified
58 criteria; requiring early learning coalitions to
59 verify specified information; providing for the
60 removal of a program provider or public school from
61 eligibility under certain circumstances; amending s.
62 1002.63, F.S.; conforming a provision to changes made
63 by the act; requiring early learning coalitions to
64 verify specified information; providing for the
65 removal of public schools from the program under
66 certain circumstances; amending s. 1002.67, F.S.;
67 revising the performance standards for the Voluntary
68 Prekindergarten Education Program; requiring the
69 department to review and revise performance standards
70 on a specified schedule; revising curriculum
71 requirements for the program; conforming a provision
72 to changes made by the act; requiring the office to
73 adopt procedures for the review and approval of
74 curricula for the program; deleting a required
75 preassessment and postassessment for the program;
76 creating s. 1002.68, F.S.; requiring providers of the
77 Voluntary Prekindergarten Education Program to
78 participate in a specified screening and progress
79 monitoring program; providing specified uses for the
80 results of such program; requiring certain portions of
81 the screening and progress monitoring program to be
82 administered by individuals who meet specified
83 criteria; requiring the results of the screening and
84 monitoring to be reported to the parents of
85 participating students; requiring providers to



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86 participate in a program assessment; providing
87 requirements for such assessments; providing office
88 duties and responsibilities relating to such
89 assessments; providing requirements for a specified
90 methodology used to calculate the results of such
91 assessments; requiring the department to establish a
92 designation system for program providers; providing
93 for the adoption of a minimum performance metric or
94 designation for program participation; providing
95 procedures for a provider whose score or designation
96 falls below the minimum requirement; providing for the
97 revocation of program eligibility for a provider;
98 authorizing the department to grant good cause
99 exemptions to providers under certain circumstances;
100 providing office and provider requirements for such
101 exemptions; requiring an annual meeting of
102 representatives from specified entities to develop
103 certain strategies; repealing s. 1002.69, F.S.,
104 relating to statewide kindergarten screening and
105 readiness rates; amending s. 1002.73, F.S.; requiring
106 the office to adopt a statewide provider contract;
107 requiring such contract to be published on the
108 office's website; providing requirements for such
109 contract; prohibiting providers from offering services
110 during an appeal of termination from the program;
111 providing applicability; requiring the office to adopt
112 specified procedures relating to the Voluntary
113 Prekindergarten Education Program; providing duties of
114 the office relating to such program; repealing s.



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115 1002.75, F.S., relating to the powers and duties of
116 the Office of Early Learning; amending 1002.81, F.S.;
117 conforming provisions and cross-references to changes
118 made by the act; amending s. 1002.82, F.S.; providing
119 duties of the office relating to early learning;
120 authorizing an alternative model for the calculation
121 of prevailing market rate; exempting certain child
122 development programs operating on a military
123 installation from specified inspection requirements;
124 requiring the office to monitor specified standards
125 and benchmarks for certain purposes; revising the age
126 range used for specified standards; requiring the
127 office to provide specified technical support;
128 revising requirements for a specified assessment
129 program; requiring the office to adopt requirements to
130 make certain contracted slots available to serve
131 specified populations; requiring the office to adopt
132 certain standards and outcome measures including
133 specified surveys; requiring the office to adopt
134 procedures for the merging of early learning
135 coalitions; revising the requirements for a specified
136 report; amending s. 1002.83, F.S.; revising the number
137 of authorized early learning coalitions; revising the
138 number of and requirements for members of an early
139 learning coalition; revising and adding requirements
140 for such coalitions; amending s. 1002.84, F.S.;
141 revising early learning coalition responsibilities and
142 duties; conforming a cross-reference; revising
143 requirements for the waiver of specified copayments;



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144 amending s. 1002.85, F.S.; revising the requirements
145 for school readiness program plans; amending s.
146 1002.88, F.S.; authorizing certain child development
147 programs operating on military installations to
148 participate in the school readiness program; revising
149 requirements to deliver such program; providing that a
150 specified annual inspection for a child development
151 program participating in the school readiness program
152 meets certain provider requirements; providing
153 requirements for a child development program to meet
154 certain liability requirements; amending s. 1002.895,
155 F.S.; requiring the office to adopt certain procedures
156 until a specified event; conforming provisions to
157 changes made by the act; amending s. 1002.92, F.S.;
158 conforming a cross-reference; revising the
159 requirements for specified services that child care
160 resource and referral agencies must provide;
161 transferring, renumbering, and amending s. 402.281,
162 F.S.; revising the requirements of the Gold Seal
163 Quality Care program; requiring the Office of Early
164 Learning to adopt specified rules; revising
165 accrediting association requirements; providing
166 requirements for accrediting associations; requiring
167 the department to establish a specified process;
168 providing requirements for such process; deleting a
169 requirement for the department to consult certain
170 entities for specified purposes; providing
171 requirements for certain providers to maintain Gold
172 Seal Quality Care status; providing exemptions to



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173 certain ad valorem taxes; providing rate differentials
174 to certain providers; creating s. 1008.2125, F.S.;
175 creating the coordinated screening and progress
176 monitoring program within the department for specified
177 purposes; requiring the Commissioner of Education to
178 design such program; providing requirements for the
179 administration of such program and the use of results
180 from the program; providing requirements for the
181 commissioner; creating the Council for Early Grade
182 Success within the department; providing duties of the
183 council; providing membership of the council;
184 requiring the council to elect a chair and a vice
185 chair; providing requirements for such appointments;
186 providing for per diem for members of the council;
187 providing meeting requirements for the council;
188 providing for a quorum of the council; amending s.
189 1008.25, F.S.; authorizing certain students enrolled
190 in the Voluntary Prekindergarten Education Program to
191 receive intensive reading interventions using
192 specified funds; amending s. 1011.62, F.S.; revising
193 the research-based reading instruction allocation to
194 authorize the use of such funds for certain intensive
195 reading interventions for certain students; revising
196 the requirements for specified reading instruction and
197 interventions; defining the term "evidence-based";
198 providing an effective date.

199

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

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202 Section 1. Paragraph (b) of subsection (5) of section
203 39.604, Florida Statutes, is amended to read:

204 39.604 Rilya Wilson Act; short title; legislative intent;
205 child care; early education; preschool.—

206 (5) EDUCATIONAL STABILITY.—Just as educational stability is
207 important for school-age children, it is also important to
208 minimize disruptions to secure attachments and stable
209 relationships with supportive caregivers of children from birth
210 to school age and to ensure that these attachments are not
211 disrupted due to placement in out-of-home care or subsequent
212 changes in out-of-home placement.

213 (b) If it is not in the best interest of the child for him
214 or her to remain in his or her child care or early education
215 setting upon entry into out-of-home care, the caregiver must
216 work with the case manager, guardian ad litem, child care and
217 educational staff, and educational surrogate, if one has been
218 appointed, to determine the best setting for the child. Such
219 setting may be a child care provider that receives a Gold Seal
220 Quality Care designation pursuant to s. 1002.945 ~~s. 402.281~~, a
221 ~~provider participating in a quality rating system~~, a licensed
222 child care provider, a public school provider, or a license-
223 exempt child care provider, including religious-exempt and
224 registered providers, and nonpublic schools.

225 Section 2. Paragraph (m) of subsection (5) of section
226 212.08, Florida Statutes, is amended to read:

227 212.08 Sales, rental, use, consumption, distribution, and
228 storage tax; specified exemptions.—The sale at retail, the
229 rental, the use, the consumption, the distribution, and the
230 storage to be used or consumed in this state of the following



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231 are hereby specifically exempt from the tax imposed by this
232 chapter.

233 (5) EXEMPTIONS; ACCOUNT OF USE.—

234 (m) *Educational materials purchased by certain child care*
235 *facilities.*—Educational materials, such as glue, paper, paints,
236 crayons, unique craft items, scissors, books, and educational
237 toys, purchased by a child care facility that meets the
238 standards delineated in s. 402.305, is licensed under s.
239 402.308, holds a current Gold Seal Quality Care designation
240 pursuant to s. 1002.945 ~~s. 402.281~~, and provides basic health
241 insurance to all employees are exempt from the taxes imposed by
242 this chapter. For purposes of this paragraph, the term “basic
243 health insurance” shall be defined and promulgated in rules
244 developed jointly by the Office of Early Learning ~~Department of~~
245 ~~Children and Families~~, the Agency for Health Care
246 Administration, and the Financial Services Commission.

247 Section 3. Subsection (6) of section 402.26, Florida
248 Statutes, is amended to read:

249 402.26 Child care; legislative intent.—

250 ~~(6) It is the intent of the Legislature that a child care~~
251 ~~facility licensed pursuant to s. 402.305 or a child care~~
252 ~~facility exempt from licensing pursuant to s. 402.316, that~~
253 ~~achieves Gold Seal Quality status pursuant to s. 402.281, be~~
254 ~~considered an educational institution for the purpose of~~
255 ~~qualifying for exemption from ad valorem tax pursuant to s.~~
256 ~~196.198.~~

257 Section 4. Type two transfer from the Department of
258 Children and Families.—

259 (1) All powers, duties, functions, records, offices,



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260 personnel, associated administrative support positions,
261 property, pending issues, existing contracts, administrative
262 authority, administrative rules, and unexpended balances of
263 appropriations, allocations, and other funds relating to the
264 Gold Seal Quality Care program within the Department of Children
265 and Families are transferred by a type two transfer, as defined
266 in s. 20.06(2), Florida Statutes, to the Office of Early
267 Learning.

268 (2) Any binding contract or interagency agreement existing
269 before July 1, 2020, between the Department of Children and
270 Families, or an entity or agent of the department, and any other
271 agency, entity, or person relating to the Gold Seal Quality Care
272 program shall continue as a binding contract or agreement for
273 the remainder of the term of such contract or agreement on the
274 successor entity responsible for the program, activity, or
275 functions relative to the contract or agreement.

276 Section 5. Subsection (5) of section 402.315, Florida
277 Statutes, is amended to read:

278 402.315 Funding; license fees.—

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

284 Section 6. Subsection (4) of section 1001.213, Florida
285 Statutes, is amended to read:

286 1001.213 Office of Early Learning.—There is created within
287 the Office of Independent Education and Parental Choice the
288 Office of Early Learning, as required under s. 20.15, which



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289 shall be administered by an executive director. The office shall
290 be fully accountable to the Commissioner of Education but shall:

291 (4) In compliance with parts V and VI of chapter 1002 and
292 its powers and duties under s. 1002.73 ~~s. 1002.75~~, administer
293 the Voluntary Prekindergarten Education Program at the state
294 level.

295 Section 7. Subsection (7) of section 1001.215, Florida
296 Statutes, is amended to read:

297 1001.215 Just Read, Florida! Office.—There is created in
298 the Department of Education the Just Read, Florida! Office. The
299 office is fully accountable to the Commissioner of Education and
300 shall:

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

304 Section 8. Subsection (1) of section 1001.23, Florida
305 Statutes, is amended to read:

306 1001.23 Specific powers and duties of the Department of
307 Education.—In addition to all other duties assigned to it by law
308 or by rule of the State Board of Education, the department
309 shall:

310 ~~(1) Adopt the statewide kindergarten screening in~~
311 ~~accordance with s. 1002.69.~~

312 Section 9. Subsections (3) and (10) of section 1002.32,
313 Florida Statutes, are amended to read:

314 1002.32 Developmental research (laboratory) schools.—

315 (3) MISSION.—The mission of a lab school shall be the
316 provision of a vehicle for the conduct of research,
317 demonstration, and evaluation regarding management, teaching,



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318 and learning. Programs to achieve the mission of a lab school
319 shall embody the goals and standards established pursuant to ss.
320 1000.03(5) and 1001.23(1) ~~1001.23(2)~~ and shall ensure an
321 appropriate education for its students.

322 (a) Each lab school shall emphasize mathematics, science,
323 computer science, and foreign languages. The primary goal of a
324 lab school is to enhance instruction and research in such
325 specialized subjects by using the resources available on a state
326 university campus, while also providing an education in
327 nonspecialized subjects. Each lab school shall provide
328 sequential elementary and secondary instruction where
329 appropriate. A lab school may not provide instruction at grade
330 levels higher than grade 12 without authorization from the State
331 Board of Education. Each lab school shall develop and implement
332 a school improvement plan pursuant to s. 1003.02(3).

333 (b) Research, demonstration, and evaluation conducted at a
334 lab school may be generated by the college of education and
335 other colleges within the university with which the school is
336 affiliated.

337 (c) Research, demonstration, and evaluation conducted at a
338 lab school may be generated by the State Board of Education.
339 Such research shall respond to the needs of the education
340 community at large, rather than the specific needs of the
341 affiliated college.

342 (d) Research, demonstration, and evaluation conducted at a
343 lab school may consist of pilot projects to be generated by the
344 affiliated college, the State Board of Education, or the
345 Legislature.

346 (e) The exceptional education programs offered at a lab



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347 school shall be determined by the research and evaluation goals
348 and the availability of students for efficiently sized programs.
349 The fact that a lab school offers an exceptional education
350 program in no way lessens the general responsibility of the
351 local school district to provide exceptional education programs.

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

356 (a) The methods and requirements of the following statutes
357 shall be held in abeyance: ss. 316.75; 1001.30; 1001.31;
358 1001.32; 1001.33; 1001.34; 1001.35; 1001.36; 1001.361; 1001.362;
359 1001.363; 1001.37; 1001.371; 1001.372; 1001.38; 1001.39;
360 1001.395; 1001.40; 1001.41; 1001.44; 1001.453; 1001.46;
361 1001.461; 1001.462; 1001.463; 1001.464; 1001.47; 1001.48;
362 1001.49; 1001.50; 1001.51; 1006.12(2); 1006.21(3), (4); 1006.23;
363 1010.07(2); 1010.40; 1010.41; 1010.42; 1010.43; 1010.44;
364 1010.45; 1010.46; 1010.47; 1010.48; 1010.49; 1010.50; 1010.51;
365 1010.52; 1010.53; 1010.54; 1010.55; 1011.02(1)-(3), (5);
366 1011.04; 1011.20; 1011.21; 1011.22; 1011.23; 1011.71; 1011.72;
367 1011.73; and 1011.74.

368 (b) With the exception of s. 1001.42(18), s. 1001.42 shall
369 be held in abeyance. Reference to district school boards in s.
370 1001.42(18) shall mean the president of the university or the
371 president's designee.

372 Section 10. Subsection (5) and paragraph (c) of subsection
373 (6) of section 1002.53, Florida Statutes, are amended, and
374 paragraph (d) is added to subsection (6) of that section, to
375 read:



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376 1002.53 Voluntary Prekindergarten Education Program;
377 eligibility and enrollment.—

378 (5) The early learning coalition shall provide each parent
379 enrolling a child in the Voluntary Prekindergarten Education
380 Program with a profile of every private prekindergarten provider
381 and public school delivering the program within the county where
382 the child is being enrolled. The profiles shall be provided to
383 parents in a format prescribed by the Office of Early Learning
384 in accordance with s. 1002.92(3). ~~The profiles must include, at~~
385 ~~a minimum, the following information about each provider and~~
386 ~~school:~~

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

389 ~~(b) The provider's or school's kindergarten readiness rate~~
390 ~~calculated in accordance with s. 1002.69, based upon the most~~
391 ~~recent available results of the statewide kindergarten~~
392 ~~screening.~~

393 (6)

394 (c) Each private prekindergarten provider and public school
395 must comply with the Florida Civil Rights Act of 1992 in
396 accordance with chapter 760 ~~antidiscrimination requirements of~~
397 ~~42 U.S.C. s. 2000d, regardless of whether the provider or school~~
398 ~~receives federal financial assistance.~~ A private prekindergarten
399 provider or public school may not discriminate against a parent
400 or child, including the refusal to admit a child for enrollment
401 in the Voluntary Prekindergarten Education Program, in violation
402 of chapter 760 ~~these antidiscrimination requirements.~~

403 (d) Each parent who enrolls his or her child in the
404 Voluntary Prekindergarten Education Program must allow his or



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405 her child to participate in the coordinated screening and
406 progress monitoring program under s. 1008.2125.

