

1 A bill to be entitled
2 An act relating to early learning and early grade
3 success; amending s. 20.055, F.S.; conforming
4 provisions to changes made by the act; amending s.
5 20.15, F.S.; deleting the Office of Early Learning
6 from within the Office of Independent Education and
7 Parental Choice of the Department of Education;
8 establishing the Division of Early Learning within the
9 department; amending s. 39.202, F.S.; conforming
10 provisions to changes made by the act; amending s.
11 39.604, F.S.; revising approved child care or early
12 education settings for the placement of certain
13 children; conforming a cross-reference to changes made
14 by the act; amending ss. 212.08, 216.136, 383.14,
15 391.308, and 402.26, F.S.; conforming provisions and
16 cross-references to changes made by the act;
17 transferring, renumbering, and amending s. 402.281,
18 F.S.; revising the requirements of the Gold Seal
19 Quality Care program; requiring the State Board of
20 Education to adopt specified rules; revising
21 accrediting association requirements; providing
22 requirements for accrediting associations; requiring
23 the department to adopt a specified process; providing
24 requirements for such process; deleting a requirement
25 for the department to consult certain entities for

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

51 | amending s. 1002.55, F.S.; authorizing certain child
52 | development programs operating on a military
53 | installment to be private prekindergarten providers
54 | within the Voluntary Prekindergarten Education
55 | Program; providing that a private prekindergarten
56 | provider is ineligible for participation in the
57 | program under certain circumstances; revising
58 | requirements a prekindergarten instructor must meet;
59 | revising requirements for specified courses for
60 | prekindergarten instructors; providing that a private
61 | school administrator who holds a specified certificate
62 | meets certain credential requirements; providing
63 | liability insurance requirements for child development
64 | programs operating on a military installment
65 | participating in the program; requiring early learning
66 | coalitions to verify private prekindergarten provider
67 | compliance with specified provisions; requiring such
68 | coalitions to remove a providers eligibility under
69 | specified circumstances; amending s. 1002.57, F.S.;
70 | revising the minimum standards for a credential for
71 | certain prekindergarten directors; amending s.
72 | 1002.59, F.S.; revising requirements for emergent
73 | literacy and performance standards training courses
74 | for prekindergarten instructors; requiring the
75 | department to make certain courses available; amending

76 | s. 1002.61, F.S.; authorizing certain child
77 | development programs operating on a military
78 | installment to be private prekindergarten providers
79 | within the summer Voluntary Prekindergarten Education
80 | Program; revising the criteria for a teacher to
81 | receive priority for the summer program in school
82 | district; requiring a child development program
83 | operating on a military installment to comply with
84 | specified criteria; requiring early learning
85 | coalitions to verify specified information; providing
86 | for the removal of a program provider from eligibility
87 | under certain circumstances; amending s. 1002.63,
88 | F.S.; requiring early learning coalitions to verify
89 | specified information; providing for the removal of
90 | public school program providers from the program under
91 | certain circumstances; amending s. 1002.67, F.S.;
92 | revising the performance standards for the Voluntary
93 | Prekindergarten Education Program; requiring the
94 | department to review and revise performance standards
95 | on a specified schedule; revising curriculum
96 | requirements for the program; requiring the department
97 | to adopt procedures for the review and approval of
98 | curricula for the program; deleting a required
99 | preassessment and postassessment for the program;
100 | creating s. 1002.68, F.S.; requiring providers of the

101 Voluntary Prekindergarten Education Program to
102 participate in a specified screening and progress
103 monitoring program; providing specified uses for the
104 results of such program; requiring certain portions of
105 the screening and progress monitoring program to be
106 administered by individuals who meet specified
107 criteria; requiring the results of specified
108 assessments to be reported to the parents of
109 participating students; providing requirements for
110 such assessments; providing department duties and
111 responsibilities relating to such assessments;
112 providing requirements for a specified methodology
113 used to calculate the results of such assessments;
114 requiring the department to establish a designation
115 system for program providers; providing for the
116 adoption of a minimum performance metric or
117 designation for program participation; providing
118 procedures for a provider whose score or designation
119 falls below the minimum requirement; providing for the
120 revocation of program eligibility for a provider;
121 authorizing the department to grant good cause
122 exemptions to providers under certain circumstances;
123 providing department and provider requirements for
124 such exemptions; requiring annual meeting of
125 representatives from specified entities; repealing s.

126 1002.69, F.S., relating to Statewide kindergarten
127 screening and readiness rates; amending ss. 1002.71
128 and 1002.72, F.S.; conforming provisions to changes
129 made by the act; amending s. 1002.73, F.S.; requiring
130 the department to adopt a statewide provider contract;
131 requiring such contract to be published on the
132 department's website; providing requirements for such
133 contract; prohibiting providers from offering services
134 during an appeal of termination from the program;
135 providing applicability; requiring the department to
136 adopt specified procedures relating to the Voluntary
137 Prekindergarten Education Program; providing duties of
138 the department relating to such program; repealing s.
139 1002.75, F.S., relating to the powers and duties of
140 the Office of Early Learning; amending ss. 1002.79 and
141 1002.81, F.S.; conforming provisions and cross-
142 references to changes made by the act; amending s.
143 1002.82, F.S.; providing duties of the department
144 relating to early learning; authorizing an alternative
145 model for the calculation of prevailing market rate;
146 exempting certain child development programs operating
147 on a military installment from specified inspection
148 requirements; requiring the department to monitor
149 specified standards and benchmarks for certain
150 purposes; revising the age range used for specified

151 standards; requiring the department to provide
152 specified technical support; revising requirements for
153 a specified assessment program; requiring the
154 department to adopt requirements to make certain
155 contracted slots available to serve specified
156 populations; requiring the department adopt certain
157 standards and outcome measures including specified
158 surveys; requiring the department to adopt procedures
159 for the merging of early learning coalitions; revising
160 the requirements for a specified report; amending s.
161 1002.83, F.S.; revising the number of authorized early
162 learning coalitions; revising the number of and
163 requirements for members of an early learning
164 coalition; revising requirements for such coalitions;
165 amending s. 1002.84, F.S.; revising early learning
166 coalition responsibilities and duties; revising
167 requirements for the waiver of specified copayments;
168 amending s. 1002.85, F.S.; revising the requirements
169 for school readiness program plans; amending s.
170 1002.88, F.S.; authorizing certain child development
171 programs operating on military installations to
172 participate in the school readiness program; revising
173 requirements to deliver such program; providing that a
174 specified annual inspection for a child development
175 program participating in the school readiness program

176 meets certain provider requirements; providing
177 requirements for a child development program to meet
178 certain liability requirements; amending s. 1002.89,
179 F.S.; conforming provisions to changes made by the
180 act; amending s. 1002.895, F.S.; requiring the
181 department to adopt certain procedures until a
182 specified event; amending s. 1002.91, F.S.; conforming
183 provisions to changes made by the act; amending s.
184 1002.92, F.S.; revising the requirements for specified
185 services child care resources and referral agencies
186 must provide; amending s. 1002.93, F.S.; conforming
187 provisions to changes made by the act; repealing s.
188 1002.94, F.S., relating to the Child Care Executive
189 Partnership Program; amending ss. 1002.95, 1002.96,
190 1002.97, 1002.995, and 1007.01, F.S.; conforming
191 provisions and cross-references to changes made by the
192 act; creating s. 1008.2125, F.S.; creating the
193 coordinated screening and progress monitoring program
194 within the department for specified purposes;
195 requiring the Commissioner of Education to design such
196 program; providing requirements for the administration
197 of such program and the use of results from the
198 program; providing requirements for the commissioner;
199 creating the Council for Early Grade Success;
200 providing duties of the council; providing membership

201 of the council; requiring the council to elect a chair
 202 and a vice chair; providing requirements for such
 203 appointments; providing for per diem for members of
 204 the council; providing meeting requirements for the
 205 council; providing for a quorum of the council;
 206 amending s. 1008.25, F.S.; authorizing certain
 207 students who enrolled in the Voluntary Prekindergarten
 208 Education Program to receive intensive reading
 209 interventions using specified funds; amending ss.
 210 1008.31, 1008.32, and 1008.33, F.S.; conforming
 211 provisions to changes made by the act; amending s.
 212 1011.62, F.S.; revising the research-based reading
 213 instruction allocation to authorize the use of such
 214 funds for certain intensive reading interventions for
 215 certain students; revising the requirements for
 216 specified reading instruction and interventions;
 217 defining the term "evidence-based"; providing an
 218 effective date.

219
 220 Be It Enacted by the Legislature of the State of Florida:
 221

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

224 20.055 Agency inspectors general.—
 225 (1) As used in this section, the term:

226 (a) "Agency head" means the Governor, a Cabinet officer,
 227 or a secretary or executive director as those terms are defined
 228 in s. 20.03, the chair of the Public Service Commission, the
 229 Director of the Office of Insurance Regulation of the Financial
 230 Services Commission, the Director of the Office of Financial
 231 Regulation of the Financial Services Commission, the board of
 232 directors of the Florida Housing Finance Corporation, ~~the~~
 233 ~~executive director of the Office of Early Learning,~~ and the
 234 Chief Justice of the State Supreme Court.

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

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

250 20.15 Department of Education.—There is created a

251 Department of Education.

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

254 (c) Division of Early Learning.

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

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

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

266 (5) POWERS AND DUTIES.—The State Board of Education and
267 the Commissioner of Education shall assign to the divisions such
268 powers, duties, responsibilities, and functions as are necessary
269 to ensure the greatest possible coordination, efficiency, and
270 effectiveness of education for students in Early Learning-20 ~~K-~~
271 ~~20~~ education under the jurisdiction of the State Board of
272 Education.

273 Section 3. Paragraph (a) of subsection (2) of section
274 39.202, Florida Statutes, is amended to read:

275 39.202 Confidentiality of reports and records in cases of

276 | child abuse or neglect.—

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

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

- 286 | 1. Child or adult protective investigations;
- 287 | 2. Ongoing child or adult protective services;
- 288 | 3. Early intervention and prevention services;
- 289 | 4. Healthy Start services;
- 290 | 5. Licensure or approval of adoptive homes, foster homes,
 291 | child care facilities, facilities licensed under chapter 393,
 292 | family day care homes, providers who receive school readiness
 293 | funding under part VI of chapter 1002, or other homes used to
 294 | provide for the care and welfare of children;
- 295 | 6. Employment screening for caregivers in residential
 296 | group homes; or
- 297 | 7. Services for victims of domestic violence when provided
 298 | by certified domestic violence centers working at the
 299 | department's request as case consultants or with shared clients.

300 |

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

304 Section 4. Paragraph (b) of subsection (5) of section
305 39.604, Florida Statutes, is amended to read:

306 39.604 Rilya Wilson Act; short title; legislative intent;
307 child care; early education; preschool.—

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

315 (b) If it is not in the best interest of the child for him
316 or her to remain in his or her child care or early education
317 setting upon entry into out-of-home care, the caregiver must
318 work with the case manager, guardian ad litem, child care and
319 educational staff, and educational surrogate, if one has been
320 appointed, to determine the best setting for the child. Such
321 setting may be a child care provider that receives a Gold Seal
322 Quality Care designation pursuant to s. 1002.945 ~~s. 402.281~~, a
323 ~~provider participating in a quality rating system~~, a licensed
324 child care provider, a public school provider, or a license-
325 exempt child care provider, including religious-exempt and

326 registered providers, and nonpublic schools.

327 Section 5. Paragraph (m) of subsection (5) of section
328 212.08, Florida Statutes, is amended to read:

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

335 (5) EXEMPTIONS; ACCOUNT OF USE.—

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

349 Section 6. Paragraph (b) of subsection (8) of section
350 216.136, Florida Statutes, is amended to read:

351 216.136 Consensus estimating conferences; duties and
352 principals.—

353 (8) EARLY LEARNING PROGRAMS ESTIMATING CONFERENCE.—

354 (b) The Division ~~Office~~ of Early Learning shall provide
355 information on needs and waiting lists for school readiness
356 programs, and information on the needs for the Voluntary
357 Prekindergarten Education Program, as requested by the Early
358 Learning Programs Estimating Conference or individual conference
359 principals in a timely manner.

