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LEGISLATIVE ACTION

Senate

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House

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Senator Harrell moved the following:

Senate Amendment (with title amendment)

Delete everything after the enacting clause
and insert:

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

20.055 Agency inspectors general.—

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

(a) "Agency head" means the Governor, a Cabinet officer, or
a secretary or executive director as those terms are defined in
s. 20.03, the chair of the Public Service Commission, the



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12 Director of the Office of Insurance Regulation of the Financial
13 Services Commission, the Director of the Office of Financial
14 Regulation of the Financial Services Commission, the board of
15 directors of the Florida Housing Finance Corporation, ~~the~~
16 ~~executive director of the Office of Early Learning,~~ and the
17 Chief Justice of the State Supreme Court.

18 (d) "State agency" means each department created pursuant
19 to this chapter and the Executive Office of the Governor, the
20 Department of Military Affairs, the Fish and Wildlife
21 Conservation Commission, the Office of Insurance Regulation of
22 the Financial Services Commission, the Office of Financial
23 Regulation of the Financial Services Commission, the Public
24 Service Commission, the Board of Governors of the State
25 University System, the Florida Housing Finance Corporation, ~~the~~
26 ~~Office of Early Learning,~~ and the state courts system.

27 Section 2. Present paragraphs (c) through (j) of subsection
28 (3) of section 20.15, Florida Statutes, are redesignated as
29 paragraphs (d) through (k), respectively, a new paragraph (c) is
30 added to that subsection, and present paragraph (i) of
31 subsection (3) and subsection (5) of that section are amended,
32 to read:

33 20.15 Department of Education.—There is created a
34 Department of Education.

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

37 (c) Division of Early Learning.

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

40 ~~1. The Office of Early Learning, which shall be~~



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41 ~~administered by an executive director who is fully accountable~~
42 ~~to the Commissioner of Education. The executive director shall,~~
43 ~~pursuant to s. 1001.213, administer the early learning programs,~~
44 ~~including the school readiness program and the Voluntary~~
45 ~~Prekindergarten Education Program at the state level.~~

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

49 (5) POWERS AND DUTIES.—The State Board of Education and the
50 Commissioner of Education shall assign to the divisions such
51 powers, duties, responsibilities, and functions as are necessary
52 to ensure the greatest possible coordination, efficiency, and
53 effectiveness of education for students in Early Learning-20 ~~K-~~
54 ~~20~~ education under the jurisdiction of the State Board of
55 Education.

56 Section 3. Paragraph (a) of subsection (2) of section
57 39.202, Florida Statutes, is amended to read:

58 39.202 Confidentiality of reports and records in cases of
59 child abuse or neglect.—

60 (2) Except as provided in subsection (4), access to such
61 records, excluding the name of, or other identifying information
62 with respect to, the reporter which shall be released only as
63 provided in subsection (5), shall be granted only to the
64 following persons, officials, and agencies:

65 (a) Employees, authorized agents, or contract providers of
66 the department, the Department of Health, the Agency for Persons
67 with Disabilities, the Department of Education ~~Office of Early~~
68 ~~Learning~~, or county agencies responsible for carrying out:

69 1. Child or adult protective investigations;



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70 2. Ongoing child or adult protective services;
71 3. Early intervention and prevention services;
72 4. Healthy Start services;
73 5. Licensure or approval of adoptive homes, foster homes,
74 child care facilities, facilities licensed under chapter 393,
75 family day care homes, providers who receive school readiness
76 funding under part VI of chapter 1002, or other homes used to
77 provide for the care and welfare of children;
78 6. Employment screening for caregivers in residential group
79 homes; or
80 7. Services for victims of domestic violence when provided
81 by certified domestic violence centers working at the
82 department's request as case consultants or with shared clients.
83
84 Also, employees or agents of the Department of Juvenile Justice
85 responsible for the provision of services to children, pursuant
86 to chapters 984 and 985.
87 Section 4. Paragraph (b) of subsection (5) of section
88 39.604, Florida Statutes, is amended to read:
89 39.604 Rilya Wilson Act; short title; legislative intent;
90 child care; early education; preschool.—
91 (5) EDUCATIONAL STABILITY.—Just as educational stability is
92 important for school-age children, it is also important to
93 minimize disruptions to secure attachments and stable
94 relationships with supportive caregivers of children from birth
95 to school age and to ensure that these attachments are not
96 disrupted due to placement in out-of-home care or subsequent
97 changes in out-of-home placement.
98 (b) If it is not in the best interest of the child for him



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99 or her to remain in his or her child care or early education
100 setting upon entry into out-of-home care, the caregiver must
101 work with the case manager, guardian ad litem, child care and
102 educational staff, and educational surrogate, if one has been
103 appointed, to determine the best setting for the child. Such
104 setting may be a child care provider that receives a Gold Seal
105 Quality Care designation pursuant to s. 1002.945 ~~s. 402.281~~, a
106 ~~provider participating in a quality rating system~~, a licensed
107 child care provider, a public school provider, or a license-
108 exempt child care provider, including religious-exempt and
109 registered providers, and nonpublic schools.

110 Section 5. Paragraph (m) of subsection (5) of section
111 212.08, Florida Statutes, is amended to read:

112 212.08 Sales, rental, use, consumption, distribution, and
113 storage tax; specified exemptions.—The sale at retail, the
114 rental, the use, the consumption, the distribution, and the
115 storage to be used or consumed in this state of the following
116 are hereby specifically exempt from the tax imposed by this
117 chapter.

118 (5) EXEMPTIONS; ACCOUNT OF USE.—

119 (m) *Educational materials purchased by certain child care*
120 *facilities.*—Educational materials, such as glue, paper, paints,
121 crayons, unique craft items, scissors, books, and educational
122 toys, purchased by a child care facility that meets the
123 standards delineated in s. 402.305, is licensed under s.
124 402.308, holds a current Gold Seal Quality Care designation
125 pursuant to s. 1002.945 ~~s. 402.281~~, and provides basic health
126 insurance to all employees are exempt from the taxes imposed by
127 this chapter. For purposes of this paragraph, the term "basic



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128 health insurance" shall be defined and promulgated in rules
129 developed jointly by the Department of Education Children and
130 Families, the Agency for Health Care Administration, and the
131 Financial Services Commission.

132 Section 6. Paragraph (b) of subsection (8) of section
133 216.136, Florida Statutes, is amended to read:

134 216.136 Consensus estimating conferences; duties and
135 principals.—

136 (8) EARLY LEARNING PROGRAMS ESTIMATING CONFERENCE.—

137 (b) The Division ~~Office~~ of Early Learning shall provide
138 information on needs and waiting lists for school readiness
139 programs, and information on the needs for the Voluntary
140 Prekindergarten Education Program, as requested by the Early
141 Learning Programs Estimating Conference or individual conference
142 principals in a timely manner.

143 Section 7. Paragraph (b) of subsection (1) and paragraph
144 (b) of subsection (2) of section 383.14, Florida Statutes, are
145 amended to read:

146 383.14 Screening for metabolic disorders, other hereditary
147 and congenital disorders, and environmental risk factors.—

148 (1) SCREENING REQUIREMENTS.—To help ensure access to the
149 maternal and child health care system, the Department of Health
150 shall promote the screening of all newborns born in Florida for
151 metabolic, hereditary, and congenital disorders known to result
152 in significant impairment of health or intellect, as screening
153 programs accepted by current medical practice become available
154 and practical in the judgment of the department. The department
155 shall also promote the identification and screening of all
156 newborns in this state and their families for environmental risk



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157 factors such as low income, poor education, maternal and family
158 stress, emotional instability, substance abuse, and other high-
159 risk conditions associated with increased risk of infant
160 mortality and morbidity to provide early intervention,
161 remediation, and prevention services, including, but not limited
162 to, parent support and training programs, home visitation, and
163 case management. Identification, perinatal screening, and
164 intervention efforts shall begin prior to and immediately
165 following the birth of the child by the attending health care
166 provider. Such efforts shall be conducted in hospitals,
167 perinatal centers, county health departments, school health
168 programs that provide prenatal care, and birthing centers, and
169 reported to the Office of Vital Statistics.

170 (b) *Postnatal screening.*—A risk factor analysis using the
171 department's designated risk assessment instrument shall also be
172 conducted as part of the medical screening process upon the
173 birth of a child and submitted to the department's Office of
174 Vital Statistics for recording and other purposes provided for
175 in this chapter. The department's screening process for risk
176 assessment shall include a scoring mechanism and procedures that
177 establish thresholds for notification, further assessment,
178 referral, and eligibility for services by professionals or
179 paraprofessionals consistent with the level of risk. Procedures
180 for developing and using the screening instrument, notification,
181 referral, and care coordination services, reporting
182 requirements, management information, and maintenance of a
183 computer-driven registry in the Office of Vital Statistics which
184 ensures privacy safeguards must be consistent with the
185 provisions and plans established under chapter 411, Pub. L. No.



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186 99-457, and this chapter. Procedures established for reporting
187 information and maintaining a confidential registry must include
188 a mechanism for a centralized information depository at the
189 state and county levels. The department shall coordinate with
190 existing risk assessment systems and information registries. The
191 department must ensure, to the maximum extent possible, that the
192 screening information registry is integrated with the
193 department's automated data systems, including the Florida On-
194 line Recipient Integrated Data Access (FLORIDA) system. Tests
195 and screenings must be performed by the State Public Health
196 Laboratory, in coordination with Children's Medical Services, at
197 such times and in such manner as is prescribed by the department
198 after consultation with the Genetics and Newborn Screening
199 Advisory Council and the Department of Education ~~Office of Early~~
200 ~~Learning~~.

201 (2) RULES.—

202 (b) After consultation with the Department of Education
203 ~~Office of Early Learning~~, the department shall adopt and enforce
204 rules requiring every newborn in this state to be screened for
205 environmental risk factors that place children and their
206 families at risk for increased morbidity, mortality, and other
207 negative outcomes.

208 Section 8. Paragraph (h) of subsection (2) of section
209 391.308, Florida Statutes, is amended to read:

210 391.308 Early Steps Program.—The department shall implement
211 and administer part C of the federal Individuals with
212 Disabilities Education Act (IDEA), which shall be known as the
213 "Early Steps Program."

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



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215 (h) Promote interagency cooperation and coordination, with
216 the Medicaid program, the Department of Education program
217 pursuant to part B of the federal Individuals with Disabilities
218 Education Act, and programs providing child screening such as
219 the Florida Diagnostic and Learning Resources System, ~~the Office~~
220 ~~of Early Learning~~, Healthy Start, and the Help Me Grow program.

221 1. Coordination with the Medicaid program shall be
222 developed and maintained through written agreements with the
223 Agency for Health Care Administration and Medicaid managed care
224 organizations as well as through active and ongoing
225 communication with these organizations. The department shall
226 assist local program offices to negotiate agreements with
227 Medicaid managed care organizations in the service areas of the
228 local program offices. Such agreements may be formal or
229 informal.

230 2. Coordination with education programs pursuant to part B
231 of the federal Individuals with Disabilities Education Act shall
232 be developed and maintained through written agreements with the
233 Department of Education. The department shall assist local
234 program offices to negotiate agreements with school districts in
235 the service areas of the local program offices.

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

238 402.26 Child care; legislative intent.—

239 ~~(6) It is the intent of the Legislature that a child care~~
240 ~~facility licensed pursuant to s. 402.305 or a child care~~
241 ~~facility exempt from licensing pursuant to s. 402.316, that~~
242 ~~achieves Gold Seal Quality status pursuant to s. 402.281, be~~
243 ~~considered an educational institution for the purpose of~~



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244 ~~qualifying for exemption from ad valorem tax pursuant to s.~~
245 ~~196.198.~~

246 Section 10. Section 402.281, Florida Statutes, is
247 transferred, renumbered as section 1002.945, Florida Statutes,
248 and amended to read:

249 1002.945 ~~402.281~~ Gold Seal Quality Care program.—

250 (1) (a) There is established within the Department of Education
251 the Gold Seal Quality Care program.

252 (b) A child care facility, large family child care home, or
253 family day care home that is accredited by an accrediting
254 association approved by the Department of Education under
255 subsection (3) and meets all other requirements shall, upon
256 application to the department, receive a separate “Gold Seal
257 Quality Care” designation.

258 (2) The State Board of Education ~~department~~ shall adopt
259 rules establishing Gold Seal Quality Care accreditation
260 standards using nationally recognized accrediting standards and
261 input from accrediting associations ~~based on the applicable~~
262 ~~accrediting standards of the National Association for the~~
263 ~~Education of Young Children (NAEYC), the National Association of~~
264 ~~Family Child Care, and the National Early Childhood Program~~
265 ~~Accreditation Commission.~~

266 (3) (a) In order to be approved by the Department of Education
267 for participation in the Gold Seal Quality Care
268 program, an accrediting association must apply to the department
269 and demonstrate that it:

- 270 1. Is a recognized accrediting association.
271 2. Has accrediting standards that substantially meet or
272 exceed the Gold Seal Quality Care standards adopted by the state



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273 board department under subsection (2).

274 3. Is a registered corporation with the Department of
275 State.

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

278 a. Clearly defined prerequisites that a child care provider
279 must meet before beginning the accreditation process. However,
280 accreditation may not be granted to a child care facility, large
281 family child care home, or family day care home before the site
282 is operational and is attended by children.

283 b. Procedures for completion of a self-study and
284 comprehensive onsite verification process for each classroom
285 that documents compliance with accrediting standards.

286 c. A training process for accreditation verifiers to ensure
287 inter-rater reliability.

288 d. Ongoing compliance procedures that include requiring
289 each accredited child care facility, large family child care
290 home, and family day care home to file an annual report with the
291 accrediting association and risk-based, onsite auditing
292 protocols for accredited child care facilities, large family
293 child care homes, and family day care homes.

294 e. Procedures for the revocation of accreditation due to
295 failure to maintain accrediting standards as evidenced by sub-
296 subparagraph d. or any other relevant information received by
297 the accrediting association.

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

300 g. A process for verifying continued accreditation
301 compliance in the event of a transfer of ownership of



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302 facilities.

303 h. A process to communicate issues that arise during the
304 accreditation period with governmental entities that have a
305 vested interest in the Gold Seal Quality Care program, including
306 the Department of Education, the Department of Children and
307 Families, the Department of Health, local licensing entities if
308 applicable, and the early learning coalition.

309 (b) The Department of Education shall establish a process
310 that verifies that the accrediting association meets the
311 provisions of paragraph (a), which must include an auditing
312 program and any other procedures that may reasonably determine
313 an accrediting association's compliance with this section. If an
314 accrediting association is not in compliance and fails to cure
315 its deficiencies within 30 days, the department shall recommend
316 to the state board termination of the accrediting association's
317 participation as an accrediting association in the program for a
318 period of at least 2 years but no more than 5 years. If an
319 accrediting association is removed from being an approved
320 accrediting association, each child care provider accredited by
321 that association shall have up to 1 year to obtain a new
322 accreditation from a department-approved accreditation
323 association.

324 (c) If an accrediting association has granted accreditation
325 to a child care facility, large family child care home, or
326 family day care under fraudulent terms or failed to conduct
327 onsite verifications, the accrediting association shall be
328 liable for the repayment of any rate differentials paid under
329 subsection (6).

330 ~~(b) In approving accrediting associations, the department~~



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331 ~~shall consult with the Department of Education, the Florida Head~~
332 ~~Start Directors Association, the Florida Association of Child~~
333 ~~Care Management, the Florida Family Child Care Home Association,~~
334 ~~the Florida Children's Forum, the Florida Association for the~~
335 ~~Education of the Young, the Child Development Education~~
336 ~~Alliance, the Florida Association of Academic Nonpublic Schools,~~
337 ~~the Association of Early Learning Coalitions, providers~~
338 ~~receiving exemptions under s. 402.316, and parents.~~

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

343 (a) The child care provider must not have had any class I
344 violations, as defined by rule of the Department of Children and
345 Families, within the 2 years preceding its application for
346 designation as a Gold Seal Quality Care provider. Commission of
347 a class I violation shall be grounds for termination of the
348 designation as a Gold Seal Quality Care provider until the
349 provider has no class I violations for a period of 2 years.

350 (b) The child care provider must not have had three or more
351 class II violations, as defined by rule of the Department of
352 Children and Families, within the 2 years preceding its
353 application for designation as a Gold Seal Quality Care
354 provider. Commission of three or more class II violations within
355 a 2-year period shall be grounds for termination of the
356 designation as a Gold Seal Quality Care provider until the
357 provider has no class II violations for a period of 1 year.

358 (c) The child care provider must not have been cited for
359 the same class III violation, as defined by rule of the



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360 Department of Children and Families, three or more times and
361 failed to correct the violation within 1 year after the date of
362 each citation, within the 2 years preceding its application for
363 designation as a Gold Seal Quality Care provider. Commission of
364 the same class III violation three or more times and failure to
365 correct within the required time during a 2-year period may be
366 grounds for termination of the designation as a Gold Seal
367 Quality Care provider until the provider has no class III
368 violations for a period of 1 year.

369 (d) Notwithstanding paragraph (a), if the Department of
370 Education determines through a formal process that a provider
371 has been in business for at least 5 years and has no other class
372 I violations recorded, the department may recommend to the state
373 board that the provider maintain its Gold Seal Quality Care
374 status. The state board's determination regarding such
375 provider's status is final.

376 (5) A child care facility licensed under s. 402.305 or a
377 child care facility exempt from licensing under s. 402.316 which
378 achieves Gold Seal Quality status under this section shall be
379 considered an educational institution for the purpose of
380 qualifying for exemption from ad valorem tax under s. 196.198.

381 (6) A child care facility licensed under s. 402.305 or a
382 child care facility exempt from licensing pursuant to s. 402.316
383 which achieves Gold Seal Quality status under this section and
384 which participates in the school readiness program shall receive
385 a minimum of a 20 percent rate differential for each enrolled
386 school readiness child by care level and unit of child care.

387 (7)-(5) The ~~state board~~ Department of Children and Families
388 shall adopt rules under ss. 120.536(1) and 120.54 which provide



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389 criteria and procedures for reviewing and approving accrediting
390 associations for participation in the Gold Seal Quality Care
391 program ~~and~~, conferring and revoking designations of Gold Seal
392 Quality Care providers, ~~and classifying violations.~~

393 Section 11. Type two transfer from the Department of
394 Children and Families.-

395 (1) All powers, duties, functions, records, offices,
396 personnel, associated administrative support positions,
397 property, pending issues, existing contracts, administrative
398 authority, administrative rules, and unexpended balances of
399 appropriations, allocations, and other funds relating to the
400 Gold Seal Quality Care program within the Department of Children
401 and Families are transferred by a type two transfer, as defined
402 in s. 20.06(2), Florida Statutes, to the Department of
403 Education.

404 (2) Any binding contract or interagency agreement existing
405 before July 1, 2021, between the Department of Children and
406 Families, or an entity or agent of the department, and any other
407 agency, entity, or person relating to the Gold Seal Quality Care
408 program shall continue as a binding contract or agreement for
409 the remainder of the term of such contract or agreement on the
410 successor entity responsible for the program, activity, or
411 functions relative to the contract or agreement.

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

414 402.315 Funding; license fees.-

415 (5) All moneys collected by the department for child care
416 licensing shall be held in a trust fund of the department to be
417 reallocated to the department during the following fiscal year



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418 to fund child care licensing activities, including the Gold Seal
419 Quality Care program created pursuant to s. 1002.945 ~~s. 402.281~~.

420 Section 13. Paragraph (a) of subsection (4) of section
421 402.56, Florida Statutes, is amended to read:

422 402.56 Children's cabinet; organization; responsibilities;
423 annual report.—

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

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

427 2. The Secretary of Juvenile Justice;

428 3. The director of the Agency for Persons with
429 Disabilities;

430 4. A representative from the Division ~~The director of the~~
431 ~~Office~~ of Early Learning;

432 5. The State Surgeon General;

433 6. The Secretary of Health Care Administration;

434 7. The Commissioner of Education;

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

436 9. A representative of the Office of Adoption and Child
437 Protection;

438 10. A superintendent of schools, appointed by the Governor;
439 and

440 11. Five members who represent children and youth advocacy
441 organizations and who are not service providers, appointed by
442 the Governor.

443 Section 14. Paragraph (d) of subsection (1), paragraph (a)
444 of subsection (2), and paragraph (c) of subsection (3) of
445 section 411.227, Florida Statutes, are amended to read:

446 411.227 Components of the Learning Gateway.—The Learning



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447 Gateway system consists of the following components:

448 (1) COMMUNITY EDUCATION STRATEGIES AND FAMILY-ORIENTED
449 ACCESS.—

450 (d) In collaboration with other local resources, the
451 demonstration projects shall develop public awareness strategies
452 to disseminate information about developmental milestones,
453 precursors of learning problems and other developmental delays,
454 and the service system that is available. The information should
455 target parents of children from birth through age 9 and should
456 be distributed to parents, health care providers, and caregivers
457 of children from birth through age 9. A variety of media should
458 be used as appropriate, such as print, television, radio, and a
459 community-based Internet website, as well as opportunities such
460 as those presented by parent visits to physicians for well-child
461 checkups. The Learning Gateway Steering Committee shall provide
462 technical assistance to the local demonstration projects in
463 developing and distributing educational materials and
464 information.

465 1. Public awareness strategies targeting parents of
466 children from birth through age 5 shall be designed to provide
467 information to public and private preschool programs, child care
468 providers, pediatricians, parents, and local businesses and
469 organizations. These strategies should include information on
470 the school readiness performance standards adopted by the
471 Department of Education ~~Office of Early Learning~~.

472 2. Public awareness strategies targeting parents of
473 children from ages 6 through 9 must be designed to disseminate
474 training materials and brochures to parents and public and
475 private school personnel, and must be coordinated with the local



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476 school board and the appropriate school advisory committees in
477 the demonstration projects. The materials should contain
478 information on state and district proficiency levels for grades
479 K-3.

480 (2) SCREENING AND DEVELOPMENTAL MONITORING.—

481 (a) In coordination with ~~the Office of Early Learning,~~ the
482 Department of Education~~,~~ and the Florida Pediatric Society, and
483 using information learned from the local demonstration projects,
484 the Learning Gateway Steering Committee shall establish
485 guidelines for screening children from birth through age 9. The
486 guidelines should incorporate recent research on the indicators
487 most likely to predict early learning problems, mild
488 developmental delays, child-specific precursors of school
489 failure, and other related developmental indicators in the
490 domains of cognition; communication; attention; perception;
491 behavior; and social, emotional, sensory, and motor functioning.

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

493 (c) The steering committee, in cooperation with the
494 Department of Children and Families and, the Department of
495 Education, ~~and the Office of Early Learning,~~ shall identify the
496 elements of an effective research-based curriculum for early
497 care and education programs.

498 Section 15. Subsection (1) of section 414.295, Florida
499 Statutes, is amended to read:

500 414.295 Temporary cash assistance programs; public records
501 exemption.—

502 (1) Personal identifying information of a temporary cash
503 assistance program participant, a participant's family, or a
504 participant's family or household member, except for information



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505 identifying a parent who does not live in the same home as the
506 child, which is held by the department, ~~the Office of Early~~
507 ~~Learning~~, CareerSource Florida, Inc., the Department of Health,
508 the Department of Revenue, the Department of Education, or a
509 local workforce development board or local committee created
510 pursuant to s. 445.007 is confidential and exempt from s.
511 119.07(1) and s. 24(a), Art. I of the State Constitution. Such
512 confidential and exempt information may be released for purposes
513 directly connected with:

514 (a) The administration of the temporary assistance for
515 needy families plan under Title IV-A of the Social Security Act,
516 as amended, by the department, ~~the Office of Early Learning~~,
517 CareerSource Florida, Inc., the Department of Military Affairs,
518 the Department of Health, the Department of Revenue, the
519 Department of Education, a local workforce development board or
520 local committee created pursuant to s. 445.007, or a school
521 district.

522 (b) The administration of the state's plan or program
523 approved under Title IV-B, Title IV-D, or Title IV-E of the
524 Social Security Act, as amended, or under Title I, Title X,
525 Title XIV, Title XVI, Title XIX, Title XX, or Title XXI of the
526 Social Security Act, as amended.

527 (c) An investigation, prosecution, or criminal, civil, or
528 administrative proceeding conducted in connection with the
529 administration of any of the plans or programs specified in
530 paragraph (a) or paragraph (b) by a federal, state, or local
531 governmental entity, upon request by that entity, if such
532 request is made pursuant to the proper exercise of that entity's
533 duties and responsibilities.



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534 (d) The administration of any other state, federal, or
535 federally assisted program that provides assistance or services
536 on the basis of need, in cash or in kind, directly to a
537 participant.

538 (e) An audit or similar activity, such as a review of
539 expenditure reports or financial review, conducted in connection
540 with the administration of plans or programs specified in
541 paragraph (a) or paragraph (b) by a governmental entity
542 authorized by law to conduct such audit or activity.

543 (f) The administration of the reemployment assistance
544 program.

545 (g) The reporting to the appropriate agency or official of
546 information about known or suspected instances of physical or
547 mental injury, sexual abuse or exploitation, or negligent
548 treatment or maltreatment of a child or elderly person receiving
549 assistance, if circumstances indicate that the health or welfare
550 of the child or elderly person is threatened.

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

553 Section 16. Section 1000.01, Florida Statutes, is amended
554 to read:

555 1000.01 The Florida Early Learning-20 ~~K-20~~ education
556 system; technical provisions.-

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

559 (2) LIBERAL CONSTRUCTION.-The provisions of the Florida
560 Early Learning-20 ~~K-20~~ Education Code shall be liberally
561 construed to the end that its objectives may be effected. It is
562 the legislative intent that if any section, subsection,



563 sentence, clause, or provision of the Florida Early Learning-20
564 ~~K-20~~ Education Code is held invalid, the remainder of the code
565 shall not be affected.

566 (3) PURPOSE.—The purpose of the Florida Early Learning-20
567 ~~K-20~~ Education Code is to provide by law for a state system of
568 schools, courses, classes, and educational institutions and
569 services adequate to allow, for all Florida's students, the
570 opportunity to obtain a high quality education. The Florida
571 Early Learning-20 ~~K-20~~ education system is established to
572 accomplish this purpose; however, nothing in this code shall be
573 construed to require the provision of free public education
574 beyond grade 12.

575 (4) UNIFORM SYSTEM OF PUBLIC K-12 SCHOOLS INCLUDED.—As
576 required by s. 1, Art. IX of the State Constitution, the Florida
577 Early Learning-20 ~~K-20~~ education system shall include the
578 uniform system of free public K-12 schools. These public K-12
579 schools shall provide 13 consecutive years of instruction,
580 beginning with kindergarten, and shall also provide such
581 instruction for students with disabilities, gifted students,
582 limited English proficient students, and students in Department
583 of Juvenile Justice programs as may be required by law. The
584 funds for support and maintenance of the uniform system of free
585 public K-12 schools shall be derived from state, district,
586 federal, and other lawful sources or combinations of sources,
587 including any fees charged nonresidents as provided by law.

