

Amendment No. 1

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED _____ (Y/N)
ADOPTED AS AMENDED _____ (Y/N)
ADOPTED W/O OBJECTION _____ (Y/N)
FAILED TO ADOPT _____ (Y/N)
WITHDRAWN _____ (Y/N)
OTHER _____

1 Committee/Subcommittee hearing bill: Education & Employment
2 Committee

3 Representative Grall offered the following:
4

5 **Amendment (with title amendment)**

6 Remove everything after the enacting clause and insert:

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

9 20.055 Agency inspectors general.—

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

11 (a) "Agency head" means the Governor, a Cabinet officer,
12 or a secretary or executive director as those terms are defined
13 in s. 20.03, the chair of the Public Service Commission, the
14 Director of the Office of Insurance Regulation of the Financial
15 Services Commission, the Director of the Office of Financial

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16 Regulation of the Financial Services Commission, the board of
17 directors of the Florida Housing Finance Corporation, ~~the~~
18 ~~executive director of the Office of Early Learning,~~ and the
19 Chief Justice of the State Supreme Court.

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

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

35 20.15 Department of Education.—There is created a
36 Department of Education.

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

39 (c) Division of Early Learning.

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

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

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

51 (5) POWERS AND DUTIES.—The State Board of Education and
52 the Commissioner of Education shall assign to the divisions such
53 powers, duties, responsibilities, and functions as are necessary
54 to ensure the greatest possible coordination, efficiency, and
55 effectiveness of education for students in Early Learning-20 ~~K-~~
56 ~~20~~ education under the jurisdiction of the State Board of
57 Education.

58 Section 3. Paragraph (a) of subsection (2) of section
59 39.202, Florida Statutes, is amended to read:

60 39.202 Confidentiality of reports and records in cases of
61 child abuse or neglect.—

62 (2) Except as provided in subsection (4), access to such
63 records, excluding the name of, or other identifying information
64 with respect to, the reporter which shall be released only as

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65 provided in subsection (5), shall be granted only to the
66 following persons, officials, and agencies:

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

- 71 1. Child or adult protective investigations;
- 72 2. Ongoing child or adult protective services;
- 73 3. Early intervention and prevention services;
- 74 4. Healthy Start services;
- 75 5. Licensure or approval of adoptive homes, foster homes,
76 child care facilities, facilities licensed under chapter 393,
77 family day care homes, providers who receive school readiness
78 funding under part VI of chapter 1002, or other homes used to
79 provide for the care and welfare of children;
- 80 6. Employment screening for caregivers in residential
81 group homes; or
- 82 7. Services for victims of domestic violence when provided
83 by certified domestic violence centers working at the
84 department's request as case consultants or with shared clients.

85
86 Also, employees or agents of the Department of Juvenile Justice
87 responsible for the provision of services to children, pursuant
88 to chapters 984 and 985.

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89 Section 4. Paragraph (b) of subsection (5) of section
90 39.604, Florida Statutes, is amended to read:

91 39.604 Rilya Wilson Act; short title; legislative intent;
92 child care; early education; preschool.—

93 (5) EDUCATIONAL STABILITY.—Just as educational stability
94 is important for school-age children, it is also important to
95 minimize disruptions to secure attachments and stable
96 relationships with supportive caregivers of children from birth
97 to school age and to ensure that these attachments are not
98 disrupted due to placement in out-of-home care or subsequent
99 changes in out-of-home placement.

100 (b) If it is not in the best interest of the child for him
101 or her to remain in his or her child care or early education
102 setting upon entry into out-of-home care, the caregiver must
103 work with the case manager, guardian ad litem, child care and
104 educational staff, and educational surrogate, if one has been
105 appointed, to determine the best setting for the child. Such
106 setting may be a child care provider that receives a Gold Seal
107 Quality Care designation pursuant to s. 1002.945 ~~s. 402.281~~, a
108 ~~provider participating in a quality rating system~~, a licensed
109 child care provider, a public school provider, or a license-
110 exempt child care provider, including religious-exempt and
111 registered providers, and nonpublic schools.

112 Section 5. Paragraph (m) of subsection (5) of section
113 212.08, Florida Statutes, is amended to read:

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

120 (5) EXEMPTIONS; ACCOUNT OF USE.—

121 (m) Educational materials purchased by certain child care
122 facilities.—Educational materials, such as glue, paper, paints,
123 crayons, unique craft items, scissors, books, ~~and~~ educational
124 toys, purchased by a child care facility that meets the
125 standards delineated in s. 402.305, is licensed under s.
126 402.308, holds a current Gold Seal Quality Care designation
127 pursuant to s. 1002.945 ~~s. 402.281~~, and provides basic health
128 insurance to all employees are exempt from the taxes imposed by
129 this chapter. For purposes of this paragraph, the term "basic
130 health insurance" shall be defined and promulgated in rules
131 developed jointly by the Department of Education ~~Children and~~
132 ~~Families~~, the Agency for Health Care Administration, and the
133 Financial Services Commission.

134 Section 6. Paragraph (b) of subsection (8) of section
135 216.136, Florida Statutes, is amended to read:

136 216.136 Consensus estimating conferences; duties and
137 principals.—

138 (8) EARLY LEARNING PROGRAMS ESTIMATING CONFERENCE.—

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

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

148 383.14 Screening for metabolic disorders, other hereditary
149 and congenital disorders, and environmental risk factors.-

150 (1) SCREENING REQUIREMENTS.-To help ensure access to the
151 maternal and child health care system, the Department of Health
152 shall promote the screening of all newborns born in Florida for
153 metabolic, hereditary, and congenital disorders known to result
154 in significant impairment of health or intellect, as screening
155 programs accepted by current medical practice become available
156 and practical in the judgment of the department. The department
157 shall also promote the identification and screening of all
158 newborns in this state and their families for environmental risk
159 factors such as low income, poor education, maternal and family
160 stress, emotional instability, substance abuse, and other high-
161 risk conditions associated with increased risk of infant
162 mortality and morbidity to provide early intervention,
163 remediation, and prevention services, including, but not limited

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164 to, parent support and training programs, home visitation, and
165 case management. Identification, perinatal screening, and
166 intervention efforts shall begin prior to and immediately
167 following the birth of the child by the attending health care
168 provider. Such efforts shall be conducted in hospitals,
169 perinatal centers, county health departments, school health
170 programs that provide prenatal care, and birthing centers, and
171 reported to the Office of Vital Statistics.

172 (b) Postnatal screening.—A risk factor analysis using the
173 department's designated risk assessment instrument shall also be
174 conducted as part of the medical screening process upon the
175 birth of a child and submitted to the department's Office of
176 Vital Statistics for recording and other purposes provided for
177 in this chapter. The department's screening process for risk
178 assessment shall include a scoring mechanism and procedures that
179 establish thresholds for notification, further assessment,
180 referral, and eligibility for services by professionals or
181 paraprofessionals consistent with the level of risk. Procedures
182 for developing and using the screening instrument, notification,
183 referral, and care coordination services, reporting
184 requirements, management information, and maintenance of a
185 computer-driven registry in the Office of Vital Statistics which
186 ensures privacy safeguards must be consistent with the
187 provisions and plans established under chapter 411, Pub. L. No.
188 99-457, and this chapter. Procedures established for reporting

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

203 (2) RULES.—

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

210 Section 8. Paragraph (h) of subsection (2) of section
211 391.308, Florida Statutes, is amended to read:

212 391.308 Early Steps Program.—The department shall
213 implement and administer part C of the federal Individuals with

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214 Disabilities Education Act (IDEA), which shall be known as the
215 "Early Steps Program."

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

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

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

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

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

240 402.26 Child care; legislative intent.—

241 ~~(6) It is the intent of the Legislature that a child care~~
242 ~~facility licensed pursuant to s. 402.305 or a child care~~
243 ~~facility exempt from licensing pursuant to s. 402.316, that~~
244 ~~achieves Gold Seal Quality status pursuant to s. 402.281, be~~
245 ~~considered an educational institution for the purpose of~~
246 ~~qualifying for exemption from ad valorem tax pursuant to s.~~
247 ~~196.198.~~

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

251 1002.945 ~~402.281~~ Gold Seal Quality Care program.—

252 (1) (a) There is established within the Department of
253 Education the Gold Seal Quality Care Program.

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

260 (2) The State Board of Education ~~department~~ shall adopt
261 rules establishing Gold Seal Quality Care accreditation
262 standards using nationally recognized accrediting standards and

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263 input from accrediting associations based on the applicable
264 accrediting standards of the National Association for the
265 Education of Young Children (NAEYC), the National Association of
266 Family Child Care, and the National Early Childhood Program
267 Accreditation Commission.

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

272 1. Is a recognized accrediting association.

273 2. Has accrediting standards that substantially meet or
274 exceed the Gold Seal Quality Care standards adopted by the state
275 board department under subsection (2).

276 3. Is a registered corporation with the Department of
277 State.

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

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

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

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288 c. A training process for accreditation verifiers to
289 ensure inter-rater reliability.

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

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

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

302 g. A process for verifying continued accreditation
303 compliance in the event of a transfer of ownership of
304 facilities.

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

311 (b) The Department of Education shall establish a process
312 that verifies that the accrediting association meets the

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

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

332 ~~(b) In approving accrediting associations, the department~~
333 ~~shall consult with the Department of Education, the Florida Head~~
334 ~~Start Directors Association, the Florida Association of Child~~
335 ~~Care Management, the Florida Family Child Care Home Association,~~
336 ~~the Florida Children's Forum, the Florida Association for the~~
337 ~~Education of the Young, the Child Development Education~~

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338 ~~Alliance, the Florida Association of Academic Nonpublic Schools,~~
339 ~~the Association of Early Learning Coalitions, providers~~
340 ~~receiving exemptions under s. 402.316, and parents.~~

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

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

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

360 (c) The child care provider must not have been cited for
361 the same class III violation, as defined by rule of the
362 Department of Children and Families, three or more times and

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

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

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

383 (6) A child care facility licensed under s. 402.305 or a
384 child care facility exempt from licensing pursuant to s. 402.316
385 which achieves Gold Seal Quality status under this section and
386 which participates in the school readiness program shall receive

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387 a minimum of a 20 percent rate differential for each enrolled
388 school readiness child by care level and unit of child care.

389 (7)-(5) The state board ~~Department of Children and Families~~
390 shall adopt rules under ss. 120.536(1) and 120.54 which provide
391 criteria and procedures for reviewing and approving accrediting
392 associations for participation in the Gold Seal Quality Care
393 program and, ~~conferring and revoking designations of Gold Seal~~
394 ~~Quality Care providers, and classifying violations.~~

395 Section 11. Type two transfer from the Department of
396 Children and Families.-

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

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

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412 successor entity responsible for the program, activity, or
413 functions relative to the contract or agreement.

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

416 402.315 Funding; license fees.—

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

422 Section 13. Paragraph (a) of subsection (4) of section
423 402.56, Florida Statutes, is amended to read:

424 402.56 Children's cabinet; organization; responsibilities;
425 annual report.—

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

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

429 2. The Secretary of Juvenile Justice;

430 3. The director of the Agency for Persons with
431 Disabilities;

432 4. A representative from the Division ~~The director of the~~
433 ~~Office~~ of Early Learning;

434 5. The State Surgeon General;

435 6. The Secretary of Health Care Administration;

436 7. The Commissioner of Education;

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

438 9. A representative of the Office of Adoption and Child
439 Protection;

440 10. A superintendent of schools, appointed by the
441 Governor; and

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

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

448 411.227 Components of the Learning Gateway.—The Learning
449 Gateway system consists of the following components:

450 (1) COMMUNITY EDUCATION STRATEGIES AND FAMILY-ORIENTED
451 ACCESS.—

452 (d) In collaboration with other local resources, the
453 demonstration projects shall develop public awareness strategies
454 to disseminate information about developmental milestones,
455 precursors of learning problems and other developmental delays,
456 and the service system that is available. The information should
457 target parents of children from birth through age 9 and should
458 be distributed to parents, health care providers, and caregivers
459 of children from birth through age 9. A variety of media should
460 be used as appropriate, such as print, television, radio, and a
461 community-based Internet website, as well as opportunities such

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462 as those presented by parent visits to physicians for well-child
463 checkups. The Learning Gateway Steering Committee shall provide
464 technical assistance to the local demonstration projects in
465 developing and distributing educational materials and
466 information.

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

474 2. Public awareness strategies targeting parents of
475 children from ages 6 through 9 must be designed to disseminate
476 training materials and brochures to parents and public and
477 private school personnel, and must be coordinated with the local
478 school board and the appropriate school advisory committees in
479 the demonstration projects. The materials should contain
480 information on state and district proficiency levels for grades
481 K-3.

482 (2) SCREENING AND DEVELOPMENTAL MONITORING.—

483 (a) In coordination with ~~the Office of Early Learning~~, the
484 Department of Education, and the Florida Pediatric Society, and
485 using information learned from the local demonstration projects,
486 the Learning Gateway Steering Committee shall establish

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487 guidelines for screening children from birth through age 9. The
488 guidelines should incorporate recent research on the indicators
489 most likely to predict early learning problems, mild
490 developmental delays, child-specific precursors of school
491 failure, and other related developmental indicators in the
492 domains of cognition; communication; attention; perception;
493 behavior; and social, emotional, sensory, and motor functioning.

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

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

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

502 414.295 Temporary cash assistance programs; public records
503 exemption.—

504 (1) Personal identifying information of a temporary cash
505 assistance program participant, a participant's family, or a
506 participant's family or household member, except for information
507 identifying a parent who does not live in the same home as the
508 child, which is held by the department, ~~the Office of Early~~
509 ~~Learning~~, CareerSource Florida, Inc., the Department of Health,
510 the Department of Revenue, the Department of Education, or a
511 local workforce development board or local committee created

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512 pursuant to s. 445.007 is confidential and exempt from s.
513 119.07(1) and s. 24(a), Art. I of the State Constitution. Such
514 confidential and exempt information may be released for purposes
515 directly connected with:

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

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

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

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

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

545 (f) The administration of the reemployment assistance
546 program.

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

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

555 Section 16. Section 1000.01, Florida Statutes, is amended
556 to read:

557 1000.01 The Florida Early Learning-20 ~~K-20~~ education
558 system; technical provisions.—

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

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561 (2) LIBERAL CONSTRUCTION.—The provisions of the Florida
562 Early Learning-20 ~~K-20~~ Education Code shall be liberally
563 construed to the end that its objectives may be effected. It is
564 the legislative intent that if any section, subsection,
565 sentence, clause, or provision of the Florida Early Learning-20
566 ~~K-20~~ Education Code is held invalid, the remainder of the code
567 shall not be affected.

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

577 (4) UNIFORM SYSTEM OF PUBLIC K-12 SCHOOLS INCLUDED.—As
578 required by s. 1, Art. IX of the State Constitution, the Florida
579 Early Learning-20 ~~K-20~~ education system shall include the
580 uniform system of free public K-12 schools. These public K-12
581 schools shall provide 13 consecutive years of instruction,
582 beginning with kindergarten, and shall also provide such
583 instruction for students with disabilities, gifted students,
584 limited English proficient students, and students in Department
585 of Juvenile Justice programs as may be required by law. The

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586 funds for support and maintenance of the uniform system of free
587 public K-12 schools shall be derived from state, district,
588 federal, and other lawful sources or combinations of sources,
589 including any fees charged nonresidents as provided by law.

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

592 1000.02 Policy and guiding principles for the Florida
593 Early Learning-20 ~~K-20~~ education system.—

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

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

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

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

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

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

606 (d) A system that safeguards equity and supports academic
607 excellence.

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

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611 Section 18. Section 1000.03, Florida Statutes, is amended
612 to read:

613 1000.03 Function, mission, and goals of the Florida Early
614 Learning-20 ~~K-20~~ education system.—

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

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

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

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

634 (3) Public education is a cooperative function of the
635 state and local educational authorities. The state retains

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636 responsibility for establishing a system of public education
637 through laws, standards, and rules to assure efficient operation
638 of an Early Learning-20 ~~a K-20~~ system of public education and
639 adequate educational opportunities for all individuals. Local
640 educational authorities have a duty to fully and faithfully
641 comply with state laws, standards, and rules and to efficiently
642 use the resources available to them to assist the state in
643 allowing adequate educational opportunities.

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

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

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

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

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

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

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

672 (f) Workforce education.—Workforce education is
673 appropriately aligned with the skills required by the new global
674 economy.

675 (g) Parental, student, family, educational institution,
676 and community involvement.—Parents, students, families,
677 educational institutions, and communities are collaborative
678 partners in education, and each plays an important role in the
679 success of individual students. Therefore, the State of Florida
680 cannot be the guarantor of each individual student's success.
681 The goals of Florida's Early Learning-20 ~~K-20~~ education system
682 are not guarantees that each individual student will succeed or
683 that each individual school will perform at the level indicated
684 in the goals.

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

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

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

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

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

705 Section 19. Section 1000.04, Florida Statutes, is amended
706 to read:

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

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

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

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

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

733 (4)~~(3)~~ FLORIDA SCHOOL FOR THE DEAF AND THE BLIND.—The
734 Florida School for the Deaf and the Blind is a component of the

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735 delivery of public education within Florida's Early Learning-20
736 ~~K-20~~ education system.

737 (5)-(4) THE FLORIDA VIRTUAL SCHOOL.—The Florida Virtual
738 School is a component of the delivery of public education within
739 Florida's Early Learning-20 ~~K-20~~ education system.

740 Section 20. Section 1000.21, Florida Statutes, is amended
741 to read:

742 1000.21 Systemwide definitions.—As used in the Florida
743 Early Learning-20 ~~K-20~~ Education Code:

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

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

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

757 (a) Eastern Florida State College, which serves Brevard
758 County.

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

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

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

764 (e) Daytona State College, which serves Flagler and
765 Volusia Counties.

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

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

770 (h) The College of the Florida Keys, which serves Monroe
771 County.

772 (i) Gulf Coast State College, which serves Bay, Franklin,
773 and Gulf Counties.

774 (j) Hillsborough Community College, which serves
775 Hillsborough County.

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

778 (l) Florida Gateway College, which serves Baker, Columbia,
779 Dixie, Gilchrist, and Union Counties.

780 (m) Lake-Sumter State College, which serves Lake and
781 Sumter Counties.

782 (n) State College of Florida, Manatee-Sarasota, which
783 serves Manatee and Sarasota Counties.

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

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- 785 (p) North Florida College, which serves Hamilton,
786 Jefferson, Lafayette, Madison, Suwannee, and Taylor Counties.
- 787 (q) Northwest Florida State College, which serves Okaloosa
788 and Walton Counties.
- 789 (r) Palm Beach State College, which serves Palm Beach
790 County.
- 791 (s) Pasco-Hernando State College, which serves Hernando
792 and Pasco Counties.
- 793 (t) Pensacola State College, which serves Escambia and
794 Santa Rosa Counties.
- 795 (u) Polk State College, which serves Polk County.
- 796 (v) St. Johns River State College, which serves Clay,
797 Putnam, and St. Johns Counties.
- 798 (w) St. Petersburg College, which serves Pinellas County.
- 799 (x) Santa Fe College, which serves Alachua and Bradford
800 Counties.
- 801 (y) Seminole State College of Florida, which serves
802 Seminole County.
- 803 (z) South Florida State College, which serves DeSoto,
804 Hardee, and Highlands Counties.
- 805 (aa) Tallahassee Community College, which serves Gadsden,
806 Leon, and Wakulla Counties.
- 807 (bb) Valencia College, which serves Orange and Osceola
808 Counties.
- 809 (4) "Department" is the Department of Education.

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810 (5) "Parent" is either or both parents of a student, any
811 guardian of a student, any person in a parental relationship to
812 a student, or any person exercising supervisory authority over a
813 student in place of the parent.

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

- 817 (a) The University of Florida.
- 818 (b) The Florida State University.
- 819 (c) The Florida Agricultural and Mechanical University.
- 820 (d) The University of South Florida.
- 821 (e) The Florida Atlantic University.
- 822 (f) The University of West Florida.
- 823 (g) The University of Central Florida.
- 824 (h) The University of North Florida.
- 825 (i) The Florida International University.
- 826 (j) The Florida Gulf Coast University.
- 827 (k) New College of Florida.
- 828 (l) The Florida Polytechnic University.

829 (7) "Next Generation Sunshine State Standards" means the
830 state's public K-12 curricular standards adopted under s.
831 1003.41.

832 (8) "Board of Governors" is the Board of Governors of the
833 State University System.

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

837 1001.02 General powers of State Board of Education.—

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

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

850 (e) To adopt and submit to the Governor and Legislature,
851 as provided in s. 216.023, a coordinated Early Learning-20 ~~K-20~~
852 education budget that estimates the expenditure requirements for
853 the Board of Governors, as provided in s. 1001.706, the State
854 Board of Education, including the Department of Education and
855 the Commissioner of Education, and all of the boards,
856 institutions, agencies, and services under the general
857 supervision of the Board of Governors, as provided in s.
858 1001.706, or the State Board of Education for the ensuing fiscal

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859 year. The State Board of Education may not amend the budget
860 request submitted by the Board of Governors. Any program
861 recommended by the Board of Governors or the State Board of
862 Education which will require increases in state funding for more
863 than 1 year must be presented in a multiyear budget plan.

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

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

869 1001.03 Specific powers of State Board of Education.—

870 (8) SYSTEMWIDE ENFORCEMENT.—The State Board of Education
871 shall enforce compliance with law and state board rule by all
872 school districts, early learning coalitions, and public
873 postsecondary educational institutions, except for the State
874 University System, in accordance with the provisions of s.
875 1008.32.

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

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883 Section 23. Subsection (1), paragraphs (g), (k), and (l)
884 of subsection (6), and subsection (8) of section 1001.10,
885 Florida Statutes, are amended to read:

886 1001.10 Commissioner of Education; general powers and
887 duties.—

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

894 (6) Additionally, the commissioner has the following
895 general powers and duties:

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

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

911 (1) To prepare and publish annually reports giving
912 statistics and other useful information pertaining to the
913 state's K-12 scholarship programs, the school readiness program,
914 and the Voluntary Prekindergarten Education Program.

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

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

927 1001.11 Commissioner of Education; other duties.—

928 (1) The Commissioner of Education must independently
929 perform the following duties:

930 (b) Serve as the primary source of information to the
931 Legislature, including the President of the Senate and the

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932 Speaker of the House of Representatives, concerning the State
933 Board of Education, the Early Learning-20 ~~K-20~~ education system,
934 and early learning programs.

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

939 Section 25. Section 1001.213, Florida Statutes, is
940 repealed.

941 Section 26. Subsection (7) of section 1001.215, Florida
942 Statutes, is amended to read:

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

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

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

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

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956 ~~(1) Adopt the statewide kindergarten screening in~~
957 ~~accordance with s. 1002.69.~~

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

960 1001.70 Board of Governors of the State University
961 System.—

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

969 Section 29. Paragraph (b) of subsection (4) of section
970 1001.706, Florida Statutes, is amended to read:

971 1001.706 Powers and duties of the Board of Governors.—

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

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

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981 Section 30. Paragraph (b) of subsection (1) of section
982 1002.22, Florida Statutes, is amended to read:

983 1002.22 Education records and reports of K-12 students;
984 rights of parents and students; notification; penalty.—

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

986 (b) "Institution" means any public school, center,
987 institution, or other entity that is part of Florida's education
988 system under s. 1000.04(2), (4), and (5) ~~s. 1000.04(1), (3), and~~
989 ~~(4)~~.

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

992 1002.32 Developmental research (laboratory) schools.—

993 (3) MISSION.—The mission of a lab school shall be the
994 provision of a vehicle for the conduct of research,
995 demonstration, and evaluation regarding management, teaching,
996 and learning. Programs to achieve the mission of a lab school
997 shall embody the goals and standards established pursuant to ss.
998 1000.03(5) and 1001.23(1) ~~1001.23(2)~~ and shall ensure an
999 appropriate education for its students.