360 Section 7. Paragraph (b) of subsection (1) and paragraph
361 (b) of subsection (2) of section 383.14, Florida Statutes, are
362 amended to read:

363 383.14 Screening for metabolic disorders, other hereditary
364 and congenital disorders, and environmental risk factors.—

365 (1) SCREENING REQUIREMENTS.—To help ensure access to the
366 maternal and child health care system, the Department of Health
367 shall promote the screening of all newborns born in Florida for
368 metabolic, hereditary, and congenital disorders known to result
369 in significant impairment of health or intellect, as screening
370 programs accepted by current medical practice become available
371 and practical in the judgment of the department. The department
372 shall also promote the identification and screening of all
373 newborns in this state and their families for environmental risk
374 factors such as low income, poor education, maternal and family
375 stress, emotional instability, substance abuse, and other high-

376 risk conditions associated with increased risk of infant
377 mortality and morbidity to provide early intervention,
378 remediation, and prevention services, including, but not limited
379 to, parent support and training programs, home visitation, and
380 case management. Identification, perinatal screening, and
381 intervention efforts shall begin prior to and immediately
382 following the birth of the child by the attending health care
383 provider. Such efforts shall be conducted in hospitals,
384 perinatal centers, county health departments, school health
385 programs that provide prenatal care, and birthing centers, and
386 reported to the Office of Vital Statistics.

387 (b) Postnatal screening.—A risk factor analysis using the
388 department's designated risk assessment instrument shall also be
389 conducted as part of the medical screening process upon the
390 birth of a child and submitted to the department's Office of
391 Vital Statistics for recording and other purposes provided for
392 in this chapter. The department's screening process for risk
393 assessment shall include a scoring mechanism and procedures that
394 establish thresholds for notification, further assessment,
395 referral, and eligibility for services by professionals or
396 paraprofessionals consistent with the level of risk. Procedures
397 for developing and using the screening instrument, notification,
398 referral, and care coordination services, reporting
399 requirements, management information, and maintenance of a
400 computer-driven registry in the Office of Vital Statistics which

401 ensures privacy safeguards must be consistent with the
402 provisions and plans established under chapter 411, Pub. L. No.
403 99-457, and this chapter. Procedures established for reporting
404 information and maintaining a confidential registry must include
405 a mechanism for a centralized information depository at the
406 state and county levels. The department shall coordinate with
407 existing risk assessment systems and information registries. The
408 department must ensure, to the maximum extent possible, that the
409 screening information registry is integrated with the
410 department's automated data systems, including the Florida On-
411 line Recipient Integrated Data Access (FLORIDA) system. Tests
412 and screenings must be performed by the State Public Health
413 Laboratory, in coordination with Children's Medical Services, at
414 such times and in such manner as is prescribed by the department
415 after consultation with the Genetics and Newborn Screening
416 Advisory Council and the Department of Education ~~Office of Early~~
417 ~~Learning~~.

418 (2) RULES.—

419 (b) After consultation with the Department of Education
420 ~~Office of Early Learning~~, the department shall adopt and enforce
421 rules requiring every newborn in this state to be screened for
422 environmental risk factors that place children and their
423 families at risk for increased morbidity, mortality, and other
424 negative outcomes.

425 Section 8. Paragraph (h) of subsection (2) of section

426 | 391.308, Florida Statutes, is amended to read:

427 | 391.308 Early Steps Program.—The department shall
428 | implement and administer part C of the federal Individuals with
429 | Disabilities Education Act (IDEA), which shall be known as the
430 | "Early Steps Program."

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

432 | (h) Promote interagency cooperation and coordination, with
433 | the Medicaid program, the Department of Education program
434 | pursuant to part B of the federal Individuals with Disabilities
435 | Education Act, and programs providing child screening such as
436 | the Florida Diagnostic and Learning Resources System, ~~the Office~~
437 | ~~of Early Learning~~, Healthy Start, and the Help Me Grow program.

438 | 1. Coordination with the Medicaid program shall be
439 | developed and maintained through written agreements with the
440 | Agency for Health Care Administration and Medicaid managed care
441 | organizations as well as through active and ongoing
442 | communication with these organizations. The department shall
443 | assist local program offices to negotiate agreements with
444 | Medicaid managed care organizations in the service areas of the
445 | local program offices. Such agreements may be formal or
446 | informal.

447 | 2. Coordination with education programs pursuant to part B
448 | of the federal Individuals with Disabilities Education Act shall
449 | be developed and maintained through written agreements with the
450 | Department of Education. The department shall assist local

451 program offices to negotiate agreements with school districts in
452 the service areas of the local program offices.

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

455 402.26 Child care; legislative intent.—

456 ~~(6) It is the intent of the Legislature that a child care~~
457 ~~facility licensed pursuant to s. 402.305 or a child care~~
458 ~~facility exempt from licensing pursuant to s. 402.316, that~~
459 ~~achieves Gold Seal Quality status pursuant to s. 402.281, be~~
460 ~~considered an educational institution for the purpose of~~
461 ~~qualifying for exemption from ad valorem tax pursuant to s.~~
462 ~~196.198.~~

463 Section 10. Section 402.281, Florida Statutes, is
464 transferred, renumbered as section 1002.945, Florida Statutes,
465 and amended to read:

466 1002.945 ~~402.281~~ Gold Seal Quality Care program.—

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

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

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

476 rules establishing Gold Seal Quality Care accreditation
477 standards using nationally recognized accrediting standards and
478 input from accrediting associations ~~based on the applicable~~
479 ~~accrediting standards of the National Association for the~~
480 ~~Education of Young Children (NAEYC), the National Association of~~
481 ~~Family Child Care, and the National Early Childhood Program~~
482 ~~Accreditation Commission.~~

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

487 1. Is a recognized accrediting association.
488 2. Has accrediting standards that substantially meet or
489 exceed the Gold Seal Quality Care standards adopted by the state
490 board ~~department~~ under subsection (2).

491 3. Is a registered corporation with the Department of
492 State.

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

495 a. Clearly defined prerequisites that a child care
496 provider must meet before beginning the accreditation process.
497 However, accreditation may not be granted to a child care
498 facility, large family child care home, or family day care home
499 before the site is operational and is attended by children.

500 b. Procedures for completion of a self-study and

501 comprehensive onsite verification process for each classroom
502 that documents compliance with accrediting standards.

503 c. A training process for accreditation verifiers to
504 ensure inter-rater reliability.

505 d. Ongoing compliance procedures that include requiring
506 each accredited child care facility, large family child care
507 home, and family day care home to file an annual report with the
508 accrediting association and risk-based, onsite auditing
509 protocols for accredited child care facilities, large family
510 child care homes, and family day care homes.

511 e. Procedures for the revocation of accreditation due to
512 failure to maintain accrediting standards as evidenced by sub-
513 paragraph d. or any other relevant information received by
514 the accrediting association.

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

517 g. A process for verifying continued accreditation
518 compliance in the event of a transfer of ownership of
519 facilities.

520 h. A process to communicate issues that arise during the
521 accreditation period with governmental entities that have a
522 vested interest in the Gold Seal Quality Care Program, including
523 the Department of Education, the Department of Children and
524 Families, the Department of Health, local licensing entities if
525 applicable, and the early learning coalition.

526 (b) The Department of Education shall establish a process
527 that verifies that the accrediting association meets the
528 provisions of paragraph (a), which must include an auditing
529 program and any other procedures that may reasonably determine
530 an accrediting association's compliance with this section. If an
531 accrediting association is not in compliance and fails to cure
532 its deficiencies within 30 days, the department shall recommend
533 to the state board termination of the accrediting association's
534 participation as an accrediting association in the program for a
535 period of at least 2 years but no more than 5 years. If an
536 accrediting association is removed from being an approved
537 accrediting association, each child care provider accredited by
538 that association shall have up to 1 year to obtain a new
539 accreditation from a department approved accreditation
540 association.

541 (c) If an accrediting association has granted
542 accreditation to a child care facility, large family child care
543 home, or family day care under fraudulent terms or failed to
544 conduct onsite verifications, the accrediting association shall
545 be liable for the repayment of any rate differentials paid under
546 subsection (6).

547 ~~(b) In approving accrediting associations, the department~~
548 ~~shall consult with the Department of Education, the Florida Head~~
549 ~~Start Directors Association, the Florida Association of Child~~
550 ~~Care Management, the Florida Family Child Care Home Association,~~

551 ~~the Florida Children's Forum, the Florida Association for the~~
552 ~~Education of the Young, the Child Development Education~~
553 ~~Alliance, the Florida Association of Academic Nonpublic Schools,~~
554 ~~the Association of Early Learning Coalitions, providers~~
555 ~~receiving exemptions under s. 402.316, and parents.~~

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

560 (a) The child care provider must not have had any class I
561 violations, as defined by rule of the Department of Children and
562 Families, within the 2 years preceding its application for
563 designation as a Gold Seal Quality Care provider. Commission of
564 a class I violation shall be grounds for termination of the
565 designation as a Gold Seal Quality Care provider until the
566 provider has no class I violations for a period of 2 years.

567 (b) The child care provider must not have had three or
568 more class II violations, as defined by rule of the Department
569 of Children and Families, within the 2 years preceding its
570 application for designation as a Gold Seal Quality Care
571 provider. Commission of three or more class II violations within
572 a 2-year period shall be grounds for termination of the
573 designation as a Gold Seal Quality Care provider until the
574 provider has no class II violations for a period of 1 year.

575 (c) The child care provider must not have been cited for

576 | the same class III violation, as defined by rule of the
577 | Department of Children and Families, three or more times and
578 | failed to correct the violation within 1 year after the date of
579 | each citation, within the 2 years preceding its application for
580 | designation as a Gold Seal Quality Care provider. Commission of
581 | the same class III violation three or more times and failure to
582 | correct within the required time during a 2-year period may be
583 | grounds for termination of the designation as a Gold Seal
584 | Quality Care provider until the provider has no class III
585 | violations for a period of 1 year.

586 | (d) Notwithstanding paragraph (a), if the Department of
587 | Education determines through a formal process that a provider
588 | has been in business for at least 5 years and has no other class
589 | I violations recorded, the department may recommend to the state
590 | board that the provider maintain its Gold Seal Quality Care
591 | status. The state board's determination regarding such
592 | provider's status is final.

593 | (5) A child care facility licensed under s. 402.305 or a
594 | child care facility exempt from licensing under s. 402.316 which
595 | achieves Gold Seal Quality status under this section shall be
596 | considered an educational institution for the purpose of
597 | qualifying for exemption from ad valorem tax under s. 196.198.

598 | (6) A child care facility licensed under s. 402.305 or a
599 | child care facility exempt from licensing pursuant to s. 402.316
600 | which achieves Gold Seal Quality status under this section and

601 which participates in the school readiness program shall receive
602 a minimum of a 20 percent rate differential for each enrolled
603 school readiness child by care level and unit of child care.

604 ~~(7)-(5)~~ The state board ~~Department of Children and Families~~
605 shall adopt rules under ss. 120.536(1) and 120.54 which provide
606 criteria and procedures for reviewing and approving accrediting
607 associations for participation in the Gold Seal Quality Care
608 program and, ~~conferring and revoking designations of Gold Seal~~
609 ~~Quality Care providers, and classifying violations.~~

610 Section 11. Type two transfer from the Department of
611 Children and Families.-

612 (1) All powers, duties, functions, records, offices,
613 personnel, associated administrative support positions,
614 property, pending issues, existing contracts, administrative
615 authority, administrative rules, and unexpended balances of
616 appropriations, allocations, and other funds relating to the
617 Gold Seal Quality Care program within the Department of Children
618 and Families are transferred by a type two transfer, as defined
619 in s. 20.06(2), Florida Statutes, to the Department of
620 Education.

621 (2) Any binding contract or interagency agreement existing
622 before July 1, 2021, between the Department of Children and
623 Families, or an entity or agent of the department, and any other
624 agency, entity, or person relating to the Gold Seal Quality Care
625 program shall continue as a binding contract or agreement for

626 | the remainder of the term of such contract or agreement on the
 627 | successor entity responsible for the program, activity, or
 628 | functions relative to the contract or agreement.

629 | Section 12. Subsection (5) of section 402.315, Florida
 630 | Statutes, is amended to read:

631 | 402.315 Funding; license fees.—

632 | (5) All moneys collected by the department for child care
 633 | licensing shall be held in a trust fund of the department to be
 634 | reallocated to the department during the following fiscal year
 635 | to fund child care licensing activities, including the Gold Seal
 636 | Quality Care program created pursuant to s. 1002.945 ~~s. 402.281~~.

637 | Section 13. Paragraph (a) of subsection (4) of section
 638 | 402.56, Florida Statutes, is amended to read:

639 | 402.56 Children's cabinet; organization; responsibilities;
 640 | annual report.—

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

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

644 | 2. The Secretary of Juvenile Justice;

645 | 3. The director of the Agency for Persons with
 646 | Disabilities;

647 | 4. A representative from the Division ~~The director of the~~
 648 | ~~Office~~ of Early Learning;

649 | 5. The State Surgeon General;

650 | 6. The Secretary of Health Care Administration;

- 651 7. The Commissioner of Education;
- 652 8. The director of the Statewide Guardian Ad Litem Office;
- 653 9. A representative of the Office of Adoption and Child
654 Protection;
- 655 10. A superintendent of schools, appointed by the
656 Governor; and
- 657 11. Five members who represent children and youth advocacy
658 organizations and who are not service providers, appointed by
659 the Governor.

