



240086

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
04/12/2021	.	
	.	
	.	
	.	

---

Appropriations Subcommittee on Education (Harrell) recommended the following:

**Senate Amendment (with title amendment)**

Delete everything after the enacting clause and insert:

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

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

(5) EDUCATIONAL STABILITY.—Just as educational stability is important for school-age children, it is also important to



240086

11 minimize disruptions to secure attachments and stable  
12 relationships with supportive caregivers of children from birth  
13 to school age and to ensure that these attachments are not  
14 disrupted due to placement in out-of-home care or subsequent  
15 changes in out-of-home placement.

16 (b) If it is not in the best interest of the child for him  
17 or her to remain in his or her child care or early education  
18 setting upon entry into out-of-home care, the caregiver must  
19 work with the case manager, guardian ad litem, child care and  
20 educational staff, and educational surrogate, if one has been  
21 appointed, to determine the best setting for the child. Such  
22 setting may be a child care provider that receives a Gold Seal  
23 Quality Care designation pursuant to s. 1002.945 ~~s. 402.281~~, a  
24 ~~provider participating in a quality rating system~~, a licensed  
25 child care provider, a public school provider, or a license-  
26 exempt child care provider, including religious-exempt and  
27 registered providers, and nonpublic schools.

28 Section 2. Paragraph (m) of subsection (5) of section  
29 212.08, Florida Statutes, is amended to read:

30 212.08 Sales, rental, use, consumption, distribution, and  
31 storage tax; specified exemptions.—The sale at retail, the  
32 rental, the use, the consumption, the distribution, and the  
33 storage to be used or consumed in this state of the following  
34 are hereby specifically exempt from the tax imposed by this  
35 chapter.

36 (5) EXEMPTIONS; ACCOUNT OF USE.—

37 (m) *Educational materials purchased by certain child care*  
38 *facilities*.—Educational materials, such as glue, paper, paints,  
39 crayons, unique craft items, scissors, books, and educational



240086

40 toys, purchased by a child care facility that meets the  
41 standards delineated in s. 402.305, is licensed under s.  
42 402.308, holds a current Gold Seal Quality Care designation  
43 pursuant to s. 1002.945 ~~s. 402.281~~, and provides basic health  
44 insurance to all employees are exempt from the taxes imposed by  
45 this chapter. For purposes of this paragraph, the term "basic  
46 health insurance" shall be defined and promulgated in rules  
47 developed jointly by the Office of Early Learning ~~Department of~~  
48 ~~Children and Families~~, the Agency for Health Care  
49 Administration, and the Financial Services Commission.

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

52 402.26 Child care; legislative intent.—

53 ~~(6) It is the intent of the Legislature that a child care~~  
54 ~~facility licensed pursuant to s. 402.305 or a child care~~  
55 ~~facility exempt from licensing pursuant to s. 402.316, that~~  
56 ~~achieves Gold Seal Quality status pursuant to s. 402.281, be~~  
57 ~~considered an educational institution for the purpose of~~  
58 ~~qualifying for exemption from ad valorem tax pursuant to s.~~  
59 ~~196.198.~~

60 Section 4. Type two transfer from the Department of  
61 Children and Families.—

62 (1) All powers, duties, functions, records, offices,  
63 personnel, associated administrative support positions,  
64 property, pending issues, existing contracts, administrative  
65 authority, administrative rules, and unexpended balances of  
66 appropriations, allocations, and other funds relating to the  
67 Gold Seal Quality Care program within the Department of Children  
68 and Families are transferred by a type two transfer, as defined



240086

69 in s. 20.06(2), Florida Statutes, to the Office of Early  
70 Learning.

71 (2) Any binding contract or interagency agreement existing  
72 before July 1, 2020, between the Department of Children and  
73 Families, or an entity or agent of the department, and any other  
74 agency, entity, or person relating to the Gold Seal Quality Care  
75 program shall continue as a binding contract or agreement for  
76 the remainder of the term of such contract or agreement on the  
77 successor entity responsible for the program, activity, or  
78 functions relative to the contract or agreement.

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

81 402.315 Funding; license fees.—

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

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

89 1001.213 Office of Early Learning.—There is created within  
90 the Office of Independent Education and Parental Choice the  
91 Office of Early Learning, as required under s. 20.15, which  
92 shall be administered by an executive director. The office shall  
93 be fully accountable to the Commissioner of Education but shall:

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



240086

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

100 1001.215 Just Read, Florida! Office.—There is created in  
101 the Department of Education the Just Read, Florida! Office. The  
102 office is fully accountable to the Commissioner of Education and  
103 shall:

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

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

109 1001.23 Specific powers and duties of the Department of  
110 Education.—In addition to all other duties assigned to it by law  
111 or by rule of the State Board of Education, the department  
112 shall:

113 ~~(1) Adopt the statewide kindergarten screening in~~  
114 ~~accordance with s. 1002.69.~~

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

117 1002.32 Developmental research (laboratory) schools.—

118 (3) MISSION.—The mission of a lab school shall be the  
119 provision of a vehicle for the conduct of research,  
120 demonstration, and evaluation regarding management, teaching,  
121 and learning. Programs to achieve the mission of a lab school  
122 shall embody the goals and standards established pursuant to ss.  
123 1000.03(5) and 1001.23(1) ~~1001.23(2)~~ and shall ensure an  
124 appropriate education for its students.

125 (a) Each lab school shall emphasize mathematics, science,  
126 computer science, and foreign languages. The primary goal of a



240086

127 lab school is to enhance instruction and research in such  
128 specialized subjects by using the resources available on a state  
129 university campus, while also providing an education in  
130 nonspecialized subjects. Each lab school shall provide  
131 sequential elementary and secondary instruction where  
132 appropriate. A lab school may not provide instruction at grade  
133 levels higher than grade 12 without authorization from the State  
134 Board of Education. Each lab school shall develop and implement  
135 a school improvement plan pursuant to s. 1003.02(3).

136 (b) Research, demonstration, and evaluation conducted at a  
137 lab school may be generated by the college of education and  
138 other colleges within the university with which the school is  
139 affiliated.

140 (c) Research, demonstration, and evaluation conducted at a  
141 lab school may be generated by the State Board of Education.  
142 Such research shall respond to the needs of the education  
143 community at large, rather than the specific needs of the  
144 affiliated college.

145 (d) Research, demonstration, and evaluation conducted at a  
146 lab school may consist of pilot projects to be generated by the  
147 affiliated college, the State Board of Education, or the  
148 Legislature.

149 (e) The exceptional education programs offered at a lab  
150 school shall be determined by the research and evaluation goals  
151 and the availability of students for efficiently sized programs.  
152 The fact that a lab school offers an exceptional education  
153 program in no way lessens the general responsibility of the  
154 local school district to provide exceptional education programs.

155 (10) EXCEPTIONS TO LAW.—To encourage innovative practices



240086

156 and facilitate the mission of the lab schools, in addition to  
157 the exceptions to law specified in s. 1001.23(1) ~~s. 1001.23(2)~~,  
158 the following exceptions shall be permitted for lab schools:

159 (a) The methods and requirements of the following statutes  
160 shall be held in abeyance: ss. 316.75; 1001.30; 1001.31;  
161 1001.32; 1001.33; 1001.34; 1001.35; 1001.36; 1001.361; 1001.362;  
162 1001.363; 1001.37; 1001.371; 1001.372; 1001.38; 1001.39;  
163 1001.395; 1001.40; 1001.41; 1001.44; 1001.453; 1001.46;  
164 1001.461; 1001.462; 1001.463; 1001.464; 1001.47; 1001.48;  
165 1001.49; 1001.50; 1001.51; 1006.12(2); 1006.21(3), (4); 1006.23;  
166 1010.07(2); 1010.40; 1010.41; 1010.42; 1010.43; 1010.44;  
167 1010.45; 1010.46; 1010.47; 1010.48; 1010.49; 1010.50; 1010.51;  
168 1010.52; 1010.53; 1010.54; 1010.55; 1011.02(1)-(3), (5);  
169 1011.04; 1011.20; 1011.21; 1011.22; 1011.23; 1011.71; 1011.72;  
170 1011.73; and 1011.74.

171 (b) With the exception of s. 1001.42(18), s. 1001.42 shall  
172 be held in abeyance. Reference to district school boards in s.  
173 1001.42(18) shall mean the president of the university or the  
174 president's designee.

175 Section 10. Subsection (5) and paragraph (c) of subsection  
176 (6) of section 1002.53, Florida Statutes, are amended, and  
177 paragraph (d) is added to subsection (6) of that section, to  
178 read:

179 1002.53 Voluntary Prekindergarten Education Program;  
180 eligibility and enrollment.—

181 (5) The early learning coalition shall provide each parent  
182 enrolling a child in the Voluntary Prekindergarten Education  
183 Program with a profile of every private prekindergarten provider  
184 and public school delivering the program within the county where



185 the child is being enrolled. The profiles shall be provided to  
186 parents in a format prescribed by the Office of Early Learning  
187 in accordance with s. 1002.92(3). ~~The profiles must include, at~~  
188 ~~a minimum, the following information about each provider and~~  
189 ~~school:~~

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

192 ~~(b) The provider's or school's kindergarten readiness rate~~  
193 ~~calculated in accordance with s. 1002.69, based upon the most~~  
194 ~~recent available results of the statewide kindergarten~~  
195 ~~screening.~~

196 (6)

197 (c) Each private prekindergarten provider and public school  
198 must comply with the Florida Civil Rights Act of 1992 in  
199 accordance with chapter 760 ~~antidiscrimination requirements of~~  
200 ~~42 U.S.C. s. 2000d, regardless of whether the provider or school~~  
201 ~~receives federal financial assistance. A private prekindergarten~~  
202 ~~provider or public school may not discriminate against a parent~~  
203 ~~or child, including the refusal to admit a child for enrollment~~  
204 ~~in the Voluntary Prekindergarten Education Program, in violation~~  
205 ~~of chapter 760 these antidiscrimination requirements.~~

206 (d) Each parent who enrolls his or her child in the  
207 Voluntary Prekindergarten Education Program must allow his or  
208 her child to participate in the coordinated screening and  
209 progress monitoring program under s. 1008.2125.

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





240086

214 1002.55 School-year prekindergarten program delivered by  
215 private prekindergarten providers.—

216 (3) To be eligible to deliver the prekindergarten program,  
217 a private prekindergarten provider must meet each of the  
218 following requirements:

219 (a) The private prekindergarten provider must be a child  
220 care facility licensed under s. 402.305, family day care home  
221 licensed under s. 402.313, large family child care home licensed  
222 under s. 402.3131, nonpublic school exempt from licensure under  
223 s. 402.3025(2), ~~or~~ faith-based child care provider exempt from  
224 licensure under s. 402.316, child development program accredited  
225 by a national accrediting body and operating on a military  
226 installation certified by the United States Department of  
227 Defense, or private prekindergarten provider issued a  
228 provisional license under s. 402.309. A private prekindergarten  
229 provider may not deliver the program while holding a probation-  
230 status license under s. 402.310.

231 (b) The private prekindergarten provider must:

232 1. Be accredited by an accrediting association that is a  
233 member of the National Council for Private School Accreditation,  
234 or the Florida Association of Academic Nonpublic Schools, or be  
235 accredited by the Southern Association of Colleges and Schools,  
236 or Western Association of Colleges and Schools, or North Central  
237 Association of Colleges and Schools, or Middle States  
238 Association of Colleges and Schools, or New England Association  
239 of Colleges and Schools; and have written accreditation  
240 standards that meet or exceed the state's licensing requirements  
241 under s. 402.305, s. 402.313, or s. 402.3131 and require at  
242 least one onsite visit to the provider or school before



243 accreditation is granted;

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

246 3. Be licensed under s. 402.305, s. 402.313, or s. 402.3131  
247 and demonstrate, before delivering the Voluntary Prekindergarten  
248 Education Program, as verified by the early learning coalition,  
249 that the provider meets each of the requirements of the program  
250 under this part, including, but not limited to, the requirements  
251 for credentials and background screenings of prekindergarten  
252 instructors under paragraphs (c) and (d), minimum and maximum  
253 class sizes under paragraph (f), prekindergarten director  
254 credentials under paragraph (g), and a developmentally  
255 appropriate curriculum under s. 1002.67(2)(b).

256 (c) The private prekindergarten provider must have, for  
257 each prekindergarten class of 11 children or fewer, at least one  
258 prekindergarten instructor who meets each of the following  
259 requirements:

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

262 a. A child development associate credential issued by the  
263 National Credentialing Program of the Council for Professional  
264 Recognition; or

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

268  
269 The Department of Children and Families may adopt rules under  
270 ss. 120.536(1) and 120.54 which provide criteria and procedures  
271 for approving equivalent credentials under sub-subparagraph b.



240086

272           2. The prekindergarten instructor must successfully  
273 complete at least three ~~an~~ emergent literacy training courses  
274 that include developmentally appropriate and experiential  
275 learning practices for children ~~course~~ and a student performance  
276 standards training course approved by the office as meeting or  
277 exceeding the minimum standards adopted under s. 1002.59, and be  
278 recognized as part of the informal early learning career pathway  
279 identified by the office under s. 1002.995(1)(b). The  
280 requirement for completion of the standards training course  
281 shall take effect July 1, 2021. ~~Such 2014,~~ and the course shall  
282 be available online or in person.

283           (g) The private prekindergarten provider must have a  
284 prekindergarten director who has a prekindergarten director  
285 credential that is approved by the office as meeting or  
286 exceeding the minimum standards adopted under s. 1002.57. A  
287 private school administrator who holds a valid certificate in  
288 educational leadership issued by the office satisfies the  
289 requirement for a prekindergarten director credential under s.  
290 1002.57 ~~Successful completion of a child care facility director~~  
291 ~~credential under s. 402.305(2)(g) before the establishment of~~  
292 ~~the prekindergarten director credential under s. 1002.57 or July~~  
293 ~~1, 2006, whichever occurs later, satisfies the requirement for a~~  
294 ~~prekindergarten director credential under this paragraph.~~

295           (i) The private prekindergarten provider must execute the  
296 statewide provider contract prescribed under s. 1002.73 ~~s.~~  
297 ~~1002.75~~, except that an individual who owns or operates multiple  
298 private prekindergarten sites ~~providers~~ within a coalition's  
299 service area may execute a single agreement with the coalition  
300 on behalf of each site ~~provider~~.



240086

301           (1) Notwithstanding paragraph (j), for a private  
302 prekindergarten provider that is a state agency or a subdivision  
303 thereof, as defined in s. 768.28(2), the provider must agree to  
304 notify the coalition of any additional liability coverage  
305 maintained by the provider in addition to that otherwise  
306 established under s. 768.28. The provider shall indemnify the  
307 coalition to the extent permitted by s. 768.28. Notwithstanding  
308 paragraph (j), for a child development program accredited by a  
309 national accrediting body and operating on a military  
310 installation certified by the United States Department of  
311 Defense, the provider may demonstrate liability coverage by  
312 affirming that it is subject to the Federal Tort Claims Act, 28  
313 U.S.C. s. 2671 et seq.

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

317           (a) A bachelor's or higher degree in early childhood  
318 education, prekindergarten or primary education, preschool  
319 education, or family and consumer science;

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

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

327           (d) An associate's or higher degree in an unrelated field,  
328 at least 6 credit hours in early childhood education or child  
329 development, and at least 480 hours of experience in teaching or



330 providing child care services for children any age from birth  
331 through 8 years of age; or

332 (e) An educational credential approved by the department as  
333 being equivalent to or greater than an educational credential  
334 described in this subsection. The department may adopt criteria  
335 and procedures for approving equivalent educational credentials  
336 under this paragraph.

337 (5)

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

343 (6) Each early learning coalition must verify that each  
344 private prekindergarten provider delivering the Voluntary  
345 Prekindergarten Education Program within the coalition's county  
346 or multicounty region complies with this part. If a private  
347 prekindergarten provider fails or refuses to comply with this  
348 part or engages in misconduct, the office must require the early  
349 learning coalition to remove the provider from eligibility to  
350 deliver the program or to receive state funds under this part  
351 for a period of at least 2 years but no more than 5 years.