407 Section 11. Paragraphs (a), (b), (c), (g), (i), and (l) of
408 subsection (3), subsection (4), and paragraph (b) of subsection
409 (5) of section 1002.55, Florida Statutes, are amended, and
410 subsection (6) is added to that section, to read:

411 1002.55 School-year prekindergarten program delivered by
412 private prekindergarten providers.—

413 (3) To be eligible to deliver the prekindergarten program,
414 a private prekindergarten provider must meet each of the
415 following requirements:

416 (a) The private prekindergarten provider must be a child
417 care facility licensed under s. 402.305, family day care home
418 licensed under s. 402.313, large family child care home licensed
419 under s. 402.3131, nonpublic school exempt from licensure under
420 s. 402.3025(2), ~~or~~ faith-based child care provider exempt from
421 licensure under s. 402.316, child development program accredited
422 by a national accrediting body and operating on a military
423 installation certified by the United States Department of
424 Defense, or private prekindergarten provider issued a
425 provisional license under s. 402.309. A private prekindergarten
426 provider may not deliver the program while holding a probation-
427 status license under s. 402.310.

428 (b) The private prekindergarten provider must:

429 1. Be accredited by an accrediting association that is a
430 member of the National Council for Private School Accreditation,
431 or the Florida Association of Academic Nonpublic Schools, or be
432 accredited by the Southern Association of Colleges and Schools,
433 or Western Association of Colleges and Schools, or North Central



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434 Association of Colleges and Schools, or Middle States
435 Association of Colleges and Schools, or New England Association
436 of Colleges and Schools; and have written accreditation
437 standards that meet or exceed the state's licensing requirements
438 under s. 402.305, s. 402.313, or s. 402.3131 and require at
439 least one onsite visit to the provider or school before
440 accreditation is granted;

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

443 3. Be licensed under s. 402.305, s. 402.313, or s. 402.3131
444 and demonstrate, before delivering the Voluntary Prekindergarten
445 Education Program, as verified by the early learning coalition,
446 that the provider meets each of the requirements of the program
447 under this part, including, but not limited to, the requirements
448 for credentials and background screenings of prekindergarten
449 instructors under paragraphs (c) and (d), minimum and maximum
450 class sizes under paragraph (f), prekindergarten director
451 credentials under paragraph (g), and a developmentally
452 appropriate curriculum under s. 1002.67(2)(b).

453 (c) The private prekindergarten provider must have, for
454 each prekindergarten class of 11 children or fewer, at least one
455 prekindergarten instructor who meets each of the following
456 requirements:

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

459 a. A child development associate credential issued by the
460 National Credentialing Program of the Council for Professional
461 Recognition; or

462 b. A credential approved by the Department of Children and



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463 Families as being equivalent to or greater than the credential
464 described in sub-subparagraph a.

465
466 The Department of Children and Families may adopt rules under
467 ss. 120.536(1) and 120.54 which provide criteria and procedures
468 for approving equivalent credentials under sub-subparagraph b.

469 2. The prekindergarten instructor must successfully
470 complete at least three an emergent literacy training courses
471 that include developmentally appropriate and experiential
472 learning practices for children course and a student performance
473 standards training course approved by the office as meeting or
474 exceeding the minimum standards adopted under s. 1002.59, and be
475 recognized as part of the informal early learning career pathway
476 identified by the office under s. 1002.995(1)(b). The
477 requirement for completion of the standards training course
478 shall take effect July 1, 2021. ~~Such 2014, and the~~ course shall
479 be available online or in person.

480 (g) The private prekindergarten provider must have a
481 prekindergarten director who has a prekindergarten director
482 credential that is approved by the office as meeting or
483 exceeding the minimum standards adopted under s. 1002.57. A
484 private school administrator who holds a valid certificate in
485 educational leadership issued by the office satisfies the
486 requirement for a prekindergarten director credential under s.
487 1002.57 ~~Successful completion of a child care facility director~~
488 ~~credential under s. 402.305(2)(g) before the establishment of~~
489 ~~the prekindergarten director credential under s. 1002.57 or July~~
490 ~~1, 2006, whichever occurs later, satisfies the requirement for a~~
491 ~~prekindergarten director credential under this paragraph.~~



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492 (i) The private prekindergarten provider must execute the
493 statewide provider contract prescribed under s. 1002.73 ~~s.~~
494 ~~1002.75~~, except that an individual who owns or operates multiple
495 private prekindergarten sites ~~providers~~ within a coalition's
496 service area may execute a single agreement with the coalition
497 on behalf of each site ~~provider~~.

498 (1) Notwithstanding paragraph (j), for a private
499 prekindergarten provider that is a state agency or a subdivision
500 thereof, as defined in s. 768.28(2), the provider must agree to
501 notify the coalition of any additional liability coverage
502 maintained by the provider in addition to that otherwise
503 established under s. 768.28. The provider shall indemnify the
504 coalition to the extent permitted by s. 768.28. Notwithstanding
505 paragraph (j), for a child development program accredited by a
506 national accrediting body and operating on a military
507 installation certified by the United States Department of
508 Defense, the provider may demonstrate liability coverage by
509 affirming that it is subject to the Federal Tort Claims Act, 28
510 U.S.C. s. 2671 et seq.

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

514 (a) A bachelor's or higher degree in early childhood
515 education, prekindergarten or primary education, preschool
516 education, or family and consumer science;

517 (b) A bachelor's or higher degree in elementary education,
518 if the prekindergarten instructor has been certified to teach
519 children any age from birth through 6th grade, regardless of
520 whether the instructor's educator certificate is current, and if



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521 the instructor is not ineligible to teach in a public school
522 because his or her educator certificate is suspended or revoked;

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

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

529 (e) An educational credential approved by the department as
530 being equivalent to or greater than an educational credential
531 described in this subsection. The department may adopt criteria
532 and procedures for approving equivalent educational credentials
533 under this paragraph.

534 (5)

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

540 (6) Each early learning coalition must verify that each
541 private prekindergarten provider delivering the Voluntary
542 Prekindergarten Education Program within the coalition's county
543 or multicounty region complies with this part. If a private
544 prekindergarten provider fails or refuses to comply with this
545 part or engages in misconduct, the office must require the early
546 learning coalition to remove the provider from eligibility to
547 deliver the program or to receive state funds under this part
548 for a period of at least 2 years but no more than 5 years.

549 Section 12. Present paragraphs (b) and (c) of subsection



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550 (2) of section 1002.57, Florida Statutes, are redesignated as
551 paragraphs (c) and (d), respectively, and a new paragraph (b) is
552 added to that subsection, to read:

553 1002.57 Prekindergarten director credential.—

554 (2) The educational requirements must include training in
555 the following:

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

558 Section 13. Section 1002.59, Florida Statutes, is amended
559 to read:

560 1002.59 Emergent literacy and performance standards
561 training courses.—

562 (1) The office shall adopt minimum standards for ~~one or~~
563 ~~more training~~ courses in emergent literacy for prekindergarten
564 instructors. Each course must comprise 5 clock hours and provide
565 instruction in strategies and techniques to address the age-
566 appropriate progress of prekindergarten students in developing
567 emergent literacy skills, including oral communication,
568 knowledge of print and letters, phonemic and phonological
569 awareness, and vocabulary and comprehension development. Each
570 course must also provide resources containing strategies that
571 allow students with disabilities and other special needs to
572 derive maximum benefit from the Voluntary Prekindergarten
573 Education Program. Successful completion of an emergent literacy
574 training course approved under this section satisfies
575 requirements for approved training in early literacy and
576 language development under ss. 402.305(2)(e)5., 402.313(6), and
577 402.3131(5).

578 (2) The office shall adopt minimum standards for ~~one or~~



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579 ~~more training~~ courses on the performance standards adopted under
580 s. 1002.67(1). Each course must comprise at least 3 clock hours,
581 provide instruction in strategies and techniques to address age-
582 appropriate progress of each child in attaining the standards,
583 and be available online.

584 (3) The office shall make available online professional
585 development and training courses consisting of at least 8 clock
586 hours that support prekindergarten instructors in increasing the
587 competency of teacher-child interactions.

588 Section 14. Present subsections (6), (7), and (8) of
589 section 1002.61, Florida Statutes, are redesignated as
590 subsections (7), (8), and (9), respectively, a new subsection
591 (6) and subsection (10) are added to that section, and paragraph
592 (b) of subsection (1), paragraph (b) of subsection (3), and
593 subsection (4) of that section are amended, to read:

594 1002.61 Summer prekindergarten program delivered by public
595 schools and private prekindergarten providers.—

596 (1)

597 (b) Each early learning coalition shall administer the
598 Voluntary Prekindergarten Education Program at the county or
599 regional level for students enrolled under s. 1002.53(3)(b) in a
600 summer prekindergarten program delivered by a private
601 prekindergarten provider. A child development program accredited
602 by a national accrediting body and operating on a military
603 installation certified by the United States Department of
604 Defense may administer the summer prekindergarten program as a
605 private prekindergarten provider.

606 (3)

607 (b) Each public school delivering the summer



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608 prekindergarten program must execute the statewide provider
609 contract prescribed under s. 1002.73 ~~s. 1002.75~~, except that the
610 school district may execute a single agreement with the early
611 learning coalition on behalf of all district schools.

612 (4) Notwithstanding ss. 1002.55(3)(c)1. and 1002.63(4),
613 each public school and private prekindergarten provider must
614 have, for each prekindergarten class, at least one
615 prekindergarten instructor who is a certified teacher or holds
616 one of the educational credentials specified in s. 1002.55(4)(a)
617 or (b). As used in this subsection, the term "certified teacher"
618 means a teacher holding a valid Florida educator certificate
619 under s. 1012.56 who has the qualifications required by the
620 district school board to instruct students in the summer
621 prekindergarten program. In selecting instructional staff for
622 the summer prekindergarten program, each school district shall
623 give priority to teachers who have experience or coursework in
624 early childhood education and have completed emergent literacy
625 and performance standards courses, as described in s.
626 1002.55(3)(c)2.

627 (6) A child development program accredited by a national
628 accrediting body and operating on a military installation
629 certified by the United States Department of Defense shall
630 comply with the requirements of a private prekindergarten
631 provider in this section.

632 (10) (a) Each early learning coalition shall verify that
633 each private prekindergarten provider and public school
634 delivering the Voluntary Prekindergarten Education Program
635 within the coalition's county or multicounty region complies
636 with this part.



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637 (b) If a private prekindergarten provider or public school
638 fails or refuses to comply with this part or engages in
639 misconduct, the office must require the early learning coalition
640 to remove the provider or school from eligibility to deliver the
641 Voluntary Prekindergarten Education Program or to receive state
642 funds under this part for a period of at least 2 years but no
643 more than 5 years.

644 Section 15. Paragraph (b) of subsection (3) of section
645 1002.63, Florida Statutes, is amended, and subsection (9) is
646 added to that section, to read:

647 1002.63 School-year prekindergarten program delivered by
648 public schools.—

649 (3)

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

655 (9) (a) Each early learning coalition shall verify that each
656 public school delivering the Voluntary Prekindergarten Education
657 Program within the coalition's service area complies with this
658 part.

659 (b) If a public school fails or refuses to comply with this
660 part or engages in misconduct, the office must require the early
661 learning coalition to remove the school from eligibility to
662 deliver the Voluntary Prekindergarten Education Program or to
663 receive state funds under this part for a period of at least 2
664 years but no more than 5 years.

665 Section 16. Section 1002.67, Florida Statutes, is amended



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666 to read:

667 1002.67 Performance standards and, curricula ~~and~~
668 ~~accountability.~~—

669 (1) (a) The office shall develop and adopt performance
670 standards for students in the Voluntary Prekindergarten
671 Education Program. The performance standards must address the
672 age-appropriate progress of students in the development of:

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

675 2. Emergent literacy skills, including oral communication,
676 knowledge of print and letters, phonemic and phonological
677 awareness, and vocabulary and comprehension development; and

678 3. Mathematical thinking and early math skills.

679
680 ~~By October 1, 2013, the office shall examine the existing~~
681 ~~performance standards in the area of mathematical thinking and~~
682 ~~develop a plan to make appropriate professional development and~~
683 ~~training courses available to prekindergarten instructors.~~

684 (b) At least every 3 years, the office shall ~~periodically~~
685 ~~review and, if necessary,~~ revise the performance standards
686 established under this section ~~for the statewide kindergarten~~
687 ~~screening administered under s. 1002.69~~ and align the standards
688 to the standards established by the state board for student
689 performance on the statewide assessments administered pursuant
690 to s. 1008.22.

691 (2) (a) Each private prekindergarten provider and public
692 school may select or design the curriculum that the provider or
693 school uses to implement the Voluntary Prekindergarten Education
694 Program, except as otherwise required for a provider or school



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695 that is placed on probation under s. 1002.68 ~~paragraph (4) (e)~~.

696 (b) Each private prekindergarten provider's and public
697 school's curriculum must be developmentally appropriate and
698 must:

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

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

704 3. Support student learning gains through differentiated
705 instruction that shall be measured by the coordinated screening
706 and progress monitoring program under s. 1008.2125 ~~Prepare~~
707 ~~students to be ready for kindergarten based upon the statewide~~
708 ~~kindergarten screening administered under s. 1002.69.~~

709 (c) The office shall adopt procedures for the review and
710 approval of ~~approve~~ curricula for use by private prekindergarten
711 providers and public schools that are placed on probation under
712 s. 1002.68 ~~paragraph (4) (e)~~. The office shall administer the
713 review and approval process and maintain a list of the curricula
714 approved under this paragraph. Each approved curriculum must
715 meet the requirements of paragraph (b).