588 Section 17. Paragraph (a) of subsection (1) and subsection
589 (2) of section 1000.02, Florida Statutes, are amended to read:

590 1000.02 Policy and guiding principles for the Florida Early
591 Learning-20 ~~K-20~~ education system.—



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592 (1) It is the policy of the Legislature:

593 (a) To achieve within existing resources a seamless
594 academic educational system that fosters an integrated continuum
595 of early learning ~~kindergarten~~ through graduate school education
596 for Florida's students.

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

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

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

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

604 (d) A system that safeguards equity and supports academic
605 excellence.

606 (e) A system that provides for local operational
607 flexibility while promoting accountability for student
608 achievement and improvement.

609 Section 18. Section 1000.03, Florida Statutes, is amended
610 to read:

611 1000.03 Function, mission, and goals of the Florida Early
612 Learning-20 ~~K-20~~ education system.—

613 (1) Florida's Early Learning-20 ~~K-20~~ education system shall
614 be a decentralized system without excess layers of bureaucracy.
615 Florida's Early Learning-20 ~~K-20~~ education system shall maintain
616 a systemwide technology plan based on a common set of data
617 definitions.

618 (2) (a) The Legislature shall establish education policy,
619 enact education laws, and appropriate and allocate education
620 resources.



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621 (b) With the exception of matters relating to the State
622 University System, the State Board of Education shall oversee
623 the enforcement of all laws and rules, and the timely provision
624 of direction, resources, assistance, intervention when needed,
625 and strong incentives and disincentives to force accountability
626 for results.

627 (c) The Board of Governors shall oversee the enforcement of
628 all state university laws and rules and regulations and the
629 timely provision of direction, resources, assistance,
630 intervention when needed, and strong incentives and
631 disincentives to force accountability for results.

632 (3) Public education is a cooperative function of the state
633 and local educational authorities. The state retains
634 responsibility for establishing a system of public education
635 through laws, standards, and rules to assure efficient operation
636 of an Early Learning-20 ~~a K-20~~ system of public education and
637 adequate educational opportunities for all individuals. Local
638 educational authorities have a duty to fully and faithfully
639 comply with state laws, standards, and rules and to efficiently
640 use the resources available to them to assist the state in
641 allowing adequate educational opportunities.

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

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



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650 (a) *Learning and completion at all levels, including*
651 *increased high school graduation rate and readiness for*
652 *postsecondary education without remediation.*—All students
653 demonstrate increased learning and completion at all levels,
654 graduate from high school, and are prepared to enter
655 postsecondary education without remediation.

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

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

662 (d) *Alignment of standards and resources.*—Academic
663 standards for every level of the Early Learning-20 ~~K-20~~
664 education system are aligned, and education financial resources
665 are aligned with student performance expectations at each level
666 of the Early Learning-20 ~~K-20~~ education system.

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

670 (f) *Workforce education.*—Workforce education is
671 appropriately aligned with the skills required by the new global
672 economy.

673 (g) *Parental, student, family, educational institution, and*
674 *community involvement.*—Parents, students, families, educational
675 institutions, and communities are collaborative partners in
676 education, and each plays an important role in the success of
677 individual students. Therefore, the State of Florida cannot be
678 the guarantor of each individual student's success. The goals of



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679 Florida's Early Learning-20 ~~K-20~~ education system are not
680 guarantees that each individual student will succeed or that
681 each individual school will perform at the level indicated in
682 the goals.

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

688 1. Career opportunities, educational requirements
689 associated with each career, educational institutions that
690 prepare students to enter each career, and student financial aid
691 available to pursue postsecondary instruction required to enter
692 each career.

693 2. How to make informed decisions about the program of
694 study that best addresses the students' interests and abilities
695 while preparing them to enter postsecondary education or the
696 workforce.

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

699
700 This information shall be provided to students and parents
701 through websites, handbooks, manuals, or other regularly
702 provided communications.

703 Section 19. Section 1000.04, Florida Statutes, is amended
704 to read:

705 1000.04 Components for the delivery of public education
706 within the Florida Early Learning-20 ~~K-20~~ education system.—
707 Florida's Early Learning-20 ~~K-20~~ education system provides for



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708 the delivery of early learning and public education through
709 publicly supported and controlled K-12 schools, Florida College
710 System institutions, state universities and other postsecondary
711 educational institutions, other educational institutions, and
712 other educational services as provided or authorized by the
713 Constitution and laws of the state.

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

717 (2)~~(1)~~ PUBLIC K-12 SCHOOLS.—The public K-12 schools include
718 charter schools and consist of kindergarten classes; elementary,
719 middle, and high school grades and special classes; virtual
720 instruction programs; workforce education; career centers;
721 adult, part-time, and evening schools, courses, or classes, as
722 authorized by law to be operated under the control of district
723 school boards; and lab schools operated under the control of
724 state universities.

725 (3)~~(2)~~ PUBLIC POSTSECONDARY EDUCATIONAL INSTITUTIONS.—
726 Public postsecondary educational institutions include workforce
727 education; Florida College System institutions; state
728 universities; and all other state-supported postsecondary
729 educational institutions that are authorized and established by
730 law.

731 (4)~~(3)~~ FLORIDA SCHOOL FOR THE DEAF AND THE BLIND.—The
732 Florida School for the Deaf and the Blind is a component of the
733 delivery of public education within Florida's Early Learning-20
734 K-20 education system.

735 (5)~~(4)~~ THE FLORIDA VIRTUAL SCHOOL.—The Florida Virtual
736 School is a component of the delivery of public education within



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737 Florida's Early Learning-20 ~~K-20~~ education system.

738 Section 20. Section 1000.21, Florida Statutes, is amended
739 to read:

740 1000.21 Systemwide definitions.—As used in the Florida
741 Early Learning-20 ~~K-20~~ Education Code:

742 (1) "Articulation" is the systematic coordination that
743 provides the means by which students proceed toward their
744 educational objectives in as rapid and student-friendly manner
745 as their circumstances permit, from grade level to grade level,
746 from elementary to middle to high school, to and through
747 postsecondary education, and when transferring from one
748 educational institution or program to another.

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

750 (3) "Florida College System institution" except as
751 otherwise specifically provided, includes all of the following
752 public postsecondary educational institutions in the Florida
753 College System and any branch campuses, centers, or other
754 affiliates of the institution:

755 (a) Eastern Florida State College, which serves Brevard
756 County.

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

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

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

762 (e) Daytona State College, which serves Flagler and Volusia
763 Counties.

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



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- 766 (g) Florida State College at Jacksonville, which serves
767 Duval and Nassau Counties.
- 768 (h) The College of the Florida Keys, which serves Monroe
769 County.
- 770 (i) Gulf Coast State College, which serves Bay, Franklin,
771 and Gulf Counties.
- 772 (j) Hillsborough Community College, which serves
773 Hillsborough County.
- 774 (k) Indian River State College, which serves Indian River,
775 Martin, Okeechobee, and St. Lucie Counties.
- 776 (l) Florida Gateway College, which serves Baker, Columbia,
777 Dixie, Gilchrist, and Union Counties.
- 778 (m) Lake-Sumter State College, which serves Lake and Sumter
779 Counties.
- 780 (n) State College of Florida, Manatee-Sarasota, which
781 serves Manatee and Sarasota Counties.
- 782 (o) Miami Dade College, which serves Miami-Dade County.
- 783 (p) North Florida College, which serves Hamilton,
784 Jefferson, Lafayette, Madison, Suwannee, and Taylor Counties.
- 785 (q) Northwest Florida State College, which serves Okaloosa
786 and Walton Counties.
- 787 (r) Palm Beach State College, which serves Palm Beach
788 County.
- 789 (s) Pasco-Hernando State College, which serves Hernando and
790 Pasco Counties.
- 791 (t) Pensacola State College, which serves Escambia and
792 Santa Rosa Counties.
- 793 (u) Polk State College, which serves Polk County.
- 794 (v) St. Johns River State College, which serves Clay,



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795 Putnam, and St. Johns Counties.
796 (w) St. Petersburg College, which serves Pinellas County.
797 (x) Santa Fe College, which serves Alachua and Bradford
798 Counties.
799 (y) Seminole State College of Florida, which serves
800 Seminole County.
801 (z) South Florida State College, which serves DeSoto,
802 Hardee, and Highlands Counties.
803 (aa) Tallahassee Community College, which serves Gadsden,
804 Leon, and Wakulla Counties.
805 (bb) Valencia College, which serves Orange and Osceola
806 Counties.
807 (4) "Department" is the Department of Education.
808 (5) "Parent" is either or both parents of a student, any
809 guardian of a student, any person in a parental relationship to
810 a student, or any person exercising supervisory authority over a
811 student in place of the parent.
812 (6) "State university," except as otherwise specifically
813 provided, includes the following institutions and any branch
814 campuses, centers, or other affiliates of the institution:
815 (a) The University of Florida.
816 (b) The Florida State University.
817 (c) The Florida Agricultural and Mechanical University.
818 (d) The University of South Florida.
819 (e) The Florida Atlantic University.
820 (f) The University of West Florida.
821 (g) The University of Central Florida.
822 (h) The University of North Florida.
823 (i) The Florida International University.



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824 (j) The Florida Gulf Coast University.

825 (k) New College of Florida.

826 (l) The Florida Polytechnic University.

827 (7) "Next Generation Sunshine State Standards" means the
828 state's public K-12 curricular standards adopted under s.
829 1003.41.

830 (8) "Board of Governors" is the Board of Governors of the
831 State University System.

832 Section 21. Subsection (1) and paragraphs (e) and (s) of
833 subsection (2) of section 1001.02, Florida Statutes, are amended
834 to read:

835 1001.02 General powers of State Board of Education.—

836 (1) The State Board of Education is the chief implementing
837 and coordinating body of public education in Florida except for
838 the State University System, and it shall focus on high-level
839 policy decisions. It has authority to adopt rules pursuant to
840 ss. 120.536(1) and 120.54 to implement the provisions of law
841 conferring duties upon it for the improvement of the state
842 system of Early Learning-20 ~~K-20~~ public education except for the
843 State University System. Except as otherwise provided herein, it
844 may, as it finds appropriate, delegate its general powers to the
845 Commissioner of Education or the directors of the divisions of
846 the department.

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

848 (e) To adopt and submit to the Governor and Legislature, as
849 provided in s. 216.023, a coordinated Early Learning-20 ~~K-20~~
850 education budget that estimates the expenditure requirements for
851 the Board of Governors, as provided in s. 1001.706, the State
852 Board of Education, including the Department of Education and



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853 the Commissioner of Education, and all of the boards,
854 institutions, agencies, and services under the general
855 supervision of the Board of Governors, as provided in s.
856 1001.706, or the State Board of Education for the ensuing fiscal
857 year. The State Board of Education may not amend the budget
858 request submitted by the Board of Governors. Any program
859 recommended by the Board of Governors or the State Board of
860 Education which will require increases in state funding for more
861 than 1 year must be presented in a multiyear budget plan.

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

865 Section 22. Subsections (8) and (9) of section 1001.03,
866 Florida Statutes, are amended to read:

867 1001.03 Specific powers of State Board of Education.—

868 (8) SYSTEMWIDE ENFORCEMENT.—The State Board of Education
869 shall enforce compliance with law and state board rule by all
870 school districts, early learning coalitions, and public
871 postsecondary educational institutions, except for the State
872 University System, in accordance with the provisions of s.
873 1008.32.

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

881 Section 23. Subsection (1), paragraphs (g), (k), and (l) of



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882 subsection (6), and subsection (8) of section 1001.10, Florida
883 Statutes, are amended to read:

884 1001.10 Commissioner of Education; general powers and
885 duties.—

886 (1) The Commissioner of Education is the chief educational
887 officer of the state and the sole custodian of the educational
888 ~~K-20~~ data warehouse, and is responsible for giving full
889 assistance to the State Board of Education in enforcing
890 compliance with the mission and goals of the Early Learning ~~K-20~~
891 education system, except for the State University System.

892 (6) Additionally, the commissioner has the following
893 general powers and duties:

894 (g) To submit to the State Board of Education, on or before
895 October 1 of each year, recommendations for a coordinated Early
896 Learning-20 ~~K-20~~ education budget that estimates the
897 expenditures for the Board of Governors, the State Board of
898 Education, including the Department of Education and the
899 Commissioner of Education, and all of the boards, institutions,
900 agencies, and services under the general supervision of the
901 Board of Governors or the State Board of Education for the
902 ensuing fiscal year. Any program recommended to the State Board
903 of Education that will require increases in state funding for
904 more than 1 year must be presented in a multiyear budget plan.

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

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



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

913 (8) In the event of an emergency situation, the
914 commissioner may coordinate through the most appropriate means
915 of communication with early learning coalitions, local school
916 districts, Florida College System institutions, and satellite
917 offices of the Division of Blind Services and the Division of
918 Vocational Rehabilitation to assess the need for resources and
919 assistance to enable each school, institution, or satellite
920 office the ability to reopen as soon as possible after
921 considering the health, safety, and welfare of students and
922 clients.

923 Section 24. Paragraph (b) of subsection (1) and subsection
924 (4) of section 1001.11, Florida Statutes, are amended to read:

925 1001.11 Commissioner of Education; other duties.—

926 (1) The Commissioner of Education must independently
927 perform the following duties:

928 (b) Serve as the primary source of information to the
929 Legislature, including the President of the Senate and the
930 Speaker of the House of Representatives, concerning the State
931 Board of Education, the Early Learning-20 ~~K-20~~ education system,
932 and early learning programs.

933 (4) The commissioner shall develop and implement an
934 integrated Early Learning-20 ~~K-20~~ information system for
935 educational management in accordance with the requirements of
936 chapter 1008.

937 Section 25. Section 1001.213, Florida Statutes, is
938 repealed.

939 Section 26. Subsection (7) of section 1001.215, Florida



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940 Statutes, is amended to read:

941 1001.215 Just Read, Florida! Office.—There is created in
942 the Department of Education the Just Read, Florida! Office. The
943 office is fully accountable to the Commissioner of Education and
944 shall:

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

948 Section 27. Subsection (1) of section 1001.23, Florida
949 Statutes, is amended to read:

950 1001.23 Specific powers and duties of the Department of
951 Education.—In addition to all other duties assigned to it by law
952 or by rule of the State Board of Education, the department
953 shall:

954 ~~(1) Adopt the statewide kindergarten screening in~~
955 ~~accordance with s. 1002.69.~~

956 Section 28. Subsection (3) of section 1001.70, Florida
957 Statutes, is amended to read:

958 1001.70 Board of Governors of the State University System.—

959 (3) The Board of Governors, in exercising its authority
960 under the State Constitution and statutes, shall exercise its
961 authority in a manner that supports, promotes, and enhances an
962 Early Learning-20 ~~a K-20~~ education system that provides
963 affordable access to postsecondary educational opportunities for
964 residents of the state to the extent authorized by the State
965 Constitution and state law.

966 Section 29. Paragraph (b) of subsection (4) of section
967 1001.706, Florida Statutes, is amended to read:

968 1001.706 Powers and duties of the Board of Governors.—



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

970 (b) The Board of Governors shall prepare the legislative
971 budget requests for the State University System, including a
972 request for fixed capital outlay, and submit them to the State
973 Board of Education for inclusion in the Early Learning-20 ~~K-20~~
974 legislative budget request. The Board of Governors shall provide
975 the state universities with fiscal policy guidelines, formats,
976 and instruction for the development of individual university
977 budget requests.

978 Section 30. Paragraph (b) of subsection (1) of section
979 1002.22, Florida Statutes, is amended to read:

980 1002.22 Education records and reports of K-12 students;
981 rights of parents and students; notification; penalty.—

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

983 (b) "Institution" means any public school, center,
984 institution, or other entity that is part of Florida's education
985 system under s. 1000.04(2), (4), and (5) ~~s. 1000.04(1), (3), and~~
986 ~~(4)~~.

987 Section 31. Subsections (3) and (10) of section 1002.32,
988 Florida Statutes, are amended to read:

989 1002.32 Developmental research (laboratory) schools.—

990 (3) MISSION.—The mission of a lab school shall be the
991 provision of a vehicle for the conduct of research,
992 demonstration, and evaluation regarding management, teaching,
993 and learning. Programs to achieve the mission of a lab school
994 shall embody the goals and standards established pursuant to ss.
995 1000.03(5) and 1001.23(1) ~~1001.23(2)~~ and shall ensure an
996 appropriate education for its students.

997 (a) Each lab school shall emphasize mathematics, science,



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998 computer science, and foreign languages. The primary goal of a
999 lab school is to enhance instruction and research in such
1000 specialized subjects by using the resources available on a state
1001 university campus, while also providing an education in
1002 nonspecialized subjects. Each lab school shall provide
1003 sequential elementary and secondary instruction where
1004 appropriate. A lab school may not provide instruction at grade
1005 levels higher than grade 12 without authorization from the State
1006 Board of Education. Each lab school shall develop and implement
1007 a school improvement plan pursuant to s. 1003.02(3).

1008 (b) Research, demonstration, and evaluation conducted at a
1009 lab school may be generated by the college of education and
1010 other colleges within the university with which the school is
1011 affiliated.

1012 (c) Research, demonstration, and evaluation conducted at a
1013 lab school may be generated by the State Board of Education.
1014 Such research shall respond to the needs of the education
1015 community at large, rather than the specific needs of the
1016 affiliated college.

1017 (d) Research, demonstration, and evaluation conducted at a
1018 lab school may consist of pilot projects to be generated by the
1019 affiliated college, the State Board of Education, or the
1020 Legislature.

1021 (e) The exceptional education programs offered at a lab
1022 school shall be determined by the research and evaluation goals
1023 and the availability of students for efficiently sized programs.
1024 The fact that a lab school offers an exceptional education
1025 program in no way lessens the general responsibility of the
1026 local school district to provide exceptional education programs.



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1027 (10) EXCEPTIONS TO LAW.—To encourage innovative practices
1028 and facilitate the mission of the lab schools, in addition to
1029 the exceptions to law specified in s. 1001.23(1) ~~s. 1001.23(2)~~,
1030 the following exceptions shall be permitted for lab schools:

1031 (a) The methods and requirements of the following statutes
1032 shall be held in abeyance: ss. 316.75; 1001.30; 1001.31;
1033 1001.32; 1001.33; 1001.34; 1001.35; 1001.36; 1001.361; 1001.362;
1034 1001.363; 1001.37; 1001.371; 1001.372; 1001.38; 1001.39;
1035 1001.395; 1001.40; 1001.41; 1001.44; 1001.453; 1001.46;
1036 1001.461; 1001.462; 1001.463; 1001.464; 1001.47; 1001.48;
1037 1001.49; 1001.50; 1001.51; 1006.12(2); 1006.21(3), (4); 1006.23;
1038 1010.07(2); 1010.40; 1010.41; 1010.42; 1010.43; 1010.44;
1039 1010.45; 1010.46; 1010.47; 1010.48; 1010.49; 1010.50; 1010.51;
1040 1010.52; 1010.53; 1010.54; 1010.55; 1011.02(1)-(3), (5);
1041 1011.04; 1011.20; 1011.21; 1011.22; 1011.23; 1011.71; 1011.72;
1042 1011.73; and 1011.74.

1043 (b) With the exception of s. 1001.42(18), s. 1001.42 shall
1044 be held in abeyance. Reference to district school boards in s.
1045 1001.42(18) shall mean the president of the university or the
1046 president's designee.

1047 Section 32. Paragraph (b) of subsection (10) of section
1048 1002.34, Florida Statutes, is amended to read:

1049 1002.34 Charter technical career centers.—

1050 (10) EXEMPTION FROM STATUTES.—

1051 (b) A center must comply with the Florida Early Learning-20
1052 ~~K-20~~ Education Code with respect to providing services to
1053 students with disabilities.

1054 Section 33. Subsection (1) of section 1002.36, Florida
1055 Statutes, is amended to read:



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1056 1002.36 Florida School for the Deaf and the Blind.—
1057 (1) RESPONSIBILITIES.—The Florida School for the Deaf and
1058 the Blind, located in St. Johns County, is a state-supported
1059 residential public school for hearing-impaired and visually
1060 impaired students in preschool through 12th grade. The school is
1061 a component of the delivery of public education within Florida's
1062 Early Learning-20 ~~K-20~~ education system and shall be funded
1063 through the Department of Education. The school shall provide
1064 educational programs and support services appropriate to meet
1065 the education and related evaluation and counseling needs of
1066 hearing-impaired and visually impaired students in the state who
1067 meet enrollment criteria. Unless otherwise provided by law, the
1068 school shall comply with all laws and rules applicable to state
1069 agencies. Education services may be provided on an outreach
1070 basis for sensory-impaired children ages 0 through 5 years and
1071 to district school boards upon request. Graduates of the Florida
1072 School for the Deaf and the Blind shall be eligible for the
1073 William L. Boyd, IV, Effective Access to Student Education Grant
1074 Program as provided in s. 1009.89.

1075 Section 34. Paragraph (b) of subsection (4) and subsection
1076 (5) of section 1002.53, Florida Statutes, are amended, and
1077 paragraph (d) is added to subsection (6) of that section, to
1078 read:

1079 1002.53 Voluntary Prekindergarten Education Program;
1080 eligibility and enrollment.—

1081 (4)

1082 (b) The application must be submitted on forms prescribed
1083 by the department ~~Office of Early Learning~~ and must be
1084 accompanied by a certified copy of the child's birth



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1085 certificate. The forms must include a certification, in
1086 substantially the form provided in s. 1002.71(6)(b)2., that the
1087 parent chooses the private prekindergarten provider or public
1088 school in accordance with this section and directs that payments
1089 for the program be made to the provider or school. The
1090 department Office of Early Learning may authorize alternative
1091 methods for submitting proof of the child's age in lieu of a
1092 certified copy of the child's birth certificate.

1093 (5) The early learning coalition shall provide each parent
1094 enrolling a child in the Voluntary Prekindergarten Education
1095 Program with a profile of every private prekindergarten provider
1096 and public school delivering the program within the county where
1097 the child is being enrolled. The profiles shall be provided to
1098 parents in a format prescribed by the department in accordance
1099 with s. 1002.92(3) Office of Early Learning. ~~The profiles must~~
1100 ~~include, at a minimum, the following information about each~~
1101 ~~provider and school:~~

1102 ~~(a) The provider's or school's services, curriculum,~~
1103 ~~instructor credentials, and instructor to student ratio; and~~

1104 ~~(b) The provider's or school's kindergarten readiness rate~~
1105 ~~calculated in accordance with s. 1002.69, based upon the most~~
1106 ~~recent available results of the statewide kindergarten~~
1107 ~~screening.~~

1108 (6)

1109 (d) Each parent who enrolls his or her child in the
1110 Voluntary Prekindergarten Education Program must allow his or
1111 her child to participate in the coordinated screening and
1112 progress monitoring program under s. 1008.2125.

1113 Section 35. Paragraphs (a), (b), (c), (e), (g) through (j),



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1114 and (1) of subsection (3), subsection (4), and paragraph (b) of
1115 subsection (5) of section 1002.55, Florida Statutes, are
1116 amended, and subsection (6) is added to that section, to read:

1117 1002.55 School-year prekindergarten program delivered by
1118 private prekindergarten providers.—

1119 (3) To be eligible to deliver the prekindergarten program,
1120 a private prekindergarten provider must meet each of the
1121 following requirements:

1122 (a) The private prekindergarten provider must be a child
1123 care facility licensed under s. 402.305, family day care home
1124 licensed under s. 402.313, large family child care home licensed
1125 under s. 402.3131, nonpublic school exempt from licensure under
1126 s. 402.3025(2), ~~or~~ faith-based child care provider exempt from
1127 licensure under s. 402.316, child development program that is
1128 accredited by a national accrediting body and operates on a
1129 military installation that is certified by the United States
1130 Department of Defense, or private prekindergarten provider that
1131 has been issued a provisional license under s. 402.309. A
1132 private prekindergarten provider may not deliver the program
1133 while holding a probation-status license under s. 402.310.

1134 (b) The private prekindergarten provider must:

1135 1. Be accredited by an accrediting association that is a
1136 member of the National Council for Private School Accreditation,
1137 or the Florida Association of Academic Nonpublic Schools, or be
1138 accredited by the Southern Association of Colleges and Schools,
1139 or Western Association of Colleges and Schools, or North Central
1140 Association of Colleges and Schools, or Middle States
1141 Association of Colleges and Schools, or New England Association
1142 of Colleges and Schools; and have written accreditation



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1143 standards that meet or exceed the state's licensing requirements
1144 under s. 402.305, s. 402.313, or s. 402.3131 and require at
1145 least one onsite visit to the provider or school before
1146 accreditation is granted;

1147 2. Hold a current Gold Seal Quality Care designation under
1148 s. 1002.945 ~~s. 402.281~~; or

1149 3. Be licensed under s. 402.305, s. 402.313, or s. 402.3131
1150 and demonstrate, before delivering the Voluntary Prekindergarten
1151 Education Program, as verified by the early learning coalition,
1152 that the provider meets each of the requirements of the program
1153 under this part, including, but not limited to, the requirements
1154 for credentials and background screenings of prekindergarten
1155 instructors under paragraphs (c) and (d), minimum and maximum
1156 class sizes under paragraph (f), prekindergarten director
1157 credentials under paragraph (g), and a developmentally
1158 appropriate curriculum under s. 1002.67(2)(b).

1159 (c) The private prekindergarten provider must have, for
1160 each prekindergarten class of 11 children or fewer, at least one
1161 prekindergarten instructor who meets each of the following
1162 requirements:

1163 1. The prekindergarten instructor must hold, at a minimum,
1164 one of the following credentials:

1165 a. A child development associate credential issued by the
1166 National Credentialing Program of the Council for Professional
1167 Recognition; or

1168 b. A credential approved by the Department of Children and
1169 Families as being equivalent to or greater than the credential
1170 described in sub-subparagraph a.

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1172 The Department of Children and Families may adopt rules under
1173 ss. 120.536(1) and 120.54 which provide criteria and procedures
1174 for approving equivalent credentials under sub-subparagraph b.

1175 2. The prekindergarten instructor must successfully
1176 complete three ~~an~~ emergent literacy training courses that
1177 include developmentally appropriate and experiential learning
1178 practices for children ~~course~~ and a student performance
1179 standards training course approved by the department ~~office~~ as
1180 meeting or exceeding the minimum standards adopted under s.
1181 1002.59. The prekindergarten instructor must complete an
1182 emergent literacy training course at least once every 5 years
1183 after initially completing the three emergent literacy training
1184 courses. The courses in this subparagraph must be recognized as
1185 part of the informal early learning and career pathway
1186 identified by the department under s. 1002.995(1)(b). The
1187 requirement for completion of the standards training course
1188 shall take effect July 1, 2022. The courses must ~~2014, and the~~
1189 ~~course shall~~ be available online or in person.