352 Section 12. Present paragraphs (b) and (c) of subsection  
353 (2) of section 1002.57, Florida Statutes, are redesignated as  
354 paragraphs (c) and (d), respectively, and a new paragraph (b) is  
355 added to that subsection, to read:

356 1002.57 Prekindergarten director credential.—

357 (2) The educational requirements must include training in  
358 the following:



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

361 Section 13. Section 1002.59, Florida Statutes, is amended  
362 to read:

363 1002.59 Emergent literacy and performance standards  
364 training courses.—

365 (1) The office shall adopt minimum standards for ~~one or~~  
366 ~~more training~~ courses in emergent literacy for prekindergarten  
367 instructors. Each course must comprise 5 clock hours and provide  
368 instruction in strategies and techniques to address the age-  
369 appropriate progress of prekindergarten students in developing  
370 emergent literacy skills, including oral communication,  
371 knowledge of print and letters, phonemic and phonological  
372 awareness, and vocabulary and comprehension development. Each  
373 course must also provide resources containing strategies that  
374 allow students with disabilities and other special needs to  
375 derive maximum benefit from the Voluntary Prekindergarten  
376 Education Program. Successful completion of an emergent literacy  
377 training course approved under this section satisfies  
378 requirements for approved training in early literacy and  
379 language development under ss. 402.305(2)(e)5., 402.313(6), and  
380 402.3131(5).

381 (2) The office shall adopt minimum standards for ~~one or~~  
382 ~~more training~~ courses on the performance standards adopted under  
383 s. 1002.67(1). Each course must comprise at least 3 clock hours,  
384 provide instruction in strategies and techniques to address age-  
385 appropriate progress of each child in attaining the standards,  
386 and be available online.

387 (3) The office shall make available online professional



388 development and training courses consisting of at least 8 clock  
389 hours that support prekindergarten instructors in increasing the  
390 competency of teacher-child interactions.

391 Section 14. Present subsections (6), (7), and (8) of  
392 section 1002.61, Florida Statutes, are redesignated as  
393 subsections (7), (8), and (9), respectively, a new subsection  
394 (6) and subsection (10) are added to that section, and paragraph  
395 (b) of subsection (1), paragraph (b) of subsection (3), and  
396 subsection (4) of that section are amended, to read:

397 1002.61 Summer prekindergarten program delivered by public  
398 schools and private prekindergarten providers.-

399 (1)

400 (b) Each early learning coalition shall administer the  
401 Voluntary Prekindergarten Education Program at the county or  
402 regional level for students enrolled under s. 1002.53(3)(b) in a  
403 summer prekindergarten program delivered by a private  
404 prekindergarten provider. A child development program accredited  
405 by a national accrediting body and operating on a military  
406 installation certified by the United States Department of  
407 Defense may administer the summer prekindergarten program as a  
408 private prekindergarten provider.

409 (3)

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

415 (4) Notwithstanding ss. 1002.55(3)(c)1. and 1002.63(4),  
416 each public school and private prekindergarten provider must



417 have, for each prekindergarten class, at least one  
418 prekindergarten instructor who is a certified teacher or holds  
419 one of the educational credentials specified in s. 1002.55(4) (a)  
420 or (b). As used in this subsection, the term "certified teacher"  
421 means a teacher holding a valid Florida educator certificate  
422 under s. 1012.56 who has the qualifications required by the  
423 district school board to instruct students in the summer  
424 prekindergarten program. In selecting instructional staff for  
425 the summer prekindergarten program, each school district shall  
426 give priority to teachers who have experience or coursework in  
427 early childhood education and have completed emergent literacy  
428 and performance standards courses, as described in s.  
429 1002.55(3) (c) 2.

430 (6) A child development program accredited by a national  
431 accrediting body and operating on a military installation  
432 certified by the United States Department of Defense shall  
433 comply with the requirements of a private prekindergarten  
434 provider in this section.

435 (10) (a) Each early learning coalition shall verify that  
436 each private prekindergarten provider and public school  
437 delivering the Voluntary Prekindergarten Education Program  
438 within the coalition's county or multicounty region complies  
439 with this part.

440 (b) If a private prekindergarten provider or public school  
441 fails or refuses to comply with this part or engages in  
442 misconduct, the office must require the early learning coalition  
443 to remove the provider or school from eligibility to deliver the  
444 Voluntary Prekindergarten Education Program or to receive state  
445 funds under this part for a period of at least 2 years but no





240086

446 more than 5 years.

447 Section 15. Paragraph (b) of subsection (3) of section  
448 1002.63, Florida Statutes, is amended, and subsection (9) is  
449 added to that section, to read:

450 1002.63 School-year prekindergarten program delivered by  
451 public schools.—

452 (3)

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

458 (9) (a) Each early learning coalition shall verify that each  
459 public school delivering the Voluntary Prekindergarten Education  
460 Program within the coalition's service area complies with this  
461 part.

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

468 Section 16. Section 1002.67, Florida Statutes, is amended  
469 to read:

470 1002.67 Performance standards ~~and~~ curricula ~~and~~  
471 ~~accountability.~~—

472 (1) (a) The office shall develop and adopt performance  
473 standards for students in the Voluntary Prekindergarten  
474 Education Program. The performance standards must address the



240086

475 age-appropriate progress of students in the development of:

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

478 2. Emergent literacy skills, including oral communication,  
479 knowledge of print and letters, phonemic and phonological  
480 awareness, and vocabulary and comprehension development; and

481 3. Mathematical thinking and early math skills.

482

483 ~~By October 1, 2013, the office shall examine the existing~~  
484 ~~performance standards in the area of mathematical thinking and~~  
485 ~~develop a plan to make appropriate professional development and~~  
486 ~~training courses available to prekindergarten instructors.~~

487 (b) At least every 3 years, the office shall ~~periodically~~  
488 ~~review and, if necessary,~~ revise the performance standards  
489 established under this section ~~for the statewide kindergarten~~  
490 ~~screening administered under s. 1002.69~~ and align the standards  
491 to the standards established by the state board for student  
492 performance on the statewide assessments administered pursuant  
493 to s. 1008.22.

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

499 (b) Each private prekindergarten provider's and public  
500 school's curriculum must be developmentally appropriate and  
501 must:

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



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

507           3. Support student learning gains through differentiated  
508 instruction that shall be measured by the coordinated screening  
509 and progress monitoring program under s. 1008.2125 ~~Prepare~~  
510 ~~students to be ready for kindergarten based upon the statewide~~  
511 ~~kindergarten screening administered under s. 1002.69.~~

512           (c) The office shall adopt procedures for the review and  
513 approval of ~~approve~~ curricula for use by private prekindergarten  
514 providers and public schools that are placed on probation under  
515 s. 1002.68 ~~paragraph (4) (e)~~. The office shall administer the  
516 review and approval process and maintain a list of the curricula  
517 approved under this paragraph. Each approved curriculum must  
518 meet the requirements of paragraph (b).

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

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

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

531           ~~(4) (a) Each early learning coalition shall verify that each~~  
532 ~~private prekindergarten provider delivering the Voluntary~~



240086

533 ~~Prekindergarten Education Program within the coalition's county~~  
534 ~~or multicounty region complies with this part. Each district~~  
535 ~~school board shall verify that each public school delivering the~~  
536 ~~program within the school district complies with this part.~~

537 ~~(b) If a private prekindergarten provider or public school~~  
538 ~~fails or refuses to comply with this part, or if a provider or~~  
539 ~~school engages in misconduct, the office shall require the early~~  
540 ~~learning coalition to remove the provider and require the school~~  
541 ~~district to remove the school from eligibility to deliver the~~  
542 ~~Voluntary Prekindergarten Education Program and receive state~~  
543 ~~funds under this part for a period of 5 years.~~

544 ~~(c)1. If the kindergarten readiness rate of a private~~  
545 ~~prekindergarten provider or public school falls below the~~  
546 ~~minimum rate adopted by the office as satisfactory under s.~~  
547 ~~1002.69(6), the early learning coalition or school district, as~~  
548 ~~applicable, shall require the provider or school to submit an~~  
549 ~~improvement plan for approval by the coalition or school~~  
550 ~~district, as applicable, and to implement the plan; shall place~~  
551 ~~the provider or school on probation; and shall require the~~  
552 ~~provider or school to take certain corrective actions, including~~  
553 ~~the use of a curriculum approved by the office under paragraph~~  
554 ~~(2)(c) or a staff development plan to strengthen instruction in~~  
555 ~~language development and phonological awareness approved by the~~  
556 ~~office.~~

557 ~~2. A private prekindergarten provider or public school that~~  
558 ~~is placed on probation must continue the corrective actions~~  
559 ~~required under subparagraph 1., including the use of a~~  
560 ~~curriculum or a staff development plan to strengthen instruction~~  
561 ~~in language development and phonological awareness approved by~~



240086

562 ~~the office, until the provider or school meets the minimum rate~~  
563 ~~adopted by the office as satisfactory under s. 1002.69(6).~~  
564 ~~Failure to implement an approved improvement plan or staff~~  
565 ~~development plan shall result in the termination of the~~  
566 ~~provider's contract to deliver the Voluntary Prekindergarten~~  
567 ~~Education Program for a period of 5 years.~~

568 ~~3. If a private prekindergarten provider or public school~~  
569 ~~remains on probation for 2 consecutive years and fails to meet~~  
570 ~~the minimum rate adopted by the office as satisfactory under s.~~  
571 ~~1002.69(6) and is not granted a good cause exemption by the~~  
572 ~~office pursuant to s. 1002.69(7), the office shall require the~~  
573 ~~early learning coalition or the school district to remove, as~~  
574 ~~applicable, the provider or school from eligibility to deliver~~  
575 ~~the Voluntary Prekindergarten Education Program and receive~~  
576 ~~state funds for the program for a period of 5 years.~~

577 ~~(d) Each early learning coalition and the office shall~~  
578 ~~coordinate with the Child Care Services Program Office of the~~  
579 ~~Department of Children and Families to minimize interagency~~  
580 ~~duplication of activities for monitoring private prekindergarten~~  
581 ~~providers for compliance with requirements of the Voluntary~~  
582 ~~Prekindergarten Education Program under this part, the school~~  
583 ~~readiness program under part VI of this chapter, and the~~  
584 ~~licensing of providers under ss. 402.301-402.319.~~

585 Section 17. Section 1002.68, Florida Statutes, is created  
586 to read:

587 1002.68 Voluntary Prekindergarten Education Program  
588 accountability.—

589 (1) (a) Beginning with the 2022-2023 program year, each  
590 private prekindergarten provider and public school participating



591 in the Voluntary Prekindergarten Education Program must  
592 participate in the coordinated screening and progress monitoring  
593 program in accordance with s. 1008.2125. The coordinated  
594 screening and progress monitoring program results shall be used  
595 by the office to identify student learning gains, index  
596 development learning outcomes upon program completion relative  
597 to the performance standards established under s. 1002.67 and  
598 representative norms, and inform a private prekindergarten  
599 provider's and public school's performance metric.

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

603 (c) Each private prekindergarten provider and public school  
604 participating in the Voluntary Prekindergarten Education Program  
605 must provide a student's performance results from the  
606 coordinated screening and progress monitoring to the student's  
607 parents within 7 days after the administration of such  
608 coordinated screening and progress monitoring.

609 (2) Beginning with the 2022-2023 program year, each private  
610 prekindergarten provider and public school participating in the  
611 Voluntary Prekindergarten Education Program must participate in  
612 a program assessment of each voluntary prekindergarten education  
613 classroom. The program assessment shall measure the quality of  
614 teacher-child interactions, including emotional support,  
615 classroom organization, and instructional support for children  
616 ages 3 to 5 years. Each private prekindergarten provider and  
617 public school participating in the Voluntary Prekindergarten  
618 Education Program shall receive from the office the results of  
619 the program assessment for each classroom within 14 days after



240086

620 the observation. Each early learning coalition shall be  
621 responsible for the administration of the program assessments,  
622 which must be conducted by individuals qualified to conduct  
623 program assessments under s. 1002.82(2)(n).

624 (3) For the 2020-2021 program year, the office shall  
625 calculate a kindergarten readiness rate for each private  
626 prekindergarten provider and public school participating in the  
627 Voluntary Prekindergarten Education Program based upon learning  
628 gains and the percentage of students assessed as ready for  
629 kindergarten. The department shall require that each school  
630 district administer the statewide kindergarten screening in use  
631 before the 2021-2022 school year to each kindergarten student in  
632 the school district within the first 30 school days of the 2021-  
633 2022 school year. Private schools may administer the statewide  
634 kindergarten screening to each kindergarten student in a private  
635 school who was enrolled in the Voluntary Prekindergarten  
636 Education Program. Learning gains shall be determined using a  
637 value-added measure based on growth demonstrated by the results  
638 of the preassessment and postassessment in use before the 2021-  
639 2022 program year. Any private prekindergarten provider or  
640 public school participating in the Voluntary Prekindergarten  
641 Education Program which fails to meet the minimum kindergarten  
642 readiness rate for the 2020-2021 program year is subject to the  
643 probation requirements of subsection (5).

644 (4) (a) Beginning with the 2022-2023 program year, the  
645 office shall adopt a methodology for calculating each private  
646 prekindergarten provider's and public school provider's  
647 performance metric, which must be based on a combination of the  
648 following:



240086

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

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

654 3. Norm-referenced developmental learning outcomes  
655 described in subsection (1).

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

660 (c) The program assessment composite score and performance  
661 metric must be calculated for each private prekindergarten or  
662 public school site.

663 (d) The methodology shall include a statistical latent  
664 profile analysis that has been conducted by an independent  
665 expert with experience in relevant quantitative analysis, early  
666 childhood assessment, and designing state-level accountability  
667 systems. The independent expert shall be able to produce a  
668 limited number of performance metric profiles that summarize the  
669 profiles of all sites that must be used to inform the following  
670 designations: "unsatisfactory," "emerging proficiency,"  
671 "proficient," "highly proficient," and "excellent" or comparable  
672 terminology determined by the office which may not include  
673 letter grades. The independent expert may not be a direct  
674 stakeholder or have had a financial interest in the design or  
675 delivery of the Voluntary Prekindergarten Education Program or  
676 public school system within the last 5 years.

677 (e) Subject to an appropriation, the office shall provide





240086

678 for a differential payment to a private prekindergarten provider  
679 and public school based on the provider's designation. The  
680 maximum differential payment may not exceed a total of 15  
681 percent of the base student allocation per full-time equivalent  
682 student under s. 1002.71 attending in the consecutive program  
683 year for that program. A private prekindergarten provider or  
684 public school may not receive a differential payment if it  
685 receives a designation of "proficient" or lower. Before the  
686 adoption of the methodology, the office and the independent  
687 expert shall confer with the Council for Early Grade Success  
688 under s. 1008.2125 before receiving approval from the office for  
689 the final recommendations on the designation system and  
690 differential payments.

691 (f) The office shall adopt procedures to annually calculate  
692 each private prekindergarten provider's and public school's  
693 performance metric, based on the methodology adopted in  
694 paragraphs (a) and (b), and assign a designation under paragraph  
695 (d). Beginning with the 2023-2024 program year, each private  
696 prekindergarten provider or public school shall be assigned a  
697 designation within 45 days after the conclusion of the school-  
698 year Voluntary Prekindergarten Education Program delivered by  
699 all participating private prekindergarten providers or public  
700 schools and within 45 days after the conclusion of the summer  
701 Voluntary Prekindergarten Education Program delivered by all  
702 participating private prekindergarten providers or public  
703 schools.

704 (g) A private prekindergarten provider or public school  
705 designated "proficient," "highly proficient," or "excellent"  
706 demonstrates the provider's or school's satisfactory delivery of



240086

707 the Voluntary Prekindergarten Education Program.

708 (h) The designations shall be displayed in the early  
709 learning provider performance profiles required under s.  
710 1002.92(3).