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

721 ~~(b) In order to be approved, the assessment must be valid,~~
722 ~~reliable, developmentally appropriate, and designed to measure~~
723 ~~student progress on domains which must include, but are not~~



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724 ~~limited to, early literacy, numeracy, and language.~~

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

728 ~~(4) (a) Each early learning coalition shall verify that each~~
729 ~~private prekindergarten provider delivering the Voluntary~~
730 ~~Prekindergarten Education Program within the coalition's county~~
731 ~~or multicounty region complies with this part. Each district~~
732 ~~school board shall verify that each public school delivering the~~
733 ~~program within the school district complies with this part.~~

734 ~~(b) If a private prekindergarten provider or public school~~
735 ~~fails or refuses to comply with this part, or if a provider or~~
736 ~~school engages in misconduct, the office shall require the early~~
737 ~~learning coalition to remove the provider and require the school~~
738 ~~district to remove the school from eligibility to deliver the~~
739 ~~Voluntary Prekindergarten Education Program and receive state~~
740 ~~funds under this part for a period of 5 years.~~

741 ~~(c) 1. If the kindergarten readiness rate of a private~~
742 ~~prekindergarten provider or public school falls below the~~
743 ~~minimum rate adopted by the office as satisfactory under s.~~
744 ~~1002.69(6), the early learning coalition or school district, as~~
745 ~~applicable, shall require the provider or school to submit an~~
746 ~~improvement plan for approval by the coalition or school~~
747 ~~district, as applicable, and to implement the plan; shall place~~
748 ~~the provider or school on probation; and shall require the~~
749 ~~provider or school to take certain corrective actions, including~~
750 ~~the use of a curriculum approved by the office under paragraph~~
751 ~~(2) (c) or a staff development plan to strengthen instruction in~~
752 ~~language development and phonological awareness approved by the~~



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753 ~~office.~~

754 ~~2. A private prekindergarten provider or public school that~~
755 ~~is placed on probation must continue the corrective actions~~
756 ~~required under subparagraph 1., including the use of a~~
757 ~~curriculum or a staff development plan to strengthen instruction~~
758 ~~in language development and phonological awareness approved by~~
759 ~~the office, until the provider or school meets the minimum rate~~
760 ~~adopted by the office as satisfactory under s. 1002.69(6).~~

761 ~~Failure to implement an approved improvement plan or staff~~
762 ~~development plan shall result in the termination of the~~
763 ~~provider's contract to deliver the Voluntary Prekindergarten~~
764 ~~Education Program for a period of 5 years.~~

765 ~~3. If a private prekindergarten provider or public school~~
766 ~~remains on probation for 2 consecutive years and fails to meet~~
767 ~~the minimum rate adopted by the office as satisfactory under s.~~
768 ~~1002.69(6) and is not granted a good cause exemption by the~~
769 ~~office pursuant to s. 1002.69(7), the office shall require the~~
770 ~~early learning coalition or the school district to remove, as~~
771 ~~applicable, the provider or school from eligibility to deliver~~
772 ~~the Voluntary Prekindergarten Education Program and receive~~
773 ~~state funds for the program for a period of 5 years.~~

774 ~~(d) Each early learning coalition and the office shall~~
775 ~~coordinate with the Child Care Services Program Office of the~~
776 ~~Department of Children and Families to minimize interagency~~
777 ~~duplication of activities for monitoring private prekindergarten~~
778 ~~providers for compliance with requirements of the Voluntary~~
779 ~~Prekindergarten Education Program under this part, the school~~
780 ~~readiness program under part VI of this chapter, and the~~
781 ~~licensing of providers under ss. 402.301-402.319.~~



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782 Section 17. Section 1002.68, Florida Statutes, is created
783 to read:

784 1002.68 Voluntary Prekindergarten Education Program
785 accountability.—

786 (1) (a) Beginning with the 2022-2023 program year, each
787 private prekindergarten provider and public school participating
788 in the Voluntary Prekindergarten Education Program must
789 participate in the coordinated screening and progress monitoring
790 program in accordance with s. 1008.2125. The coordinated
791 screening and progress monitoring program results shall be used
792 by the office to identify student learning gains, index
793 development learning outcomes upon program completion relative
794 to the performance standards established under s. 1002.67 and
795 representative norms, and inform a private prekindergarten
796 provider's and public school's performance metric.

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

800 (c) Each private prekindergarten provider and public school
801 participating in the Voluntary Prekindergarten Education Program
802 must provide a student's performance results from the
803 coordinated screening and progress monitoring to the student's
804 parents within 7 days after the administration of such
805 coordinated screening and progress monitoring.

806 (2) Beginning with the 2022-2023 program year, each private
807 prekindergarten provider and public school participating in the
808 Voluntary Prekindergarten Education Program must participate in
809 a program assessment of each voluntary prekindergarten education
810 classroom. The program assessment shall measure the quality of



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811 teacher-child interactions, including emotional support,
812 classroom organization, and instructional support for children
813 ages 3 to 5 years. Each private prekindergarten provider and
814 public school participating in the Voluntary Prekindergarten
815 Education Program shall receive from the office the results of
816 the program assessment for each classroom within 14 days after
817 the observation. Each early learning coalition shall be
818 responsible for the administration of the program assessments,
819 which must be conducted by individuals qualified to conduct
820 program assessments under s. 1002.82(2)(n).

821 (3) For the 2020-2021 program year, the office shall
822 calculate a kindergarten readiness rate for each private
823 prekindergarten provider and public school participating in the
824 Voluntary Prekindergarten Education Program based upon learning
825 gains and the percentage of students assessed as ready for
826 kindergarten. The department shall require that each school
827 district administer the statewide kindergarten screening in use
828 before the 2021-2022 school year to each kindergarten student in
829 the school district within the first 30 school days of the 2021-
830 2022 school year. Private schools may administer the statewide
831 kindergarten screening to each kindergarten student in a private
832 school who was enrolled in the Voluntary Prekindergarten
833 Education Program. Learning gains shall be determined using a
834 value-added measure based on growth demonstrated by the results
835 of the preassessment and postassessment in use before the 2021-
836 2022 program year. Any private prekindergarten provider or
837 public school participating in the Voluntary Prekindergarten
838 Education Program which fails to meet the minimum kindergarten
839 readiness rate for the 2020-2021 program year is subject to the



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840 probation requirements of subsection (5).

841 (4) (a) Beginning with the 2022-2023 program year, the
842 office shall adopt a methodology for calculating each private
843 prekindergarten provider's and public school provider's
844 performance metric, which must be based on a combination of the
845 following:

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

848 2. Learning gains operationalized as change-in-ability
849 scores from the initial and final progress monitoring results
850 described in subsection (1).

851 3. Norm-referenced developmental learning outcomes
852 described in subsection (1).

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

857 (c) The program assessment composite score and performance
858 metric must be calculated for each private prekindergarten or
859 public school site.

860 (d) The methodology shall include a statistical latent
861 profile analysis that has been conducted by an independent
862 expert with experience in relevant quantitative analysis, early
863 childhood assessment, and designing state-level accountability
864 systems. The independent expert shall be able to produce a
865 limited number of performance metric profiles that summarize the
866 profiles of all sites that must be used to inform the following
867 designations: "unsatisfactory," "emerging proficiency,"
868 "proficient," "highly proficient," and "excellent" or comparable



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869 terminology determined by the office which may not include
870 letter grades. The independent expert may not be a direct
871 stakeholder or have had a financial interest in the design or
872 delivery of the Voluntary Prekindergarten Education Program or
873 public school system within the last 5 years.

874 (e) Subject to an appropriation, the office shall provide
875 for a differential payment to a private prekindergarten provider
876 and public school based on the provider's designation. The
877 maximum differential payment may not exceed a total of 15
878 percent of the base student allocation per full-time equivalent
879 student under s. 1002.71 attending in the consecutive program
880 year for that program. A private prekindergarten provider or
881 public school may not receive a differential payment if it
882 receives a designation of "proficient" or lower. Before the
883 adoption of the methodology, the office and the independent
884 expert shall confer with the Council for Early Grade Success
885 under s. 1008.2125 before receiving approval from the office for
886 the final recommendations on the designation system and
887 differential payments.

888 (f) The office shall adopt procedures to annually calculate
889 each private prekindergarten provider's and public school's
890 performance metric, based on the methodology adopted in
891 paragraphs (a) and (b), and assign a designation under paragraph
892 (d). Beginning with the 2023-2024 program year, each private
893 prekindergarten provider or public school shall be assigned a
894 designation within 45 days after the conclusion of the school-
895 year Voluntary Prekindergarten Education Program delivered by
896 all participating private prekindergarten providers or public
897 schools and within 45 days after the conclusion of the summer



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898 Voluntary Prekindergarten Education Program delivered by all
899 participating private prekindergarten providers or public
900 schools.

901 (g) A private prekindergarten provider or public school
902 designated "proficient," "highly proficient," or "excellent"
903 demonstrates the provider's or school's satisfactory delivery of
904 the Voluntary Prekindergarten Education Program.

905 (h) The designations shall be displayed in the early
906 learning provider performance profiles required under s.
907 1002.92(3).

908 (5) (a) If a public school's or private prekindergarten
909 provider's program assessment composite score for its
910 prekindergarten classrooms fails to meet the minimum program
911 assessment composite score for contracting established by the
912 office pursuant to s. 1002.82(2) (n), the private prekindergarten
913 provider or public school may not participate in the Voluntary
914 Prekindergarten Education Program beginning in the consecutive
915 program year and thereafter until the public school or private
916 prekindergarten provider meets the minimum composite score for
917 contracting. A public school or private prekindergarten provider
918 may request one program assessment per program year in order to
919 requalify for participation in the Voluntary Prekindergarten
920 Education Program. If a public school or private prekindergarten
921 provider would like an additional program assessment completed
922 within the same program year, the public school or private
923 prekindergarten provider shall be responsible for the cost of
924 the program assessment.

925 (b) If a private prekindergarten provider's or public
926 school's performance metric or designation falls below the



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927 minimum performance metric or designation, the early learning
928 coalition shall:

929 1. Require the provider or school to submit for approval to
930 the early learning coalition an improvement plan and implement
931 the plan.

932 2. Place the provider or school on probation.

933 3. Require the provider or school to take certain
934 corrective actions, including the use of a curriculum approved
935 by the office under s. 1002.67(2)(c) and a staff development
936 plan approved by the office to strengthen instructional
937 practices in emotional support, classroom organization,
938 instructional support, language development, phonological
939 awareness, alphabet knowledge, and mathematical thinking.

940 (c) A private prekindergarten provider or public school
941 placed on probation must continue the corrective actions
942 required under paragraph (b) until the provider or school meets
943 the minimum performance metric or designation adopted by the
944 office. Failure to meet the requirements of subparagraphs (b)1.
945 and 3. shall result in the termination of the provider's or
946 school's contract to deliver the Voluntary Prekindergarten
947 Education Program for a period of at least 2 years but no more
948 than 5 years.

949 (d) If a private prekindergarten provider or public school
950 remains on probation for 2 consecutive years and fails to meet
951 the minimum performance metric or designation, or is not granted
952 a good cause exemption by the office, the office shall require
953 the early learning coalition to revoke the provider's or
954 school's eligibility to deliver the Voluntary Prekindergarten
955 Education Program or to receive state funds for the program for



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956 a period of at least 2 years but no more than 5 years.

957 (6) (a) The office, upon the request of a private
958 prekindergarten provider or public school that remains on
959 probation for at least 2 consecutive years and subsequently
960 fails to meet the minimum performance metric or designation, and
961 for good cause shown, may grant to the provider or school an
962 exemption from being determined ineligible to deliver the
963 Voluntary Prekindergarten Education Program or to receive state
964 funds for the program. Such exemption is valid for 1 year and,
965 upon the request of the private prekindergarten provider or
966 public school and for good cause shown, may be renewed.

967 (b) A private prekindergarten provider's or public school's
968 request for a good cause exemption, or renewal of such an
969 exemption, must be submitted to the office in the manner and
970 within the timeframes prescribed by the office and must include
971 the following:

972 1. Data from the private prekindergarten provider or public
973 school which documents the achievement and progress of the
974 children served, as measured by any required screenings or
975 assessments.

976 2. Data from the program assessment required under
977 subsection (2) which demonstrates effective teaching practices
978 as recognized by the tool developer.

979 3. Data from the early learning coalition or district
980 school board, as applicable, the Department of Children and
981 Families, the local licensing authority, or an accrediting
982 association, as applicable, relating to the private
983 prekindergarten provider's or public school's compliance with
984 state and local health and safety standards.



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985 (c) The office shall adopt criteria for granting good cause
986 exemptions. Such criteria must include, but are not limited to,
987 all of the following:

988 1. Child demographic data that evidences a private
989 prekindergarten provider or public school serves a statistically
990 significant population of children with special needs who have
991 individual education plans and can demonstrate progress toward
992 meeting the goals outlined in the students' individual education
993 plans.

994 2. Learning gains of children served in the Voluntary
995 Prekindergarten Education Program by the private prekindergarten
996 provider or public school on an alternative measure that has
997 comparable validity and reliability of the coordinated screening
998 and progress monitoring program in accordance with s. 1008.2125.

999 3. Program assessment data under subsection (2) which
1000 demonstrates effective teaching practices as recognized by the
1001 tool developer.

1002 4. Verification that local and state health and safety
1003 requirements are met.

1004 (d) A good cause exemption may not be granted to any
1005 private prekindergarten provider or public school that has any
1006 class I violations or two or more class II violations, as
1007 defined by rule of the Department of Children and Families,
1008 within the 2 years preceding the provider's or school's request
1009 for the exemption.

1010 (e) A private prekindergarten provider or public school
1011 granted a good cause exemption shall continue to implement its
1012 improvement plan and continue the corrective actions required
1013 under paragraph (5)(b) until the provider or school meets the



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1014 minimum performance metric.

1015 (f) If a good cause exemption is granted to a private
1016 prekindergarten provider or public school that remains on
1017 probation for 2 consecutive years and if the provider meets all
1018 other applicable requirements of this part, the office must
1019 notify the early learning coalition of the good cause exemption
1020 and direct that the early learning coalition not remove the
1021 provider from eligibility to deliver the Voluntary
1022 Prekindergarten Education Program or to receive state funds for
1023 the program.

1024 (g) The office shall report the number of private
1025 prekindergarten providers or public schools that have received a
1026 good cause exemption and the reasons for the exemptions as part
1027 of its annual reporting requirements under s. 1002.82(7).

1028 (7) Representatives from each school district and
1029 corresponding early learning coalitions must meet annually to
1030 develop strategies to transition students from the Voluntary
1031 Prekindergarten Education Program to kindergarten.

1032 Section 18. Section 1002.69, Florida Statutes, is repealed.

1033 Section 19. Section 1002.73, Florida Statutes, is amended
1034 to read:

1035 1002.73 ~~Office of Early Learning Department of Education;~~
1036 powers and duties; accountability requirements.-

1037 (1) The office ~~department~~ shall adopt by rule a standard
1038 statewide provider contract to be used with each Voluntary
1039 Prekindergarten Education Program provider, with standardized
1040 attachments by provider type. The office shall publish a copy of
1041 the standard statewide provider contract on its website. The
1042 standard statewide provider contract shall include, at a



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1043 minimum, provisions for provider probation, termination for
1044 cause, and emergency termination for actions or inactions of a
1045 provider that pose an immediate and serious danger to the
1046 health, safety, or welfare of children. The standard statewide
1047 provider contract shall also include appropriate due process
1048 procedures. During the pendency of an appeal of a termination,
1049 the provider may not continue to offer its services. Any
1050 provision imposed upon a provider that is inconsistent with, or
1051 prohibited by, law is void and unenforceable ~~administer the~~
1052 ~~accountability requirements of the Voluntary Prekindergarten~~
1053 ~~Education Program at the state level.~~

1054 (2) The office ~~department~~ shall adopt procedures for ~~its~~:

1055 (a) The approval of prekindergarten director credentials
1056 under ss. 1002.55 and 1002.57.

1057 (b) The approval of emergent literacy and early mathematics
1058 skills training courses under ss. 1002.55 and 1002.59.

1059 (c) Annually notifying private prekindergarten providers
1060 and public schools placed on probation for not meeting the
1061 minimum performance metric or designation as required by s.
1062 1002.68 of the high-quality professional development
1063 opportunities developed or supported by the office.

1064 (d) The administration of the Voluntary Prekindergarten
1065 Education Program by the early learning coalitions, including,
1066 but not limited to, procedures for:

1067 1. Enrolling children in and determining the eligibility of
1068 children for the Voluntary Prekindergarten Education Program
1069 under s. 1002.53, which shall include the enrollment of children
1070 by public schools and private providers that meet specified
1071 requirements.



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1072 2. Providing parents with profiles of private
1073 prekindergarten providers and public schools under s. 1002.53.

1074 3. Registering private prekindergarten providers and public
1075 schools to deliver the program under ss. 1002.55, 1002.61, and
1076 1002.63.

1077 4. Determining the eligibility of private prekindergarten
1078 providers to deliver the program under ss. 1002.55 and 1002.61
1079 and streamlining the process of determining provider eligibility
1080 whenever possible.

1081 5. Verifying the compliance of private prekindergarten
1082 providers and public schools and removing providers or schools
1083 from eligibility to deliver the program due to noncompliance or
1084 misconduct as provided in s. 1002.67.