1000 (a) Each lab school shall emphasize mathematics, science,
1001 computer science, and foreign languages. The primary goal of a
1002 lab school is to enhance instruction and research in such
1003 specialized subjects by using the resources available on a state
1004 university campus, while also providing an education in
1005 nonspecialized subjects. Each lab school shall provide

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1006 sequential elementary and secondary instruction where
1007 appropriate. A lab school may not provide instruction at grade
1008 levels higher than grade 12 without authorization from the State
1009 Board of Education. Each lab school shall develop and implement
1010 a school improvement plan pursuant to s. 1003.02(3).

1011 (b) Research, demonstration, and evaluation conducted at a
1012 lab school may be generated by the college of education and
1013 other colleges within the university with which the school is
1014 affiliated.

1015 (c) Research, demonstration, and evaluation conducted at a
1016 lab school may be generated by the State Board of Education.
1017 Such research shall respond to the needs of the education
1018 community at large, rather than the specific needs of the
1019 affiliated college.

1020 (d) Research, demonstration, and evaluation conducted at a
1021 lab school may consist of pilot projects to be generated by the
1022 affiliated college, the State Board of Education, or the
1023 Legislature.

1024 (e) The exceptional education programs offered at a lab
1025 school shall be determined by the research and evaluation goals
1026 and the availability of students for efficiently sized programs.
1027 The fact that a lab school offers an exceptional education
1028 program in no way lessens the general responsibility of the
1029 local school district to provide exceptional education programs.

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1030 (10) EXCEPTIONS TO LAW.—To encourage innovative practices
1031 and facilitate the mission of the lab schools, in addition to
1032 the exceptions to law specified in s. 1001.23(1) ~~s. 1001.23(2)~~,
1033 the following exceptions shall be permitted for lab schools:

1034 (a) The methods and requirements of the following statutes
1035 shall be held in abeyance: ss. 316.75; 1001.30; 1001.31;
1036 1001.32; 1001.33; 1001.34; 1001.35; 1001.36; 1001.361; 1001.362;
1037 1001.363; 1001.37; 1001.371; 1001.372; 1001.38; 1001.39;
1038 1001.395; 1001.40; 1001.41; 1001.44; 1001.453; 1001.46;
1039 1001.461; 1001.462; 1001.463; 1001.464; 1001.47; 1001.48;
1040 1001.49; 1001.50; 1001.51; 1006.12(2); 1006.21(3), (4); 1006.23;
1041 1010.07(2); 1010.40; 1010.41; 1010.42; 1010.43; 1010.44;
1042 1010.45; 1010.46; 1010.47; 1010.48; 1010.49; 1010.50; 1010.51;
1043 1010.52; 1010.53; 1010.54; 1010.55; 1011.02(1)–(3), (5);
1044 1011.04; 1011.20; 1011.21; 1011.22; 1011.23; 1011.71; 1011.72;
1045 1011.73; and 1011.74.

1046 (b) With the exception of s. 1001.42(18), s. 1001.42 shall
1047 be held in abeyance. Reference to district school boards in s.
1048 1001.42(18) shall mean the president of the university or the
1049 president's designee.

1050 Section 32. Paragraph (b) of subsection (10) of section
1051 1002.34, Florida Statutes, is amended to read:

1052 1002.34 Charter technical career centers.—

1053 (10) EXEMPTION FROM STATUTES.—

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1054 (b) A center must comply with the Florida Early Learning-
1055 20 ~~K-20~~ Education Code with respect to providing services to
1056 students with disabilities.

1057 Section 33. Subsection (1) of section 1002.36, Florida
1058 Statutes, is amended to read:

1059 1002.36 Florida School for the Deaf and the Blind.—

1060 (1) RESPONSIBILITIES.—The Florida School for the Deaf and
1061 the Blind, located in St. Johns County, is a state-supported
1062 residential public school for hearing-impaired and visually
1063 impaired students in preschool through 12th grade. The school is
1064 a component of the delivery of public education within Florida's
1065 Early Learning-20 ~~K-20~~ education system and shall be funded
1066 through the Department of Education. The school shall provide
1067 educational programs and support services appropriate to meet
1068 the education and related evaluation and counseling needs of
1069 hearing-impaired and visually impaired students in the state who
1070 meet enrollment criteria. Unless otherwise provided by law, the
1071 school shall comply with all laws and rules applicable to state
1072 agencies. Education services may be provided on an outreach
1073 basis for sensory-impaired children ages 0 through 5 years and
1074 to district school boards upon request. Graduates of the Florida
1075 School for the Deaf and the Blind shall be eligible for the
1076 William L. Boyd, IV, Effective Access to Student Education Grant
1077 Program as provided in s. 1009.89.

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1078 Section 34. Paragraph (b) of subsection (4), subsection
1079 (5), and paragraph (c) of subsection (6) of section 1002.53,
1080 Florida Statutes, are amended, and paragraph (d) is added to
1081 subsection (6) of that section, to read:

1082 1002.53 Voluntary Prekindergarten Education Program;
1083 eligibility and enrollment.—

1084 (4)

1085 (b) The application must be submitted on forms prescribed
1086 by the department ~~Office of Early Learning~~ and must be
1087 accompanied by a certified copy of the child's birth
1088 certificate. The forms must include a certification, in
1089 substantially the form provided in s. 1002.71(6)(b)2., that the
1090 parent chooses the private prekindergarten provider or public
1091 school in accordance with this section and directs that payments
1092 for the program be made to the provider or school. The
1093 department ~~Office of Early Learning~~ may authorize alternative
1094 methods for submitting proof of the child's age in lieu of a
1095 certified copy of the child's birth certificate.

1096 (5) The early learning coalition shall provide each parent
1097 enrolling a child in the Voluntary Prekindergarten Education
1098 Program with a profile of every private prekindergarten provider
1099 and public school delivering the program within the county where
1100 the child is being enrolled. The profiles shall be provided to
1101 parents in a format prescribed by the department in accordance
1102 with s. 1002.92(3) ~~Office of Early Learning~~. ~~The profiles must~~

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1103 ~~include, at a minimum, the following information about each~~
1104 ~~provider and school:~~

1105 ~~(a) The provider's or school's services, curriculum,~~
1106 ~~instructor credentials, and instructor-to-student ratio; and~~

1107 ~~(b) The provider's or school's kindergarten readiness rate~~
1108 ~~calculated in accordance with s. 1002.69, based upon the most~~
1109 ~~recent available results of the statewide kindergarten~~
1110 ~~screening.~~

1111 (6)

1112 (c) Each private prekindergarten provider and public school
1113 must comply with the Florida Civil Rights Act of 1992 in
1114 accordance with chapter 760 antidiscrimination requirements of
1115 42 U.S.C. s. 2000d, regardless of whether the provider or school
1116 receives federal financial assistance. A private prekindergarten
1117 provider or public school may not discriminate against a parent
1118 or child, including the refusal to admit a child for enrollment
1119 in the Voluntary Prekindergarten Education Program, in violation
1120 of chapter 760 these antidiscrimination requirements.

1121 (d) Each parent who enrolls his or her child in the
1122 Voluntary Prekindergarten Education Program must allow his or
1123 her child to participate in the coordinated screening and
1124 progress monitoring program under s. 1008.2125.

1125 Section 35. Paragraphs (a), (b), (c), (e), (g), (h), (i),
1126 (j), and (l) of subsection (3), subsection (4), and paragraph

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1127 (b) of subsection (5) of section 1002.55, Florida Statutes, are
1128 amended, and subsection (6) is added to that section, to read:

1129 1002.55 School-year prekindergarten program delivered by
1130 private prekindergarten providers.—

1131 (3) To be eligible to deliver the prekindergarten program,
1132 a private prekindergarten provider must meet each of the
1133 following requirements:

1134 (a) The private prekindergarten provider must be a child
1135 care facility licensed under s. 402.305, family day care home
1136 licensed under s. 402.313, large family child care home licensed
1137 under s. 402.3131, nonpublic school exempt from licensure under
1138 s. 402.3025(2), ~~or~~ faith-based child care provider exempt from
1139 licensure under s. 402.316, child development program that is
1140 accredited by a national accrediting body and operates on a
1141 military installation that is certified by the United States
1142 Department of Defense, or private prekindergarten provider that
1143 has been issued a provisional license under s. 402.309. A
1144 private prekindergarten provider may not deliver the program
1145 while holding a probation-status license under s. 402.310.

1146 (b) The private prekindergarten provider must:

1147 1. Be accredited by an accrediting association that is a
1148 member of the National Council for Private School Accreditation,
1149 or the Florida Association of Academic Nonpublic Schools, or be
1150 accredited by the Southern Association of Colleges and Schools,
1151 or Western Association of Colleges and Schools, or North Central

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1152 Association of Colleges and Schools, or Middle States
1153 Association of Colleges and Schools, or New England Association
1154 of Colleges and Schools; and have written accreditation
1155 standards that meet or exceed the state's licensing requirements
1156 under s. 402.305, s. 402.313, or s. 402.3131 and require at
1157 least one onsite visit to the provider or school before
1158 accreditation is granted;

1159 2. Hold a current Gold Seal Quality Care designation under
1160 s. 1002.945 ~~s. 402.281~~; or

1161 3. Be licensed under s. 402.305, s. 402.313, or s.
1162 402.3131 and demonstrate, before delivering the Voluntary
1163 Prekindergarten Education Program, as verified by the early
1164 learning coalition, that the provider meets each of the
1165 requirements of the program under this part, including, but not
1166 limited to, the requirements for credentials and background
1167 screenings of prekindergarten instructors under paragraphs (c)
1168 and (d), minimum and maximum class sizes under paragraph (f),
1169 prekindergarten director credentials under paragraph (g), and a
1170 developmentally appropriate curriculum under s. 1002.67(2)(b).

1171 (c) The private prekindergarten provider must have, for
1172 each prekindergarten class of 11 children or fewer, at least one
1173 prekindergarten instructor who meets each of the following
1174 requirements:

1175 1. The prekindergarten instructor must hold, at a minimum,
1176 one of the following credentials:

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1177 a. A child development associate credential issued by the
1178 National Credentialing Program of the Council for Professional
1179 Recognition; or

1180 b. A credential approved by the Department of Children and
1181 Families as being equivalent to or greater than the credential
1182 described in sub-subparagraph a.

1183
1184 The Department of Children and Families may adopt rules under
1185 ss. 120.536(1) and 120.54 which provide criteria and procedures
1186 for approving equivalent credentials under sub-subparagraph b.

1187 2. The prekindergarten instructor must successfully
1188 complete three ~~an~~ emergent literacy training courses that
1189 include developmentally appropriate and experiential learning
1190 practices for children ~~course~~ and a student performance
1191 standards training course approved by the department ~~office~~ as
1192 meeting or exceeding the minimum standards adopted under s.
1193 1002.59. The prekindergarten instructor must complete an
1194 emergent literacy training course at least once every 5 years
1195 after initially completing the three emergent literacy training
1196 courses. The courses in this subparagraph must be recognized as
1197 part of the informal early learning and career pathway
1198 identified by the department under s. 1002.995(1)(b). The
1199 requirement for completion of the standards training course
1200 shall take effect July 1, 2022. ~~2014,~~ The courses must ~~and the~~
1201 ~~course shall~~ be available online or in person.

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1202 (e) A private prekindergarten provider may assign a
1203 substitute instructor to temporarily replace a credentialed
1204 instructor if the credentialed instructor assigned to a
1205 prekindergarten class is absent, as long as the substitute
1206 instructor is of good moral character and has been screened
1207 before employment in accordance with level 2 background
1208 screening requirements in chapter 435. The department ~~Office of~~
1209 ~~Early Learning~~ shall adopt rules to implement this paragraph
1210 which shall include required qualifications of substitute
1211 instructors and the circumstances and time limits for which a
1212 private prekindergarten provider may assign a substitute
1213 instructor.

1214 (g) The private prekindergarten provider must have a
1215 prekindergarten director who has a prekindergarten director
1216 credential that is approved by the department ~~office~~ as meeting
1217 or exceeding the minimum standards adopted under s. 1002.57. A
1218 private school administrator who holds a valid certificate in
1219 educational leadership issued by the department satisfies the
1220 requirement for a prekindergarten director credential under s.
1221 1002.57. ~~Successful completion of a child care facility director~~
1222 ~~credential under s. 402.305(2)(g) before the establishment of~~
1223 ~~the prekindergarten director credential under s. 1002.57 or July~~
1224 ~~1, 2006, whichever occurs later, satisfies the requirement for a~~
1225 ~~prekindergarten director credential under this paragraph.~~

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1226 (h) The private prekindergarten provider must register
1227 with the early learning coalition on forms prescribed by the
1228 department Office of Early Learning.

1229 (i) The private prekindergarten provider must execute the
1230 statewide provider contract prescribed under s. 1002.73 ~~s.~~
1231 ~~1002.75~~, except that an individual who owns or operates multiple
1232 private prekindergarten sites ~~providers~~ within a coalition's
1233 service area may execute a single agreement with the coalition
1234 on behalf of each site ~~provider~~.

1235 (j) The private prekindergarten provider must maintain
1236 general liability insurance and provide the coalition with
1237 written evidence of general liability insurance coverage,
1238 including coverage for transportation of children if
1239 prekindergarten students are transported by the provider. A
1240 provider must obtain and retain an insurance policy that
1241 provides a minimum of \$100,000 of coverage per occurrence and a
1242 minimum of \$300,000 general aggregate coverage. The department
1243 ~~office~~ may authorize lower limits upon request, as appropriate.
1244 A provider must add the coalition as a named certificateholder
1245 and as an additional insured. A provider must provide the
1246 coalition with a minimum of 10 calendar days' advance written
1247 notice of cancellation of or changes to coverage. The general
1248 liability insurance required by this paragraph must remain in
1249 full force and effect for the entire period of the provider
1250 contract with the coalition.

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1251 (1) Notwithstanding paragraph (j), for a private
1252 prekindergarten provider that is a state agency or a subdivision
1253 thereof, as defined in s. 768.28(2), the provider must agree to
1254 notify the coalition of any additional liability coverage
1255 maintained by the provider in addition to that otherwise
1256 established under s. 768.28. The provider shall indemnify the
1257 coalition to the extent permitted by s. 768.28. Notwithstanding
1258 paragraph (j), for a child development program that is
1259 accredited by a national accrediting body and operates on a
1260 military installation that is certified by the United States
1261 Department of Defense, the provider may demonstrate liability
1262 coverage by affirming that it is subject to the Federal Tort
1263 Claims Act, 28 U.S.C. s. 2671 et seq.

1264 (4) A prekindergarten instructor, in lieu of the minimum
1265 credentials ~~and courses~~ required under paragraph (3)(c), may
1266 hold one of the following educational credentials:

1267 (a) A bachelor's or higher degree in early childhood
1268 education, prekindergarten or primary education, preschool
1269 education, or family and consumer science;

1270 (b) A bachelor's or higher degree in elementary education,
1271 if the prekindergarten instructor has been certified to teach
1272 children any age from birth through 6th grade, regardless of
1273 whether the instructor's educator certificate is current, and if
1274 the instructor is not ineligible to teach in a public school
1275 because his or her educator certificate is suspended or revoked;

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- 1276 (c) An associate's or higher degree in child development;
1277 (d) An associate's or higher degree in an unrelated field,
1278 at least 6 credit hours in early childhood education or child
1279 development, and at least 480 hours of experience in teaching or
1280 providing child care services for children any age from birth
1281 through 8 years of age; or
1282 (e) An educational credential approved by the department
1283 as being equivalent to or greater than an educational credential
1284 described in this subsection. The department may adopt criteria
1285 and procedures for approving equivalent educational credentials
1286 under this paragraph.
1287 (5)
1288 (b) Notwithstanding any other ~~provision of~~ law, if a
1289 private prekindergarten provider has been cited for a class I
1290 violation, as defined by rule of the Child Care Services Program
1291 Office of the Department of Children and Families, the coalition
1292 may refuse to contract with the provider.
1293 (6) Each early learning coalition must verify that each
1294 private prekindergarten provider delivering the Voluntary
1295 Prekindergarten Education Program within the coalition's county
1296 or multicounty region complies with this part. If a private
1297 prekindergarten provider fails or refuses to comply with this
1298 part or engages in misconduct, the department shall require the
1299 early learning coalition to remove the provider from eligibility

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1300 to deliver the program and receive state funds under this part
1301 for a period of at least 2 years but no more than 5 years.

1302 Section 36. Paragraphs (b) and (c) of subsection (2) of
1303 section 1002.57, Florida Statutes, are redesignated as
1304 paragraphs (c) and (d), respectively, subsection (1) is amended,
1305 and a new paragraph (b) is added to subsection (2) of that
1306 section, to read:

1307 1002.57 Prekindergarten director credential.—

1308 (1) The department office, in consultation with the
1309 Department of Children and Families, shall adopt minimum
1310 standards for a credential for prekindergarten directors of
1311 private prekindergarten providers delivering the Voluntary
1312 Prekindergarten Education Program. The credential must encompass
1313 requirements for education and onsite experience.

1314 (2) The educational requirements must include training in
1315 the following:

1316 (b) Implementation of curriculum and usage of student-
1317 level data to inform the delivery of instruction;

1318 Section 37. Section 1002.59, Florida Statutes, is amended
1319 to read:

1320 1002.59 Emergent literacy and performance standards
1321 training courses.—

1322 (1) The department office shall adopt minimum standards
1323 for ~~one or more training~~ courses in emergent literacy for
1324 prekindergarten instructors. Each course must comprise 5 clock

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1325 hours and provide instruction in strategies and techniques to
1326 address the age-appropriate progress of prekindergarten students
1327 in developing emergent literacy skills, including oral
1328 communication, knowledge of print and letters, phonemic and
1329 phonological awareness, and vocabulary and comprehension
1330 development. Each course must also provide resources containing
1331 strategies that allow students with disabilities and other
1332 special needs to derive maximum benefit from the Voluntary
1333 Prekindergarten Education Program. Successful completion of an
1334 emergent literacy training course approved under this section
1335 satisfies requirements for approved training in early literacy
1336 and language development under ss. 402.305(2)(e)5., 402.313(6),
1337 and 402.3131(5).

1338 (2) The department ~~office~~ shall adopt minimum standards
1339 for ~~one or more training~~ courses on the performance standards
1340 adopted under s. 1002.67(1). Each course must be comprised of
1341 ~~comprise~~ at least 3 clock hours, provide instruction in
1342 strategies and techniques to address age-appropriate progress of
1343 each child in attaining the standards, and be available online.

1344 (3) The department shall make available online
1345 professional development and training courses comprised of at
1346 least 8 clock hours that support prekindergarten instructors in
1347 increasing the competency of teacher-child interactions.

1348 Section 38. Subsections (6) through (8) of section
1349 1002.61, Florida Statutes, are renumbered as subsections (7)

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1350 through (9), respectively, paragraph (b) of subsection (1),
1351 paragraph (b) of subsection (3), subsection (4), and present
1352 subsections (6) and (8) are amended, and new subsections (6) and
1353 (10) are added to that section, to read:

1354 1002.61 Summer prekindergarten program delivered by public
1355 schools and private prekindergarten providers.—

1356 (1)

1357 (b) Each early learning coalition shall administer the
1358 Voluntary Prekindergarten Education Program at the county or
1359 regional level for students enrolled under s. 1002.53(3)(b) in a
1360 summer prekindergarten program delivered by a private
1361 prekindergarten provider. A child development program that is
1362 accredited by a national accrediting body and operates on a
1363 military installation that is certified by the United States
1364 Department of Defense may administer the summer prekindergarten
1365 program as a private prekindergarten provider.

1366 (3)

1367 (b) Each public school delivering the summer
1368 prekindergarten program must execute the statewide provider
1369 contract prescribed under s. 1002.73 ~~s. 1002.75~~, except that the
1370 school district may execute a single agreement with the early
1371 learning coalition on behalf of all district schools.

1372 (4) Notwithstanding ss. 1002.55(3)(c)1. and 1002.63(4),
1373 each public school and private prekindergarten provider must
1374 have, for each prekindergarten class, at least one

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1375 prekindergarten instructor who is a certified teacher or holds
1376 one of the educational credentials specified in s. 1002.55(4) (a)
1377 or (b). As used in this subsection, the term "certified teacher"
1378 means a teacher holding a valid Florida educator certificate
1379 under s. 1012.56 who has the qualifications required by the
1380 district school board to instruct students in the summer
1381 prekindergarten program. In selecting instructional staff for
1382 the summer prekindergarten program, each school district shall
1383 give priority to teachers who have experience or coursework in
1384 early childhood education and have completed emergent literacy
1385 and performance standards courses, as provided for in s.
1386 1002.55(3)(c)2.

1387 (6) A child development program that is accredited by a
1388 national accrediting body and operates on a military
1389 installation that is certified by the United States Department
1390 of Defense shall comply with the requirements of a private
1391 prekindergarten provider in this section.

1392 (7)(6) A public school or private prekindergarten provider
1393 may assign a substitute instructor to temporarily replace a
1394 credentialed instructor if the credentialed instructor assigned
1395 to a prekindergarten class is absent, as long as the substitute
1396 instructor is of good moral character and has been screened
1397 before employment in accordance with level 2 background
1398 screening requirements in chapter 435. This subsection does not
1399 supersede employment requirements for instructional personnel in

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1400 public schools which are more stringent than the requirements of
1401 this subsection. The department ~~Office of Early Learning~~ shall
1402 adopt rules to implement this subsection which shall include
1403 required qualifications of substitute instructors and the
1404 circumstances and time limits for which a public school or
1405 private prekindergarten provider may assign a substitute
1406 instructor.

1407 (9)(8) Each public school delivering the summer
1408 prekindergarten program must also register with the early
1409 learning coalition on forms prescribed by the department ~~Office~~
1410 ~~of Early Learning~~ and deliver the Voluntary Prekindergarten
1411 Education Program in accordance with this part.

1412 (10) (a) Each early learning coalition shall verify that
1413 each private prekindergarten provider and public school
1414 delivering the Voluntary Prekindergarten Education Program
1415 within the coalition's county or multicounty region complies
1416 with this part.

1417 (b) If a private prekindergarten provider or public school
1418 fails or refuses to comply with this part or engages in
1419 misconduct, the department shall require the early learning
1420 coalition to remove the provider or school from eligibility to
1421 deliver the Voluntary Prekindergarten Education Program and
1422 receive state funds under this part for a period of at least 2
1423 years but no more than 5 years.

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1424 Section 39. Paragraph (b) of subsection (3) and
1425 subsections (6) and (8) of section 1002.63, Florida Statutes,
1426 are amended, and subsection (9) is added to that section, to
1427 read:

1428 1002.63 School-year prekindergarten program delivered by
1429 public schools.—

1430 (3)

1431 (b) Each public school delivering the school-year
1432 prekindergarten program must execute the statewide provider
1433 contract prescribed under s. 1002.73 ~~s. 1002.75~~, except that the
1434 school district may execute a single agreement with the early
1435 learning coalition on behalf of all district schools.

1436 (6) A public school prekindergarten provider may assign a
1437 substitute instructor to temporarily replace a credentialed
1438 instructor if the credentialed instructor assigned to a
1439 prekindergarten class is absent, as long as the substitute
1440 instructor is of good moral character and has been screened
1441 before employment in accordance with level 2 background
1442 screening requirements in chapter 435. This subsection does not
1443 supersede employment requirements for instructional personnel in
1444 public schools which are more stringent than the requirements of
1445 this subsection. The department ~~Office of Early Learning~~ shall
1446 adopt rules to implement this subsection which shall include
1447 required qualifications of substitute instructors and the

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1448 | circumstances and time limits for which a public school
1449 | prekindergarten provider may assign a substitute instructor.

1450 | (8) Each public school delivering the school-year
1451 | prekindergarten program must register with the early learning
1452 | coalition on forms prescribed by the department ~~Office of Early~~
1453 | ~~Learning~~ and deliver the Voluntary Prekindergarten Education
1454 | Program in accordance with this part.

1455 | (9) (a) Each early learning coalition shall verify that
1456 | each public school delivering the Voluntary Prekindergarten
1457 | Education Program within the coalition's service area complies
1458 | with this part.