1190 (e) A private prekindergarten provider may assign a
1191 substitute instructor to temporarily replace a credentialed
1192 instructor if the credentialed instructor assigned to a
1193 prekindergarten class is absent, as long as the substitute
1194 instructor is of good moral character and has been screened
1195 before employment in accordance with level 2 background
1196 screening requirements in chapter 435. The department ~~Office of~~
1197 ~~Early Learning~~ shall adopt rules to implement this paragraph
1198 which shall include required qualifications of substitute
1199 instructors and the circumstances and time limits for which a
1200 private prekindergarten provider may assign a substitute



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1201 instructor.

1202 (g) The private prekindergarten provider must have a
1203 prekindergarten director who has a prekindergarten director
1204 credential that is approved by the department ~~office~~ as meeting
1205 or exceeding the minimum standards adopted under s. 1002.57. A
1206 private school administrator who holds a valid certificate in
1207 educational leadership issued by the department satisfies the
1208 requirement for a prekindergarten director credential under s.
1209 1002.57 ~~Successful completion of a child care facility director~~
1210 ~~credential under s. 402.305(2) (g) before the establishment of~~
1211 ~~the prekindergarten director credential under s. 1002.57 or July~~
1212 ~~1, 2006, whichever occurs later, satisfies the requirement for a~~
1213 ~~prekindergarten director credential under this paragraph.~~

1214 (h) The private prekindergarten provider must register with
1215 the early learning coalition on forms prescribed by the
1216 department ~~Office of Early Learning~~.

1217 (i) The private prekindergarten provider must execute the
1218 statewide provider contract prescribed under s. 1002.73 ~~s.~~
1219 ~~1002.75~~, except that an individual who owns or operates multiple
1220 private prekindergarten sites ~~providers~~ within a coalition's
1221 service area may execute a single agreement with the coalition
1222 on behalf of each site ~~provider~~.

1223 (j) The private prekindergarten provider must maintain
1224 general liability insurance and provide the coalition with
1225 written evidence of general liability insurance coverage,
1226 including coverage for transportation of children if
1227 prekindergarten students are transported by the provider. A
1228 provider must obtain and retain an insurance policy that
1229 provides a minimum of \$100,000 of coverage per occurrence and a



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1230 minimum of \$300,000 general aggregate coverage. The department
1231 ~~office~~ may authorize lower limits upon request, as appropriate.
1232 A provider must add the coalition as a named certificateholder
1233 and as an additional insured. A provider must provide the
1234 coalition with a minimum of 10 calendar days' advance written
1235 notice of cancellation of or changes to coverage. The general
1236 liability insurance required by this paragraph must remain in
1237 full force and effect for the entire period of the provider
1238 contract with the coalition.

1239 (1) Notwithstanding paragraph (j), for a private
1240 prekindergarten provider that is a state agency or a subdivision
1241 thereof, as defined in s. 768.28(2), the provider must agree to
1242 notify the coalition of any additional liability coverage
1243 maintained by the provider in addition to that otherwise
1244 established under s. 768.28. The provider shall indemnify the
1245 coalition to the extent permitted by s. 768.28. Notwithstanding
1246 paragraph (j), for a child development program that is
1247 accredited by a national accrediting body and operates on a
1248 military installation that is certified by the United States
1249 Department of Defense, the provider may demonstrate liability
1250 coverage by affirming that it is subject to the Federal Tort
1251 Claims Act, 28 U.S.C. s. 2671 et seq.

1252 (4) A prekindergarten instructor, in lieu of the minimum
1253 credentials ~~and courses~~ required under paragraph (3) (c), may
1254 hold one of the following educational credentials:

1255 (a) A bachelor's or higher degree in early childhood
1256 education, prekindergarten or primary education, preschool
1257 education, or family and consumer science;

1258 (b) A bachelor's or higher degree in elementary education,



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1259 if the prekindergarten instructor has been certified to teach
1260 children any age from birth through 6th grade, regardless of
1261 whether the instructor's educator certificate is current, and if
1262 the instructor is not ineligible to teach in a public school
1263 because his or her educator certificate is suspended or revoked;

1264 (c) An associate's or higher degree in child development;

1265 (d) An associate's or higher degree in an unrelated field,
1266 at least 6 credit hours in early childhood education or child
1267 development, and at least 480 hours of experience in teaching or
1268 providing child care services for children any age from birth
1269 through 8 years of age; or

1270 (e) An educational credential approved by the department as
1271 being equivalent to or greater than an educational credential
1272 described in this subsection. The department may adopt criteria
1273 and procedures for approving equivalent educational credentials
1274 under this paragraph.

1275 (5)

1276 (b) Notwithstanding any other ~~provision of~~ law, if a
1277 private prekindergarten provider has been cited for a class I
1278 violation, as defined by rule of the Child Care Services Program
1279 Office of the Department of Children and Families, the coalition
1280 may refuse to contract with the provider.

1281 (6) Each early learning coalition must verify that each
1282 private prekindergarten provider delivering the Voluntary
1283 Prekindergarten Education Program within the coalition's county
1284 or multicounty region complies with this part. If a private
1285 prekindergarten provider fails or refuses to comply with this
1286 part or engages in misconduct, the department shall require the
1287 early learning coalition to remove the provider from eligibility



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1288 to deliver the program and receive state funds under this part
1289 for a period of at least 2 years but no more than 5 years.

1290 Section 36. Present paragraphs (b) and (c) of subsection
1291 (2) of section 1002.57, Florida Statutes, are redesignated as
1292 paragraphs (c) and (d), respectively, a new paragraph (b) is
1293 added to that subsection, and subsection (1) of that section is
1294 amended, to read:

1295 1002.57 Prekindergarten director credential.—

1296 (1) The department office, in consultation with the
1297 Department of Children and Families, shall adopt minimum
1298 standards for a credential for prekindergarten directors of
1299 private prekindergarten providers delivering the Voluntary
1300 Prekindergarten Education Program. The credential must encompass
1301 requirements for education and onsite experience.

1302 (2) The educational requirements must include training in
1303 the following:

1304 (b) Implementation of curriculum and usage of student-level
1305 data to inform the delivery of instruction;

1306 Section 37. Section 1002.59, Florida Statutes, is amended
1307 to read:

1308 1002.59 Emergent literacy and performance standards
1309 training courses.—

1310 (1) The department office shall adopt minimum standards for
1311 ~~one or more training~~ courses in emergent literacy for
1312 prekindergarten instructors. Each course must comprise 5 clock
1313 hours and provide instruction in strategies and techniques to
1314 address the age-appropriate progress of prekindergarten students
1315 in developing emergent literacy skills, including oral
1316 communication, knowledge of print and letters, phonemic and



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1317 phonological awareness, and vocabulary and comprehension
1318 development. Each course must also provide resources containing
1319 strategies that allow students with disabilities and other
1320 special needs to derive maximum benefit from the Voluntary
1321 Prekindergarten Education Program. Successful completion of an
1322 emergent literacy training course approved under this section
1323 satisfies requirements for approved training in early literacy
1324 and language development under ss. 402.305(2)(e)5., 402.313(6),
1325 and 402.3131(5).

1326 (2) The department ~~office~~ shall adopt minimum standards for
1327 ~~one or more training~~ courses on the performance standards
1328 adopted under s. 1002.67(1). Each course must be comprised of
1329 ~~comprise~~ at least 3 clock hours, provide instruction in
1330 strategies and techniques to address age-appropriate progress of
1331 each child in attaining the standards, and be available online.

1332 (3) The department shall make available online professional
1333 development and training courses comprised of at least 8 clock
1334 hours that support prekindergarten instructors in increasing the
1335 competency of teacher-child interactions.

1336 Section 38. Present subsections (6), (7), and (8) of
1337 section 1002.61, Florida Statutes, are redesignated as
1338 subsections (7), (8), and (9), respectively, a new subsection
1339 (6) and subsection (10) are added to that section, and paragraph
1340 (b) of subsection (1), paragraph (b) of subsection (3),
1341 subsection (4), and present subsections (6) and (8) are amended,
1342 to read:

1343 1002.61 Summer prekindergarten program delivered by public
1344 schools and private prekindergarten providers.—

1345 (1)



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1346 (b) Each early learning coalition shall administer the
1347 Voluntary Prekindergarten Education Program at the county or
1348 regional level for students enrolled under s. 1002.53(3)(b) in a
1349 summer prekindergarten program delivered by a private
1350 prekindergarten provider. A child development program that is
1351 accredited by a national accrediting body and operates on a
1352 military installation that is certified by the United States
1353 Department of Defense may administer the summer prekindergarten
1354 program as a private prekindergarten provider.

1355 (3)

1356 (b) Each public school delivering the summer
1357 prekindergarten program must execute the statewide provider
1358 contract prescribed under s. 1002.73 ~~s. 1002.75~~, except that the
1359 school district may execute a single agreement with the early
1360 learning coalition on behalf of all district schools.

1361 (4) Notwithstanding ss. 1002.55(3)(c)1. and 1002.63(4),
1362 each public school and private prekindergarten provider must
1363 have, for each prekindergarten class, at least one
1364 prekindergarten instructor who is a certified teacher or holds
1365 one of the educational credentials specified in s. 1002.55(4)(a)
1366 or (b). As used in this subsection, the term "certified teacher"
1367 means a teacher holding a valid Florida educator certificate
1368 under s. 1012.56 who has the qualifications required by the
1369 district school board to instruct students in the summer
1370 prekindergarten program. In selecting instructional staff for
1371 the summer prekindergarten program, each school district shall
1372 give priority to teachers who have experience or coursework in
1373 early childhood education and have completed emergent literacy
1374 and performance standards courses, as provided for in s.



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1375 1002.55(3)(c)2.

1376 (6) A child development program that is accredited by a
1377 national accrediting body and operates on a military
1378 installation that is certified by the United States Department
1379 of Defense shall comply with the requirements of a private
1380 prekindergarten provider in this section.

1381 (7)~~(6)~~ A public school or private prekindergarten provider
1382 may assign a substitute instructor to temporarily replace a
1383 credentialed instructor if the credentialed instructor assigned
1384 to a prekindergarten class is absent, as long as the substitute
1385 instructor is of good moral character and has been screened
1386 before employment in accordance with level 2 background
1387 screening requirements in chapter 435. This subsection does not
1388 supersede employment requirements for instructional personnel in
1389 public schools which are more stringent than the requirements of
1390 this subsection. The department ~~Office of Early Learning~~ shall
1391 adopt rules to implement this subsection which shall include
1392 required qualifications of substitute instructors and the
1393 circumstances and time limits for which a public school or
1394 private prekindergarten provider may assign a substitute
1395 instructor.

1396 (9)~~(8)~~ Each public school delivering the summer
1397 prekindergarten program must also register with the early
1398 learning coalition on forms prescribed by the department ~~Office~~
1399 ~~of Early Learning~~ and deliver the Voluntary Prekindergarten
1400 Education Program in accordance with this part.

1401 (10) (a) Each early learning coalition shall verify that
1402 each private prekindergarten provider and public school
1403 delivering the Voluntary Prekindergarten Education Program



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1404 within the coalition's county or multicounty region complies
1405 with this part.

1406 (b) If a private prekindergarten provider or public school
1407 fails or refuses to comply with this part or engages in
1408 misconduct, the department shall require the early learning
1409 coalition to remove the provider and require the school district
1410 to remove the school from eligibility to deliver the Voluntary
1411 Prekindergarten Education Program and receive state funds under
1412 this part for a period of at least 2 years but no more than 5
1413 years.

1414 Section 39. Paragraph (b) of subsection (3) and subsections
1415 (6) and (8) of section 1002.63, Florida Statutes, are amended,
1416 and subsection (9) is added to that section, to read:

1417 1002.63 School-year prekindergarten program delivered by
1418 public schools.—

1419 (3)

1420 (b) Each public school delivering the school-year
1421 prekindergarten program must execute the statewide provider
1422 contract prescribed under s. 1002.73 ~~s. 1002.75~~, except that the
1423 school district may execute a single agreement with the early
1424 learning coalition on behalf of all district schools.

1425 (6) A public school prekindergarten provider may assign a
1426 substitute instructor to temporarily replace a credentialed
1427 instructor if the credentialed instructor assigned to a
1428 prekindergarten class is absent, as long as the substitute
1429 instructor is of good moral character and has been screened
1430 before employment in accordance with level 2 background
1431 screening requirements in chapter 435. This subsection does not
1432 supersede employment requirements for instructional personnel in



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1433 public schools which are more stringent than the requirements of
1434 this subsection. The department ~~Office of Early Learning~~ shall
1435 adopt rules to implement this subsection which shall include
1436 required qualifications of substitute instructors and the
1437 circumstances and time limits for which a public school
1438 prekindergarten provider may assign a substitute instructor.

1439 (8) Each public school delivering the school-year
1440 prekindergarten program must register with the early learning
1441 coalition on forms prescribed by the department ~~Office of Early~~
1442 ~~Learning~~ and deliver the Voluntary Prekindergarten Education
1443 Program in accordance with this part.

1444 (9) (a) Each early learning coalition shall verify that each
1445 public school delivering the Voluntary Prekindergarten Education
1446 Program within the coalition's service area complies with this
1447 part.

1448 (b) If a public school fails or refuses to comply with this
1449 part or engages in misconduct, the department shall require the
1450 school district to remove the school from eligibility to deliver
1451 the Voluntary Prekindergarten Education Program and receive
1452 state funds under this part for a period of at least 2 years but
1453 no more than 5 years.

1454 Section 40. Section 1002.67, Florida Statutes, is amended
1455 to read:

1456 1002.67 Performance standards ~~and~~ and curricula ~~and~~
1457 ~~accountability.~~—

1458 (1) (a) The department ~~office~~ shall develop and adopt
1459 performance standards for students in the Voluntary
1460 Prekindergarten Education Program. The performance standards
1461 must address the age-appropriate progress of students in the



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1462 development of:

1463 1. The capabilities, capacities, and skills required under
1464 s. 1(b), Art. IX of the State Constitution; ~~and~~

1465 2. Emergent literacy skills, including oral communication,
1466 knowledge of print and letters, phonemic and phonological
1467 awareness, and vocabulary and comprehension development; and

1468 3. Mathematical thinking and early math skills.

1469

1470 ~~By October 1, 2013, the office shall examine the existing~~
1471 ~~performance standards in the area of mathematical thinking and~~
1472 ~~develop a plan to make appropriate professional development and~~
1473 ~~training courses available to prekindergarten instructors.~~

1474 (b) At least every 3 years, the department office shall
1475 periodically review and, if necessary, revise the performance
1476 standards established under s. 1002.67 for the statewide
1477 ~~kindergarten screening administered under s. 1002.69~~ and align
1478 the standards to the standards established by the state board
1479 for student performance on the statewide assessments
1480 administered pursuant to s. 1008.22.

1481 (2) (a) Each private prekindergarten provider and public
1482 school may select or design the curriculum that the provider or
1483 school uses to implement the Voluntary Prekindergarten Education
1484 Program, except as otherwise required for a provider or school
1485 that is placed on probation under s. 1002.68 ~~paragraph (4) (c).~~

1486 (b) Each private prekindergarten provider's and public
1487 school's curriculum must be developmentally appropriate and
1488 must:

1489 1. Be designed to prepare a student for early literacy and
1490 provide for instruction in early math skills;



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1491 2. Enhance the age-appropriate progress of students in
1492 attaining the performance standards adopted by the department
1493 under subsection (1); and

1494 3. Support student learning gains through differentiated
1495 instruction that shall be measured by the coordinated screening
1496 and progress monitoring program under s. 1008.2125 ~~Prepare~~
1497 ~~students to be ready for kindergarten based upon the statewide~~
1498 ~~kindergarten screening administered under s. 1002.69.~~

1499 (c) The department office shall adopt procedures for the
1500 review and approval of ~~approve~~ curricula for use by private
1501 prekindergarten providers and public schools that are placed on
1502 probation under s. 1002.68 ~~paragraph (4)(c)~~. The department
1503 ~~office~~ shall administer the review and approval process and
1504 maintain a list of the curricula approved under this paragraph.
1505 Each approved curriculum must meet the requirements of paragraph
1506 (b).

1507 ~~(3)(a) Contingent upon legislative appropriation, each~~
1508 ~~private prekindergarten provider and public school in the~~
1509 ~~Voluntary Prekindergarten Education Program must implement an~~
1510 ~~evidence-based pre- and post-assessment that has been approved~~
1511 ~~by rule of the State Board of Education.~~

1512 ~~(b) In order to be approved, the assessment must be valid,~~
1513 ~~reliable, developmentally appropriate, and designed to measure~~
1514 ~~student progress on domains which must include, but are not~~
1515 ~~limited to, early literacy, numeracy, and language.~~

1516 ~~(c) The pre- and post-assessment must be administered by~~
1517 ~~individuals meeting requirements established by rule of the~~
1518 ~~State Board of Education.~~

1519 ~~(4)(a) Each early learning coalition shall verify that each~~



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1520 ~~private prekindergarten provider delivering the Voluntary~~
1521 ~~Prekindergarten Education Program within the coalition's county~~
1522 ~~or multicounty region complies with this part. Each district~~
1523 ~~school board shall verify that each public school delivering the~~
1524 ~~program within the school district complies with this part.~~

1525 ~~(b) If a private prekindergarten provider or public school~~
1526 ~~fails or refuses to comply with this part, or if a provider or~~
1527 ~~school engages in misconduct, the office shall require the early~~
1528 ~~learning coalition to remove the provider and require the school~~
1529 ~~district to remove the school from eligibility to deliver the~~
1530 ~~Voluntary Prekindergarten Education Program and receive state~~
1531 ~~funds under this part for a period of 5 years.~~

1532 ~~(c)1. If the kindergarten readiness rate of a private~~
1533 ~~prekindergarten provider or public school falls below the~~
1534 ~~minimum rate adopted by the office as satisfactory under s.~~
1535 ~~1002.69(6), the early learning coalition or school district, as~~
1536 ~~applicable, shall require the provider or school to submit an~~
1537 ~~improvement plan for approval by the coalition or school~~
1538 ~~district, as applicable, and to implement the plan; shall place~~
1539 ~~the provider or school on probation; and shall require the~~
1540 ~~provider or school to take certain corrective actions, including~~
1541 ~~the use of a curriculum approved by the office under paragraph~~
1542 ~~(2)(c) or a staff development plan to strengthen instruction in~~
1543 ~~language development and phonological awareness approved by the~~
1544 ~~office.~~

1545 ~~2. A private prekindergarten provider or public school that~~
1546 ~~is placed on probation must continue the corrective actions~~
1547 ~~required under subparagraph 1., including the use of a~~
1548 ~~curriculum or a staff development plan to strengthen instruction~~



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1549 ~~in language development and phonological awareness approved by~~
1550 ~~the office, until the provider or school meets the minimum rate~~
1551 ~~adopted by the office as satisfactory under s. 1002.69(6).~~
1552 ~~Failure to implement an approved improvement plan or staff~~
1553 ~~development plan shall result in the termination of the~~
1554 ~~provider's contract to deliver the Voluntary Prekindergarten~~
1555 ~~Education Program for a period of 5 years.~~

1556 ~~3. If a private prekindergarten provider or public school~~
1557 ~~remains on probation for 2 consecutive years and fails to meet~~
1558 ~~the minimum rate adopted by the office as satisfactory under s.~~
1559 ~~1002.69(6) and is not granted a good cause exemption by the~~
1560 ~~office pursuant to s. 1002.69(7), the office shall require the~~
1561 ~~early learning coalition or the school district to remove, as~~
1562 ~~applicable, the provider or school from eligibility to deliver~~
1563 ~~the Voluntary Prekindergarten Education Program and receive~~
1564 ~~state funds for the program for a period of 5 years.~~

1565 ~~(d) Each early learning coalition and the office shall~~
1566 ~~coordinate with the Child Care Services Program Office of the~~
1567 ~~Department of Children and Families to minimize interagency~~
1568 ~~duplication of activities for monitoring private prekindergarten~~
1569 ~~providers for compliance with requirements of the Voluntary~~
1570 ~~Prekindergarten Education Program under this part, the school~~
1571 ~~readiness program under part VI of this chapter, and the~~
1572 ~~licensing of providers under ss. 402.301-402.319.~~

1573 Section 41. Section 1002.68, Florida Statutes, is created
1574 to read:

1575 1002.68 Voluntary Prekindergarten Education Program
1576 accountability.—

1577 (1) (a) Beginning with the 2022-2023 program year, each



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1578 private prekindergarten provider and public school participating
1579 in the Voluntary Prekindergarten Education Program must
1580 participate in the coordinated screening and progress monitoring
1581 program in accordance with s. 1008.2125. The coordinated
1582 screening and progress monitoring program results shall be used
1583 by the department to identify student learning gains, index
1584 development learning outcomes upon program completion relative
1585 to the performance standards established under s. 1002.67 and
1586 representative norms, and inform a private prekindergarten
1587 provider's and public school's performance metric.

1588 (b) At a minimum, the initial and final progress monitoring
1589 or screening must be administered by individuals meeting
1590 requirements adopted by the department under s. 1008.2125.

1591 (c) Each private prekindergarten provider and public school
1592 must provide a student's performance results from the
1593 coordinated screening and progress monitoring to the student's
1594 parents within 7 days after the administration of such
1595 coordinated screening and progress monitoring.

1596 (2) Beginning with the 2022-2023 program year, each private
1597 prekindergarten provider and public school in the Voluntary
1598 Prekindergarten Education Program must participate in a program
1599 assessment of each voluntary prekindergarten education
1600 classroom. The program assessment shall measure the quality of
1601 teacher-child interactions, including emotional support,
1602 classroom organization, and instructional support for children
1603 ages 3 to 5 years. Each private prekindergarten provider and
1604 public school in the Voluntary Prekindergarten Education Program
1605 shall receive from the department the results of the program
1606 assessment for each classroom within 14 days after the



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1607 observation. Each early learning coalition shall be responsible
1608 for the administration of the program assessments which must be
1609 conducted by individuals qualified to conduct program
1610 assessments under s. 1002.82(2)(n).

1611 (3)(a) For the 2020-2021 program year, the department shall
1612 calculate a kindergarten readiness rate for each private
1613 prekindergarten provider and public school participating in the
1614 Voluntary Prekindergarten Education Program based upon learning
1615 gains and the percentage of students assessed as ready for
1616 kindergarten. The department shall require that each school
1617 district administer the statewide kindergarten screening in use
1618 before the 2021-2022 school year to each kindergarten student in
1619 the school district within the first 30 school days of the 2021-
1620 2022 school year. Private schools may administer the statewide
1621 kindergarten screening to each kindergarten student in a private
1622 school who was enrolled in the Voluntary Prekindergarten
1623 Education Program. Learning gains shall be determined using a
1624 value-added measure based on growth demonstrated by the results
1625 of the preassessment and postassessment in use before the 2021-
1626 2022 program year. However, a provider may not be newly placed
1627 on probationary status under this paragraph. A provider
1628 currently on probationary status may only be removed from such
1629 status if the provider earns the minimum rate, determined
1630 pursuant to subsection (5). The methodology for calculating a
1631 provider's readiness rate may not include students who are not
1632 administered the statewide kindergarten screening.

1633 (b) For the 2021-2022 program year, kindergarten screening
1634 results may not be used in the calculation of readiness rates.
1635 Any private prekindergarten provider or public school



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1636 participating in the Voluntary Prekindergarten Education Program
1637 which fails to meet the minimum kindergarten readiness rate for
1638 the 2021-2022 program year is subject to the probation
1639 requirements of subsection (5).

1640 (4) (a) Beginning with the 2022-2023 program year, the
1641 department shall adopt a methodology for calculating each
1642 private prekindergarten provider's and public school provider's
1643 performance metric, which must be based on a combination of the
1644 following:

1645 1. Program assessment composite scores under subsection
1646 (2), which must be weighted at no less than 50 percent.

1647 2. Learning gains operationalized as change-in-ability
1648 scores from the initial and final progress monitoring results
1649 described in subsection (1).

1650 3. Norm-referenced developmental learning outcomes
1651 described in subsection (1).

1652 (b) The methodology for calculating a provider's
1653 performance metric may not include students who are not
1654 administered the coordinated screening and progress monitoring
1655 program under s. 1008.2125.

1656 (c) The program assessment composite score and performance
1657 metric must be calculated for each private prekindergarten or
1658 public school site.

1659 (d) The methodology shall include a statistical latent
1660 profile analysis developed by the department that shall produce
1661 a limited number of performance metric profiles which summarize
1662 the profiles of all sites that must be used to inform the
1663 following designations: "unsatisfactory," "emerging
1664 proficiency," "proficient," "highly proficient," and "excellent"



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1665 or comparable terminology determined by the office which may not
1666 include letter grades.

1667 (e) Subject to an appropriation, the department shall
1668 provide for a differential payment to a private prekindergarten
1669 provider and public school based on the provider's designation.
1670 The maximum differential payment may not exceed a total of 15
1671 percent of the base student allocation per full-time equivalent
1672 student under s. 1002.71 attending in the consecutive program
1673 year for that program. A private prekindergarten provider or
1674 public school may not receive a differential payment if it
1675 receives a designation of "proficient" or lower. Before the
1676 adoption of the methodology, the department shall confer with
1677 the Council for Early Grade Success under s. 1008.2125 before
1678 receiving approval from the State Board of Education for the
1679 final recommendations on the designation system and differential
1680 payments.

1681 (f) The department shall adopt procedures to annually
1682 calculate each private prekindergarten provider's and public
1683 school's performance metric, based on the methodology adopted in
1684 paragraphs (a) and (b), and assign a designation under paragraph
1685 (d). Beginning with the 2023-2024 program year, each private
1686 prekindergarten provider or public school shall be assigned a
1687 designation within 45 days after the conclusion of the school-
1688 year Voluntary Prekindergarten Education Program delivered by
1689 all participating private prekindergarten providers or public
1690 schools and within 45 days after the conclusion of the summer
1691 Voluntary Prekindergarten Education Program delivered by all
1692 participating private prekindergarten providers or public
1693 schools.



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1694 (g) A private prekindergarten provider or public school
1695 designated "proficient," "highly proficient," or "excellent"
1696 demonstrates the provider's or school's satisfactory delivery of
1697 the Voluntary Prekindergarten Education Program.

1698 (h) The designations shall be displayed in the early
1699 learning provider performance profiles required under s.
1700 1002.92(3).

1701 (5) (a) If a public school's or private prekindergarten
1702 provider's program assessment composite score for its
1703 prekindergarten classrooms fails to meet the minimum program
1704 assessment composite score for contracting adopted in rule by
1705 the department, the private prekindergarten provider or public
1706 school may not participate in the Voluntary Prekindergarten
1707 Education Program beginning in the consecutive program year and
1708 thereafter until the public school or private prekindergarten
1709 provider meets the minimum composite score for contracting. A
1710 public school or private prekindergarten provider may request
1711 one program assessment per program year in order to requalify
1712 for participation in the Voluntary Prekindergarten Education
1713 Program, provided that the public school or private
1714 prekindergarten provider is not excluded from participation
1715 under ss. 1002.55(6), 1002.61(10)(b), 1002.63(9)(b), or
1716 paragraph (5)(b) of this section. If a public school or private
1717 prekindergarten provider would like an additional program
1718 assessment completed within the same program year, the public
1719 school or private prekindergarten provider shall be responsible
1720 for the cost of the program assessment.