1085 6. Paying private prekindergarten providers and public
1086 schools under s. 1002.71.

1087 7. Documenting and certifying student enrollment and
1088 student attendance under s. 1002.71.

1089 8. Reconciling advance payments in accordance with the
1090 uniform attendance policy under s. 1002.71.

1091 9. Reenrolling students dismissed by a private
1092 prekindergarten provider or public school for noncompliance with
1093 the provider's or school district's attendance policy under s.
1094 1002.71.

1095 (3) The office shall administer the accountability
1096 requirements of the Voluntary Prekindergarten Education Program
1097 at the state level.

1098 (4) The office shall adopt procedures governing the
1099 administration of the Voluntary Prekindergarten Education
1100 Program by the early learning coalitions for:



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1101 (a) Approving improvement plans of private prekindergarten
1102 providers and public schools under s. 1002.68.

1103 (b) Placing private prekindergarten providers and public
1104 schools on probation and requiring corrective actions under s.
1105 1002.68.

1106 (c) Removing a private prekindergarten provider or public
1107 school from eligibility to deliver the program due to the
1108 provider's or school's remaining on probation beyond the time
1109 permitted under s. 1002.68. Notwithstanding any other law, if a
1110 private prekindergarten provider has been cited for a class I
1111 violation, as defined by rule of the Child Care Services Program
1112 Office of the Department of Children and Families, the coalition
1113 may refuse to contract with the provider or revoke the
1114 provider's eligibility to deliver the Voluntary Prekindergarten
1115 Education Program.

1116 (d) Enrolling children in and determining the eligibility
1117 of children for the Voluntary Prekindergarten Education Program
1118 under s. 1002.66.

1119 (e) Paying specialized instructional services providers
1120 under s. 1002.66.

1121 ~~(c) Administration of the statewide kindergarten screening~~
1122 ~~and calculation of kindergarten readiness rates under s.~~
1123 ~~1002.69.~~

1124 ~~(d) Implementation of, and determination of costs~~
1125 ~~associated with, the state-approved prekindergarten enrollment~~
1126 ~~screening and the standardized postassessment approved by the~~
1127 ~~department, and determination of the learning gains of students~~
1128 ~~who complete the state-approved prekindergarten enrollment~~
1129 ~~screening and the standardized postassessment approved by the~~



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1130 ~~department.~~
1131 ~~(f)(e)~~ Approval of specialized instructional
1132 services providers under s. 1002.66.
1133 ~~(f) Annual reporting of the percentage of kindergarten~~
1134 ~~students who meet all state readiness measures.~~
1135 (g) Granting of a private prekindergarten provider's or
1136 public school's request for a good cause exemption under s.
1137 1002.68 ~~s. 1002.69(7)~~.
1138 (5) The office shall adopt procedures for the distribution
1139 of funds to early learning coalitions under s. 1002.71.
1140 ~~(6)(3)~~ Except as provided by law, the office ~~department~~ may
1141 not impose requirements on a private prekindergarten provider or
1142 public school that does not deliver the Voluntary
1143 Prekindergarten Education Program or receive state funds under
1144 this part.
1145 Section 20. Section 1002.75, Florida Statutes, is repealed.
1146 Section 21. Section 1002.81, Florida Statutes, is reordered
1147 and amended to read:
1148 1002.81 Definitions.—Consistent with the requirements of 45
1149 C.F.R. parts 98 and 99 and as used in this part, the term:
1150 (1) "At-risk child" means:
1151 (a) A child from a family under investigation by the
1152 Department of Children and Families or a designated sheriff's
1153 office for child abuse, neglect, abandonment, or exploitation.
1154 (b) A child who is in a diversion program provided by the
1155 Department of Children and Families or its contracted provider
1156 and who is from a family that is actively participating and
1157 complying in department-prescribed activities, including
1158 education, health services, or work.



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1159 (c) A child from a family that is under supervision by the
1160 Department of Children and Families or a contracted service
1161 provider for abuse, neglect, abandonment, or exploitation.

1162 (d) A child placed in court-ordered, long-term custody or
1163 under the guardianship of a relative or nonrelative after
1164 termination of supervision by the Department of Children and
1165 Families or its contracted provider.

1166 (e) A child in the custody of a parent who is considered a
1167 victim of domestic violence and is receiving services through a
1168 certified domestic violence center.

1169 (f) A child in the custody of a parent who is considered
1170 homeless as verified by a Department of Children and Families
1171 certified homeless shelter.

1172 (2) "Authorized hours of care" means the hours of care that
1173 are necessary to provide protection, maintain employment, or
1174 complete work activities or eligible educational activities,
1175 including reasonable travel time.

1176 ~~(13)(3)~~ "Prevailing Average market rate" means the
1177 biennially determined 75th percentile of a reasonable frequency
1178 distribution average of the market rate by program care level
1179 and provider type in a predetermined geographic market at which
1180 child care providers charge a person for child care services.

1181 ~~(3)(4)~~ "Direct enhancement services" means services for
1182 families and children that are in addition to payments for the
1183 placement of children in the school readiness program. Direct
1184 enhancement services for families and children may include
1185 supports for providers, parent training and involvement
1186 activities, and strategies to meet the needs of unique
1187 populations and local eligibility priorities. Direct enhancement



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1188 services offered by an early learning coalition shall be
1189 consistent with the activities prescribed in s. 1002.89(6)(b).

1190 (4)~~(5)~~ "Disenrollment" means the removal, either temporary
1191 or permanent, of a child from participation in the school
1192 readiness program. Removal of a child from the school readiness
1193 program may be based on the following events: a reduction in
1194 available school readiness program funding, participant's
1195 failure to meet eligibility or program participation
1196 requirements, fraud, or a change in local service priorities.

1197 (5)~~(6)~~ "Earned income" means gross remuneration derived
1198 from work, professional service, or self-employment. The term
1199 includes commissions, bonuses, back pay awards, and the cash
1200 value of all remuneration paid in a medium other than cash.

1201 (6)~~(7)~~ "Economically disadvantaged" means having a family
1202 income that does not exceed 150 percent of the federal poverty
1203 level and includes being a child of a working migratory family
1204 as defined by 34 C.F.R. s. 200.81(d) or (f) or an agricultural
1205 worker who is employed by more than one agricultural employer
1206 during the course of a year, and whose income varies according
1207 to weather conditions and market stability.

1208 (7)~~(8)~~ "Family income" means the combined gross income,
1209 whether earned or unearned, that is derived from any source by
1210 all family or household members who are 18 years of age or older
1211 who are currently residing together in the same dwelling unit.
1212 The term does not include income earned by a currently enrolled
1213 high school student who, since attaining the age of 18 years, or
1214 a student with a disability who, since attaining the age of 22
1215 years, has not terminated school enrollment or received a high
1216 school diploma, high school equivalency diploma, special



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1217 diploma, or certificate of high school completion. The term also
1218 does not include food stamp benefits or federal housing
1219 assistance payments issued directly to a landlord or the
1220 associated utilities expenses.

1221 ~~(8)(9)~~ "Family or household members" means spouses, former
1222 spouses, persons related by blood or marriage, persons who are
1223 parents of a child in common regardless of whether they have
1224 been married, and other persons who are currently residing
1225 together in the same dwelling unit as if a family.

1226 ~~(9)(10)~~ "Full-time care" means at least 6 hours, but not
1227 more than 11 hours, of child care or early childhood education
1228 services within a 24-hour period.

1229 ~~(10)(11)~~ "Market rate" means the price that a child care or
1230 early childhood education provider charges for full-time or
1231 part-time daily, weekly, or monthly child care or early
1232 childhood education services.

1233 ~~(11)(12)~~ "Office" means the Office of Early Learning of the
1234 Department of Education.

1235 ~~(12)(13)~~ "Part-time care" means less than 6 hours of child
1236 care or early childhood education services within a 24-hour
1237 period.

1238 (14) "Single point of entry" means an integrated
1239 information system that allows a parent to enroll his or her
1240 child in the school readiness program or the Voluntary
1241 Prekindergarten Education Program at various locations
1242 throughout a county, that may allow a parent to enroll his or
1243 her child by telephone or through a website, and that uses a
1244 uniform waiting list to track eligible children waiting for
1245 enrollment in the school readiness program.



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1246 (15) "Unearned income" means income other than earned
1247 income. The term includes, but is not limited to:

1248 (a) Documented alimony and child support received.

1249 (b) Social security benefits.

1250 (c) Supplemental security income benefits.

1251 (d) Workers' compensation benefits.

1252 (e) Reemployment assistance or unemployment compensation
1253 benefits.

1254 (f) Veterans' benefits.

1255 (g) Retirement benefits.

1256 (h) Temporary cash assistance under chapter 414.

1257 (16) "Working family" means:

1258 (a) A single-parent family in which the parent with whom
1259 the child resides is employed or engaged in eligible work or
1260 education activities for at least 20 hours per week;

1261 (b) A two-parent family in which both parents with whom the
1262 child resides are employed or engaged in eligible work or
1263 education activities for a combined total of at least 40 hours
1264 per week; or

1265 (c) A two-parent family in which one of the parents with
1266 whom the child resides is exempt from work requirements due to
1267 age or disability, as determined and documented by a physician
1268 licensed under chapter 458 or chapter 459, and one parent is
1269 employed or engaged in eligible work or education activities at
1270 least 20 hours per week.

1271 Section 22. Section 1002.82, Florida Statutes, is amended
1272 to read:

1273 1002.82 Office of Early Learning; powers and duties.—

1274 (1) For purposes of administration of the Child Care and



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1275 Development Block Grant Trust Fund, pursuant to 45 C.F.R. parts
1276 98 and 99, the Office of Early Learning is designated as the
1277 lead agency and must comply with lead agency responsibilities
1278 pursuant to federal law. The office may apply to the Governor
1279 and Cabinet for a waiver of, and the Governor and Cabinet may
1280 waive, any provision of ss. 411.223 and 1003.54 if the waiver is
1281 necessary for implementation of the school readiness program.
1282 Section 125.901(2)(a)3. does not apply to the school readiness
1283 program.

1284 (2) The office shall:

1285 (a) Focus on improving the educational quality delivered by
1286 all providers participating in the school readiness program.

1287 (b) Preserve parental choice by permitting parents to
1288 choose from a variety of child care categories, including
1289 center-based care, family child care, and informal child care to
1290 the extent authorized in the state's Child Care and Development
1291 Fund Plan as approved by the United States Department of Health
1292 and Human Services pursuant to 45 C.F.R. s. 98.18. Care and
1293 curriculum by a faith-based provider may not be limited or
1294 excluded in any of these categories.

1295 (c) Be responsible for the prudent use of all public and
1296 private funds in accordance with all legal and contractual
1297 requirements, safeguarding the effective use of federal, state,
1298 and local resources to achieve the highest practicable level of
1299 school readiness for the children described in s. 1002.87,
1300 including:

1301 1. The adoption of a uniform chart of accounts for
1302 budgeting and financial reporting purposes that provides
1303 standardized definitions for expenditures and reporting,



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1304 consistent with the requirements of 45 C.F.R. part 98 and s.
1305 1002.89 for each of the following categories of expenditure:

- 1306 a. Direct services to children.
- 1307 b. Administrative costs.
- 1308 c. Quality activities.
- 1309 d. Nondirect services.

1310 2. Coordination with other state and federal agencies to
1311 perform data matches on children participating in the school
1312 readiness program and their families in order to verify the
1313 children's eligibility pursuant to s. 1002.87.

1314 (d) Establish procedures for the biennial calculation of
1315 the prevailing average market rate or an alternative model
1316 approved by the Administration for Children and Families
1317 pursuant to 45 C.F.R. s. 98.45(c).

1318 (e) Review each early learning coalition's school readiness
1319 program plan every 2 years and provide final approval of the
1320 plan and any amendments submitted.

1321 (f) Establish a unified approach to the state's efforts to
1322 coordinate a comprehensive early learning program. In support of
1323 this effort, the office:

1324 1. Shall adopt specific program support services that
1325 address the state's school readiness program, including:

1326 a. Statewide data information program requirements that
1327 include:

- 1328 (I) Eligibility requirements.
- 1329 (II) Financial reports.
- 1330 (III) Program accountability measures.
- 1331 (IV) Child progress reports.

1332 b. Child care resource and referral services.



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- 1333 c. A single point of entry and uniform waiting list.
- 1334 2. May provide technical assistance and guidance on
- 1335 additional support services to complement the school readiness
- 1336 program, including:
- 1337 ~~a. Rating and improvement systems.~~
- 1338 ~~a.b.~~ Warm-Line services.
- 1339 ~~b.e.~~ Anti-fraud plans.
- 1340 ~~d. School readiness program standards.~~
- 1341 ~~e. Child screening and assessments.~~
- 1342 ~~c.f.~~ Training and support for parental involvement in
- 1343 children's early education.
- 1344 ~~d.g.~~ Family literacy activities and services.
- 1345 (g) Provide technical assistance to early learning
- 1346 coalitions.
- 1347 (h) In cooperation with the early learning coalitions,
- 1348 coordinate with the Child Care Services Program Office of the
- 1349 Department of Children and Families to reduce paperwork and to
- 1350 avoid duplicating interagency activities, health and safety
- 1351 monitoring, and acquiring and composing data pertaining to child
- 1352 care training and credentialing.
- 1353 (i) Enter into a memorandum of understanding with local
- 1354 licensing agencies and the Child Care Services Program Office of
- 1355 the Department of Children and Families for inspections of
- 1356 school readiness program providers to monitor and verify
- 1357 compliance with s. 1002.88 and the health and safety checklist
- 1358 adopted by the office. The provider contract of a school
- 1359 readiness program provider that refuses permission for entry or
- 1360 inspection shall be terminated. The health and safety checklist
- 1361 may not exceed the requirements of s. 402.305 and the Child Care



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1362 and Development Fund pursuant to 45 C.F.R. part 98. A child
1363 development program accredited by a national accrediting body
1364 and operating on a military installation certified by the United
1365 States Department of Defense is exempted from the inspection
1366 requirements under s. 1002.88.

1367 (j) Monitor the alignment and consistency of the Develop
1368 and adopt standards and benchmarks developed and adopted by the
1369 office that address the age-appropriate progress of children in
1370 the development of school readiness skills. The standards for
1371 children from birth to kindergarten entry ~~5 years of age~~ in the
1372 school readiness program must be aligned with the performance
1373 standards adopted for children in the Voluntary Prekindergarten
1374 Education Program and must address the following domains:

- 1375 1. Approaches to learning.
- 1376 2. Cognitive development and general knowledge.
- 1377 3. Numeracy, language, and communication.
- 1378 4. Physical development.
- 1379 5. Self-regulation.

1380 (k) Identify observation-based child assessments that are
1381 valid, reliable, and developmentally appropriate for use at
1382 least three times a year. The assessments must:

1383 1. Provide interval level and norm-referenced ~~criterion-~~
1384 ~~referenced~~ data that measures equivalent levels of growth across
1385 the core domains of early childhood development and that can be
1386 used for determining developmentally appropriate learning gains.

1387 2. Measure progress in the performance standards adopted
1388 pursuant to paragraph (j).

1389 3. Provide for appropriate accommodations for children with
1390 disabilities and English language learners and be administered



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1391 by qualified individuals, consistent with the developer's
1392 instructions.

1393 4. Coordinate with the performance standards adopted by the
1394 department under s. 1002.67(1) for the Voluntary Prekindergarten
1395 Education Program.

1396 5. Provide data in a format for use in the single statewide
1397 information system to meet the requirements of paragraph (q)
1398 ~~(p)~~.

1399 (1) Adopt a list of approved curricula that meet the
1400 performance standards for the school readiness program and
1401 establish a process for the review and approval of a provider's
1402 curriculum that meets the performance standards.