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

663 411.227 Components of the Learning Gateway.—The Learning
664 Gateway system consists of the following components:

665 (1) COMMUNITY EDUCATION STRATEGIES AND FAMILY-ORIENTED
666 ACCESS.—

667 (d) In collaboration with other local resources, the
668 demonstration projects shall develop public awareness strategies
669 to disseminate information about developmental milestones,
670 precursors of learning problems and other developmental delays,
671 and the service system that is available. The information should
672 target parents of children from birth through age 9 and should
673 be distributed to parents, health care providers, and caregivers
674 of children from birth through age 9. A variety of media should
675 be used as appropriate, such as print, television, radio, and a

676 community-based Internet website, as well as opportunities such
677 as those presented by parent visits to physicians for well-child
678 checkups. The Learning Gateway Steering Committee shall provide
679 technical assistance to the local demonstration projects in
680 developing and distributing educational materials and
681 information.

682 1. Public awareness strategies targeting parents of
683 children from birth through age 5 shall be designed to provide
684 information to public and private preschool programs, child care
685 providers, pediatricians, parents, and local businesses and
686 organizations. These strategies should include information on
687 the school readiness performance standards adopted by the
688 Department of Education ~~Office of Early Learning~~.

689 2. Public awareness strategies targeting parents of
690 children from ages 6 through 9 must be designed to disseminate
691 training materials and brochures to parents and public and
692 private school personnel, and must be coordinated with the local
693 school board and the appropriate school advisory committees in
694 the demonstration projects. The materials should contain
695 information on state and district proficiency levels for grades
696 K-3.

697 (2) SCREENING AND DEVELOPMENTAL MONITORING.—

698 (a) In coordination with ~~the Office of Early Learning~~, the
699 Department of Education~~7~~ and the Florida Pediatric Society, and
700 using information learned from the local demonstration projects,

701 the Learning Gateway Steering Committee shall establish
 702 guidelines for screening children from birth through age 9. The
 703 guidelines should incorporate recent research on the indicators
 704 most likely to predict early learning problems, mild
 705 developmental delays, child-specific precursors of school
 706 failure, and other related developmental indicators in the
 707 domains of cognition; communication; attention; perception;
 708 behavior; and social, emotional, sensory, and motor functioning.

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

710 (c) The steering committee, in cooperation with the
 711 Department of Children and Families and, the Department of
 712 Education, ~~and the Office of Early Learning~~, shall identify the
 713 elements of an effective research-based curriculum for early
 714 care and education programs.

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

717 414.295 Temporary cash assistance programs; public records
 718 exemption.—

719 (1) Personal identifying information of a temporary cash
 720 assistance program participant, a participant's family, or a
 721 participant's family or household member, except for information
 722 identifying a parent who does not live in the same home as the
 723 child, which is held by the department, ~~the Office of Early~~
 724 ~~Learning~~, CareerSource Florida, Inc., the Department of Health,
 725 the Department of Revenue, the Department of Education, or a

726 | local workforce development board or local committee created
 727 | pursuant to s. 445.007 is confidential and exempt from s.
 728 | 119.07(1) and s. 24(a), Art. I of the State Constitution. Such
 729 | confidential and exempt information may be released for purposes
 730 | directly connected with:

731 | (a) The administration of the temporary assistance for
 732 | needy families plan under Title IV-A of the Social Security Act,
 733 | as amended, by the department, ~~the Office of Early Learning,~~
 734 | CareerSource Florida, Inc., the Department of Military Affairs,
 735 | the Department of Health, the Department of Revenue, the
 736 | Department of Education, a local workforce development board or
 737 | local committee created pursuant to s. 445.007, or a school
 738 | district.

739 | (b) The administration of the state's plan or program
 740 | approved under Title IV-B, Title IV-D, or Title IV-E of the
 741 | Social Security Act, as amended, or under Title I, Title X,
 742 | Title XIV, Title XVI, Title XIX, Title XX, or Title XXI of the
 743 | Social Security Act, as amended.

744 | (c) An investigation, prosecution, or criminal, civil, or
 745 | administrative proceeding conducted in connection with the
 746 | administration of any of the plans or programs specified in
 747 | paragraph (a) or paragraph (b) by a federal, state, or local
 748 | governmental entity, upon request by that entity, if such
 749 | request is made pursuant to the proper exercise of that entity's
 750 | duties and responsibilities.

751 (d) The administration of any other state, federal, or
 752 federally assisted program that provides assistance or services
 753 on the basis of need, in cash or in kind, directly to a
 754 participant.

755 (e) An audit or similar activity, such as a review of
 756 expenditure reports or financial review, conducted in connection
 757 with the administration of plans or programs specified in
 758 paragraph (a) or paragraph (b) by a governmental entity
 759 authorized by law to conduct such audit or activity.

760 (f) The administration of the reemployment assistance
 761 program.

762 (g) The reporting to the appropriate agency or official of
 763 information about known or suspected instances of physical or
 764 mental injury, sexual abuse or exploitation, or negligent
 765 treatment or maltreatment of a child or elderly person receiving
 766 assistance, if circumstances indicate that the health or welfare
 767 of the child or elderly person is threatened.

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

770 Section 16. Section 1000.01, Florida Statutes, is amended
 771 to read:

772 1000.01 The Florida Early Learning-20 ~~K-20~~ education
 773 system; technical provisions.—

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

776 (2) LIBERAL CONSTRUCTION.—The provisions of the Florida
 777 Early Learning-20 ~~K-20~~ Education Code shall be liberally
 778 construed to the end that its objectives may be effected. It is
 779 the legislative intent that if any section, subsection,
 780 sentence, clause, or provision of the Florida Early Learning-20
 781 ~~K-20~~ Education Code is held invalid, the remainder of the code
 782 shall not be affected.

783 (3) PURPOSE.—The purpose of the Florida Early Learning-20
 784 ~~K-20~~ Education Code is to provide by law for a state system of
 785 schools, courses, classes, and educational institutions and
 786 services adequate to allow, for all Florida's students, the
 787 opportunity to obtain a high quality education. The Florida
 788 Early Learning-20 ~~K-20~~ education system is established to
 789 accomplish this purpose; however, nothing in this code shall be
 790 construed to require the provision of free public education
 791 beyond grade 12.

792 (4) UNIFORM SYSTEM OF PUBLIC K-12 SCHOOLS INCLUDED.—As
 793 required by s. 1, Art. IX of the State Constitution, the Florida
 794 Early Learning-20 ~~K-20~~ education system shall include the
 795 uniform system of free public K-12 schools. These public K-12
 796 schools shall provide 13 consecutive years of instruction,
 797 beginning with kindergarten, and shall also provide such
 798 instruction for students with disabilities, gifted students,
 799 limited English proficient students, and students in Department
 800 of Juvenile Justice programs as may be required by law. The

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

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

807 1000.02 Policy and guiding principles for the Florida
808 Early Learning-20 ~~K-20~~ education system.—

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

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

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

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

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

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

821 (d) A system that safeguards equity and supports academic
822 excellence.

823 (e) A system that provides for local operational
824 flexibility while promoting accountability for student
825 achievement and improvement.

826 Section 18. Section 1000.03, Florida Statutes, is amended
 827 to read:

828 1000.03 Function, mission, and goals of the Florida Early
 829 Learning-20 ~~K-20~~ education system.—

830 (1) Florida's Early Learning-20 ~~K-20~~ education system
 831 shall be a decentralized system without excess layers of
 832 bureaucracy. Florida's Early Learning-20 ~~K-20~~ education system
 833 shall maintain a systemwide technology plan based on a common
 834 set of data definitions.

835 (2) (a) The Legislature shall establish education policy,
 836 enact education laws, and appropriate and allocate education
 837 resources.

838 (b) With the exception of matters relating to the State
 839 University System, the State Board of Education shall oversee
 840 the enforcement of all laws and rules, and the timely provision
 841 of direction, resources, assistance, intervention when needed,
 842 and strong incentives and disincentives to force accountability
 843 for results.

844 (c) The Board of Governors shall oversee the enforcement
 845 of all state university laws and rules and regulations and the
 846 timely provision of direction, resources, assistance,
 847 intervention when needed, and strong incentives and
 848 disincentives to force accountability for results.

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

851 responsibility for establishing a system of public education
 852 through laws, standards, and rules to assure efficient operation
 853 of an Early Learning-20 ~~a K-20~~ system of public education and
 854 adequate educational opportunities for all individuals. Local
 855 educational authorities have a duty to fully and faithfully
 856 comply with state laws, standards, and rules and to efficiently
 857 use the resources available to them to assist the state in
 858 allowing adequate educational opportunities.

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

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

867 (a) Learning and completion at all levels, including
 868 increased high school graduation rate and readiness for
 869 postsecondary education without remediation.—All students
 870 demonstrate increased learning and completion at all levels,
 871 graduate from high school, and are prepared to enter
 872 postsecondary education without remediation.

873 (b) Student performance.—Students demonstrate that they
 874 meet the expected academic standards consistently at all levels
 875 of their education.

876 (c) Civic literacy.—Students are prepared to become
877 civically engaged and knowledgeable adults who make positive
878 contributions to their communities.

879 (d) Alignment of standards and resources.—Academic
880 standards for every level of the Early Learning-20 ~~K-20~~
881 education system are aligned, and education financial resources
882 are aligned with student performance expectations at each level
883 of the Early Learning-20 ~~K-20~~ education system.

884 (e) Educational leadership.—The quality of educational
885 leadership at all levels of Early Learning-20 ~~K-20~~ education is
886 improved.

887 (f) Workforce education.—Workforce education is
888 appropriately aligned with the skills required by the new global
889 economy.

890 (g) Parental, student, family, educational institution,
891 and community involvement.—Parents, students, families,
892 educational institutions, and communities are collaborative
893 partners in education, and each plays an important role in the
894 success of individual students. Therefore, the State of Florida
895 cannot be the guarantor of each individual student's success.
896 The goals of Florida's Early Learning-20 ~~K-20~~ education system
897 are not guarantees that each individual student will succeed or
898 that each individual school will perform at the level indicated
899 in the goals.

900 (h) Comprehensive Early Learning-20 ~~K-20~~ career and

901 education planning.—It is essential that Florida's Early
 902 Learning-20 ~~K-20~~ education system better prepare all students at
 903 every level for the transition from school to postsecondary
 904 education or work by providing information regarding:

905 1. Career opportunities, educational requirements
 906 associated with each career, educational institutions that
 907 prepare students to enter each career, and student financial aid
 908 available to pursue postsecondary instruction required to enter
 909 each career.

910 2. How to make informed decisions about the program of
 911 study that best addresses the students' interests and abilities
 912 while preparing them to enter postsecondary education or the
 913 workforce.

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

916

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

920 Section 19. Section 1000.04, Florida Statutes, is amended
 921 to read:

922 1000.04 Components for the delivery of public education
 923 within the Florida Early Learning-20 ~~K-20~~ education system.—
 924 Florida's Early Learning-20 ~~K-20~~ education system provides for
 925 the delivery of early learning and public education through

926 publicly supported and controlled K-12 schools, Florida College
927 System institutions, state universities and other postsecondary
928 educational institutions, other educational institutions, and
929 other educational services as provided or authorized by the
930 Constitution and laws of the state.

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

934 (2)~~(1)~~ PUBLIC K-12 SCHOOLS.—The public K-12 schools
935 include charter schools and consist of kindergarten classes;
936 elementary, middle, and high school grades and special classes;
937 virtual instruction programs; workforce education; career
938 centers; adult, part-time, and evening schools, courses, or
939 classes, as authorized by law to be operated under the control
940 of district school boards; and lab schools operated under the
941 control of state universities.

942 (3)~~(2)~~ PUBLIC POSTSECONDARY EDUCATIONAL INSTITUTIONS.—
943 Public postsecondary educational institutions include workforce
944 education; Florida College System institutions; state
945 universities; and all other state-supported postsecondary
946 educational institutions that are authorized and established by
947 law.

948 (4)~~(3)~~ FLORIDA SCHOOL FOR THE DEAF AND THE BLIND.—The
949 Florida School for the Deaf and the Blind is a component of the
950 delivery of public education within Florida's Early Learning-20

951 ~~K-20~~ education system.

952 (5)~~(4)~~ THE FLORIDA VIRTUAL SCHOOL.—The Florida Virtual
953 School is a component of the delivery of public education within
954 Florida's Early Learning-20 ~~K-20~~ education system.

955 Section 20. Section 1000.21, Florida Statutes, is amended
956 to read:

957 1000.21 Systemwide definitions.—As used in the Florida
958 Early Learning-20 ~~K-20~~ Education Code:

959 (1) "Articulation" is the systematic coordination that
960 provides the means by which students proceed toward their
961 educational objectives in as rapid and student-friendly manner
962 as their circumstances permit, from grade level to grade level,
963 from elementary to middle to high school, to and through
964 postsecondary education, and when transferring from one
965 educational institution or program to another.