1721 (b) If a private prekindergarten provider's or public
1722 school's performance metric or designation falls below the



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1723 minimum performance metric or designation, the early learning
1724 coalition shall:

1725 1. Require the provider or school to submit for approval to
1726 the early learning coalition an improvement plan and implement
1727 the plan.

1728 2. Place the provider or school on probation.

1729 3. Require the provider or school to take certain
1730 corrective actions, including the use of a curriculum approved
1731 by the department under s. 1002.67(2)(c) and a staff development
1732 plan approved by the department to strengthen instructional
1733 practices in emotional support, classroom organization,
1734 instructional support, language development, phonological
1735 awareness, alphabet knowledge, and mathematical thinking.

1736 (c) A private prekindergarten provider or public school
1737 that is placed on probation must continue the corrective actions
1738 required under paragraph (b) until the provider or school meets
1739 the minimum performance metric or designation adopted by the
1740 department. Failure to meet the requirements of subparagraphs
1741 (b)1. and 3. shall result in the termination of the provider's
1742 or school's contract to deliver the Voluntary Prekindergarten
1743 Education Program for a period of at least 2 years but no more
1744 than 5 years.

1745 (d) If a private prekindergarten provider or public school
1746 remains on probation for 2 consecutive years and fails to meet
1747 the minimum performance metric or designation, or is not granted
1748 a good cause exemption by the department, the department shall
1749 require the early learning coalition to revoke the provider's
1750 eligibility and the school district to revoke the school's
1751 eligibility to deliver the Voluntary Prekindergarten Education



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1752 Program and receive state funds for the program for a period of
1753 at least 2 years but no more than 5 years.

1754 (6) (a) The department, upon the request of a private
1755 prekindergarten provider or public school that remains on
1756 probation for at least 2 consecutive years and subsequently
1757 fails to meet the minimum performance metric or designation, and
1758 for good cause shown, may grant to the provider or school an
1759 exemption from being determined ineligible to deliver the
1760 Voluntary Prekindergarten Education Program and receive state
1761 funds for the program. Such exemption is valid for 1 year and,
1762 upon the request of the private prekindergarten provider or
1763 public school and for good cause shown, may be renewed.

1764 (b) A private prekindergarten provider's or public school's
1765 request for a good cause exemption, or renewal of such an
1766 exemption, must be submitted to the department in the manner and
1767 within the timeframes prescribed by the department and must
1768 include the following:

1769 1. Data from the private prekindergarten provider or public
1770 school which documents the achievement and progress of the
1771 children served, as measured by any required screenings or
1772 assessments.

1773 2. Data from the program assessment required under
1774 subsection (2) which demonstrates effective teaching practices
1775 as recognized by the tool developer.

1776 3. Data from the early learning coalition or district
1777 school board, as applicable, the Department of Children and
1778 Families, the local licensing authority, or an accrediting
1779 association, as applicable, relating to the private
1780 prekindergarten provider's or public school's compliance with



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1781 state and local health and safety standards.

1782 (c) The department shall adopt criteria for granting good
1783 cause exemptions. Such criteria must include, but are not
1784 limited to, all of the following:

1785 1. Child demographic data that evidences a private
1786 prekindergarten provider or public school serves a statistically
1787 significant population of children with special needs who have
1788 individual education plans and can demonstrate progress toward
1789 meeting the goals outlined in the students' individual education
1790 plans.

1791 2. Learning gains of children served in the Voluntary
1792 Prekindergarten Education Program by the private prekindergarten
1793 provider or public school on an alternative measure that has
1794 comparable validity and reliability of the coordinated screening
1795 and progress monitoring program in accordance with s. 1008.2125.

1796 3. Program assessment data under subsection (2) which
1797 demonstrates effective teaching practices as recognized by the
1798 tool developer.

1799 4. Verification that local and state health and safety
1800 requirements are met.

1801 (d) A good cause exemption may not be granted to any
1802 private prekindergarten provider or public school that has any
1803 class I violations or two or more class II violations, as
1804 defined by rule of the Department of Children and Families,
1805 within the 2 years preceding the provider's or school's request
1806 for the exemption.

1807 (e) A private prekindergarten provider or public school
1808 granted a good cause exemption shall continue to implement its
1809 improvement plan and continue the corrective actions required



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1810 under paragraph (5) (b) until the provider or school meets the
1811 minimum performance metric.

1812 (f) If a good cause exemption is granted to a private
1813 prekindergarten provider or public school that remains on
1814 probation for 2 consecutive years and if the provider meets all
1815 other applicable requirements of this part, the department shall
1816 notify the early learning coalition of the good cause exemption
1817 and direct that the early learning coalition not remove the
1818 provider from eligibility to deliver the Voluntary
1819 Prekindergarten Education Program or to receive state funds for
1820 the program.

1821 (g) The department shall report the number of private
1822 prekindergarten providers or public schools that have received a
1823 good cause exemption and the reasons for the exemptions as part
1824 of its annual reporting requirements under s. 1002.82(7).

1825 (7) Representatives from each school district and
1826 corresponding early learning coalitions must meet annually to
1827 develop strategies to transition students from the Voluntary
1828 Prekindergarten Education Program to kindergarten.

1829 Section 42. Section 1002.69, Florida Statutes, is repealed.

1830 Section 43. Paragraph (c) of subsection (3), subsection
1831 (4), paragraph (b) of subsection (5), paragraphs (b) and (d) of
1832 subsection (6), and subsection (7) of section 1002.71, Florida
1833 Statutes, are amended to read:

1834 1002.71 Funding; financial and attendance reporting.-

1835 (3)

1836 (c) The initial allocation shall be based on estimated
1837 student enrollment in each coalition service area. The
1838 department ~~Office of Early Learning~~ shall reallocate funds among



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1839 the coalitions based on actual full-time equivalent student
1840 enrollment in each coalition service area. Each coalition shall
1841 report student enrollment pursuant to subsection (2) on a
1842 monthly basis. A student enrollment count for the prior fiscal
1843 year may not be amended after September 30 of the subsequent
1844 fiscal year.

1845 (4) Notwithstanding s. 1002.53(3) and subsection (2):

1846 (a) A child who, for any of the prekindergarten programs
1847 listed in s. 1002.53(3), has not completed more than 70 percent
1848 of the hours authorized to be reported for funding under
1849 subsection (2), or has not expended more than 70 percent of the
1850 funds authorized for the child under s. 1002.66, may withdraw
1851 from the program for good cause and reenroll in one of the
1852 programs. The total funding for a child who reenrolls in one of
1853 the programs for good cause may not exceed one full-time
1854 equivalent student. Funding for a child who withdraws and
1855 reenrolls in one of the programs for good cause shall be issued
1856 in accordance with the department's ~~Office of Early Learning's~~
1857 uniform attendance policy adopted pursuant to paragraph (6)(d).

1858 (b) A child who has not substantially completed any of the
1859 prekindergarten programs listed in s. 1002.53(3) may withdraw
1860 from the program due to an extreme hardship that is beyond the
1861 child's or parent's control, reenroll in one of the summer
1862 programs, and be reported for funding purposes as a full-time
1863 equivalent student in the summer program for which the child is
1864 reenrolled.

1865
1866 A child may reenroll only once in a prekindergarten program
1867 under this section. A child who reenrolls in a prekindergarten



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1868 program under this subsection may not subsequently withdraw from
1869 the program and reenroll, unless the child is granted a good
1870 cause exemption under this subsection. The department ~~Office of~~
1871 ~~Early Learning~~ shall establish criteria specifying whether a
1872 good cause exists for a child to withdraw from a program under
1873 paragraph (a), whether a child has substantially completed a
1874 program under paragraph (b), and whether an extreme hardship
1875 exists which is beyond the child's or parent's control under
1876 paragraph (b).

1877 (5)

1878 (b) The department ~~Office of Early Learning~~ shall adopt
1879 procedures for the payment of private prekindergarten providers
1880 and public schools delivering the Voluntary Prekindergarten
1881 Education Program. The procedures shall provide for the advance
1882 payment of providers and schools based upon student enrollment
1883 in the program, the certification of student attendance, and the
1884 reconciliation of advance payments in accordance with the
1885 uniform attendance policy adopted under paragraph (6) (d). The
1886 procedures shall provide for the monthly distribution of funds
1887 by the department ~~Office of Early Learning~~ to the early learning
1888 coalitions for payment by the coalitions to private
1889 prekindergarten providers and public schools.

1890 (6)

1891 (b)1. Each private prekindergarten provider's and district
1892 school board's attendance policy must require the parent of each
1893 student in the Voluntary Prekindergarten Education Program to
1894 verify, each month, the student's attendance on the prior
1895 month's certified student attendance.

1896 2. The parent must submit the verification of the student's



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1897 attendance to the private prekindergarten provider or public
1898 school on forms prescribed by the department ~~Office of Early~~
1899 ~~Learning~~. The forms must include, in addition to the
1900 verification of the student's attendance, a certification, in
1901 substantially the following form, that the parent continues to
1902 choose the private prekindergarten provider or public school in
1903 accordance with s. 1002.53 and directs that payments for the
1904 program be made to the provider or school:

1905 VERIFICATION OF STUDENT'S ATTENDANCE

1906 AND CERTIFICATION OF PARENTAL CHOICE

1907 I, ...(Name of Parent)..., swear (or affirm) that my child,
1908 ...(Name of Student)..., attended the Voluntary Prekindergarten
1909 Education Program on the days listed above and certify that I
1910 continue to choose ...(Name of Provider or School)... to deliver
1911 the program for my child and direct that program funds be paid
1912 to the provider or school for my child.

1913 ...(Signature of Parent)...

1914 ...(Date)...

1915 3. The private prekindergarten provider or public school
1916 must keep each original signed form for at least 2 years. Each
1917 private prekindergarten provider must permit the early learning
1918 coalition, and each public school must permit the school
1919 district, to inspect the original signed forms during normal
1920 business hours. The department ~~Office of Early Learning~~ shall
1921 adopt procedures for early learning coalitions and school
1922 districts to review the original signed forms against the
1923 certified student attendance. The review procedures shall
1924 provide for the use of selective inspection techniques,
1925 including, but not limited to, random sampling. Each early



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1926 learning coalition and the school districts must comply with the
1927 review procedures.

1928 (d) The department ~~Office of Early Learning~~ shall adopt,
1929 for funding purposes, a uniform attendance policy for the
1930 Voluntary Prekindergarten Education Program. The attendance
1931 policy must apply statewide and apply equally to all private
1932 prekindergarten providers and public schools. The attendance
1933 policy must include at least the following provisions:

1934 1. A student's attendance may be reported on a pro rata
1935 basis as a fractional part of a full-time equivalent student.

1936 2. At a maximum, 20 percent of the total payment made on
1937 behalf of a student to a private prekindergarten provider or a
1938 public school may be for hours a student is absent.

1939 3. A private prekindergarten provider or public school may
1940 not receive payment for absences that occur before a student's
1941 first day of attendance or after a student's last day of
1942 attendance.

1943
1944 The uniform attendance policy shall be used only for funding
1945 purposes and does not prohibit a private prekindergarten
1946 provider or public school from adopting and enforcing its
1947 attendance policy under paragraphs (a) and (c).

1948 (7) The department ~~Office of Early Learning~~ shall require
1949 that administrative expenditures be kept to the minimum
1950 necessary for efficient and effective administration of the
1951 Voluntary Prekindergarten Education Program. Administrative
1952 policies and procedures shall be revised, to the maximum extent
1953 practicable, to incorporate the use of automation and electronic
1954 submission of forms, including those required for child



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1955 eligibility and enrollment, provider and class registration, and
1956 monthly certification of attendance for payment. A school
1957 district may use its automated daily attendance reporting system
1958 for the purpose of transmitting attendance records to the early
1959 learning coalition in a mutually agreed-upon format. In
1960 addition, actions shall be taken to reduce paperwork, eliminate
1961 the duplication of reports, and eliminate other duplicative
1962 activities. Each early learning coalition may retain and expend
1963 no more than 4.0 percent of the funds paid by the coalition to
1964 private prekindergarten providers and public schools under
1965 paragraph (5) (b). Funds retained by an early learning coalition
1966 under this subsection may be used only for administering the
1967 Voluntary Prekindergarten Education Program and may not be used
1968 for the school readiness program or other programs.

1969 Section 44. Subsection (1) of section 1002.72, Florida
1970 Statutes, is amended to read:

1971 1002.72 Records of children in the Voluntary
1972 Prekindergarten Education Program.—

1973 (1) (a) The records of a child enrolled in the Voluntary
1974 Prekindergarten Education Program held by an early learning
1975 coalition, the department ~~Office of Early Learning~~, or a
1976 Voluntary Prekindergarten Education Program provider are
1977 confidential and exempt from s. 119.07(1) and s. 24(a), Art. I
1978 of the State Constitution. For purposes of this section, such
1979 records include assessment data, health data, records of teacher
1980 observations, and personal identifying information of an
1981 enrolled child and his or her parent.

1982 (b) This exemption applies to the records of a child
1983 enrolled in the Voluntary Prekindergarten Education Program held



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1984 by an early learning coalition, the department ~~Office of Early~~
1985 ~~Learning~~, or a Voluntary Prekindergarten Education Program
1986 provider before, on, or after the effective date of this
1987 exemption.

1988 Section 45. Section 1002.73, Florida Statutes, is amended
1989 to read:

1990 1002.73 Department of Education; powers and duties;
1991 accountability requirements.—

1992 (1) The department shall adopt by rule a standard statewide
1993 provider contract to be used with each Voluntary Prekindergarten
1994 Education Program provider, with standardized attachments by
1995 provider type. The department shall publish a copy of the
1996 standard statewide provider contract on its website. The
1997 standard statewide provider contract shall include, at a
1998 minimum, provisions for provider probation, termination for
1999 cause, and emergency termination for actions or inactions of a
2000 provider that pose an immediate and serious danger to the
2001 health, safety, or welfare of children. The standard statewide
2002 provider contract shall also include appropriate due process
2003 procedures. During the pendency of an appeal of a termination,
2004 the provider may not continue to offer its services. Any
2005 provision imposed upon a provider that is inconsistent with, or
2006 prohibited by, law is void and unenforceable ~~administer the~~
2007 ~~accountability requirements of the Voluntary Prekindergarten~~
2008 ~~Education Program at the state level.~~

2009 (2) The department shall adopt procedures for ~~its~~:

2010 (a) The approval of prekindergarten director credentials
2011 under ss. 1002.55 and 1002.57.

2012 (b) The approval of emergent literacy and early mathematics



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2013 skills training courses under ss. 1002.55 and 1002.59.

2014 (c) Annually notifying private prekindergarten providers
2015 and public schools placed on probation for not meeting the
2016 minimum performance metric or designation as required by s.
2017 1002.68 of the high-quality professional development
2018 opportunities developed or supported by the department.

2019 (d) The administration of the Voluntary Prekindergarten
2020 Education Program by the early learning coalitions, including,
2021 but not limited to, procedures for:

2022 1. Enrolling students in and determining the eligibility of
2023 children for the Voluntary Prekindergarten Education Program
2024 under s. 1002.53, which shall include the enrollment of children
2025 by public schools and private providers that meet specified
2026 requirements.

2027 2. Providing parents with profiles of private
2028 prekindergarten providers and public schools under s. 1002.53.

2029 3. Registering private prekindergarten providers and public
2030 schools to deliver the program under ss. 1002.55, 1002.61, and
2031 1002.63.

2032 4. Determining the eligibility of private prekindergarten
2033 providers to deliver the program under ss. 1002.55 and 1002.61
2034 and streamlining the process of determining provider eligibility
2035 whenever possible.

2036 5. Verifying the compliance of private prekindergarten
2037 providers and public schools and removing providers or schools
2038 from eligibility to deliver the program due to noncompliance or
2039 misconduct as provided in s. 1002.67.

2040 6. Paying private prekindergarten providers and public
2041 schools under s. 1002.71.



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2042 7. Documenting and certifying student enrollment and
2043 student attendance under s. 1002.71.

2044 8. Reconciling advance payments in accordance with the
2045 uniform attendance policy under s. 1002.71.

2046 9. Reenrolling students dismissed by a private
2047 prekindergarten provider or public school for noncompliance with
2048 the provider's or school district's attendance policy under s.
2049 1002.71.

2050 (3) The department shall administer the accountability
2051 requirements of the Voluntary Prekindergarten Education Program
2052 at the state level.

2053 (4) The department shall adopt procedures governing the
2054 administration of the Voluntary Prekindergarten Education
2055 Program by the early learning coalitions for:

2056 (a) Approving improvement plans of private prekindergarten
2057 providers and public schools under s. 1002.68.

2058 (b) Placing private prekindergarten providers and public
2059 schools on probation and requiring corrective actions under s.
2060 1002.68.

2061 (c) Removing a private prekindergarten provider or public
2062 school from eligibility to deliver the program due to the
2063 provider's or school's remaining on probation beyond the time
2064 permitted under s. 1002.68. Notwithstanding any other law, if a
2065 private prekindergarten provider has been cited for a class I
2066 violation, as defined by rule of the Child Care Services Program
2067 Office of the Department of Children and Families, the coalition
2068 may refuse to contract with the provider or revoke the
2069 provider's eligibility to deliver the Voluntary Prekindergarten
2070 Education Program.



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2071 (d) Enrolling children in and determining the eligibility
2072 of children for the Voluntary Prekindergarten Education Program
2073 under s. 1002.66.

2074 (e) Paying specialized instructional services providers
2075 under s. 1002.66.

2076 ~~(c) Administration of the statewide kindergarten screening~~
2077 ~~and calculation of kindergarten readiness rates under s.~~
2078 ~~1002.69.~~

2079 ~~(d) Implementation of, and determination of costs~~
2080 ~~associated with, the state-approved prekindergarten enrollment~~
2081 ~~screening and the standardized postassessment approved by the~~
2082 ~~department, and determination of the learning gains of students~~
2083 ~~who complete the state-approved prekindergarten enrollment~~
2084 ~~screening and the standardized postassessment approved by the~~
2085 ~~department.~~

2086 ~~(f)~~ (e) Approving ~~Approval~~ of specialized instructional
2087 services providers under s. 1002.66.

2088 ~~(f) Annual reporting of the percentage of kindergarten~~
2089 ~~students who meet all state readiness measures.~~

2090 (g) Granting of a private prekindergarten provider's or
2091 public school's request for a good cause exemption under s.
2092 1002.68 ~~s. 1002.69(7).~~

2093 (5) The department shall adopt procedures for the
2094 distribution of funds to early learning coalitions under s.
2095 1002.71.

2096 ~~(6)~~ (3) Except as provided by law, the department may not
2097 impose requirements on a private prekindergarten provider or
2098 public school that does not deliver the Voluntary
2099 Prekindergarten Education Program or receive state funds under



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2100 this part.

2101 Section 46. Sections 1002.75, Florida Statutes, is
2102 repealed.

2103 Section 47. Section 1002.79, Florida Statutes, is amended
2104 to read:

2105 1002.79 Rulemaking authority.—The State Board of Education
2106 ~~Office of Early Learning~~ shall adopt rules under ss. 120.536(1)
2107 and 120.54 to administer the provisions of this part conferring
2108 duties upon the department office.

2109 Section 48. Section 1002.81, Florida Statutes, is reordered
2110 and amended to read:

2111 1002.81 Definitions.—Consistent with the requirements of 45
2112 C.F.R. parts 98 and 99 and as used in this part, the term:

2113 (1) "At-risk child" means:

2114 (a) A child from a family under investigation by the
2115 Department of Children and Families or a designated sheriff's
2116 office for child abuse, neglect, abandonment, or exploitation.

2117 (b) A child who is in a diversion program provided by the
2118 Department of Children and Families or its contracted provider
2119 and who is from a family that is actively participating and
2120 complying in department-prescribed activities, including
2121 education, health services, or work.

2122 (c) A child from a family that is under supervision by the
2123 Department of Children and Families or a contracted service
2124 provider for abuse, neglect, abandonment, or exploitation.

2125 (d) A child placed in court-ordered, long-term custody or
2126 under the guardianship of a relative or nonrelative after
2127 termination of supervision by the Department of Children and
2128 Families or its contracted provider.



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2129 (e) A child in the custody of a parent who is considered a
2130 victim of domestic violence and is receiving services through a
2131 certified domestic violence center.

2132 (f) A child in the custody of a parent who is considered
2133 homeless as verified by a Department of Children and Families
2134 certified homeless shelter.

2135 (2) "Authorized hours of care" means the hours of care that
2136 are necessary to provide protection, maintain employment, or
2137 complete work activities or eligible educational activities,
2138 including reasonable travel time.

2139 ~~(13)-(3)~~ "Prevailing Average market rate" means the
2140 biennially determined 75th percentile of a reasonable frequency
2141 distribution average of the market rate by program care level
2142 and provider type in a predetermined geographic market at which
2143 child care providers charge a person for child care services.

2144 (3) "Department" means the Department of Education.

2145 (4) "Direct enhancement services" means services for
2146 families and children that are in addition to payments for the
2147 placement of children in the school readiness program. Direct
2148 enhancement services for families and children may include
2149 supports for providers, parent training and involvement
2150 activities, and strategies to meet the needs of unique
2151 populations and local eligibility priorities. Direct enhancement
2152 services offered by an early learning coalition shall be
2153 consistent with the activities prescribed in s. 1002.89(5) (b) ~~s.~~
2154 ~~1002.89(6) (b).~~

2155 (5) "Disenrollment" means the removal, either temporary or
2156 permanent, of a child from participation in the school readiness
2157 program. Removal of a child from the school readiness program



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2158 may be based on the following events: a reduction in available
2159 school readiness program funding, participant's failure to meet
2160 eligibility or program participation requirements, fraud, or a
2161 change in local service priorities.

2162 (6) "Earned income" means gross remuneration derived from
2163 work, professional service, or self-employment. The term
2164 includes commissions, bonuses, back pay awards, and the cash
2165 value of all remuneration paid in a medium other than cash.

2166 (7) "Economically disadvantaged" means having a family
2167 income that does not exceed 150 percent of the federal poverty
2168 level and includes being a child of a working migratory family
2169 as defined by 34 C.F.R. s. 200.81(d) or (f) or an agricultural
2170 worker who is employed by more than one agricultural employer
2171 during the course of a year, and whose income varies according
2172 to weather conditions and market stability.

2173 (8) "Family income" means the combined gross income,
2174 whether earned or unearned, that is derived from any source by
2175 all family or household members who are 18 years of age or older
2176 who are currently residing together in the same dwelling unit.
2177 The term does not include income earned by a currently enrolled
2178 high school student who, since attaining the age of 18 years, or
2179 a student with a disability who, since attaining the age of 22
2180 years, has not terminated school enrollment or received a high
2181 school diploma, high school equivalency diploma, special
2182 diploma, or certificate of high school completion. The term also
2183 does not include food stamp benefits or federal housing
2184 assistance payments issued directly to a landlord or the
2185 associated utilities expenses.

2186 (9) "Family or household members" means spouses, former



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2187 spouses, persons related by blood or marriage, persons who are
2188 parents of a child in common regardless of whether they have
2189 been married, and other persons who are currently residing
2190 together in the same dwelling unit as if a family.

2191 (10) "Full-time care" means at least 6 hours, but not more
2192 than 11 hours, of child care or early childhood education
2193 services within a 24-hour period.

2194 (11) "Market rate" means the price that a child care or
2195 early childhood education provider charges for full-time or
2196 part-time daily, weekly, or monthly child care or early
2197 childhood education services.

2198 ~~(12) "Office" means the Office of Early Learning of the~~
2199 ~~Department of Education.~~

2200 ~~(12)~~⁽¹²⁾ ~~(13)~~ "Part-time care" means less than 6 hours of child
2201 care or early childhood education services within a 24-hour
2202 period.

2203 (14) "Single point of entry" means an integrated
2204 information system that allows a parent to enroll his or her
2205 child in the school readiness program or the Voluntary
2206 Prekindergarten Education Program at various locations
2207 throughout a county, that may allow a parent to enroll his or
2208 her child by telephone or through a website, and that uses a
2209 uniform waiting list to track eligible children waiting for
2210 enrollment in the school readiness program.

2211 (15) "Unearned income" means income other than earned
2212 income. The term includes, but is not limited to:

2213 (a) Documented alimony and child support received.

2214 (b) Social security benefits.

2215 (c) Supplemental security income benefits.



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2216 (d) Workers' compensation benefits.
2217 (e) Reemployment assistance or unemployment compensation
2218 benefits.
2219 (f) Veterans' benefits.
2220 (g) Retirement benefits.
2221 (h) Temporary cash assistance under chapter 414.
2222 (16) "Working family" means:
2223 (a) A single-parent family in which the parent with whom
2224 the child resides is employed or engaged in eligible work or
2225 education activities for at least 20 hours per week;
2226 (b) A two-parent family in which both parents with whom the
2227 child resides are employed or engaged in eligible work or
2228 education activities for a combined total of at least 40 hours
2229 per week; or
2230 (c) A two-parent family in which one of the parents with
2231 whom the child resides is exempt from work requirements due to
2232 age or disability, as determined and documented by a physician
2233 licensed under chapter 458 or chapter 459, and one parent is
2234 employed or engaged in eligible work or education activities at
2235 least 20 hours per week.
2236 Section 49. Section 1002.82, Florida Statutes, is amended
2237 to read:
2238 1002.82 Department of Education ~~Office of Early Learning~~;
2239 powers and duties.—
2240 (1) For purposes of administration of the Child Care and
2241 Development Block Grant Trust Fund, pursuant to 45 C.F.R. parts
2242 98 and 99, the department ~~Office of Early Learning~~ is designated
2243 as the lead agency and must comply with lead agency
2244 responsibilities pursuant to federal law. The department ~~office~~



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2245 may apply to the Governor and Cabinet for a waiver of, and the
2246 Governor and Cabinet may waive, any provision of ss. 411.223 and
2247 1003.54 if the waiver is necessary for implementation of the
2248 school readiness program. Section 125.901(2)(a)3. does not apply
2249 to the school readiness program.

2250 (2) The department ~~office~~ shall:

2251 (a) Focus on improving the educational quality delivered by
2252 all providers participating in the school readiness program.

2253 (b) Preserve parental choice by permitting parents to
2254 choose from a variety of child care categories, including
2255 center-based care, family child care, and informal child care to
2256 the extent authorized in the state's Child Care and Development
2257 Fund Plan as approved by the United States Department of Health
2258 and Human Services pursuant to 45 C.F.R. s. 98.18. Care and
2259 curriculum by a faith-based provider may not be limited or
2260 excluded in any of these categories.