1403 (m) Provide technical support to an early learning
1404 coalition to facilitate the use of ~~Adopt by rule~~ a standard
1405 statewide provider contract adopted by the office to be used
1406 with each school readiness program provider, with standardized
1407 attachments by provider type. The office shall publish a copy of
1408 the standard statewide provider contract on its website. The
1409 standard statewide contract shall include, at a minimum,
1410 contracted slots, if applicable, in accordance with the Child
1411 Care and Development Block Grant Act of 2014, 45 C.F.R. parts 98
1412 and 99; quality improvement strategies, if applicable; program
1413 assessment requirements; and provisions for provider probation,
1414 termination for cause, and emergency termination for those
1415 actions or inactions of a provider that pose an immediate and
1416 serious danger to the health, safety, or welfare of the
1417 children. The standard statewide provider contract shall also
1418 include appropriate due process procedures. During the pendency
1419 of an appeal of a termination, the provider may not continue to



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1420 offer its services. Any provision imposed upon a provider that
1421 is inconsistent with, or prohibited by, law is void and
1422 unenforceable. Provisions for termination for cause must also
1423 include failure to meet the minimum quality measures established
1424 under paragraph (n) for a period of up to 5 years, unless the
1425 coalition determines that the provider is essential to meeting
1426 capacity needs based on the assessment under s. 1002.85(2)(j)
1427 and the provider has an active improvement plan pursuant to
1428 paragraph (n).

1429 (n) Adopt a program assessment for school readiness program
1430 providers that measures the quality of teacher-child
1431 interactions, including emotional and behavioral support,
1432 engaged support for learning, classroom organization, and
1433 instructional support for children ages birth to 5 years. The
1434 implementation of the program assessment must also include the
1435 following components adopted by the office:

1436 1. Quality measures, including a minimum program assessment
1437 composite score threshold for contracting purposes and program
1438 improvement through an improvement plan. The minimum program
1439 assessment composite score required for the Voluntary
1440 Prekindergarten Education Program contracting threshold must be
1441 the same as the minimum program assessment composite score
1442 required for contracting for the school readiness program. The
1443 methodology for the calculation of the minimum program
1444 assessment composite score shall be reviewed by the independent
1445 expert identified in s. 1002.68(4)(d).

1446 2. Requirements for program participation, frequency of
1447 program assessment, and exemptions.

1448 (o) No later than July 1, 2019, develop a differential



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1449 payment program based on the quality measures adopted by the
1450 office under paragraph (n). The differential payment may not
1451 exceed a total of 15 percent for each care level and unit of
1452 child care for a child care provider. No more than 5 percent of
1453 the 15 percent total differential may be provided to providers
1454 who submit valid and reliable data to the statewide information
1455 system in the domains of language and executive functioning
1456 using a child assessment identified pursuant to paragraph (k).
1457 Providers below the minimum program assessment score adopted
1458 ~~threshold~~ for contracting purposes are ineligible for such
1459 payment.

1460 (p) No later than July 1, 2022, develop and adopt
1461 requirements for the implementation of a program designed to
1462 make available contracted slots to serve children at the
1463 greatest risk of school failure as determined by such children
1464 being located in an area that has been designated as a poverty
1465 area tract according to the latest census data. The contracted
1466 slot program may also be used to increase the availability of
1467 child care capacity based on the assessment under s.
1468 1002.85(2)(j).

1469 (q) ~~(p)~~ Establish a single statewide information system that
1470 each coalition must use for the purposes of managing the single
1471 point of entry, tracking children's progress, coordinating
1472 services among stakeholders, determining eligibility of
1473 children, tracking child attendance, and streamlining
1474 administrative processes for providers and early learning
1475 coalitions. By July 1, 2019, the system, subject to ss. 1002.72
1476 and 1002.97, shall:

1477 1. Allow a parent to monitor the development of his or her



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1478 child as the child moves among programs within the state.

1479 2. Enable analysis at the state, regional, and local level
1480 to measure child growth over time, program impact, and quality
1481 improvement and investment decisions.

1482 (r) ~~(q)~~ Provide technical support to coalitions to
1483 facilitate the use of ~~Adopt by rule~~ standardized procedures
1484 adopted by the office for early learning coalitions to use when
1485 monitoring the compliance of school readiness program providers
1486 with the terms of the standard statewide provider contract.

1487 (s) ~~(r)~~ At least biennially provide fiscal and programmatic
1488 monitoring to ~~Monitor and~~ evaluate the performance of each early
1489 learning coalition in administering the school readiness
1490 program, ensuring proper payments for school readiness program
1491 services, implementing the coalition's school readiness program
1492 plan, and administering the Voluntary Prekindergarten Education
1493 Program. These monitoring and performance evaluations must
1494 include, at a minimum, onsite monitoring of each coalition's
1495 finances, management, operations, and programs.

1496 (t) ~~(s)~~ Work in conjunction with the Bureau of Federal
1497 Education Programs within the Department of Education to
1498 coordinate readiness and voluntary prekindergarten services to
1499 the populations served by the bureau.

1500 (u) ~~(t)~~ Administer a statewide toll-free Warm-Line to
1501 provide assistance and consultation to child care facilities and
1502 family day care homes regarding health, developmental,
1503 disability, and special needs issues of the children they are
1504 serving, particularly children with disabilities and other
1505 special needs. The office shall:

1506 1. Annually inform child care facilities and family day



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1507 care homes of the availability of this service through the child
1508 care resource and referral network under s. 1002.92.

1509 2. Expand or contract for the expansion of the Warm-Line to
1510 maintain at least one Warm-Line in each early learning coalition
1511 service area.

1512 (v)~~(u)~~ Develop and implement strategies to increase the
1513 supply and improve the quality of child care services for
1514 infants and toddlers, children with disabilities, children who
1515 receive care during nontraditional hours, children in
1516 underserved areas, and children in areas that have significant
1517 concentrations of poverty and unemployment.

1518 (w)~~(v)~~ Establish preservice and inservice training
1519 requirements that address, at a minimum, school readiness child
1520 development standards, health and safety requirements, and
1521 social-emotional behavior intervention models, which may include
1522 positive behavior intervention and support models, including the
1523 integration of early learning professional development pathways
1524 established in s. 1002.995.

1525 (x)~~(w)~~ Establish standards for emergency preparedness plans
1526 for school readiness program providers.

1527 (y)~~(x)~~ Establish group sizes.

1528 (z)~~(y)~~ Establish staff-to-children ratios that do not
1529 exceed the requirements of s. 402.302(8) or (11) or s.
1530 402.305(4), as applicable, for school readiness program
1531 providers.

1532 (aa)~~(z)~~ Establish eligibility criteria, including
1533 limitations based on income and family assets, in accordance
1534 with s. 1002.87 and federal law.

1535 (3) (a) The office shall adopt performance standards and



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1536 outcome measures for early learning coalitions that, at a
1537 minimum, include the development of objective and statistically
1538 valid customer service surveys by a state university or other
1539 independent researcher with specific expertise in customer
1540 service survey development. The survey shall be deployed
1541 beginning in fiscal year 2023-2024 and be distributed to:

1542 1. Customers who use the services in s. 1002.92 upon the
1543 completion of a referral inquiry.

1544 2. Parents annually at the time of eligibility
1545 determination.

1546 3. Child care providers that participate in the school
1547 readiness program or the Voluntary Prekindergarten Education
1548 Program at the time of execution of the statewide provider
1549 contract.

1550 4. Board members required under s. 1002.83.

1551 (b) Results of the survey shall be based on a statistically
1552 significant sample size of completed surveys and calculated
1553 annually for each early learning coalition and included in the
1554 department's annual report under subsection (7). If an early
1555 learning coalition's customer satisfaction survey results are
1556 below 60 percent, the coalition shall be placed on a 1-year
1557 corrective action plan that outlines specific steps the
1558 coalition shall take to improve the results of the customer
1559 service surveys, including, but not limited to, technical
1560 assistance, staff professional development or coaching.

1561 (4) ~~(3)~~ If the office determines during the review of school
1562 readiness program plans, or through monitoring and performance
1563 evaluations conducted under s. 1002.85, that an early learning
1564 coalition has not substantially implemented its plan, has not



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1565 substantially met the performance standards and outcome measures
1566 adopted by the office or the terms of a customer service
1567 corrective action plan, or has not effectively administered the
1568 school readiness program or Voluntary Prekindergarten Education
1569 Program, the office may remove the coalition from eligibility to
1570 administer early learning programs and temporarily contract with
1571 a qualified entity to continue school readiness program and
1572 prekindergarten services in the coalition's county or
1573 multicounty region until the office reestablishes or merges the
1574 coalition and a new school readiness program plan is approved in
1575 accordance with the rules adopted by the office.

1576 (5) The office shall adopt procedures for merging early
1577 learning coalitions for failure to meet the requirements of
1578 subsection (3) or subsection (4), including procedures for the
1579 consolidation of merging coalitions that minimizes duplication
1580 of programs and services due to the merger, and for the early
1581 termination of the terms of the coalition members which are
1582 necessary to accomplish the mergers.

1583 (6)-(4) The office may request the Governor to apply for a
1584 waiver to allow a coalition to administer the Head Start Program
1585 to accomplish the purposes of the school readiness program.

1586 (7)-(5) By January 1 of each year, the office shall annually
1587 publish on its website a report of its activities conducted
1588 under this section. The report must include a summary of the
1589 coalitions' annual reports, a statewide summary, and the
1590 following:

1591 (a) An analysis of early learning activities throughout the
1592 state, including the school readiness program and the Voluntary
1593 Prekindergarten Education Program.



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1594 1. The total and average number of children served in the
1595 school readiness program, enumerated by age, eligibility
1596 priority category, and coalition, and the total number of
1597 children served in the Voluntary Prekindergarten Education
1598 Program.

1599 2. A summary of expenditures by coalition, by fund source,
1600 including a breakdown by coalition of the percentage of
1601 expenditures for administrative activities, quality activities,
1602 nondirect services, and direct services for children.

1603 3. A description of the office's and each coalition's
1604 expenditures by fund source for the quality and enhancement
1605 activities described in s. 1002.89(6)(b).

1606 4. A summary of annual findings and collections related to
1607 provider fraud and parent fraud.

1608 5. Data regarding the coalitions' delivery of early
1609 learning programs.

1610 6. The total number of children disenrolled statewide and
1611 the reason for disenrollment.

1612 7. The total number of providers by provider type.

1613 8. The number of school readiness program providers who
1614 have completed the program assessment required under paragraph
1615 (2)(n); the number of providers who have not met the minimum
1616 program assessment composite score threshold for contracting
1617 established under paragraph (2)(n); and the number of providers
1618 that have an active improvement plan based on the results of the
1619 program assessment under paragraph (2)(n).

1620 9. The total number of provider contracts revoked and the
1621 reasons for revocation.

1622 (b) A detailed summary of the analysis compiled using the



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1623 single statewide information system established in subsection
1624 (2) activities and detailed expenditures related to the Child
1625 Care Executive Partnership Program.

1626 (8) (a) (6) (a) Parental choice of child care providers,
1627 including private and faith-based providers, shall be
1628 established to the maximum extent practicable in accordance with
1629 45 C.F.R. s. 98.30.

1630 (b) As used in this subsection, the term "payment
1631 certificate" means a child care certificate as defined in 45
1632 C.F.R. s. 98.2.

1633 (c) The school readiness program shall, in accordance with
1634 45 C.F.R. s. 98.30, provide parental choice through a payment
1635 certificate that provides, to the maximum extent possible,
1636 flexibility in the school readiness program and payment
1637 arrangements. The payment certificate must bear the names of the
1638 beneficiary and the program provider and, when redeemed, must
1639 bear the signatures of both the beneficiary and an authorized
1640 representative of the provider.

1641 (d) If it is determined that a provider has given any cash
1642 or other consideration to the beneficiary in return for
1643 receiving a payment certificate, the early learning coalition or
1644 its fiscal agent shall refer the matter to the Department of
1645 Financial Services pursuant to s. 414.411 for investigation.

1646 (9) (7) Participation in the school readiness program does
1647 not expand the regulatory authority of the state, its officers,
1648 or an early learning coalition to impose any additional
1649 regulation on providers beyond those necessary to enforce the
1650 requirements set forth in this part and part V of this chapter.

1651 Section 23. Present subsections (5) through (14) of section



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1652 1002.83, Florida Statutes, are redesignated as subsections (6)
1653 through (15), respectively, a new subsection (5) is added to
1654 that section, and subsections (1) and (3), paragraphs (e), (f),
1655 and (m) of subsection (4), and present subsections (5), (11),
1656 and (13) of that section are amended, to read:

1657 1002.83 Early learning coalitions.—

1658 (1) Thirty ~~Thirty-one~~ or fewer early learning coalitions
1659 are established and shall maintain direct enhancement services
1660 at the local level and provide access to such services in all 67
1661 counties. Two or more early learning coalitions may join for
1662 purposes of planning and implementing a school readiness program
1663 and the Voluntary Prekindergarten Education Program.

1664 (3) The Governor shall appoint the chair and two other
1665 members of each early learning coalition, who must each meet the
1666 ~~same~~ qualifications of a ~~as~~ private sector business member
1667 ~~members appointed by the coalition~~ under subsection (6)(5). In
1668 the absence of a governor-appointed chair, the Executive
1669 Director of the Office of Early Learning may appoint an interim
1670 chair from the current early learning coalition board
1671 membership.

1672 (4) Each early learning coalition must include the
1673 following member positions; however, in a multicounty coalition,
1674 each ex officio member position may be filled by multiple
1675 nonvoting members but no more than one voting member shall be
1676 seated per member position. If an early learning coalition has
1677 more than one member representing the same entity, only one of
1678 such members may serve as a voting member:

1679 (e) A children's services council or juvenile welfare board
1680 chair or executive director from each county, if applicable.



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1681 (f) A Department of Children and Families child care
1682 regulation representative or an agency head of a local licensing
1683 agency as defined in s. 402.302, where applicable.

1684 ~~(m) A central agency administrator, where applicable.~~

1685 (5) If members of the board are found to be
1686 nonparticipating according to the early learning coalition
1687 bylaws, the early learning coalition may request an alternate
1688 designee who meets the same qualifications or membership
1689 requirements of the nonparticipating member.

1690 ~~(6)-(5) The early learning coalition may appoint additional~~
1691 ~~Including the members who appointed by the Governor under~~
1692 ~~subsection (3), more than one-third of the members of each early~~
1693 ~~learning coalition must be private sector business members,~~
1694 ~~either for-profit or nonprofit, who do not have, and none of~~
1695 ~~whose relatives as defined in s. 112.3143 has, a substantial~~
1696 ~~financial interest in the design or delivery of the Voluntary~~
1697 ~~Prekindergarten Education Program created under part V of this~~
1698 ~~chapter or the school readiness program. To meet this~~
1699 ~~requirement, an early learning coalition must appoint additional~~
1700 ~~members.~~ The office shall establish criteria for appointing
1701 private sector business members. These criteria must include
1702 standards for determining whether a member or relative has a
1703 substantial financial interest in the design or delivery of the
1704 Voluntary Prekindergarten Education Program or the school
1705 readiness program.

1706 ~~(12)-(11)~~ Each early learning coalition shall establish
1707 terms for all appointed members of the coalition. The terms must
1708 be staggered and must be a uniform length that does not exceed 4
1709 years per term. ~~Coalition chairs shall be appointed for 4 years~~



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1710 ~~pursuant to s. 20.052.~~ Appointed members may serve a maximum of
1711 two consecutive terms. When a vacancy occurs in an appointed
1712 position, the coalition must advertise the vacancy.