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

967 (3) "Florida College System institution" except as
968 otherwise specifically provided, includes all of the following
969 public postsecondary educational institutions in the Florida
970 College System and any branch campuses, centers, or other
971 affiliates of the institution:

972 (a) Eastern Florida State College, which serves Brevard
973 County.

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

975 (c) College of Central Florida, which serves Citrus, Levy,

976 | and Marion Counties.

977 | (d) Chipola College, which serves Calhoun, Holmes,
978 | Jackson, Liberty, and Washington Counties.

979 | (e) Daytona State College, which serves Flagler and
980 | Volusia Counties.

981 | (f) Florida SouthWestern State College, which serves
982 | Charlotte, Collier, Glades, Hendry, and Lee Counties.

983 | (g) Florida State College at Jacksonville, which serves
984 | Duval and Nassau Counties.

985 | (h) The College of the Florida Keys, which serves Monroe
986 | County.

987 | (i) Gulf Coast State College, which serves Bay, Franklin,
988 | and Gulf Counties.

989 | (j) Hillsborough Community College, which serves
990 | Hillsborough County.

991 | (k) Indian River State College, which serves Indian River,
992 | Martin, Okeechobee, and St. Lucie Counties.

993 | (l) Florida Gateway College, which serves Baker, Columbia,
994 | Dixie, Gilchrist, and Union Counties.

995 | (m) Lake-Sumter State College, which serves Lake and
996 | Sumter Counties.

997 | (n) State College of Florida, Manatee-Sarasota, which
998 | serves Manatee and Sarasota Counties.

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

1000 | (p) North Florida College, which serves Hamilton,

1001 Jefferson, Lafayette, Madison, Suwannee, and Taylor Counties.
 1002 (q) Northwest Florida State College, which serves Okaloosa
 1003 and Walton Counties.
 1004 (r) Palm Beach State College, which serves Palm Beach
 1005 County.
 1006 (s) Pasco-Hernando State College, which serves Hernando
 1007 and Pasco Counties.
 1008 (t) Pensacola State College, which serves Escambia and
 1009 Santa Rosa Counties.
 1010 (u) Polk State College, which serves Polk County.
 1011 (v) St. Johns River State College, which serves Clay,
 1012 Putnam, and St. Johns Counties.
 1013 (w) St. Petersburg College, which serves Pinellas County.
 1014 (x) Santa Fe College, which serves Alachua and Bradford
 1015 Counties.
 1016 (y) Seminole State College of Florida, which serves
 1017 Seminole County.
 1018 (z) South Florida State College, which serves DeSoto,
 1019 Hardee, and Highlands Counties.
 1020 (aa) Tallahassee Community College, which serves Gadsden,
 1021 Leon, and Wakulla Counties.
 1022 (bb) Valencia College, which serves Orange and Osceola
 1023 Counties.
 1024 (4) "Department" is the Department of Education.
 1025 (5) "Parent" is either or both parents of a student, any

1026 guardian of a student, any person in a parental relationship to
 1027 a student, or any person exercising supervisory authority over a
 1028 student in place of the parent.

1029 (6) "State university," except as otherwise specifically
 1030 provided, includes the following institutions and any branch
 1031 campuses, centers, or other affiliates of the institution:

- 1032 (a) The University of Florida.
- 1033 (b) The Florida State University.
- 1034 (c) The Florida Agricultural and Mechanical University.
- 1035 (d) The University of South Florida.
- 1036 (e) The Florida Atlantic University.
- 1037 (f) The University of West Florida.
- 1038 (g) The University of Central Florida.
- 1039 (h) The University of North Florida.
- 1040 (i) The Florida International University.
- 1041 (j) The Florida Gulf Coast University.
- 1042 (k) New College of Florida.
- 1043 (l) The Florida Polytechnic University.

1044 (7) "Next Generation Sunshine State Standards" means the
 1045 state's public K-12 curricular standards adopted under s.
 1046 1003.41.

1047 (8) "Board of Governors" is the Board of Governors of the
 1048 State University System.

1049 Section 21. Subsection (1) and paragraphs (e) and (s) of
 1050 subsection (2) of section 1001.02, Florida Statutes, are amended

1051 | to read:

1052 | 1001.02 General powers of State Board of Education.—

1053 | (1) The State Board of Education is the chief implementing
 1054 | and coordinating body of public education in Florida except for
 1055 | the State University System, and it shall focus on high-level
 1056 | policy decisions. It has authority to adopt rules pursuant to
 1057 | ss. 120.536(1) and 120.54 to implement the provisions of law
 1058 | conferring duties upon it for the improvement of the state
 1059 | system of Early Learning-20 ~~K-20~~ public education except for the
 1060 | State University System. Except as otherwise provided herein, it
 1061 | may, as it finds appropriate, delegate its general powers to the
 1062 | Commissioner of Education or the directors of the divisions of
 1063 | the department.

1064 | (2) The State Board of Education has the following duties:

1065 | (e) To adopt and submit to the Governor and Legislature,
 1066 | as provided in s. 216.023, a coordinated Early Learning-20 ~~K-20~~
 1067 | education budget that estimates the expenditure requirements for
 1068 | the Board of Governors, as provided in s. 1001.706, the State
 1069 | Board of Education, including the Department of Education and
 1070 | the Commissioner of Education, and all of the boards,
 1071 | institutions, agencies, and services under the general
 1072 | supervision of the Board of Governors, as provided in s.
 1073 | 1001.706, or the State Board of Education for the ensuing fiscal
 1074 | year. The State Board of Education may not amend the budget
 1075 | request submitted by the Board of Governors. Any program

1076 recommended by the Board of Governors or the State Board of
1077 Education which will require increases in state funding for more
1078 than 1 year must be presented in a multiyear budget plan.

1079 (s) To establish a detailed procedure for the
1080 implementation and operation of a systemwide ~~K-20~~ technology
1081 plan that is based on a common set of data definitions.

1082 Section 22. Subsections (8) and (9) of section 1001.03,
1083 Florida Statutes, are amended to read:

1084 1001.03 Specific powers of State Board of Education.—

1085 (8) SYSTEMWIDE ENFORCEMENT.—The State Board of Education
1086 shall enforce compliance with law and state board rule by all
1087 school districts, early learning coalitions, and public
1088 postsecondary educational institutions, except for the State
1089 University System, in accordance with the provisions of s.
1090 1008.32.

1091 (9) MANAGEMENT INFORMATION DATABASES.—The State Board of
1092 Education, in conjunction with the Board of Governors regarding
1093 the State University System, shall continue to collect and
1094 maintain, at a minimum, the management information databases for
1095 state universities, and all other components of the public Early
1096 Learning-20 ~~K-20~~ education system as such databases existed on
1097 June 30, 2002.

1098 Section 23. Subsection (1), paragraphs (g), (k), and (l)
1099 of subsection (6), and subsection (8) of section 1001.10,
1100 Florida Statutes, are amended to read:

1101 1001.10 Commissioner of Education; general powers and
 1102 duties.—

1103 (1) The Commissioner of Education is the chief educational
 1104 officer of the state and the sole custodian of the educational
 1105 ~~K-20~~ data warehouse, and is responsible for giving full
 1106 assistance to the State Board of Education in enforcing
 1107 compliance with the mission and goals of the Early Learning ~~K-20~~
 1108 education system, except for the State University System.

1109 (6) Additionally, the commissioner has the following
 1110 general powers and duties:

1111 (g) To submit to the State Board of Education, on or
 1112 before October 1 of each year, recommendations for a coordinated
 1113 Early Learning-20 ~~K-20~~ education budget that estimates the
 1114 expenditures for the Board of Governors, the State Board of
 1115 Education, including the Department of Education and the
 1116 Commissioner of Education, and all of the boards, institutions,
 1117 agencies, and services under the general supervision of the
 1118 Board of Governors or the State Board of Education for the
 1119 ensuing fiscal year. Any program recommended to the State Board
 1120 of Education that will require increases in state funding for
 1121 more than 1 year must be presented in a multiyear budget plan.

1122 (k) To prepare, publish, and disseminate user-friendly
 1123 materials relating to the state's education system, including
 1124 the state's K-12 scholarship programs, the school readiness
 1125 program, and the Voluntary Prekindergarten Education Program.

1126 (1) To prepare and publish annually reports giving
 1127 statistics and other useful information pertaining to the
 1128 state's K-12 scholarship programs, the school readiness program,
 1129 and the Voluntary Prekindergarten Education Program.

1130 (8) In the event of an emergency situation, the
 1131 commissioner may coordinate through the most appropriate means
 1132 of communication with early learning coalitions, local school
 1133 districts, Florida College System institutions, and satellite
 1134 offices of the Division of Blind Services and the Division of
 1135 Vocational Rehabilitation to assess the need for resources and
 1136 assistance to enable each school, institution, or satellite
 1137 office the ability to reopen as soon as possible after
 1138 considering the health, safety, and welfare of students and
 1139 clients.

1140 Section 24. Paragraph (b) of subsection (1) and subsection
 1141 (4) of section 1001.11, Florida Statutes, are amended to read:

1142 1001.11 Commissioner of Education; other duties.—

1143 (1) The Commissioner of Education must independently
 1144 perform the following duties:

1145 (b) Serve as the primary source of information to the
 1146 Legislature, including the President of the Senate and the
 1147 Speaker of the House of Representatives, concerning the State
 1148 Board of Education, the Early Learning-20 ~~K-20~~ education system,
 1149 and early learning programs.

1150 (4) The commissioner shall develop and implement an

1151 integrated Early Learning-20 ~~K-20~~ information system for
1152 educational management in accordance with the requirements of
1153 chapter 1008.

1154 Section 25. Section 1001.213, Florida Statutes, is
1155 repealed.

1156 Section 26. Subsection (7) of section 1001.215, Florida
1157 Statutes, is amended to read:

1158 1001.215 Just Read, Florida! Office.—There is created in
1159 the Department of Education the Just Read, Florida! Office. The
1160 office is fully accountable to the Commissioner of Education and
1161 shall:

1162 (7) Review, evaluate, and provide technical assistance to
1163 school districts' implementation of the ~~K-12~~ comprehensive
1164 reading plan required in s. 1011.62(9).

1165 Section 27. Subsection (1) of section 1001.23, Florida
1166 Statutes, is amended to read:

1167 1001.23 Specific powers and duties of the Department of
1168 Education.—In addition to all other duties assigned to it by law
1169 or by rule of the State Board of Education, the department
1170 shall:

1171 ~~(1) Adopt the statewide kindergarten screening in~~
1172 ~~accordance with s. 1002.69.~~

1173 Section 28. Subsection (3) of section 1001.70, Florida
1174 Statutes, is amended to read:

1175 1001.70 Board of Governors of the State University

1176 System.—

1177 (3) The Board of Governors, in exercising its authority
 1178 under the State Constitution and statutes, shall exercise its
 1179 authority in a manner that supports, promotes, and enhances an
 1180 Early Learning-20 ~~a K-20~~ education system that provides
 1181 affordable access to postsecondary educational opportunities for
 1182 residents of the state to the extent authorized by the State
 1183 Constitution and state law.

1184 Section 29. Paragraph (b) of subsection (4) of section
 1185 1001.706, Florida Statutes, is amended to read:

1186 1001.706 Powers and duties of the Board of Governors.—

1187 (4) POWERS AND DUTIES RELATING TO FINANCE.—

1188 (b) The Board of Governors shall prepare the legislative
 1189 budget requests for the State University System, including a
 1190 request for fixed capital outlay, and submit them to the State
 1191 Board of Education for inclusion in the Early Learning-20 ~~K-20~~
 1192 legislative budget request. The Board of Governors shall provide
 1193 the state universities with fiscal policy guidelines, formats,
 1194 and instruction for the development of individual university
 1195 budget requests.

1196 Section 30. Paragraph (b) of subsection (1) of section
 1197 1002.22, Florida Statutes, is amended to read:

1198 1002.22 Education records and reports of K-12 students;
 1199 rights of parents and students; notification; penalty.—

1200 (1) DEFINITIONS.—As used in this section, the term:

1201 (b) "Institution" means any public school, center,
 1202 institution, or other entity that is part of Florida's education
 1203 system under s. 1000.04(2), (4), and (5) ~~s. 1000.04(1), (3), and~~
 1204 ~~(4)~~.