1459 | (b) If a public school fails or refuses to comply with
1460 | this part or engages in misconduct, the department shall require
1461 | the early learning coalition to remove the school from
1462 | eligibility to deliver the Voluntary Prekindergarten Education
1463 | Program and receive state funds under this part for a period of
1464 | at least 2 years but no more than 5 years.

1465 | Section 40. Section 1002.67, Florida Statutes, is amended
1466 | to read:

1467 | 1002.67 Performance standards ~~and~~ curricula ~~and~~
1468 | ~~accountability.~~

1469 | (1) (a) The department ~~office~~ shall develop and adopt
1470 | performance standards for students in the Voluntary
1471 | Prekindergarten Education Program. The performance standards

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1472 must address the age-appropriate progress of students in the
1473 development of:

1474 1. The capabilities, capacities, and skills required under
1475 s. 1(b), Art. IX of the State Constitution; ~~and~~

1476 2. Emergent literacy skills, including oral communication,
1477 knowledge of print and letters, phonemic and phonological
1478 awareness, and vocabulary and comprehension development; and

1479 3. Mathematical thinking and early math skills.

1480

1481 ~~By October 1, 2013, the office shall examine the existing~~
1482 ~~performance standards in the area of mathematical thinking and~~
1483 ~~develop a plan to make appropriate professional development and~~
1484 ~~training courses available to prekindergarten instructors.~~

1485 (b) At least every 3 years, the department office shall
1486 periodically review and, if necessary, revise the performance
1487 standards established under s. 1002.67 ~~for the statewide~~
1488 ~~kindergarten screening administered under s. 1002.69~~ and align
1489 the standards to the standards established by the state board
1490 for student performance on the statewide assessments
1491 administered pursuant to s. 1008.22.

1492 (2) (a) Each private prekindergarten provider and public
1493 school may select or design the curriculum that the provider or
1494 school uses to implement the Voluntary Prekindergarten Education
1495 Program, except as otherwise required for a provider or school
1496 that is placed on probation under s. 1002.68 ~~paragraph (4) (e).~~

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1497 (b) Each private prekindergarten provider's and public
1498 school's curriculum must be developmentally appropriate and
1499 must:

1500 1. Be designed to prepare a student for early literacy and
1501 provide for instruction in early math skills;

1502 2. Enhance the age-appropriate progress of students in
1503 attaining the performance standards adopted by the department
1504 under subsection (1); and

1505 3. Support student learning gains through differentiated
1506 instruction that shall be measured by the coordinated screening
1507 and progress monitoring program under s. 1008.2125 ~~Prepare~~
1508 ~~students to be ready for kindergarten based upon the statewide~~
1509 ~~kindergarten screening administered under s. 1002.69.~~

1510 (c) The department office shall adopt procedures for the
1511 review and approval of ~~approve~~ curricula for use by private
1512 prekindergarten providers and public schools that are placed on
1513 probation under s. 1002.68 ~~paragraph (4)(c)~~. The department
1514 ~~office~~ shall administer the review and approval process and
1515 maintain a list of the curricula approved under this paragraph.
1516 Each approved curriculum must meet the requirements of paragraph
1517 (b).

1518 ~~(3)(a) Contingent upon legislative appropriation, each~~
1519 ~~private prekindergarten provider and public school in the~~
1520 ~~Voluntary Prekindergarten Education Program must implement an~~

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1521 ~~evidence-based pre- and post-assessment that has been approved~~
1522 ~~by rule of the State Board of Education.~~

1523 ~~(b) In order to be approved, the assessment must be valid,~~
1524 ~~reliable, developmentally appropriate, and designed to measure~~
1525 ~~student progress on domains which must include, but are not~~
1526 ~~limited to, early literacy, numeracy, and language.~~

1527 ~~(c) The pre- and post-assessment must be administered by~~
1528 ~~individuals meeting requirements established by rule of the~~
1529 ~~State Board of Education.~~

1530 ~~(4) (a) Each early learning coalition shall verify that~~
1531 ~~each private prekindergarten provider delivering the Voluntary~~
1532 ~~Prekindergarten Education Program within the coalition's county~~
1533 ~~or multicounty region complies with this part. Each district~~
1534 ~~school board shall verify that each public school delivering the~~
1535 ~~program within the school district complies with this part.~~

1536 ~~(b) If a private prekindergarten provider or public school~~
1537 ~~fails or refuses to comply with this part, or if a provider or~~
1538 ~~school engages in misconduct, the office shall require the early~~
1539 ~~learning coalition to remove the provider and require the school~~
1540 ~~district to remove the school from eligibility to deliver the~~
1541 ~~Voluntary Prekindergarten Education Program and receive state~~
1542 ~~funds under this part for a period of 5 years.~~

1543 ~~(c)1. If the kindergarten readiness rate of a private~~
1544 ~~prekindergarten provider or public school falls below the~~
1545 ~~minimum rate adopted by the office as satisfactory under s.~~

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1546 ~~1002.69(6), the early learning coalition or school district, as~~
1547 ~~applicable, shall require the provider or school to submit an~~
1548 ~~improvement plan for approval by the coalition or school~~
1549 ~~district, as applicable, and to implement the plan; shall place~~
1550 ~~the provider or school on probation; and shall require the~~
1551 ~~provider or school to take certain corrective actions, including~~
1552 ~~the use of a curriculum approved by the office under paragraph~~
1553 ~~(2) (c) or a staff development plan to strengthen instruction in~~
1554 ~~language development and phonological awareness approved by the~~
1555 ~~office.~~

1556 ~~2. A private prekindergarten provider or public school~~
1557 ~~that is placed on probation must continue the corrective actions~~
1558 ~~required under subparagraph 1., including the use of a~~
1559 ~~curriculum or a staff development plan to strengthen instruction~~
1560 ~~in language development and phonological awareness approved by~~
1561 ~~the office, until the provider or school meets the minimum rate~~
1562 ~~adopted by the office as satisfactory under s. 1002.69(6).~~
1563 ~~Failure to implement an approved improvement plan or staff~~
1564 ~~development plan shall result in the termination of the~~
1565 ~~provider's contract to deliver the Voluntary Prekindergarten~~
1566 ~~Education Program for a period of 5 years.~~

1567 ~~3. If a private prekindergarten provider or public school~~
1568 ~~remains on probation for 2 consecutive years and fails to meet~~
1569 ~~the minimum rate adopted by the office as satisfactory under s.~~
1570 ~~1002.69(6) and is not granted a good cause exemption by the~~

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1571 ~~office pursuant to s. 1002.69(7), the office shall require the~~
1572 ~~early learning coalition or the school district to remove, as~~
1573 ~~applicable, the provider or school from eligibility to deliver~~
1574 ~~the Voluntary Prekindergarten Education Program and receive~~
1575 ~~state funds for the program for a period of 5 years.~~

1576 ~~(d) Each early learning coalition and the office shall~~
1577 ~~coordinate with the Child Care Services Program Office of the~~
1578 ~~Department of Children and Families to minimize interagency~~
1579 ~~duplication of activities for monitoring private prekindergarten~~
1580 ~~providers for compliance with requirements of the Voluntary~~
1581 ~~Prekindergarten Education Program under this part, the school~~
1582 ~~readiness program under part VI of this chapter, and the~~
1583 ~~licensing of providers under ss. 402.301-402.319.~~

1584 Section 41. Section 1002.68, Florida Statutes, is created
1585 to read:

1586 1002.68 Voluntary Prekindergarten Education Program
1587 accountability.-

1588 (1) (a) Beginning with the 2022-2023 program year, each
1589 private prekindergarten provider and public school participating
1590 in the Voluntary Prekindergarten Education Program must
1591 participate in the coordinated screening and progress monitoring
1592 program in accordance with s. 1008.2125. The coordinated
1593 screening and progress monitoring program results shall be used
1594 by the department to identify student learning gains, index
1595 development learning outcomes upon program completion relative

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1596 to the performance standards established under s. 1002.67 and
1597 representative norms, and inform a private prekindergarten
1598 provider's and public school's performance metric.

1599 (b) At a minimum, the initial and final progress
1600 monitoring or screening must be administered by individuals
1601 meeting requirements adopted by the department under s.
1602 1008.2125.

1603 (c) Each private prekindergarten provider and public
1604 school must provide a student's performance results from the
1605 coordinated screening and progress monitoring to the student's
1606 parents within 7 days after the administration of such
1607 coordinated screening and progress monitoring.

1608 (2) Beginning with the 2022-2023 program year, each
1609 private prekindergarten provider and public school in the
1610 Voluntary Prekindergarten Education Program must participate in
1611 a program assessment of each voluntary prekindergarten education
1612 classroom. The program assessment shall measure the quality of
1613 teacher-child interactions, including emotional support,
1614 classroom organization, and instructional support for children
1615 ages 3 to 5 years. Each private prekindergarten provider and
1616 public school in the Voluntary Prekindergarten Education Program
1617 shall receive from the department the results of the program
1618 assessment for each classroom within 14 days after the
1619 observation. Each early learning coalition shall be responsible
1620 for the administration of the program assessments which must be

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1621 conducted by individuals qualified to conduct program
1622 assessments under s. 1002.82(2)(n).

1623 (3)(a) For the 2020-2021 program year, the department
1624 shall calculate a kindergarten readiness rate for each private
1625 prekindergarten provider and public school in the Voluntary
1626 Prekindergarten Education Program based upon learning gains and
1627 the percentage of students who are assessed as ready for
1628 kindergarten. The department shall require that each school
1629 district administer the statewide kindergarten screening in use
1630 before the 2021-2022 school year to each kindergarten student in
1631 the school district within the first 30 school days of the 2021-
1632 2022 school year. Private schools may administer the statewide
1633 kindergarten screening to each kindergarten student in a private
1634 school who was enrolled in the Voluntary Prekindergarten
1635 Education Program. Learning gains shall be determined using a
1636 value-added measure based on growth demonstrated by the results
1637 of the preassessment and postassessment in use before the 2021-
1638 2022 program year. Any private prekindergarten provider or
1639 public school in the Voluntary Prekindergarten Education Program
1640 which fails to meet the minimum kindergarten readiness rate for
1641 the 2020-2021 program year is subject to the probation
1642 requirements of subsection (5).

1643 (b) For the 2022-2023 program year, the department shall
1644 calculate a program assessment composite score for each provider
1645 based on the program assessment under subsection (2).

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1646 (4) (a) Beginning with the 2022-2023 program year, the
1647 department shall adopt a methodology for calculating each
1648 private prekindergarten provider's and public school provider's
1649 performance metric, which must be based on a combination of the
1650 following:

1651 1. Program assessment composite scores under subsection
1652 (3), which must be weighted at no less than 50 percent.

1653 2. Learning gains operationalized as change in ability
1654 scores from the initial and final progress monitoring results
1655 described in subsection (1).

1656 3. Norm-referenced developmental learning outcomes
1657 described in subsection (1).

1658 (b) The methodology for calculating a provider's
1659 performance metric may only include prekindergarten students who
1660 have attended at least 85 percent of a private prekindergarten
1661 provider's or public school's program.

1662 (c) The program assessment composite score and performance
1663 metric must be calculated for each private prekindergarten or
1664 public school site.

1665 (d) The methodology shall include a statistical latent
1666 profile analysis that has been conducted by an independent
1667 expert with experience in relevant quantitative analysis, early
1668 childhood assessment, and designing state-level accountability
1669 systems. The independent expert shall be able to produce a
1670 limited number of performance metric profiles that summarize the

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1671 profiles of all sites that must be used to inform the following
1672 designations: "unsatisfactory," "emerging proficiency,"
1673 "proficient," "highly proficient," and "excellent" or comparable
1674 terminology determined by the State Board of Education which may
1675 not include letter grades. The independent expert may not be a
1676 direct stakeholder or have had a financial interest in the
1677 design or delivery of the Voluntary Prekindergarten Education
1678 Program or public school system within the last 5 years.

1679 (e) Subject to an appropriation, the department shall
1680 provide for a differential payment to a private prekindergarten
1681 provider and public school based on the provider's designation.
1682 The maximum differential payment may not exceed a total of 15
1683 percent of the base student allocation per full-time equivalent
1684 student under s. 1002.71 attending in the consecutive program
1685 year for that program. A private prekindergarten provider or
1686 public school may not receive a differential payment if it
1687 receives a designation of proficient or lower. Before the
1688 adoption of the methodology, the department and the independent
1689 expert shall confer with the Council for Early Grade Success
1690 under s. 1008.2125 before receiving approval from the State
1691 Board of Education for the final recommendations on the
1692 designation system and differential payments.

1693 (f) The department shall adopt procedures to annually
1694 calculate each private prekindergarten provider's and public
1695 school's performance metric, based on the methodology adopted in

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1696 paragraphs (a) and (b), and assign a designation under paragraph
1697 (d). Beginning with the 2023-2024 program year, each private
1698 prekindergarten provider or public school shall be assigned a
1699 designation within 45 days after the conclusion of the school-
1700 year Voluntary Prekindergarten Education Program delivered by
1701 all participating private prekindergarten providers or public
1702 schools and within 45 days after the conclusion of the summer
1703 Voluntary Prekindergarten Education Program delivered by all
1704 participating private prekindergarten providers or public
1705 schools.

1706 (g) A private prekindergarten provider or public school
1707 that is designated proficient, highly proficient, or excellent
1708 demonstrates the provider's or school's satisfactory delivery of
1709 the Voluntary Prekindergarten Education Program.

1710 (h) The designations shall be displayed in the early
1711 learning provider performance profiles required under s.
1712 1002.92 (3).

1713 (5) (a) If a public school's or private prekindergarten
1714 provider's program assessment composite score for its
1715 prekindergarten classrooms fails to meet the minimum program
1716 assessment composite score for contracting established by the
1717 department pursuant to s. 1002.82 (2) (n), the private
1718 prekindergarten provider or public school may not participate in
1719 the Voluntary Prekindergarten Education Program beginning in the
1720 consecutive program year and thereafter until the public school

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1721 or private prekindergarten provider meets the minimum composite
1722 score for contracting. A public school or private
1723 prekindergarten provider may request one program assessment per
1724 program year in order to requalify for participation in the
1725 Voluntary Prekindergarten Education Program, provided that the
1726 public school or private prekindergarten provider is not
1727 excluded from participation under ss. 1002.55(6),
1728 1002.61(10)(b), 1002.63(9)(b), or paragraph (5)(b) of this
1729 section. If a public school or private prekindergarten provider
1730 would like an additional program assessment completed within the
1731 same program year the public school or private prekindergarten
1732 provider shall be responsible for the cost of the program
1733 assessment.

1734 (b) If a private prekindergarten provider's or public
1735 school's performance metric or designation falls below the
1736 minimum performance metric or designation, the early learning
1737 coalition shall:

1738 1. Require the provider or school to submit for approval
1739 to the early learning coalition an improvement plan and
1740 implement the plan.

1741 2. Place the provider or school on probation.

1742 3. Require the provider or school to take certain
1743 corrective actions, including the use of a curriculum approved
1744 by the department under s. 1002.67(2)(c) and a staff development
1745 plan approved by the department to strengthen instructional

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1746 practices in emotional support, classroom organization,
1747 instructional support, language development, phonological
1748 awareness, alphabet knowledge, and mathematical thinking.

1749 (c) A private prekindergarten provider or public school
1750 that is placed on probation must continue the corrective actions
1751 required under paragraph (b) until the provider or school meets
1752 the minimum performance metric or designation adopted by the
1753 department. Failure to meet the requirements of subparagraphs
1754 (b)1. and 3. shall result in the termination of the provider's
1755 or school's contract to deliver the Voluntary Prekindergarten
1756 Education Program for a period of at least 2 years but no more
1757 than 5 years.

1758 (d) If a private prekindergarten provider or public school
1759 remains on probation for 2 consecutive years and fails to meet
1760 the minimum performance metric or designation, or is not granted
1761 a good cause exemption by the department, the department shall
1762 require the early learning coalition to revoke the provider's or
1763 school's eligibility to deliver the Voluntary Prekindergarten
1764 Education Program and receive state funds for the program for a
1765 period of at least 2 years but no more than 5 years.

1766 (6) (a) The department, upon the request of a private
1767 prekindergarten provider or public school that remains on
1768 probation for at least 2 consecutive years and subsequently
1769 fails to meet the minimum performance metric or designation, and
1770 for good cause shown, may grant to the provider or school an

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1771 exemption from being determined ineligible to deliver the
1772 Voluntary Prekindergarten Education Program and receive state
1773 funds for the program. Such exemption is valid for 1 year and,
1774 upon the request of the private prekindergarten provider or
1775 public school and for good cause shown, may be renewed.

1776 (b) A private prekindergarten provider's or public
1777 school's request for a good cause exemption, or renewal of such
1778 an exemption, must be submitted to the department in the manner
1779 and within the timeframes prescribed by the department and must
1780 include the following:

1781 1. Data from the private prekindergarten provider or
1782 public school which documents the achievement and progress of
1783 the children served, as measured by any required screenings or
1784 assessments.

1785 2. Data from the program assessment required under
1786 subsection (2) which demonstrates effective teaching practices
1787 as recognized by the tool developer.

1788 3. Data from the early learning coalition or district
1789 school board, as applicable, the Department of Children and
1790 Families, the local licensing authority, or an accrediting
1791 association, as applicable, relating to the private
1792 prekindergarten provider's or public school's compliance with
1793 state and local health and safety standards.

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1794 (c) The department shall adopt criteria for granting good
1795 cause exemptions. Such criteria must include, but are not
1796 limited to, all of the following:

1797 1. Child demographic data that evidences a private
1798 prekindergarten provider or public school serves a statistically
1799 significant population of children with special needs who have
1800 individual education plans and can demonstrate progress toward
1801 meeting the goals outlined in the students' individual education
1802 plans.

1803 2. Learning gains of children served in the Voluntary
1804 Prekindergarten Education Program by the private prekindergarten
1805 provider or public school on an alternative measure that has
1806 comparable validity and reliability of the coordinated screening
1807 and progress monitoring program in accordance with s. 1008.2125.

1808 3. Program assessment data under subsection (2) which
1809 demonstrates effective teaching practices as recognized by the
1810 tool developer.

1811 4. Verification that local and state health and safety
1812 requirements are met.

1813 (d) A good cause exemption may not be granted to any
1814 private prekindergarten provider or public school that has any
1815 class I violations or two or more class II violations, as
1816 defined by rule of the Department of Children and Families,
1817 within the 2 years preceding the provider's or school's request
1818 for the exemption.

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1819 (e) A private prekindergarten provider or public school
1820 granted a good cause exemption shall continue to implement its
1821 improvement plan and continue the corrective actions required
1822 under subsection (5) (b) until the provider or school meets the
1823 minimum performance metric.

1824 (f) If a good cause exemption is granted to a private
1825 prekindergarten provider or public school that remains on
1826 probation for 2 consecutive years and if the provider meets all
1827 other applicable requirements of this part, the department shall
1828 notify the early learning coalition of the good cause exemption
1829 and direct that the early learning coalition not remove the
1830 provider from eligibility to deliver the Voluntary
1831 Prekindergarten Education Program or to receive state funds for
1832 the program.

1833 (g) The department shall report the number of private
1834 prekindergarten providers or public schools that have received a
1835 good cause exemption and the reasons for the exemptions as part
1836 of its annual reporting requirements under s. 1002.82(7).

1837 (7) Representatives from each school district and
1838 corresponding early learning coalitions must meet annually to
1839 develop strategies to transition students from the Voluntary
1840 Prekindergarten Education Program to kindergarten.

1841 Section 42. Section 1002.69, Florida Statutes, is
1842 repealed.

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1843 Section 43. Paragraph (c) of subsection (3), subsection
1844 (4), paragraph (b) of subsection (5), paragraphs (b) and (d) of
1845 subsection (6), and subsection (7) of section 1002.71, Florida
1846 Statutes, are amended to read:

1847 1002.71 Funding; financial and attendance reporting.-

1848 (3)

1849 (c) The initial allocation shall be based on estimated
1850 student enrollment in each coalition service area. The
1851 ~~department Office of Early Learning~~ shall reallocate funds among
1852 the coalitions based on actual full-time equivalent student
1853 enrollment in each coalition service area. Each coalition shall
1854 report student enrollment pursuant to subsection (2) on a
1855 monthly basis. A student enrollment count for the prior fiscal
1856 year may not be amended after September 30 of the subsequent
1857 fiscal year.

1858 (4) Notwithstanding s. 1002.53(3) and subsection (2):

1859 (a) A child who, for any of the prekindergarten programs
1860 listed in s. 1002.53(3), has not completed more than 70 percent
1861 of the hours authorized to be reported for funding under
1862 subsection (2), or has not expended more than 70 percent of the
1863 funds authorized for the child under s. 1002.66, may withdraw
1864 from the program for good cause and reenroll in one of the
1865 programs. The total funding for a child who reenrolls in one of
1866 the programs for good cause may not exceed one full-time
1867 equivalent student. Funding for a child who withdraws and

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1868 reenrolls in one of the programs for good cause shall be issued
1869 in accordance with the department's ~~Office of Early Learning's~~
1870 uniform attendance policy adopted pursuant to paragraph (6) (d).

1871 (b) A child who has not substantially completed any of the
1872 prekindergarten programs listed in s. 1002.53(3) may withdraw
1873 from the program due to an extreme hardship that is beyond the
1874 child's or parent's control, reenroll in one of the summer
1875 programs, and be reported for funding purposes as a full-time
1876 equivalent student in the summer program for which the child is
1877 reenrolled.

1878
1879 A child may reenroll only once in a prekindergarten program
1880 under this section. A child who reenrolls in a prekindergarten
1881 program under this subsection may not subsequently withdraw from
1882 the program and reenroll, unless the child is granted a good
1883 cause exemption under this subsection. The department ~~Office of~~
1884 ~~Early Learning~~ shall establish criteria specifying whether a
1885 good cause exists for a child to withdraw from a program under
1886 paragraph (a), whether a child has substantially completed a
1887 program under paragraph (b), and whether an extreme hardship
1888 exists which is beyond the child's or parent's control under
1889 paragraph (b).

1890 (5)

1891 (b) The department ~~Office of Early Learning~~ shall adopt
1892 procedures for the payment of private prekindergarten providers

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1893 and public schools delivering the Voluntary Prekindergarten
1894 Education Program. The procedures shall provide for the advance
1895 payment of providers and schools based upon student enrollment
1896 in the program, the certification of student attendance, and the
1897 reconciliation of advance payments in accordance with the
1898 uniform attendance policy adopted under paragraph (6)(d). The
1899 procedures shall provide for the monthly distribution of funds
1900 by the department ~~Office of Early Learning~~ to the early learning
1901 coalitions for payment by the coalitions to private
1902 prekindergarten providers and public schools.

1903 (6)

1904 (b)1. Each private prekindergarten provider's and district
1905 school board's attendance policy must require the parent of each
1906 student in the Voluntary Prekindergarten Education Program to
1907 verify, each month, the student's attendance on the prior
1908 month's certified student attendance.

1909 2. The parent must submit the verification of the
1910 student's attendance to the private prekindergarten provider or
1911 public school on forms prescribed by the department ~~Office of~~
1912 ~~Early Learning~~. The forms must include, in addition to the
1913 verification of the student's attendance, a certification, in
1914 substantially the following form, that the parent continues to
1915 choose the private prekindergarten provider or public school in
1916 accordance with s. 1002.53 and directs that payments for the
1917 program be made to the provider or school:

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1918 VERIFICATION OF STUDENT'S ATTENDANCE

1919 AND CERTIFICATION OF PARENTAL CHOICE

1920 I, ...(Name of Parent)..., swear (or affirm) that my child,
1921 ...(Name of Student)..., attended the Voluntary Prekindergarten
1922 Education Program on the days listed above and certify that I
1923 continue to choose ...(Name of Provider or School)... to deliver
1924 the program for my child and direct that program funds be paid
1925 to the provider or school for my child.

1926 ...(Signature of Parent)...

1927 ...(Date)...