711 (5) (a) If a public school's or private prekindergarten  
712 provider's program assessment composite score for its  
713 prekindergarten classrooms fails to meet the minimum program  
714 assessment composite score for contracting established by the  
715 office pursuant to s. 1002.82(2) (n), the private prekindergarten  
716 provider or public school may not participate in the Voluntary  
717 Prekindergarten Education Program beginning in the consecutive  
718 program year and thereafter until the public school or private  
719 prekindergarten provider meets the minimum composite score for  
720 contracting. A public school or private prekindergarten provider  
721 may request one program assessment per program year in order to  
722 requalify for participation in the Voluntary Prekindergarten  
723 Education Program. If a public school or private prekindergarten  
724 provider would like an additional program assessment completed  
725 within the same program year, the public school or private  
726 prekindergarten provider shall be responsible for the cost of  
727 the program assessment.

728 (b) If a private prekindergarten provider's or public  
729 school's performance metric or designation falls below the  
730 minimum performance metric or designation, the early learning  
731 coalition shall:

732 1. Require the provider or school to submit for approval to  
733 the early learning coalition an improvement plan and implement  
734 the plan.

735 2. Place the provider or school on probation.



240086

736           3. Require the provider or school to take certain  
737 corrective actions, including the use of a curriculum approved  
738 by the office under s. 1002.67(2)(c) and a staff development  
739 plan approved by the office to strengthen instructional  
740 practices in emotional support, classroom organization,  
741 instructional support, language development, phonological  
742 awareness, alphabet knowledge, and mathematical thinking.

743           (c) A private prekindergarten provider or public school  
744 placed on probation must continue the corrective actions  
745 required under paragraph (b) until the provider or school meets  
746 the minimum performance metric or designation adopted by the  
747 office. Failure to meet the requirements of subparagraphs (b)1.  
748 and 3. shall result in the termination of the provider's or  
749 school's contract to deliver the Voluntary Prekindergarten  
750 Education Program for a period of at least 2 years but no more  
751 than 5 years.

752           (d) If a private prekindergarten provider or public school  
753 remains on probation for 2 consecutive years and fails to meet  
754 the minimum performance metric or designation, or is not granted  
755 a good cause exemption by the office, the office shall require  
756 the early learning coalition to revoke the provider's or  
757 school's eligibility to deliver the Voluntary Prekindergarten  
758 Education Program or to receive state funds for the program for  
759 a period of at least 2 years but no more than 5 years.

760           (6) (a) The office, upon the request of a private  
761 prekindergarten provider or public school that remains on  
762 probation for at least 2 consecutive years and subsequently  
763 fails to meet the minimum performance metric or designation, and  
764 for good cause shown, may grant to the provider or school an



765 exemption from being determined ineligible to deliver the  
766 Voluntary Prekindergarten Education Program or to receive state  
767 funds for the program. Such exemption is valid for 1 year and,  
768 upon the request of the private prekindergarten provider or  
769 public school and for good cause shown, may be renewed.

770 (b) A private prekindergarten provider's or public school's  
771 request for a good cause exemption, or renewal of such an  
772 exemption, must be submitted to the office in the manner and  
773 within the timeframes prescribed by the office and must include  
774 the following:

775 1. Data from the private prekindergarten provider or public  
776 school which documents the achievement and progress of the  
777 children served, as measured by any required screenings or  
778 assessments.

779 2. Data from the program assessment required under  
780 subsection (2) which demonstrates effective teaching practices  
781 as recognized by the tool developer.

782 3. Data from the early learning coalition or district  
783 school board, as applicable, the Department of Children and  
784 Families, the local licensing authority, or an accrediting  
785 association, as applicable, relating to the private  
786 prekindergarten provider's or public school's compliance with  
787 state and local health and safety standards.

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

791 1. Child demographic data that evidences a private  
792 prekindergarten provider or public school serves a statistically  
793 significant population of children with special needs who have



794 individual education plans and can demonstrate progress toward  
795 meeting the goals outlined in the students' individual education  
796 plans.

797 2. Learning gains of children served in the Voluntary  
798 Prekindergarten Education Program by the private prekindergarten  
799 provider or public school on an alternative measure that has  
800 comparable validity and reliability of the coordinated screening  
801 and progress monitoring program in accordance with s. 1008.2125.

802 3. Program assessment data under subsection (2) which  
803 demonstrates effective teaching practices as recognized by the  
804 tool developer.

805 4. Verification that local and state health and safety  
806 requirements are met.

807 (d) A good cause exemption may not be granted to any  
808 private prekindergarten provider or public school that has any  
809 class I violations or two or more class II violations, as  
810 defined by rule of the Department of Children and Families,  
811 within the 2 years preceding the provider's or school's request  
812 for the exemption.

813 (e) A private prekindergarten provider or public school  
814 granted a good cause exemption shall continue to implement its  
815 improvement plan and continue the corrective actions required  
816 under paragraph (5)(b) until the provider or school meets the  
817 minimum performance metric.

818 (f) If a good cause exemption is granted to a private  
819 prekindergarten provider or public school that remains on  
820 probation for 2 consecutive years and if the provider meets all  
821 other applicable requirements of this part, the office must  
822 notify the early learning coalition of the good cause exemption



823 and direct that the early learning coalition not remove the  
824 provider from eligibility to deliver the Voluntary  
825 Prekindergarten Education Program or to receive state funds for  
826 the program.

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

831 (7) Representatives from each school district and  
832 corresponding early learning coalitions must meet annually to  
833 develop strategies to transition students from the Voluntary  
834 Prekindergarten Education Program to kindergarten.

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

836 Section 19. Section 1002.73, Florida Statutes, is amended  
837 to read:

838 1002.73 ~~Office of Early Learning Department of Education;~~  
839 powers and duties; accountability requirements.-

840 (1) The ~~office department~~ shall adopt by rule a standard  
841 statewide provider contract to be used with each Voluntary  
842 Prekindergarten Education Program provider, with standardized  
843 attachments by provider type. The office shall publish a copy of  
844 the standard statewide provider contract on its website. The  
845 standard statewide provider contract shall include, at a  
846 minimum, provisions for provider probation, termination for  
847 cause, and emergency termination for actions or inactions of a  
848 provider that pose an immediate and serious danger to the  
849 health, safety, or welfare of children. The standard statewide  
850 provider contract shall also include appropriate due process  
851 procedures. During the pendency of an appeal of a termination,



852 the provider may not continue to offer its services. Any  
853 provision imposed upon a provider that is inconsistent with, or  
854 prohibited by, law is void and unenforceable ~~administer the~~  
855 ~~accountability requirements of the Voluntary Prekindergarten~~  
856 ~~Education Program at the state level.~~

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

858 (a) The approval of prekindergarten director credentials  
859 under ss. 1002.55 and 1002.57.

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

862 (c) Annually notifying private prekindergarten providers  
863 and public schools placed on probation for not meeting the  
864 minimum performance metric or designation as required by s.  
865 1002.68 of the high-quality professional development  
866 opportunities developed or supported by the office.

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

870 1. Enrolling children in and determining the eligibility of  
871 children for the Voluntary Prekindergarten Education Program  
872 under s. 1002.53, which shall include the enrollment of children  
873 by public schools and private providers that meet specified  
874 requirements.

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

877 3. Registering private prekindergarten providers and public  
878 schools to deliver the program under ss. 1002.55, 1002.61, and  
879 1002.63.

880 4. Determining the eligibility of private prekindergarten



881 providers to deliver the program under ss. 1002.55 and 1002.61  
882 and streamlining the process of determining provider eligibility  
883 whenever possible.

884 5. Verifying the compliance of private prekindergarten  
885 providers and public schools and removing providers or schools  
886 from eligibility to deliver the program due to noncompliance or  
887 misconduct as provided in s. 1002.67.

888 6. Paying private prekindergarten providers and public  
889 schools under s. 1002.71.

890 7. Documenting and certifying student enrollment and  
891 student attendance under s. 1002.71.

892 8. Reconciling advance payments in accordance with the  
893 uniform attendance policy under s. 1002.71.

894 9. Reenrolling students dismissed by a private  
895 prekindergarten provider or public school for noncompliance with  
896 the provider's or school district's attendance policy under s.  
897 1002.71.

898 (3) The office shall administer the accountability  
899 requirements of the Voluntary Prekindergarten Education Program  
900 at the state level.

901 (4) The office shall adopt procedures governing the  
902 administration of the Voluntary Prekindergarten Education  
903 Program by the early learning coalitions for:

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

906 (b) Placing private prekindergarten providers and public  
907 schools on probation and requiring corrective actions under s.  
908 1002.68.

909 (c) Removing a private prekindergarten provider or public





240086

910 school from eligibility to deliver the program due to the  
911 provider's or school's remaining on probation beyond the time  
912 permitted under s. 1002.68. Notwithstanding any other law, if a  
913 private prekindergarten provider has been cited for a class I  
914 violation, as defined by rule of the Child Care Services Program  
915 Office of the Department of Children and Families, the coalition  
916 may refuse to contract with the provider or revoke the  
917 provider's eligibility to deliver the Voluntary Prekindergarten  
918 Education Program.

919 (d) Enrolling children in and determining the eligibility  
920 of children for the Voluntary Prekindergarten Education Program  
921 under s. 1002.66.

922 (e) Paying specialized instructional services providers  
923 under s. 1002.66.

924 ~~(c) Administration of the statewide kindergarten screening~~  
925 ~~and calculation of kindergarten readiness rates under s.~~  
926 ~~1002.69.~~

927 ~~(d) Implementation of, and determination of costs~~  
928 ~~associated with, the state-approved prekindergarten enrollment~~  
929 ~~screening and the standardized postassessment approved by the~~  
930 ~~department, and determination of the learning gains of students~~  
931 ~~who complete the state-approved prekindergarten enrollment~~  
932 ~~screening and the standardized postassessment approved by the~~  
933 ~~department.~~

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

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

938 (g) Granting of a private prekindergarten provider's or



240086

939 public school's request for a good cause exemption under s.  
940 1002.68 ~~s. 1002.69(7)~~.

941 (5) The office shall adopt procedures for the distribution  
942 of funds to early learning coalitions under s. 1002.71.

943 (6) ~~(3)~~ Except as provided by law, the office ~~department~~ may  
944 not impose requirements on a private prekindergarten provider or  
945 public school that does not deliver the Voluntary  
946 Prekindergarten Education Program or receive state funds under  
947 this part.

948 Section 20. Section 1002.75, Florida Statutes, is repealed.

949 Section 21. Section 1002.81, Florida Statutes, is reordered  
950 and amended to read:

951 1002.81 Definitions.—Consistent with the requirements of 45  
952 C.F.R. parts 98 and 99 and as used in this part, the term:

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

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

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

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

965 (d) A child placed in court-ordered, long-term custody or  
966 under the guardianship of a relative or nonrelative after  
967 termination of supervision by the Department of Children and



240086

968 Families or its contracted provider.

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

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

975 (2) "Authorized hours of care" means the hours of care that  
976 are necessary to provide protection, maintain employment, or  
977 complete work activities or eligible educational activities,  
978 including reasonable travel time.

979 (13)~~(3)~~ "Prevailing Average market rate" means the  
980 biennially determined 75th percentile of a reasonable frequency  
981 distribution average of the market rate by program care level  
982 and provider type in a predetermined geographic market at which  
983 child care providers charge a person for child care services.

984 (3)~~(4)~~ "Direct enhancement services" means services for  
985 families and children that are in addition to payments for the  
986 placement of children in the school readiness program. Direct  
987 enhancement services for families and children may include  
988 supports for providers, parent training and involvement  
989 activities, and strategies to meet the needs of unique  
990 populations and local eligibility priorities. Direct enhancement  
991 services offered by an early learning coalition shall be  
992 consistent with the activities prescribed in s. 1002.89(6) (b).

993 (4)~~(5)~~ "Disenrollment" means the removal, either temporary  
994 or permanent, of a child from participation in the school  
995 readiness program. Removal of a child from the school readiness  
996 program may be based on the following events: a reduction in



240086

997 available school readiness program funding, participant's  
998 failure to meet eligibility or program participation  
999 requirements, fraud, or a change in local service priorities.

1000 (5)~~(6)~~ "Earned income" means gross remuneration derived  
1001 from work, professional service, or self-employment. The term  
1002 includes commissions, bonuses, back pay awards, and the cash  
1003 value of all remuneration paid in a medium other than cash.

1004 (6)~~(7)~~ "Economically disadvantaged" means having a family  
1005 income that does not exceed 150 percent of the federal poverty  
1006 level and includes being a child of a working migratory family  
1007 as defined by 34 C.F.R. s. 200.81(d) or (f) or an agricultural  
1008 worker who is employed by more than one agricultural employer  
1009 during the course of a year, and whose income varies according  
1010 to weather conditions and market stability.

1011 (7)~~(8)~~ "Family income" means the combined gross income,  
1012 whether earned or unearned, that is derived from any source by  
1013 all family or household members who are 18 years of age or older  
1014 who are currently residing together in the same dwelling unit.  
1015 The term does not include income earned by a currently enrolled  
1016 high school student who, since attaining the age of 18 years, or  
1017 a student with a disability who, since attaining the age of 22  
1018 years, has not terminated school enrollment or received a high  
1019 school diploma, high school equivalency diploma, special  
1020 diploma, or certificate of high school completion. The term also  
1021 does not include food stamp benefits or federal housing  
1022 assistance payments issued directly to a landlord or the  
1023 associated utilities expenses.

1024 (8)~~(9)~~ "Family or household members" means spouses, former  
1025 spouses, persons related by blood or marriage, persons who are



1026 parents of a child in common regardless of whether they have  
1027 been married, and other persons who are currently residing  
1028 together in the same dwelling unit as if a family.

1029 (9)~~(10)~~ "Full-time care" means at least 6 hours, but not  
1030 more than 11 hours, of child care or early childhood education  
1031 services within a 24-hour period.

1032 (10)~~(11)~~ "Market rate" means the price that a child care or  
1033 early childhood education provider charges for full-time or  
1034 part-time daily, weekly, or monthly child care or early  
1035 childhood education services.

1036 (11)~~(12)~~ "Office" means the Office of Early Learning of the  
1037 Department of Education.

1038 (12)~~(13)~~ "Part-time care" means less than 6 hours of child  
1039 care or early childhood education services within a 24-hour  
1040 period.

1041 (14) "Single point of entry" means an integrated  
1042 information system that allows a parent to enroll his or her  
1043 child in the school readiness program or the Voluntary  
1044 Prekindergarten Education Program at various locations  
1045 throughout a county, that may allow a parent to enroll his or  
1046 her child by telephone or through a website, and that uses a  
1047 uniform waiting list to track eligible children waiting for  
1048 enrollment in the school readiness program.

1049 (15) "Unearned income" means income other than earned  
1050 income. The term includes, but is not limited to:

- 1051 (a) Documented alimony and child support received.
- 1052 (b) Social security benefits.
- 1053 (c) Supplemental security income benefits.
- 1054 (d) Workers' compensation benefits.



1055 (e) Reemployment assistance or unemployment compensation  
1056 benefits.  
1057 (f) Veterans' benefits.  
1058 (g) Retirement benefits.  
1059 (h) Temporary cash assistance under chapter 414.  
1060 (16) "Working family" means:  
1061 (a) A single-parent family in which the parent with whom  
1062 the child resides is employed or engaged in eligible work or  
1063 education activities for at least 20 hours per week;  
1064 (b) A two-parent family in which both parents with whom the  
1065 child resides are employed or engaged in eligible work or  
1066 education activities for a combined total of at least 40 hours  
1067 per week; or  
1068 (c) A two-parent family in which one of the parents with  
1069 whom the child resides is exempt from work requirements due to  
1070 age or disability, as determined and documented by a physician  
1071 licensed under chapter 458 or chapter 459, and one parent is  
1072 employed or engaged in eligible work or education activities at  
1073 least 20 hours per week.  
1074 Section 22. Section 1002.82, Florida Statutes, is amended  
1075 to read:  
1076 1002.82 Office of Early Learning; powers and duties.—  
1077 (1) For purposes of administration of the Child Care and  
1078 Development Block Grant Trust Fund, pursuant to 45 C.F.R. parts  
1079 98 and 99, the Office of Early Learning is designated as the  
1080 lead agency and must comply with lead agency responsibilities  
1081 pursuant to federal law. The office may apply to the Governor  
1082 and Cabinet for a waiver of, and the Governor and Cabinet may  
1083 waive, any provision of ss. 411.223 and 1003.54 if the waiver is



1084 necessary for implementation of the school readiness program.  
1085 Section 125.901(2)(a)3. does not apply to the school readiness  
1086 program.