2261 (c) Be responsible for the prudent use of all public and
2262 private funds in accordance with all legal and contractual
2263 requirements, safeguarding the effective use of federal, state,
2264 and local resources to achieve the highest practicable level of
2265 school readiness for the children described in s. 1002.87,
2266 including:

2267 1. The adoption of a uniform chart of accounts for
2268 budgeting and financial reporting purposes that provides
2269 standardized definitions for expenditures and reporting,
2270 consistent with the requirements of 45 C.F.R. part 98 and s.
2271 1002.89 for each of the following categories of expenditure:

2272 a. Direct services to children.

2273 b. Administrative costs.



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2274 c. Quality activities.
2275 d. Nondirect services.
2276 2. Coordination with other state and federal agencies to
2277 perform data matches on children participating in the school
2278 readiness program and their families in order to verify the
2279 children's eligibility pursuant to s. 1002.87.
2280 (d) Establish procedures for the biennial calculation of
2281 the prevailing average market rate or an alternative model that
2282 has been approved by the Administration for Children and
2283 Families pursuant to 45 C.F.R. s. 98.45(c).
2284 (e) Review each early learning coalition's school readiness
2285 program plan every 2 years and provide final approval of the
2286 plan and any amendments submitted.
2287 (f) Establish a unified approach to the state's efforts to
2288 coordinate a comprehensive early learning program. In support of
2289 this effort, the department office:
2290 1. Shall adopt specific program support services that
2291 address the state's school readiness program, including:
2292 a. Statewide data information program requirements that
2293 include:
2294 (I) Eligibility requirements.
2295 (II) Financial reports.
2296 (III) Program accountability measures.
2297 (IV) Child progress reports.
2298 b. Child care resource and referral services.
2299 c. A single point of entry and uniform waiting list.
2300 2. May provide technical assistance and guidance on
2301 additional support services to complement the school readiness
2302 program, including:



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2303 ~~a. Rating and improvement systems.~~
2304 ~~a.b.~~ Warm-Line services.
2305 ~~b.e.~~ Anti-fraud plans.
2306 ~~d. School readiness program standards.~~
2307 ~~e. Child screening and assessments.~~
2308 ~~c.f.~~ Training and support for parental involvement in
2309 children's early education.
2310 ~~d.g.~~ Family literacy activities and services.
2311 (g) Provide technical assistance to early learning
2312 coalitions.
2313 (h) In cooperation with the early learning coalitions,
2314 coordinate with the Child Care Services Program Office of the
2315 Department of Children and Families to reduce paperwork and to
2316 avoid duplicating interagency activities, health and safety
2317 monitoring, and acquiring and composing data pertaining to child
2318 care training and credentialing.
2319 (i) Enter into a memorandum of understanding with local
2320 licensing agencies and the Child Care Services Program Office of
2321 the Department of Children and Families for inspections of
2322 school readiness program providers to monitor and verify
2323 compliance with s. 1002.88 and the health and safety checklist
2324 adopted by the department ~~office~~. The provider contract of a
2325 school readiness program provider that refuses permission for
2326 entry or inspection shall be terminated. The health and safety
2327 checklist may not exceed the requirements of s. 402.305 and the
2328 Child Care and Development Fund pursuant to 45 C.F.R. part 98. A
2329 child development program that is accredited by a national
2330 accrediting body and operates on a military installation that is
2331 certified by the United States Department of Defense is exempted



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2332 from the inspection requirements under s. 1002.88.

2333 (j) Monitor the alignment and consistency of the ~~Develop~~
2334 and ~~adopt~~ standards and benchmarks developed and adopted by the
2335 department that address the age-appropriate progress of children
2336 in the development of school readiness skills. The standards for
2337 children from birth to kindergarten entry ~~5 years of age~~ in the
2338 school readiness program must be aligned with the performance
2339 standards adopted for children in the Voluntary Prekindergarten
2340 Education Program and must address the following domains:

- 2341 1. Approaches to learning.
- 2342 2. Cognitive development and general knowledge.
- 2343 3. Numeracy, language, and communication.
- 2344 4. Physical development.
- 2345 5. Self-regulation.

2346 (k) Identify observation-based child assessments that are
2347 valid, reliable, and developmentally appropriate for use at
2348 least three times a year. The assessments must:

2349 1. Provide interval level and norm-referenced ~~riterion-~~
2350 ~~referenced~~ data that measures equivalent levels of growth across
2351 the core domains of early childhood development and that can be
2352 used for determining developmentally appropriate learning gains.

2353 2. Measure progress in the performance standards adopted
2354 pursuant to paragraph (j).

2355 3. Provide for appropriate accommodations for children with
2356 disabilities and English language learners and be administered
2357 by qualified individuals, consistent with the developer's
2358 instructions.

2359 4. Coordinate with the performance standards adopted by the
2360 department under s. 1002.67(1) for the Voluntary Prekindergarten



2361 Education Program.

2362 5. Provide data in a format for use in the single statewide
2363 information system to meet the requirements of paragraph (q)
2364 ~~(p)~~.

2365 (l) Adopt a list of approved curricula that meet the
2366 performance standards for the school readiness program and
2367 establish a process for the review and approval of a provider's
2368 curriculum that meets the performance standards.

2369 (m) Provide technical support to an early learning
2370 coalition to facilitate the use of ~~Adopt by rule~~ a standard
2371 statewide provider contract adopted by the department to be used
2372 with each school readiness program provider, with standardized
2373 attachments by provider type. The department ~~office~~ shall
2374 publish a copy of the standard statewide provider contract on
2375 its website. The standard statewide contract shall include, at a
2376 minimum, contracted slots, if applicable, in accordance with the
2377 Child Care and Development Block Grant Act of 2014, 45 C.F.R.
2378 parts 98 and 99; quality improvement strategies, if applicable;
2379 program assessment requirements; and provisions for provider
2380 probation, termination for cause, and emergency termination for
2381 those actions or inactions of a provider that pose an immediate
2382 and serious danger to the health, safety, or welfare of the
2383 children. The standard statewide provider contract shall also
2384 include appropriate due process procedures. During the pendency
2385 of an appeal of a termination, the provider may not continue to
2386 offer its services. Any provision imposed upon a provider that
2387 is inconsistent with, or prohibited by, law is void and
2388 unenforceable. Provisions for termination for cause must also
2389 include failure to meet the minimum quality measures established



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2390 under paragraph (n) for a period of up to 5 years, unless the
2391 coalition determines that the provider is essential to meeting
2392 capacity needs based on the assessment under s. 1002.85(2)(j)
2393 and the provider has an active improvement plan pursuant to
2394 paragraph (n).

2395 (n) Adopt a program assessment for school readiness program
2396 providers that measures the quality of teacher-child
2397 interactions, including emotional and behavioral support,
2398 engaged support for learning, classroom organization, and
2399 instructional support for children ages birth to 5 years. The
2400 implementation of the program assessment must also include the
2401 following components adopted by rule of the State Board of
2402 Education:

2403 1. Quality measures, including a minimum program assessment
2404 composite score threshold for contracting purposes and program
2405 improvement through an improvement plan.

2406 2. Requirements for program participation, frequency of
2407 program assessment, and exemptions.

2408 (o) No later than July 1, 2019, develop a differential
2409 payment program based on the quality measures adopted by the
2410 department office under paragraph (n). The differential payment
2411 may not exceed a total of 15 percent for each care level and
2412 unit of child care for a child care provider. No more than 5
2413 percent of the 15 percent total differential may be provided to
2414 providers who submit valid and reliable data to the statewide
2415 information system in the domains of language and executive
2416 functioning using a child assessment identified pursuant to
2417 paragraph (k). Providers below the minimum program assessment
2418 score adopted threshold for contracting purposes are ineligible



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2419 for such payment.

2420 (p) No later than July 1, 2022, develop and adopt
2421 requirements for the implementation of a program designed to
2422 make available contracted slots to serve children at the
2423 greatest risk of school failure as determined by such children
2424 being located in an area that has been designated as a poverty
2425 area tract according to the latest census data. The contracted
2426 slot program may also be used to increase the availability of
2427 child care capacity based on the assessment under s.
2428 1002.85(2)(j).

2429 (q)~~(p)~~ Establish a single statewide information system that
2430 each coalition must use for the purposes of managing the single
2431 point of entry, tracking children's progress, coordinating
2432 services among stakeholders, determining eligibility of
2433 children, tracking child attendance, and streamlining
2434 administrative processes for providers and early learning
2435 coalitions. By July 1, 2019, the system, subject to ss. 1002.72
2436 and 1002.97, shall:

2437 1. Allow a parent to monitor the development of his or her
2438 child as the child moves among programs within the state.

2439 2. Enable analysis at the state, regional, and local level
2440 to measure child growth over time, program impact, and quality
2441 improvement and investment decisions.

2442 (r)~~(q)~~ Provide technical support to coalitions to
2443 facilitate the use of ~~Adopt by rule~~ standardized procedures
2444 adopted in state board rule for early learning coalitions to use
2445 when monitoring the compliance of school readiness program
2446 providers with the terms of the standard statewide provider
2447 contract.



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2448 (s)~~(r)~~ At least biennially provide fiscal and programmatic
2449 monitoring to ~~Monitor and~~ evaluate the performance of each early
2450 learning coalition in administering the school readiness
2451 program, ensuring proper payments for school readiness program
2452 services, implementing the coalition's school readiness program
2453 plan, and administering the Voluntary Prekindergarten Education
2454 Program. These monitoring and performance evaluations must
2455 include, at a minimum, onsite monitoring of each coalition's
2456 finances, management, operations, and programs.

2457 (t)~~(s)~~ Work in conjunction with the Bureau of Federal
2458 Education Programs within the department ~~of Education~~ to
2459 coordinate readiness and voluntary prekindergarten services to
2460 the populations served by the bureau.

2461 (u)~~(t)~~ Administer a statewide toll-free Warm-Line to
2462 provide assistance and consultation to child care facilities and
2463 family day care homes regarding health, developmental,
2464 disability, and special needs issues of the children they are
2465 serving, particularly children with disabilities and other
2466 special needs. The department ~~office~~ shall:

2467 1. Annually inform child care facilities and family day
2468 care homes of the availability of this service through the child
2469 care resource and referral network under s. 1002.92.

2470 2. Expand or contract for the expansion of the Warm-Line to
2471 maintain at least one Warm-Line in each early learning coalition
2472 service area.

2473 (v)~~(u)~~ Develop and implement strategies to increase the
2474 supply and improve the quality of child care services for
2475 infants and toddlers, children with disabilities, children who
2476 receive care during nontraditional hours, children in



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2477 underserved areas, and children in areas that have significant
2478 concentrations of poverty and unemployment.

2479 (w)~~(v)~~ Establish preservice and inservice training
2480 requirements that address, at a minimum, school readiness child
2481 development standards, health and safety requirements, and
2482 social-emotional behavior intervention models, which may include
2483 positive behavior intervention and support models, including the
2484 integration of early learning professional development pathways
2485 established in s. 1002.995.

2486 (x)~~(w)~~ Establish standards for emergency preparedness plans
2487 for school readiness program providers.

2488 (y)~~(x)~~ Establish group sizes.

2489 (z)~~(y)~~ Establish staff-to-children ratios that do not
2490 exceed the requirements of s. 402.302(8) or (11) or s.
2491 402.305(4), as applicable, for school readiness program
2492 providers.

2493 (aa)~~(z)~~ Establish eligibility criteria, including
2494 limitations based on income and family assets, in accordance
2495 with s. 1002.87 and federal law.

2496 (3) (a) The department shall adopt performance standards and
2497 outcome measures for early learning coalitions that, at a
2498 minimum, include the development of objective and statistically
2499 valid customer service surveys by a state university of other
2500 independent researcher with specific expertise in customer
2501 service survey development. The survey shall be deployed
2502 beginning in fiscal year 2022-2023 and be distributed to:

2503 1. Customers who use the services in s. 1002.92 upon the
2504 completion of a referral inquiry.

2505 2. Parents, annually, at the time of eligibility



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2506 determination.

2507 3. Child care providers that participate in the school
2508 readiness program or the Voluntary Prekindergarten Education
2509 Program at the time of execution of the statewide provider
2510 contract.

2511 4. Board members required under s. 1002.83.

2512 (b) Results of the survey shall be based on a statistically
2513 significant sample size of completed surveys and calculated
2514 annually for each early learning coalition and included in the
2515 department's annual report under subsection (7). If an early
2516 learning coalition's customer satisfaction survey results are
2517 below 60 percent, the coalition shall be placed on a 1-year
2518 corrective action plan that outlines the specific steps the
2519 coalition shall take to improve the results of the customer
2520 service surveys, including, but not limited to, technical
2521 assistance, staff professional development, or coaching. If,
2522 after being placed on corrective action, an early learning
2523 coalition's customer satisfaction survey results do not improve
2524 above the 60 percent threshold, the department may contract out
2525 or merge the coalition.

2526 (4)~~(3)~~ If the department ~~office~~ determines during the
2527 review of school readiness program plans, or through monitoring
2528 and performance evaluations conducted under s. 1002.85, that an
2529 early learning coalition has not substantially implemented its
2530 plan, has not substantially met the performance standards and
2531 outcome measures adopted by the department or the terms of a
2532 customer service corrective action plan ~~office~~, or has not
2533 effectively administered the school readiness program or
2534 Voluntary Prekindergarten Education Program, the department



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2535 ~~office~~ may remove the coalition from eligibility to administer
2536 early learning programs and temporarily contract with a
2537 qualified entity to continue school readiness program and
2538 prekindergarten services in the coalition's county or
2539 multicounty region until the department office reestablishes or
2540 merges the coalition and a new school readiness program plan is
2541 approved in accordance with the rules adopted by the state board
2542 office.

2543 (5) The department shall adopt procedures for merging early
2544 learning coalitions for failure to meet the requirements of
2545 subsection (3) or subsection (4), including procedures for the
2546 consolidation of merging coalitions that minimizes duplication
2547 of programs and services due to the merger, and for the early
2548 termination of the terms of the coalition members which are
2549 necessary to accomplish the mergers.

2550 (6)~~(4)~~ The department office may request the Governor to
2551 apply for a waiver to allow a coalition to administer the Head
2552 Start Program to accomplish the purposes of the school readiness
2553 program.

2554 (7)~~(5)~~ By January 1 of each year, the department office
2555 shall annually publish on its website a report of its activities
2556 conducted under this section. The report must include a summary
2557 of the coalitions' annual reports, a statewide summary, and the
2558 following:

2559 (a) An analysis of early learning activities throughout the
2560 state, including the school readiness program and the Voluntary
2561 Prekindergarten Education Program.

2562 1. The total and average number of children served in the
2563 school readiness program, enumerated by age, eligibility



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2564 priority category, and coalition, and the total number of
2565 children served in the Voluntary Prekindergarten Education
2566 Program.

2567 2. A summary of expenditures by coalition, by fund source,
2568 including a breakdown by coalition of the percentage of
2569 expenditures for administrative activities, quality activities,
2570 nondirect services, and direct services for children.

2571 3. A description of the department's ~~office's~~ and each
2572 coalition's expenditures by fund source for the quality and
2573 enhancement activities described in s. 1002.89(5)(b) ~~s.~~
2574 ~~1002.89(6)(b)~~.

2575 4. A summary of annual findings and collections related to
2576 provider fraud and parent fraud.

2577 5. Data regarding the coalitions' delivery of early
2578 learning programs.

2579 6. The total number of children disenrolled statewide and
2580 the reason for disenrollment.

2581 7. The total number of providers by provider type.

2582 8. The number of school readiness program providers who
2583 have completed the program assessment required under paragraph
2584 (2)(n); the number of providers who have not met the minimum
2585 program assessment composite score ~~threshold~~ for contracting
2586 established under paragraph (2)(n); and the number of providers
2587 that have an active improvement plan based on the results of the
2588 program assessment under paragraph (2)(n).

2589 9. The total number of provider contracts revoked and the
2590 reasons for revocation.

2591 (b) A detailed summary of the analysis compiled using the
2592 single statewide information system established in subsection



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2593 ~~(2) activities and detailed expenditures related to the Child~~
2594 ~~Care Executive Partnership Program.~~

2595 (8) (a) ~~(6) (a)~~ Parental choice of child care providers,
2596 including private and faith-based providers, shall be
2597 established to the maximum extent practicable in accordance with
2598 45 C.F.R. s. 98.30.

2599 (b) As used in this subsection, the term "payment
2600 certificate" means a child care certificate as defined in 45
2601 C.F.R. s. 98.2.

2602 (c) The school readiness program shall, in accordance with
2603 45 C.F.R. s. 98.30, provide parental choice through a payment
2604 certificate that provides, to the maximum extent possible,
2605 flexibility in the school readiness program and payment
2606 arrangements. The payment certificate must bear the names of the
2607 beneficiary and the program provider and, when redeemed, must
2608 bear the signatures of both the beneficiary and an authorized
2609 representative of the provider.

2610 (d) If it is determined that a provider has given any cash
2611 or other consideration to the beneficiary in return for
2612 receiving a payment certificate, the early learning coalition or
2613 its fiscal agent shall refer the matter to the Department of
2614 Financial Services pursuant to s. 414.411 for investigation.

2615 (9) ~~(7)~~ Participation in the school readiness program does
2616 not expand the regulatory authority of the state, its officers,
2617 or an early learning coalition to impose any additional
2618 regulation on providers beyond those necessary to enforce the
2619 requirements set forth in this part and part V of this chapter.

2620 Section 50. Present subsections (5) through (14) of section
2621 1002.83, Florida Statutes, are redesignated as subsections (6)



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2622 through (15), respectively, a new subsection (5) is added to
2623 that section, and subsections (1) and (3), paragraphs (e), (f),
2624 and (m) of subsection (4), and present subsections (5), (11),
2625 and (13) are amended, to read:

2626 1002.83 Early learning coalitions.—

2627 (1) Thirty ~~Thirty-one~~ or fewer early learning coalitions
2628 are established and shall maintain direct enhancement services
2629 at the local level and provide access to such services in all 67
2630 counties. Two or more early learning coalitions may join for
2631 purposes of planning and implementing a school readiness program
2632 and the Voluntary Prekindergarten Education Program.

2633 (3) The Governor shall appoint the chair and two other
2634 members of each early learning coalition, who must each meet the
2635 ~~same~~ qualifications of a as private sector business member
2636 ~~members appointed by the coalition~~ under subsection (6) ~~(5)~~. In
2637 the absence of a governor-appointed chair, the Commissioner of
2638 Education may appoint an interim chair from the current early
2639 learning coalition board membership.

2640 (4) Each early learning coalition must include the
2641 following member positions; however, in a multicounty coalition,
2642 each ex officio member position may be filled by multiple
2643 nonvoting members but no more than one voting member shall be
2644 seated per member position. If an early learning coalition has
2645 more than one member representing the same entity, only one of
2646 such members may serve as a voting member:

2647 (e) A children's services council or juvenile welfare board
2648 chair or executive director from each county, if applicable.

2649 (f) A Department of Children and Families child care
2650 regulation representative or an agency head of a local licensing



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2651 agency as defined in s. 402.302, where applicable.

2652 ~~(m) A central agency administrator, where applicable.~~

2653 (5) If members of the board are found to be

2654 nonparticipating according to the early learning coalition

2655 bylaws, the early learning coalition may request an alternate

2656 designee who meets the same qualifications or membership

2657 requirements of the nonparticipating member.

2658 (6)~~(5)~~ The early learning coalition may appoint additional

2659 ~~Including the members who appointed by the Governor under~~

2660 ~~subsection (3), more than one third of the members of each early~~

2661 ~~learning coalition must be private sector business members,~~

2662 either for-profit or nonprofit, who do not have, and none of

2663 whose relatives as defined in s. 112.3143 has, a substantial

2664 financial interest in the design or delivery of the Voluntary

2665 Prekindergarten Education Program created under part V of this

2666 chapter or the school readiness program. ~~To meet this~~

2667 ~~requirement, an early learning coalition must appoint additional~~

2668 ~~members.~~ The department office shall establish criteria for

2669 appointing private sector business members. These criteria must

2670 include standards for determining whether a member or relative

2671 has a substantial financial interest in the design or delivery

2672 of the Voluntary Prekindergarten Education Program or the school

2673 readiness program.

2674 (12)~~(11)~~ Each early learning coalition shall establish

2675 terms for all appointed members of the coalition. The terms must

2676 be staggered and must be a uniform length that does not exceed 4

2677 years per term. ~~Coalition chairs shall be appointed for 4 years~~

2678 ~~pursuant to s. 20.052.~~ Appointed members may serve a maximum of

2679 two consecutive terms. When a vacancy occurs in an appointed



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2680 position, the coalition must advertise the vacancy.

2681 ~~(14)~~~~(13)~~ Each early learning coalition shall complete an
2682 annual evaluation of the early learning coalition's executive
2683 director or chief executive officer on forms adopted by the
2684 department. The annual evaluation must be submitted to the
2685 commissioner by August 30 of each year ~~use a coordinated~~
2686 ~~professional development system that supports the achievement~~
2687 ~~and maintenance of core competencies by school readiness program~~
2688 ~~teachers in helping children attain the performance standards~~
2689 ~~adopted by the office.~~

2690 Section 51. Present subsections (7) through (20) of section
2691 1002.84, Florida Statutes, are redesignated as subsections (8)
2692 through (21), respectively, a new subsection (7) is added to
2693 that section, and subsections (1), (2), and (4) and present
2694 subsections (7), (8), (15) through (18), and (20) of that
2695 section are amended, to read:

2696 1002.84 Early learning coalitions; school readiness powers
2697 and duties.—Each early learning coalition shall:

2698 (1) Administer and implement a local comprehensive program
2699 of school readiness program services in accordance with this
2700 part and the rules adopted by the department ~~office~~, which
2701 enhances the cognitive, social, and physical development of
2702 children to achieve the performance standards.

2703 (2) Establish a uniform waiting list to track eligible
2704 children waiting for enrollment in the school readiness program
2705 in accordance with rules adopted by the State Board of Education
2706 ~~office~~.

2707 (4) Establish a regional Warm-Line as directed by the
2708 department ~~office~~ pursuant to s. 1002.82(2)(u) ~~s. 1002.82(2)(t)~~.



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2709 Regional Warm-Line staff shall provide onsite technical
2710 assistance, when requested, to assist child care facilities and
2711 family day care homes with inquiries relating to the strategies,
2712 curriculum, and environmental adaptations the child care
2713 facilities and family day care homes may need as they serve
2714 children with disabilities and other special needs.

2715 (7) Use a coordinated professional development system that
2716 supports the achievement and maintenance of core competencies by
2717 school readiness program teachers in helping children attain the
2718 performance standards adopted by the department.

2719 (8)~~(7)~~ Determine child eligibility pursuant to s. 1002.87
2720 and provider eligibility pursuant to s. 1002.88. Child
2721 eligibility must be redetermined annually. A coalition must
2722 document the reason a child is no longer eligible for the school
2723 readiness program according to the standard codes prescribed by
2724 the department ~~office~~.

2725 (9)~~(8)~~ Establish a parent sliding fee scale that provides
2726 for a parent copayment that is not a barrier to families
2727 receiving school readiness program services. ~~Providers are~~
2728 ~~required to collect the parent's copayment.~~ A coalition may, ~~on~~
2729 ~~a case-by-case basis,~~ waive the copayment for an at-risk child
2730 or temporarily waive the copayment for a child whose family's
2731 income is at or below the federal poverty level or ~~and~~ whose
2732 family experiences a natural disaster or an event that limits
2733 the parent's ability to pay, such as incarceration, placement in
2734 residential treatment, or becoming homeless, or an emergency
2735 situation such as a household fire or burglary, or while the
2736 parent is participating in parenting classes or participating in
2737 an Early Head Start program or Head Start Program. A parent may



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2738 not transfer school readiness program services to another school
2739 readiness program provider until the parent has submitted
2740 documentation from the current school readiness program provider
2741 to the early learning coalition stating that the parent has
2742 satisfactorily fulfilled the copayment obligation.

2743 (16)~~(15)~~ Monitor school readiness program providers in
2744 accordance with its plan, or in response to a parental
2745 complaint, to verify that the standards prescribed in ss.
2746 1002.82 and 1002.88 are being met using a standard monitoring
2747 tool adopted by the department ~~office~~. Providers determined to
2748 be high-risk by the coalition, as demonstrated by substantial
2749 findings of violations of federal law or the general or local
2750 laws of the state, shall be monitored more frequently. Providers
2751 with 3 consecutive years of compliance may be monitored
2752 biennially.

2753 (17)~~(16)~~ Adopt a payment schedule that encompasses all
2754 programs funded under this part and part V of this chapter. The
2755 payment schedule must take into consideration the prevailing
2756 average market rate or an alternative model that has been
2757 approved by the Administration for Children and Families
2758 pursuant to 45 C.F.R. 98.45(c), include the projected number of
2759 children to be served, and be submitted for approval by the
2760 department ~~office~~. Informal child care arrangements shall be
2761 reimbursed at not more than 50 percent of the rate adopted for a
2762 family day care home.

2763 (18)~~(17)~~ Implement an anti-fraud plan addressing the
2764 detection, reporting, and prevention of overpayments, abuse, and
2765 fraud relating to the provision of and payment for school
2766 readiness program and Voluntary Prekindergarten Education



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2767 Program services and submit the plan to the department office
2768 for approval, as required by s. 1002.91.

2769 ~~(19)(18)~~ By October 1 of each year, submit an annual report
2770 to the department office. The report shall conform to the format
2771 adopted by the department office and must include:

2772 (a) Segregation of school readiness program funds,
2773 Voluntary Prekindergarten Education Program funds, ~~Child Care~~
2774 ~~Executive Partnership Program funds~~, and other local revenues
2775 available to the coalition.

2776 (b) Details of expenditures by fund source, including total
2777 expenditures for administrative activities, quality activities,
2778 nondirect services, and direct services for children.

2779 (c) The total number of coalition staff and the related
2780 expenditures for salaries and benefits. For any subcontracts,
2781 the total number of contracted staff and the related
2782 expenditures for salaries and benefits must be included.

2783 (d) The number of children served in the school readiness
2784 program, by provider type, enumerated by age and eligibility
2785 priority category, reported as the number of children served
2786 during the month, the average participation throughout the
2787 month, and the number of children served during the month.

2788 (e) The total number of children disenrolled during the
2789 year and the reasons for disenrollment.

2790 (f) The total number of providers by provider type.

2791 (g) A listing of any school readiness program provider, by
2792 type, whose eligibility to deliver the school readiness program
2793 is revoked, including a brief description of the state or
2794 federal violation that resulted in the revocation.

2795 (h) An evaluation of its direct enhancement services.



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2796 (i) The total number of children served in each provider
2797 facility.

2798 (21) (a) ~~(20)~~ To increase transparency and accountability,
2799 comply with the requirements of this section before contracting
2800 with one or more of the following persons or business entities
2801 which employs, has a contractual relationship with, or is owned
2802 by the following persons:

2803 1. A member of the coalition appointed pursuant to s.
2804 1002.83(3);

2805 2. A board member of any other early learning subrecipient
2806 entity;

2807 3. A coalition employee; or

2808 4. A relative, as defined in s. 112.3143(1)(c), of any
2809 person listed in subparagraphs 1.-3 ~~a coalition member or of an~~
2810 employee of the coalition.