1928 3. The private prekindergarten provider or public school
1929 must keep each original signed form for at least 2 years. Each
1930 private prekindergarten provider must permit the early learning
1931 coalition, and each public school must permit the school
1932 district, to inspect the original signed forms during normal
1933 business hours. The department ~~Office of Early Learning~~ shall
1934 adopt procedures for early learning coalitions and school
1935 districts to review the original signed forms against the
1936 certified student attendance. The review procedures shall
1937 provide for the use of selective inspection techniques,
1938 including, but not limited to, random sampling. Each early
1939 learning coalition and the school districts must comply with the
1940 review procedures.

1941 (d) The department ~~Office of Early Learning~~ shall adopt,
1942 for funding purposes, a uniform attendance policy for the

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1943 Voluntary Prekindergarten Education Program. The attendance
1944 policy must apply statewide and apply equally to all private
1945 prekindergarten providers and public schools. The attendance
1946 policy must include at least the following provisions:

1947 1. A student's attendance may be reported on a pro rata
1948 basis as a fractional part of a full-time equivalent student.

1949 2. At a maximum, 20 percent of the total payment made on
1950 behalf of a student to a private prekindergarten provider or a
1951 public school may be for hours a student is absent.

1952 3. A private prekindergarten provider or public school may
1953 not receive payment for absences that occur before a student's
1954 first day of attendance or after a student's last day of
1955 attendance.

1956
1957 The uniform attendance policy shall be used only for funding
1958 purposes and does not prohibit a private prekindergarten
1959 provider or public school from adopting and enforcing its
1960 attendance policy under paragraphs (a) and (c).

1961 (7) The department ~~Office of Early Learning~~ shall require
1962 that administrative expenditures be kept to the minimum
1963 necessary for efficient and effective administration of the
1964 Voluntary Prekindergarten Education Program. Administrative
1965 policies and procedures shall be revised, to the maximum extent
1966 practicable, to incorporate the use of automation and electronic
1967 submission of forms, including those required for child

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1968 eligibility and enrollment, provider and class registration, and
1969 monthly certification of attendance for payment. A school
1970 district may use its automated daily attendance reporting system
1971 for the purpose of transmitting attendance records to the early
1972 learning coalition in a mutually agreed-upon format. In
1973 addition, actions shall be taken to reduce paperwork, eliminate
1974 the duplication of reports, and eliminate other duplicative
1975 activities. Each early learning coalition may retain and expend
1976 no more than 4.0 percent of the funds paid by the coalition to
1977 private prekindergarten providers and public schools under
1978 paragraph (5) (b). Funds retained by an early learning coalition
1979 under this subsection may be used only for administering the
1980 Voluntary Prekindergarten Education Program and may not be used
1981 for the school readiness program or other programs.

1982 Section 44. Subsection (1) of section 1002.72, Florida
1983 Statutes, is amended to read:

1984 1002.72 Records of children in the Voluntary
1985 Prekindergarten Education Program.—

1986 (1) (a) The records of a child enrolled in the Voluntary
1987 Prekindergarten Education Program held by an early learning
1988 coalition, the department ~~Office of Early Learning~~, or a
1989 Voluntary Prekindergarten Education Program provider are
1990 confidential and exempt from s. 119.07(1) and s. 24(a), Art. I
1991 of the State Constitution. For purposes of this section, such
1992 records include assessment data, health data, records of teacher

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1993 observations, and personal identifying information of an
1994 enrolled child and his or her parent.

1995 (b) This exemption applies to the records of a child
1996 enrolled in the Voluntary Prekindergarten Education Program held
1997 by an early learning coalition, the department ~~Office of Early~~
1998 ~~Learning~~, or a Voluntary Prekindergarten Education Program
1999 provider before, on, or after the effective date of this
2000 exemption.

2001 Section 45. Section 1002.73, Florida Statutes, is amended
2002 to read:

2003 1002.73 Department of Education; powers and duties;
2004 accountability requirements.—

2005 (1) The department shall adopt by rule a standard
2006 statewide provider contract to be used with each Voluntary
2007 Prekindergarten Education Program provider, with standardized
2008 attachments by provider type. The department shall publish a
2009 copy of the standard statewide provider contract on its website.
2010 The standard statewide provider contract shall include, at a
2011 minimum, provisions for provider probation, termination for
2012 cause, and emergency termination for actions or inactions of a
2013 provider that pose an immediate and serious danger to the
2014 health, safety, or welfare of children. The standard statewide
2015 provider contract shall also include appropriate due process
2016 procedures. During the pendency of an appeal of a termination,
2017 the provider may not continue to offer its services. Any

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2018 provision imposed upon a provider that is inconsistent with, or
2019 prohibited by, law is void and unenforceable ~~administer the~~
2020 ~~accountability requirements of the Voluntary Prekindergarten~~
2021 ~~Education Program at the state level.~~

2022 (2) The department shall adopt procedures for ~~its~~:

2023 (a) The approval of prekindergarten director credentials
2024 under ss. 1002.55 and 1002.57.

2025 (b) The approval of emergent literacy and early
2026 mathematics skills training courses under ss. 1002.55 and
2027 1002.59.

2028 (c) Annually notifying private prekindergarten providers
2029 and public schools placed on probation for not meeting the
2030 minimum performance metric or designation as required by s.
2031 1002.68 of the high-quality professional development
2032 opportunities developed or supported by the department.

2033 (d) The administration of the Voluntary Prekindergarten
2034 Education Program by the early learning coalitions, including,
2035 but not limited to, procedures for:

2036 1. Enrolling students in and determining the eligibility
2037 of children for the Voluntary Prekindergarten Education Program
2038 under s. 1002.53, which shall include the enrollment of children
2039 by public schools and private providers that meet specified
2040 requirements.

2041 2. Providing parents with profiles of private
2042 prekindergarten providers and public schools under s. 1002.53.

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2043 3. Registering private prekindergarten providers and
2044 public schools to deliver the program under ss. 1002.55,
2045 1002.61, and 1002.63.

2046 4. Determining the eligibility of private prekindergarten
2047 providers to deliver the program under ss. 1002.55 and 1002.61
2048 and streamlining the process of determining provider eligibility
2049 whenever possible.

2050 5. Verifying the compliance of private prekindergarten
2051 providers and public schools and removing providers or schools
2052 from eligibility to deliver the program due to noncompliance or
2053 misconduct as provided in s. 1002.67.

2054 6. Paying private prekindergarten providers and public
2055 schools under s. 1002.71.

2056 7. Documenting and certifying student enrollment and
2057 student attendance under s. 1002.71.

2058 8. Reconciling advance payments in accordance with the
2059 uniform attendance policy under s. 1002.71.

2060 9. Reenrolling students dismissed by a private
2061 prekindergarten provider or public school for noncompliance with
2062 the provider's or school district's attendance policy under s.
2063 1002.71.

2064 (3) The department shall administer the accountability
2065 requirements of the Voluntary Prekindergarten Education Program
2066 at the state level.

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2067 (4) The department shall adopt procedures governing the
2068 administration of the Voluntary Prekindergarten Education
2069 Program by the early learning coalitions for:

2070 (a) Approving improvement plans of private prekindergarten
2071 providers and public schools under s. 1002.68.

2072 (b) Placing private prekindergarten providers and public
2073 schools on probation and requiring corrective actions under s.
2074 1002.68.

2075 (c) Removing a private prekindergarten provider or public
2076 school from eligibility to deliver the program due to the
2077 provider's or school's remaining on probation beyond the time
2078 permitted under s. 1002.68. Notwithstanding any other law, if a
2079 private prekindergarten provider has been cited for a class I
2080 violation, as defined by rule of the Child Care Services Program
2081 Office of the Department of Children and Families, the coalition
2082 may refuse to contract with the provider or revoke the
2083 provider's eligibility to deliver the Voluntary Prekindergarten
2084 Education Program.

2085 (d) Enrolling children in and determining the eligibility
2086 of children for the Voluntary Prekindergarten Education Program
2087 under s. 1002.66.

2088 (e) Paying specialized instructional services providers
2089 under s. 1002.66.

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2090 ~~(c) Administration of the statewide kindergarten screening~~
2091 ~~and calculation of kindergarten readiness rates under s.~~
2092 ~~1002.69.~~

2093 ~~(d) Implementation of, and determination of costs~~
2094 ~~associated with, the state-approved prekindergarten enrollment~~
2095 ~~screening and the standardized postassessment approved by the~~
2096 ~~department, and determination of the learning gains of students~~
2097 ~~who complete the state-approved prekindergarten enrollment~~
2098 ~~screening and the standardized postassessment approved by the~~
2099 ~~department.~~

2100 ~~(f)(e)~~ Approving ~~Approval~~ of specialized instructional
2101 services providers under s. 1002.66.

2102 ~~(f) Annual reporting of the percentage of kindergarten~~
2103 ~~students who meet all state readiness measures.~~

2104 (g) Granting of a private prekindergarten provider's or
2105 public school's request for a good cause exemption under s.
2106 1002.68 ~~s. 1002.69(7)~~.

2107 (5) The department shall adopt procedures for the
2108 distribution of funds to early learning coalitions under s.
2109 1002.71.

2110 ~~(6)(3)~~ Except as provided by law, the department may not
2111 impose requirements on a private prekindergarten provider or
2112 public school that does not deliver the Voluntary
2113 Prekindergarten Education Program or receive state funds under
2114 this part.

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2115 Section 46. Sections 1002.75, Florida Statutes, is
2116 repealed.

2117 Section 47. Section 1002.79, Florida Statutes, is amended
2118 to read:

2119 1002.79 Rulemaking authority.—The State Board of Education
2120 ~~Office of Early Learning~~ shall adopt rules under ss. 120.536(1)
2121 and 120.54 to administer the provisions of this part conferring
2122 duties upon the department ~~office~~.

2123 Section 48. Section 1002.81, Florida Statutes, is amended
2124 to read:

2125 1002.81 Definitions.—Consistent with the requirements of
2126 45 C.F.R. parts 98 and 99 and as used in this part, the term:

2127 (1) "At-risk child" means:

2128 (a) A child from a family under investigation by the
2129 Department of Children and Families or a designated sheriff's
2130 office for child abuse, neglect, abandonment, or exploitation.

2131 (b) A child who is in a diversion program provided by the
2132 Department of Children and Families or its contracted provider
2133 and who is from a family that is actively participating and
2134 complying in department-prescribed activities, including
2135 education, health services, or work.

2136 (c) A child from a family that is under supervision by the
2137 Department of Children and Families or a contracted service
2138 provider for abuse, neglect, abandonment, or exploitation.

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2139 (d) A child placed in court-ordered, long-term custody or
2140 under the guardianship of a relative or nonrelative after
2141 termination of supervision by the Department of Children and
2142 Families or its contracted provider.

2143 (e) A child in the custody of a parent who is considered a
2144 victim of domestic violence and is receiving services through a
2145 certified domestic violence center.

2146 (f) A child in the custody of a parent who is considered
2147 homeless as verified by a Department of Children and Families
2148 certified homeless shelter.

2149 (2) "Authorized hours of care" means the hours of care
2150 that are necessary to provide protection, maintain employment,
2151 or complete work activities or eligible educational activities,
2152 including reasonable travel time.

2153 (3) "Department" means the Department of Education.

2154 (4) "Direct enhancement services" means services for
2155 families and children that are in addition to payments for the
2156 placement of children in the school readiness program. Direct
2157 enhancement services for families and children may include
2158 supports for providers, parent training and involvement
2159 activities, and strategies to meet the needs of unique
2160 populations and local eligibility priorities. Direct enhancement
2161 services offered by an early learning coalition shall be
2162 consistent with the activities prescribed in s. 1002.89(5)(b) ~~s.~~
2163 ~~1002.89(6)(b)~~.

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2164 (5) "Disenrollment" means the removal, either temporary or
2165 permanent, of a child from participation in the school readiness
2166 program. Removal of a child from the school readiness program
2167 may be based on the following events: a reduction in available
2168 school readiness program funding, participant's failure to meet
2169 eligibility or program participation requirements, fraud, or a
2170 change in local service priorities.

2171 (6) "Earned income" means gross remuneration derived from
2172 work, professional service, or self-employment. The term
2173 includes commissions, bonuses, back pay awards, and the cash
2174 value of all remuneration paid in a medium other than cash.

2175 (7) "Economically disadvantaged" means having a family
2176 income that does not exceed 150 percent of the federal poverty
2177 level and includes being a child of a working migratory family
2178 as defined by 34 C.F.R. s. 200.81(d) or (f) or an agricultural
2179 worker who is employed by more than one agricultural employer
2180 during the course of a year, and whose income varies according
2181 to weather conditions and market stability.

2182 (8) "Family income" means the combined gross income,
2183 whether earned or unearned, that is derived from any source by
2184 all family or household members who are 18 years of age or older
2185 who are currently residing together in the same dwelling unit.
2186 The term does not include income earned by a currently enrolled
2187 high school student who, since attaining the age of 18 years, or
2188 a student with a disability who, since attaining the age of 22

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2189 | years, has not terminated school enrollment or received a high
2190 | school diploma, high school equivalency diploma, special
2191 | diploma, or certificate of high school completion. The term also
2192 | does not include food stamp benefits or federal housing
2193 | assistance payments issued directly to a landlord or the
2194 | associated utilities expenses.

2195 | (9) "Family or household members" means spouses, former
2196 | spouses, persons related by blood or marriage, persons who are
2197 | parents of a child in common regardless of whether they have
2198 | been married, and other persons who are currently residing
2199 | together in the same dwelling unit as if a family.

2200 | (10) "Full-time care" means at least 6 hours, but not more
2201 | than 11 hours, of child care or early childhood education
2202 | services within a 24-hour period.

2203 | (11) "Market rate" means the price that a child care or
2204 | early childhood education provider charges for full-time or
2205 | part-time daily, weekly, or monthly child care or early
2206 | childhood education services.

2207 | ~~(12) "Office" means the Office of Early Learning of the~~
2208 | ~~Department of Education.~~

2209 | (12)~~(13)~~ "Part-time care" means less than 6 hours of child
2210 | care or early childhood education services within a 24-hour
2211 | period.

2212 | (13)~~(3)~~ "Prevailing Average market rate" means the
2213 | biennially determined 75th percentile of a reasonable frequency

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2214 distribution average of the market rate by program care level
2215 and provider type in a predetermined geographic market at which
2216 child care providers charge a person for child care services.

2217 (14) "Single point of entry" means an integrated
2218 information system that allows a parent to enroll his or her
2219 child in the school readiness program or the Voluntary
2220 Prekindergarten Education Program at various locations
2221 throughout a county, that may allow a parent to enroll his or
2222 her child by telephone or through a website, and that uses a
2223 uniform waiting list to track eligible children waiting for
2224 enrollment in the school readiness program.

2225 (15) "Unearned income" means income other than earned
2226 income. The term includes, but is not limited to:

- 2227 (a) Documented alimony and child support received.
2228 (b) Social security benefits.
2229 (c) Supplemental security income benefits.
2230 (d) Workers' compensation benefits.
2231 (e) Reemployment assistance or unemployment compensation
2232 benefits.
2233 (f) Veterans' benefits.
2234 (g) Retirement benefits.
2235 (h) Temporary cash assistance under chapter 414.
2236 (16) "Working family" means:

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2237 (a) A single-parent family in which the parent with whom
2238 the child resides is employed or engaged in eligible work or
2239 education activities for at least 20 hours per week;

2240 (b) A two-parent family in which both parents with whom
2241 the child resides are employed or engaged in eligible work or
2242 education activities for a combined total of at least 40 hours
2243 per week; or

2244 (c) A two-parent family in which one of the parents with
2245 whom the child resides is exempt from work requirements due to
2246 age or disability, as determined and documented by a physician
2247 licensed under chapter 458 or chapter 459, and one parent is
2248 employed or engaged in eligible work or education activities at
2249 least 20 hours per week.

2250 Section 49. Section 1002.82, Florida Statutes, is amended
2251 to read:

2252 1002.82 Department of Education ~~Office of Early Learning~~;
2253 powers and duties.—

2254 (1) For purposes of administration of the Child Care and
2255 Development Block Grant Trust Fund, pursuant to 45 C.F.R. parts
2256 98 and 99, the Department of Education ~~Office of Early Learning~~
2257 is designated as the lead agency and must comply with lead
2258 agency responsibilities pursuant to federal law. The department
2259 ~~office~~ may apply to the Governor and Cabinet for a waiver of,
2260 and the Governor and Cabinet may waive, any provision of ss.
2261 411.223 and 1003.54 if the waiver is necessary for

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2262 implementation of the school readiness program. Section
2263 125.901(2)(a)3. does not apply to the school readiness program.

2264 (2) The department ~~office~~ shall:

2265 (a) Focus on improving the educational quality delivered
2266 by all providers participating in the school readiness program.

2267 (b) Preserve parental choice by permitting parents to
2268 choose from a variety of child care categories, including
2269 center-based care, family child care, and informal child care to
2270 the extent authorized in the state's Child Care and Development
2271 Fund Plan as approved by the United States Department of Health
2272 and Human Services pursuant to 45 C.F.R. s. 98.18. Care and
2273 curriculum by a faith-based provider may not be limited or
2274 excluded in any of these categories.

2275 (c) Be responsible for the prudent use of all public and
2276 private funds in accordance with all legal and contractual
2277 requirements, safeguarding the effective use of federal, state,
2278 and local resources to achieve the highest practicable level of
2279 school readiness for the children described in s. 1002.87,
2280 including:

2281 1. The adoption of a uniform chart of accounts for
2282 budgeting and financial reporting purposes that provides
2283 standardized definitions for expenditures and reporting,
2284 consistent with the requirements of 45 C.F.R. part 98 and s.
2285 1002.89 for each of the following categories of expenditure:

2286 a. Direct services to children.

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2287 b. Administrative costs.

2288 c. Quality activities.

2289 d. Nondirect services.

2290 2. Coordination with other state and federal agencies to
2291 perform data matches on children participating in the school
2292 readiness program and their families in order to verify the
2293 children's eligibility pursuant to s. 1002.87.

2294 (d) Establish procedures for the biennial calculation of
2295 the prevailing average market rate or an alternative model that
2296 has been approved by the Administration for Children and
2297 Families pursuant to 45 C.F.R. s. 98.45(c).

2298 (e) Review each early learning coalition's school
2299 readiness program plan every 2 years and provide final approval
2300 of the plan and any amendments submitted.

2301 (f) Establish a unified approach to the state's efforts to
2302 coordinate a comprehensive early learning program. In support of
2303 this effort, the department office:

2304 1. Shall adopt specific program support services that
2305 address the state's school readiness program, including:

2306 a. Statewide data information program requirements that
2307 include:

2308 (I) Eligibility requirements.

2309 (II) Financial reports.

2310 (III) Program accountability measures.

2311 (IV) Child progress reports.

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- 2312 b. Child care resource and referral services.
- 2313 c. A single point of entry and uniform waiting list.
- 2314 2. May provide technical assistance and guidance on
- 2315 additional support services to complement the school readiness
- 2316 program, including:
- 2317 ~~a. Rating and improvement systems.~~
- 2318 a.b. Warm-Line services.
- 2319 b.e. Anti-fraud plans.
- 2320 ~~d. School readiness program standards.~~
- 2321 ~~e. Child screening and assessments.~~
- 2322 c.f. Training and support for parental involvement in
- 2323 children's early education.
- 2324 ~~d.g.~~ Family literacy activities and services.
- 2325 (g) Provide technical assistance to early learning
- 2326 coalitions.
- 2327 (h) In cooperation with the early learning coalitions,
- 2328 coordinate with the Child Care Services Program Office of the
- 2329 Department of Children and Families to reduce paperwork and to
- 2330 avoid duplicating interagency activities, health and safety
- 2331 monitoring, and acquiring and composing data pertaining to child
- 2332 care training and credentialing.
- 2333 (i) Enter into a memorandum of understanding with local
- 2334 licensing agencies and the Child Care Services Program Office of
- 2335 the Department of Children and Families for inspections of
- 2336 school readiness program providers to monitor and verify

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2337 compliance with s. 1002.88 and the health and safety checklist
2338 adopted by the department ~~office~~. The provider contract of a
2339 school readiness program provider that refuses permission for
2340 entry or inspection shall be terminated. The health and safety
2341 checklist may not exceed the requirements of s. 402.305 and the
2342 Child Care and Development Fund pursuant to 45 C.F.R. part 98. A
2343 child development program that is accredited by a national
2344 accrediting body and operates on a military installation that is
2345 certified by the United States Department of Defense is exempted
2346 from the inspection requirements under s. 1002.88.

2347 (j) Monitor the alignment and consistency of the ~~Develop~~
2348 and ~~adopt~~ standards and benchmarks developed and adopted by the
2349 department that address the age-appropriate progress of children
2350 in the development of school readiness skills. The standards for
2351 children from birth to kindergarten entry ~~5 years of age~~ in the
2352 school readiness program must be aligned with the performance
2353 standards adopted for children in the Voluntary Prekindergarten
2354 Education Program and must address the following domains:

- 2355 1. Approaches to learning.
- 2356 2. Cognitive development and general knowledge.
- 2357 3. Numeracy, language, and communication.
- 2358 4. Physical development.
- 2359 5. Self-regulation.

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2360 (k) Identify observation-based child assessments that are
2361 valid, reliable, and developmentally appropriate for use at
2362 least three times a year. The assessments must:

2363 1. Provide interval level and norm-referenced ~~criteria-~~
2364 ~~referenced~~ data that measures equivalent levels of growth across
2365 the core domains of early childhood development and that can be
2366 used for determining developmentally appropriate learning gains.

2367 2. Measure progress in the performance standards adopted
2368 pursuant to paragraph (j).

2369 3. Provide for appropriate accommodations for children
2370 with disabilities and English language learners and be
2371 administered by qualified individuals, consistent with the
2372 developer's instructions.

2373 4. Coordinate with the performance standards adopted by
2374 the department under s. 1002.67(1) for the Voluntary
2375 Prekindergarten Education Program.

2376 5. Provide data in a format for use in the single
2377 statewide information system to meet the requirements of
2378 paragraph (g) ~~(p)~~.

2379 (l) Adopt a list of approved curricula that meet the
2380 performance standards for the school readiness program and
2381 establish a process for the review and approval of a provider's
2382 curriculum that meets the performance standards.

2383 (m) Provide technical support to an early learning
2384 coalition to facilitate the use of ~~Adopt by rule~~ a standard

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2385 statewide provider contract adopted by the department to be used
2386 with each school readiness program provider, with standardized
2387 attachments by provider type. The department ~~office~~ shall
2388 publish a copy of the standard statewide provider contract on
2389 its website. The standard statewide contract shall include, at a
2390 minimum, contracted slots, if applicable, in accordance with the
2391 Child Care and Development Block Grant Act of 2014, 45 C.F.R.
2392 parts 98 and 99; quality improvement strategies, if applicable;
2393 program assessment requirements; and provisions for provider
2394 probation, termination for cause, and emergency termination for
2395 those actions or inactions of a provider that pose an immediate
2396 and serious danger to the health, safety, or welfare of the
2397 children. The standard statewide provider contract shall also
2398 include appropriate due process procedures. During the pendency
2399 of an appeal of a termination, the provider may not continue to
2400 offer its services. Any provision imposed upon a provider that
2401 is inconsistent with, or prohibited by, law is void and
2402 unenforceable. Provisions for termination for cause must also
2403 include failure to meet the minimum quality measures established
2404 under paragraph (n) for a period of up to 5 years, unless the
2405 coalition determines that the provider is essential to meeting
2406 capacity needs based on the assessment under s. 1002.85(2)(j)
2407 and the provider has an active improvement plan pursuant to
2408 paragraph (n).

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2409 (n) Adopt a program assessment for school readiness
2410 program providers that measures the quality of teacher-child
2411 interactions, including emotional and behavioral support,
2412 engaged support for learning, classroom organization, and
2413 instructional support for children ages birth to 5 years. The
2414 implementation of the program assessment must ~~also~~ include the
2415 following components adopted by rule of the State Board of
2416 Education:

2417 1. Quality measures, including a minimum program
2418 assessment composite score ~~threshold~~ for contracting purposes
2419 and program improvement through an improvement plan. The minimum
2420 program assessment composite score required for the Voluntary
2421 Prekindergarten Education Program contracting threshold must be
2422 the same as the minimum program assessment composite score
2423 required for contracting for the school readiness program. The
2424 methodology for the calculation of the minimum program
2425 assessment composite score shall be reviewed by the independent
2426 expert identified in s. 1002.68(4)(d).