1087 (2) The office shall:

1088 (a) Focus on improving the educational quality delivered by  
1089 all providers participating in the school readiness program.

1090 (b) Preserve parental choice by permitting parents to  
1091 choose from a variety of child care categories, including  
1092 center-based care, family child care, and informal child care to  
1093 the extent authorized in the state's Child Care and Development  
1094 Fund Plan as approved by the United States Department of Health  
1095 and Human Services pursuant to 45 C.F.R. s. 98.18. Care and  
1096 curriculum by a faith-based provider may not be limited or  
1097 excluded in any of these categories.

1098 (c) Be responsible for the prudent use of all public and  
1099 private funds in accordance with all legal and contractual  
1100 requirements, safeguarding the effective use of federal, state,  
1101 and local resources to achieve the highest practicable level of  
1102 school readiness for the children described in s. 1002.87,  
1103 including:

1104 1. The adoption of a uniform chart of accounts for  
1105 budgeting and financial reporting purposes that provides  
1106 standardized definitions for expenditures and reporting,  
1107 consistent with the requirements of 45 C.F.R. part 98 and s.  
1108 1002.89 for each of the following categories of expenditure:

- 1109 a. Direct services to children.
- 1110 b. Administrative costs.
- 1111 c. Quality activities.
- 1112 d. Nondirect services.



1113           2. Coordination with other state and federal agencies to  
1114 perform data matches on children participating in the school  
1115 readiness program and their families in order to verify the  
1116 children's eligibility pursuant to s. 1002.87.

1117           (d) Establish procedures for the biennial calculation of  
1118 the prevailing average market rate or an alternative model  
1119 approved by the Administration for Children and Families  
1120 pursuant to 45 C.F.R. s. 98.45(c).

1121           (e) Review each early learning coalition's school readiness  
1122 program plan every 2 years and provide final approval of the  
1123 plan and any amendments submitted.

1124           (f) Establish a unified approach to the state's efforts to  
1125 coordinate a comprehensive early learning program. In support of  
1126 this effort, the office:

1127           1. Shall adopt specific program support services that  
1128 address the state's school readiness program, including:

1129           a. Statewide data information program requirements that  
1130 include:

1131           (I) Eligibility requirements.

1132           (II) Financial reports.

1133           (III) Program accountability measures.

1134           (IV) Child progress reports.

1135           b. Child care resource and referral services.

1136           c. A single point of entry and uniform waiting list.

1137           2. May provide technical assistance and guidance on  
1138 additional support services to complement the school readiness  
1139 program, including:

1140           ~~a. Rating and improvement systems.~~

1141           a.b. Warm-Line services.





240086

- 1142            ~~b.e.~~ Anti-fraud plans.
- 1143            ~~d. School readiness program standards.~~
- 1144            ~~e. Child screening and assessments.~~
- 1145            ~~c.f.~~ Training and support for parental involvement in
- 1146 children's early education.
- 1147            ~~d.g.~~ Family literacy activities and services.
- 1148            (g) Provide technical assistance to early learning
- 1149 coalitions.
- 1150            (h) In cooperation with the early learning coalitions,
- 1151 coordinate with the Child Care Services Program Office of the
- 1152 Department of Children and Families to reduce paperwork and to
- 1153 avoid duplicating interagency activities, health and safety
- 1154 monitoring, and acquiring and composing data pertaining to child
- 1155 care training and credentialing.
- 1156            (i) Enter into a memorandum of understanding with local
- 1157 licensing agencies and the Child Care Services Program Office of
- 1158 the Department of Children and Families for inspections of
- 1159 school readiness program providers to monitor and verify
- 1160 compliance with s. 1002.88 and the health and safety checklist
- 1161 adopted by the office. The provider contract of a school
- 1162 readiness program provider that refuses permission for entry or
- 1163 inspection shall be terminated. The health and safety checklist
- 1164 may not exceed the requirements of s. 402.305 and the Child Care
- 1165 and Development Fund pursuant to 45 C.F.R. part 98. A child
- 1166 development program accredited by a national accrediting body
- 1167 and operating on a military installation certified by the United
- 1168 States Department of Defense is exempted from the inspection
- 1169 requirements under s. 1002.88.
- 1170            (j) Monitor the alignment and consistency of the Develop



240086

1171 ~~and adopt~~ standards and benchmarks developed and adopted by the  
1172 office that address the age-appropriate progress of children in  
1173 the development of school readiness skills. The standards for  
1174 children from birth to kindergarten entry ~~5 years of age~~ in the  
1175 school readiness program must be aligned with the performance  
1176 standards adopted for children in the Voluntary Prekindergarten  
1177 Education Program and must address the following domains:

- 1178       1. Approaches to learning.  
1179       2. Cognitive development and general knowledge.  
1180       3. Numeracy, language, and communication.  
1181       4. Physical development.  
1182       5. Self-regulation.

1183       (k) Identify observation-based child assessments that are  
1184 valid, reliable, and developmentally appropriate for use at  
1185 least three times a year. The assessments must:

1186       1. Provide interval level and norm-referenced ~~critereion-~~  
1187 ~~referenced~~ data that measures equivalent levels of growth across  
1188 the core domains of early childhood development and that can be  
1189 used for determining developmentally appropriate learning gains.

1190       2. Measure progress in the performance standards adopted  
1191 pursuant to paragraph (j).

1192       3. Provide for appropriate accommodations for children with  
1193 disabilities and English language learners and be administered  
1194 by qualified individuals, consistent with the developer's  
1195 instructions.

1196       4. Coordinate with the performance standards adopted by the  
1197 department under s. 1002.67(1) for the Voluntary Prekindergarten  
1198 Education Program.

1199       5. Provide data in a format for use in the single statewide



240086

1200 information system to meet the requirements of paragraph (q)  
1201 ~~(p)~~.

1202 (l) Adopt a list of approved curricula that meet the  
1203 performance standards for the school readiness program and  
1204 establish a process for the review and approval of a provider's  
1205 curriculum that meets the performance standards.

1206 (m) Provide technical support to an early learning  
1207 coalition to facilitate the use of ~~Adopt by rule~~ a standard  
1208 statewide provider contract adopted by the office to be used  
1209 with each school readiness program provider, with standardized  
1210 attachments by provider type. The office shall publish a copy of  
1211 the standard statewide provider contract on its website. The  
1212 standard statewide contract shall include, at a minimum,  
1213 contracted slots, if applicable, in accordance with the Child  
1214 Care and Development Block Grant Act of 2014, 45 C.F.R. parts 98  
1215 and 99; quality improvement strategies, if applicable; program  
1216 assessment requirements; and provisions for provider probation,  
1217 termination for cause, and emergency termination for those  
1218 actions or inactions of a provider that pose an immediate and  
1219 serious danger to the health, safety, or welfare of the  
1220 children. The standard statewide provider contract shall also  
1221 include appropriate due process procedures. During the pendency  
1222 of an appeal of a termination, the provider may not continue to  
1223 offer its services. Any provision imposed upon a provider that  
1224 is inconsistent with, or prohibited by, law is void and  
1225 unenforceable. Provisions for termination for cause must also  
1226 include failure to meet the minimum quality measures established  
1227 under paragraph (n) for a period of up to 5 years, unless the  
1228 coalition determines that the provider is essential to meeting



1229 capacity needs based on the assessment under s. 1002.85(2)(j)  
1230 and the provider has an active improvement plan pursuant to  
1231 paragraph (n).

1232 (n) Adopt a program assessment for school readiness program  
1233 providers that measures the quality of teacher-child  
1234 interactions, including emotional and behavioral support,  
1235 engaged support for learning, classroom organization, and  
1236 instructional support for children ages birth to 5 years. The  
1237 implementation of the program assessment must also include the  
1238 following components adopted by the office:

1239 1. Quality measures, including a minimum program assessment  
1240 composite score threshold for contracting purposes and program  
1241 improvement through an improvement plan. The minimum program  
1242 assessment composite score required for the Voluntary  
1243 Prekindergarten Education Program contracting threshold must be  
1244 the same as the minimum program assessment composite score  
1245 required for contracting for the school readiness program. The  
1246 methodology for the calculation of the minimum program  
1247 assessment composite score shall be reviewed by the independent  
1248 expert identified in s. 1002.68(4)(d).

1249 2. Requirements for program participation, frequency of  
1250 program assessment, and exemptions.

1251 (o) No later than July 1, 2019, develop a differential  
1252 payment program based on the quality measures adopted by the  
1253 office under paragraph (n). The differential payment may not  
1254 exceed a total of 15 percent for each care level and unit of  
1255 child care for a child care provider. No more than 5 percent of  
1256 the 15 percent total differential may be provided to providers  
1257 who submit valid and reliable data to the statewide information



240086

1258 system in the domains of language and executive functioning  
1259 using a child assessment identified pursuant to paragraph (k).  
1260 Providers below the minimum program assessment score adopted  
1261 ~~threshold~~ for contracting purposes are ineligible for such  
1262 payment.

1263 (p) No later than July 1, 2022, develop and adopt  
1264 requirements for the implementation of a program designed to  
1265 make available contracted slots to serve children at the  
1266 greatest risk of school failure as determined by such children  
1267 being located in an area that has been designated as a poverty  
1268 area tract according to the latest census data. The contracted  
1269 slot program may also be used to increase the availability of  
1270 child care capacity based on the assessment under s.  
1271 1002.85(2)(j).

1272 (q) ~~(p)~~ Establish a single statewide information system that  
1273 each coalition must use for the purposes of managing the single  
1274 point of entry, tracking children's progress, coordinating  
1275 services among stakeholders, determining eligibility of  
1276 children, tracking child attendance, and streamlining  
1277 administrative processes for providers and early learning  
1278 coalitions. By July 1, 2019, the system, subject to ss. 1002.72  
1279 and 1002.97, shall:

1280 1. Allow a parent to monitor the development of his or her  
1281 child as the child moves among programs within the state.

1282 2. Enable analysis at the state, regional, and local level  
1283 to measure child growth over time, program impact, and quality  
1284 improvement and investment decisions.

1285 (r) ~~(q)~~ Provide technical support to coalitions to  
1286 facilitate the use of ~~Adopt by rule~~ standardized procedures



240086

1287 adopted by the office for early learning coalitions to use when  
1288 monitoring the compliance of school readiness program providers  
1289 with the terms of the standard statewide provider contract.

1290 (s) ~~(r)~~ At least biennially provide fiscal and programmatic  
1291 monitoring to ~~Monitor and~~ evaluate the performance of each early  
1292 learning coalition in administering the school readiness  
1293 program, ensuring proper payments for school readiness program  
1294 services, implementing the coalition's school readiness program  
1295 plan, and administering the Voluntary Prekindergarten Education  
1296 Program. These monitoring and performance evaluations must  
1297 include, at a minimum, onsite monitoring of each coalition's  
1298 finances, management, operations, and programs.

1299 (t) ~~(s)~~ Work in conjunction with the Bureau of Federal  
1300 Education Programs within the Department of Education to  
1301 coordinate readiness and voluntary prekindergarten services to  
1302 the populations served by the bureau.

1303 (u) ~~(t)~~ Administer a statewide toll-free Warm-Line to  
1304 provide assistance and consultation to child care facilities and  
1305 family day care homes regarding health, developmental,  
1306 disability, and special needs issues of the children they are  
1307 servicing, particularly children with disabilities and other  
1308 special needs. The office shall:

1309 1. Annually inform child care facilities and family day  
1310 care homes of the availability of this service through the child  
1311 care resource and referral network under s. 1002.92.

1312 2. Expand or contract for the expansion of the Warm-Line to  
1313 maintain at least one Warm-Line in each early learning coalition  
1314 service area.

1315 (v) ~~(u)~~ Develop and implement strategies to increase the



240086

1316 supply and improve the quality of child care services for  
1317 infants and toddlers, children with disabilities, children who  
1318 receive care during nontraditional hours, children in  
1319 underserved areas, and children in areas that have significant  
1320 concentrations of poverty and unemployment.

1321 (w)~~(v)~~ Establish preservice and inservice training  
1322 requirements that address, at a minimum, school readiness child  
1323 development standards, health and safety requirements, and  
1324 social-emotional behavior intervention models, which may include  
1325 positive behavior intervention and support models, including the  
1326 integration of early learning professional development pathways  
1327 established in s. 1002.995.

1328 (x)~~(w)~~ Establish standards for emergency preparedness plans  
1329 for school readiness program providers.

1330 (y)~~(x)~~ Establish group sizes.

1331 (z)~~(y)~~ Establish staff-to-children ratios that do not  
1332 exceed the requirements of s. 402.302(8) or (11) or s.  
1333 402.305(4), as applicable, for school readiness program  
1334 providers.

1335 (aa)~~(z)~~ Establish eligibility criteria, including  
1336 limitations based on income and family assets, in accordance  
1337 with s. 1002.87 and federal law.

1338 (3)(a) The office shall adopt performance standards and  
1339 outcome measures for early learning coalitions that, at a  
1340 minimum, include the development of objective and statistically  
1341 valid customer service surveys by a state university or other  
1342 independent researcher with specific expertise in customer  
1343 service survey development. The survey shall be deployed  
1344 beginning in fiscal year 2023-2024 and be distributed to:



240086

1345           1. Customers who use the services in s. 1002.92 upon the  
1346 completion of a referral inquiry.

1347           2. Parents annually at the time of eligibility  
1348 determination.

1349           3. Child care providers that participate in the school  
1350 readiness program or the Voluntary Prekindergarten Education  
1351 Program at the time of execution of the statewide provider  
1352 contract.

1353           4. Board members required under s. 1002.83.

1354           (b) Results of the survey shall be based on a statistically  
1355 significant sample size of completed surveys and calculated  
1356 annually for each early learning coalition and included in the  
1357 department's annual report under subsection (7). If an early  
1358 learning coalition's customer satisfaction survey results are  
1359 below 60 percent, the coalition shall be placed on a 1-year  
1360 corrective action plan that outlines specific steps the  
1361 coalition shall take to improve the results of the customer  
1362 service surveys, including, but not limited to, technical  
1363 assistance, staff professional development or coaching.

1364           (4)~~(3)~~ If the office determines during the review of school  
1365 readiness program plans, or through monitoring and performance  
1366 evaluations conducted under s. 1002.85, that an early learning  
1367 coalition has not substantially implemented its plan, has not  
1368 substantially met the performance standards and outcome measures  
1369 adopted by the office or the terms of a customer service  
1370 corrective action plan, or has not effectively administered the  
1371 school readiness program or Voluntary Prekindergarten Education  
1372 Program, the office may remove the coalition from eligibility to  
1373 administer early learning programs and ~~temporarily~~ contract with





240086

1374 a qualified entity to continue school readiness program and  
1375 prekindergarten services in the coalition's county or  
1376 multicounty region until the office reestablishes or merges the  
1377 coalition and a new school readiness program plan is approved in  
1378 accordance with the rules adopted by the office.

1379 (5) The office shall adopt procedures for merging early  
1380 learning coalitions for failure to meet the requirements of  
1381 subsection (3) or subsection (4), including procedures for the  
1382 consolidation of merging coalitions that minimizes duplication  
1383 of programs and services due to the merger, and for the early  
1384 termination of the terms of the coalition members which are  
1385 necessary to accomplish the mergers.

1386 (6)~~(4)~~ The office may request the Governor to apply for a  
1387 waiver to allow a coalition to administer the Head Start Program  
1388 to accomplish the purposes of the school readiness program.

1389 (7)~~(5)~~ By January 1 of each year, the office shall annually  
1390 publish on its website a report of its activities conducted  
1391 under this section. The report must include a summary of the  
1392 coalitions' annual reports, a statewide summary, and the  
1393 following:

1394 (a) An analysis of early learning activities throughout the  
1395 state, including the school readiness program and the Voluntary  
1396 Prekindergarten Education Program.

1397 1. The total and average number of children served in the  
1398 school readiness program, enumerated by age, eligibility  
1399 priority category, and coalition, and the total number of  
1400 children served in the Voluntary Prekindergarten Education  
1401 Program.