1713 (14) ~~(13)~~ Each early learning coalition shall complete an
1714 annual evaluation of the early learning coalition's executive
1715 director or chief executive officer on forms adopted by the
1716 office. The annual evaluation must be submitted to the Executive
1717 Director of the Office of Early Learning by June 30 of each year
1718 ~~use a coordinated professional development system that supports~~
1719 ~~the achievement and maintenance of core competencies by school~~
1720 ~~readiness program teachers in helping children attain the~~
1721 ~~performance standards adopted by the office.~~

1722 Section 24. Present subsections (7) through (20) of section
1723 1002.84, Florida Statutes, are redesignated as subsections (8)
1724 through (21), respectively, a new subsection (7) is added to
1725 that section, and subsection (4), present subsections (8) and
1726 (16), paragraph (a) of present subsection (18), and present
1727 subsection (20) of that section are amended, to read:

1728 1002.84 Early learning coalitions; school readiness powers
1729 and duties.—Each early learning coalition shall:

1730 (4) Establish a regional Warm-Line as directed by the
1731 office pursuant to s. 1002.82(2)(u) ~~s. 1002.82(2)(t)~~. Regional
1732 Warm-Line staff shall provide onsite technical assistance, when
1733 requested, to assist child care facilities and family day care
1734 homes with inquiries relating to the strategies, curriculum, and
1735 environmental adaptations the child care facilities and family
1736 day care homes may need as they serve children with disabilities
1737 and other special needs.

1738 (7) Use a coordinated professional development system that



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1739 supports the achievement and maintenance of core competencies by
1740 school readiness program teachers in helping children attain the
1741 performance standards adopted by the office.

1742 (9)~~(8)~~ Establish a parent sliding fee scale that provides
1743 for a parent copayment that is not a barrier to families
1744 receiving school readiness program services. ~~Providers are~~
1745 ~~required to collect the parent's copayment.~~ A coalition may, ~~on~~
1746 ~~a case-by-case basis,~~ waive the copayment for an at-risk child
1747 or temporarily waive the copayment for a child whose family's
1748 income is at or below the federal poverty level or ~~and~~ whose
1749 family experiences a natural disaster or an event that limits
1750 the parent's ability to pay, such as incarceration, placement in
1751 residential treatment, or becoming homeless, or an emergency
1752 situation such as a household fire or burglary, or while the
1753 parent is participating in parenting classes or participating in
1754 an Early Head Start program or the Head Start Program. A parent
1755 may not transfer school readiness program services to another
1756 school readiness program provider until the parent has submitted
1757 documentation from the current school readiness program provider
1758 to the early learning coalition stating that the parent has
1759 satisfactorily fulfilled the copayment obligation.

1760 (17)~~(16)~~ Adopt a payment schedule that encompasses all
1761 programs funded under this part and part V of this chapter. The
1762 payment schedule must take into consideration the prevailing
1763 average market rate or an alternative model that has been
1764 approved by the Administration for Children and Families
1765 pursuant to 45 C.F.R. 98.45(c), include the projected number of
1766 children to be served, and be submitted for approval by the
1767 ~~office.~~ Informal child care arrangements shall be reimbursed at



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1768 not more than 50 percent of the rate adopted for a family day
1769 care home.

1770 (19)~~(18)~~ By October 1 of each year, submit an annual report
1771 to the office. The report shall conform to the format adopted by
1772 the office and must include:

1773 (a) Segregation of school readiness program funds,
1774 Voluntary Prekindergarten Education Program funds, ~~Child Care~~
1775 ~~Executive Partnership Program funds~~, and other local revenues
1776 available to the coalition.

1777 (21)~~(20)~~ To increase transparency and accountability,
1778 comply with the requirements of this section before contracting
1779 with one or more of the following persons or business entities
1780 which employs, has a contractual relationship with, or is owned
1781 by the following persons:

1782 1. A member of the coalition appointed pursuant to s.
1783 1002.83(4);

1784 2. A board member of any other early learning subrecipient
1785 entity;

1786 3. A coalition employee; or

1787 4. A relative, as defined in s. 112.3143(1)(c), of any
1788 person listed in subparagraphs 1.-3 ~~a coalition member or of an~~
1789 ~~employee of the coalition.~~

1790 (b) Such contracts may not be executed without the approval
1791 of the office. Such contracts, as well as documentation
1792 demonstrating adherence to this section by the coalition, must
1793 be approved by a two-thirds vote of the coalition, a quorum
1794 having been established; all conflicts of interest must be
1795 disclosed before the vote; and any member who may benefit from
1796 the contract, or whose relative may benefit from the contract,



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1797 must abstain from the vote. A contract under \$25,000 ~~between an~~
1798 ~~early learning coalition and a member of that coalition or~~
1799 ~~between a relative, as defined in s. 112.3143(1)(c), of a~~
1800 ~~coalition member or of an employee of the coalition~~ is not
1801 required to have the prior approval of the office but must be
1802 approved by a two-thirds vote of the coalition, a quorum having
1803 been established, and must be reported to the office within 30
1804 days after approval. If a contract cannot be approved by the
1805 office, a review of the decision to disapprove the contract may
1806 be requested by the early learning coalition or other parties to
1807 the disapproved contract.

1808 Section 25. Paragraphs (c) and (f) of subsection (2) of
1809 section 1002.85, Florida Statutes, are amended to read:

1810 1002.85 Early learning coalition plans.—

1811 (2) Each early learning coalition must biennially submit a
1812 school readiness program plan to the office before the
1813 expenditure of funds. A coalition may not implement its school
1814 readiness program plan until it receives approval from the
1815 office. A coalition may not implement any revision to its school
1816 readiness program plan until the coalition submits the revised
1817 plan to and receives approval from the office. If the office
1818 rejects a plan or revision, the coalition must continue to
1819 operate under its previously approved plan. The plan must
1820 include, but is not limited to:

1821 (c) The coalition's procedures for implementing the
1822 requirements of this part, including:

- 1823 1. Single point of entry.
- 1824 2. Uniform waiting list.
- 1825 3. Eligibility and enrollment processes and local



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1826 eligibility priorities for children pursuant to s. 1002.87.
1827 4. Parent access and choice.
1828 5. Sliding fee scale and policies on applying the waiver or
1829 reduction of fees in accordance with s. 1002.84(9) ~~s.~~
1830 ~~1002.84(8)~~.
1831 6. Use of preassessments and postassessments, as
1832 applicable.
1833 7. Payment rate schedule.
1834 8. Use of contracted slots, as applicable, based on the
1835 results of the assessment required under paragraph (j).
1836 (f) A detailed accounting, in the format prescribed by the
1837 office, of all revenues and expenditures during the previous
1838 state fiscal year. Revenue sources should be identifiable, and
1839 expenditures should be reported by two ~~three~~ categories: state
1840 and federal funds and, ~~local matching funds, and Child Care~~
1841 ~~Executive Partnership Program funds~~.
1842 Section 26. Paragraphs (a), (c), and (p) of subsection (1)
1843 of section 1002.88, Florida Statutes, are amended, and paragraph
1844 (s) is added to that subsection, to read:
1845 1002.88 School readiness program provider standards;
1846 eligibility to deliver the school readiness program.—
1847 (1) To be eligible to deliver the school readiness program,
1848 a school readiness program provider must:
1849 (a) Be a child care facility licensed under s. 402.305, a
1850 family day care home licensed or registered under s. 402.313, a
1851 large family child care home licensed under s. 402.3131, a
1852 public school or nonpublic school exempt from licensure under s.
1853 402.3025, a faith-based child care provider exempt from
1854 licensure under s. 402.316, a before-school or after-school



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1855 program described in s. 402.305(1)(c), a child development
1856 program accredited by a national accrediting body and operating
1857 on a military installation certified by the United States
1858 Department of Defense, or an informal child care provider to the
1859 extent authorized in the state's Child Care and Development Fund
1860 Plan as approved by the United States Department of Health and
1861 Human Services pursuant to 45 C.F.R. s. 98.18, or a provider who
1862 has been issued a provisional license pursuant to s. 402.309. A
1863 provider may not deliver the program while holding a probation-
1864 status license under s. 402.310.

1865 (c) Provide basic health and safety of its premises and
1866 facilities and compliance with requirements for age-appropriate
1867 immunizations of children enrolled in the school readiness
1868 program.

1869 1. For a provider that is licensed, compliance with s.
1870 402.305, s. 402.3131, or s. 402.313 and this subsection, as
1871 verified pursuant to s. 402.311, satisfies this requirement.

1872 2. For a provider that is a registered family day care home
1873 or is not subject to licensure or registration by the Department
1874 of Children and Families, compliance with this subsection, as
1875 verified pursuant to s. 402.311, satisfies this requirement.
1876 Upon verification pursuant to s. 402.311, the provider shall
1877 annually post the health and safety checklist adopted by the
1878 office prominently on its premises in plain sight for visitors
1879 and parents and shall annually submit the checklist to its local
1880 early learning coalition.

1881 3. For a child development program accredited by a national
1882 accrediting body and operating on a military installation
1883 certified by the United States Department of Defense, the



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1884 submission and verification of annual inspections pursuant to
1885 United States Department of Defense Instructions 6060.2 and
1886 1402.05 satisfies this requirement.

1887 (p) Notwithstanding paragraph (m), for a provider that is a
1888 state agency or a subdivision thereof, as defined in s.
1889 768.28(2), agree to notify the coalition of any additional
1890 liability coverage maintained by the provider in addition to
1891 that otherwise established under s. 768.28. The provider shall
1892 indemnify the coalition to the extent permitted by s. 768.28.
1893 Notwithstanding paragraph (m), for a child development program
1894 accredited by a national accrediting body and operating on a
1895 military installation certified by the United States Department
1896 of Defense, the provider may demonstrate liability coverage by
1897 affirming that it is subject to the Federal Tort Claims Act, 28
1898 U.S.C. ss. 2671 et seq.

1899 (s) Collect all parent copayment fees unless a waiver has
1900 been granted under s. 1002.84(9).

1901 Section 27. Paragraph (a) of subsection (1), paragraph (a)
1902 of subsection (2), and subsections (4) and (6) of section
1903 1002.895, Florida Statutes, are amended to read:

1904 1002.895 Market rate schedule.—The school readiness program
1905 market rate schedule shall be implemented as follows:

1906 (1) The office shall establish procedures for the adoption
1907 of a market rate schedule until an alternative model that has
1908 been approved by the Administration for Children and Families
1909 pursuant to 45 C.F.R. s. 98.45(c) is available for adoption. The
1910 schedule must include, at a minimum, county-by-county rates:

1911 (a) The market rate, including the minimum and the maximum
1912 rates for child care providers that hold a Gold Seal Quality



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1913 Care designation under s. 1002.945 and adhere to its accrediting
1914 association's teacher-to-child ratios and group size
1915 requirements ~~s. 402.281~~.

1916 (2) The market rate schedule, at a minimum, must:

1917 (a) Differentiate rates by type, including, but not limited
1918 to, a child care provider that holds a Gold Seal Quality Care
1919 designation under s. 1002.945 and adheres to its accrediting
1920 association's teacher-to-child ratios and group size
1921 requirements ~~s. 402.281~~, a child care facility licensed under s.
1922 402.305, a public or nonpublic school exempt from licensure
1923 under s. 402.3025, a faith-based child care facility exempt from
1924 licensure under s. 402.316 that does not hold a Gold Seal
1925 Quality Care designation, a large family child care home
1926 licensed under s. 402.3131, or a family day care home licensed
1927 or registered under s. 402.313.

1928 (4) The market rate schedule shall be considered by an
1929 early learning coalition in the adoption of a payment schedule.
1930 The payment schedule must take into consideration the prevailing
1931 average market rate and include the projected number of
1932 children to be served by each county and be submitted for
1933 approval by the office. Informal child care arrangements shall
1934 be reimbursed at not more than 50 percent of the rate adopted
1935 for a family day care home.

1936 (6) The office may adopt rules for establishing procedures
1937 for the collection of child care providers' market rate, the
1938 calculation of the prevailing average market rate by program
1939 care level and provider type in a predetermined geographic
1940 market, and the publication of the market rate schedule.

1941 Section 28. Subsection (1) and paragraphs (a), (c), and (d)



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1942 of subsection (3) of section 1002.92, Florida Statutes, are
1943 amended to read:

1944 1002.92 Child care and early childhood resource and
1945 referral.—

1946 (1) As a part of the school readiness program, the office
1947 shall establish a statewide child care resource and referral
1948 network that is unbiased and provides referrals to families for
1949 child care and information on available community resources.
1950 Preference shall be given to using early learning coalitions as
1951 the child care resource and referral agencies. If an early
1952 learning coalition cannot comply with the requirements to offer
1953 the resource information component or does not want to offer
1954 that service, the early learning coalition shall select the
1955 resource and referral agency for its county or multicounty
1956 region based upon the procurement requirements of s. 1002.84(13)
1957 ~~s. 1002.84(12)~~.

1958 (3) Child care resource and referral agencies shall provide
1959 the following services:

1960 (a) Identification of existing public and private child
1961 care and early childhood education services, including child
1962 care services by public and private employers, and the
1963 development of an early learning provider performance profile ~~a~~
1964 ~~resource file~~ of those services through the single statewide
1965 information system developed by the office under s.
1966 1002.82(2)(q) ~~s. 1002.82(2)(p)~~. These services may include
1967 family day care, public and private child care programs, the
1968 Voluntary Prekindergarten Education Program, Head Start, the
1969 school readiness program, special education programs for
1970 prekindergarten children with disabilities, services for



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1971 children with developmental disabilities, full-time and part-
1972 time programs, before-school and after-school programs, and
1973 vacation care programs, ~~parent education, the temporary cash~~
1974 ~~assistance program, and related family support services.~~ The
1975 early learning provider performance profile resource file shall
1976 include, but not be limited to:

- 1977 1. Type of program.
- 1978 2. Hours of service.
- 1979 3. Ages of children served.
- 1980 4. Number of children served.
- 1981 5. Program information.
- 1982 6. Fees and eligibility for services.
- 1983 7. Availability of transportation.
- 1984 8. Participation in the Child Care Food Program, if
1985 applicable.
- 1986 9. A link to licensing inspection reports, if applicable.
- 1987 10. The components of the Voluntary Prekindergarten
1988 Education Program performance metric calculated under s. 1002.68
1989 that must consist of the program assessment composite score,
1990 learning gains score, achievement score, and its designations,
1991 if applicable.
- 1992 11. The school readiness program assessment composite score
1993 and program assessment care level composite score results
1994 delineated by infant classrooms, toddler classrooms, and
1995 preschool classrooms results under s. 1002.82, if applicable.
- 1996 12. Gold Seal Quality Care designation under s. 1002.945,
1997 if applicable.
- 1998 13. Indication of whether the provider implements a
1999 curriculum approved by the office and the name of the



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2000 curriculum, if applicable.

2001 14. Participation in school readiness child assessment
2002 under s. 1002.82.

2003 (c) Maintenance of ongoing documentation of requests for
2004 service tabulated through the internal referral process through
2005 the single statewide information system. The following
2006 documentation of requests for service shall be maintained by the
2007 child care resource and referral network:

2008 1. Number of calls and contacts to the child care resource
2009 information and referral network component by type of service
2010 requested.

2011 2. Ages of children for whom service was requested.

2012 3. Time category of child care requests for each child.

2013 4. Special time category, such as nights, weekends, and
2014 swing shift.

2015 5. Reason that the child care is needed.

2016 6. Customer service survey data required under s.