2427 2. Requirements for program participation, frequency of
2428 program assessment, and exemptions.

2429 (o) No later than July 1, 2019, develop a differential
2430 payment program based on the quality measures adopted by the
2431 department ~~office~~ under paragraph (n). The differential payment
2432 may not exceed a total of 15 percent for each care level and
2433 unit of child care for a child care provider. No more than 5

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2434 percent of the 15 percent total differential may be provided to
2435 providers who submit valid and reliable data to the statewide
2436 information system in the domains of language and executive
2437 functioning using a child assessment identified pursuant to
2438 paragraph (k). Providers below the minimum program assessment
2439 score adopted threshold for contracting purposes are ineligible
2440 for such payment.

2441 (p) No later than July 1, 2022, develop and adopt
2442 requirements for the implementation of a program designed to
2443 make available contracted slots to serve children at the
2444 greatest risk of school failure as determined by such children
2445 being located in an area that has been designated as a poverty
2446 area tract according to the latest census data. The contracted
2447 slot program may also be used to increase the availability of
2448 child care capacity based on the assessment under s.
2449 1002.85(2)(j).

2450 (q) ~~(p)~~ Establish a single statewide information system
2451 that each coalition must use for the purposes of managing the
2452 single point of entry, tracking children's progress,
2453 coordinating services among stakeholders, determining
2454 eligibility of children, tracking child attendance, and
2455 streamlining administrative processes for providers and early
2456 learning coalitions. By July 1, 2019, the system, subject to ss.
2457 1002.72 and 1002.97, shall:

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2458 1. Allow a parent to monitor the development of his or her
2459 child as the child moves among programs within the state.

2460 2. Enable analysis at the state, regional, and local level
2461 to measure child growth over time, program impact, and quality
2462 improvement and investment decisions.

2463 (r) ~~(q)~~ Provide technical support to coalitions to
2464 facilitate the use of ~~Adopt by rule~~ standardized procedures
2465 adopted in state board rule for early learning coalitions to use
2466 when monitoring the compliance of school readiness program
2467 providers with the terms of the standard statewide provider
2468 contract.

2469 (s) ~~(r)~~ At least biennially provide fiscal and programmatic
2470 monitoring to ~~Monitor and~~ evaluate the performance of each early
2471 learning coalition in administering the school readiness
2472 program, ensuring proper payments for school readiness program
2473 services, implementing the coalition's school readiness program
2474 plan, and administering the Voluntary Prekindergarten Education
2475 Program. These monitoring and performance evaluations must
2476 include, at a minimum, onsite monitoring of each coalition's
2477 finances, management, operations, and programs.

2478 (t) ~~(s)~~ Work in conjunction with the Bureau of Federal
2479 Education Programs within the Department of Education to
2480 coordinate readiness and voluntary prekindergarten services to
2481 the populations served by the bureau.

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2482 (u)~~(t)~~ Administer a statewide toll-free Warm-Line to
2483 provide assistance and consultation to child care facilities and
2484 family day care homes regarding health, developmental,
2485 disability, and special needs issues of the children they are
2486 serving, particularly children with disabilities and other
2487 special needs. The department ~~office~~ shall:

2488 1. Annually inform child care facilities and family day
2489 care homes of the availability of this service through the child
2490 care resource and referral network under s. 1002.92.

2491 2. Expand or contract for the expansion of the Warm-Line
2492 to maintain at least one Warm-Line in each early learning
2493 coalition service area.

2494 (v)~~(u)~~ Develop and implement strategies to increase the
2495 supply and improve the quality of child care services for
2496 infants and toddlers, children with disabilities, children who
2497 receive care during nontraditional hours, children in
2498 underserved areas, and children in areas that have significant
2499 concentrations of poverty and unemployment.

2500 (w)~~(v)~~ Establish preservice and inservice training
2501 requirements that address, at a minimum, school readiness child
2502 development standards, health and safety requirements, and
2503 social-emotional behavior intervention models, which may include
2504 positive behavior intervention and support models, including the
2505 integration of early learning professional development pathways
2506 established in s. 1002.995.

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2507 ~~(x)-(w)~~ Establish standards for emergency preparedness
2508 plans for school readiness program providers.

2509 ~~(y)-(x)~~ Establish group sizes.

2510 ~~(z)-(y)~~ Establish staff-to-children ratios that do not
2511 exceed the requirements of s. 402.302(8) or (11) or s.
2512 402.305(4), as applicable, for school readiness program
2513 providers.

2514 ~~(aa)-(z)~~ Establish eligibility criteria, including
2515 limitations based on income and family assets, in accordance
2516 with s. 1002.87 and federal law.

2517 (3) (a) The department shall adopt performance standards
2518 and outcome measures for early learning coalitions that, at a
2519 minimum, include the development of objective and statistically
2520 valid customer service surveys by a state university of other
2521 independent researcher with specific expertise in customer
2522 service survey development. The survey shall be deployed
2523 beginning in fiscal year 2022-2023 and be distributed to:

2524 1. Customers who use the services in s. 1002.92 upon the
2525 completion of a referral inquiry.

2526 2. Parents, annually, at the time of eligibility
2527 determination.

2528 3. Child care providers that participate in the school
2529 readiness program or the Voluntary Prekindergarten Education
2530 Program at the time of execution of the statewide provider
2531 contract.

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2532 4. Board members required under s. 1002.83.

2533 (b) Results of the survey shall be based on a
2534 statistically significant sample size of completed surveys and
2535 calculated annually for each early learning coalition and
2536 included in the department's annual report under subsection (7).
2537 If an early learning coalition's customer satisfaction survey
2538 results are below 60 percent, the coalition shall be placed on a
2539 1-year corrective action plan that outlines the specific steps
2540 the coalition shall take to improve the results of the customer
2541 service surveys, including, but not limited to, technical
2542 assistance, staff professional development, or coaching. If,
2543 after being placed on corrective action, an early learning
2544 coalition's customer satisfaction survey results do not improve
2545 above the 60 percent threshold, the department may contract out
2546 or merge the coalition.

2547 (4) ~~(3)~~ If the department ~~office~~ determines during the
2548 review of school readiness program plans, or through monitoring
2549 and performance evaluations conducted under s. 1002.85, that an
2550 early learning coalition has not substantially implemented its
2551 plan, has not substantially met the performance standards and
2552 outcome measures adopted by the department or the terms of a
2553 customer service corrective action plan ~~office~~, or has not
2554 effectively administered the school readiness program or
2555 Voluntary Prekindergarten Education Program, the department
2556 ~~office~~ may remove the coalition from eligibility to administer

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2557 early learning programs and temporarily contract with a
2558 qualified entity to continue school readiness program and
2559 prekindergarten services in the coalition's county or
2560 multicounty region until the department office reestablishes or
2561 merges the coalition and a new school readiness program plan is
2562 approved in accordance with the rules adopted by the state board
2563 office.

2564 (5) The department shall adopt procedures for merging
2565 early learning coalitions for failure to meet the requirements
2566 of subsection (3) or subsection (4), including procedures for
2567 the consolidation of merging coalitions that minimizes
2568 duplication of programs and services due to the merger, and for
2569 the early termination of the terms of the coalition members
2570 which are necessary to accomplish the mergers.

2571 (6)(4) The department office may request the Governor to
2572 apply for a waiver to allow a coalition to administer the Head
2573 Start Program to accomplish the purposes of the school readiness
2574 program.

2575 (7)(5) By January 1 of each year, the department office
2576 shall annually publish on its website a report of its activities
2577 conducted under this section. The report must include a summary
2578 of the coalitions' annual reports, a statewide summary, and the
2579 following:

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2580 (a) An analysis of early learning activities throughout
2581 the state, including the school readiness program and the
2582 Voluntary Prekindergarten Education Program.

2583 1. The total and average number of children served in the
2584 school readiness program, enumerated by age, eligibility
2585 priority category, and coalition, and the total number of
2586 children served in the Voluntary Prekindergarten Education
2587 Program.

2588 2. A summary of expenditures by coalition, by fund source,
2589 including a breakdown by coalition of the percentage of
2590 expenditures for administrative activities, quality activities,
2591 nondirect services, and direct services for children.

2592 3. A description of the department's ~~office's~~ and each
2593 coalition's expenditures by fund source for the quality and
2594 enhancement activities described in s. 1002.89(5)(b) ~~s.~~
2595 ~~1002.89(6)(b)~~.

2596 4. A summary of annual findings and collections related to
2597 provider fraud and parent fraud.

2598 5. Data regarding the coalitions' delivery of early
2599 learning programs.

2600 6. The total number of children disenrolled statewide and
2601 the reason for disenrollment.

2602 7. The total number of providers by provider type.

2603 8. The number of school readiness program providers who
2604 have completed the program assessment required under paragraph

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2605 (2) (n); the number of providers who have not met the minimum
2606 program assessment composite score threshold for contracting
2607 established under paragraph (2) (n); and the number of providers
2608 that have an active improvement plan based on the results of the
2609 program assessment under paragraph (2) (n).

2610 9. The total number of provider contracts revoked and the
2611 reasons for revocation.

2612 (b) A detailed summary of the analysis compiled using the
2613 single statewide information system established in subsection
2614 (2) activities and detailed expenditures related to the Child
2615 Care Executive Partnership Program.

2616 (8) (a) (6) (a) Parental choice of child care providers,
2617 including private and faith-based providers, shall be
2618 established to the maximum extent practicable in accordance with
2619 45 C.F.R. s. 98.30.

2620 (b) As used in this subsection, the term "payment
2621 certificate" means a child care certificate as defined in 45
2622 C.F.R. s. 98.2.

2623 (c) The school readiness program shall, in accordance with
2624 45 C.F.R. s. 98.30, provide parental choice through a payment
2625 certificate that provides, to the maximum extent possible,
2626 flexibility in the school readiness program and payment
2627 arrangements. The payment certificate must bear the names of the
2628 beneficiary and the program provider and, when redeemed, must

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2629 bear the signatures of both the beneficiary and an authorized
2630 representative of the provider.

2631 (d) If it is determined that a provider has given any cash
2632 or other consideration to the beneficiary in return for
2633 receiving a payment certificate, the early learning coalition or
2634 its fiscal agent shall refer the matter to the Department of
2635 Financial Services pursuant to s. 414.411 for investigation.

2636 ~~(9)(7)~~ Participation in the school readiness program does
2637 not expand the regulatory authority of the state, its officers,
2638 or an early learning coalition to impose any additional
2639 regulation on providers beyond those necessary to enforce the
2640 requirements set forth in this part and part V of this chapter.

2641 Section 50. Subsections (5) through (14) of section
2642 1002.83, Florida Statutes, are renumbered as subsections (6)
2643 through (15), respectively, subsections (1) and (3), paragraphs
2644 (e), (f), and (m) of subsection (4), and present subsections
2645 (5), (11), and (13) are amended, and a new subsection (5) is
2646 added to that section, to read:

2647 1002.83 Early learning coalitions.—

2648 (1) Thirty ~~Thirty-one~~ or fewer early learning coalitions
2649 are established and shall maintain direct enhancement services
2650 at the local level and provide access to such services in all 67
2651 counties. Two or more early learning coalitions may join for
2652 purposes of planning and implementing a school readiness program
2653 and the Voluntary Prekindergarten Education Program.

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2654 (3) The Governor shall appoint the chair and two other
2655 members of each early learning coalition, who must each meet the
2656 ~~same~~ qualifications of a as private sector business member
2657 ~~members appointed by the coalition~~ under subsection (6) ~~(5)~~. In
2658 the absence of a governor-appointed chair, the Commissioner of
2659 Education may appoint an interim chair from the current early
2660 learning coalition board membership.

2661 (4) Each early learning coalition must include the
2662 following member positions; however, in a multicounty coalition,
2663 each ex officio member position may be filled by multiple
2664 nonvoting members but no more than one voting member shall be
2665 seated per member position. If an early learning coalition has
2666 more than one member representing the same entity, only one of
2667 such members may serve as a voting member:

2668 (e) A children's services council or juvenile welfare
2669 board chair or executive director from each county, if
2670 applicable.

2671 (f) A Department of Children and Families child care
2672 regulation representative or an agency head of a local licensing
2673 agency as defined in s. 402.302, where applicable.

2674 ~~(m) A central agency administrator, where applicable.~~

2675 (5) If members of the board are found to be
2676 nonparticipating according to the early learning coalition
2677 bylaws, the early learning coalition may request an alternate

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2678 designee who meets the same qualifications or membership
2679 requirements of the nonparticipating member.

2680 (6)-(5) The early learning coalition may appoint additional
2681 ~~Including the members who appointed by the Governor under~~
2682 ~~subsection (3), more than one third of the members of each early~~
2683 ~~learning coalition~~ must be private sector business members,
2684 either for-profit or nonprofit, who do not have, and none of
2685 whose relatives as defined in s. 112.3143 has, a substantial
2686 financial interest in the design or delivery of the Voluntary
2687 Prekindergarten Education Program created under part V of this
2688 chapter or the school readiness program. ~~To meet this~~
2689 ~~requirement, an early learning coalition must appoint additional~~
2690 ~~members.~~ The department office shall establish criteria for
2691 appointing private sector business members. These criteria must
2692 include standards for determining whether a member or relative
2693 has a substantial financial interest in the design or delivery
2694 of the Voluntary Prekindergarten Education Program or the school
2695 readiness program.

2696 (12)-(11) Each early learning coalition shall establish
2697 terms for all appointed members of the coalition. The terms must
2698 be staggered and must be a uniform length that does not exceed 4
2699 years per term. ~~Coalition chairs shall be appointed for 4 years~~
2700 ~~pursuant to s. 20.052.~~ Appointed members may serve a maximum of
2701 two consecutive terms. When a vacancy occurs in an appointed
2702 position, the coalition must advertise the vacancy.

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2703 ~~(14)(13)~~ Each early learning coalition shall complete an
2704 annual evaluation of the early learning coalition's executive
2705 director or chief executive officer on forms adopted by the
2706 department. The annual evaluation must be submitted to the
2707 commissioner by August 30 of each year. ~~use a coordinated~~
2708 ~~professional development system that supports the achievement~~
2709 ~~and maintenance of core competencies by school readiness program~~
2710 ~~teachers in helping children attain the performance standards~~
2711 ~~adopted by the office.~~

2712 Section 51. Subsections (7) through (20) of section
2713 1002.84, Florida Statutes, are renumbered as subsections (8)
2714 through (21), respectively, subsections (1), (2), and (4) and
2715 present subsections (7), (8), (15), (16), (17), (18), and (20)
2716 of that section are amended, and a new subsection (7) is added
2717 to that section, to read:

2718 1002.84 Early learning coalitions; school readiness powers
2719 and duties.—Each early learning coalition shall:

2720 (1) Administer and implement a local comprehensive program
2721 of school readiness program services in accordance with this
2722 part and the rules adopted by the department ~~office~~, which
2723 enhances the cognitive, social, and physical development of
2724 children to achieve the performance standards.

2725 (2) Establish a uniform waiting list to track eligible
2726 children waiting for enrollment in the school readiness program

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2727 in accordance with rules adopted by the State Board of Education
2728 office.

2729 (4) Establish a regional Warm-Line as directed by the
2730 department office pursuant to s. 1002.82(2)(u) ~~s. 1002.82(2)(t)~~.
2731 Regional Warm-Line staff shall provide onsite technical
2732 assistance, when requested, to assist child care facilities and
2733 family day care homes with inquiries relating to the strategies,
2734 curriculum, and environmental adaptations the child care
2735 facilities and family day care homes may need as they serve
2736 children with disabilities and other special needs.

2737 (7) Use a coordinated professional development system that
2738 supports the achievement and maintenance of core competencies by
2739 school readiness program teachers in helping children attain the
2740 performance standards adopted by the department.

2741 (8)~~(7)~~ Determine child eligibility pursuant to s. 1002.87
2742 and provider eligibility pursuant to s. 1002.88. Child
2743 eligibility must be redetermined annually. A coalition must
2744 document the reason a child is no longer eligible for the school
2745 readiness program according to the standard codes prescribed by
2746 the department office.

2747 (9)~~(8)~~ Establish a parent sliding fee scale that provides
2748 for a parent copayment that is not a barrier to families
2749 receiving school readiness program services. ~~Providers are~~
2750 ~~required to collect the parent's copayment.~~ A coalition may, ~~on~~
2751 ~~a case-by-case basis,~~ waive the copayment for an at-risk child

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2752 or temporarily waive the copayment for a child whose family's
2753 income is at or below the federal poverty level or ~~and~~ whose
2754 family experiences a natural disaster or an event that limits
2755 the parent's ability to pay, such as incarceration, placement in
2756 residential treatment, or becoming homeless, or an emergency
2757 situation such as a household fire or burglary, or while the
2758 parent is participating in parenting classes or participating in
2759 an Early Head Start program or Head Start Program. A parent may
2760 not transfer school readiness program services to another school
2761 readiness program provider until the parent has submitted
2762 documentation from the current school readiness program provider
2763 to the early learning coalition stating that the parent has
2764 satisfactorily fulfilled the copayment obligation.

2765 ~~(16)-(15)~~ Monitor school readiness program providers in
2766 accordance with its plan, or in response to a parental
2767 complaint, to verify that the standards prescribed in ss.
2768 1002.82 and 1002.88 are being met using a standard monitoring
2769 tool adopted by the department ~~office~~. Providers determined to
2770 be high-risk by the coalition, as demonstrated by substantial
2771 findings of violations of federal law or the general or local
2772 laws of the state, shall be monitored more frequently. Providers
2773 with 3 consecutive years of compliance may be monitored
2774 biennially.

2775 ~~(17)-(16)~~ Adopt a payment schedule that encompasses all
2776 programs funded under this part and part V of this chapter. The

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2777 payment schedule must take into consideration the prevailing
2778 ~~average~~ market rate or an alternative model that has been
2779 approved by the Administration for Children and Families
2780 pursuant to 45 C.F.R. 98.45(c), include the projected number of
2781 children to be served, and be submitted for approval by the
2782 department ~~office~~. Informal child care arrangements shall be
2783 reimbursed at not more than 50 percent of the rate adopted for a
2784 family day care home.

2785 ~~(18)-(17)~~ Implement an anti-fraud plan addressing the
2786 detection, reporting, and prevention of overpayments, abuse, and
2787 fraud relating to the provision of and payment for school
2788 readiness program and Voluntary Prekindergarten Education
2789 Program services and submit the plan to the department ~~office~~
2790 for approval, as required by s. 1002.91.

2791 ~~(19)-(18)~~ By October 1 of each year, submit an annual
2792 report to the department ~~office~~. The report shall conform to the
2793 format adopted by the department ~~office~~ and must include:

2794 (a) Segregation of school readiness program funds,
2795 Voluntary Prekindergarten Education Program funds, ~~Child Care~~
2796 ~~Executive Partnership Program funds~~, and other local revenues
2797 available to the coalition.

2798 (b) Details of expenditures by fund source, including
2799 total expenditures for administrative activities, quality
2800 activities, nondirect services, and direct services for
2801 children.

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2802 (c) The total number of coalition staff and the related
2803 expenditures for salaries and benefits. For any subcontracts,
2804 the total number of contracted staff and the related
2805 expenditures for salaries and benefits must be included.

2806 (d) The number of children served in the school readiness
2807 program, by provider type, enumerated by age and eligibility
2808 priority category, reported as the number of children served
2809 during the month, the average participation throughout the
2810 month, and the number of children served during the month.

2811 (e) The total number of children disenrolled during the
2812 year and the reasons for disenrollment.

2813 (f) The total number of providers by provider type.

2814 (g) A listing of any school readiness program provider, by
2815 type, whose eligibility to deliver the school readiness program
2816 is revoked, including a brief description of the state or
2817 federal violation that resulted in the revocation.

2818 (h) An evaluation of its direct enhancement services.

2819 (i) The total number of children served in each provider
2820 facility.

2821 (21) (a) ~~(20)~~ To increase transparency and accountability,
2822 comply with the requirements of this section before contracting
2823 with one or more of the following persons or business entities
2824 which employs, has a contractual relationship with, or is owned
2825 by the following persons:

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2826 1. A member of the coalition appointed pursuant to s.
2827 1002.83(3);

2828 2. A board member of any other early learning subrecipient
2829 entity;

2830 3. A coalition employee; or

2831 4. A relative, as defined in s. 112.3143(1)(c), of any
2832 person listed in subparagraphs 1.-3 ~~a coalition member or of an~~
2833 ~~employee of the coalition.~~

2834 (b) Such contracts may not be executed without the
2835 approval of the department office. Such contracts, as well as
2836 documentation demonstrating adherence to this section by the
2837 coalition, must be approved by a two-thirds vote of the
2838 coalition, a quorum having been established; all conflicts of
2839 interest must be disclosed before the vote; and any member who
2840 may benefit from the contract, or whose relative may benefit
2841 from the contract, must abstain from the vote. A contract under
2842 \$25,000 ~~between an early learning coalition and a member of that~~
2843 ~~coalition or between a relative, as defined in s.~~
2844 ~~112.3143(1)(c), of a coalition member or of an employee of the~~
2845 ~~coalition~~ is not required to have the prior approval of the
2846 department office but must be approved by a two-thirds vote of
2847 the coalition, a quorum having been established, and must be
2848 reported to the department office within 30 days after approval.
2849 If a contract cannot be approved by the department office, a
2850 review of the decision to disapprove the contract may be

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2851 requested by the early learning coalition or other parties to
2852 the disapproved contract.

2853 Section 52. Section 1002.85, Florida Statutes, is amended
2854 to read:

2855 1002.85 Early learning coalition plans.—

2856 (1) The department ~~office~~ shall adopt rules prescribing
2857 the standardized format and required content of school readiness
2858 program plans as necessary for a coalition or other qualified
2859 entity to administer the school readiness program as provided in
2860 this part.

2861 (2) Each early learning coalition must biennially submit a
2862 school readiness program plan to the department ~~office~~ before
2863 the expenditure of funds. A coalition may not implement its
2864 school readiness program plan until it receives approval from
2865 the department ~~office~~. A coalition may not implement any
2866 revision to its school readiness program plan until the
2867 coalition submits the revised plan to and receives approval from
2868 the department ~~office~~. If the department ~~office~~ rejects a plan
2869 or revision, the coalition must continue to operate under its
2870 previously approved plan. The plan must include, but is not
2871 limited to:

2872 (a) The coalition's operations, including its membership
2873 and business organization, and the coalition's articles of
2874 incorporation and bylaws if the coalition is organized as a
2875 corporation. If the coalition is not organized as a corporation

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2876 or other business entity, the plan must include the contract
2877 with a fiscal agent.

2878 (b) The minimum number of children to be served by care
2879 level.

2880 (c) The coalition's procedures for implementing the
2881 requirements of this part, including:

2882 1. Single point of entry.

2883 2. Uniform waiting list.

2884 3. Eligibility and enrollment processes and local
2885 eligibility priorities for children pursuant to s. 1002.87.

2886 4. Parent access and choice.

2887 5. Sliding fee scale and policies on applying the waiver
2888 or reduction of fees in accordance with s. 1002.84(9) ~~s.~~
2889 ~~1002.84(8)~~.

2890 6. Use of preassessments and postassessments, as
2891 applicable.

2892 7. Payment rate schedule.

2893 8. Use of contracted slots, as applicable, based on the
2894 results of the assessment required under paragraph (j).

2895 (d) A detailed description of the coalition's quality
2896 activities and services, including, but not limited to:

2897 1. Resource and referral and school-age child care.

2898 2. Infant and toddler early learning.

2899 3. Inclusive early learning programs.

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2900 4. Quality improvement strategies that strengthen teaching
2901 practices and increase child outcomes.

2902 (e) A detailed budget that outlines estimated expenditures
2903 for state, federal, and local matching funds at the lowest level
2904 of detail available by other-cost-accumulator code number; all
2905 estimated sources of revenue with identifiable descriptions; a
2906 listing of full-time equivalent positions; contracted
2907 subcontractor costs with related annual compensation amount or
2908 hourly rate of compensation; and a capital improvements plan
2909 outlining existing fixed capital outlay projects and proposed
2910 capital outlay projects that will begin during the budget year.