1402 2. A summary of expenditures by coalition, by fund source,



240086

1403 including a breakdown by coalition of the percentage of  
1404 expenditures for administrative activities, quality activities,  
1405 nondirect services, and direct services for children.

1406 3. A description of the office's and each coalition's  
1407 expenditures by fund source for the quality and enhancement  
1408 activities described in s. 1002.89(6) (b).

1409 4. A summary of annual findings and collections related to  
1410 provider fraud and parent fraud.

1411 5. Data regarding the coalitions' delivery of early  
1412 learning programs.

1413 6. The total number of children disenrolled statewide and  
1414 the reason for disenrollment.

1415 7. The total number of providers by provider type.

1416 8. The number of school readiness program providers who  
1417 have completed the program assessment required under paragraph  
1418 (2) (n); the number of providers who have not met the minimum  
1419 program assessment composite score threshold for contracting  
1420 established under paragraph (2) (n); and the number of providers  
1421 that have an active improvement plan based on the results of the  
1422 program assessment under paragraph (2) (n).

1423 9. The total number of provider contracts revoked and the  
1424 reasons for revocation.

1425 (b) A detailed summary of the analysis compiled using the  
1426 single statewide information system established in subsection  
1427 (2) activities and detailed expenditures related to the Child  
1428 Care Executive Partnership Program.

1429 (8) (a) (6) (a) Parental choice of child care providers,  
1430 including private and faith-based providers, shall be  
1431 established to the maximum extent practicable in accordance with



240086

1432 45 C.F.R. s. 98.30.

1433 (b) As used in this subsection, the term "payment  
1434 certificate" means a child care certificate as defined in 45  
1435 C.F.R. s. 98.2.

1436 (c) The school readiness program shall, in accordance with  
1437 45 C.F.R. s. 98.30, provide parental choice through a payment  
1438 certificate that provides, to the maximum extent possible,  
1439 flexibility in the school readiness program and payment  
1440 arrangements. The payment certificate must bear the names of the  
1441 beneficiary and the program provider and, when redeemed, must  
1442 bear the signatures of both the beneficiary and an authorized  
1443 representative of the provider.

1444 (d) If it is determined that a provider has given any cash  
1445 or other consideration to the beneficiary in return for  
1446 receiving a payment certificate, the early learning coalition or  
1447 its fiscal agent shall refer the matter to the Department of  
1448 Financial Services pursuant to s. 414.411 for investigation.

1449 (9)~~(7)~~ Participation in the school readiness program does  
1450 not expand the regulatory authority of the state, its officers,  
1451 or an early learning coalition to impose any additional  
1452 regulation on providers beyond those necessary to enforce the  
1453 requirements set forth in this part and part V of this chapter.

1454 Section 23. Present subsections (5) through (14) of section  
1455 1002.83, Florida Statutes, are redesignated as subsections (6)  
1456 through (15), respectively, a new subsection (5) is added to  
1457 that section, and subsections (1) and (3), paragraphs (e), (f),  
1458 and (m) of subsection (4), and present subsections (5), (11),  
1459 and (13) of that section are amended, to read:

1460 1002.83 Early learning coalitions.—



240086

1461 (1) Thirty ~~Thirty-one~~ or fewer early learning coalitions  
1462 are established and shall maintain direct enhancement services  
1463 at the local level and provide access to such services in all 67  
1464 counties. Two or more early learning coalitions may join for  
1465 purposes of planning and implementing a school readiness program  
1466 and the Voluntary Prekindergarten Education Program.

1467 (3) The Governor shall appoint the chair and two other  
1468 members of each early learning coalition, who must each meet the  
1469 ~~same~~ qualifications of a ~~as~~ private sector business member  
1470 ~~members appointed by the coalition~~ under subsection (6)(5). In  
1471 the absence of a governor-appointed chair, the Executive  
1472 Director of the Office of Early Learning may appoint an interim  
1473 chair from the current early learning coalition board  
1474 membership.

1475 (4) Each early learning coalition must include the  
1476 following member positions; however, in a multicounty coalition,  
1477 each ex officio member position may be filled by multiple  
1478 nonvoting members but no more than one voting member shall be  
1479 seated per member position. If an early learning coalition has  
1480 more than one member representing the same entity, only one of  
1481 such members may serve as a voting member:

1482 (e) A children's services council or juvenile welfare board  
1483 chair or executive director from each county, if applicable.

1484 (f) A Department of Children and Families child care  
1485 regulation representative or an agency head of a local licensing  
1486 agency as defined in s. 402.302, where applicable.

1487 ~~(m) A central agency administrator, where applicable.~~

1488 (5) If members of the board are found to be  
1489 nonparticipating according to the early learning coalition



240086

1490 bylaws, the early learning coalition may request an alternate  
1491 designee who meets the same qualifications or membership  
1492 requirements of the nonparticipating member.

1493 (6)(5) The early learning coalition may appoint additional  
1494 ~~Including the members who appointed by the Governor under~~  
1495 ~~subsection (3), more than one-third of the members of each early~~  
1496 ~~learning coalition~~ must be private sector business members,  
1497 either for-profit or nonprofit, who do not have, and none of  
1498 whose relatives as defined in s. 112.3143 has, a substantial  
1499 financial interest in the design or delivery of the Voluntary  
1500 Prekindergarten Education Program created under part V of this  
1501 chapter or the school readiness program. ~~To meet this~~  
1502 ~~requirement, an early learning coalition must appoint additional~~  
1503 ~~members.~~ The office shall establish criteria for appointing  
1504 private sector business members. These criteria must include  
1505 standards for determining whether a member or relative has a  
1506 substantial financial interest in the design or delivery of the  
1507 Voluntary Prekindergarten Education Program or the school  
1508 readiness program.

1509 (12)(11) Each early learning coalition shall establish  
1510 terms for all appointed members of the coalition. The terms must  
1511 be staggered and must be a uniform length that does not exceed 4  
1512 years per term. Coalition chairs shall be appointed for 4 years  
1513 ~~pursuant to s. 20.052.~~ Appointed members may serve a maximum of  
1514 two consecutive terms. When a vacancy occurs in an appointed  
1515 position, the coalition must advertise the vacancy.

1516 (14)(13) Each early learning coalition shall complete an  
1517 annual evaluation of the early learning coalition's executive  
1518 director or chief executive officer on forms adopted by the



240086

1519 office. The annual evaluation must be submitted to the Executive  
1520 Director of the Office of Early Learning by June 30 of each year  
1521 ~~use a coordinated professional development system that supports~~  
1522 ~~the achievement and maintenance of core competencies by school~~  
1523 ~~readiness program teachers in helping children attain the~~  
1524 ~~performance standards adopted by the office.~~

1525 Section 24. Present subsections (7) through (20) of section  
1526 1002.84, Florida Statutes, are redesignated as subsections (8)  
1527 through (21), respectively, a new subsection (7) is added to  
1528 that section, and subsection (4), present subsections (8) and  
1529 (16), paragraph (a) of present subsection (18), and present  
1530 subsection (20) of that section are amended, to read:

1531 1002.84 Early learning coalitions; school readiness powers  
1532 and duties.—Each early learning coalition shall:

1533 (4) Establish a regional Warm-Line as directed by the  
1534 office pursuant to s. 1002.82(2)(u) ~~s. 1002.82(2)(t)~~. Regional  
1535 Warm-Line staff shall provide onsite technical assistance, when  
1536 requested, to assist child care facilities and family day care  
1537 homes with inquiries relating to the strategies, curriculum, and  
1538 environmental adaptations the child care facilities and family  
1539 day care homes may need as they serve children with disabilities  
1540 and other special needs.

1541 (7) Use a coordinated professional development system that  
1542 supports the achievement and maintenance of core competencies by  
1543 school readiness program teachers in helping children attain the  
1544 performance standards adopted by the office.

1545 (9) ~~(8)~~ Establish a parent sliding fee scale that provides  
1546 for a parent copayment that is not a barrier to families  
1547 receiving school readiness program services. ~~Providers are~~



240086

1548 ~~required to collect the parent's copayment.~~ A coalition may, ~~on~~  
1549 ~~a case-by-case basis,~~ waive the copayment for an at-risk child  
1550 or temporarily waive the copayment for a child whose family's  
1551 income is at or below the federal poverty level or ~~and~~ whose  
1552 family experiences a natural disaster or an event that limits  
1553 the parent's ability to pay, such as incarceration, placement in  
1554 residential treatment, or becoming homeless, or an emergency  
1555 situation such as a household fire or burglary, or while the  
1556 parent is participating in parenting classes or participating in  
1557 an Early Head Start program or the Head Start Program. A parent  
1558 may not transfer school readiness program services to another  
1559 school readiness program provider until the parent has submitted  
1560 documentation from the current school readiness program provider  
1561 to the early learning coalition stating that the parent has  
1562 satisfactorily fulfilled the copayment obligation.

1563 (17) ~~(16)~~ Adopt a payment schedule that encompasses all  
1564 programs funded under this part and part V of this chapter. The  
1565 payment schedule must take into consideration the prevailing  
1566 average market rate or an alternative model that has been  
1567 approved by the Administration for Children and Families  
1568 pursuant to 45 C.F.R. 98.45(c), include the projected number of  
1569 children to be served, and be submitted for approval by the  
1570 ~~office.~~ Informal child care arrangements shall be reimbursed at  
1571 not more than 50 percent of the rate adopted for a family day  
1572 care home.

1573 (19) ~~(18)~~ By October 1 of each year, submit an annual report  
1574 to the office. The report shall conform to the format adopted by  
1575 the office and must include:

1576 (a) Segregation of school readiness program funds,



240086

1577 Voluntary Prekindergarten Education Program funds, ~~Child Care~~  
1578 ~~Executive Partnership Program funds~~, and other local revenues  
1579 available to the coalition.

1580 (21) (a) ~~(20)~~ To increase transparency and accountability,  
1581 comply with the requirements of this section before contracting  
1582 with one or more of the following persons or business entities  
1583 which employs, has a contractual relationship with, or is owned  
1584 by the following persons:

1585 1. A member of the coalition appointed pursuant to s.  
1586 1002.83(4);

1587 2. A board member of any other early learning subrecipient  
1588 entity;

1589 3. A coalition employee; or

1590 4. A relative, as defined in s. 112.3143(1)(c), of any  
1591 person listed in subparagraphs 1.-3 ~~a coalition member or of an~~  
1592 employee of the coalition.

1593 (b) Such contracts may not be executed without the approval  
1594 of the office. Such contracts, as well as documentation  
1595 demonstrating adherence to this section by the coalition, must  
1596 be approved by a two-thirds vote of the coalition, a quorum  
1597 having been established; all conflicts of interest must be  
1598 disclosed before the vote; and any member who may benefit from  
1599 the contract, or whose relative may benefit from the contract,  
1600 must abstain from the vote. A contract under \$25,000 ~~between an~~  
1601 ~~early learning coalition and a member of that coalition or~~  
1602 ~~between a relative, as defined in s. 112.3143(1)(c), of a~~  
1603 ~~coalition member or of an employee of the coalition~~ is not  
1604 required to have the prior approval of the office but must be  
1605 approved by a two-thirds vote of the coalition, a quorum having





1606 been established, and must be reported to the office within 30  
1607 days after approval. If a contract cannot be approved by the  
1608 office, a review of the decision to disapprove the contract may  
1609 be requested by the early learning coalition or other parties to  
1610 the disapproved contract.

1611 Section 25. Paragraphs (c) and (f) of subsection (2) of  
1612 section 1002.85, Florida Statutes, are amended to read:

1613 1002.85 Early learning coalition plans.—

1614 (2) Each early learning coalition must biennially submit a  
1615 school readiness program plan to the office before the  
1616 expenditure of funds. A coalition may not implement its school  
1617 readiness program plan until it receives approval from the  
1618 office. A coalition may not implement any revision to its school  
1619 readiness program plan until the coalition submits the revised  
1620 plan to and receives approval from the office. If the office  
1621 rejects a plan or revision, the coalition must continue to  
1622 operate under its previously approved plan. The plan must  
1623 include, but is not limited to:

1624 (c) The coalition's procedures for implementing the  
1625 requirements of this part, including:

- 1626 1. Single point of entry.
- 1627 2. Uniform waiting list.
- 1628 3. Eligibility and enrollment processes and local  
1629 eligibility priorities for children pursuant to s. 1002.87.
- 1630 4. Parent access and choice.
- 1631 5. Sliding fee scale and policies on applying the waiver or  
1632 reduction of fees in accordance with s. 1002.84(9) ~~s.~~  
1633 ~~1002.84(8)~~.
- 1634 6. Use of preassessments and postassessments, as



240086

1635 applicable.

1636 7. Payment rate schedule.

1637 8. Use of contracted slots, as applicable, based on the  
1638 results of the assessment required under paragraph (j).

1639 (f) A detailed accounting, in the format prescribed by the  
1640 office, of all revenues and expenditures during the previous  
1641 state fiscal year. Revenue sources should be identifiable, and  
1642 expenditures should be reported by two ~~three~~ categories: state  
1643 and federal funds and, ~~local matching funds, and Child Care~~  
1644 ~~Executive Partnership Program funds.~~

1645 Section 26. Paragraphs (a), (c), and (p) of subsection (1)  
1646 of section 1002.88, Florida Statutes, are amended, and paragraph  
1647 (s) is added to that subsection, to read:

1648 1002.88 School readiness program provider standards;  
1649 eligibility to deliver the school readiness program.—

1650 (1) To be eligible to deliver the school readiness program,  
1651 a school readiness program provider must:

1652 (a) Be a child care facility licensed under s. 402.305, a  
1653 family day care home licensed or registered under s. 402.313, a  
1654 large family child care home licensed under s. 402.3131, a  
1655 public school or nonpublic school exempt from licensure under s.  
1656 402.3025, a faith-based child care provider exempt from  
1657 licensure under s. 402.316, a before-school or after-school  
1658 program described in s. 402.305(1)(c), a child development  
1659 program accredited by a national accrediting body and operating  
1660 on a military installation certified by the United States  
1661 Department of Defense, ~~or~~ an informal child care provider to the  
1662 extent authorized in the state's Child Care and Development Fund  
1663 Plan as approved by the United States Department of Health and



240086

1664 Human Services pursuant to 45 C.F.R. s. 98.18, or a provider who  
1665 has been issued a provisional license pursuant to s. 402.309. A  
1666 provider may not deliver the program while holding a probation-  
1667 status license under s. 402.310.

1668 (c) Provide basic health and safety of its premises and  
1669 facilities and compliance with requirements for age-appropriate  
1670 immunizations of children enrolled in the school readiness  
1671 program.

1672 1. For a provider that is licensed, compliance with s.  
1673 402.305, s. 402.3131, or s. 402.313 and this subsection, as  
1674 verified pursuant to s. 402.311, satisfies this requirement.

1675 2. For a provider that is a registered family day care home  
1676 or is not subject to licensure or registration by the Department  
1677 of Children and Families, compliance with this subsection, as  
1678 verified pursuant to s. 402.311, satisfies this requirement.  
1679 Upon verification pursuant to s. 402.311, the provider shall  
1680 annually post the health and safety checklist adopted by the  
1681 office prominently on its premises in plain sight for visitors  
1682 and parents and shall annually submit the checklist to its local  
1683 early learning coalition.

1684 3. For a child development program accredited by a national  
1685 accrediting body and operating on a military installation  
1686 certified by the United States Department of Defense, the  
1687 submission and verification of annual inspections pursuant to  
1688 United States Department of Defense Instructions 6060.2 and  
1689 1402.05 satisfies this requirement.

1690 (p) Notwithstanding paragraph (m), for a provider that is a  
1691 state agency or a subdivision thereof, as defined in s.  
1692 768.28(2), agree to notify the coalition of any additional



240086

1693 liability coverage maintained by the provider in addition to  
1694 that otherwise established under s. 768.28. The provider shall  
1695 indemnify the coalition to the extent permitted by s. 768.28.  
1696 Notwithstanding paragraph (m), for a child development program  
1697 accredited by a national accrediting body and operating on a  
1698 military installation certified by the United States Department  
1699 of Defense, the provider may demonstrate liability coverage by  
1700 affirming that it is subject to the Federal Tort Claims Act, 28  
1701 U.S.C. ss. 2671 et seq.