1205 Section 31. Subsections (3) and (10) of section 1002.32,
 1206 Florida Statutes, are amended to read:

1207 1002.32 Developmental research (laboratory) schools.—

1208 (3) MISSION.—The mission of a lab school shall be the
 1209 provision of a vehicle for the conduct of research,
 1210 demonstration, and evaluation regarding management, teaching,
 1211 and learning. Programs to achieve the mission of a lab school
 1212 shall embody the goals and standards established pursuant to ss.
 1213 1000.03(5) and 1001.23(1) ~~1001.23(2)~~ and shall ensure an
 1214 appropriate education for its students.

1215 (a) Each lab school shall emphasize mathematics, science,
 1216 computer science, and foreign languages. The primary goal of a
 1217 lab school is to enhance instruction and research in such
 1218 specialized subjects by using the resources available on a state
 1219 university campus, while also providing an education in
 1220 nonspecialized subjects. Each lab school shall provide
 1221 sequential elementary and secondary instruction where
 1222 appropriate. A lab school may not provide instruction at grade
 1223 levels higher than grade 12 without authorization from the State
 1224 Board of Education. Each lab school shall develop and implement
 1225 a school improvement plan pursuant to s. 1003.02(3).

1226 (b) Research, demonstration, and evaluation conducted at a
 1227 lab school may be generated by the college of education and
 1228 other colleges within the university with which the school is
 1229 affiliated.

1230 (c) Research, demonstration, and evaluation conducted at a
 1231 lab school may be generated by the State Board of Education.
 1232 Such research shall respond to the needs of the education
 1233 community at large, rather than the specific needs of the
 1234 affiliated college.

1235 (d) Research, demonstration, and evaluation conducted at a
 1236 lab school may consist of pilot projects to be generated by the
 1237 affiliated college, the State Board of Education, or the
 1238 Legislature.

1239 (e) The exceptional education programs offered at a lab
 1240 school shall be determined by the research and evaluation goals
 1241 and the availability of students for efficiently sized programs.
 1242 The fact that a lab school offers an exceptional education
 1243 program in no way lessens the general responsibility of the
 1244 local school district to provide exceptional education programs.

1245 (10) EXCEPTIONS TO LAW.—To encourage innovative practices
 1246 and facilitate the mission of the lab schools, in addition to
 1247 the exceptions to law specified in s. 1001.23(1) ~~s. 1001.23(2)~~,
 1248 the following exceptions shall be permitted for lab schools:

1249 (a) The methods and requirements of the following statutes
 1250 shall be held in abeyance: ss. 316.75; 1001.30; 1001.31;

1251 1001.32; 1001.33; 1001.34; 1001.35; 1001.36; 1001.361; 1001.362;
 1252 1001.363; 1001.37; 1001.371; 1001.372; 1001.38; 1001.39;
 1253 1001.395; 1001.40; 1001.41; 1001.44; 1001.453; 1001.46;
 1254 1001.461; 1001.462; 1001.463; 1001.464; 1001.47; 1001.48;
 1255 1001.49; 1001.50; 1001.51; 1006.12(2); 1006.21(3), (4); 1006.23;
 1256 1010.07(2); 1010.40; 1010.41; 1010.42; 1010.43; 1010.44;
 1257 1010.45; 1010.46; 1010.47; 1010.48; 1010.49; 1010.50; 1010.51;
 1258 1010.52; 1010.53; 1010.54; 1010.55; 1011.02(1)-(3), (5);
 1259 1011.04; 1011.20; 1011.21; 1011.22; 1011.23; 1011.71; 1011.72;
 1260 1011.73; and 1011.74.

1261 (b) With the exception of s. 1001.42(18), s. 1001.42 shall
 1262 be held in abeyance. Reference to district school boards in s.
 1263 1001.42(18) shall mean the president of the university or the
 1264 president's designee.

1265 Section 32. Paragraph (b) of subsection (10) of section
 1266 1002.34, Florida Statutes, is amended to read:

1267 1002.34 Charter technical career centers.—

1268 (10) EXEMPTION FROM STATUTES.—

1269 (b) A center must comply with the Florida Early Learning-
 1270 20 ~~20~~ Education Code with respect to providing services to
 1271 students with disabilities.

1272 Section 33. Subsection (1) of section 1002.36, Florida
 1273 Statutes, is amended to read:

1274 1002.36 Florida School for the Deaf and the Blind.—

1275 (1) RESPONSIBILITIES.—The Florida School for the Deaf and

1276 the Blind, located in St. Johns County, is a state-supported
 1277 residential public school for hearing-impaired and visually
 1278 impaired students in preschool through 12th grade. The school is
 1279 a component of the delivery of public education within Florida's
 1280 Early Learning-20 ~~K-20~~ education system and shall be funded
 1281 through the Department of Education. The school shall provide
 1282 educational programs and support services appropriate to meet
 1283 the education and related evaluation and counseling needs of
 1284 hearing-impaired and visually impaired students in the state who
 1285 meet enrollment criteria. Unless otherwise provided by law, the
 1286 school shall comply with all laws and rules applicable to state
 1287 agencies. Education services may be provided on an outreach
 1288 basis for sensory-impaired children ages 0 through 5 years and
 1289 to district school boards upon request. Graduates of the Florida
 1290 School for the Deaf and the Blind shall be eligible for the
 1291 William L. Boyd, IV, Effective Access to Student Education Grant
 1292 Program as provided in s. 1009.89.

1293 Section 34. Paragraph (b) of subsection (4) and subsection
 1294 (5) of section 1002.53, Florida Statutes, are amended, and
 1295 paragraph (d) is added to subsection (6), to read:

1296 1002.53 Voluntary Prekindergarten Education Program;
 1297 eligibility and enrollment.—

1298 (4)

1299 (b) The application must be submitted on forms prescribed
 1300 by the department ~~Office of Early Learning~~ and must be

1301 accompanied by a certified copy of the child's birth
 1302 certificate. The forms must include a certification, in
 1303 substantially the form provided in s. 1002.71(6)(b)2., that the
 1304 parent chooses the private prekindergarten provider or public
 1305 school in accordance with this section and directs that payments
 1306 for the program be made to the provider or school. The
 1307 department ~~Office of Early Learning~~ may authorize alternative
 1308 methods for submitting proof of the child's age in lieu of a
 1309 certified copy of the child's birth certificate.

1310 (5) The early learning coalition shall provide each parent
 1311 enrolling a child in the Voluntary Prekindergarten Education
 1312 Program with a profile of every private prekindergarten provider
 1313 and public school delivering the program within the county where
 1314 the child is being enrolled. The profiles shall be provided to
 1315 parents in a format prescribed by the department in accordance
 1316 with s. 1002.92(3) ~~Office of Early Learning~~. ~~The profiles must~~
 1317 ~~include, at a minimum, the following information about each~~
 1318 ~~provider and school:~~

- 1319 ~~(a) The provider's or school's services, curriculum,~~
- 1320 ~~instructor credentials, and instructor to student ratio; and~~
- 1321 ~~(b) The provider's or school's kindergarten readiness rate~~
- 1322 ~~calculated in accordance with s. 1002.69, based upon the most~~
- 1323 ~~recent available results of the statewide kindergarten~~
- 1324 ~~screening.~~

1325 (6)

1326 (d) Each parent who enrolls his or her child in the
1327 Voluntary Prekindergarten Education Program must allow his or
1328 her child to participate in the coordinated screening and
1329 progress monitoring program under s. 1008.2125.

1330 Section 35. Paragraphs (a), (b), (c), (e), (g), (h), (i),
1331 (j), and (l) of subsection (3), subsection (4), and paragraph
1332 (b) of subsection (5) of section 1002.55, Florida Statutes, are
1333 amended, and subsection (6) is added to that section, to read:

1334 1002.55 School-year prekindergarten program delivered by
1335 private prekindergarten providers.—

1336 (3) To be eligible to deliver the prekindergarten program,
1337 a private prekindergarten provider must meet each of the
1338 following requirements:

1339 (a) The private prekindergarten provider must be a child
1340 care facility licensed under s. 402.305, family day care home
1341 licensed under s. 402.313, large family child care home licensed
1342 under s. 402.3131, nonpublic school exempt from licensure under
1343 s. 402.3025(2), ~~or~~ faith-based child care provider exempt from
1344 licensure under s. 402.316, child development program that is
1345 accredited by a national accrediting body and operates on a
1346 military installation that is certified by the United States
1347 Department of Defense, or private prekindergarten provider that
1348 has been issued a provisional license under s. 402.309. A
1349 private prekindergarten provider may not deliver the program
1350 while holding a probation-status license under s. 402.310.

1351 (b) The private prekindergarten provider must:

1352 1. Be accredited by an accrediting association that is a

1353 member of the National Council for Private School Accreditation,

1354 or the Florida Association of Academic Nonpublic Schools, or be

1355 accredited by the Southern Association of Colleges and Schools,

1356 or Western Association of Colleges and Schools, or North Central

1357 Association of Colleges and Schools, or Middle States

1358 Association of Colleges and Schools, or New England Association

1359 of Colleges and Schools; and have written accreditation

1360 standards that meet or exceed the state's licensing requirements

1361 under s. 402.305, s. 402.313, or s. 402.3131 and require at

1362 least one onsite visit to the provider or school before

1363 accreditation is granted;

1364 2. Hold a current Gold Seal Quality Care designation under

1365 s. 1002.945 ~~s. 402.281~~; or

1366 3. Be licensed under s. 402.305, s. 402.313, or s.

1367 402.3131 and demonstrate, before delivering the Voluntary

1368 Prekindergarten Education Program, as verified by the early

1369 learning coalition, that the provider meets each of the

1370 requirements of the program under this part, including, but not

1371 limited to, the requirements for credentials and background

1372 screenings of prekindergarten instructors under paragraphs (c)

1373 and (d), minimum and maximum class sizes under paragraph (f),

1374 prekindergarten director credentials under paragraph (g), and a

1375 developmentally appropriate curriculum under s. 1002.67(2)(b).

1376 (c) The private prekindergarten provider must have, for
1377 each prekindergarten class of 11 children or fewer, at least one
1378 prekindergarten instructor who meets each of the following
1379 requirements:

1380 1. The prekindergarten instructor must hold, at a minimum,
1381 one of the following credentials:

1382 a. A child development associate credential issued by the
1383 National Credentialing Program of the Council for Professional
1384 Recognition; or

1385 b. A credential approved by the Department of Children and
1386 Families as being equivalent to or greater than the credential
1387 described in sub-subparagraph a.

1388
1389 The Department of Children and Families may adopt rules under
1390 ss. 120.536(1) and 120.54 which provide criteria and procedures
1391 for approving equivalent credentials under sub-subparagraph b.

1392 2. The prekindergarten instructor must successfully
1393 complete at least three ~~an~~ emergent literacy training courses
1394 that include developmentally appropriate and experiential
1395 learning practices for children ~~course~~ and a student performance
1396 standards training course approved by the department ~~office~~ as
1397 meeting or exceeding the minimum standards adopted under s.
1398 1002.59. The requirement for completion of the standards
1399 training course shall take effect July 1, 2022 ~~2014~~, and be
1400 recognized as part of the informal early learning career pathway

1401 identified by the department under s. 1002.995(1)(b). Such ~~and~~
1402 ~~the~~ course shall be available online or in person.

1403 (e) A private prekindergarten provider may assign a
1404 substitute instructor to temporarily replace a credentialed
1405 instructor if the credentialed instructor assigned to a
1406 prekindergarten class is absent, as long as the substitute
1407 instructor is of good moral character and has been screened
1408 before employment in accordance with level 2 background
1409 screening requirements in chapter 435. The department ~~Office of~~
1410 ~~Early Learning~~ shall adopt rules to implement this paragraph
1411 which shall include required qualifications of substitute
1412 instructors and the circumstances and time limits for which a
1413 private prekindergarten provider may assign a substitute
1414 instructor.

1415 (g) The private prekindergarten provider must have a
1416 prekindergarten director who has a prekindergarten director
1417 credential that is approved by the department ~~office~~ as meeting
1418 or exceeding the minimum standards adopted under s. 1002.57. A
1419 private school administrator who holds a valid certificate in
1420 educational leadership issued by the department satisfies the
1421 requirement for a prekindergarten director credential under s.
1422 1002.57. ~~Successful completion of a child care facility director~~
1423 ~~credential under s. 402.305(2)(g) before the establishment of~~
1424 ~~the prekindergarten director credential under s. 1002.57 or July~~
1425 ~~1, 2006, whichever occurs later, satisfies the requirement for a~~

1426 ~~prekindergarten director credential under this paragraph.~~

1427 (h) The private prekindergarten provider must register
1428 with the early learning coalition on forms prescribed by the
1429 department Office of Early Learning.

1430 (i) The private prekindergarten provider must execute the
1431 statewide provider contract prescribed under s. 1002.73 ~~s.~~
1432 ~~1002.75~~, except that an individual who owns or operates multiple
1433 private prekindergarten sites ~~providers~~ within a coalition's
1434 service area may execute a single agreement with the coalition
1435 on behalf of each site ~~provider~~.