2911 (f) A detailed accounting, in the format prescribed by the
2912 department office, of all revenues and expenditures during the
2913 previous state fiscal year. Revenue sources should be
2914 identifiable, and expenditures should be reported by two ~~three~~
2915 categories: state and federal funds and ~~and~~ local matching funds ~~and~~
2916 ~~and Child Care Executive Partnership Program funds.~~

2917 (g) Updated policies and procedures, including those
2918 governing procurement, maintenance of tangible personal
2919 property, maintenance of records, information technology
2920 security, and disbursement controls.

2921 (h) A description of the procedures for monitoring school
2922 readiness program providers, including in response to a parental
2923 complaint, to determine that the standards prescribed in ss.
2924 1002.82 and 1002.88 are met using a standard monitoring tool

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2925 adopted by the department ~~office~~. Providers determined to be
2926 high risk by the coalition as demonstrated by substantial
2927 findings of violations of law shall be monitored more
2928 frequently.

2929 (i) Documentation that the coalition has solicited and
2930 considered comments regarding the proposed school readiness
2931 program plan from the local community.

2932 (j) An assessment of local priorities within the county or
2933 multicounty region based on the needs of families and provider
2934 capacity using available community data.

2935 (3) The coalition may periodically amend its plan as
2936 necessary. An amended plan must be submitted to and approved by
2937 the department ~~office~~ before any expenditures are incurred on
2938 the new activities proposed in the amendment.

2939 (4) The department ~~office~~ shall publish a copy of the
2940 standardized format and required content of school readiness
2941 program plans on its website.

2942 (5) The department ~~office~~ shall collect and report data on
2943 coalition delivery of early learning programs. Elements shall
2944 include, but are not limited to, measures related to progress
2945 towards reducing the number of children on the waiting list, the
2946 percentage of children served by the program as compared to the
2947 number of administrative staff and overhead, the percentage of
2948 children served compared to total number of children under the
2949 age of 5 years below 150 percent of the federal poverty level,

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2950 provider payment processes, fraud intervention, child attendance
2951 and stability, use of child care resource and referral, and
2952 kindergarten readiness outcomes for children in the Voluntary
2953 Prekindergarten Education Program or the school readiness
2954 program upon entry into kindergarten. The department ~~office~~
2955 shall request input from the coalitions and school readiness
2956 program providers before finalizing the format and data to be
2957 used. The report shall be implemented beginning July 1, 2014,
2958 and results of the report must be included in the annual report
2959 under s. 1002.82.

2960 Section 53. Paragraphs (a), (b), (c), (e), (f), (m), (n),
2961 (p), and (q) of subsection (1) and subsection (3) of section
2962 1002.88, Florida Statutes, are amended, and paragraph (s) is
2963 added to subsection (1) of that section, to read:

2964 1002.88 School readiness program provider standards;
2965 eligibility to deliver the school readiness program.—

2966 (1) To be eligible to deliver the school readiness
2967 program, a school readiness program provider must:

2968 (a) Be a child care facility licensed under s. 402.305, a
2969 family day care home licensed or registered under s. 402.313, a
2970 large family child care home licensed under s. 402.3131, a
2971 public school or nonpublic school exempt from licensure under s.
2972 402.3025, a faith-based child care provider exempt from
2973 licensure under s. 402.316, a before-school or after-school
2974 program described in s. 402.305(1)(c), a child development

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2975 program that is accredited by a national accrediting body and
2976 operates on a military installation that is certified by the
2977 United States Department of Defense, ~~or~~ an informal child care
2978 provider to the extent authorized in the state's Child Care and
2979 Development Fund Plan as approved by the United States
2980 Department of Health and Human Services pursuant to 45 C.F.R. s.
2981 98.18, or a provider who has been issued a provisional license
2982 pursuant to s. 402.309. A provider may not deliver the program
2983 while holding a probation-status license under s. 402.310.

2984 (b) Provide instruction and activities to enhance the age-
2985 appropriate progress of each child in attaining the child
2986 development standards adopted by the department ~~office~~ pursuant
2987 to s. 1002.82(2)(j). A provider should include activities to
2988 foster brain development in infants and toddlers; provide an
2989 environment that is rich in language and music and filled with
2990 objects of various colors, shapes, textures, and sizes to
2991 stimulate visual, tactile, auditory, and linguistic senses; and
2992 include 30 minutes of reading to children each day.

2993 (c) Provide basic health and safety of its premises and
2994 facilities and compliance with requirements for age-appropriate
2995 immunizations of children enrolled in the school readiness
2996 program.

2997 1. For a provider that is licensed, compliance with s.
2998 402.305, s. 402.3131, or s. 402.313 and this subsection, as
2999 verified pursuant to s. 402.311, satisfies this requirement.

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3000 2. For a provider that is a registered family day care
3001 home or is not subject to licensure or registration by the
3002 Department of Children and Families, compliance with this
3003 subsection, as verified pursuant to s. 402.311, satisfies this
3004 requirement. Upon verification pursuant to s. 402.311, the
3005 provider shall annually post the health and safety checklist
3006 adopted by the department ~~office~~ prominently on its premises in
3007 plain sight for visitors and parents and shall annually submit
3008 the checklist to its local early learning coalition.

3009 3. For a child development program that is accredited by a
3010 national accrediting body and operates on a military
3011 installation that is certified by the United States Department
3012 of Defense, the submission and verification of annual
3013 inspections pursuant to United States Department of Defense
3014 Instructions 6060.2 and 1402.05 satisfies this requirement.

3015 (e) Employ child care personnel, as defined in s.
3016 402.302(3), who have satisfied the screening requirements of
3017 chapter 402 and fulfilled the training requirements of the
3018 department ~~office~~.

3019 (f) Implement one of the curricula approved by the
3020 department ~~office~~ that meets the child development standards.

3021 (m) For a provider that is not an informal provider,
3022 maintain general liability insurance and provide the coalition
3023 with written evidence of general liability insurance coverage,
3024 including coverage for transportation of children if school

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3025 readiness program children are transported by the provider. A
3026 provider must obtain and retain an insurance policy that
3027 provides a minimum of \$100,000 of coverage per occurrence and a
3028 minimum of \$300,000 general aggregate coverage. The department
3029 ~~office~~ may authorize lower limits upon request, as appropriate.
3030 A provider must add the coalition as a named certificateholder
3031 and as an additional insured. A provider must provide the
3032 coalition with a minimum of 10 calendar days' advance written
3033 notice of cancellation of or changes to coverage. The general
3034 liability insurance required by this paragraph must remain in
3035 full force and effect for the entire period of the provider
3036 contract with the coalition.

3037 (n) For a provider that is an informal provider, comply
3038 with the provisions of paragraph (m) or maintain homeowner's
3039 liability insurance and, if applicable, a business rider. If an
3040 informal provider chooses to maintain a homeowner's policy, the
3041 provider must obtain and retain a homeowner's insurance policy
3042 that provides a minimum of \$100,000 of coverage per occurrence
3043 and a minimum of \$300,000 general aggregate coverage. The
3044 department ~~office~~ may authorize lower limits upon request, as
3045 appropriate. An informal provider must add the coalition as a
3046 named certificateholder and as an additional insured. An
3047 informal provider must provide the coalition with a minimum of
3048 10 calendar days' advance written notice of cancellation of or
3049 changes to coverage. The general liability insurance required by

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3050 this paragraph must remain in full force and effect for the
3051 entire period of the provider's contract with the coalition.

3052 (p) Notwithstanding paragraph (m), for a provider that is
3053 a state agency or a subdivision thereof, as defined in s.

3054 768.28(2), agree to notify the coalition of any additional
3055 liability coverage maintained by the provider in addition to
3056 that otherwise established under s. 768.28. The provider shall
3057 indemnify the coalition to the extent permitted by s. 768.28.

3058 Notwithstanding paragraph (m), for a child development program
3059 that is accredited by a national accrediting body and operates
3060 on a military installation that is certified by the United
3061 States Department of Defense, the provider may demonstrate
3062 liability coverage by affirming that it is subject to the
3063 Federal Tort Claims Act, 28 U.S.C. ss. 2671 et seq.

3064 (q) Execute the standard statewide provider contract
3065 adopted by the department office.

3066 (s) Collect all parent copayment fees unless a waiver has
3067 been granted under s. 1002.84(9).

3068 (3) The department office and the coalitions may not:

3069 (a) Impose any requirement on a child care provider or
3070 early childhood education provider that does not deliver
3071 services under the school readiness program or receive state or
3072 federal funds under this part;

3073 (b) Impose any requirement on a school readiness program
3074 provider that exceeds the authority provided under this part or

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3075 part V of this chapter or rules adopted pursuant to this part or
3076 part V of this chapter; or

3077 (c) Require a provider to administer a preassessment or
3078 postassessment.

3079 Section 54. Subsections (3) through (7) of section
3080 1002.89, Florida Statutes, are renumbered as subsections (2)
3081 through (6), respectively, and subsection (2) and present
3082 subsections (3) and (6) of that section are amended, to read:

3083 1002.89 School readiness program; funding.—

3084 ~~(2) The office shall administer school readiness program~~
3085 ~~funds and prepare and submit a unified budget request for the~~
3086 ~~school readiness program in accordance with chapter 216.~~

3087 (2)~~(3)~~ All instructions to early learning coalitions for
3088 administering this section shall emanate from the department
3089 ~~office~~ in accordance with the policies of the Legislature.

3090 (5)~~(6)~~ Costs shall be kept to the minimum necessary for
3091 the efficient and effective administration of the school
3092 readiness program with the highest priority of expenditure being
3093 direct services for eligible children. However, no more than 5
3094 percent of the funds described in subsection (4) ~~subsection (5)~~
3095 may be used for administrative costs and no more than 22 percent
3096 of the funds described in subsection (4) ~~subsection (5)~~ may be
3097 used in any fiscal year for any combination of administrative
3098 costs, quality activities, and nondirect services as follows:

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3099 (a) Administrative costs as described in 45 C.F.R. s.
3100 98.54 ~~45 C.F.R. s. 98.52~~, which shall include monitoring
3101 providers using the standard methodology adopted under s.
3102 1002.82 to improve compliance with state and federal regulations
3103 and law pursuant to the requirements of the statewide provider
3104 contract adopted under s. 1002.82(2)(m).

3105 (b) Activities to improve the quality of child care as
3106 described in 45 C.F.R. s. 98.53 ~~45 C.F.R. s. 98.51~~, which shall
3107 be limited to the following:

3108 1. Developing, establishing, expanding, operating, and
3109 coordinating resource and referral programs specifically related
3110 to the provision of comprehensive consumer education to parents
3111 and the public to promote informed child care choices specified
3112 in 45 C.F.R. s. 98.33.

3113 2. Awarding grants and providing financial support to
3114 school readiness program providers and their staff to assist
3115 them in meeting applicable state requirements for the program
3116 assessment required under s. 1002.82(2)(n), child care
3117 performance standards, implementing developmentally appropriate
3118 curricula and related classroom resources that support
3119 curricula, providing literacy supports, and providing continued
3120 professional development and training. Any grants awarded
3121 pursuant to this subparagraph shall comply with ss. 215.971 and
3122 287.058.

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3123 3. Providing training, technical assistance, and financial
3124 support to school readiness program providers, staff, and
3125 parents on standards, child screenings, child assessments, child
3126 development research and best practices, developmentally
3127 appropriate curricula, character development, teacher-child
3128 interactions, age-appropriate discipline practices, health and
3129 safety, nutrition, first aid, cardiopulmonary resuscitation, the
3130 recognition of communicable diseases, and child abuse detection,
3131 prevention, and reporting.

3132 4. Providing, from among the funds provided for the
3133 activities described in subparagraphs 1.-3., adequate funding
3134 for infants and toddlers as necessary to meet federal
3135 requirements related to expenditures for quality activities for
3136 infant and toddler care.

3137 5. Improving the monitoring of compliance with, and
3138 enforcement of, applicable state and local requirements as
3139 described in and limited by 45 C.F.R. s. 98.40.

3140 6. Responding to Warm-Line requests by providers and
3141 parents, including providing developmental and health screenings
3142 to school readiness program children.

3143 (c) Nondirect services as described in applicable Office
3144 of Management and Budget instructions are those services not
3145 defined as administrative, direct, or quality services that are
3146 required to administer the school readiness program. Such
3147 services include, but are not limited to:

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3148 1. Assisting families to complete the required application
3149 and eligibility documentation.

3150 2. Determining child and family eligibility.

3151 3. Recruiting eligible child care providers.

3152 4. Processing and tracking attendance records.

3153 5. Developing and maintaining a statewide child care
3154 information system.

3155
3156 As used in this paragraph, the term "nondirect services" does
3157 not include payments to school readiness program providers for
3158 direct services provided to children who are eligible under s.
3159 1002.87, administrative costs as described in paragraph (a), or
3160 quality activities as described in paragraph (b).

3161 Section 55. Subsection (1), paragraph (a) of subsection
3162 (2), and subsections (4), (5), and (6) of section 1002.895,
3163 Florida Statutes, are amended to read:

3164 1002.895 Market rate schedule.—The school readiness
3165 program market rate schedule shall be implemented as follows:

3166 (1) The department office shall establish procedures for
3167 the adoption of a market rate schedule until an alternative
3168 model that has been approved by the Administration for Children
3169 and Families pursuant to 45 C.F.R. s. 98.45(c) is available for
3170 adoption. The schedule must include, at a minimum, county-by-
3171 county rates:

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3172 (a) The market rate, including the minimum and the maximum
3173 rates for child care providers that hold a Gold Seal Quality
3174 Care designation under s. 1002.945 and adhere to its accrediting
3175 association's teacher-to-child ratios and group size
3176 requirements ~~s. 402.281~~.

3177 (b) The market rate for child care providers that do not
3178 hold a Gold Seal Quality Care designation.

3179 (2) The market rate schedule, at a minimum, must:

3180 (a) Differentiate rates by type, including, but not
3181 limited to, a child care provider that holds a Gold Seal Quality
3182 Care designation under s. 1002.945 and adheres to its
3183 accrediting association's teacher-to-child ratios and group size
3184 requirements ~~s. 402.281~~, a child care facility licensed under s.
3185 402.305, a public or nonpublic school exempt from licensure
3186 under s. 402.3025, a faith-based child care facility exempt from
3187 licensure under s. 402.316 that does not hold a Gold Seal
3188 Quality Care designation, a large family child care home
3189 licensed under s. 402.3131, or a family day care home licensed
3190 or registered under s. 402.313.

3191 (4) The market rate schedule shall be considered by an
3192 early learning coalition in the adoption of a payment schedule.
3193 The payment schedule must take into consideration the prevailing
3194 ~~average~~ market rate and include the projected number of
3195 children to be served by each county and be submitted for
3196 approval by the department ~~office~~. Informal child care

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3197 arrangements shall be reimbursed at not more than 50 percent of
3198 the rate adopted for a family day care home.

3199 (5) The department ~~office~~ may contract with one or more
3200 qualified entities to administer this section and provide
3201 support and technical assistance for child care providers.

3202 (6) The department ~~office~~ may adopt rules for establishing
3203 procedures for the collection of child care providers' market
3204 rate, the calculation of the prevailing ~~average~~ market rate by
3205 program care level and provider type in a predetermined
3206 geographic market, and the publication of the market rate
3207 schedule.

3208 Section 56. Section 1002.91, Florida Statutes, is amended
3209 to read:

3210 1002.91 Investigations of fraud or overpayment;
3211 penalties.—

3212 (1) As used in this subsection, the term "fraud" means an
3213 intentional deception, omission, or misrepresentation made by a
3214 person with knowledge that the deception, omission, or
3215 misrepresentation may result in unauthorized benefit to that
3216 person or another person, or any aiding and abetting of the
3217 commission of such an act. The term includes any act that
3218 constitutes fraud under applicable federal or state law.

3219 (2) To recover state, federal, and local matching funds,
3220 the department ~~office~~ shall investigate early learning
3221 coalitions, recipients, and providers of the school readiness

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3222 program and the Voluntary Prekindergarten Education Program to
3223 determine possible fraud or overpayment. If by its own
3224 inquiries, or as a result of a complaint, the department ~~office~~
3225 has reason to believe that a person, coalition, or provider has
3226 engaged in, or is engaging in, a fraudulent act, it shall
3227 investigate and determine whether any overpayment has occurred
3228 due to the fraudulent act. During the investigation, the
3229 department ~~office~~ may examine all records, including electronic
3230 benefits transfer records, and make inquiry of all persons who
3231 may have knowledge as to any irregularity incidental to the
3232 disbursement of public moneys or other items or benefits
3233 authorizations to recipients.

3234 (3) Based on the results of the investigation, the
3235 department ~~office~~ may, in its discretion, refer the
3236 investigation to the Department of Financial Services for
3237 criminal investigation or refer the matter to the applicable
3238 coalition. Any suspected criminal violation identified by the
3239 department ~~office~~ must be referred to the Department of
3240 Financial Services for criminal investigation.

3241 (4) An early learning coalition may suspend or terminate a
3242 provider from participation in the school readiness program or
3243 the Voluntary Prekindergarten Education Program when it has
3244 reasonable cause to believe that the provider has committed
3245 fraud. The department ~~office~~ shall adopt by rule appropriate due
3246 process procedures that the early learning coalition shall apply

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3247 in suspending or terminating any provider, including the
3248 suspension or termination of payment. If suspended, the provider
3249 shall remain suspended until the completion of any investigation
3250 by the department office, the Department of Financial Services,
3251 or any other state or federal agency, and any subsequent
3252 prosecution or other legal proceeding.

3253 (5) If a school readiness program provider or a Voluntary
3254 Prekindergarten Education Program provider, or an owner,
3255 officer, or director thereof, is convicted of, found guilty of,
3256 or pleads guilty or nolo contendere to, regardless of
3257 adjudication, public assistance fraud pursuant to s. 414.39, or
3258 is acting as the beneficial owner for someone who has been
3259 convicted of, found guilty of, or pleads guilty or nolo
3260 contendere to, regardless of adjudication, public assistance
3261 fraud pursuant to s. 414.39, the early learning coalition shall
3262 refrain from contracting with, or using the services of, that
3263 provider for a period of 5 years. In addition, the coalition
3264 shall refrain from contracting with, or using the services of,
3265 any provider that shares an officer or director with a provider
3266 that is convicted of, found guilty of, or pleads guilty or nolo
3267 contendere to, regardless of adjudication, public assistance
3268 fraud pursuant to s. 414.39 for a period of 5 years.

3269 (6) If the investigation is not confidential or otherwise
3270 exempt from disclosure by law, the results of the investigation
3271 may be reported by the department office to the appropriate

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3272 legislative committees, the Department of Children and Families,
3273 and such other persons as the department ~~office~~ deems
3274 appropriate.

3275 (7) The early learning coalition may not contract with a
3276 school readiness program provider or a Voluntary Prekindergarten
3277 Education Program provider who is on the United States
3278 Department of Agriculture National Disqualified List. In
3279 addition, the coalition may not contract with any provider that
3280 shares an officer or director with a provider that is on the
3281 United States Department of Agriculture National Disqualified
3282 List.

3283 (8) Each early learning coalition shall adopt an anti-
3284 fraud plan addressing the detection and prevention of
3285 overpayments, abuse, and fraud relating to the provision of and
3286 payment for school readiness program and Voluntary
3287 Prekindergarten Education Program services and submit the plan
3288 to the department ~~office~~ for approval. The department ~~office~~
3289 shall adopt rules establishing criteria for the anti-fraud plan,
3290 including appropriate due process provisions. The anti-fraud
3291 plan must include, at a minimum:

3292 (a) A written description or chart outlining the
3293 organizational structure of the plan's personnel who are
3294 responsible for the investigation and reporting of possible
3295 overpayment, abuse, or fraud.

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3296 (b) A description of the plan's procedures for detecting
3297 and investigating possible acts of fraud, abuse, or overpayment.

3298 (c) A description of the plan's procedures for the
3299 mandatory reporting of possible overpayment, abuse, or fraud to
3300 the Office of Inspector General within the department ~~office~~.

3301 (d) A description of the plan's program and procedures for
3302 educating and training personnel on how to detect and prevent
3303 fraud, abuse, and overpayment.

3304 (e) A description of the plan's procedures, including the
3305 appropriate due process provisions adopted by the department
3306 ~~office~~ for suspending or terminating from the school readiness
3307 program or the Voluntary Prekindergarten Education Program a
3308 recipient or provider who the early learning coalition believes
3309 has committed fraud.

3310 (9) A person who commits an act of fraud as defined in
3311 this section is subject to the penalties provided in s.
3312 414.39(5) (a) and (b).

3313 Section 57. Subsections (1) and (2) and paragraphs (a),
3314 (c), and (d) of subsection (3) of section 1002.92, Florida
3315 Statutes, are amended to read:

3316 1002.92 Child care and early childhood resource and
3317 referral.—

3318 (1) As a part of the school readiness program, the
3319 department ~~office~~ shall establish a statewide child care
3320 resource and referral network that is unbiased and provides

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3321 referrals to families for child care and information on
3322 available community resources. Preference shall be given to
3323 using early learning coalitions as the child care resource and
3324 referral agencies. If an early learning coalition cannot comply
3325 with the requirements to offer the resource information
3326 component or does not want to offer that service, the early
3327 learning coalition shall select the resource and referral agency
3328 for its county or multicounty region based upon the procurement
3329 requirements of s. 1002.84(13) ~~s. 1002.84(12)~~.

3330 (2) At least one child care resource and referral agency
3331 must be established in each early learning coalition's county or
3332 multicounty region. The department ~~office~~ shall adopt rules
3333 regarding accessibility of child care resource and referral
3334 services offered through child care resource and referral
3335 agencies in each county or multicounty region which include, at
3336 a minimum, required hours of operation, methods by which parents
3337 may request services, and child care resource and referral staff
3338 training requirements.

3339 (3) Child care resource and referral agencies shall
3340 provide the following services:

3341 (a) Identification of existing public and private child
3342 care and early childhood education services, including child
3343 care services by public and private employers, and the
3344 development of an early learning provider performance profile ~~a~~
3345 ~~resource file~~ of those services through the single statewide

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3346 information system developed by the department office under s.
3347 1002.82(2)(q) ~~s. 1002.82(2)(p)~~. These services may include
3348 family day care, public and private child care programs, the
3349 Voluntary Prekindergarten Education Program, Head Start, the
3350 school readiness program, special education programs for
3351 prekindergarten children with disabilities, services for
3352 children with developmental disabilities, full-time and part-
3353 time programs, before-school and after-school programs, and
3354 vacation care programs, ~~parent education, the temporary cash~~
3355 ~~assistance program, and related family support services~~. The
3356 early learning provider performance profile resource file shall
3357 include, but not be limited to:

- 3358 1. Type of program.
- 3359 2. Hours of service.
- 3360 3. Ages of children served.
- 3361 4. Number of children served.
- 3362 5. Program information.
- 3363 6. Fees and eligibility for services.
- 3364 7. Availability of transportation.
- 3365 8. Participation in the Child Care Food Program, if
3366 applicable.
- 3367 9. A link to licensing inspection reports, if applicable.
- 3368 10. The components of the Voluntary Prekindergarten
3369 Education Program performance metric calculated under s. 1002.68
3370 which must consist of the program assessment composite score,

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3371 learning gains score, achievement score, and its designations,
3372 if applicable.

3373 11. The school readiness program assessment composite
3374 score and program assessment care level composite score results
3375 delineated by infant classrooms, toddler classrooms, and
3376 preschool classrooms results under s. 1002.82, if applicable.

3377 12. Gold Seal Quality Care designation under s. 1002.945,
3378 if applicable.

3379 13. Indication of whether the provider implements a
3380 curriculum approved by the department and the name of the
3381 curriculum, if applicable.

3382 14. Participation in school readiness child assessment
3383 under s. 1002.82.