1702 (s) Collect all parent copayment fees unless a waiver has  
1703 been granted under s. 1002.84(9).

1704 Section 27. Paragraph (a) of subsection (1), paragraph (a)  
1705 of subsection (2), and subsections (4) and (6) of section  
1706 1002.895, Florida Statutes, are amended to read:

1707 1002.895 Market rate schedule.—The school readiness program  
1708 market rate schedule shall be implemented as follows:

1709 (1) The office shall establish procedures for the adoption  
1710 of a market rate schedule until an alternative model that has  
1711 been approved by the Administration for Children and Families  
1712 pursuant to 45 C.F.R. s. 98.45(c) is available for adoption. The  
1713 schedule must include, at a minimum, county-by-county rates:

1714 (a) The market rate, including the minimum and the maximum  
1715 rates for child care providers that hold a Gold Seal Quality  
1716 Care designation under s. 1002.945 and adhere to its accrediting  
1717 association's teacher-to-child ratios and group size  
1718 requirements ~~s. 402.281.~~

1719 (2) The market rate schedule, at a minimum, must:

1720 (a) Differentiate rates by type, including, but not limited  
1721 to, a child care provider that holds a Gold Seal Quality Care



240086

1722 designation under s. 1002.945 and adheres to its accrediting  
1723 association's teacher-to-child ratios and group size  
1724 requirements ~~s. 402.281~~, a child care facility licensed under s.  
1725 402.305, a public or nonpublic school exempt from licensure  
1726 under s. 402.3025, a faith-based child care facility exempt from  
1727 licensure under s. 402.316 that does not hold a Gold Seal  
1728 Quality Care designation, a large family child care home  
1729 licensed under s. 402.3131, or a family day care home licensed  
1730 or registered under s. 402.313.

1731 (4) The market rate schedule shall be considered by an  
1732 early learning coalition in the adoption of a payment schedule.  
1733 The payment schedule must take into consideration the prevailing  
1734 ~~average~~ market rate and ~~and~~ include the projected number of  
1735 children to be served by each county ~~and~~ and be submitted for  
1736 approval by the office. Informal child care arrangements shall  
1737 be reimbursed at not more than 50 percent of the rate adopted  
1738 for a family day care home.

1739 (6) The office may adopt rules for establishing procedures  
1740 for the collection of child care providers' market rate, the  
1741 calculation of the prevailing ~~average~~ market rate by program  
1742 care level and provider type in a predetermined geographic  
1743 market, and the publication of the market rate schedule.

1744 Section 28. Subsection (1) and paragraphs (a), (c), and (d)  
1745 of subsection (3) of section 1002.92, Florida Statutes, are  
1746 amended to read:

1747 1002.92 Child care and early childhood resource and  
1748 referral.—

1749 (1) As a part of the school readiness program, the office  
1750 shall establish a statewide child care resource and referral



240086

1751 network that is unbiased and provides referrals to families for  
1752 child care and information on available community resources.  
1753 Preference shall be given to using early learning coalitions as  
1754 the child care resource and referral agencies. If an early  
1755 learning coalition cannot comply with the requirements to offer  
1756 the resource information component or does not want to offer  
1757 that service, the early learning coalition shall select the  
1758 resource and referral agency for its county or multicounty  
1759 region based upon the procurement requirements of s. 1002.84(13)  
1760 ~~s. 1002.84(12)~~.

1761 (3) Child care resource and referral agencies shall provide  
1762 the following services:

1763 (a) Identification of existing public and private child  
1764 care and early childhood education services, including child  
1765 care services by public and private employers, and the  
1766 development of an early learning provider performance profile ~~a~~  
1767 ~~resource file~~ of those services through the single statewide  
1768 information system developed by the office under s.  
1769 1002.82(2)(q) ~~s. 1002.82(2)(p)~~. These services may include  
1770 family day care, public and private child care programs, the  
1771 Voluntary Prekindergarten Education Program, Head Start, the  
1772 school readiness program, special education programs for  
1773 prekindergarten children with disabilities, services for  
1774 children with developmental disabilities, full-time and part-  
1775 time programs, before-school and after-school programs, and  
1776 vacation care programs, ~~parent education, the temporary cash~~  
1777 ~~assistance program, and related family support services~~. The  
1778 early learning provider performance profile ~~resource file~~ shall  
1779 include, but not be limited to:



- 1780 1. Type of program.
- 1781 2. Hours of service.
- 1782 3. Ages of children served.
- 1783 4. Number of children served.
- 1784 5. Program information.
- 1785 6. Fees and eligibility for services.
- 1786 7. Availability of transportation.
- 1787 8. Participation in the Child Care Food Program, if
- 1788 applicable.
- 1789 9. A link to licensing inspection reports, if applicable.
- 1790 10. The components of the Voluntary Prekindergarten
- 1791 Education Program performance metric calculated under s. 1002.68
- 1792 that must consist of the program assessment composite score,
- 1793 learning gains score, achievement score, and its designations,
- 1794 if applicable.
- 1795 11. The school readiness program assessment composite score
- 1796 and program assessment care level composite score results
- 1797 delineated by infant classrooms, toddler classrooms, and
- 1798 preschool classrooms results under s. 1002.82, if applicable.
- 1799 12. Gold Seal Quality Care designation under s. 1002.945,
- 1800 if applicable.
- 1801 13. Indication of whether the provider implements a
- 1802 curriculum approved by the office and the name of the
- 1803 curriculum, if applicable.
- 1804 14. Participation in school readiness child assessment
- 1805 under s. 1002.82.
- 1806 (c) Maintenance of ongoing documentation of requests for
- 1807 service tabulated through the internal referral process through
- 1808 the single statewide information system. The following



240086

1809 documentation of requests for service shall be maintained by the  
1810 child care resource and referral network:

1811 1. Number of calls and contacts to the child care resource  
1812 information and referral network component by type of service  
1813 requested.

1814 2. Ages of children for whom service was requested.

1815 3. Time category of child care requests for each child.

1816 4. Special time category, such as nights, weekends, and  
1817 swing shift.

1818 5. Reason that the child care is needed.

1819 6. Customer service survey data required under s.

1820 1002.82 (3) Name of the employer and primary focus of the  
1821 business for an employer-based child care program.

1822 (d) Assistance to families which connects them to parent  
1823 education opportunities, the temporary cash assistance program,  
1824 or social services programs that support families with children,  
1825 and related child development support services ~~Provision of~~  
1826 ~~technical assistance to existing and potential providers of~~  
1827 ~~child care services. This assistance may include:~~

1828 1. ~~Information on initiating new child care services,~~  
1829 ~~zoning, and program and budget development and assistance in~~  
1830 ~~finding such information from other sources.~~

1831 2. ~~Information and resources which help existing child care~~  
1832 ~~services providers to maximize their ability to serve children~~  
1833 ~~and parents in their community.~~

1834 3. ~~Information and incentives that may help existing or~~  
1835 ~~planned child care services offered by public or private~~  
1836 ~~employers seeking to maximize their ability to serve the~~  
1837 ~~children of their working parent employees in their community,~~





1838 ~~through contractual or other funding arrangements with~~  
1839 ~~businesses.~~

1840 Section 29. Section 402.281, Florida Statutes, is  
1841 transferred, renumbered as section 1002.945, Florida Statutes,  
1842 and amended to read:

1843 1002.945 ~~402.281~~ Gold Seal Quality Care program.—

1844 (1) (a) There is established within the Office of Early  
1845 Learning ~~department~~ the Gold Seal Quality Care Program.

1846 (b) A child care facility, large family child care home, or  
1847 family day care home that is accredited by an accrediting  
1848 association approved by the office ~~department~~ under subsection  
1849 (3) and meets all other requirements shall, upon application to  
1850 the department, receive a separate "Gold Seal Quality Care"  
1851 designation.

1852 (2) The office ~~department~~ shall adopt rules establishing  
1853 Gold Seal Quality Care accreditation standards using nationally  
1854 recognized accrediting standards and input from accrediting  
1855 associations ~~based on the applicable accrediting standards of~~  
1856 ~~the National Association for the Education of Young Children~~  
1857 ~~(NAEYC), the National Association of Family Child Care, and the~~  
1858 ~~National Early Childhood Program Accreditation Commission.~~

1859 (3) (a) In order to be approved by the office ~~department~~ for  
1860 participation in the Gold Seal Quality Care program, an  
1861 accrediting association must apply to the office ~~department~~ and  
1862 demonstrate that it:

1863 1. Is a recognized accrediting association.

1864 2. Has accrediting standards that substantially meet or  
1865 exceed the Gold Seal Quality Care standards adopted by the  
1866 office ~~department~~ under subsection (2).



240086

- 1867       3. Is a registered corporation with the Department of  
1868 State.
- 1869       4. Can provide evidence that the process for accreditation  
1870 has, at a minimum, all of the following components:
- 1871       a. Clearly defined prerequisites that a child care provider  
1872 must meet before beginning the accreditation process. However,  
1873 accreditation may not be granted to a child care facility, large  
1874 family child care home, or family day care home before the site  
1875 is operational and is attended by children.
- 1876       b. Procedures for completion of a self-study and  
1877 comprehensive onsite verification process for each classroom  
1878 that documents compliance with accrediting standards.
- 1879       c. A training process for accreditation verifiers to ensure  
1880 inter-rater reliability.
- 1881       d. Ongoing compliance procedures that include requiring  
1882 each accredited child care facility, large family child care  
1883 home, and family day care home to file an annual report with the  
1884 accrediting association and risk-based, onsite auditing  
1885 protocols for accredited child care facilities, large family  
1886 child care homes, and family day care homes.
- 1887       e. Procedures for the revocation of accreditation due to  
1888 failure to maintain accrediting standards as evidenced by sub-  
1889 subparagraph d. or any other relevant information received by  
1890 the accrediting association.
- 1891       f. Accreditation renewal procedures that include an onsite  
1892 verification occurring at least every 5 years.
- 1893       g. A process for verifying continued accreditation  
1894 compliance in the event of a transfer of ownership of  
1895 facilities.



1896 h. A process to communicate issues that arise during the  
1897 accreditation period with governmental entities that have a  
1898 vested interest in the Gold Seal Quality Care Program, including  
1899 the office, the Department of Children and Families, the  
1900 Department of Health, local licensing entities if applicable,  
1901 and the early learning coalition.

1902 (b) The office shall establish a process that verifies that  
1903 the accrediting association meets the provisions of paragraph  
1904 (a), which must include an auditing program and any other  
1905 procedures that may reasonably determine an accrediting  
1906 association's compliance with this section. If an accrediting  
1907 association is not in compliance and fails to cure its  
1908 deficiencies within 30 days, the office shall recommend to the  
1909 state board termination of the accrediting association's  
1910 participation as an accrediting association in the program for a  
1911 period of at least 2 years but no more than 5 years. If an  
1912 accrediting association is removed from being an approved  
1913 accrediting association, each child care provider accredited by  
1914 that association shall have up to 1 year to obtain a new  
1915 accreditation from an office approved accreditation association.

1916 (c) If an accrediting association has granted accreditation  
1917 to a child care facility, large family child care home, or  
1918 family day care under fraudulent terms or failed to conduct  
1919 onsite verifications, the accrediting association shall be  
1920 liable for the repayment of any rate differentials paid under  
1921 subsection (6).

1922 ~~(b) In approving accrediting associations, the department~~  
1923 ~~shall consult with the Department of Education, the Florida Head~~  
1924 ~~Start Directors Association, the Florida Association of Child~~



240086

1925 ~~Care Management, the Florida Family Child Care Home Association,~~  
1926 ~~the Florida Children's Forum, the Florida Association for the~~  
1927 ~~Education of the Young, the Child Development Education~~  
1928 ~~Alliance, the Florida Association of Academic Nonpublic Schools,~~  
1929 ~~the Association of Early Learning Coalitions, providers~~  
1930 ~~receiving exemptions under s. 402.316, and parents.~~

1931 (4) In order to obtain and maintain a designation as a Gold  
1932 Seal Quality Care provider, a child care facility, large family  
1933 child care home, or family day care home must meet the following  
1934 additional criteria:

1935 (a) The child care provider must not have had any class I  
1936 violations, as defined by rule of the Department of Children and  
1937 Families, within the 2 years preceding its application for  
1938 designation as a Gold Seal Quality Care provider. Commission of  
1939 a class I violation shall be grounds for termination of the  
1940 designation as a Gold Seal Quality Care provider until the  
1941 provider has no class I violations for a period of 2 years.

1942 (b) The child care provider must not have had three or more  
1943 class II violations, as defined by rule of the Department of  
1944 Children and Families, within the 2 years preceding its  
1945 application for designation as a Gold Seal Quality Care  
1946 provider. Commission of three or more class II violations within  
1947 a 2-year period shall be grounds for termination of the  
1948 designation as a Gold Seal Quality Care provider until the  
1949 provider has no class II violations for a period of 1 year.

1950 (c) The child care provider must not have been cited for  
1951 the same class III violation, as defined by rule of the  
1952 Department of Children and Families, three or more times and  
1953 failed to correct the violation within 1 year after the date of



240086

1954 each citation, within the 2 years preceding its application for  
1955 designation as a Gold Seal Quality Care provider. Commission of  
1956 the same class III violation three or more times and failure to  
1957 correct within the required time during a 2-year period may be  
1958 grounds for termination of the designation as a Gold Seal  
1959 Quality Care provider until the provider has no class III  
1960 violations for a period of 1 year.

1961 (d) Notwithstanding paragraph (a), if the office determines  
1962 through a formal process that a provider has been in business  
1963 for at least 5 years and has no other class I violations  
1964 recorded, the office may recommend to the state board that the  
1965 provider maintain its Gold Seal Quality Care status. The state  
1966 board's determination regarding such provider's status is final.

1967 (5) A child care facility licensed pursuant to s. 402.305  
1968 or a child care facility exempt from licensing pursuant to s.  
1969 402.316 which achieves Gold Seal Quality Care status under this  
1970 section shall be considered an educational institution for the  
1971 purpose of qualifying for exemption from ad valorem tax under s.  
1972 196.198.

1973 (6) A child care facility licensed pursuant to s. 402.305  
1974 or a child care facility exempt from licensing pursuant to s.  
1975 402.316 which achieves Gold Seal Quality Care status under this  
1976 section and which participates in the school readiness program  
1977 shall receive a minimum of a 20 percent rate differential for  
1978 each enrolled school readiness child by care level and unit of  
1979 child care.

1980 (7)-(5) The office Department of Children and Families shall  
1981 adopt rules under ss. 120.536(1) and 120.54 which provide  
1982 criteria and procedures for reviewing and approving accrediting



240086

1983 associations for participation in the Gold Seal Quality Care  
1984 program ~~and~~ conferring and revoking designations of Gold Seal  
1985 Quality Care providers, ~~and classifying violations.~~

1986 Section 30. Section 1008.2125, Florida Statutes, is created  
1987 to read:

1988 1008.2125 Coordinated screening and progress monitoring  
1989 program for students in the Voluntary Prekindergarten Education  
1990 Program through grade 3.—

1991 (1) The primary purpose of the coordinated screening and  
1992 progress monitoring program for students in the Voluntary  
1993 Prekindergarten Education Program through grade 3 is to provide  
1994 information on students' progress in mastering the appropriate  
1995 grade level standards and to provide information on their  
1996 progress to parents, teachers, and school and program  
1997 administrators. Data shall be used by Voluntary Prekindergarten  
1998 Education Program providers and school districts to improve  
1999 instruction, by parents and teachers to guide learning  
2000 objectives and provide timely and appropriate supports and  
2001 interventions to students not meeting grade level expectations,  
2002 and by the public to assess the cost benefit of the expenditure  
2003 of taxpayer dollars. The coordinated screening and progress  
2004 monitoring program must:

2005 (a) Assess the progress of students in the Voluntary  
2006 Prekindergarten Education Program through grade 3 in meeting the  
2007 appropriate expectations in early literacy and math skills and  
2008 in English Language Arts and mathematics, as required by ss.  
2009 1002.67(1) (a) and 1003.41.

2010 (b) Provide data for accountability of the Voluntary  
2011 Prekindergarten Education Program, as required by s. 1002.68.