1436 (j) The private prekindergarten provider must maintain
1437 general liability insurance and provide the coalition with
1438 written evidence of general liability insurance coverage,
1439 including coverage for transportation of children if
1440 prekindergarten students are transported by the provider. A
1441 provider must obtain and retain an insurance policy that
1442 provides a minimum of \$100,000 of coverage per occurrence and a
1443 minimum of \$300,000 general aggregate coverage. The department
1444 ~~office~~ may authorize lower limits upon request, as appropriate.
1445 A provider must add the coalition as a named certificateholder
1446 and as an additional insured. A provider must provide the
1447 coalition with a minimum of 10 calendar days' advance written
1448 notice of cancellation of or changes to coverage. The general
1449 liability insurance required by this paragraph must remain in
1450 full force and effect for the entire period of the provider

1451 contract with the coalition.

1452 (1) Notwithstanding paragraph (j), for a private
1453 prekindergarten provider that is a state agency or a subdivision
1454 thereof, as defined in s. 768.28(2), the provider must agree to
1455 notify the coalition of any additional liability coverage
1456 maintained by the provider in addition to that otherwise
1457 established under s. 768.28. The provider shall indemnify the
1458 coalition to the extent permitted by s. 768.28. Notwithstanding
1459 paragraph (j), for a child development program that is
1460 accredited by a national accrediting body and operates on a
1461 military installation that is certified by the United States
1462 Department of Defense, the provider may demonstrate liability
1463 coverage by affirming that it is subject to the Federal Tort
1464 Claims Act, 28 U.S.C. s. 2671 et seq.

1465 (4) A prekindergarten instructor, in lieu of the minimum
1466 credentials ~~and courses~~ required under paragraph (3)(c), may
1467 hold one of the following educational credentials:

1468 (a) A bachelor's or higher degree in early childhood
1469 education, prekindergarten or primary education, preschool
1470 education, or family and consumer science;

1471 (b) A bachelor's or higher degree in elementary education,
1472 if the prekindergarten instructor has been certified to teach
1473 children any age from birth through 6th grade, regardless of
1474 whether the instructor's educator certificate is current, and if
1475 the instructor is not ineligible to teach in a public school

1476 because his or her educator certificate is suspended or revoked;
1477 (c) An associate's or higher degree in child development;
1478 (d) An associate's or higher degree in an unrelated field,
1479 at least 6 credit hours in early childhood education or child
1480 development, and at least 480 hours of experience in teaching or
1481 providing child care services for children any age from birth
1482 through 8 years of age; or
1483 (e) An educational credential approved by the department
1484 as being equivalent to or greater than an educational credential
1485 described in this subsection. The department may adopt criteria
1486 and procedures for approving equivalent educational credentials
1487 under this paragraph.

1488 (5)

1489 (b) Notwithstanding any other ~~provision of law~~, if a
1490 private prekindergarten provider has been cited for a class I
1491 violation, as defined by rule of the Child Care Services Program
1492 Office of the Department of Children and Families, the coalition
1493 may refuse to contract with the provider.

1494 (6) Each early learning coalition must verify that each
1495 private prekindergarten provider delivering the Voluntary
1496 Prekindergarten Education Program within the coalition's county
1497 or multicounty region complies with this part. If a private
1498 prekindergarten provider fails or refuses to comply with this
1499 part or engages in misconduct, the department shall require the
1500 early learning coalition to remove the provider from eligibility

1501 to deliver the program and receive state funds under this part
 1502 for a period of at least 2 years but no more than 5 years.

1503 Section 36. Paragraphs (b) and (c) of subsection (2) of
 1504 section 1002.57, Florida Statutes, are redesignated as
 1505 paragraphs (c) and (d), respectively, subsection (1) is amended,
 1506 and a new paragraph (b) is added to subsection (2) of that
 1507 section, to read:

1508 1002.57 Prekindergarten director credential.—

1509 (1) The department ~~office~~, in consultation with the
 1510 Department of Children and Families, shall adopt minimum
 1511 standards for a credential for prekindergarten directors of
 1512 private prekindergarten providers delivering the Voluntary
 1513 Prekindergarten Education Program. The credential must encompass
 1514 requirements for education and onsite experience.

1515 (2) The educational requirements must include training in
 1516 the following:

1517 (b) Implementation of curriculum and usage of student-
 1518 level data to inform the delivery of instruction;

1519 Section 37. Section 1002.59, Florida Statutes, is amended
 1520 to read:

1521 1002.59 Emergent literacy and performance standards
 1522 training courses.—

1523 (1) The department ~~office~~ shall adopt minimum standards
 1524 for ~~one or more training~~ courses in emergent literacy for
 1525 prekindergarten instructors. Each course must comprise 5 clock

1526 hours and provide instruction in strategies and techniques to
1527 address the age-appropriate progress of prekindergarten students
1528 in developing emergent literacy skills, including oral
1529 communication, knowledge of print and letters, phonemic and
1530 phonological awareness, and vocabulary and comprehension
1531 development. Each course must also provide resources containing
1532 strategies that allow students with disabilities and other
1533 special needs to derive maximum benefit from the Voluntary
1534 Prekindergarten Education Program. Successful completion of an
1535 emergent literacy training course approved under this section
1536 satisfies requirements for approved training in early literacy
1537 and language development under ss. 402.305(2)(e)5., 402.313(6),
1538 and 402.3131(5).

1539 (2) The department ~~office~~ shall adopt minimum standards
1540 for ~~one or more training~~ courses on the performance standards
1541 adopted under s. 1002.67(1). Each course must be comprised of
1542 ~~comprise~~ at least 3 clock hours, provide instruction in
1543 strategies and techniques to address age-appropriate progress of
1544 each child in attaining the standards, and be available online.

1545 (3) The department shall make available online
1546 professional development and training courses comprised of at
1547 least 8 clock hours that support prekindergarten instructors in
1548 increasing the competency of teacher-child interactions.

1549 Section 38. Subsections (6) through (8) of section
1550 1002.61, Florida Statutes, are renumbered as subsections (7)

1551 through (9), respectively, paragraph (b) of subsection (1),
 1552 paragraph (b) of subsection (3), subsection (4), and present
 1553 subsections (6) and (8) are amended, and new subsections (6) and
 1554 (10) are added to that section, to read:

1555 1002.61 Summer prekindergarten program delivered by public
 1556 schools and private prekindergarten providers.—

1557 (1)

1558 (b) Each early learning coalition shall administer the
 1559 Voluntary Prekindergarten Education Program at the county or
 1560 regional level for students enrolled under s. 1002.53(3)(b) in a
 1561 summer prekindergarten program delivered by a private
 1562 prekindergarten provider. A child development program that is
 1563 accredited by a national accrediting body and operates on a
 1564 military installation that is certified by the United States
 1565 Department of Defense may administer the summer prekindergarten
 1566 program as a private prekindergarten provider.

1567 (3)

1568 (b) Each public school delivering the summer
 1569 prekindergarten program must execute the statewide provider
 1570 contract prescribed under s. 1002.73 ~~s. 1002.75~~, except that the
 1571 school district may execute a single agreement with the early
 1572 learning coalition on behalf of all district schools.

1573 (4) Notwithstanding ss. 1002.55(3)(c)1. and 1002.63(4),
 1574 each public school and private prekindergarten provider must
 1575 have, for each prekindergarten class, at least one

1576 prekindergarten instructor who is a certified teacher or holds
1577 one of the educational credentials specified in s. 1002.55(4)(a)
1578 or (b). As used in this subsection, the term "certified teacher"
1579 means a teacher holding a valid Florida educator certificate
1580 under s. 1012.56 who has the qualifications required by the
1581 district school board to instruct students in the summer
1582 prekindergarten program. In selecting instructional staff for
1583 the summer prekindergarten program, each school district shall
1584 give priority to teachers who have experience or coursework in
1585 early childhood education and have completed emergent literacy
1586 and performance standards courses, as provided for in s.
1587 1002.55(3)(c)2.

1588 (6) A child development program that is accredited by a
1589 national accrediting body and operates on a military
1590 installation that is certified by the United States Department
1591 of Defense shall comply with the requirements of a private
1592 prekindergarten provider in this section.

1593 (7)~~(6)~~ A public school or private prekindergarten provider
1594 may assign a substitute instructor to temporarily replace a
1595 credentialed instructor if the credentialed instructor assigned
1596 to a prekindergarten class is absent, as long as the substitute
1597 instructor is of good moral character and has been screened
1598 before employment in accordance with level 2 background
1599 screening requirements in chapter 435. This subsection does not
1600 supersede employment requirements for instructional personnel in

1601 public schools which are more stringent than the requirements of
1602 this subsection. The department ~~Office of Early Learning~~ shall
1603 adopt rules to implement this subsection which shall include
1604 required qualifications of substitute instructors and the
1605 circumstances and time limits for which a public school or
1606 private prekindergarten provider may assign a substitute
1607 instructor.

1608 (9)~~(8)~~ Each public school delivering the summer
1609 prekindergarten program must also register with the early
1610 learning coalition on forms prescribed by the department ~~Office~~
1611 ~~of Early Learning~~ and deliver the Voluntary Prekindergarten
1612 Education Program in accordance with this part.

1613 (10) (a) Each early learning coalition shall verify that
1614 each private prekindergarten provider and public school
1615 delivering the Voluntary Prekindergarten Education Program
1616 within the coalition's county or multicounty region complies
1617 with this part.

1618 (b) If a private prekindergarten provider or public school
1619 fails or refuses to comply with this part or engages in
1620 misconduct, the department shall require the early learning
1621 coalition to remove the provider or school from eligibility to
1622 deliver the Voluntary Prekindergarten Education Program and
1623 receive state funds under this part for a period of at least 2
1624 years but no more than 5 years.

1625 Section 39. Paragraph (b) of subsection (3) and

1626 subsections (6) and (8) of section 1002.63, Florida Statutes,
 1627 are amended, and subsection (9) is added to that section, to
 1628 read:

1629 1002.63 School-year prekindergarten program delivered by
 1630 public schools.—

1631 (3)

1632 (b) Each public school delivering the school-year
 1633 prekindergarten program must execute the statewide provider
 1634 contract prescribed under s. 1002.73 ~~s. 1002.75~~, except that the
 1635 school district may execute a single agreement with the early
 1636 learning coalition on behalf of all district schools.

1637 (6) A public school prekindergarten provider may assign a
 1638 substitute instructor to temporarily replace a credentialed
 1639 instructor if the credentialed instructor assigned to a
 1640 prekindergarten class is absent, as long as the substitute
 1641 instructor is of good moral character and has been screened
 1642 before employment in accordance with level 2 background
 1643 screening requirements in chapter 435. This subsection does not
 1644 supersede employment requirements for instructional personnel in
 1645 public schools which are more stringent than the requirements of
 1646 this subsection. The department ~~Office of Early Learning~~ shall
 1647 adopt rules to implement this subsection which shall include
 1648 required qualifications of substitute instructors and the
 1649 circumstances and time limits for which a public school
 1650 prekindergarten provider may assign a substitute instructor.

1651 (8) Each public school delivering the school-year
1652 prekindergarten program must register with the early learning
1653 coalition on forms prescribed by the department ~~Office of Early~~
1654 ~~Learning~~ and deliver the Voluntary Prekindergarten Education
1655 Program in accordance with this part.

1656 (9) (a) Each early learning coalition shall verify that
1657 each public school delivering the Voluntary Prekindergarten
1658 Education Program within the coalition's service area complies
1659 with this part.

1660 (b) If a public school fails or refuses to comply with
1661 this part or engages in misconduct, the department shall require
1662 the early learning coalition to remove the school from
1663 eligibility to deliver the Voluntary Prekindergarten Education
1664 Program and receive state funds under this part for a period of
1665 at least 2 years but no more than 5 years.

1666 Section 40. Section 1002.67, Florida Statutes, is amended
1667 to read:

1668 1002.67 Performance standards and, ~~curricula and~~
1669 ~~accountability.~~—

1670 (1) (a) The department ~~office~~ shall develop and adopt
1671 performance standards for students in the Voluntary
1672 Prekindergarten Education Program. The performance standards
1673 must address the age-appropriate progress of students in the
1674 development of:

1675 1. The capabilities, capacities, and skills required under

1676 s. 1(b), Art. IX of the State Constitution; ~~and~~
 1677 2. Emergent literacy skills, including oral communication,
 1678 knowledge of print and letters, phonemic and phonological
 1679 awareness, and vocabulary and comprehension development; and
 1680 3. Mathematical thinking and early math skills.