3384 (c) Maintenance of ongoing documentation of requests for
3385 service tabulated through the internal referral process through
3386 the single statewide information system. The following
3387 documentation of requests for service shall be maintained by the
3388 child care resource and referral network:

3389 1. Number of calls and contacts to the child care resource
3390 information and referral network component by type of service
3391 requested.

3392 2. Ages of children for whom service was requested.

3393 3. Time category of child care requests for each child.

3394 4. Special time category, such as nights, weekends, and
3395 swing shift.

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3396 5. Reason that the child care is needed.

3397 6. Customer service survey data required under s.

3398 1002.82(3) Name of the employer and primary focus of the
3399 business for an employer-based child care program.

3400 (d) Assistance to families that connects them to parent
3401 education opportunities, the temporary cash assistance program,
3402 or social services programs that support families with children,
3403 and related child development support services ~~Provision of~~
3404 ~~technical assistance to existing and potential providers of~~
3405 ~~child care services. This assistance may include:~~

3406 1. ~~Information on initiating new child care services,~~
3407 ~~zoning, and program and budget development and assistance in~~
3408 ~~finding such information from other sources.~~

3409 2. ~~Information and resources which help existing child~~
3410 ~~care services providers to maximize their ability to serve~~
3411 ~~children and parents in their community.~~

3412 3. ~~Information and incentives that may help existing or~~
3413 ~~planned child care services offered by public or private~~
3414 ~~employers seeking to maximize their ability to serve the~~
3415 ~~children of their working parent employees in their community,~~
3416 ~~through contractual or other funding arrangements with~~
3417 ~~businesses.~~

3418 Section 58. Subsection (1) of section 1002.93, Florida
3419 Statutes, is amended to read:

3420 1002.93 School readiness program transportation services.-

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3421 (1) The department ~~office~~ may authorize an early learning
3422 coalition to establish school readiness program transportation
3423 services for children at risk of abuse or neglect who are
3424 participating in the school readiness program, pursuant to
3425 chapter 427. The early learning coalitions may contract for the
3426 provision of transportation services as required by this
3427 section.

3428 Section 59. Section 1002.94, Florida Statutes, is
3429 repealed.

3430 Section 60. Section 1002.95, Florida Statutes, is amended
3431 to read:

3432 1002.95 Teacher Education and Compensation Helps (TEACH)
3433 scholarship program.—

3434 (1) The department ~~office~~ may contract for the
3435 administration of the Teacher Education and Compensation Helps
3436 (TEACH) scholarship program, which provides educational
3437 scholarships to caregivers and administrators of early childhood
3438 programs, family day care homes, and large family child care
3439 homes. The goal of the program is to increase the education and
3440 training for caregivers, increase the compensation for child
3441 caregivers who complete the program requirements, and reduce the
3442 rate of participant turnover in the field of early childhood
3443 education.

3444 (2) The State Board of Education ~~office~~ shall adopt rules
3445 as necessary to administer this section.

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3446 Section 61. Subsections (1) and (3) of section 1002.96,
3447 Florida Statutes, are amended to read:

3448 1002.96 Early Head Start collaboration grants.—

3449 (1) Contingent upon specific appropriation, the department
3450 ~~office~~ shall establish a program to award collaboration grants
3451 to assist local agencies in securing Early Head Start programs
3452 through Early Head Start program federal grants. The
3453 collaboration grants shall provide the required matching funds
3454 for public and private nonprofit agencies that have been
3455 approved for Early Head Start program federal grants.

3456 (3) The department ~~office~~ may adopt rules as necessary for
3457 the award of collaboration grants to competing agencies and the
3458 administration of the collaboration grants program under this
3459 section.

3460 Section 62. Subsection (1) and paragraph (g) of subsection
3461 (3) of section 1002.97, Florida Statutes, are amended to read:

3462 1002.97 Records of children in the school readiness
3463 program.—

3464 (1) The individual records of children enrolled in the
3465 school readiness program provided under this part, held by an
3466 early learning coalition or the department ~~office~~, are
3467 confidential and exempt from s. 119.07(1) and s. 24(a), Art. I
3468 of the State Constitution. For purposes of this section, records
3469 include assessment data, health data, records of teacher
3470 observations, and personal identifying information.

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3471 (3) School readiness program records may be released to:
3472 (g) Parties to an interagency agreement among early
3473 learning coalitions, local governmental agencies, providers of
3474 the school readiness program, state agencies, and the department
3475 ~~office~~ for the purpose of implementing the school readiness
3476 program.

3477
3478 Agencies, organizations, or individuals that receive school
3479 readiness program records in order to carry out their official
3480 functions must protect the data in a manner that does not permit
3481 the personal identification of a child enrolled in a school
3482 readiness program and his or her parent by persons other than
3483 those authorized to receive the records.

3484 Section 63. Subsections (1) and (3) of section 1002.995,
3485 Florida Statutes, are amended to read:

3486 1002.995 Early learning professional development standards
3487 and career pathways.—

3488 (1) The department ~~office~~ shall:

3489 (a) Develop early learning professional development
3490 training and course standards to be utilized for school
3491 readiness program providers.

3492 (b) Identify both formal and informal early learning
3493 career pathways with stackable credentials and certifications
3494 that allow early childhood teachers to access specialized
3495 professional development that:

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- 3496 1. Strengthens knowledge and teaching practices.
- 3497 2. Aligns to established professional standards and core
3498 competencies.
- 3499 3. Provides a progression of attainable, competency-based
3500 stackable credentials and certifications.
- 3501 4. Improves outcomes for children to increase kindergarten
3502 readiness and early grade success.
- 3503 (3) The State Board of Education ~~office~~ shall adopt rules
3504 to administer this section.
- 3505 Section 64. Section 1007.01, Florida Statutes, is amended
3506 to read:
- 3507 1007.01 Articulation; legislative intent; purpose; role of
3508 the State Board of Education and the Board of Governors;
3509 Articulation Coordinating Committee.—
- 3510 (1) It is the intent of the Legislature to facilitate
3511 articulation and seamless integration of the Early Learning-20
3512 ~~K-20~~ education system by building, sustaining, and strengthening
3513 relationships among Early Learning-20 ~~K-20~~ public organizations,
3514 between public and private organizations, and between the
3515 education system as a whole and Florida's communities. The
3516 purpose of building, sustaining, and strengthening these
3517 relationships is to provide for the efficient and effective
3518 progression and transfer of students within the education system
3519 and to allow students to proceed toward their educational
3520 objectives as rapidly as their circumstances permit. The

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3521 Legislature further intends that articulation policies and
3522 budget actions be implemented consistently in the practices of
3523 the Department of Education and postsecondary educational
3524 institutions and expressed in the collaborative policy efforts
3525 of the State Board of Education and the Board of Governors.

3526 (2) To improve and facilitate articulation systemwide, the
3527 State Board of Education and the Board of Governors shall
3528 collaboratively establish and adopt policies with input from
3529 statewide K-20 advisory groups established by the Commissioner
3530 of Education and the Chancellor of the State University System
3531 and shall recommend the policies to the Legislature. The
3532 policies shall relate to:

3533 (a) The alignment between the exit requirements of one
3534 education system and the admissions requirements of another
3535 education system into which students typically transfer.

3536 (b) The identification of common courses, the level of
3537 courses, institutional participation in a statewide course
3538 numbering system, and the transferability of credits among such
3539 institutions.

3540 (c) Identification of courses that meet general education
3541 or common degree program prerequisite requirements at public
3542 postsecondary educational institutions.

3543 (d) Dual enrollment course equivalencies.

3544 (e) Articulation agreements.

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3545 (3) The Commissioner of Education, in consultation with
3546 the Chancellor of the State University System, shall establish
3547 the Articulation Coordinating Committee, which shall make
3548 recommendations related to statewide articulation policies and
3549 issues regarding access, quality, and reporting of data
3550 maintained by the educational ~~K-20~~ data warehouse, established
3551 pursuant to ss. 1001.10 and 1008.31, to the Higher Education
3552 Coordination Council, the State Board of Education, and the
3553 Board of Governors. The committee shall consist of two members
3554 each representing the State University System, the Florida
3555 College System, public career and technical education, K-12
3556 education, and nonpublic postsecondary education and one member
3557 representing students. The chair shall be elected from the
3558 membership. The Office of K-20 Articulation shall provide
3559 administrative support for the committee. The committee shall:

3560 (a) Monitor the alignment between the exit requirements of
3561 one education system and the admissions requirements of another
3562 education system into which students typically transfer and make
3563 recommendations for improvement.

3564 (b) Propose guidelines for interinstitutional agreements
3565 between and among public schools, career and technical education
3566 centers, Florida College System institutions, state
3567 universities, and nonpublic postsecondary institutions.

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3568 (c) Annually recommend dual enrollment course and high
3569 school subject area equivalencies for approval by the State
3570 Board of Education and the Board of Governors.

3571 (d) Annually review the statewide articulation agreement
3572 pursuant to s. 1007.23 and make recommendations for revisions.

3573 (e) Annually review the statewide course numbering system,
3574 the levels of courses, and the application of transfer credit
3575 requirements among public and nonpublic institutions
3576 participating in the statewide course numbering system and
3577 identify instances of student transfer and admissions
3578 difficulties.

3579 (f) Annually publish a list of courses that meet common
3580 general education and common degree program prerequisite
3581 requirements at public postsecondary institutions identified
3582 pursuant to s. 1007.25.

3583 (g) Foster timely collection and reporting of statewide
3584 education data to improve the Early Learning-20 ~~K-20~~ education
3585 performance accountability system pursuant to ss. 1001.10 and
3586 1008.31, including, but not limited to, data quality,
3587 accessibility, and protection of student records.

3588 (h) Recommend roles and responsibilities of public
3589 education entities in interfacing with the single, statewide
3590 computer-assisted student advising system established pursuant
3591 to s. 1006.735.

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3592 Section 65. Section 1008.2125, Florida Statutes, is
3593 created to read:

3594 1008.2125 Coordinated screening and progress monitoring
3595 program for students in the Voluntary Prekindergarten Education
3596 Program through grade 3.—

3597 (1) The primary purpose of the coordinated screening and
3598 progress monitoring program for students in the Voluntary
3599 Prekindergarten Education Program through grade 3 is to provide
3600 information on students' progress in mastering the appropriate
3601 grade-level standards and to provide information on their
3602 progress to parents, teachers, and school and program
3603 administrators. Data shall be used by Voluntary Prekindergarten
3604 Education Program providers and school districts to improve
3605 instruction, by parents and teachers to guide learning
3606 objectives and provide timely and appropriate supports and
3607 interventions to students not meeting grade level expectations,
3608 and by the public to assess the cost benefit of the expenditure
3609 of taxpayer dollars. The coordinated screening and progress
3610 monitoring program must:

3611 (a) Measure student progress in the Voluntary
3612 Prekindergarten Education Program through grade 3 in meeting the
3613 appropriate expectations in early literacy and math skills and
3614 in English Language Arts and mathematics, as required by ss.
3615 1002.67(1)(a) and 1003.41.

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3616 (b) Provide data for accountability of the Voluntary
3617 Prekindergarten Education Program, as required by s. 1002.68.

3618 (c) Provide baseline data to the department of each
3619 student's readiness for kindergarten, which must be based on
3620 each kindergarten students progress monitoring results that was
3621 administered no later than the first 30 instructional days in
3622 accordance with paragraph (2) (a). The methodology for
3623 determining a student's readiness for kindergarten shall be
3624 developed by the same independent expert identified in s.
3625 1002.68 (4) (d).

3626 (d) Identify the educational strengths and needs of
3627 students in the Voluntary Prekindergarten Education Program
3628 through grade 3.

3629 (e) Provide teachers with progress monitoring data to
3630 provide timely interventions and supports pursuant to s.
3631 1008.25 (4).

3632 (f) Assess how well educational goals and curricular
3633 standards are met at the provider, school, district, and state
3634 levels.

3635 (g) Provide information to aid in the evaluation and
3636 development of educational programs and policies, and supports
3637 for providers, schools, and districts.

3638 (2) The Commissioner of Education shall design a
3639 statewide, standardized coordinated screening and progress
3640 monitoring program to assess early literacy and mathematics

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3641 skills and the English Language Arts and mathematics standards
3642 established in ss. 1002.67(1)(a) and 1003.41, respectively. The
3643 coordinated screening and progress monitoring program must
3644 provide interval level and norm-referenced data that measures
3645 equivalent levels of growth; be and adaptive and developmentally
3646 appropriate, valid, and reliable direct assessment; be able to
3647 capture data on students who may be performing below grade or
3648 developmental level and which may enable the identification of
3649 early indicators of dyslexia or other developmental delays;
3650 accurately measure the core content in the applicable grade
3651 level standards; document learning gains for the achievement of
3652 these standards; and provide teachers with progress monitoring
3653 supports and materials that enhance differentiated instruction
3654 and parent communication. Participation in the coordinated
3655 screening and progress monitoring program is mandatory for all
3656 students in the Voluntary Prekindergarten Education Program and
3657 enrolled in a public school in kindergarten through grade 3. The
3658 coordinated screening and progress monitoring program shall be
3659 implemented beginning in the 2022-2023 school year. Voluntary
3660 Prekindergarten Education Program providers and public schools
3661 must participate in the screening and progress monitoring
3662 system, as follows:

3663 (a) The coordinated screening and progress monitoring
3664 program shall be administered to students occurring no later
3665 than the first 30 instructional days of the program or school

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3666 year, midyear, and within the last 30 instructional days of the
3667 program or school year, pursuant to state board rule. The state
3668 board may adopt alternate timeframes to address nontraditional
3669 school year calendars or summer programs to ensure
3670 administration of the coordinated screening and progress
3671 monitoring program is administered a minimum of 3 times within a
3672 year or program.

3673 (b) The results of the coordinated screening and progress
3674 monitoring program shall be reported to the department, in
3675 accordance with the rules adopted by the state board, and
3676 maintained in the department's educational data warehouse.

3677 (3) The Commissioner of Education shall:

3678 (a) Develop a plan, in coordination with the Council for
3679 Early Grade Success, for implementing the coordinated screening
3680 and progress monitoring program in consideration of timelines
3681 for implementing new early literacy and mathematics skills and
3682 the English Language Arts and mathematics standards established
3683 in ss. 1002.67(1)(a) and 1003.41, as appropriate.

3684 (b) Provide data, reports, and information as requested to
3685 the Council for Early Grade Success.

3686 (4) The Council for Early Grade Success, a council defined
3687 in s. 20.03(7), is created within the Department of Education to
3688 oversee the coordinated screening and progress monitoring
3689 program and, except as otherwise provided in this section, shall
3690 operate consistent with s. 20.052.

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3691 (a) The council shall be responsible for reviewing the
3692 implementation of, training for, administration of, and outcomes
3693 from the coordinated screening and progress monitoring program
3694 to provide recommendations to the department that supports grade
3695 3 students reading at or above grade level. The council, at a
3696 minimum, shall:

3697 1. Provide recommendations on the implementation of the
3698 coordinated screening and progress monitoring program, including
3699 reviewing any procurement solicitation documents and criteria
3700 before being published.

3701 2. Develop training plans and timelines for such training.

3702 3. Identify appropriate personnel, processes, and
3703 procedures required for the administration of the coordinated
3704 screening and progress monitoring program.

3705 4. Provide input on the methodology for calculating a
3706 provider's or school's performance metric and designations under
3707 s. 1002.68.

3708 5. Work with the department's independent expert under s.
3709 1002.68(4)(d) to review the methodology for determining a
3710 child's kindergarten readiness.

3711 6. Review data on age-appropriate learning gains by grade
3712 level that a student would need to attain in order to
3713 demonstrate proficiency in reading by grade 3.

3714 7. Continually review anonymized data from the results of
3715 the coordinated screening and progress monitoring program for

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3716 students in the Voluntary Prekindergarten Education Program
3717 through grade 3 to help inform recommendations to the department
3718 that support practices that will enable grade 3 students to read
3719 at or above grade level.

3720 (b) The council shall be composed of 17 members who are
3721 residents of the state and appointed as follows:

3722 1. Three members appointed by the Governor, as follows:

3723 a. One representative from the Department of Education.

3724 b. One parent of a child who is 4 to 9 years of age.

3725 c. One representative that is an elementary school
3726 administrator.

3727 2. Seven members appointed by the President of the Senate,
3728 as follows:

3729 a. One senator who serves at the pleasure of the President
3730 of the Senate.

3731 b. One representative of an urban school district.

3732 c. One representative of a rural early learning coalition.

3733 d. One representative of a faith-based early learning
3734 provider who offers the Voluntary Prekindergarten Education
3735 Program.

3736 e. One representative who is a second grade teacher who
3737 has at least 5 years of teaching experience.

3738 f. Two representatives with subject matter expertise in
3739 early learning, early grade success, or child assessments.

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3740 3. Seven members appointed by the Speaker of the House of
3741 Representatives, as follows:

3742 a. One member of the House of Representatives who serves
3743 at the pleasure of the Speaker of the House.

3744 b. One representative of a rural school district.

3745 c. One representative of an urban early learning
3746 coalition.

3747 d. One representative of an early learning provider who
3748 offers the Voluntary Prekindergarten Education Program.

3749 e. One member who is a kindergarten teacher who has at
3750 least 5 years of teaching experience.

3751 f. Two representatives with subject matter expertise in
3752 early learning, early grade success, or child assessment.

3753 4. The four representatives with subject matter expertise
3754 in sub-sub-paragraphs 2.f. and 3.f. may not be direct
3755 stakeholders within the early learning or public school systems.

3756 (5) The council shall elect a chair and vice chair, one of
3757 whom must be a member who has subject matter expertise in early
3758 learning, early grade success, or child assessments. The vice
3759 chair must be a member appointed by the President of the Senate
3760 or the Speaker of the House of Representatives who is not one of
3761 the four members with subject matter expertise in early
3762 learning, early grade success, or child assessments appointed
3763 pursuant to sub-sub-paragraphs (4) (b) 2.f. and (4) (b) 3.f. Members
3764 of the council shall serve without compensation but are entitled

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3765 to reimbursement for per diem and travel expenses pursuant to s.
3766 112.061.

3767 (6) The council must meet at least biannually and may meet
3768 by teleconference or other electronic means, if possible, to
3769 reduce costs.

3770 (7) A majority of the members constitutes a quorum.

3771 Section 66. Paragraphs (b) and (c) of subsection (5) of
3772 section 1008.25, Florida Statutes, are redesignated as
3773 paragraphs (c) and (d), respectively, paragraph (b) of
3774 subsection (6), subsection (7), and paragraph (a) of subsection
3775 (8) are amended, and a new paragraph (b) is added to subsection
3776 (5) of that section, to read:

3777 1008.25 Public school student progression; student
3778 support; reporting requirements.—

3779 (5) READING DEFICIENCY AND PARENTAL NOTIFICATION.—

3780 (b) A Voluntary Prekindergarten Education Program student
3781 who exhibits a substantial deficiency in early literacy skills
3782 in accordance with the standards under s. 1002.67(1)(a) and
3783 based upon the results of the administration of the final
3784 coordinated screening and progress monitoring under s. 1008.2125
3785 shall be referred to the local school district and may be
3786 eligible to receive intensive reading interventions before
3787 participating in kindergarten. Such intensive reading
3788 interventions shall be paid for using funds from the district's

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3789 research-based reading instruction allocation in accordance with
3790 s. 1011.62(9).

3791 (6) ELIMINATION OF SOCIAL PROMOTION.—

3792 (b) The district school board may only exempt students
3793 from mandatory retention, as provided in paragraph (5)(c)
3794 ~~(5)(b)~~, for good cause. A student who is promoted to grade 4
3795 with a good cause exemption shall be provided intensive reading
3796 instruction and intervention that include specialized diagnostic
3797 information and specific reading strategies to meet the needs of
3798 each student so promoted. The school district shall assist
3799 schools and teachers with the implementation of explicit,
3800 systematic, and multisensory reading instruction and
3801 intervention strategies for students promoted with a good cause
3802 exemption which research has shown to be successful in improving
3803 reading among students who have reading difficulties. Good cause
3804 exemptions are limited to the following:

3805 1. Limited English proficient students who have had less
3806 than 2 years of instruction in an English for Speakers of Other
3807 Languages program based on the initial date of entry into a
3808 school in the United States.

3809 2. Students with disabilities whose individual education
3810 plan indicates that participation in the statewide assessment
3811 program is not appropriate, consistent with the requirements of
3812 s. 1008.212.

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3813 3. Students who demonstrate an acceptable level of
3814 performance on an alternative standardized reading or English
3815 Language Arts assessment approved by the State Board of
3816 Education.

3817 4. A student who demonstrates through a student portfolio
3818 that he or she is performing at least at Level 2 on the
3819 statewide, standardized English Language Arts assessment.

3820 5. Students with disabilities who take the statewide,
3821 standardized English Language Arts assessment and who have an
3822 individual education plan or a Section 504 plan that reflects
3823 that the student has received intensive instruction in reading
3824 or English Language Arts for more than 2 years but still
3825 demonstrates a deficiency and was previously retained in
3826 kindergarten, grade 1, grade 2, or grade 3.

3827 6. Students who have received intensive reading
3828 intervention for 2 or more years but still demonstrate a
3829 deficiency in reading and who were previously retained in
3830 kindergarten, grade 1, grade 2, or grade 3 for a total of 2
3831 years. A student may not be retained more than once in grade 3.

3832 (7) SUCCESSFUL PROGRESSION FOR RETAINED THIRD GRADE
3833 STUDENTS.—

3834 (a) Students retained under paragraph (5)(c) ~~(5)(b)~~ must
3835 be provided intensive interventions in reading to ameliorate the
3836 student's specific reading deficiency and prepare the student

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3837 for promotion to the next grade. These interventions must
3838 include:

3839 1. Evidence-based, explicit, systematic, and multisensory
3840 reading instruction in phonemic awareness, phonics, fluency,
3841 vocabulary, and comprehension and other strategies prescribed by
3842 the school district.

3843 2. Participation in the school district's summer reading
3844 camp, which must incorporate the instructional and intervention
3845 strategies under subparagraph 1.

3846 3. A minimum of 90 minutes of daily, uninterrupted reading
3847 instruction incorporating the instructional and intervention
3848 strategies under subparagraph 1. This instruction may include:

3849 a. Integration of content-rich texts in science and social
3850 studies within the 90-minute block.

3851 b. Small group instruction.

3852 c. Reduced teacher-student ratios.

3853 d. More frequent progress monitoring.

3854 e. Tutoring or mentoring.

3855 f. Transition classes containing 3rd and 4th grade
3856 students.

3857 g. Extended school day, week, or year.

3858 (b) Each school district shall:

3859 1. Provide written notification to the parent of a student
3860 who is retained under paragraph (5) (c) ~~(5) (b)~~ that his or her
3861 child has not met the proficiency level required for promotion

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3862 and the reasons the child is not eligible for a good cause
3863 exemption as provided in paragraph (6) (b). The notification must
3864 comply with paragraph (5) (d) ~~(5) (e)~~ and must include a
3865 description of proposed interventions and supports that will be
3866 provided to the child to remediate the identified areas of
3867 reading deficiency.

3868 2. Implement a policy for the midyear promotion of a
3869 student retained under paragraph (5) (c) ~~(5) (b)~~ who can
3870 demonstrate that he or she is a successful and independent
3871 reader and performing at or above grade level in reading or,
3872 upon implementation of English Language Arts assessments,
3873 performing at or above grade level in English Language Arts.
3874 Tools that school districts may use in reevaluating a student
3875 retained may include subsequent assessments, alternative
3876 assessments, and portfolio reviews, in accordance with rules of
3877 the State Board of Education. Students promoted during the
3878 school year after November 1 must demonstrate proficiency levels
3879 in reading equivalent to the level necessary for the beginning
3880 of grade 4. The rules adopted by the State Board of Education
3881 must include standards that provide a reasonable expectation
3882 that the student's progress is sufficient to master appropriate
3883 grade 4 level reading skills.

3884 3. Provide students who are retained under paragraph
3885 (5) (c) ~~(5) (b)~~, including students participating in the school
3886 district's summer reading camp under subparagraph (a)2., with a

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3887 highly effective teacher as determined by the teacher's
3888 performance evaluation under s. 1012.34, and, beginning July 1,
3889 2020, the teacher must also be certified or endorsed in reading.