2012           (c) Provide baseline data to the department of each  
2013 student's readiness for kindergarten, which must be based on  
2014 each kindergarten student's progress monitoring results within  
2015 the first 30 days of enrollment in accordance with paragraph  
2016 (2) (a). The methodology for determining a student's readiness  
2017 for kindergarten shall be developed by the same independent  
2018 expert identified in s. 1002.68(4) (d).

2019           (d) Identify the educational strengths and needs of  
2020 students in the Voluntary Prekindergarten Education Program  
2021 through grade 3.

2022           (e) Provide teachers with progress monitoring data to  
2023 provide timely interventions and supports pursuant to s.  
2024 1008.25(4).

2025           (f) Assess how well educational goals and curricular  
2026 standards are met at the provider, school, district, and state  
2027 levels.

2028           (g) Provide information to aid in the evaluation and  
2029 development of educational programs and policies.

2030           (2) The Commissioner of Education shall design a statewide,  
2031 standardized coordinated screening and progress monitoring  
2032 program to assess early literacy and mathematics skills and the  
2033 English Language Arts and mathematics standards established in  
2034 ss. 1002.67(1) (a) and 1003.41, respectively. The coordinated  
2035 screening and progress monitoring program must provide interval  
2036 level and norm-referenced data that measures equivalent levels  
2037 of growth; be a developmentally appropriate, valid, and reliable  
2038 direct assessment; be able to capture data on students who may  
2039 be performing below grade or developmental level and which may  
2040 enable the identification of early indicators of dyslexia or



2041 other developmental delays; accurately measure the core content  
2042 in the applicable grade level standards; document learning gains  
2043 for the achievement of these standards; and provide teachers  
2044 with progress monitoring supports and materials that enhance  
2045 differentiated instruction and parent communication.

2046 Participation in the coordinated screening and progress  
2047 monitoring program is mandatory for all students in the  
2048 Voluntary Prekindergarten Education Program and enrolled in a  
2049 public school in kindergarten through grade 3. The coordinated  
2050 screening and progress monitoring program shall be implemented  
2051 beginning in the 2022-2023 school year for students in the  
2052 Voluntary Prekindergarten Education Program and kindergarten  
2053 students, as follows:

2054 (a) The coordinated screening and progress monitoring  
2055 program shall be administered within the first 30 days after  
2056 enrollment, midyear, and within the last 30 days of the program  
2057 or school year, in accordance with the rules adopted by the  
2058 State Board of Education. The state board may adopt alternate  
2059 timeframes to address nontraditional school year calendars or  
2060 summer programs to ensure administration of the coordinated  
2061 screening and progress monitoring program is administered a  
2062 minimum of 3 times within a year or program.

2063 (b) The results of the coordinated screening and progress  
2064 monitoring program shall be reported to the department, in  
2065 accordance with the rules adopted by the state board, and  
2066 maintained in the department's educational data warehouse.

2067 (3) The Commissioner of Education shall:

2068 (a) Develop a plan, in coordination with the Council for  
2069 Early Grade Success, for implementing the coordinated screening





240086

2070 and progress monitoring program in consideration of timelines  
2071 for implementing new early literacy and mathematics skills and  
2072 the English Language Arts and mathematics standards established  
2073 in ss. 1002.67(1)(a) and 1003.41, as appropriate.

2074 (b) Provide data, reports, and information as requested to  
2075 the Council for Early Grade Success.

2076 (4) The Council for Early Grade Success, a council as  
2077 defined in s. 20.03(7), is created within the Department of  
2078 Education to oversee the coordinated screening and progress  
2079 monitoring program and, except as otherwise provided in this  
2080 section, shall operate consistent with s. 20.052.

2081 (a) The council shall be responsible for reviewing the  
2082 implementation of, training for, and outcomes from the  
2083 coordinated screening and progress monitoring program to provide  
2084 recommendations to the department that support grade 3 students  
2085 reading at or above grade level. The council, at a minimum,  
2086 shall:

2087 1. Provide recommendations on the implementation of the  
2088 coordinated screening and progress monitoring program, including  
2089 reviewing any procurement solicitation documents and criteria  
2090 before being published.

2091 2. Develop training plans and timelines for such training.

2092 3. Identify appropriate personnel, processes, and  
2093 procedures required for the administration of the coordinated  
2094 screening and progress monitoring program.

2095 4. Provide input on the methodology for calculating a  
2096 provider's or school's performance metric and designations under  
2097 s. 1002.68.

2098 5. Work with the department's independent expert under s.



2099 1002.68(4)(d) to review the methodology for determining a  
2100 child's kindergarten readiness.

2101 6. Review data on age-appropriate learning gains by grade  
2102 level that a student would need to attain in order to  
2103 demonstrate proficiency in reading by grade 3.

2104 7. Continually review anonymized data from the results of  
2105 the coordinated screening and progress monitoring program for  
2106 students in the Voluntary Prekindergarten Education Program  
2107 through grade 3 to help inform recommendations to the department  
2108 that support practices that will enable grade 3 students to read  
2109 at or above grade level.

2110 (b) The council shall be composed of 17 members who are  
2111 residents of this state and appointed, as follows:

2112 1. Three members appointed by the Governor, as follows:  
2113 a. One representative from the Department of Education.  
2114 b. One parent of a child who is 4 to 9 years of age.  
2115 c. One representative who is a school principal.

2116 2. Seven members appointed by the President of the Senate,  
2117 as follows:

2118 a. One senator who serves at the pleasure of the President  
2119 of the Senate.

2120 b. One representative of an urban school district.  
2121 c. One representative of a rural early learning coalition.  
2122 d. One representative of a faith-based early learning  
2123 provider that offers the Voluntary Prekindergarten Education  
2124 Program.

2125 e. One representative who is a second grade teacher with at  
2126 least 5 years of teaching experience.

2127 f. Two representatives with subject matter expertise in



240086

2128 early learning, early grade success, or child assessments.

2129 3. Seven members appointed by the Speaker of the House of  
2130 Representatives, as follows:

2131 a. One member of the House of Representatives who serves at  
2132 the pleasure of the Speaker of the House.

2133 b. One representative of a rural school district.

2134 c. One representative of an urban early learning coalition.

2135 d. One representative of an early learning provider that  
2136 offers the Voluntary Prekindergarten Education Program.

2137 e. One member who is a kindergarten teacher with at least 5  
2138 years of teaching experience.

2139 f. Two representatives with subject matter expertise in  
2140 early learning, early grade success, or child assessment.

2141 (5) The four representatives with subject matter expertise  
2142 in sub-subparagraphs (4)(b)2.f. and (4)(b)3.f. may not be direct  
2143 stakeholders within the early learning or public school systems  
2144 or potential recipients of a contract resulting from the  
2145 council's recommendations.

2146 (6) The council shall elect a chair and vice chair, one of  
2147 whom must be a member who has subject matter expertise in early  
2148 learning, early grade success, or child assessments. The vice  
2149 chair must be a member appointed by the President of the Senate  
2150 or the Speaker of the House of Representatives who is not one of  
2151 the four members with subject matter expertise in early  
2152 learning, early grade success, or child assessments. Members of  
2153 the council shall serve without compensation but are entitled to  
2154 reimbursement for per diem and travel expenses pursuant to s.  
2155 112.061.

2156 (7) The council must meet at least biannually and may meet



240086

2157 by teleconference or other electronic means, if possible, to  
2158 reduce costs.

2159 (8) A majority of the members constitutes a quorum.

2160 Section 31. Present paragraphs (b) and (c) of subsection  
2161 (5) of section 1008.25, Florida Statutes, are redesignated as  
2162 paragraphs (c) and (d), respectively, a new paragraph (b) is  
2163 added to that subsection, and paragraph (b) of subsection (6),  
2164 subsection (7), and paragraph (a) of subsection (8) are amended,  
2165 to read:

2166 1008.25 Public school student progression; student support;  
2167 reporting requirements.—

2168 (5) READING DEFICIENCY AND PARENTAL NOTIFICATION.—

2169 (b) Any Voluntary Prekindergarten Education Program student  
2170 who exhibits a substantial deficiency in early literacy in  
2171 accordance with the standards under s. 1002.67(1)(a) and based  
2172 upon the results of the administration of the final coordinated  
2173 screening and progress monitoring under s. 1008.2125 shall be  
2174 referred to the local school district and may be eligible to  
2175 receive intensive reading interventions before participating in  
2176 kindergarten. Such intensive reading interventions shall be paid  
2177 for using funds from the district's research-based reading  
2178 instruction allocation in accordance with s. 1011.62(9).

2179 (6) ELIMINATION OF SOCIAL PROMOTION.—

2180 (b) The district school board may only exempt students from  
2181 mandatory retention, as provided in paragraph (5)(c) ~~(5)(b)~~, for  
2182 good cause. A student who is promoted to grade 4 with a good  
2183 cause exemption shall be provided intensive reading instruction  
2184 and intervention that include specialized diagnostic information  
2185 and specific reading strategies to meet the needs of each



240086

2186 student so promoted. The school district shall assist schools  
2187 and teachers with the implementation of explicit, systematic,  
2188 and multisensory reading instruction and intervention strategies  
2189 for students promoted with a good cause exemption which research  
2190 has shown to be successful in improving reading among students  
2191 who have reading difficulties. Good cause exemptions are limited  
2192 to the following:

2193 1. Limited English proficient students who have had less  
2194 than 2 years of instruction in an English for Speakers of Other  
2195 Languages program based on the initial date of entry into a  
2196 school in the United States.

2197 2. Students with disabilities whose individual education  
2198 plan indicates that participation in the statewide assessment  
2199 program is not appropriate, consistent with the requirements of  
2200 s. 1008.212.

2201 3. Students who demonstrate an acceptable level of  
2202 performance on an alternative standardized reading or English  
2203 Language Arts assessment approved by the State Board of  
2204 Education.

2205 4. A student who demonstrates through a student portfolio  
2206 that he or she is performing at least at Level 2 on the  
2207 statewide, standardized English Language Arts assessment.

2208 5. Students with disabilities who take the statewide,  
2209 standardized English Language Arts assessment and who have an  
2210 individual education plan or a Section 504 plan that reflects  
2211 that the student has received intensive instruction in reading  
2212 or English Language Arts for more than 2 years but still  
2213 demonstrates a deficiency and was previously retained in  
2214 kindergarten, grade 1, grade 2, or grade 3.



240086

2215           6. Students who have received intensive reading  
2216 intervention for 2 or more years but still demonstrate a  
2217 deficiency in reading and who were previously retained in  
2218 kindergarten, grade 1, grade 2, or grade 3 for a total of 2  
2219 years. A student may not be retained more than once in grade 3.

2220           (7) SUCCESSFUL PROGRESSION FOR RETAINED THIRD GRADE  
2221 STUDENTS.—

2222           (a) Students retained under paragraph (5) (c) ~~(5) (b)~~ must be  
2223 provided intensive interventions in reading to ameliorate the  
2224 student's specific reading deficiency and prepare the student  
2225 for promotion to the next grade. These interventions must  
2226 include:

2227           1. Evidence-based, explicit, systematic, and multisensory  
2228 reading instruction in phonemic awareness, phonics, fluency,  
2229 vocabulary, and comprehension and other strategies prescribed by  
2230 the school district.

2231           2. Participation in the school district's summer reading  
2232 camp, which must incorporate the instructional and intervention  
2233 strategies under subparagraph 1.

2234           3. A minimum of 90 minutes of daily, uninterrupted reading  
2235 instruction incorporating the instructional and intervention  
2236 strategies under subparagraph 1. This instruction may include:

2237           a. Integration of content-rich texts in science and social  
2238 studies within the 90-minute block.

2239           b. Small group instruction.

2240           c. Reduced teacher-student ratios.

2241           d. More frequent progress monitoring.

2242           e. Tutoring or mentoring.

2243           f. Transition classes containing 3rd and 4th grade



240086

2244 students.

2245 g. Extended school day, week, or year.

2246 (b) Each school district shall:

2247 1. Provide written notification to the parent of a student  
2248 who is retained under paragraph (5) (c) ~~(5) (b)~~ that his or her  
2249 child has not met the proficiency level required for promotion  
2250 and the reasons the child is not eligible for a good cause  
2251 exemption as provided in paragraph (6) (b). The notification must  
2252 comply with paragraph (5) (d) ~~(5) (e)~~ and must include a  
2253 description of proposed interventions and supports that will be  
2254 provided to the child to remediate the identified areas of  
2255 reading deficiency.

2256 2. Implement a policy for the midyear promotion of a  
2257 student retained under paragraph (5) (c) ~~(5) (b)~~ who can  
2258 demonstrate that he or she is a successful and independent  
2259 reader and performing at or above grade level in reading or,  
2260 upon implementation of English Language Arts assessments,  
2261 performing at or above grade level in English Language Arts.  
2262 Tools that school districts may use in reevaluating a student  
2263 retained may include subsequent assessments, alternative  
2264 assessments, and portfolio reviews, in accordance with rules of  
2265 the State Board of Education. Students promoted during the  
2266 school year after November 1 must demonstrate proficiency levels  
2267 in reading equivalent to the level necessary for the beginning  
2268 of grade 4. The rules adopted by the State Board of Education  
2269 must include standards that provide a reasonable expectation  
2270 that the student's progress is sufficient to master appropriate  
2271 grade 4 level reading skills.

2272 3. Provide students who are retained under paragraph (5) (c)



2273 ~~(5) (b)~~, including students participating in the school  
2274 district's summer reading camp under subparagraph (a)2., with a  
2275 highly effective teacher as determined by the teacher's  
2276 performance evaluation under s. 1012.34, and, beginning July 1,  
2277 2020, the teacher must also be certified or endorsed in reading.

2278 4. Establish at each school, when applicable, an intensive  
2279 reading acceleration course for any student retained in grade 3  
2280 who was previously retained in kindergarten, grade 1, or grade  
2281 2. The intensive reading acceleration course must provide the  
2282 following:

2283 a. Uninterrupted reading instruction for the majority of  
2284 student contact time each day and opportunities to master the  
2285 grade 4 Next Generation Sunshine State Standards in other core  
2286 subject areas through content-rich texts.

2287 b. Small group instruction.

2288 c. Reduced teacher-student ratios.

2289 d. The use of explicit, systematic, and multisensory  
2290 reading interventions, including intensive language, phonics,  
2291 and vocabulary instruction, and use of a speech-language  
2292 therapist if necessary, that have proven results in accelerating  
2293 student reading achievement within the same school year.

2294 e. A read-at-home plan.

2295 (8) ANNUAL REPORT.—

2296 (a) In addition to the requirements in paragraph (5) (c)  
2297 ~~(5) (b)~~, each district school board must annually report to the  
2298 parent of each student the progress of the student toward  
2299 achieving state and district expectations for proficiency in  
2300 English Language Arts, science, social studies, and mathematics.  
2301 The district school board must report to the parent the





240086

2302 student's results on each statewide, standardized assessment.  
2303 The evaluation of each student's progress must be based upon the  
2304 student's classroom work, observations, tests, district and  
2305 state assessments, response to intensive interventions provided  
2306 under paragraph (5) (a), and other relevant information. Progress  
2307 reporting must be provided to the parent in writing in a format  
2308 adopted by the district school board.