1681
 1682 ~~By October 1, 2013, the office shall examine the existing~~
 1683 ~~performance standards in the area of mathematical thinking and~~
 1684 ~~develop a plan to make appropriate professional development and~~
 1685 ~~training courses available to prekindergarten instructors.~~

1686 (b) At least every 3 years, the department office shall
 1687 periodically review and, if necessary, revise the performance
 1688 standards established under s. 1002.67 ~~for the statewide~~
 1689 ~~kindergarten screening administered under s. 1002.69~~ and align
 1690 the standards to the standards established by the state board
 1691 for student performance on the statewide assessments
 1692 administered pursuant to s. 1008.22.

1693 (2) (a) Each private prekindergarten provider and public
 1694 school may select or design the curriculum that the provider or
 1695 school uses to implement the Voluntary Prekindergarten Education
 1696 Program, except as otherwise required for a provider or school
 1697 that is placed on probation under s. 1002.68 ~~paragraph (4) (c).~~

1698 (b) Each private prekindergarten provider's and public
 1699 school's curriculum must be developmentally appropriate and
 1700 must:

1701 1. Be designed to prepare a student for early literacy and
1702 provide for instruction in early math skills;

1703 2. Enhance the age-appropriate progress of students in
1704 attaining the performance standards adopted by the department
1705 under subsection (1); and

1706 3. Support student learning gains through differentiated
1707 instruction that shall be measured by the coordinated screening
1708 and progress monitoring program under s. 1008.2125 ~~Prepare~~
1709 ~~students to be ready for kindergarten based upon the statewide~~
1710 ~~kindergarten screening administered under s. 1002.69.~~

1711 (c) The department office shall adopt procedures for the
1712 review and approval of ~~approve~~ curricula for use by private
1713 prekindergarten providers and public schools that are placed on
1714 probation under s. 1002.68 ~~paragraph (4)(c)~~. The department
1715 ~~office~~ shall administer the review and approval process and
1716 maintain a list of the curricula approved under this paragraph.
1717 Each approved curriculum must meet the requirements of paragraph
1718 (b).

1719 ~~(3)(a) Contingent upon legislative appropriation, each~~
1720 ~~private prekindergarten provider and public school in the~~
1721 ~~Voluntary Prekindergarten Education Program must implement an~~
1722 ~~evidence-based pre- and post-assessment that has been approved~~
1723 ~~by rule of the State Board of Education.~~

1724 ~~(b) In order to be approved, the assessment must be valid,~~
1725 ~~reliable, developmentally appropriate, and designed to measure~~

1726 ~~student progress on domains which must include, but are not~~
1727 ~~limited to, early literacy, numeracy, and language.~~

1728 ~~(c) The pre- and post-assessment must be administered by~~
1729 ~~individuals meeting requirements established by rule of the~~
1730 ~~State Board of Education.~~

1731 ~~(4) (a) Each early learning coalition shall verify that~~
1732 ~~each private prekindergarten provider delivering the Voluntary~~
1733 ~~Prekindergarten Education Program within the coalition's county~~
1734 ~~or multicounty region complies with this part. Each district~~
1735 ~~school board shall verify that each public school delivering the~~
1736 ~~program within the school district complies with this part.~~

1737 ~~(b) If a private prekindergarten provider or public school~~
1738 ~~fails or refuses to comply with this part, or if a provider or~~
1739 ~~school engages in misconduct, the office shall require the early~~
1740 ~~learning coalition to remove the provider and require the school~~
1741 ~~district to remove the school from eligibility to deliver the~~
1742 ~~Voluntary Prekindergarten Education Program and receive state~~
1743 ~~funds under this part for a period of 5 years.~~

1744 ~~(c) 1. If the kindergarten readiness rate of a private~~
1745 ~~prekindergarten provider or public school falls below the~~
1746 ~~minimum rate adopted by the office as satisfactory under s.~~
1747 ~~1002.69(6), the early learning coalition or school district, as~~
1748 ~~applicable, shall require the provider or school to submit an~~
1749 ~~improvement plan for approval by the coalition or school~~
1750 ~~district, as applicable, and to implement the plan; shall place~~

1751 ~~the provider or school on probation; and shall require the~~
1752 ~~provider or school to take certain corrective actions, including~~
1753 ~~the use of a curriculum approved by the office under paragraph~~
1754 ~~(2)(c) or a staff development plan to strengthen instruction in~~
1755 ~~language development and phonological awareness approved by the~~
1756 ~~office.~~

1757 ~~2. A private prekindergarten provider or public school~~
1758 ~~that is placed on probation must continue the corrective actions~~
1759 ~~required under subparagraph 1., including the use of a~~
1760 ~~curriculum or a staff development plan to strengthen instruction~~
1761 ~~in language development and phonological awareness approved by~~
1762 ~~the office, until the provider or school meets the minimum rate~~
1763 ~~adopted by the office as satisfactory under s. 1002.69(6).~~
1764 ~~Failure to implement an approved improvement plan or staff~~
1765 ~~development plan shall result in the termination of the~~
1766 ~~provider's contract to deliver the Voluntary Prekindergarten~~
1767 ~~Education Program for a period of 5 years.~~

1768 ~~3. If a private prekindergarten provider or public school~~
1769 ~~remains on probation for 2 consecutive years and fails to meet~~
1770 ~~the minimum rate adopted by the office as satisfactory under s.~~
1771 ~~1002.69(6) and is not granted a good cause exemption by the~~
1772 ~~office pursuant to s. 1002.69(7), the office shall require the~~
1773 ~~early learning coalition or the school district to remove, as~~
1774 ~~applicable, the provider or school from eligibility to deliver~~
1775 ~~the Voluntary Prekindergarten Education Program and receive~~

1776 ~~state funds for the program for a period of 5 years.~~

1777 ~~(d) Each early learning coalition and the office shall~~
1778 ~~coordinate with the Child Care Services Program Office of the~~
1779 ~~Department of Children and Families to minimize interagency~~
1780 ~~duplication of activities for monitoring private prekindergarten~~
1781 ~~providers for compliance with requirements of the Voluntary~~
1782 ~~Prekindergarten Education Program under this part, the school~~
1783 ~~readiness program under part VI of this chapter, and the~~
1784 ~~licensing of providers under ss. 402.301-402.319.~~

1785 Section 41. Section 1002.68, Florida Statutes, is created
1786 to read:

1787 1002.68 Voluntary Prekindergarten Education Program
1788 accountability.—

1789 (1) (a) Beginning with the 2022-2023 program year, each
1790 private prekindergarten provider and public school participating
1791 in the Voluntary Prekindergarten Education Program must
1792 participate in the coordinated screening and progress monitoring
1793 program in accordance with s. 1008.2125. The coordinated
1794 screening and progress monitoring program results shall be used
1795 by the department to identify student learning gains, index
1796 development learning outcomes upon program completion relative
1797 to the performance standards established under s. 1002.67 and
1798 representative norms, and inform a private prekindergarten
1799 provider's and public school's performance metric.

1800 (b) At a minimum, the initial and final progress

1801 monitoring or screening must be administered by individuals
1802 meeting requirements adopted by the department under s.
1803 1008.2125.

1804 (c) Each private prekindergarten provider and public
1805 school must provide a student's performance results from the
1806 coordinated screening and progress monitoring to the student's
1807 parents within 7 days after the administration of such
1808 coordinated screening and progress monitoring.

1809 (2) Beginning with the 2022-2023 program year, each
1810 private prekindergarten provider and public school in the
1811 Voluntary Prekindergarten Education Program must participate in
1812 a program assessment of each voluntary prekindergarten education
1813 classroom. The program assessment shall measure the quality of
1814 teacher-child interactions, including emotional support,
1815 classroom organization, and instructional support for children
1816 ages 3 to 5 years. Each private prekindergarten provider and
1817 public school in the Voluntary Prekindergarten Education Program
1818 shall receive from the department the results of the program
1819 assessment for each classroom within 14 days after the
1820 observation. Each early learning coalition shall be responsible
1821 for the administration of the program assessments which must be
1822 conducted by individuals qualified to conduct program
1823 assessments under s. 1002.82(2)(n).

1824 (3) (a) For the 2020-2021 program year, the department
1825 shall calculate a kindergarten readiness rate for each private

1826 prekindergarten provider and public school in the Voluntary
1827 Prekindergarten Education Program based upon learning gains and
1828 the percentage of students who are assessed as ready for
1829 kindergarten. The department shall require that each school
1830 district administer the statewide kindergarten screening in use
1831 before the 2021-2022 school year to each kindergarten student in
1832 the school district within the first 30 school days of the 2021-
1833 2022 school year. Private schools may administer the statewide
1834 kindergarten screening to each kindergarten student in a private
1835 school who was enrolled in the Voluntary Prekindergarten
1836 Education Program. Learning gains shall be determined using a
1837 value-added measure based on growth demonstrated by the results
1838 of the preassessment and postassessment in use before the 2021-
1839 2022 program year. Any private prekindergarten provider or
1840 public school in the Voluntary Prekindergarten Education Program
1841 which fails to meet the minimum kindergarten readiness rate for
1842 the 2020-2021 program year is subject to the probation
1843 requirements of subsection (5).

1844 (b) For the 2021-2022 program year, the department shall
1845 calculate a program assessment composite score for each provider
1846 based on the program assessment under subsection (2). Any
1847 private prekindergarten provider or public school in the
1848 Voluntary Prekindergarten Education Program which fails to meet
1849 the minimum program assessment composite score established by
1850 the state board pursuant to s. 1002.82(2)(n) for the 2021-2022

1851 program year is subject to the probation requirements of
1852 subsection (5).

1853 (4) (a) Beginning with the 2022-2023 program year, the
1854 department shall adopt a methodology for calculating each
1855 private prekindergarten provider's and public school provider's
1856 performance metric, which must be based on a combination of the
1857 following:

1858 1. Program assessment composite scores under subsection
1859 (3), which must be weighted at no less than 50 percent.

1860 2. Learning gains operationalized as change in ability
1861 scores from the initial and final progress monitoring results
1862 described in subsection (1).

1863 3. Norm-referenced developmental learning outcomes
1864 described in subsection (1).

1865 (b) The methodology for calculating a provider's
1866 performance metric may only include prekindergarten students who
1867 have attended at least 85 percent of a private prekindergarten
1868 provider's or public school's program.

1869 (c) The program assessment composite score and performance
1870 metric must be calculated for each private prekindergarten or
1871 public school site.

1872 (d) The methodology shall include a statistical latent
1873 profile analysis that has been conducted by an independent
1874 expert with experience in relevant quantitative analysis, early
1875 childhood assessment, and designing state-level accountability

1876 systems. The independent expert shall be able to produce a
1877 limited number of performance metric profiles that summarize the
1878 profiles of all sites that must be used to inform the following
1879 designations: "unsatisfactory," "emerging proficiency,"
1880 "proficient," "highly proficient," and "excellent" or comparable
1881 terminology determined by the State Board of Education which may
1882 not include letter grades. The independent expert may not be a
1883 direct stakeholder or have had a financial interest in the
1884 design or delivery of the Voluntary Prekindergarten Education
1885 Program or public school system within the last 5 years.

1886 (e) Subject to an appropriation, the department shall
1887 provide for a differential payment to a private prekindergarten
1888 provider and public school based on the provider's designation.
1889 The maximum differential payment may not exceed a total of 15
1890 percent of the base student allocation per full-time equivalent
1891 student under s. 1002.71 attending in the consecutive program
1892 year for that program. A private prekindergarten provider or
1893 public school may not receive a differential payment if it
1894 receives a designation of proficient or lower. Before the
1895 adoption of the methodology, the department and the independent
1896 expert shall confer with the Council for Early Grade Success
1897 under s. 1008.2125 before receiving approval from the State
1898 Board of Education for the final recommendations on the
1899 designation system and differential payments.

1900 (f) The department shall adopt procedures to annually

1901 calculate each private prekindergarten provider's and public
1902 school's performance metric, based on the methodology adopted in
1903 paragraphs (a) and (b), and assign a designation under paragraph
1904 (d). Beginning with the 2023-2024 program year, each private
1905 prekindergarten provider or public school shall be assigned a
1906 designation within 45 days after the conclusion of the school-
1907 year Voluntary Prekindergarten Education Program delivered by
1908 all participating private prekindergarten providers or public
1909 schools and within 45 days after the conclusion of the summer
1910 Voluntary Prekindergarten Education Program delivered by all
1911 participating private prekindergarten providers or public
1912 schools.

1913 (g) A private prekindergarten provider or public school
1914 that is designated proficient, highly proficient, or excellent
1915 demonstrates the provider's or school's satisfactory delivery of
1916 the Voluntary Prekindergarten Education Program.

1917 (h) The designations shall be displayed in the early
1918 learning provider performance profiles required under s.
1919 1002.92(3).