2811 (b) Such contracts may not be executed without the approval
2812 of the department office. Such contracts, as well as
2813 documentation demonstrating adherence to this section by the
2814 coalition, must be approved by a two-thirds vote of the
2815 coalition, a quorum having been established; all conflicts of
2816 interest must be disclosed before the vote; and any member who
2817 may benefit from the contract, or whose relative may benefit
2818 from the contract, must abstain from the vote. A contract under
2819 \$25,000 ~~between an early learning coalition and a member of that~~
2820 ~~coalition or between a relative, as defined in s.~~
2821 ~~112.3143(1)(c), of a coalition member or of an employee of the~~
2822 ~~coalition~~ is not required to have the prior approval of the
2823 department office but must be approved by a two-thirds vote of
2824 the coalition, a quorum having been established, and must be



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2825 reported to the department office within 30 days after approval.
2826 If a contract cannot be approved by the department office, a
2827 review of the decision to disapprove the contract may be
2828 requested by the early learning coalition or other parties to
2829 the disapproved contract.

2830 Section 52. Section 1002.85, Florida Statutes, is amended
2831 to read:

2832 1002.85 Early learning coalition plans.—

2833 (1) The department office shall adopt rules prescribing the
2834 standardized format and required content of school readiness
2835 program plans as necessary for a coalition or other qualified
2836 entity to administer the school readiness program as provided in
2837 this part.

2838 (2) Each early learning coalition must biennially submit a
2839 school readiness program plan to the department office before
2840 the expenditure of funds. A coalition may not implement its
2841 school readiness program plan until it receives approval from
2842 the department office. A coalition may not implement any
2843 revision to its school readiness program plan until the
2844 coalition submits the revised plan to and receives approval from
2845 the department office. If the department office rejects a plan
2846 or revision, the coalition must continue to operate under its
2847 previously approved plan. The plan must include, but is not
2848 limited to:

2849 (a) The coalition's operations, including its membership
2850 and business organization, and the coalition's articles of
2851 incorporation and bylaws if the coalition is organized as a
2852 corporation. If the coalition is not organized as a corporation
2853 or other business entity, the plan must include the contract



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2854 with a fiscal agent.

2855 (b) The minimum number of children to be served by care
2856 level.

2857 (c) The coalition's procedures for implementing the
2858 requirements of this part, including:

2859 1. Single point of entry.

2860 2. Uniform waiting list.

2861 3. Eligibility and enrollment processes and local
2862 eligibility priorities for children pursuant to s. 1002.87.

2863 4. Parent access and choice.

2864 5. Sliding fee scale and policies on applying the waiver or
2865 reduction of fees in accordance with s. 1002.84(9) ~~s.~~
2866 ~~1002.84(8)~~.

2867 6. Use of preassessments and postassessments, as
2868 applicable.

2869 7. Payment rate schedule.

2870 8. Use of contracted slots, as applicable, based on the
2871 results of the assessment required under paragraph (j).

2872 (d) A detailed description of the coalition's quality
2873 activities and services, including, but not limited to:

2874 1. Resource and referral and school-age child care.

2875 2. Infant and toddler early learning.

2876 3. Inclusive early learning programs.

2877 4. Quality improvement strategies that strengthen teaching
2878 practices and increase child outcomes.

2879 (e) A detailed budget that outlines estimated expenditures
2880 for state, federal, and local matching funds at the lowest level
2881 of detail available by other-cost-accumulator code number; all
2882 estimated sources of revenue with identifiable descriptions; a



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2883 listing of full-time equivalent positions; contracted
2884 subcontractor costs with related annual compensation amount or
2885 hourly rate of compensation; and a capital improvements plan
2886 outlining existing fixed capital outlay projects and proposed
2887 capital outlay projects that will begin during the budget year.

2888 (f) A detailed accounting, in the format prescribed by the
2889 department office, of all revenues and expenditures during the
2890 previous state fiscal year. Revenue sources should be
2891 identifiable, and expenditures should be reported by two ~~three~~
2892 categories: state and federal funds and, ~~local matching funds,~~
2893 ~~and Child Care Executive Partnership Program funds.~~

2894 (g) Updated policies and procedures, including those
2895 governing procurement, maintenance of tangible personal
2896 property, maintenance of records, information technology
2897 security, and disbursement controls.

2898 (h) A description of the procedures for monitoring school
2899 readiness program providers, including in response to a parental
2900 complaint, to determine that the standards prescribed in ss.
2901 1002.82 and 1002.88 are met using a standard monitoring tool
2902 adopted by the department office. Providers determined to be
2903 high risk by the coalition as demonstrated by substantial
2904 findings of violations of law shall be monitored more
2905 frequently.

2906 (i) Documentation that the coalition has solicited and
2907 considered comments regarding the proposed school readiness
2908 program plan from the local community.

2909 (j) An assessment of local priorities within the county or
2910 multicounty region based on the needs of families and provider
2911 capacity using available community data.



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2912 (3) The coalition may periodically amend its plan as
2913 necessary. An amended plan must be submitted to and approved by
2914 the department ~~office~~ before any expenditures are incurred on
2915 the new activities proposed in the amendment.

2916 (4) The department ~~office~~ shall publish a copy of the
2917 standardized format and required content of school readiness
2918 program plans on its website.

2919 (5) The department ~~office~~ shall collect and report data on
2920 coalition delivery of early learning programs. Elements shall
2921 include, but are not limited to, measures related to progress
2922 towards reducing the number of children on the waiting list, the
2923 percentage of children served by the program as compared to the
2924 number of administrative staff and overhead, the percentage of
2925 children served compared to total number of children under the
2926 age of 5 years below 150 percent of the federal poverty level,
2927 provider payment processes, fraud intervention, child attendance
2928 and stability, use of child care resource and referral, and
2929 kindergarten readiness outcomes for children in the Voluntary
2930 Prekindergarten Education Program or the school readiness
2931 program upon entry into kindergarten. The department ~~office~~
2932 shall request input from the coalitions and school readiness
2933 program providers before finalizing the format and data to be
2934 used. The report shall be implemented beginning July 1, 2014,
2935 and results of the report must be included in the annual report
2936 under s. 1002.82.

2937 Section 53. Paragraphs (a), (b), (c), (e), (f), (m), (n),
2938 (p), and (q) of subsection (1) and subsection (3) of section
2939 1002.88, Florida Statutes, are amended, and paragraph (s) is
2940 added to subsection (1) of that section, to read:



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2941 1002.88 School readiness program provider standards;
2942 eligibility to deliver the school readiness program.—

2943 (1) To be eligible to deliver the school readiness program,
2944 a school readiness program provider must:

2945 (a) Be a child care facility licensed under s. 402.305, a
2946 family day care home licensed or registered under s. 402.313, a
2947 large family child care home licensed under s. 402.3131, a
2948 public school or nonpublic school exempt from licensure under s.
2949 402.3025, a faith-based child care provider exempt from
2950 licensure under s. 402.316, a before-school or after-school
2951 program described in s. 402.305(1)(c), a child development
2952 program that is accredited by a national accrediting body and
2953 operates on a military installation that is certified by the
2954 United States Department of Defense, or an informal child care
2955 provider to the extent authorized in the state's Child Care and
2956 Development Fund Plan as approved by the United States
2957 Department of Health and Human Services pursuant to 45 C.F.R. s.
2958 98.18, or a provider who has been issued a provisional license
2959 pursuant to s. 402.309. A provider may not deliver the program
2960 while holding a probation-status license under s. 402.310.

2961 (b) Provide instruction and activities to enhance the age-
2962 appropriate progress of each child in attaining the child
2963 development standards adopted by the department office pursuant
2964 to s. 1002.82(2)(j). A provider should include activities to
2965 foster brain development in infants and toddlers; provide an
2966 environment that is rich in language and music and filled with
2967 objects of various colors, shapes, textures, and sizes to
2968 stimulate visual, tactile, auditory, and linguistic senses; and
2969 include 30 minutes of reading to children each day.



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2970 (c) Provide basic health and safety of its premises and
2971 facilities and compliance with requirements for age-appropriate
2972 immunizations of children enrolled in the school readiness
2973 program.

2974 1. For a provider that is licensed, compliance with s.
2975 402.305, s. 402.3131, or s. 402.313 and this subsection, as
2976 verified pursuant to s. 402.311, satisfies this requirement.

2977 2. For a provider that is a registered family day care home
2978 or is not subject to licensure or registration by the Department
2979 of Children and Families, compliance with this subsection, as
2980 verified pursuant to s. 402.311, satisfies this requirement.
2981 Upon verification pursuant to s. 402.311, the provider shall
2982 annually post the health and safety checklist adopted by the
2983 department office prominently on its premises in plain sight for
2984 visitors and parents and shall annually submit the checklist to
2985 its local early learning coalition.

2986 3. For a child development program that is accredited by a
2987 national accrediting body and operates on a military
2988 installation that is certified by the United States Department
2989 of Defense, the submission and verification of annual
2990 inspections pursuant to United States Department of Defense
2991 Instructions 6060.2 and 1402.05 satisfies this requirement.

2992 (e) Employ child care personnel, as defined in s.
2993 402.302(3), who have satisfied the screening requirements of
2994 chapter 402 and fulfilled the training requirements of the
2995 department office.

2996 (f) Implement one of the curricula approved by the
2997 department office that meets the child development standards.

2998 (m) For a provider that is not an informal provider,



2999 maintain general liability insurance and provide the coalition
3000 with written evidence of general liability insurance coverage,
3001 including coverage for transportation of children if school
3002 readiness program children are transported by the provider. A
3003 provider must obtain and retain an insurance policy that
3004 provides a minimum of \$100,000 of coverage per occurrence and a
3005 minimum of \$300,000 general aggregate coverage. The department
3006 ~~office~~ may authorize lower limits upon request, as appropriate.
3007 A provider must add the coalition as a named certificateholder
3008 and as an additional insured. A provider must provide the
3009 coalition with a minimum of 10 calendar days' advance written
3010 notice of cancellation of or changes to coverage. The general
3011 liability insurance required by this paragraph must remain in
3012 full force and effect for the entire period of the provider
3013 contract with the coalition.

3014 (n) For a provider that is an informal provider, comply
3015 with the provisions of paragraph (m) or maintain homeowner's
3016 liability insurance and, if applicable, a business rider. If an
3017 informal provider chooses to maintain a homeowner's policy, the
3018 provider must obtain and retain a homeowner's insurance policy
3019 that provides a minimum of \$100,000 of coverage per occurrence
3020 and a minimum of \$300,000 general aggregate coverage. The
3021 department ~~office~~ may authorize lower limits upon request, as
3022 appropriate. An informal provider must add the coalition as a
3023 named certificateholder and as an additional insured. An
3024 informal provider must provide the coalition with a minimum of
3025 10 calendar days' advance written notice of cancellation of or
3026 changes to coverage. The general liability insurance required by
3027 this paragraph must remain in full force and effect for the



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3028 entire period of the provider's contract with the coalition.

3029 (p) Notwithstanding paragraph (m), for a provider that is a
3030 state agency or a subdivision thereof, as defined in s.

3031 768.28(2), agree to notify the coalition of any additional

3032 liability coverage maintained by the provider in addition to

3033 that otherwise established under s. 768.28. The provider shall

3034 indemnify the coalition to the extent permitted by s. 768.28.

3035 Notwithstanding paragraph (m), for a child development program

3036 that is accredited by a national accrediting body and operates

3037 on a military installation that is certified by the United

3038 States Department of Defense, the provider may demonstrate

3039 liability coverage by affirming that it is subject to the

3040 Federal Tort Claims Act, 28 U.S.C. ss. 2671 et seq.

3041 (q) Execute the standard statewide provider contract

3042 adopted by the department office.

3043 (s) Collect all parent copayment fees unless a waiver has

3044 been granted under s. 1002.84(9).

3045 (3) The department office and the coalitions may not:

3046 (a) Impose any requirement on a child care provider or

3047 early childhood education provider that does not deliver

3048 services under the school readiness program or receive state or

3049 federal funds under this part;

3050 (b) Impose any requirement on a school readiness program

3051 provider that exceeds the authority provided under this part or

3052 part V of this chapter or rules adopted pursuant to this part or

3053 part V of this chapter; or

3054 (c) Require a provider to administer a preassessment or

3055 postassessment.

3056 Section 54. Subsections (2), (3), and (6) of section



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3057 1002.89, Florida Statutes, are amended to read:

3058 1002.89 School readiness program; funding.—

3059 ~~(2) The office shall administer school readiness program~~
3060 ~~funds and prepare and submit a unified budget request for the~~
3061 ~~school readiness program in accordance with chapter 216.~~

3062 (2)~~(3)~~ All instructions to early learning coalitions for
3063 administering this section shall emanate from the department
3064 ~~office~~ in accordance with the policies of the Legislature.

3065 (5)~~(6)~~ Costs shall be kept to the minimum necessary for the
3066 efficient and effective administration of the school readiness
3067 program with the highest priority of expenditure being direct
3068 services for eligible children. However, no more than 5 percent
3069 of the funds described in subsection (4) ~~subsection (5)~~ may be
3070 used for administrative costs and no more than 22 percent of the
3071 funds described in subsection (4) ~~subsection (5)~~ may be used in
3072 any fiscal year for any combination of administrative costs,
3073 quality activities, and nondirect services as follows:

3074 (a) Administrative costs as described in 45 C.F.R. s. 98.54
3075 ~~45 C.F.R. s. 98.52~~, which shall include monitoring providers
3076 using the standard methodology adopted under s. 1002.82 to
3077 improve compliance with state and federal regulations and law
3078 pursuant to the requirements of the statewide provider contract
3079 adopted under s. 1002.82(2)(m).

3080 (b) Activities to improve the quality of child care as
3081 described in 45 C.F.R. s. 98.53 ~~45 C.F.R. s. 98.51~~, which shall
3082 be limited to the following:

3083 1. Developing, establishing, expanding, operating, and
3084 coordinating resource and referral programs specifically related
3085 to the provision of comprehensive consumer education to parents



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3086 and the public to promote informed child care choices specified
3087 in 45 C.F.R. s. 98.33.

3088 2. Awarding grants and providing financial support to
3089 school readiness program providers and their staff to assist
3090 them in meeting applicable state requirements for the program
3091 assessment required under s. 1002.82(2)(n), child care
3092 performance standards, implementing developmentally appropriate
3093 curricula and related classroom resources that support
3094 curricula, providing literacy supports, and providing continued
3095 professional development and training. Any grants awarded
3096 pursuant to this subparagraph shall comply with ss. 215.971 and
3097 287.058.

3098 3. Providing training, technical assistance, and financial
3099 support to school readiness program providers, staff, and
3100 parents on standards, child screenings, child assessments, child
3101 development research and best practices, developmentally
3102 appropriate curricula, character development, teacher-child
3103 interactions, age-appropriate discipline practices, health and
3104 safety, nutrition, first aid, cardiopulmonary resuscitation, the
3105 recognition of communicable diseases, and child abuse detection,
3106 prevention, and reporting.

3107 4. Providing, from among the funds provided for the
3108 activities described in subparagraphs 1.-3., adequate funding
3109 for infants and toddlers as necessary to meet federal
3110 requirements related to expenditures for quality activities for
3111 infant and toddler care.

3112 5. Improving the monitoring of compliance with, and
3113 enforcement of, applicable state and local requirements as
3114 described in and limited by 45 C.F.R. s. 98.40.



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3115 6. Responding to Warm-Line requests by providers and
3116 parents, including providing developmental and health screenings
3117 to school readiness program children.

3118 (c) Nondirect services as described in applicable Office of
3119 Management and Budget instructions are those services not
3120 defined as administrative, direct, or quality services that are
3121 required to administer the school readiness program. Such
3122 services include, but are not limited to:

3123 1. Assisting families to complete the required application
3124 and eligibility documentation.

3125 2. Determining child and family eligibility.

3126 3. Recruiting eligible child care providers.

3127 4. Processing and tracking attendance records.

3128 5. Developing and maintaining a statewide child care
3129 information system.

3130

3131 As used in this paragraph, the term "nondirect services" does
3132 not include payments to school readiness program providers for
3133 direct services provided to children who are eligible under s.
3134 1002.87, administrative costs as described in paragraph (a), or
3135 quality activities as described in paragraph (b).

3136 Section 55. Subsection (1), paragraph (a) of subsection
3137 (2), and subsections (4), (5), and (6) of section 1002.895,
3138 Florida Statutes, are amended to read:

3139 1002.895 Market rate schedule.—The school readiness program
3140 market rate schedule shall be implemented as follows:

3141 (1) The department office shall establish procedures for
3142 the adoption of a market rate schedule until an alternative
3143 model that has been approved by the Administration for Children



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3144 and Families pursuant to 45 C.F.R. s. 98.45(c) is available for
3145 adoption. The schedule must include, at a minimum, county-by-
3146 county rates:

3147 (a) The market rate, including the minimum and the maximum
3148 rates for child care providers that hold a Gold Seal Quality
3149 Care designation under s. 1002.945 and adhere to its accrediting
3150 association's teacher-to-child ratios and group size
3151 requirements ~~s. 402.281~~.

3152 (b) The market rate for child care providers that do not
3153 hold a Gold Seal Quality Care designation.

3154 (2) The market rate schedule, at a minimum, must:

3155 (a) Differentiate rates by type, including, but not limited
3156 to, a child care provider that holds a Gold Seal Quality Care
3157 designation under s. 1002.945 and adheres to its accrediting
3158 association's teacher-to-child ratios and group size
3159 requirements ~~s. 402.281~~, a child care facility licensed under s.
3160 402.305, a public or nonpublic school exempt from licensure
3161 under s. 402.3025, a faith-based child care facility exempt from
3162 licensure under s. 402.316 that does not hold a Gold Seal
3163 Quality Care designation, a large family child care home
3164 licensed under s. 402.3131, or a family day care home licensed
3165 or registered under s. 402.313.

3166 (4) The market rate schedule shall be considered by an
3167 early learning coalition in the adoption of a payment schedule.
3168 The payment schedule must take into consideration the prevailing
3169 average market rate and ~~and~~ include the projected number of
3170 children to be served by each county ~~and~~ and be submitted for
3171 approval by the department ~~office~~. Informal child care
3172 arrangements shall be reimbursed at not more than 50 percent of



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3173 the rate adopted for a family day care home.

3174 (5) The department ~~office~~ may contract with one or more
3175 qualified entities to administer this section and provide
3176 support and technical assistance for child care providers.

3177 (6) The department ~~office~~ may adopt rules for establishing
3178 procedures for the collection of child care providers' market
3179 rate, the calculation of the prevailing ~~average~~ market rate by
3180 program care level and provider type in a predetermined
3181 geographic market, and the publication of the market rate
3182 schedule.

3183 Section 56. Section 1002.91, Florida Statutes, is amended
3184 to read:

3185 1002.91 Investigations of fraud or overpayment; penalties.—

3186 (1) As used in this subsection, the term "fraud" means an
3187 intentional deception, omission, or misrepresentation made by a
3188 person with knowledge that the deception, omission, or
3189 misrepresentation may result in unauthorized benefit to that
3190 person or another person, or any aiding and abetting of the
3191 commission of such an act. The term includes any act that
3192 constitutes fraud under applicable federal or state law.

3193 (2) To recover state, federal, and local matching funds,
3194 the department ~~office~~ shall investigate early learning
3195 coalitions, recipients, and providers of the school readiness
3196 program and the Voluntary Prekindergarten Education Program to
3197 determine possible fraud or overpayment. If by its own
3198 inquiries, or as a result of a complaint, the department ~~office~~
3199 has reason to believe that a person, coalition, or provider has
3200 engaged in, or is engaging in, a fraudulent act, it shall
3201 investigate and determine whether any overpayment has occurred



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3202 due to the fraudulent act. During the investigation, the
3203 department office may examine all records, including electronic
3204 benefits transfer records, and make inquiry of all persons who
3205 may have knowledge as to any irregularity incidental to the
3206 disbursement of public moneys or other items or benefits
3207 authorizations to recipients.

3208 (3) Based on the results of the investigation, the
3209 department office may, in its discretion, refer the
3210 investigation to the Department of Financial Services for
3211 criminal investigation or refer the matter to the applicable
3212 coalition. Any suspected criminal violation identified by the
3213 department office must be referred to the Department of
3214 Financial Services for criminal investigation.

3215 (4) An early learning coalition may suspend or terminate a
3216 provider from participation in the school readiness program or
3217 the Voluntary Prekindergarten Education Program when it has
3218 reasonable cause to believe that the provider has committed
3219 fraud. The department office shall adopt by rule appropriate due
3220 process procedures that the early learning coalition shall apply
3221 in suspending or terminating any provider, including the
3222 suspension or termination of payment. If suspended, the provider
3223 shall remain suspended until the completion of any investigation
3224 by the department office, the Department of Financial Services,
3225 or any other state or federal agency, and any subsequent
3226 prosecution or other legal proceeding.

3227 (5) If a school readiness program provider or a Voluntary
3228 Prekindergarten Education Program provider, or an owner,
3229 officer, or director thereof, is convicted of, found guilty of,
3230 or pleads guilty or nolo contendere to, regardless of



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3231 adjudication, public assistance fraud pursuant to s. 414.39, or
3232 is acting as the beneficial owner for someone who has been
3233 convicted of, found guilty of, or pleads guilty or nolo
3234 contendere to, regardless of adjudication, public assistance
3235 fraud pursuant to s. 414.39, the early learning coalition shall
3236 refrain from contracting with, or using the services of, that
3237 provider for a period of 5 years. In addition, the coalition
3238 shall refrain from contracting with, or using the services of,
3239 any provider that shares an officer or director with a provider
3240 that is convicted of, found guilty of, or pleads guilty or nolo
3241 contendere to, regardless of adjudication, public assistance
3242 fraud pursuant to s. 414.39 for a period of 5 years.

3243 (6) If the investigation is not confidential or otherwise
3244 exempt from disclosure by law, the results of the investigation
3245 may be reported by the department ~~office~~ to the appropriate
3246 legislative committees, the Department of Children and Families,
3247 and such other persons as the department ~~office~~ deems
3248 appropriate.

3249 (7) The early learning coalition may not contract with a
3250 school readiness program provider or a Voluntary Prekindergarten
3251 Education Program provider who is on the United States
3252 Department of Agriculture National Disqualified List. In
3253 addition, the coalition may not contract with any provider that
3254 shares an officer or director with a provider that is on the
3255 United States Department of Agriculture National Disqualified
3256 List.

3257 (8) Each early learning coalition shall adopt an anti-fraud
3258 plan addressing the detection and prevention of overpayments,
3259 abuse, and fraud relating to the provision of and payment for



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3260 school readiness program and Voluntary Prekindergarten Education
3261 Program services and submit the plan to the department ~~office~~
3262 for approval. The department ~~office~~ shall adopt rules
3263 establishing criteria for the anti-fraud plan, including
3264 appropriate due process provisions. The anti-fraud plan must
3265 include, at a minimum:

3266 (a) A written description or chart outlining the
3267 organizational structure of the plan's personnel who are
3268 responsible for the investigation and reporting of possible
3269 overpayment, abuse, or fraud.

3270 (b) A description of the plan's procedures for detecting
3271 and investigating possible acts of fraud, abuse, or overpayment.

3272 (c) A description of the plan's procedures for the
3273 mandatory reporting of possible overpayment, abuse, or fraud to
3274 the Office of Inspector General within the department ~~office~~.

3275 (d) A description of the plan's program and procedures for
3276 educating and training personnel on how to detect and prevent
3277 fraud, abuse, and overpayment.

3278 (e) A description of the plan's procedures, including the
3279 appropriate due process provisions adopted by the department
3280 ~~office~~ for suspending or terminating from the school readiness
3281 program or the Voluntary Prekindergarten Education Program a
3282 recipient or provider who the early learning coalition believes
3283 has committed fraud.

3284 (9) A person who commits an act of fraud as defined in this
3285 section is subject to the penalties provided in s. 414.39(5)(a)
3286 and (b).

3287 Section 57. Subsections (1) and (2) and paragraphs (a),
3288 (c), and (d) of subsection (3) of section 1002.92, Florida



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3289 Statutes, are amended to read:

3290 1002.92 Child care and early childhood resource and
3291 referral.—

3292 (1) As a part of the school readiness program, the
3293 department office shall establish a statewide child care
3294 resource and referral network that is unbiased and provides
3295 referrals to families for child care and information on
3296 available community resources. Preference shall be given to
3297 using early learning coalitions as the child care resource and
3298 referral agencies. If an early learning coalition cannot comply
3299 with the requirements to offer the resource information
3300 component or does not want to offer that service, the early
3301 learning coalition shall select the resource and referral agency
3302 for its county or multicounty region based upon the procurement
3303 requirements of s. 1002.84(13) ~~s. 1002.84(12)~~.

3304 (2) At least one child care resource and referral agency
3305 must be established in each early learning coalition's county or
3306 multicounty region. The department office shall adopt rules
3307 regarding accessibility of child care resource and referral
3308 services offered through child care resource and referral
3309 agencies in each county or multicounty region which include, at
3310 a minimum, required hours of operation, methods by which parents
3311 may request services, and child care resource and referral staff
3312 training requirements.

3313 (3) Child care resource and referral agencies shall provide
3314 the following services:

3315 (a) Identification of existing public and private child
3316 care and early childhood education services, including child
3317 care services by public and private employers, and the



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3318 development of an early learning provider performance profile a
3319 ~~resource file~~ of those services through the single statewide
3320 information system developed by the department office under s.
3321 1002.82(2)(q) ~~s. 1002.82(2)(p)~~. These services may include
3322 family day care, public and private child care programs, the
3323 Voluntary Prekindergarten Education Program, Head Start, the
3324 school readiness program, special education programs for
3325 prekindergarten children with disabilities, services for
3326 children with developmental disabilities, full-time and part-
3327 time programs, before-school and after-school programs, and
3328 vacation care programs, ~~parent education, the temporary cash~~
3329 ~~assistance program, and related family support services~~. The
3330 early learning provider performance profile resource file shall
3331 include, but not be limited to:
3332 1. Type of program.
3333 2. Hours of service.
3334 3. Ages of children served.
3335 4. Number of children served.
3336 5. Program information.
3337 6. Fees and eligibility for services.
3338 7. Availability of transportation.
3339 8. Participation in the Child Care Food Program, if
3340 applicable.
3341 9. A link to licensing inspection reports, if applicable.
3342 10. The components of the Voluntary Prekindergarten
3343 Education Program performance metric calculated under s. 1002.68
3344 which must consist of the program assessment composite score,
3345 learning gains score, achievement score, and its designations,
3346 if applicable.



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3347 11. The school readiness program assessment composite score
3348 and program assessment care level composite score results
3349 delineated by infant classrooms, toddler classrooms, and
3350 preschool classrooms results under s. 1002.82, if applicable.