3890 4. Establish at each school, when applicable, an intensive
3891 reading acceleration course for any student retained in grade 3
3892 who was previously retained in kindergarten, grade 1, or grade
3893 2. The intensive reading acceleration course must provide the
3894 following:

3895 a. Uninterrupted reading instruction for the majority of
3896 student contact time each day and opportunities to master the
3897 grade 4 Next Generation Sunshine State Standards in other core
3898 subject areas through content-rich texts.

3899 b. Small group instruction.

3900 c. Reduced teacher-student ratios.

3901 d. The use of explicit, systematic, and multisensory
3902 reading interventions, including intensive language, phonics,
3903 and vocabulary instruction, and use of a speech-language
3904 therapist if necessary, that have proven results in accelerating
3905 student reading achievement within the same school year.

3906 e. A read-at-home plan.

3907 (8) ANNUAL REPORT.—

3908 (a) In addition to the requirements in paragraph (5) (c)
3909 ~~(5) (b)~~, each district school board must annually report to the
3910 parent of each student the progress of the student toward
3911 achieving state and district expectations for proficiency in

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3912 English Language Arts, science, social studies, and mathematics.
3913 The district school board must report to the parent the
3914 student's results on each statewide, standardized assessment.
3915 The evaluation of each student's progress must be based upon the
3916 student's classroom work, observations, tests, district and
3917 state assessments, response to intensive interventions provided
3918 under paragraph (5) (a), and other relevant information. Progress
3919 reporting must be provided to the parent in writing in a format
3920 adopted by the district school board.

3921 Section 67. Section 1008.31, Florida Statutes, is amended
3922 to read:

3923 1008.31 Florida's Early Learning-20 ~~K-20~~ education
3924 performance accountability system; legislative intent; mission,
3925 goals, and systemwide measures; data quality improvements.-

3926 (1) LEGISLATIVE INTENT.-It is the intent of the
3927 Legislature that:

3928 (a) The performance accountability system implemented to
3929 assess the effectiveness of Florida's seamless Early Learning-20
3930 ~~K-20~~ education delivery system provide answers to the following
3931 questions in relation to its mission and goals:

3932 1. What is the public receiving in return for funds it
3933 invests in education?

3934 2. How effectively is Florida's Early Learning-20 ~~K-20~~
3935 education system educating its students?

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3936 3. How effectively are the major delivery sectors
3937 promoting student achievement?

3938 4. How are individual schools and postsecondary education
3939 institutions performing their responsibility to educate their
3940 students as measured by how students are performing and how much
3941 they are learning?

3942 (b) The Early Learning-20 ~~K-20~~ education performance
3943 accountability system be established as a single, unified
3944 accountability system with multiple components, including, but
3945 not limited to, student performance in public schools and school
3946 and district grades.

3947 (c) The K-20 education performance accountability system
3948 comply with the requirements of the "No Child Left Behind Act of
3949 2001," Pub. L. No. 107-110, and the Individuals with
3950 Disabilities Education Act (IDEA).

3951 (d) The early learning accountability system comply with
3952 the requirements of part V and part VI of chapter 1002 and the
3953 requirements of the Child Care and Development Block Grant Trust
3954 Fund, pursuant to 45 C.F.R. parts 98 and 99.

3955 (e) ~~(d)~~ The State Board of Education and the Board of
3956 Governors of the State University System recommend to the
3957 Legislature systemwide performance standards; the Legislature
3958 establish systemwide performance measures and standards; and the
3959 systemwide measures and standards provide Floridians with
3960 information on what the public is receiving in return for the

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3961 funds it invests in education and how well the Early Learning-20
3962 ~~K-20~~ system educates its students.

3963 (f)1. ~~(e)1.~~ The State Board of Education establish
3964 performance measures and set performance standards for
3965 individual public schools and Florida College System
3966 institutions, with measures and standards based primarily on
3967 student achievement.

3968 2. The Board of Governors of the State University System
3969 establish performance measures and set performance standards for
3970 individual state universities, including actual completion
3971 rates.

3972 (2) MISSION, GOALS, AND SYSTEMWIDE MEASURES.—

3973 (a) The mission of Florida's Early Learning-20 ~~K-20~~
3974 education system shall be to increase the proficiency of all
3975 students within one seamless, efficient system, by allowing them
3976 the opportunity to expand their knowledge and skills through
3977 learning opportunities and research valued by students, parents,
3978 and communities.

3979 (b) The process for establishing state and sector-specific
3980 standards and measures must be:

- 3981 1. Focused on student success.
- 3982 2. Addressable through policy and program changes.
- 3983 3. Efficient and of high quality.
- 3984 4. Measurable over time.
- 3985 5. Simple to explain and display to the public.

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3986 6. Aligned with other measures and other sectors to
3987 support a coordinated Early Learning-20 ~~K-20~~ education system.

3988 (c) The Department of Education shall maintain an
3989 accountability system that measures student progress toward the
3990 following goals:

3991 1. Highest student achievement, as indicated by evidence
3992 of student learning gains at all levels.

3993 2. Seamless articulation and maximum access, as measured
3994 by evidence of progression, readiness, and access by targeted
3995 groups of students identified by the Commissioner of Education.

3996 3. Skilled workforce and economic development, as measured
3997 by evidence of employment and earnings.

3998 4. Quality efficient services, as measured by evidence of
3999 return on investment.

4000 5. Other goals as identified by law or rule.

4001 (3) ~~K-20~~ EDUCATION DATA QUALITY IMPROVEMENTS.—To provide
4002 data required to implement education performance accountability
4003 measures in state and federal law, the Commissioner of Education
4004 shall initiate and maintain strategies to improve data quality
4005 and timeliness. The Board of Governors shall make available to
4006 the department all data within the State University Database
4007 System to be integrated into the educational ~~K-20~~ data
4008 warehouse. The commissioner shall have unlimited access to such
4009 data for the purposes of conducting studies, reporting annual
4010 and longitudinal student outcomes, and improving college

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4011 readiness and articulation. All public educational institutions
4012 shall annually provide data from the prior year to the
4013 educational ~~K-20~~ data warehouse in a format based on data
4014 elements identified by the commissioner.

4015 (a) School districts and public postsecondary educational
4016 institutions shall maintain information systems that will
4017 provide the State Board of Education, the Board of Governors of
4018 the State University System, and the Legislature with
4019 information and reports necessary to address the specifications
4020 of the accountability system. The level of comprehensiveness and
4021 quality must be no less than that which was available as of June
4022 30, 2001.

4023 (b) Colleges and universities eligible to participate in
4024 the William L. Boyd, IV, Effective Access to Student Education
4025 Grant Program shall annually report student-level data from the
4026 prior year for each student who receives state funds in a format
4027 prescribed by the Department of Education. At a minimum, data
4028 from the prior year must include retention rates, transfer
4029 rates, completion rates, graduation rates, employment and
4030 placement rates, and earnings of graduates. By October 1 of each
4031 year, the colleges and universities described in this paragraph
4032 shall report the data to the department.

4033 (c) The Commissioner of Education shall determine the
4034 standards for the required data, monitor data quality, and
4035 measure improvements. The commissioner shall report annually to

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4036 the State Board of Education, the Board of Governors of the
4037 State University System, the President of the Senate, and the
4038 Speaker of the House of Representatives data quality indicators
4039 and ratings for all school districts and public postsecondary
4040 educational institutions.

4041 (d) Before establishing any new reporting or data
4042 collection requirements, the commissioner shall use existing
4043 data being collected to reduce duplication and minimize
4044 paperwork.

4045 (4) RULES.—The State Board of Education shall adopt rules
4046 pursuant to ss. 120.536(1) and 120.54 to implement the
4047 provisions of this section relating to the educational ~~K-20~~ data
4048 warehouse.

4049 Section 68. Section 1008.32, Florida Statutes, is amended
4050 to read:

4051 1008.32 State Board of Education oversight enforcement
4052 authority.—The State Board of Education shall oversee the
4053 performance of early learning coalitions, district school
4054 boards, and Florida College System institution boards of
4055 trustees in enforcement of all laws and rules. District school
4056 boards and Florida College System institution boards of trustees
4057 shall be primarily responsible for compliance with law and state
4058 board rule.

4059 (1) In order to ensure compliance with law or state board
4060 rule, the State Board of Education shall have the authority to

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4061 request and receive information, data, and reports from early
4062 learning coalitions, school districts, and Florida College
4063 System institutions. Early learning coalition chief executive
4064 officers or executive directors, district school
4065 superintendents, and Florida College System institution
4066 presidents are responsible for the accuracy of the information
4067 and data reported to the state board.

4068 (2) (a) The Commissioner of Education may investigate
4069 allegations of noncompliance with law or state board rule and
4070 determine probable cause. The commissioner shall report
4071 determinations of probable cause to the State Board of Education
4072 which shall require the early learning coalition, district
4073 school board, or Florida College System institution board of
4074 trustees to document compliance with law or state board rule.

4075 (b) The Commissioner of Education shall report to the
4076 State Board of Education any findings by the Auditor General
4077 that an early learning coalition, a district school board, or
4078 Florida College System institution is acting without statutory
4079 authority or contrary to general law. The State Board of
4080 Education shall require the early learning coalition, district
4081 school board, or Florida College System institution board of
4082 trustees to document compliance with such law.

4083 (3) If the early learning coalition, district school
4084 board, or Florida College System institution board of trustees

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4085 cannot satisfactorily document compliance, the State Board of
4086 Education may order compliance within a specified timeframe.

4087 (4) If the State Board of Education determines that an
4088 early learning coalition, a district school board, or Florida
4089 College System institution board of trustees is unwilling or
4090 unable to comply with law or state board rule within the
4091 specified time, the state board shall have the authority to
4092 initiate any of the following actions:

4093 (a) Report to the Legislature that the early learning
4094 coalition, school district, or Florida College System
4095 institution is unwilling or unable to comply with law or state
4096 board rule and recommend action to be taken by the Legislature.

4097 (b) Withhold the transfer of state funds, discretionary
4098 grant funds, discretionary lottery funds, or any other funds
4099 specified as eligible for this purpose by the Legislature until
4100 the early learning coalition, school district, or Florida
4101 College System institution complies with the law or state board
4102 rule.

4103 (c) Declare the early learning coalition, school district,
4104 or Florida College System institution ineligible for competitive
4105 grants.

4106 (d) Require monthly or periodic reporting on the situation
4107 related to noncompliance until it is remedied.

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4108 (5) Nothing in this section shall be construed to create a
4109 private cause of action or create any rights for individuals or
4110 entities in addition to those provided elsewhere in law or rule.

4111 Section 69. Paragraph (a) of subsection (3) of section
4112 1008.33, Florida Statutes, is amended to read:

4113 1008.33 Authority to enforce public school improvement.—

4114 (3) (a) The academic performance of all students has a
4115 significant effect on the state school system. Pursuant to Art.
4116 IX of the State Constitution, which prescribes the duty of the
4117 State Board of Education to supervise Florida's public school
4118 system, the state board shall equitably enforce the
4119 accountability requirements of the state school system and may
4120 impose state requirements on school districts in order to
4121 improve the academic performance of all districts, schools, and
4122 students based upon the provisions of the Florida Early
4123 Learning-20 ~~K-20~~ Education Code, chapters 1000-1013; the federal
4124 ESEA and its implementing regulations; and the ESEA flexibility
4125 waiver approved for Florida by the United States Secretary of
4126 Education.

4127 Section 70. Subsection (9) of section 1011.62, Florida
4128 Statutes, is amended to read:

4129 1011.62 Funds for operation of schools.—If the annual
4130 allocation from the Florida Education Finance Program to each
4131 district for operation of schools is not determined in the
4132 annual appropriations act or the substantive bill implementing

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4133 the annual appropriations act, it shall be determined as
4134 follows:

4135 (9) RESEARCH-BASED READING INSTRUCTION ALLOCATION.—

4136 (a) The research-based reading instruction allocation is
4137 created to provide comprehensive reading instruction to students
4138 in kindergarten through grade 12, including certain students who
4139 exhibit a substantial deficiency in early literacy and completed
4140 the Voluntary Prekindergarten Education Program under s.

4141 1008.25(5)(b). Each school district that has one or more of the
4142 300 lowest-performing elementary schools based on a 3-year
4143 average of the state reading assessment data must use the
4144 school's portion of the allocation to provide an additional hour
4145 per day of intensive reading instruction for the students in
4146 each school. The additional hour may be provided within the
4147 school day. Students enrolled in these schools who earned a
4148 level 4 or level 5 score on the statewide, standardized English
4149 Language Arts assessment for the previous school year may
4150 participate in the additional hour of instruction. Exceptional
4151 student education centers may not be included in the 300
4152 schools. The intensive reading instruction delivered in this
4153 additional hour shall include: research-based reading
4154 instruction that has been proven to accelerate progress of
4155 students exhibiting a reading deficiency; differentiated
4156 instruction based on screening, diagnostic, progress monitoring,
4157 or student assessment data to meet students' specific reading

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4158 needs; explicit and systematic reading strategies to develop
4159 phonemic awareness, phonics, fluency, vocabulary, and
4160 comprehension, with more extensive opportunities for guided
4161 practice, error correction, and feedback; and the integration of
4162 social studies, science, and mathematics-text reading, text
4163 discussion, and writing in response to reading.

4164 (b) Funds for comprehensive, research-based reading
4165 instruction shall be allocated annually to each school district
4166 in the amount provided in the General Appropriations Act. Each
4167 eligible school district shall receive the same minimum amount
4168 as specified in the General Appropriations Act, and any
4169 remaining funds shall be distributed to eligible school
4170 districts based on each school district's proportionate share of
4171 K-12 base funding.

4172 (c) Funds allocated under this subsection must be used to
4173 provide a system of comprehensive reading instruction to
4174 students enrolled in the K-12 programs and certain students who
4175 exhibit a substantial deficiency in early literacy and completed
4176 the Voluntary Prekindergarten Education Program pursuant to s.
4177 1008.25(5)(b), which may include the following:

4178 1. An additional hour per day of evidence-based intensive
4179 reading instruction to students in the 300 lowest-performing
4180 elementary schools by teachers and reading specialists who have
4181 demonstrated effectiveness in teaching reading as required in
4182 paragraph (a).

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4183 2. Kindergarten through grade 5 evidence-based reading
4184 intervention teachers to provide intensive reading interventions
4185 provided by reading intervention teachers ~~intervention~~ during
4186 the school day and in the required extra hour for students
4187 identified as having a reading deficiency.

4188 3. Highly qualified reading coaches to specifically
4189 support teachers in making instructional decisions based on
4190 student data, and improve teacher delivery of effective reading
4191 instruction, intervention, and reading in the content areas
4192 based on student need.

4193 4. Professional development for school district teachers
4194 in scientifically based reading instruction, including
4195 strategies to teach reading in content areas and with an
4196 emphasis on technical and informational text, to help school
4197 district teachers earn a certification or an endorsement in
4198 reading.

4199 5. Summer reading camps, using only teachers or other
4200 district personnel who are certified or endorsed in reading
4201 consistent with s. 1008.25(7)(b)3., for all students in
4202 kindergarten through grade 2 who demonstrate a reading
4203 deficiency as determined by district and state assessments, ~~and~~
4204 students in grades 3 through 5 who score at Level 1 on the
4205 statewide, standardized English Language Arts assessment, and
4206 certain students who exhibit a substantial deficiency in early

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4207 literacy and completed the Voluntary Prekindergarten Education
4208 Program under s. 1008.25(5)(b).

4209 6. Scientifically researched and evidence-based
4210 supplemental instructional materials ~~that are grounded in~~
4211 ~~scientifically based reading research~~ as identified by the Just
4212 Read, Florida! Office pursuant to s. 1001.215(8).

4213 7. Evidence-based intensive interventions for students in
4214 kindergarten through grade 12 who have been identified as having
4215 a reading deficiency or who are reading below grade level as
4216 determined by the statewide, standardized English Language Arts
4217 assessment or for certain students who exhibit a substantial
4218 deficiency in early literacy and completed the Voluntary
4219 Prekindergarten Education Program under s. 1008.25(5)(b).

4220 (d)1. Annually, by a date determined by the Department of
4221 Education but before May 1, school districts shall submit a ~~K-12~~
4222 comprehensive reading plan for the specific use of the research-
4223 based reading instruction allocation in the format prescribed by
4224 the department for review and approval by the Just Read,
4225 Florida! Office created pursuant to s. 1001.215. The plan
4226 annually submitted by school districts shall be deemed approved
4227 unless the department rejects the plan on or before June 1. If a
4228 school district and the Just Read, Florida! Office cannot reach
4229 agreement on the contents of the plan, the school district may
4230 appeal to the State Board of Education for resolution. School
4231 districts shall be allowed reasonable flexibility in designing

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4232 their plans and shall be encouraged to offer reading
4233 intervention through innovative methods, including career
4234 academies. The plan format shall be developed with input from
4235 school district personnel, including teachers and principals,
4236 and shall provide for intensive reading interventions through
4237 integrated curricula, provided that, beginning with the 2020-
4238 2021 school year, the interventions are delivered by a teacher
4239 who is certified or endorsed in reading. Such interventions must
4240 incorporate evidence-based strategies identified by the Just
4241 Read, Florida! Office pursuant to s. 1001.215(8). No later than
4242 July 1 annually, the department shall release the school
4243 district's allocation of appropriated funds to those districts
4244 having approved plans. A school district that spends 100 percent
4245 of this allocation on its approved plan shall be deemed to have
4246 been in compliance with the plan. The department may withhold
4247 funds upon a determination that reading instruction allocation
4248 funds are not being used to implement the approved plan. The
4249 department shall monitor and track the implementation of each
4250 district plan, including conducting site visits and collecting
4251 specific data on expenditures and reading improvement results.
4252 By February 1 of each year, the department shall report its
4253 findings to the Legislature.

4254 2. Each school district that has a school designated as
4255 one of the 300 lowest-performing elementary schools as specified
4256 in paragraph (a) shall specifically delineate in the

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4257 comprehensive reading plan, or in an addendum to the
4258 comprehensive reading plan, the implementation design and
4259 reading intervention strategies that will be used for the
4260 required additional hour of reading instruction. The term
4261 "reading intervention" includes evidence-based strategies
4262 frequently used to remediate reading deficiencies and also
4263 includes individual instruction, tutoring, mentoring, or the use
4264 of technology that targets specific reading skills and
4265 abilities.

4266
4267 For purposes of this subsection, the term "evidence-based" means
4268 demonstrating a statistically significant effect on improving
4269 student outcomes or other relevant outcomes.

4270 Section 71. This act shall take effect upon becoming a
4271 law.

4272
4273
4274

T I T L E A M E N D M E N T

4275 Remove lines 48-167 and insert:
4276
4277 removing a requirement that certain providers comply with a
4278 specified federal law; requiring certain providers to comply
4279 with a specified state law; requiring students enrolled in the
4280 Voluntary Prekindergarten Education Program to participate in a
4281 specified screening and progress monitoring program; amending s.

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4282 1002.55, F.S.; authorizing certain child development programs
4283 operating on a military installment to be private
4284 prekindergarten providers within the Voluntary Prekindergarten
4285 Education Program; providing that a private prekindergarten
4286 provider is ineligible for participation in the program under
4287 certain circumstances; revising requirements a prekindergarten
4288 instructor must meet; revising requirements for specified
4289 courses for prekindergarten instructors; providing that a
4290 private school administrator who holds a specified certificate
4291 meets certain credential requirements; providing liability
4292 insurance requirements for child development programs operating
4293 on a military installment participating in the program;
4294 requiring early learning coalitions to verify private
4295 prekindergarten provider compliance with specified provisions;
4296 requiring such coalitions to remove a providers eligibility
4297 under specified circumstances; amending s. 1002.57, F.S.;
4298 revising the minimum standards for a credential for certain
4299 prekindergarten directors; amending s. 1002.59, F.S.; revising
4300 requirements for emergent literacy and performance standards
4301 training courses for prekindergarten instructors; requiring the
4302 department to make certain courses available; amending s.
4303 1002.61, F.S.; authorizing certain child development programs
4304 operating on a military installment to be private
4305 prekindergarten providers within the summer Voluntary
4306 Prekindergarten Education Program; revising the criteria for a

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COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. CS/HB 419 (2021)

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4307 teacher to receive priority for the summer program in school
4308 district; requiring a child development program operating on a
4309 military installment to comply with specified criteria;
4310 requiring early learning coalitions to verify specified
4311 information; providing for the removal of a program provider
4312 from eligibility under certain circumstances; amending s.
4313 1002.63, F.S.; requiring early learning coalitions to verify
4314 specified information; providing for the removal of public
4315 school program providers from the program under certain
4316 circumstances; amending s. 1002.67, F.S.; revising the
4317 performance standards for the Voluntary Prekindergarten
4318 Education Program; requiring the department to review and revise
4319 performance standards on a specified schedule; revising
4320 curriculum requirements for the program; requiring the
4321 department to adopt procedures for the review and approval of
4322 curricula for the program; deleting a required preassessment and
4323 postassessment for the program; creating s. 1002.68, F.S.;
4324 requiring providers of the Voluntary Prekindergarten Education
4325 Program to participate in a specified screening and progress
4326 monitoring program; providing specified uses for the results of
4327 such program; requiring certain portions of the screening and
4328 progress monitoring program to be administered by individuals
4329 who meet specified criteria; requiring the results of specified
4330 assessments to be reported to the parents of participating
4331 students; providing requirements for such assessments; providing

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4332 department duties and responsibilities relating to such
4333 assessments; providing requirements for a specified methodology
4334 used to calculate the results of such assessments; requiring the
4335 department to establish a designation system for program
4336 providers; providing for the adoption of a minimum performance
4337 metric or designation for program participation; providing
4338 procedures for a provider whose score or designation falls below
4339 the minimum requirement; providing for the revocation of program
4340 eligibility for a provider; providing procedures for
4341 requalification; authorizing the department to grant good cause
4342 exemptions to providers under certain circumstances; providing
4343 department and provider requirements for such exemptions;
4344 requiring annual meeting of representatives from specified
4345 entities; repealing s. 1002.69, F.S., relating to Statewide
4346 kindergarten screening and readiness rates; amending ss. 1002.71
4347 and 1002.72, F.S.; conforming provisions to changes made by the
4348 act; amending s. 1002.73, F.S.; requiring the department to
4349 adopt a statewide provider contract; requiring such contract to
4350 be published on the department's website; providing requirements
4351 for such contract; prohibiting providers from offering services
4352 during an appeal of termination from the program; providing
4353 applicability; requiring the department to adopt specified
4354 procedures relating to the Voluntary Prekindergarten Education
4355 Program; providing duties of the department relating to such
4356 program; repealing s. 1002.75, F.S., relating to the powers and

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4357 duties of the Office of Early Learning; amending ss. 1002.79 and
4358 1002.81, F.S.; conforming provisions and cross-references to
4359 changes made by the act; amending s. 1002.82, F.S.; providing
4360 duties of the department relating to early learning; authorizing
4361 an alternative model for the calculation of prevailing market
4362 rate; exempting certain child development programs operating on
4363 a military installment from specified inspection requirements;
4364 requiring the department to monitor specified standards and
4365 benchmarks for certain purposes; revising the age range used for
4366 specified standards; requiring the department to provide
4367 specified technical support; revising requirements for a
4368 specified assessment program; requiring the department to adopt
4369 requirements to make certain contracted slots available to serve
4370 specified populations; requiring the department adopt certain
4371 standards and outcome measures including specified surveys;
4372 requiring the department to adopt procedures for the merging of
4373 early learning coalitions; revising the requirements for a
4374 specified report; amending s. 1002.83, F.S.; revising the number
4375 of authorized early learning coalitions; revising the number of
4376 and requirements for members of an early learning coalition;
4377 revising requirements for such coalitions; amending s. 1002.84,
4378 F.S.; revising early learning coalition responsibilities and
4379 duties; revising requirements for the waiver of specified
4380 copayments; authorizing the adoption of a certain alternative
4381 payment schedule;

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