2017 1002.82 (3) ~~Name of the employer and primary focus of the~~
2018 ~~business for an employer based child care program.~~

2019 (d) Assistance to families which connects them to parent
2020 education opportunities, the temporary cash assistance program,
2021 or social services programs that support families with children,
2022 and related child development support services ~~Provision of~~
2023 ~~technical assistance to existing and potential providers of~~
2024 ~~child care services. This assistance may include:~~

2025 ~~1. Information on initiating new child care services,~~
2026 ~~zoning, and program and budget development and assistance in~~
2027 ~~finding such information from other sources.~~

2028 ~~2. Information and resources which help existing child care~~



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2029 ~~services providers to maximize their ability to serve children~~
2030 ~~and parents in their community.~~

2031 ~~3. Information and incentives that may help existing or~~
2032 ~~planned child care services offered by public or private~~
2033 ~~employers seeking to maximize their ability to serve the~~
2034 ~~children of their working parent employees in their community,~~
2035 ~~through contractual or other funding arrangements with~~
2036 ~~businesses.~~

2037 Section 29. Section 402.281, Florida Statutes, is
2038 transferred, renumbered as section 1002.945, Florida Statutes,
2039 and amended to read:

2040 1002.945 ~~402.281~~ Gold Seal Quality Care program.—

2041 (1) (a) There is established within the Office of Early
2042 Learning ~~department~~ the Gold Seal Quality Care Program.

2043 (b) A child care facility, large family child care home, or
2044 family day care home that is accredited by an accrediting
2045 association approved by the office ~~department~~ under subsection
2046 (3) and meets all other requirements shall, upon application to
2047 the department, receive a separate "Gold Seal Quality Care"
2048 designation.

2049 (2) The office ~~department~~ shall adopt rules establishing
2050 Gold Seal Quality Care accreditation standards using nationally
2051 recognized accrediting standards and input from accrediting
2052 associations ~~based on the applicable accrediting standards of~~
2053 ~~the National Association for the Education of Young Children~~
2054 ~~(NAEYC), the National Association of Family Child Care, and the~~
2055 ~~National Early Childhood Program Accreditation Commission.~~

2056 (3) (a) In order to be approved by the office ~~department~~ for
2057 participation in the Gold Seal Quality Care program, an



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2058 accrediting association must apply to the office department and
2059 demonstrate that it:

2060 1. Is a recognized accrediting association.

2061 2. Has accrediting standards that substantially meet or
2062 exceed the Gold Seal Quality Care standards adopted by the
2063 office department under subsection (2).

2064 3. Is a registered corporation with the Department of
2065 State.

2066 4. Can provide evidence that the process for accreditation
2067 has, at a minimum, all of the following components:

2068 a. Clearly defined prerequisites that a child care provider
2069 must meet before beginning the accreditation process. However,
2070 accreditation may not be granted to a child care facility, large
2071 family child care home, or family day care home before the site
2072 is operational and is attended by children.

2073 b. Procedures for completion of a self-study and
2074 comprehensive onsite verification process for each classroom
2075 that documents compliance with accrediting standards.

2076 c. A training process for accreditation verifiers to ensure
2077 inter-rater reliability.

2078 d. Ongoing compliance procedures that include requiring
2079 each accredited child care facility, large family child care
2080 home, and family day care home to file an annual report with the
2081 accrediting association and risk-based, onsite auditing
2082 protocols for accredited child care facilities, large family
2083 child care homes, and family day care homes.

2084 e. Procedures for the revocation of accreditation due to
2085 failure to maintain accrediting standards as evidenced by sub-
2086 paragraph d. or any other relevant information received by



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2087 the accrediting association.

2088 f. Accreditation renewal procedures that include an onsite
2089 verification occurring at least every 5 years.

2090 g. A process for verifying continued accreditation
2091 compliance in the event of a transfer of ownership of
2092 facilities.

2093 h. A process to communicate issues that arise during the
2094 accreditation period with governmental entities that have a
2095 vested interest in the Gold Seal Quality Care Program, including
2096 the office, the Department of Children and Families, the
2097 Department of Health, local licensing entities if applicable,
2098 and the early learning coalition.

2099 (b) The office shall establish a process that verifies that
2100 the accrediting association meets the provisions of paragraph
2101 (a), which must include an auditing program and any other
2102 procedures that may reasonably determine an accrediting
2103 association's compliance with this section. If an accrediting
2104 association is not in compliance and fails to cure its
2105 deficiencies within 30 days, the office shall recommend to the
2106 state board termination of the accrediting association's
2107 participation as an accrediting association in the program for a
2108 period of at least 2 years but no more than 5 years. If an
2109 accrediting association is removed from being an approved
2110 accrediting association, each child care provider accredited by
2111 that association shall have up to 1 year to obtain a new
2112 accreditation from an office approved accreditation association.

2113 (c) If an accrediting association has granted accreditation
2114 to a child care facility, large family child care home, or
2115 family day care under fraudulent terms or failed to conduct



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2116 onsite verifications, the accrediting association shall be
2117 liable for the repayment of any rate differentials paid under
2118 subsection (6).

2119 ~~(b) In approving accrediting associations, the department~~
2120 ~~shall consult with the Department of Education, the Florida Head~~
2121 ~~Start Directors Association, the Florida Association of Child~~
2122 ~~Care Management, the Florida Family Child Care Home Association,~~
2123 ~~the Florida Children's Forum, the Florida Association for the~~
2124 ~~Education of the Young, the Child Development Education~~
2125 ~~Alliance, the Florida Association of Academic Nonpublic Schools,~~
2126 ~~the Association of Early Learning Coalitions, providers~~
2127 ~~receiving exemptions under s. 402.316, and parents.~~

2128 (4) In order to obtain and maintain a designation as a Gold
2129 Seal Quality Care provider, a child care facility, large family
2130 child care home, or family day care home must meet the following
2131 additional criteria:

2132 (a) The child care provider must not have had any class I
2133 violations, as defined by rule of the Department of Children and
2134 Families, within the 2 years preceding its application for
2135 designation as a Gold Seal Quality Care provider. Commission of
2136 a class I violation shall be grounds for termination of the
2137 designation as a Gold Seal Quality Care provider until the
2138 provider has no class I violations for a period of 2 years.

2139 (b) The child care provider must not have had three or more
2140 class II violations, as defined by rule of the Department of
2141 Children and Families, within the 2 years preceding its
2142 application for designation as a Gold Seal Quality Care
2143 provider. Commission of three or more class II violations within
2144 a 2-year period shall be grounds for termination of the



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2145 designation as a Gold Seal Quality Care provider until the
2146 provider has no class II violations for a period of 1 year.

2147 (c) The child care provider must not have been cited for
2148 the same class III violation, as defined by rule of the
2149 Department of Children and Families, three or more times and
2150 failed to correct the violation within 1 year after the date of
2151 each citation, within the 2 years preceding its application for
2152 designation as a Gold Seal Quality Care provider. Commission of
2153 the same class III violation three or more times and failure to
2154 correct within the required time during a 2-year period may be
2155 grounds for termination of the designation as a Gold Seal
2156 Quality Care provider until the provider has no class III
2157 violations for a period of 1 year.

2158 (d) Notwithstanding paragraph (a), if the office determines
2159 through a formal process that a provider has been in business
2160 for at least 5 years and has no other class I violations
2161 recorded, the office may recommend to the state board that the
2162 provider maintain its Gold Seal Quality Care status. The state
2163 board's determination regarding such provider's status is final.

2164 (5) A child care facility licensed pursuant to s. 402.305
2165 or a child care facility exempt from licensing pursuant to s.
2166 402.316 which achieves Gold Seal Quality Care status under this
2167 section shall be considered an educational institution for the
2168 purpose of qualifying for exemption from ad valorem tax under s.
2169 196.198.

2170 (6) A child care facility licensed pursuant to s. 402.305
2171 or a child care facility exempt from licensing pursuant to s.
2172 402.316 which achieves Gold Seal Quality Care status under this
2173 section and which participates in the school readiness program



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2174 shall receive a minimum of a 20 percent rate differential for
2175 each enrolled school readiness child by care level and unit of
2176 child care.

2177 (7)(5) The office Department of Children and Families shall
2178 adopt rules under ss. 120.536(1) and 120.54 which provide
2179 criteria and procedures for reviewing and approving accrediting
2180 associations for participation in the Gold Seal Quality Care
2181 program and, conferring and revoking designations of Gold Seal
2182 Quality Care providers, and classifying violations.

2183 Section 30. Section 1008.2125, Florida Statutes, is created
2184 to read:

2185 1008.2125 Coordinated screening and progress monitoring
2186 program for students in the Voluntary Prekindergarten Education
2187 Program through grade 3.—

2188 (1) The primary purpose of the coordinated screening and
2189 progress monitoring program for students in the Voluntary
2190 Prekindergarten Education Program through grade 3 is to provide
2191 information on students' progress in mastering the appropriate
2192 grade level standards and to provide information on their
2193 progress to parents, teachers, and school and program
2194 administrators. Data shall be used by Voluntary Prekindergarten
2195 Education Program providers and school districts to improve
2196 instruction, by parents and teachers to guide learning
2197 objectives and provide timely and appropriate supports and
2198 interventions to students not meeting grade level expectations,
2199 and by the public to assess the cost benefit of the expenditure
2200 of taxpayer dollars. The coordinated screening and progress
2201 monitoring program must:

2202 (a) Assess the progress of students in the Voluntary



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2203 Prekindergarten Education Program through grade 3 in meeting the
2204 appropriate expectations in early literacy and math skills and
2205 in English Language Arts and mathematics, as required by ss.
2206 1002.67(1) (a) and 1003.41.

2207 (b) Provide data for accountability of the Voluntary
2208 Prekindergarten Education Program, as required by s. 1002.68.

2209 (c) Provide baseline data to the department of each
2210 student's readiness for kindergarten, which must be based on
2211 each kindergarten student's progress monitoring results within
2212 the first 30 days of enrollment in accordance with paragraph
2213 (2) (a). The methodology for determining a student's readiness
2214 for kindergarten shall be developed by the same independent
2215 expert identified in s. 1002.68(4) (d).

2216 (d) Identify the educational strengths and needs of
2217 students in the Voluntary Prekindergarten Education Program
2218 through grade 3.

2219 (e) Provide teachers with progress monitoring data to
2220 provide timely interventions and supports pursuant to s.
2221 1008.25(4).

2222 (f) Assess how well educational goals and curricular
2223 standards are met at the provider, school, district, and state
2224 levels.

2225 (g) Provide information to aid in the evaluation and
2226 development of educational programs and policies.

2227 (2) The Commissioner of Education shall design a statewide,
2228 standardized coordinated screening and progress monitoring
2229 program to assess early literacy and mathematics skills and the
2230 English Language Arts and mathematics standards established in
2231 ss. 1002.67(1) (a) and 1003.41, respectively. The coordinated



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2232 screening and progress monitoring program must provide interval
2233 level and norm-referenced data that measures equivalent levels
2234 of growth; be a developmentally appropriate, valid, and reliable
2235 direct assessment; be able to capture data on students who may
2236 be performing below grade or developmental level and which may
2237 enable the identification of early indicators of dyslexia or
2238 other developmental delays; accurately measure the core content
2239 in the applicable grade level standards; document learning gains
2240 for the achievement of these standards; and provide teachers
2241 with progress monitoring supports and materials that enhance
2242 differentiated instruction and parent communication.

2243 Participation in the coordinated screening and progress
2244 monitoring program is mandatory for all students in the
2245 Voluntary Prekindergarten Education Program and enrolled in a
2246 public school in kindergarten through grade 3. The coordinated
2247 screening and progress monitoring program shall be implemented
2248 beginning in the 2022-2023 school year for students in the
2249 Voluntary Prekindergarten Education Program and kindergarten
2250 students, as follows:

2251 (a) The coordinated screening and progress monitoring
2252 program shall be administered within the first 30 days after
2253 enrollment, midyear, and within the last 30 days of the program
2254 or school year, in accordance with the rules adopted by the
2255 State Board of Education. The state board may adopt alternate
2256 timeframes to address nontraditional school year calendars or
2257 summer programs to ensure administration of the coordinated
2258 screening and progress monitoring program is administered a
2259 minimum of 3 times within a year or program.

2260 (b) The results of the coordinated screening and progress



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2261 monitoring program shall be reported to the department, in
2262 accordance with the rules adopted by the state board, and
2263 maintained in the department's educational data warehouse.

2264 (3) The Commissioner of Education shall:

2265 (a) Develop a plan, in coordination with the Council for
2266 Early Grade Success, for implementing the coordinated screening
2267 and progress monitoring program in consideration of timelines
2268 for implementing new early literacy and mathematics skills and
2269 the English Language Arts and mathematics standards established
2270 in ss. 1002.67(1)(a) and 1003.41, as appropriate.

2271 (b) Provide data, reports, and information as requested to
2272 the Council for Early Grade Success.

2273 (4) The Council for Early Grade Success, a council as
2274 defined in s. 20.03(7), is created within the Department of
2275 Education to oversee the coordinated screening and progress
2276 monitoring program and, except as otherwise provided in this
2277 section, shall operate consistent with s. 20.052.

2278 (a) The council shall be responsible for reviewing the
2279 implementation of, training for, and outcomes from the
2280 coordinated screening and progress monitoring program to provide
2281 recommendations to the department that support grade 3 students
2282 reading at or above grade level. The council, at a minimum,
2283 shall:

2284 1. Provide recommendations on the implementation of the
2285 coordinated screening and progress monitoring program, including
2286 reviewing any procurement solicitation documents and criteria
2287 before being published.

2288 2. Develop training plans and timelines for such training.

2289 3. Identify appropriate personnel, processes, and



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2290 procedures required for the administration of the coordinated
2291 screening and progress monitoring program.

2292 4. Provide input on the methodology for calculating a
2293 provider's or school's performance metric and designations under
2294 s. 1002.68.

2295 5. Work with the department's independent expert under s.
2296 1002.68(4)(d) to review the methodology for determining a
2297 child's kindergarten readiness.

2298 6. Review data on age-appropriate learning gains by grade
2299 level that a student would need to attain in order to
2300 demonstrate proficiency in reading by grade 3.

2301 7. Continually review anonymized data from the results of
2302 the coordinated screening and progress monitoring program for
2303 students in the Voluntary Prekindergarten Education Program
2304 through grade 3 to help inform recommendations to the department
2305 that support practices that will enable grade 3 students to read
2306 at or above grade level.

2307 (b) The council shall be composed of 17 members who are
2308 residents of this state and appointed, as follows:

2309 1. Three members appointed by the Governor, as follows:

2310 a. One representative from the Department of Education.

2311 b. One parent of a child who is 4 to 9 years of age.

2312 c. One representative who is a school principal.

2313 2. Seven members appointed by the President of the Senate,
2314 as follows:

2315 a. One senator who serves at the pleasure of the President
2316 of the Senate.

2317 b. One representative of an urban school district.

2318 c. One representative of a rural early learning coalition.



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2319 d. One representative of a faith-based early learning
2320 provider that offers the Voluntary Prekindergarten Education
2321 Program.

2322 e. One representative who is a second grade teacher with at
2323 least 5 years of teaching experience.

2324 f. Two representatives with subject matter expertise in
2325 early learning, early grade success, or child assessments.

2326 3. Seven members appointed by the Speaker of the House of
2327 Representatives, as follows:

2328 a. One member of the House of Representatives who serves at
2329 the pleasure of the Speaker of the House.

2330 b. One representative of a rural school district.

2331 c. One representative of an urban early learning coalition.

2332 d. One representative of an early learning provider that
2333 offers the Voluntary Prekindergarten Education Program.

2334 e. One member who is a kindergarten teacher with at least 5
2335 years of teaching experience.

2336 f. Two representatives with subject matter expertise in
2337 early learning, early grade success, or child assessment.

2338 (5) The four representatives with subject matter expertise
2339 in sub-subparagraphs (4) (b)2.f. and (4) (b)3.f. may not be direct
2340 stakeholders within the early learning or public school systems
2341 or potential recipients of a contract resulting from the
2342 council's recommendations.