2309 Section 32. Subsection (9) of section 1011.62, Florida  
2310 Statutes, is amended to read:

2311 1011.62 Funds for operation of schools.—If the annual  
2312 allocation from the Florida Education Finance Program to each  
2313 district for operation of schools is not determined in the  
2314 annual appropriations act or the substantive bill implementing  
2315 the annual appropriations act, it shall be determined as  
2316 follows:

2317 (9) RESEARCH-BASED READING INSTRUCTION ALLOCATION.—

2318 (a) The research-based reading instruction allocation is  
2319 created to provide comprehensive reading instruction to students  
2320 in kindergarten through grade 12, including certain students who  
2321 exhibit a substantial deficiency in early literacy and who  
2322 completed the Voluntary Prekindergarten Education Program  
2323 pursuant to s. 1008.25(5) (b). Each school district that has one  
2324 or more of the 300 lowest-performing elementary schools based on  
2325 a 3-year average of the state reading assessment data must use  
2326 the school's portion of the allocation to provide an additional  
2327 hour per day of intensive reading instruction for the students  
2328 in each school. The additional hour may be provided within the  
2329 school day. Students enrolled in these schools who earned a  
2330 level 4 or level 5 score on the statewide, standardized English



240086

2331 Language Arts assessment for the previous school year may  
2332 participate in the additional hour of instruction. Exceptional  
2333 student education centers may not be included in the 300  
2334 schools. The intensive reading instruction delivered in this  
2335 additional hour shall include: research-based reading  
2336 instruction that has been proven to accelerate progress of  
2337 students exhibiting a reading deficiency; differentiated  
2338 instruction based on screening, diagnostic, progress monitoring,  
2339 or student assessment data to meet students' specific reading  
2340 needs; explicit and systematic reading strategies to develop  
2341 phonemic awareness, phonics, fluency, vocabulary, and  
2342 comprehension, with more extensive opportunities for guided  
2343 practice, error correction, and feedback; and the integration of  
2344 social studies, science, and mathematics-text reading, text  
2345 discussion, and writing in response to reading.

2346 (b) Funds for comprehensive, research-based reading  
2347 instruction shall be allocated annually to each school district  
2348 in the amount provided in the General Appropriations Act. Each  
2349 eligible school district shall receive the same minimum amount  
2350 as specified in the General Appropriations Act, and any  
2351 remaining funds shall be distributed to eligible school  
2352 districts based on each school district's proportionate share of  
2353 K-12 base funding.

2354 (c) Funds allocated under this subsection must be used to  
2355 provide a system of comprehensive reading instruction to  
2356 students enrolled in the K-12 programs and certain students who  
2357 exhibit a substantial deficiency in early literacy and who  
2358 completed the Voluntary Prekindergarten Education Program  
2359 pursuant to s. 1008.25(5)(b), which may include the following:



240086

2360           1. An additional hour per day of evidence-based intensive  
2361 reading instruction to students in the 300 lowest-performing  
2362 elementary schools by teachers and reading specialists who have  
2363 demonstrated effectiveness in teaching reading as required in  
2364 paragraph (a).

2365           2. Kindergarten through grade 5 evidence-based ~~reading~~  
2366 ~~intervention teachers to provide~~ intensive reading interventions  
2367 provided by reading intervention teachers ~~intervention~~ during  
2368 the school day and in the required extra hour for students  
2369 identified as having a reading deficiency.

2370           3. Highly qualified reading coaches to specifically support  
2371 teachers in making instructional decisions based on student  
2372 data, and improve teacher delivery of effective reading  
2373 instruction, intervention, and reading in the content areas  
2374 based on student need.

2375           4. Professional development for school district teachers in  
2376 scientifically based reading instruction, including strategies  
2377 to teach reading in content areas and with an emphasis on  
2378 technical and informational text, to help school district  
2379 teachers earn a certification or an endorsement in reading.

2380           5. Summer reading camps, using only teachers or other  
2381 district personnel who are certified or endorsed in reading  
2382 consistent with s. 1008.25(7)(b)3., for all students in  
2383 kindergarten through grade 2 who demonstrate a reading  
2384 deficiency as determined by district and state assessments, ~~and~~  
2385 students in grades 3 through 5 who score at Level 1 on the  
2386 statewide, standardized English Language Arts assessment, and  
2387 certain students who exhibit a substantial deficiency in early  
2388 literacy and who completed the Voluntary Prekindergarten



240086

2389 Education Program pursuant to s. 1008.25(5)(b).

2390         6. Scientifically researched and evidence-based  
2391 supplemental instructional materials ~~that are grounded in~~  
2392 ~~scientifically based reading research~~ as identified by the Just  
2393 Read, Florida! Office pursuant to s. 1001.215(8).

2394         7. Evidence-based intensive interventions for students in  
2395 kindergarten through grade 12 who have been identified as having  
2396 a reading deficiency or who are reading below grade level as  
2397 determined by the statewide, standardized English Language Arts  
2398 assessment or for certain students who exhibit a substantial  
2399 deficiency in early literacy and who completed the Voluntary  
2400 Prekindergarten Education Program pursuant to s. 1008.25(5)(b).

2401         (d)1. Annually, by a date determined by the Department of  
2402 Education but before May 1, school districts shall submit a ~~K-12~~  
2403 comprehensive reading plan for the specific use of the research-  
2404 based reading instruction allocation in the format prescribed by  
2405 the department for review and approval by the Just Read,  
2406 Florida! Office created pursuant to s. 1001.215. The plan  
2407 annually submitted by school districts shall be deemed approved  
2408 unless the department rejects the plan on or before June 1. If a  
2409 school district and the Just Read, Florida! Office cannot reach  
2410 agreement on the contents of the plan, the school district may  
2411 appeal to the State Board of Education for resolution. School  
2412 districts shall be allowed reasonable flexibility in designing  
2413 their plans and shall be encouraged to offer reading  
2414 intervention through innovative methods, including career  
2415 academies. The plan format shall be developed with input from  
2416 school district personnel, including teachers and principals,  
2417 and shall provide for intensive reading interventions through



2418 integrated curricula, provided that, beginning with the 2020-  
2419 2021 school year, the interventions are delivered by a teacher  
2420 who is certified or endorsed in reading. Such interventions must  
2421 incorporate evidence-based strategies identified by the Just  
2422 Read, Florida! Office pursuant to s. 1001.215(8). No later than  
2423 July 1 annually, the department shall release the school  
2424 district's allocation of appropriated funds to those districts  
2425 having approved plans. A school district that spends 100 percent  
2426 of this allocation on its approved plan shall be deemed to have  
2427 been in compliance with the plan. The department may withhold  
2428 funds upon a determination that reading instruction allocation  
2429 funds are not being used to implement the approved plan. The  
2430 department shall monitor and track the implementation of each  
2431 district plan, including conducting site visits and collecting  
2432 specific data on expenditures and reading improvement results.  
2433 By February 1 of each year, the department shall report its  
2434 findings to the Legislature.

2435         2. Each school district that has a school designated as one  
2436 of the 300 lowest-performing elementary schools as specified in  
2437 paragraph (a) shall specifically delineate in the comprehensive  
2438 reading plan, or in an addendum to the comprehensive reading  
2439 plan, the implementation design and reading intervention  
2440 strategies that will be used for the required additional hour of  
2441 reading instruction. The term "reading intervention" includes  
2442 evidence-based strategies frequently used to remediate reading  
2443 deficiencies and also includes individual instruction, tutoring,  
2444 mentoring, or the use of technology that targets specific  
2445 reading skills and abilities.

2446



2447 For purposes of this subsection, the term "evidence-based" means  
2448 demonstrating a statistically significant effect on improving  
2449 student outcomes or other relevant outcomes.

2450 Section 33. This act shall take effect July 1, 2021.

2451  
2452 ===== T I T L E A M E N D M E N T =====

2453 And the title is amended as follows:

2454 Delete everything before the enacting clause  
2455 and insert:

2456 A bill to be entitled  
2457 An act relating to early learning and early grade  
2458 success; amending s. 39.604, F.S.; revising approved  
2459 child care or early education settings for the  
2460 placement of certain children; conforming cross-  
2461 references; amending ss. 212.08 and 402.26, F.S.;  
2462 conforming provisions and cross-references to changes  
2463 made by the act; providing for a type two transfer of  
2464 the Gold Seal Quality Care program in the Department  
2465 of Children and Families to the Office of Early  
2466 Learning; providing for the continuation of certain  
2467 contracts and interagency agreements; amending ss.  
2468 402.315 and 1001.213, F.S.; conforming cross-  
2469 references; amending ss. 1001.215 and 1001.23, F.S.;  
2470 conforming provisions to changes made by the act;  
2471 amending s. 1002.53, F.S.; revising the requirements  
2472 for certain program provider profiles; requiring each  
2473 parent who enrolls his or her child in the Voluntary  
2474 Prekindergarten Education Program to allow his or her  
2475 child to participate in a specified screening and



2476 progress monitoring program; amending s. 1002.32,  
2477 F.S.; conforming cross-references; amending s.  
2478 1002.55, F.S.; authorizing certain child development  
2479 programs operating on a military installation to be  
2480 private prekindergarten providers within the Voluntary  
2481 Prekindergarten Education Program; providing that a  
2482 private prekindergarten provider is ineligible for  
2483 participation in the program under certain  
2484 circumstances; revising requirements for  
2485 prekindergarten instructors; revising requirements for  
2486 specified courses for prekindergarten instructors;  
2487 providing that a private school administrator who  
2488 holds a specified certificate meets certain credential  
2489 requirements; providing liability insurance  
2490 requirements for child development programs operating  
2491 on a military installation participating in the  
2492 program; requiring early learning coalitions to verify  
2493 private prekindergarten provider compliance with  
2494 specified provisions; requiring such coalitions to  
2495 remove a provider's eligibility under specified  
2496 circumstances; conforming provisions to changes made  
2497 by the act; amending s. 1002.57, F.S.; revising the  
2498 minimum standards for a credential for certain  
2499 prekindergarten directors; amending s. 1002.59, F.S.;  
2500 revising requirements for emergent literacy and  
2501 performance standards training courses for  
2502 prekindergarten instructors; requiring the department  
2503 to make certain courses available online; amending s.  
2504 1002.61, F.S.; authorizing certain child development



2505 programs operating on a military installation to be  
2506 private prekindergarten providers within the summer  
2507 Voluntary Prekindergarten Education Program;  
2508 conforming a provision to changes made by the act;  
2509 revising the criteria for a teacher to receive  
2510 priority for the summer program in a school district;  
2511 requiring a child development program operating on a  
2512 military installation to comply with specified  
2513 criteria; requiring early learning coalitions to  
2514 verify specified information; providing for the  
2515 removal of a program provider or public school from  
2516 eligibility under certain circumstances; amending s.  
2517 1002.63, F.S.; conforming a provision to changes made  
2518 by the act; requiring early learning coalitions to  
2519 verify specified information; providing for the  
2520 removal of public schools from the program under  
2521 certain circumstances; amending s. 1002.67, F.S.;  
2522 revising the performance standards for the Voluntary  
2523 Prekindergarten Education Program; requiring the  
2524 department to review and revise performance standards  
2525 on a specified schedule; revising curriculum  
2526 requirements for the program; conforming a provision  
2527 to changes made by the act; requiring the office to  
2528 adopt procedures for the review and approval of  
2529 curricula for the program; deleting a required  
2530 preassessment and postassessment for the program;  
2531 creating s. 1002.68, F.S.; requiring providers of the  
2532 Voluntary Prekindergarten Education Program to  
2533 participate in a specified screening and progress





2534 monitoring program; providing specified uses for the  
2535 results of such program; requiring certain portions of  
2536 the screening and progress monitoring program to be  
2537 administered by individuals who meet specified  
2538 criteria; requiring the results of the screening and  
2539 monitoring to be reported to the parents of  
2540 participating students; requiring providers to  
2541 participate in a program assessment; providing  
2542 requirements for such assessments; providing office  
2543 duties and responsibilities relating to such  
2544 assessments; providing requirements for a specified  
2545 methodology used to calculate the results of such  
2546 assessments; requiring the department to establish a  
2547 designation system for program providers; providing  
2548 for the adoption of a minimum performance metric or  
2549 designation for program participation; providing  
2550 procedures for a provider whose score or designation  
2551 falls below the minimum requirement; providing for the  
2552 revocation of program eligibility for a provider;  
2553 authorizing the department to grant good cause  
2554 exemptions to providers under certain circumstances;  
2555 providing office and provider requirements for such  
2556 exemptions; requiring an annual meeting of  
2557 representatives from specified entities to develop  
2558 certain strategies; repealing s. 1002.69, F.S.,  
2559 relating to statewide kindergarten screening and  
2560 readiness rates; amending s. 1002.73, F.S.; requiring  
2561 the office to adopt a statewide provider contract;  
2562 requiring such contract to be published on the



2563 office's website; providing requirements for such  
2564 contract; prohibiting providers from offering services  
2565 during an appeal of termination from the program;  
2566 providing applicability; requiring the office to adopt  
2567 specified procedures relating to the Voluntary  
2568 Prekindergarten Education Program; providing duties of  
2569 the office relating to such program; repealing s.  
2570 1002.75, F.S., relating to the powers and duties of  
2571 the Office of Early Learning; amending 1002.81, F.S.;  
2572 conforming provisions and cross-references to changes  
2573 made by the act; amending s. 1002.82, F.S.; providing  
2574 duties of the office relating to early learning;  
2575 authorizing an alternative model for the calculation  
2576 of prevailing market rate; exempting certain child  
2577 development programs operating on a military  
2578 installation from specified inspection requirements;  
2579 requiring the office to monitor specified standards  
2580 and benchmarks for certain purposes; revising the age  
2581 range used for specified standards; requiring the  
2582 office to provide specified technical support;  
2583 revising requirements for a specified assessment  
2584 program; requiring the office to adopt requirements to  
2585 make certain contracted slots available to serve  
2586 specified populations; requiring the office to adopt  
2587 certain standards and outcome measures including  
2588 specified surveys; requiring the office to adopt  
2589 procedures for the merging of early learning  
2590 coalitions; revising the requirements for a specified  
2591 report; amending s. 1002.83, F.S.; revising the number



2592 of authorized early learning coalitions; revising the  
2593 number of and requirements for members of an early  
2594 learning coalition; revising and adding requirements  
2595 for such coalitions; amending s. 1002.84, F.S.;  
2596 revising early learning coalition responsibilities and  
2597 duties; conforming a cross-reference; revising  
2598 requirements for the waiver of specified copayments;  
2599 amending s. 1002.85, F.S.; revising the requirements  
2600 for school readiness program plans; amending s.  
2601 1002.88, F.S.; authorizing certain child development  
2602 programs operating on military installations to  
2603 participate in the school readiness program; revising  
2604 requirements to deliver such program; providing that a  
2605 specified annual inspection for a child development  
2606 program participating in the school readiness program  
2607 meets certain provider requirements; providing  
2608 requirements for a child development program to meet  
2609 certain liability requirements; amending s. 1002.895,  
2610 F.S.; requiring the office to adopt certain procedures  
2611 until a specified event; conforming provisions to  
2612 changes made by the act; amending s. 1002.92, F.S.;  
2613 conforming a cross-reference; revising the  
2614 requirements for specified services that child care  
2615 resource and referral agencies must provide;  
2616 transferring, renumbering, and amending s. 402.281,  
2617 F.S.; revising the requirements of the Gold Seal  
2618 Quality Care program; requiring the Office of Early  
2619 Learning to adopt specified rules; revising  
2620 accrediting association requirements; providing



240086

2621 requirements for accrediting associations; requiring  
2622 the department to establish a specified process;  
2623 providing requirements for such process; deleting a  
2624 requirement for the department to consult certain  
2625 entities for specified purposes; providing  
2626 requirements for certain providers to maintain Gold  
2627 Seal Quality Care status; providing exemptions to  
2628 certain ad valorem taxes; providing rate differentials  
2629 to certain providers; creating s. 1008.2125, F.S.;  
2630 creating the coordinated screening and progress  
2631 monitoring program within the department for specified  
2632 purposes; requiring the Commissioner of Education to  
2633 design such program; providing requirements for the  
2634 administration of such program and the use of results  
2635 from the program; providing requirements for the  
2636 commissioner; creating the Council for Early Grade  
2637 Success within the department; providing duties of the  
2638 council; providing membership of the council;  
2639 requiring the council to elect a chair and a vice  
2640 chair; providing requirements for such appointments;  
2641 providing for per diem for members of the council;  
2642 providing meeting requirements for the council;  
2643 providing for a quorum of the council; amending s.  
2644 1008.25, F.S.; authorizing certain students enrolled  
2645 in the Voluntary Prekindergarten Education Program to  
2646 receive intensive reading interventions using  
2647 specified funds; amending s. 1011.62, F.S.; revising  
2648 the research-based reading instruction allocation to  
2649 authorize the use of such funds for certain intensive



2650 reading interventions for certain students; revising  
2651 the requirements for specified reading instruction and  
2652 interventions; defining the term "evidence-based";  
2653 providing an effective date.