3351 12. Gold Seal Quality Care designation under s. 1002.945,
3352 if applicable.

3353 13. Indication of whether the provider implements a
3354 curriculum approved by the department and the name of the
3355 curriculum, if applicable.

3356 14. Participation in school readiness child assessment
3357 under s. 1002.82.

3358 (c) Maintenance of ongoing documentation of requests for
3359 service tabulated through the internal referral process through
3360 the single statewide information system. The following
3361 documentation of requests for service shall be maintained by the
3362 child care resource and referral network:

3363 1. Number of calls and contacts to the child care resource
3364 information and referral network component by type of service
3365 requested.

3366 2. Ages of children for whom service was requested.

3367 3. Time category of child care requests for each child.

3368 4. Special time category, such as nights, weekends, and
3369 swing shift.

3370 5. Reason that the child care is needed.

3371 6. Customer service survey data required under s.

3372 1002.82 (3) ~~Name of the employer and primary focus of the~~
3373 ~~business for an employer-based child care program.~~

3374 (d) Assistance to families that connects them to parent
3375 education opportunities, the temporary cash assistance program,



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3376 ~~or social services programs that support families with children,~~
3377 ~~and related child development support services~~ Provision of
3378 ~~technical assistance to existing and potential providers of~~
3379 ~~child care services. This assistance may include:~~

3380 ~~1. Information on initiating new child care services,~~
3381 ~~zoning, and program and budget development and assistance in~~
3382 ~~finding such information from other sources.~~

3383 ~~2. Information and resources which help existing child care~~
3384 ~~services providers to maximize their ability to serve children~~
3385 ~~and parents in their community.~~

3386 ~~3. Information and incentives that may help existing or~~
3387 ~~planned child care services offered by public or private~~
3388 ~~employers seeking to maximize their ability to serve the~~
3389 ~~children of their working parent employees in their community,~~
3390 ~~through contractual or other funding arrangements with~~
3391 ~~businesses.~~

3392 Section 58. Subsection (1) of section 1002.93, Florida
3393 Statutes, is amended to read:

3394 1002.93 School readiness program transportation services.-

3395 (1) The department ~~office~~ may authorize an early learning
3396 coalition to establish school readiness program transportation
3397 services for children at risk of abuse or neglect who are
3398 participating in the school readiness program, pursuant to
3399 chapter 427. The early learning coalitions may contract for the
3400 provision of transportation services as required by this
3401 section.

3402 Section 59. Section 1002.94, Florida Statutes, is repealed.

3403 Section 60. Section 1002.95, Florida Statutes, is amended
3404 to read:



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3405 1002.95 Teacher Education and Compensation Helps (TEACH)
3406 scholarship program.—

3407 (1) The department ~~office~~ may contract for the
3408 administration of the Teacher Education and Compensation Helps
3409 (TEACH) scholarship program, which provides educational
3410 scholarships to caregivers and administrators of early childhood
3411 programs, family day care homes, and large family child care
3412 homes. The goal of the program is to increase the education and
3413 training for caregivers, increase the compensation for child
3414 caregivers who complete the program requirements, and reduce the
3415 rate of participant turnover in the field of early childhood
3416 education.

3417 (2) The State Board of Education ~~office~~ shall adopt rules
3418 as necessary to administer this section.

3419 Section 61. Subsections (1) and (3) of section 1002.96,
3420 Florida Statutes, are amended to read:

3421 1002.96 Early Head Start collaboration grants.—

3422 (1) Contingent upon specific appropriation, the department
3423 ~~office~~ shall establish a program to award collaboration grants
3424 to assist local agencies in securing Early Head Start programs
3425 through Early Head Start program federal grants. The
3426 collaboration grants shall provide the required matching funds
3427 for public and private nonprofit agencies that have been
3428 approved for Early Head Start program federal grants.

3429 (3) The department ~~office~~ may adopt rules as necessary for
3430 the award of collaboration grants to competing agencies and the
3431 administration of the collaboration grants program under this
3432 section.

3433 Section 62. Subsection (1) and paragraph (g) of subsection



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3434 (3) of section 1002.97, Florida Statutes, are amended to read:
3435 1002.97 Records of children in the school readiness
3436 program.—

3437 (1) The individual records of children enrolled in the
3438 school readiness program provided under this part, held by an
3439 early learning coalition or the department office, are
3440 confidential and exempt from s. 119.07(1) and s. 24(a), Art. I
3441 of the State Constitution. For purposes of this section, records
3442 include assessment data, health data, records of teacher
3443 observations, and personal identifying information.

3444 (3) School readiness program records may be released to:

3445 (g) Parties to an interagency agreement among early
3446 learning coalitions, local governmental agencies, providers of
3447 the school readiness program, state agencies, and the department
3448 office for the purpose of implementing the school readiness
3449 program.

3450
3451 Agencies, organizations, or individuals that receive school
3452 readiness program records in order to carry out their official
3453 functions must protect the data in a manner that does not permit
3454 the personal identification of a child enrolled in a school
3455 readiness program and his or her parent by persons other than
3456 those authorized to receive the records.

3457 Section 63. Subsections (1) and (3) of section 1002.995,
3458 Florida Statutes, are amended to read:

3459 1002.995 Early learning professional development standards
3460 and career pathways.—

3461 (1) The department office shall:

3462 (a) Develop early learning professional development



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3463 training and course standards to be utilized for school
3464 readiness program providers.

3465 (b) Identify both formal and informal early learning career
3466 pathways with stackable credentials and certifications that
3467 allow early childhood teachers to access specialized
3468 professional development that:

3469 1. Strengthens knowledge and teaching practices.

3470 2. Aligns to established professional standards and core
3471 competencies.

3472 3. Provides a progression of attainable, competency-based
3473 stackable credentials and certifications.

3474 4. Improves outcomes for children to increase kindergarten
3475 readiness and early grade success.

3476 (3) The State Board of Education ~~office~~ shall adopt rules
3477 to administer this section.

3478 Section 64. Section 1007.01, Florida Statutes, is amended
3479 to read:

3480 1007.01 Articulation; legislative intent; purpose; role of
3481 the State Board of Education and the Board of Governors;
3482 Articulation Coordinating Committee.—

3483 (1) It is the intent of the Legislature to facilitate
3484 articulation and seamless integration of the Early Learning-20
3485 ~~K-20~~ education system by building, sustaining, and strengthening
3486 relationships among Early Learning-20 ~~K-20~~ public organizations,
3487 between public and private organizations, and between the
3488 education system as a whole and Florida's communities. The
3489 purpose of building, sustaining, and strengthening these
3490 relationships is to provide for the efficient and effective
3491 progression and transfer of students within the education system



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3492 and to allow students to proceed toward their educational
3493 objectives as rapidly as their circumstances permit. The
3494 Legislature further intends that articulation policies and
3495 budget actions be implemented consistently in the practices of
3496 the Department of Education and postsecondary educational
3497 institutions and expressed in the collaborative policy efforts
3498 of the State Board of Education and the Board of Governors.

3499 (2) To improve and facilitate articulation systemwide, the
3500 State Board of Education and the Board of Governors shall
3501 collaboratively establish and adopt policies with input from
3502 statewide K-20 advisory groups established by the Commissioner
3503 of Education and the Chancellor of the State University System
3504 and shall recommend the policies to the Legislature. The
3505 policies shall relate to:

3506 (a) The alignment between the exit requirements of one
3507 education system and the admissions requirements of another
3508 education system into which students typically transfer.

3509 (b) The identification of common courses, the level of
3510 courses, institutional participation in a statewide course
3511 numbering system, and the transferability of credits among such
3512 institutions.

3513 (c) Identification of courses that meet general education
3514 or common degree program prerequisite requirements at public
3515 postsecondary educational institutions.

3516 (d) Dual enrollment course equivalencies.

3517 (e) Articulation agreements.

3518 (3) The Commissioner of Education, in consultation with the
3519 Chancellor of the State University System, shall establish the
3520 Articulation Coordinating Committee, which shall make



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3521 recommendations related to statewide articulation policies and
3522 issues regarding access, quality, and reporting of data
3523 maintained by the educational ~~K-20~~ data warehouse, established
3524 pursuant to ss. 1001.10 and 1008.31, to the Higher Education
3525 Coordination Council, the State Board of Education, and the
3526 Board of Governors. The committee shall consist of two members
3527 each representing the State University System, the Florida
3528 College System, public career and technical education, K-12
3529 education, and nonpublic postsecondary education and one member
3530 representing students. The chair shall be elected from the
3531 membership. The Office of K-20 Articulation shall provide
3532 administrative support for the committee. The committee shall:

3533 (a) Monitor the alignment between the exit requirements of
3534 one education system and the admissions requirements of another
3535 education system into which students typically transfer and make
3536 recommendations for improvement.

3537 (b) Propose guidelines for interinstitutional agreements
3538 between and among public schools, career and technical education
3539 centers, Florida College System institutions, state
3540 universities, and nonpublic postsecondary institutions.

3541 (c) Annually recommend dual enrollment course and high
3542 school subject area equivalencies for approval by the State
3543 Board of Education and the Board of Governors.

3544 (d) Annually review the statewide articulation agreement
3545 pursuant to s. 1007.23 and make recommendations for revisions.

3546 (e) Annually review the statewide course numbering system,
3547 the levels of courses, and the application of transfer credit
3548 requirements among public and nonpublic institutions
3549 participating in the statewide course numbering system and



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3550 identify instances of student transfer and admissions
3551 difficulties.

3552 (f) Annually publish a list of courses that meet common
3553 general education and common degree program prerequisite
3554 requirements at public postsecondary institutions identified
3555 pursuant to s. 1007.25.

3556 (g) Foster timely collection and reporting of statewide
3557 education data to improve the Early Learning-20 ~~K-20~~ education
3558 performance accountability system pursuant to ss. 1001.10 and
3559 1008.31, including, but not limited to, data quality,
3560 accessibility, and protection of student records.

3561 (h) Recommend roles and responsibilities of public
3562 education entities in interfacing with the single, statewide
3563 computer-assisted student advising system established pursuant
3564 to s. 1006.735.

3565 Section 65. Section 1008.2125, Florida Statutes, is created
3566 to read:

3567 1008.2125 Coordinated screening and progress monitoring
3568 program for students in the Voluntary Prekindergarten Education
3569 Program through grade 3.—

3570 (1) The primary purpose of the coordinated screening and
3571 progress monitoring program for students in the Voluntary
3572 Prekindergarten Education Program through grade 3 is to provide
3573 information on students' progress in mastering the appropriate
3574 grade-level standards and to provide information on their
3575 progress to parents, teachers, and school and program
3576 administrators. Data shall be used by Voluntary Prekindergarten
3577 Education Program providers and school districts to improve
3578 instruction, by parents and teachers to guide learning



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3579 objectives and provide timely and appropriate supports and
3580 interventions to students not meeting grade level expectations,
3581 and by the public to assess the cost benefit of the expenditure
3582 of taxpayer dollars. The coordinated screening and progress
3583 monitoring program must:

3584 (a) Measure student progress in the Voluntary
3585 Prekindergarten Education Program through grade 3 in meeting the
3586 appropriate expectations in early literacy and math skills and
3587 in English Language Arts and mathematics, as required by ss.
3588 1002.67(1)(a) and 1003.41.

3589 (b) Provide data for accountability of the Voluntary
3590 Prekindergarten Education Program, as required by s. 1002.68.

3591 (c) Provide baseline data to the department of each
3592 student's readiness for kindergarten, which must be based on
3593 each kindergarten student's progress monitoring results that was
3594 administered no later than the first 30 instructional days in
3595 accordance with paragraph (2)(a). The methodology for
3596 determining a student's readiness for kindergarten shall be
3597 developed by the department and aligned to the methodology
3598 adopted pursuant to s. 1002.68(4).

3599 (d) Identify the educational strengths and needs of
3600 students in the Voluntary Prekindergarten Education Program
3601 through grade 3.

3602 (e) Provide teachers with progress monitoring data to
3603 provide timely interventions and supports pursuant to s.
3604 1008.25(4).

3605 (f) Assess how well educational goals and curricular
3606 standards are met at the provider, school, district, and state
3607 levels.



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3608 (g) Provide information to aid in the evaluation and
3609 development of educational programs and policies.

3610 (2) The Commissioner of Education shall design a statewide,
3611 standardized coordinated screening and progress monitoring
3612 program to assess early literacy and mathematics skills and the
3613 English Language Arts and mathematics standards established in
3614 ss. 1002.67(1)(a) and 1003.41, respectively. The coordinated
3615 screening and progress monitoring program must provide interval
3616 level and norm-referenced data that measures equivalent levels
3617 of growth; be a developmentally appropriate, valid, and reliable
3618 direct assessment; be able to capture data on students who may
3619 be performing below grade or developmental level and which may
3620 enable the identification of early indicators of dyslexia or
3621 other developmental delays; accurately measure the core content
3622 in the applicable grade level standards; document learning gains
3623 for the achievement of these standards; and provide teachers
3624 with progress monitoring supports and materials that enhance
3625 differentiated instruction and parent communication.

3626 Participation in the coordinated screening and progress
3627 monitoring program is mandatory for all students in the
3628 Voluntary Prekindergarten Education Program and enrolled in a
3629 public school in kindergarten through grade 3. The coordinated
3630 screening and progress monitoring program shall be implemented
3631 beginning in the 2022-2023 school year for students in the
3632 Voluntary Prekindergarten Education Program and kindergarten
3633 students, as follows:

3634 (a) The coordinated screening and progress monitoring
3635 program shall be administered within the first 30 days after
3636 enrollment, midyear, and within the last 30 days of the program



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3637 or school year, in accordance with the rules adopted by the
3638 State Board of Education. The state board may adopt alternate
3639 timeframes to address nontraditional school year calendars or
3640 summer programs to ensure the coordinated screening and progress
3641 monitoring program is administered a minimum of 3 times within a
3642 year or program.

3643 (b) The results of the coordinated screening and progress
3644 monitoring program shall be reported to the department, in
3645 accordance with the rules adopted by the state board, and
3646 maintained in the department's educational data warehouse.

3647 (3) The Commissioner of Education shall:

3648 (a) Develop a plan, in coordination with the Council for
3649 Early Grade Success, for implementing the coordinated screening
3650 and progress monitoring program in consideration of timelines
3651 for implementing new early literacy and mathematics skills and
3652 the English Language Arts and mathematics standards established
3653 in ss. 1002.67(1)(a) and 1003.41, as appropriate.

3654 (b) Provide data, reports, and information as requested to
3655 the Council for Early Grade Success.

3656 (4) The Council for Early Grade Success, a council as
3657 defined in s. 20.03(7), is created within the Department of
3658 Education to oversee the coordinated screening and progress
3659 monitoring program and, except as otherwise provided in this
3660 section, shall operate consistent with s. 20.052.

3661 (a) The council shall be responsible for reviewing the
3662 implementation of, training for, and outcomes from the
3663 coordinated screening and progress monitoring program to provide
3664 recommendations to the department that support grade 3 students
3665 reading at or above grade level. The council, at a minimum,



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3666 shall:

3667 1. Provide recommendations on the implementation of the
3668 coordinated screening and progress monitoring program, including
3669 reviewing any procurement solicitation documents and criteria
3670 before being published.

3671 2. Develop training plans and timelines for such training.

3672 3. Identify appropriate personnel, processes, and
3673 procedures required for the administration of the coordinated
3674 screening and progress monitoring program.

3675 4. Provide input on the methodology for calculating a
3676 provider's or school's performance metric and designations under
3677 s. 1002.68(4).

3678 5. Work with the department to review the methodology for
3679 determining a child's kindergarten readiness.

3680 6. Review data on age-appropriate learning gains by grade
3681 level that a student would need to attain in order to
3682 demonstrate proficiency in reading by grade 3.

3683 7. Continually review anonymized data from the results of
3684 the coordinated screening and progress monitoring program for
3685 students in the Voluntary Prekindergarten Education Program
3686 through grade 3 to help inform recommendations to the department
3687 that support practices that will enable grade 3 students to read
3688 at or above grade level.

3689 (b) The council shall be composed of 17 members who are
3690 residents of the state and appointed as follows:

3691 1. Three members appointed by the Governor, as follows:

3692 a. One representative from the Department of Education.

3693 b. One parent of a child who is 4 to 9 years of age.

3694 c. One representative that is an elementary school



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3695 administrator.
3696 2. Seven members appointed by the President of the Senate,
3697 as follows:
3698 a. One senator who serves at the pleasure of the President
3699 of the Senate.
3700 b. One representative of an urban school district.
3701 c. One representative of a rural early learning coalition.
3702 d. One representative of a faith-based early learning
3703 provider who offers the Voluntary Prekindergarten Education
3704 Program.
3705 e. One representative who is a second grade teacher who has
3706 at least 5 years of teaching experience.
3707 f. Two representatives with subject matter expertise in
3708 early learning, early grade success, or child assessments.
3709 3. Seven members appointed by the Speaker of the House of
3710 Representatives, as follows:
3711 a. One member of the House of Representatives who serves at
3712 the pleasure of the Speaker of the House.
3713 b. One representative of a rural school district.
3714 c. One representative of an urban early learning coalition.
3715 d. One representative of an early learning provider who
3716 offers the Voluntary Prekindergarten Education Program.
3717 e. One member who is a kindergarten teacher who has at
3718 least 5 years of teaching experience.
3719 f. Two representatives with subject matter expertise in
3720 early learning, early grade success, or child assessment.
3721 4. The four representatives with subject matter expertise
3722 in sub-sub-paragraphs 2.f. and 3.f. may not be direct
3723 stakeholders within the early learning or public school systems.



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3724 (5) The council shall elect a chair and vice chair, one of
3725 whom must be a member who has subject matter expertise in early
3726 learning, early grade success, or child assessments. The vice
3727 chair must be a member appointed by the President of the Senate
3728 or the Speaker of the House of Representatives who is not one of
3729 the four members with subject matter expertise in early
3730 learning, early grade success, or child assessments appointed
3731 pursuant to sub-sub-paragraphs (4) (b)2.f. and (4) (b)3.f. Members
3732 of the council shall serve without compensation but are entitled
3733 to reimbursement for per diem and travel expenses pursuant to s.
3734 112.061.

3735 (6) The council must meet at least biannually and may meet
3736 by teleconference or other electronic means, if possible, to
3737 reduce costs.

3738 (7) A majority of the members constitutes a quorum.

3739 Section 66. Present paragraphs (b) and (c) of subsection
3740 (5) of section 1008.25, Florida Statutes, are redesignated as
3741 paragraphs (c) and (d), respectively, a new paragraph (b) is
3742 added to that subsection, and paragraph (b) of subsection (6),
3743 subsection (7), and paragraph (a) of subsection (8) are amended,
3744 to read:

3745 1008.25 Public school student progression; student support;
3746 reporting requirements.—

3747 (5) READING DEFICIENCY AND PARENTAL NOTIFICATION.—

3748 (b) A Voluntary Prekindergarten Education Program student
3749 who exhibits a substantial deficiency in early literacy skills
3750 in accordance with the standards under s. 1002.67(1) (a) and
3751 based upon the results of the administration of the final
3752 coordinated screening and progress monitoring under s. 1008.2125



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3753 shall be referred to the local school district and may be
3754 eligible to receive intensive reading interventions before
3755 participating in kindergarten. Such intensive reading
3756 interventions shall be paid for using funds from the district's
3757 research-based reading instruction allocation in accordance with
3758 s. 1011.62(9).

3759 (6) ELIMINATION OF SOCIAL PROMOTION.-

3760 (b) The district school board may only exempt students from
3761 mandatory retention, as provided in paragraph (5)(c) ~~(5)(b)~~, for
3762 good cause. A student who is promoted to grade 4 with a good
3763 cause exemption shall be provided intensive reading instruction
3764 and intervention that include specialized diagnostic information
3765 and specific reading strategies to meet the needs of each
3766 student so promoted. The school district shall assist schools
3767 and teachers with the implementation of explicit, systematic,
3768 and multisensory reading instruction and intervention strategies
3769 for students promoted with a good cause exemption which research
3770 has shown to be successful in improving reading among students
3771 who have reading difficulties. Good cause exemptions are limited
3772 to the following:

3773 1. Limited English proficient students who have had less
3774 than 2 years of instruction in an English for Speakers of Other
3775 Languages program based on the initial date of entry into a
3776 school in the United States.

3777 2. Students with disabilities whose individual education
3778 plan indicates that participation in the statewide assessment
3779 program is not appropriate, consistent with the requirements of
3780 s. 1008.212.

3781 3. Students who demonstrate an acceptable level of



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3782 performance on an alternative standardized reading or English
3783 Language Arts assessment approved by the State Board of
3784 Education.

3785 4. A student who demonstrates through a student portfolio
3786 that he or she is performing at least at Level 2 on the
3787 statewide, standardized English Language Arts assessment.

3788 5. Students with disabilities who take the statewide,
3789 standardized English Language Arts assessment and who have an
3790 individual education plan or a Section 504 plan that reflects
3791 that the student has received intensive instruction in reading
3792 or English Language Arts for more than 2 years but still
3793 demonstrates a deficiency and was previously retained in
3794 kindergarten, grade 1, grade 2, or grade 3.

3795 6. Students who have received intensive reading
3796 intervention for 2 or more years but still demonstrate a
3797 deficiency in reading and who were previously retained in
3798 kindergarten, grade 1, grade 2, or grade 3 for a total of 2
3799 years. A student may not be retained more than once in grade 3.

3800 (7) SUCCESSFUL PROGRESSION FOR RETAINED THIRD GRADE
3801 STUDENTS.—

3802 (a) Students retained under paragraph (5) (c) ~~(5) (b)~~ must be
3803 provided intensive interventions in reading to ameliorate the
3804 student's specific reading deficiency and prepare the student
3805 for promotion to the next grade. These interventions must
3806 include:

3807 1. Evidence-based, explicit, systematic, and multisensory
3808 reading instruction in phonemic awareness, phonics, fluency,
3809 vocabulary, and comprehension and other strategies prescribed by
3810 the school district.



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3811 2. Participation in the school district's summer reading
3812 camp, which must incorporate the instructional and intervention
3813 strategies under subparagraph 1.

3814 3. A minimum of 90 minutes of daily, uninterrupted reading
3815 instruction incorporating the instructional and intervention
3816 strategies under subparagraph 1. This instruction may include:

3817 a. Integration of content-rich texts in science and social
3818 studies within the 90-minute block.

3819 b. Small group instruction.

3820 c. Reduced teacher-student ratios.

3821 d. More frequent progress monitoring.

3822 e. Tutoring or mentoring.

3823 f. Transition classes containing 3rd and 4th grade
3824 students.

3825 g. Extended school day, week, or year.

3826 (b) Each school district shall:

3827 1. Provide written notification to the parent of a student
3828 who is retained under paragraph (5) (c) ~~(5) (b)~~ that his or her
3829 child has not met the proficiency level required for promotion
3830 and the reasons the child is not eligible for a good cause
3831 exemption as provided in paragraph (6) (b). The notification must
3832 comply with paragraph (5) (d) ~~(5) (e)~~ and must include a
3833 description of proposed interventions and supports that will be
3834 provided to the child to remediate the identified areas of
3835 reading deficiency.

3836 2. Implement a policy for the midyear promotion of a
3837 student retained under paragraph (5) (c) ~~(5) (b)~~ who can
3838 demonstrate that he or she is a successful and independent
3839 reader and performing at or above grade level in reading or,



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3840 upon implementation of English Language Arts assessments,
3841 performing at or above grade level in English Language Arts.
3842 Tools that school districts may use in reevaluating a student
3843 retained may include subsequent assessments, alternative
3844 assessments, and portfolio reviews, in accordance with rules of
3845 the State Board of Education. Students promoted during the
3846 school year after November 1 must demonstrate proficiency levels
3847 in reading equivalent to the level necessary for the beginning
3848 of grade 4. The rules adopted by the State Board of Education
3849 must include standards that provide a reasonable expectation
3850 that the student's progress is sufficient to master appropriate
3851 grade 4 level reading skills.

3852 3. Provide students who are retained under paragraph (5) (c)
3853 ~~(5) (b)~~, including students participating in the school
3854 district's summer reading camp under subparagraph (a)2., with a
3855 highly effective teacher as determined by the teacher's
3856 performance evaluation under s. 1012.34, and, beginning July 1,
3857 2020, the teacher must also be certified or endorsed in reading.

3858 4. Establish at each school, when applicable, an intensive
3859 reading acceleration course for any student retained in grade 3
3860 who was previously retained in kindergarten, grade 1, or grade
3861 2. The intensive reading acceleration course must provide the
3862 following:

3863 a. Uninterrupted reading instruction for the majority of
3864 student contact time each day and opportunities to master the
3865 grade 4 Next Generation Sunshine State Standards in other core
3866 subject areas through content-rich texts.

3867 b. Small group instruction.

3868 c. Reduced teacher-student ratios.



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3869 d. The use of explicit, systematic, and multisensory
3870 reading interventions, including intensive language, phonics,
3871 and vocabulary instruction, and use of a speech-language
3872 therapist if necessary, that have proven results in accelerating
3873 student reading achievement within the same school year.

3874 e. A read-at-home plan.

3875 (8) ANNUAL REPORT.—

3876 (a) In addition to the requirements in paragraph (5) (c)
3877 ~~(5) (b)~~, each district school board must annually report to the
3878 parent of each student the progress of the student toward
3879 achieving state and district expectations for proficiency in
3880 English Language Arts, science, social studies, and mathematics.
3881 The district school board must report to the parent the
3882 student's results on each statewide, standardized assessment.
3883 The evaluation of each student's progress must be based upon the
3884 student's classroom work, observations, tests, district and
3885 state assessments, response to intensive interventions provided
3886 under paragraph (5) (a), and other relevant information. Progress
3887 reporting must be provided to the parent in writing in a format
3888 adopted by the district school board.

3889 Section 67. Section 1008.31, Florida Statutes, is amended
3890 to read:

3891 1008.31 Florida's Early Learning-20 ~~K-20~~ education
3892 performance accountability system; legislative intent; mission,
3893 goals, and systemwide measures; data quality improvements.—

3894 (1) LEGISLATIVE INTENT.—It is the intent of the Legislature
3895 that:

3896 (a) The performance accountability system implemented to
3897 assess the effectiveness of Florida's seamless Early Learning-20



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3898 ~~K-20~~ education delivery system provide answers to the following
3899 questions in relation to its mission and goals:

3900 1. What is the public receiving in return for funds it
3901 invests in education?

3902 2. How effectively is Florida's Early Learning-20 ~~K-20~~
3903 education system educating its students?

3904 3. How effectively are the major delivery sectors promoting
3905 student achievement?

3906 4. How are individual schools and postsecondary education
3907 institutions performing their responsibility to educate their
3908 students as measured by how students are performing and how much
3909 they are learning?

3910 (b) The Early Learning-20 ~~K-20~~ education performance
3911 accountability system be established as a single, unified
3912 accountability system with multiple components, including, but
3913 not limited to, student performance in public schools and school
3914 and district grades.