2343 (6) The council shall elect a chair and vice chair, one of
2344 whom must be a member who has subject matter expertise in early
2345 learning, early grade success, or child assessments. The vice
2346 chair must be a member appointed by the President of the Senate
2347 or the Speaker of the House of Representatives who is not one of



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2348 the four members with subject matter expertise in early
2349 learning, early grade success, or child assessments. Members of
2350 the council shall serve without compensation but are entitled to
2351 reimbursement for per diem and travel expenses pursuant to s.
2352 112.061.

2353 (7) The council must meet at least biannually and may meet
2354 by teleconference or other electronic means, if possible, to
2355 reduce costs.

2356 (8) A majority of the members constitutes a quorum.

2357 Section 31. Present paragraphs (b) and (c) of subsection
2358 (5) of section 1008.25, Florida Statutes, are redesignated as
2359 paragraphs (c) and (d), respectively, a new paragraph (b) is
2360 added to that subsection, and paragraph (b) of subsection (6),
2361 subsection (7), and paragraph (a) of subsection (8) are amended,
2362 to read:

2363 1008.25 Public school student progression; student support;
2364 reporting requirements.—

2365 (5) READING DEFICIENCY AND PARENTAL NOTIFICATION.—

2366 (b) Any Voluntary Prekindergarten Education Program student
2367 who exhibits a substantial deficiency in early literacy in
2368 accordance with the standards under s. 1002.67(1)(a) and based
2369 upon the results of the administration of the final coordinated
2370 screening and progress monitoring under s. 1008.2125 shall be
2371 referred to the local school district and may be eligible to
2372 receive intensive reading interventions before participating in
2373 kindergarten. Such intensive reading interventions shall be paid
2374 for using funds from the district's research-based reading
2375 instruction allocation in accordance with s. 1011.62(9).

2376 (6) ELIMINATION OF SOCIAL PROMOTION.—



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2377 (b) The district school board may only exempt students from
2378 mandatory retention, as provided in paragraph (5)(c) ~~(5)(b)~~, for
2379 good cause. A student who is promoted to grade 4 with a good
2380 cause exemption shall be provided intensive reading instruction
2381 and intervention that include specialized diagnostic information
2382 and specific reading strategies to meet the needs of each
2383 student so promoted. The school district shall assist schools
2384 and teachers with the implementation of explicit, systematic,
2385 and multisensory reading instruction and intervention strategies
2386 for students promoted with a good cause exemption which research
2387 has shown to be successful in improving reading among students
2388 who have reading difficulties. Good cause exemptions are limited
2389 to the following:

2390 1. Limited English proficient students who have had less
2391 than 2 years of instruction in an English for Speakers of Other
2392 Languages program based on the initial date of entry into a
2393 school in the United States.

2394 2. Students with disabilities whose individual education
2395 plan indicates that participation in the statewide assessment
2396 program is not appropriate, consistent with the requirements of
2397 s. 1008.212.

2398 3. Students who demonstrate an acceptable level of
2399 performance on an alternative standardized reading or English
2400 Language Arts assessment approved by the State Board of
2401 Education.

2402 4. A student who demonstrates through a student portfolio
2403 that he or she is performing at least at Level 2 on the
2404 statewide, standardized English Language Arts assessment.

2405 5. Students with disabilities who take the statewide,



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2406 standardized English Language Arts assessment and who have an
2407 individual education plan or a Section 504 plan that reflects
2408 that the student has received intensive instruction in reading
2409 or English Language Arts for more than 2 years but still
2410 demonstrates a deficiency and was previously retained in
2411 kindergarten, grade 1, grade 2, or grade 3.

2412 6. Students who have received intensive reading
2413 intervention for 2 or more years but still demonstrate a
2414 deficiency in reading and who were previously retained in
2415 kindergarten, grade 1, grade 2, or grade 3 for a total of 2
2416 years. A student may not be retained more than once in grade 3.

2417 (7) SUCCESSFUL PROGRESSION FOR RETAINED THIRD GRADE
2418 STUDENTS.—

2419 (a) Students retained under paragraph (5) (c) ~~(5) (b)~~ must be
2420 provided intensive interventions in reading to ameliorate the
2421 student's specific reading deficiency and prepare the student
2422 for promotion to the next grade. These interventions must
2423 include:

2424 1. Evidence-based, explicit, systematic, and multisensory
2425 reading instruction in phonemic awareness, phonics, fluency,
2426 vocabulary, and comprehension and other strategies prescribed by
2427 the school district.

2428 2. Participation in the school district's summer reading
2429 camp, which must incorporate the instructional and intervention
2430 strategies under subparagraph 1.

2431 3. A minimum of 90 minutes of daily, uninterrupted reading
2432 instruction incorporating the instructional and intervention
2433 strategies under subparagraph 1. This instruction may include:

2434 a. Integration of content-rich texts in science and social



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2435 studies within the 90-minute block.

2436 b. Small group instruction.

2437 c. Reduced teacher-student ratios.

2438 d. More frequent progress monitoring.

2439 e. Tutoring or mentoring.

2440 f. Transition classes containing 3rd and 4th grade
2441 students.

2442 g. Extended school day, week, or year.

2443 (b) Each school district shall:

2444 1. Provide written notification to the parent of a student
2445 who is retained under paragraph (5) (c) ~~(5) (b)~~ that his or her
2446 child has not met the proficiency level required for promotion
2447 and the reasons the child is not eligible for a good cause
2448 exemption as provided in paragraph (6) (b). The notification must
2449 comply with paragraph (5) (d) ~~(5) (e)~~ and must include a
2450 description of proposed interventions and supports that will be
2451 provided to the child to remediate the identified areas of
2452 reading deficiency.

2453 2. Implement a policy for the midyear promotion of a
2454 student retained under paragraph (5) (c) ~~(5) (b)~~ who can
2455 demonstrate that he or she is a successful and independent
2456 reader and performing at or above grade level in reading or,
2457 upon implementation of English Language Arts assessments,
2458 performing at or above grade level in English Language Arts.
2459 Tools that school districts may use in reevaluating a student
2460 retained may include subsequent assessments, alternative
2461 assessments, and portfolio reviews, in accordance with rules of
2462 the State Board of Education. Students promoted during the
2463 school year after November 1 must demonstrate proficiency levels



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2464 in reading equivalent to the level necessary for the beginning
2465 of grade 4. The rules adopted by the State Board of Education
2466 must include standards that provide a reasonable expectation
2467 that the student's progress is sufficient to master appropriate
2468 grade 4 level reading skills.

2469 3. Provide students who are retained under paragraph (5) (c)
2470 ~~(5) (b)~~, including students participating in the school
2471 district's summer reading camp under subparagraph (a)2., with a
2472 highly effective teacher as determined by the teacher's
2473 performance evaluation under s. 1012.34, and, beginning July 1,
2474 2020, the teacher must also be certified or endorsed in reading.

2475 4. Establish at each school, when applicable, an intensive
2476 reading acceleration course for any student retained in grade 3
2477 who was previously retained in kindergarten, grade 1, or grade
2478 2. The intensive reading acceleration course must provide the
2479 following:

2480 a. Uninterrupted reading instruction for the majority of
2481 student contact time each day and opportunities to master the
2482 grade 4 Next Generation Sunshine State Standards in other core
2483 subject areas through content-rich texts.

2484 b. Small group instruction.

2485 c. Reduced teacher-student ratios.

2486 d. The use of explicit, systematic, and multisensory
2487 reading interventions, including intensive language, phonics,
2488 and vocabulary instruction, and use of a speech-language
2489 therapist if necessary, that have proven results in accelerating
2490 student reading achievement within the same school year.

2491 e. A read-at-home plan.

2492 (8) ANNUAL REPORT.—



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2493 (a) In addition to the requirements in paragraph (5) (c)
2494 ~~(5) (b)~~, each district school board must annually report to the
2495 parent of each student the progress of the student toward
2496 achieving state and district expectations for proficiency in
2497 English Language Arts, science, social studies, and mathematics.
2498 The district school board must report to the parent the
2499 student's results on each statewide, standardized assessment.
2500 The evaluation of each student's progress must be based upon the
2501 student's classroom work, observations, tests, district and
2502 state assessments, response to intensive interventions provided
2503 under paragraph (5) (a), and other relevant information. Progress
2504 reporting must be provided to the parent in writing in a format
2505 adopted by the district school board.

2506 Section 32. Subsection (9) of section 1011.62, Florida
2507 Statutes, is amended to read:

2508 1011.62 Funds for operation of schools.—If the annual
2509 allocation from the Florida Education Finance Program to each
2510 district for operation of schools is not determined in the
2511 annual appropriations act or the substantive bill implementing
2512 the annual appropriations act, it shall be determined as
2513 follows:

2514 (9) RESEARCH-BASED READING INSTRUCTION ALLOCATION.—

2515 (a) The research-based reading instruction allocation is
2516 created to provide comprehensive reading instruction to students
2517 in kindergarten through grade 12, including certain students who
2518 exhibit a substantial deficiency in early literacy and who
2519 completed the Voluntary Prekindergarten Education Program
2520 pursuant to s. 1008.25(5) (b). Each school district that has one
2521 or more of the 300 lowest-performing elementary schools based on



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2522 a 3-year average of the state reading assessment data must use
2523 the school's portion of the allocation to provide an additional
2524 hour per day of intensive reading instruction for the students
2525 in each school. The additional hour may be provided within the
2526 school day. Students enrolled in these schools who earned a
2527 level 4 or level 5 score on the statewide, standardized English
2528 Language Arts assessment for the previous school year may
2529 participate in the additional hour of instruction. Exceptional
2530 student education centers may not be included in the 300
2531 schools. The intensive reading instruction delivered in this
2532 additional hour shall include: research-based reading
2533 instruction that has been proven to accelerate progress of
2534 students exhibiting a reading deficiency; differentiated
2535 instruction based on screening, diagnostic, progress monitoring,
2536 or student assessment data to meet students' specific reading
2537 needs; explicit and systematic reading strategies to develop
2538 phonemic awareness, phonics, fluency, vocabulary, and
2539 comprehension, with more extensive opportunities for guided
2540 practice, error correction, and feedback; and the integration of
2541 social studies, science, and mathematics-text reading, text
2542 discussion, and writing in response to reading.

2543 (b) Funds for comprehensive, research-based reading
2544 instruction shall be allocated annually to each school district
2545 in the amount provided in the General Appropriations Act. Each
2546 eligible school district shall receive the same minimum amount
2547 as specified in the General Appropriations Act, and any
2548 remaining funds shall be distributed to eligible school
2549 districts based on each school district's proportionate share of
2550 K-12 base funding.



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2551 (c) Funds allocated under this subsection must be used to
2552 provide a system of comprehensive reading instruction to
2553 students enrolled in the K-12 programs and certain students who
2554 exhibit a substantial deficiency in early literacy and who
2555 completed the Voluntary Prekindergarten Education Program
2556 pursuant to s. 1008.25(5)(b), which may include the following:

2557 1. An additional hour per day of evidence-based intensive
2558 reading instruction to students in the 300 lowest-performing
2559 elementary schools by teachers and reading specialists who have
2560 demonstrated effectiveness in teaching reading as required in
2561 paragraph (a).

2562 2. Kindergarten through grade 5 evidence-based ~~reading~~
2563 ~~intervention~~ teachers to provide intensive reading interventions
2564 provided by reading intervention teachers ~~intervention~~ during
2565 the school day and in the required extra hour for students
2566 identified as having a reading deficiency.

2567 3. Highly qualified reading coaches to specifically support
2568 teachers in making instructional decisions based on student
2569 data, and improve teacher delivery of effective reading
2570 instruction, intervention, and reading in the content areas
2571 based on student need.

2572 4. Professional development for school district teachers in
2573 scientifically based reading instruction, including strategies
2574 to teach reading in content areas and with an emphasis on
2575 technical and informational text, to help school district
2576 teachers earn a certification or an endorsement in reading.

2577 5. Summer reading camps, using only teachers or other
2578 district personnel who are certified or endorsed in reading
2579 consistent with s. 1008.25(7)(b)3., for all students in



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2580 kindergarten through grade 2 who demonstrate a reading
2581 deficiency as determined by district and state assessments, ~~and~~
2582 students in grades 3 through 5 who score at Level 1 on the
2583 statewide, standardized English Language Arts assessment, and
2584 certain students who exhibit a substantial deficiency in early
2585 literacy and who completed the Voluntary Prekindergarten
2586 Education Program pursuant to s. 1008.25(5)(b).

2587 6. Scientifically researched and evidence-based
2588 supplemental instructional materials ~~that are grounded in~~
2589 ~~scientifically based reading research~~ as identified by the Just
2590 Read, Florida! Office pursuant to s. 1001.215(8).

2591 7. Evidence-based intensive interventions for students in
2592 kindergarten through grade 12 who have been identified as having
2593 a reading deficiency or who are reading below grade level as
2594 determined by the statewide, standardized English Language Arts
2595 assessment or for certain students who exhibit a substantial
2596 deficiency in early literacy and who completed the Voluntary
2597 Prekindergarten Education Program pursuant to s. 1008.25(5)(b).

2598 (d)1. Annually, by a date determined by the Department of
2599 Education but before May 1, school districts shall submit a ~~K-12~~
2600 comprehensive reading plan for the specific use of the research-
2601 based reading instruction allocation in the format prescribed by
2602 the department for review and approval by the Just Read,
2603 Florida! Office created pursuant to s. 1001.215. The plan
2604 annually submitted by school districts shall be deemed approved
2605 unless the department rejects the plan on or before June 1. If a
2606 school district and the Just Read, Florida! Office cannot reach
2607 agreement on the contents of the plan, the school district may
2608 appeal to the State Board of Education for resolution. School



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2609 districts shall be allowed reasonable flexibility in designing
2610 their plans and shall be encouraged to offer reading
2611 intervention through innovative methods, including career
2612 academies. The plan format shall be developed with input from
2613 school district personnel, including teachers and principals,
2614 and shall provide for intensive reading interventions through
2615 integrated curricula, provided that, beginning with the 2020-
2616 2021 school year, the interventions are delivered by a teacher
2617 who is certified or endorsed in reading. Such interventions must
2618 incorporate evidence-based strategies identified by the Just
2619 Read, Florida! Office pursuant to s. 1001.215(8). No later than
2620 July 1 annually, the department shall release the school
2621 district's allocation of appropriated funds to those districts
2622 having approved plans. A school district that spends 100 percent
2623 of this allocation on its approved plan shall be deemed to have
2624 been in compliance with the plan. The department may withhold
2625 funds upon a determination that reading instruction allocation
2626 funds are not being used to implement the approved plan. The
2627 department shall monitor and track the implementation of each
2628 district plan, including conducting site visits and collecting
2629 specific data on expenditures and reading improvement results.
2630 By February 1 of each year, the department shall report its
2631 findings to the Legislature.

2632 2. Each school district that has a school designated as one
2633 of the 300 lowest-performing elementary schools as specified in
2634 paragraph (a) shall specifically delineate in the comprehensive
2635 reading plan, or in an addendum to the comprehensive reading
2636 plan, the implementation design and reading intervention
2637 strategies that will be used for the required additional hour of



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2638 reading instruction. The term "reading intervention" includes
2639 evidence-based strategies frequently used to remediate reading
2640 deficiencies and also includes individual instruction, tutoring,
2641 mentoring, or the use of technology that targets specific
2642 reading skills and abilities.

2643
2644 For purposes of this subsection, the term "evidence-based" means
2645 demonstrating a statistically significant effect on improving
2646 student outcomes or other relevant outcomes.

2647 Section 33. This act shall take effect July 1, 2021.