3915 (c) The K-20 education performance accountability system
3916 comply with the requirements of the "No Child Left Behind Act of
3917 2001," Pub. L. No. 107-110, and the Individuals with
3918 Disabilities Education Act (IDEA).

3919 (d) The early learning accountability system comply with
3920 the requirements of part V and part VI of chapter 1002 and the
3921 requirements of the Child Care and Development Block Grant Trust
3922 Fund, pursuant to 45 C.F.R. parts 98 and 99.

3923 (e) ~~(d)~~ The State Board of Education and the Board of
3924 Governors of the State University System recommend to the
3925 Legislature systemwide performance standards; the Legislature
3926 establish systemwide performance measures and standards; and the



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3927 systemwide measures and standards provide Floridians with
3928 information on what the public is receiving in return for the
3929 funds it invests in education and how well the Early Learning-20
3930 ~~K-20~~ system educates its students.

3931 (f)1.(e)1. The State Board of Education establish
3932 performance measures and set performance standards for
3933 individual public schools and Florida College System
3934 institutions, with measures and standards based primarily on
3935 student achievement.

3936 2. The Board of Governors of the State University System
3937 establish performance measures and set performance standards for
3938 individual state universities, including actual completion
3939 rates.

3940 (2) MISSION, GOALS, AND SYSTEMWIDE MEASURES.—

3941 (a) The mission of Florida's Early Learning-20 ~~K-20~~
3942 education system shall be to increase the proficiency of all
3943 students within one seamless, efficient system, by allowing them
3944 the opportunity to expand their knowledge and skills through
3945 learning opportunities and research valued by students, parents,
3946 and communities.

3947 (b) The process for establishing state and sector-specific
3948 standards and measures must be:

- 3949 1. Focused on student success.
- 3950 2. Addressable through policy and program changes.
- 3951 3. Efficient and of high quality.
- 3952 4. Measurable over time.
- 3953 5. Simple to explain and display to the public.
- 3954 6. Aligned with other measures and other sectors to support
3955 a coordinated Early Learning-20 ~~K-20~~ education system.



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3956 (c) The Department of Education shall maintain an
3957 accountability system that measures student progress toward the
3958 following goals:

3959 1. Highest student achievement, as indicated by evidence of
3960 student learning gains at all levels.

3961 2. Seamless articulation and maximum access, as measured by
3962 evidence of progression, readiness, and access by targeted
3963 groups of students identified by the Commissioner of Education.

3964 3. Skilled workforce and economic development, as measured
3965 by evidence of employment and earnings.

3966 4. Quality efficient services, as measured by evidence of
3967 return on investment.

3968 5. Other goals as identified by law or rule.

3969 (3) ~~K-20~~ EDUCATION DATA QUALITY IMPROVEMENTS.—To provide
3970 data required to implement education performance accountability
3971 measures in state and federal law, the Commissioner of Education
3972 shall initiate and maintain strategies to improve data quality
3973 and timeliness. The Board of Governors shall make available to
3974 the department all data within the State University Database
3975 System to be integrated into the educational ~~K-20~~ data
3976 warehouse. The commissioner shall have unlimited access to such
3977 data for the purposes of conducting studies, reporting annual
3978 and longitudinal student outcomes, and improving college
3979 readiness and articulation. All public educational institutions
3980 shall annually provide data from the prior year to the
3981 educational ~~K-20~~ data warehouse in a format based on data
3982 elements identified by the commissioner.

3983 (a) School districts and public postsecondary educational
3984 institutions shall maintain information systems that will



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3985 provide the State Board of Education, the Board of Governors of
3986 the State University System, and the Legislature with
3987 information and reports necessary to address the specifications
3988 of the accountability system. The level of comprehensiveness and
3989 quality must be no less than that which was available as of June
3990 30, 2001.

3991 (b) Colleges and universities eligible to participate in
3992 the William L. Boyd, IV, Effective Access to Student Education
3993 Grant Program shall annually report student-level data from the
3994 prior year for each student who receives state funds in a format
3995 prescribed by the Department of Education. At a minimum, data
3996 from the prior year must include retention rates, transfer
3997 rates, completion rates, graduation rates, employment and
3998 placement rates, and earnings of graduates. By October 1 of each
3999 year, the colleges and universities described in this paragraph
4000 shall report the data to the department.

4001 (c) The Commissioner of Education shall determine the
4002 standards for the required data, monitor data quality, and
4003 measure improvements. The commissioner shall report annually to
4004 the State Board of Education, the Board of Governors of the
4005 State University System, the President of the Senate, and the
4006 Speaker of the House of Representatives data quality indicators
4007 and ratings for all school districts and public postsecondary
4008 educational institutions.

4009 (d) Before establishing any new reporting or data
4010 collection requirements, the commissioner shall use existing
4011 data being collected to reduce duplication and minimize
4012 paperwork.

4013 (4) RULES.—The State Board of Education shall adopt rules



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4014 pursuant to ss. 120.536(1) and 120.54 to implement the
4015 provisions of this section relating to the educational ~~K-20~~ data
4016 warehouse.

4017 Section 68. Section 1008.32, Florida Statutes, is amended
4018 to read:

4019 1008.32 State Board of Education oversight enforcement
4020 authority.—The State Board of Education shall oversee the
4021 performance of early learning coalitions, district school
4022 boards, and Florida College System institution boards of
4023 trustees in enforcement of all laws and rules. District school
4024 boards and Florida College System institution boards of trustees
4025 shall be primarily responsible for compliance with law and state
4026 board rule.

4027 (1) In order to ensure compliance with law or state board
4028 rule, the State Board of Education shall have the authority to
4029 request and receive information, data, and reports from early
4030 learning coalitions, school districts, and Florida College
4031 System institutions. Early learning coalition chief executive
4032 officers or executive directors, district school
4033 superintendents, and Florida College System institution
4034 presidents are responsible for the accuracy of the information
4035 and data reported to the state board.

4036 (2) (a) The Commissioner of Education may investigate
4037 allegations of noncompliance with law or state board rule and
4038 determine probable cause. The commissioner shall report
4039 determinations of probable cause to the State Board of Education
4040 which shall require the early learning coalition, district
4041 school board, or Florida College System institution board of
4042 trustees to document compliance with law or state board rule.



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4043 (b) The Commissioner of Education shall report to the State
4044 Board of Education any findings by the Auditor General that an
4045 early learning coalition, a district school board, or Florida
4046 College System institution is acting without statutory authority
4047 or contrary to general law. The State Board of Education shall
4048 require the early learning coalition, district school board, or
4049 Florida College System institution board of trustees to document
4050 compliance with such law.

4051 (3) If the early learning coalition, district school board,
4052 or Florida College System institution board of trustees cannot
4053 satisfactorily document compliance, the State Board of Education
4054 may order compliance within a specified timeframe.

4055 (4) If the State Board of Education determines that an
4056 early learning coalition, a district school board, or Florida
4057 College System institution board of trustees is unwilling or
4058 unable to comply with law or state board rule within the
4059 specified time, the state board shall have the authority to
4060 initiate any of the following actions:

4061 (a) Report to the Legislature that the early learning
4062 coalition, school district, or Florida College System
4063 institution is unwilling or unable to comply with law or state
4064 board rule and recommend action to be taken by the Legislature.

4065 (b) Withhold the transfer of state funds, discretionary
4066 grant funds, discretionary lottery funds, or any other funds
4067 specified as eligible for this purpose by the Legislature until
4068 the early learning coalition, school district, or Florida
4069 College System institution complies with the law or state board
4070 rule.

4071 (c) Declare the early learning coalition, school district,



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4072 or Florida College System institution ineligible for competitive
4073 grants.

4074 (d) Require monthly or periodic reporting on the situation
4075 related to noncompliance until it is remedied.

4076 (5) Nothing in this section shall be construed to create a
4077 private cause of action or create any rights for individuals or
4078 entities in addition to those provided elsewhere in law or rule.

4079 Section 69. Paragraph (a) of subsection (3) of section
4080 1008.33, Florida Statutes, is amended to read:

4081 1008.33 Authority to enforce public school improvement.—

4082 (3) (a) The academic performance of all students has a
4083 significant effect on the state school system. Pursuant to Art.
4084 IX of the State Constitution, which prescribes the duty of the
4085 State Board of Education to supervise Florida's public school
4086 system, the state board shall equitably enforce the
4087 accountability requirements of the state school system and may
4088 impose state requirements on school districts in order to
4089 improve the academic performance of all districts, schools, and
4090 students based upon the provisions of the Florida Early
4091 Learning-20 ~~K-20~~ Education Code, chapters 1000-1013; the federal
4092 ESEA and its implementing regulations; and the ESEA flexibility
4093 waiver approved for Florida by the United States Secretary of
4094 Education.

4095 Section 70. Subsection (9) of section 1011.62, Florida
4096 Statutes, is amended to read:

4097 1011.62 Funds for operation of schools.—If the annual
4098 allocation from the Florida Education Finance Program to each
4099 district for operation of schools is not determined in the
4100 annual appropriations act or the substantive bill implementing



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4101 the annual appropriations act, it shall be determined as
4102 follows:

4103 (9) RESEARCH-BASED READING INSTRUCTION ALLOCATION.—

4104 (a) The research-based reading instruction allocation is
4105 created to provide comprehensive reading instruction to students
4106 in kindergarten through grade 12, including certain students who
4107 exhibit a substantial deficiency in early literacy and completed
4108 the Voluntary Prekindergarten Education Program under s.

4109 1008.25(5)(b). Each school district that has one or more of the
4110 300 lowest-performing elementary schools based on a 3-year
4111 average of the state reading assessment data must use the
4112 school's portion of the allocation to provide an additional hour
4113 per day of intensive reading instruction for the students in
4114 each school. The additional hour may be provided within the
4115 school day. Students enrolled in these schools who earned a
4116 level 4 or level 5 score on the statewide, standardized English
4117 Language Arts assessment for the previous school year may
4118 participate in the additional hour of instruction. Exceptional
4119 student education centers may not be included in the 300
4120 schools. The intensive reading instruction delivered in this
4121 additional hour shall include: research-based reading
4122 instruction that has been proven to accelerate progress of
4123 students exhibiting a reading deficiency; differentiated
4124 instruction based on screening, diagnostic, progress monitoring,
4125 or student assessment data to meet students' specific reading
4126 needs; explicit and systematic reading strategies to develop
4127 phonemic awareness, phonics, fluency, vocabulary, and
4128 comprehension, with more extensive opportunities for guided
4129 practice, error correction, and feedback; and the integration of



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4130 social studies, science, and mathematics-text reading, text
4131 discussion, and writing in response to reading.

4132 (b) Funds for comprehensive, research-based reading
4133 instruction shall be allocated annually to each school district
4134 in the amount provided in the General Appropriations Act. Each
4135 eligible school district shall receive the same minimum amount
4136 as specified in the General Appropriations Act, and any
4137 remaining funds shall be distributed to eligible school
4138 districts based on each school district's proportionate share of
4139 K-12 base funding.

4140 (c) Funds allocated under this subsection must be used to
4141 provide a system of comprehensive reading instruction to
4142 students enrolled in the K-12 programs and certain students who
4143 exhibit a substantial deficiency in early literacy and completed
4144 the Voluntary Prekindergarten Education Program pursuant to s.
4145 1008.25(5)(b), which may include the following:

4146 1. An additional hour per day of evidence-based intensive
4147 reading instruction to students in the 300 lowest-performing
4148 elementary schools by teachers and reading specialists who have
4149 demonstrated effectiveness in teaching reading as required in
4150 paragraph (a).

4151 2. Kindergarten through grade 5 evidence-based ~~reading~~
4152 ~~intervention teachers to provide~~ intensive reading interventions
4153 provided by reading intervention teachers ~~intervention~~ during
4154 the school day and in the required extra hour for students
4155 identified as having a reading deficiency.

4156 3. Highly qualified reading coaches to specifically support
4157 teachers in making instructional decisions based on student
4158 data, and improve teacher delivery of effective reading



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4159 instruction, intervention, and reading in the content areas
4160 based on student need.

4161 4. Professional development for school district teachers in
4162 scientifically based reading instruction, including strategies
4163 to teach reading in content areas and with an emphasis on
4164 technical and informational text, to help school district
4165 teachers earn a certification or an endorsement in reading.

4166 5. Summer reading camps, using only teachers or other
4167 district personnel who are certified or endorsed in reading
4168 consistent with s. 1008.25(7)(b)3., for all students in
4169 kindergarten through grade 2 who demonstrate a reading
4170 deficiency as determined by district and state assessments, ~~and~~
4171 students in grades 3 through 5 who score at Level 1 on the
4172 statewide, standardized English Language Arts assessment, and
4173 certain students who exhibit a substantial deficiency in early
4174 literacy and completed the Voluntary Prekindergarten Education
4175 Program under s. 1008.25(5)(b).

4176 6. Scientifically researched and evidence-based
4177 supplemental instructional materials ~~that are grounded in~~
4178 ~~scientifically based reading research~~ as identified by the Just
4179 Read, Florida! Office pursuant to s. 1001.215(8).

4180 7. Evidence-based intensive interventions for students in
4181 kindergarten through grade 12 who have been identified as having
4182 a reading deficiency or who are reading below grade level as
4183 determined by the statewide, standardized English Language Arts
4184 assessment or for certain students who exhibit a substantial
4185 deficiency in early literacy and completed the Voluntary
4186 Prekindergarten Education Program under s. 1008.25(5)(b).

4187 (d)1. Annually, by a date determined by the Department of



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4188 Education but before May 1, school districts shall submit a ~~K-12~~
4189 comprehensive reading plan for the specific use of the research-
4190 based reading instruction allocation in the format prescribed by
4191 the department for review and approval by the Just Read,
4192 Florida! Office created pursuant to s. 1001.215. The plan
4193 annually submitted by school districts shall be deemed approved
4194 unless the department rejects the plan on or before June 1. If a
4195 school district and the Just Read, Florida! Office cannot reach
4196 agreement on the contents of the plan, the school district may
4197 appeal to the State Board of Education for resolution. School
4198 districts shall be allowed reasonable flexibility in designing
4199 their plans and shall be encouraged to offer reading
4200 intervention through innovative methods, including career
4201 academies. The plan format shall be developed with input from
4202 school district personnel, including teachers and principals,
4203 and shall provide for intensive reading interventions through
4204 integrated curricula, provided that, beginning with the 2020-
4205 2021 school year, the interventions are delivered by a teacher
4206 who is certified or endorsed in reading. Such interventions must
4207 incorporate evidence-based strategies identified by the Just
4208 Read, Florida! Office pursuant to s. 1001.215(8). No later than
4209 July 1 annually, the department shall release the school
4210 district's allocation of appropriated funds to those districts
4211 having approved plans. A school district that spends 100 percent
4212 of this allocation on its approved plan shall be deemed to have
4213 been in compliance with the plan. The department may withhold
4214 funds upon a determination that reading instruction allocation
4215 funds are not being used to implement the approved plan. The
4216 department shall monitor and track the implementation of each



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4217 district plan, including conducting site visits and collecting
4218 specific data on expenditures and reading improvement results.
4219 By February 1 of each year, the department shall report its
4220 findings to the Legislature.

4221 2. Each school district that has a school designated as one
4222 of the 300 lowest-performing elementary schools as specified in
4223 paragraph (a) shall specifically delineate in the comprehensive
4224 reading plan, or in an addendum to the comprehensive reading
4225 plan, the implementation design and reading intervention
4226 strategies that will be used for the required additional hour of
4227 reading instruction. The term "reading intervention" includes
4228 evidence-based strategies frequently used to remediate reading
4229 deficiencies and also includes individual instruction, tutoring,
4230 mentoring, or the use of technology that targets specific
4231 reading skills and abilities.

4232
4233 For purposes of this subsection, the term "evidence-based" means
4234 demonstrating a statistically significant effect on improving
4235 student outcomes or other relevant outcomes.

4236 Section 71. This act shall take effect July 1, 2021.

4237
4238 ===== T I T L E A M E N D M E N T =====

4239 And the title is amended as follows:

4240 Delete everything before the enacting clause
4241 and insert:

4242 A bill to be entitled
4243 An act relating to early learning and early grade
4244 success; amending s. 20.055, F.S.; conforming
4245 provisions to changes made by the act; amending s.



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4246 20.15, F.S.; deleting the Office of Early Learning
4247 from within the Office of Independent Education and
4248 Parental Choice of the Department of Education;
4249 establishing the Division of Early Learning within the
4250 department; amending s. 39.202, F.S.; conforming
4251 provisions to changes made by the act; amending s.
4252 39.604, F.S.; revising approved child care or early
4253 education settings for the placement of certain
4254 children; conforming a cross-reference to changes made
4255 by the act; amending ss. 212.08, 216.136, 383.14,
4256 391.308, and 402.26, F.S.; conforming provisions and
4257 cross-references to changes made by the act;
4258 transferring, renumbering, and amending s. 402.281,
4259 F.S.; revising the requirements of the Gold Seal
4260 Quality Care program; requiring the State Board of
4261 Education to adopt specified rules; revising
4262 accrediting association requirements; providing
4263 requirements for accrediting associations; requiring
4264 the department to adopt a specified process; providing
4265 requirements for such process; deleting a requirement
4266 for the department to consult certain entities for
4267 specified purposes; providing requirements for certain
4268 providers to maintain Gold Seal Quality Care status;
4269 providing exemptions to certain ad valorem taxes;
4270 providing rate differentials to certain providers;
4271 providing for a type two transfer of the Gold Seal
4272 Quality Care program in the Department of Children and
4273 Families to the Department of Education; providing for
4274 the continuation of certain contracts and interagency



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4275 agreements; amending s. 402.315, F.S.; conforming a
4276 cross-reference to changes made by the act; amending
4277 s. 402.56, F.S.; revising the membership of the
4278 Children and Youth Cabinet; amending ss. 411.227,
4279 414.295, 1000.01, 1000.02, 1000.03, 1000.04, 1000.21,
4280 1001.02, 1001.03, 1001.10, and 1001.11, F.S.;
4281 conforming provisions and cross-references to changes
4282 made by the act; repealing s. 1001.213, F.S., relating
4283 to the Office of Early Learning; amending ss.
4284 1001.215, 1001.23, 1001.70, 1001.706, 1002.22,
4285 1002.32, 1002.34, and 1002.36, F.S.; conforming
4286 provisions and cross-references to changes made by the
4287 act; amending s. 1002.53, F.S.; revising the
4288 requirements for certain program provider profiles;
4289 requiring students enrolled in the Voluntary
4290 Prekindergarten Education Program to participate in a
4291 specified screening and progress monitoring program;
4292 conforming provisions to changes made by the act;
4293 amending s. 1002.55, F.S.; authorizing certain child
4294 development programs operating on a military
4295 installation to be private prekindergarten providers
4296 within the Voluntary Prekindergarten Education
4297 Program; providing that a private prekindergarten
4298 provider is ineligible for participation in the
4299 program under certain circumstances; revising
4300 requirements a prekindergarten instructor must meet;
4301 revising requirements for specified courses for
4302 prekindergarten instructors; providing that a private
4303 school administrator who holds a specified certificate



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4304 meets certain credential requirements; providing
4305 liability insurance requirements for child development
4306 programs operating on a military installation
4307 participating in the program; requiring early learning
4308 coalitions to verify private prekindergarten provider
4309 compliance with specified provisions; requiring such
4310 coalitions to remove a provider's eligibility under
4311 specified circumstances; conforming provisions to
4312 changes made by the act; amending s. 1002.57, F.S.;
4313 conforming a provision to changes made by the act;
4314 revising the minimum standards for a credential for
4315 certain prekindergarten directors; amending s.
4316 1002.59, F.S.; revising requirements for emergent
4317 literacy and performance standards training courses
4318 for prekindergarten instructors; conforming provisions
4319 to changes made by the act; requiring the department
4320 to make certain courses available; amending s.
4321 1002.61, F.S.; authorizing certain child development
4322 programs operating on a military installation to be
4323 private prekindergarten providers within the summer
4324 Voluntary Prekindergarten Education Program; revising
4325 the criteria for a teacher to receive priority from a
4326 school district for the summer program; requiring a
4327 child development program operating on a military
4328 installation to comply with specified criteria;
4329 requiring early learning coalitions to verify
4330 specified information; providing for the removal of a
4331 program provider or school from eligibility under
4332 certain circumstances; conforming provisions to



4333 changes made by the act; amending s. 1002.63, F.S.;

4334 conforming provisions to changes made by the act;

4335 requiring early learning coalitions to verify

4336 specified information; providing for the removal of

4337 public school program providers from the program under

4338 certain circumstances; amending s. 1002.67, F.S.;

4339 revising the performance standards for the Voluntary

4340 Prekindergarten Education Program; requiring the

4341 department to review and revise performance standards

4342 on a specified schedule; revising curriculum

4343 requirements for the program; requiring the department

4344 to adopt procedures for the review and approval of

4345 curricula for the program; deleting a required

4346 preassessment and postassessment for the program;

4347 conforming provisions to changes made by the act;

4348 creating s. 1002.68, F.S.; requiring providers of the

4349 Voluntary Prekindergarten Education Program to

4350 participate in a specified screening and progress

4351 monitoring program; providing specified uses for the

4352 results of such program; requiring certain portions of

4353 the screening and progress monitoring program to be

4354 administered by individuals who meet specified

4355 criteria; requiring the results of specified

4356 assessments to be reported to the parents of

4357 participating students; providing requirements for

4358 such assessments; providing department duties and

4359 responsibilities relating to such assessments;

4360 providing requirements for a specified methodology

4361 used to calculate the results of such assessments;



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4362 prohibiting certain providers from being placed on
4363 probationary status under certain circumstances;
4364 requiring a provider on probationary status to meet
4365 certain requirements before being removed from such
4366 status; requiring the department to establish a
4367 designation system for program providers; providing
4368 for the adoption of a minimum performance metric or
4369 designation for program participation; providing
4370 procedures for a provider whose score or designation
4371 falls below the minimum requirement; providing for the
4372 revocation of program eligibility for a provider;
4373 providing procedures for requalification; authorizing
4374 the department to grant good cause exemptions to
4375 providers under certain circumstances; providing
4376 department and provider requirements for such
4377 exemptions; requiring annual meeting of
4378 representatives from specified entities; repealing s.
4379 1002.69, F.S., relating to statewide kindergarten
4380 screening and readiness rates; amending ss. 1002.71
4381 and 1002.72, F.S.; conforming provisions to changes
4382 made by the act; amending s. 1002.73, F.S.; requiring
4383 the department to adopt a statewide provider contract;
4384 requiring such contract to be published on the
4385 department's website; providing requirements for such
4386 contract; prohibiting providers from offering services
4387 during an appeal of termination from the program;
4388 providing applicability; requiring the department to
4389 adopt specified procedures relating to the Voluntary
4390 Prekindergarten Education Program; providing duties of



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4391 the department relating to such program; repealing s.
4392 1002.75, F.S., relating to the powers and duties of
4393 the Office of Early Learning; amending s. 1002.79,
4394 F.S.; conforming provisions to changes made by the
4395 act; reordering and amending s. 1002.81, F.S.;
4396 defining and redefining terms; amending s. 1002.82,
4397 F.S.; providing duties of the department relating to
4398 early learning; authorizing an alternative model for
4399 the calculation of prevailing market rate; exempting
4400 certain child development programs operating on a
4401 military installation from specified inspection
4402 requirements; requiring the department to monitor
4403 specified standards and benchmarks for certain
4404 purposes; revising the age range used for specified
4405 standards; requiring the department to provide
4406 specified technical support; revising requirements for
4407 a specified assessment program; requiring the
4408 department to adopt requirements to make certain
4409 contracted slots available to serve specified
4410 populations; requiring the department adopt certain
4411 standards and outcome measures, including specified
4412 surveys; requiring the department to adopt procedures
4413 for the merging of early learning coalitions; revising
4414 the requirements for a specified report; conforming a
4415 cross-reference and provisions to changes made by the
4416 act; amending s. 1002.83, F.S.; revising the number of
4417 authorized early learning coalitions; revising the
4418 number of and requirements for members of an early
4419 learning coalition; revising requirements for such



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4420 coalitions; amending s. 1002.84, F.S.; revising early
4421 learning coalition responsibilities and duties;
4422 revising requirements for the waiver of specified
4423 copayments; authorizing the adoption of a certain
4424 alternative payment schedule; conforming a cross-
4425 reference and provisions to changes made by the act;
4426 amending s. 1002.85, F.S.; revising the requirements
4427 for school readiness program plans; conforming a
4428 cross-reference and provisions to changes made by the
4429 act; amending s. 1002.88, F.S.; authorizing certain
4430 child development programs operating on military
4431 installations to participate in the school readiness
4432 program; revising requirements to deliver such
4433 program; providing that a specified annual inspection
4434 for a child development program participating in the
4435 school readiness program meets certain provider
4436 requirements; providing requirements for a child
4437 development program to meet certain liability
4438 requirements; conforming provisions to changes made by
4439 the act; amending s. 1002.89, F.S.; conforming
4440 provisions to changes made by the act; amending s.
4441 1002.895, F.S.; requiring the department to adopt
4442 certain procedures until a specified event; conforming
4443 provisions to changes made by the act; amending s.
4444 1002.91, F.S.; conforming provisions to changes made
4445 by the act; amending s. 1002.92, F.S.; revising the
4446 requirements for specified services child care
4447 resources and referral agencies must provide;
4448 conforming cross-references and provisions to changes



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4449 made by the act; amending s. 1002.93, F.S.; conforming
4450 a provision to changes made by the act; repealing s.
4451 1002.94, F.S., relating to the Child Care Executive
4452 Partnership Program; amending ss. 1002.95, 1002.96,
4453 1002.97, 1002.995, and 1007.01, F.S.; conforming
4454 provisions to changes made by the act; creating s.
4455 1008.2125, F.S.; creating the coordinated screening
4456 and progress monitoring program within the department
4457 for specified purposes; providing requirements for the
4458 program; requiring the Commissioner of Education to
4459 design the program; providing requirements for the
4460 administration of the program and the use of results
4461 from the program; providing requirements for the
4462 commissioner; creating the Council for Early Grade
4463 Success within the department; providing duties of the
4464 council; providing membership of the council;
4465 requiring the council to elect a chair and a vice
4466 chair; providing requirements for such appointments;
4467 providing for per diem for members of the council;
4468 providing meeting requirements for the council;
4469 providing for a quorum of the council; amending s.
4470 1008.25, F.S.; authorizing certain students enrolled
4471 in the Voluntary Prekindergarten Education Program to
4472 receive intensive reading interventions using
4473 specified funds; amending ss. 1008.31, 1008.32, and
4474 1008.33, F.S.; conforming provisions to changes made
4475 by the act; amending s. 1011.62, F.S.; revising the
4476 research-based reading instruction allocation to
4477 authorize the use of such funds for certain intensive



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4478 reading interventions for certain students; revising
4479 the requirements for specified reading instruction and
4480 interventions; defining the term "evidence-based";
4481 providing an effective date.