1920 (5) (a) If a public school's or private prekindergarten
1921 provider's program assessment composite score for its
1922 prekindergarten classrooms fails to meet the minimum program
1923 assessment composite score for contracting established by the
1924 department pursuant to s. 1002.82(2)(n), the private
1925 prekindergarten provider or public school may not participate in

1926 | the Voluntary Prekindergarten Education Program beginning in the
 1927 | consecutive program year and thereafter until the public school
 1928 | or private prekindergarten provider meets the minimum composite
 1929 | score for contracting.

1930 | (b) If a private prekindergarten provider's or public
 1931 | school's performance metric or designation falls below the
 1932 | minimum performance metric or designation, the early learning
 1933 | coalition shall:

1934 | 1. Require the provider or school to submit for approval
 1935 | to the early learning coalition an improvement plan and
 1936 | implement the plan.

1937 | 2. Place the provider or school on probation.

1938 | 3. Require the provider or school to take certain
 1939 | corrective actions, including the use of a curriculum approved
 1940 | by the department under s. 1002.67(2)(c) and a staff development
 1941 | plan approved by the department to strengthen instructional
 1942 | practices in emotional support, classroom organization,
 1943 | instructional support, language development, phonological
 1944 | awareness, alphabet knowledge, and mathematical thinking.

1945 | (c) A private prekindergarten provider or public school
 1946 | that is placed on probation must continue the corrective actions
 1947 | required under paragraph (b) until the provider or school meets
 1948 | the minimum performance metric or designation adopted by the
 1949 | department. Failure to meet the requirements of subparagraphs
 1950 | (b)1. and 3. shall result in the termination of the provider's

1951 or school's contract to deliver the Voluntary Prekindergarten
1952 Education Program for a period of at least 2 years but no more
1953 than 5 years.

1954 (d) If a private prekindergarten provider or public school
1955 remains on probation for 2 consecutive years and fails to meet
1956 the minimum performance metric or designation, or is not granted
1957 a good cause exemption by the department, the department shall
1958 require the early learning coalition to revoke the provider's or
1959 school's eligibility to deliver the Voluntary Prekindergarten
1960 Education Program and receive state funds for the program for a
1961 period of at least 2 years but no more than 5 years.

1962 (6) (a) The department, upon the request of a private
1963 prekindergarten provider or public school that remains on
1964 probation for at least 2 consecutive years and subsequently
1965 fails to meet the minimum performance metric or designation, and
1966 for good cause shown, may grant to the provider or school an
1967 exemption from being determined ineligible to deliver the
1968 Voluntary Prekindergarten Education Program and receive state
1969 funds for the program. Such exemption is valid for 1 year and,
1970 upon the request of the private prekindergarten provider or
1971 public school and for good cause shown, may be renewed.

1972 (b) A private prekindergarten provider's or public
1973 school's request for a good cause exemption, or renewal of such
1974 an exemption, must be submitted to the department in the manner
1975 and within the timeframes prescribed by the department and must

1976 | include the following:

1977 | 1. Data from the private prekindergarten provider or

1978 | public school which documents the achievement and progress of

1979 | the children served, as measured by any required screenings or

1980 | assessments.

1981 | 2. Data from the program assessment required under

1982 | subsection (2) which demonstrates effective teaching practices

1983 | as recognized by the tool developer.

1984 | 3. Data from the early learning coalition or district

1985 | school board, as applicable, the Department of Children and

1986 | Families, the local licensing authority, or an accrediting

1987 | association, as applicable, relating to the private

1988 | prekindergarten provider's or public school's compliance with

1989 | state and local health and safety standards.

1990 | (c) The department shall adopt criteria for granting good

1991 | cause exemptions. Such criteria must include, but are not

1992 | limited to, all of the following:

1993 | 1. Child demographic data that evidences a private

1994 | prekindergarten provider or public school serves a statistically

1995 | significant population of children with special needs who have

1996 | individual education plans and can demonstrate progress toward

1997 | meeting the goals outlined in the students' individual education

1998 | plans.

1999 | 2. Learning gains of children served in the Voluntary

2000 | Prekindergarten Education Program by the private prekindergarten

2001 provider or public school on an alternative measure that has
2002 comparable validity and reliability of the coordinated screening
2003 and progress monitoring program in accordance with s. 1008.2125.

2004 3. Program assessment data under subsection (2) which
2005 demonstrates effective teaching practices as recognized by the
2006 tool developer.

2007 4. Verification that local and state health and safety
2008 requirements are met.

2009 (d) A good cause exemption may not be granted to any
2010 private prekindergarten provider or public school that has any
2011 class I violations or two or more class II violations, as
2012 defined by rule of the Department of Children and Families,
2013 within the 2 years preceding the provider's or school's request
2014 for the exemption.

2015 (e) A private prekindergarten provider or public school
2016 granted a good cause exemption shall continue to implement its
2017 improvement plan and continue the corrective actions required
2018 under subsection (5) (b) until the provider or school meets the
2019 minimum performance metric.

2020 (f) If a good cause exemption is granted to a private
2021 prekindergarten provider or public school that remains on
2022 probation for 2 consecutive years and if the provider meets all
2023 other applicable requirements of this part, the department shall
2024 notify the early learning coalition of the good cause exemption
2025 and direct that the early learning coalition not remove the

2026 provider from eligibility to deliver the Voluntary
 2027 Prekindergarten Education Program or to receive state funds for
 2028 the program.

2029 (g) The department shall report the number of private
 2030 prekindergarten providers or public schools that have received a
 2031 good cause exemption and the reasons for the exemptions as part
 2032 of its annual reporting requirements under s. 1002.82(7).

2033 (7) Representatives from each school district and
 2034 corresponding early learning coalitions must meet annually to
 2035 develop strategies to transition students from the Voluntary
 2036 Prekindergarten Education Program to kindergarten.

2037 Section 42. Section 1002.69, Florida Statutes, is
 2038 repealed.

2039 Section 43. Paragraph (c) of subsection (3), subsection
 2040 (4), paragraph (b) of subsection (5), paragraphs (b) and (d) of
 2041 subsection (6), and subsection (7) of section 1002.71, Florida
 2042 Statutes, are amended to read:

2043 1002.71 Funding; financial and attendance reporting.—

2044 (3)

2045 (c) The initial allocation shall be based on estimated
 2046 student enrollment in each coalition service area. The
 2047 ~~department Office of Early Learning~~ shall reallocate funds among
 2048 the coalitions based on actual full-time equivalent student
 2049 enrollment in each coalition service area. Each coalition shall
 2050 report student enrollment pursuant to subsection (2) on a

2051 monthly basis. A student enrollment count for the prior fiscal
2052 year may not be amended after September 30 of the subsequent
2053 fiscal year.

2054 (4) Notwithstanding s. 1002.53(3) and subsection (2):

2055 (a) A child who, for any of the prekindergarten programs
2056 listed in s. 1002.53(3), has not completed more than 70 percent
2057 of the hours authorized to be reported for funding under
2058 subsection (2), or has not expended more than 70 percent of the
2059 funds authorized for the child under s. 1002.66, may withdraw
2060 from the program for good cause and reenroll in one of the
2061 programs. The total funding for a child who reenrolls in one of
2062 the programs for good cause may not exceed one full-time
2063 equivalent student. Funding for a child who withdraws and
2064 reenrolls in one of the programs for good cause shall be issued
2065 in accordance with the department's ~~Office of Early Learning's~~
2066 uniform attendance policy adopted pursuant to paragraph (6)(d).

2067 (b) A child who has not substantially completed any of the
2068 prekindergarten programs listed in s. 1002.53(3) may withdraw
2069 from the program due to an extreme hardship that is beyond the
2070 child's or parent's control, reenroll in one of the summer
2071 programs, and be reported for funding purposes as a full-time
2072 equivalent student in the summer program for which the child is
2073 reenrolled.

2074
2075 A child may reenroll only once in a prekindergarten program

2076 | under this section. A child who reenrolls in a prekindergarten
 2077 | program under this subsection may not subsequently withdraw from
 2078 | the program and reenroll, unless the child is granted a good
 2079 | cause exemption under this subsection. The department ~~Office of~~
 2080 | ~~Early Learning~~ shall establish criteria specifying whether a
 2081 | good cause exists for a child to withdraw from a program under
 2082 | paragraph (a), whether a child has substantially completed a
 2083 | program under paragraph (b), and whether an extreme hardship
 2084 | exists which is beyond the child's or parent's control under
 2085 | paragraph (b).

2086 | (5)

2087 | (b) The department ~~Office of Early Learning~~ shall adopt
 2088 | procedures for the payment of private prekindergarten providers
 2089 | and public schools delivering the Voluntary Prekindergarten
 2090 | Education Program. The procedures shall provide for the advance
 2091 | payment of providers and schools based upon student enrollment
 2092 | in the program, the certification of student attendance, and the
 2093 | reconciliation of advance payments in accordance with the
 2094 | uniform attendance policy adopted under paragraph (6) (d). The
 2095 | procedures shall provide for the monthly distribution of funds
 2096 | by the department ~~Office of Early Learning~~ to the early learning
 2097 | coalitions for payment by the coalitions to private
 2098 | prekindergarten providers and public schools.

2099 | (6)

2100 | (b)1. Each private prekindergarten provider's and district

2101 school board's attendance policy must require the parent of each
 2102 student in the Voluntary Prekindergarten Education Program to
 2103 verify, each month, the student's attendance on the prior
 2104 month's certified student attendance.

2105 2. The parent must submit the verification of the
 2106 student's attendance to the private prekindergarten provider or
 2107 public school on forms prescribed by the department ~~Office of~~
 2108 ~~Early Learning~~. The forms must include, in addition to the
 2109 verification of the student's attendance, a certification, in
 2110 substantially the following form, that the parent continues to
 2111 choose the private prekindergarten provider or public school in
 2112 accordance with s. 1002.53 and directs that payments for the
 2113 program be made to the provider or school:

2114 VERIFICATION OF STUDENT'S ATTENDANCE
 2115 AND CERTIFICATION OF PARENTAL CHOICE

2116 I, ...(Name of Parent)..., swear (or affirm) that my child,
 2117 ...(Name of Student)..., attended the Voluntary Prekindergarten
 2118 Education Program on the days listed above and certify that I
 2119 continue to choose ...(Name of Provider or School)... to deliver
 2120 the program for my child and direct that program funds be paid
 2121 to the provider or school for my child.

2122 ...(Signature of Parent)...

2123 ...(Date)...

2124 3. The private prekindergarten provider or public school
 2125 must keep each original signed form for at least 2 years. Each

2126 private prekindergarten provider must permit the early learning
2127 coalition, and each public school must permit the school
2128 district, to inspect the original signed forms during normal
2129 business hours. The department ~~Office of Early Learning~~ shall
2130 adopt procedures for early learning coalitions and school
2131 districts to review the original signed forms against the
2132 certified student attendance. The review procedures shall
2133 provide for the use of selective inspection techniques,
2134 including, but not limited to, random sampling. Each early
2135 learning coalition and the school districts must comply with the
2136 review procedures.

2137 (d) The department ~~Office of Early Learning~~ shall adopt,
2138 for funding purposes, a uniform attendance policy for the
2139 Voluntary Prekindergarten Education Program. The attendance
2140 policy must apply statewide and apply equally to all private
2141 prekindergarten providers and public schools. The attendance
2142 policy must include at least the following provisions:

2143 1. A student's attendance may be reported on a pro rata
2144 basis as a fractional part of a full-time equivalent student.

2145 2. At a maximum, 20 percent of the total payment made on
2146 behalf of a student to a private prekindergarten provider or a
2147 public school may be for hours a student is absent.

2148 3. A private prekindergarten provider or public school may
2149 not receive payment for absences that occur before a student's
2150 first day of attendance or after a student's last day of

2151 attendance.

2152

2153 The uniform attendance policy shall be used only for funding
 2154 purposes and does not prohibit a private prekindergarten
 2155 provider or public school from adopting and enforcing its
 2156 attendance policy under paragraphs (a) and (c).

2157 (7) The department ~~Office of Early Learning~~ shall require
 2158 that administrative expenditures be kept to the minimum
 2159 necessary for efficient and effective administration of the
 2160 Voluntary Prekindergarten Education Program. Administrative
 2161 policies and procedures shall be revised, to the maximum extent
 2162 practicable, to incorporate the use of automation and electronic
 2163 submission of forms, including those required for child
 2164 eligibility and enrollment, provider and class registration, and
 2165 monthly certification of attendance for payment. A school
 2166 district may use its automated daily attendance reporting system
 2167 for the purpose of transmitting attendance records to the early
 2168 learning coalition in a mutually agreed-upon format. In
 2169 addition, actions shall be taken to reduce paperwork, eliminate
 2170 the duplication of reports, and eliminate other duplicative
 2171 activities. Each early learning coalition may retain and expend
 2172 no more than 4.0 percent of the funds paid by the coalition to
 2173 private prekindergarten providers and public schools under
 2174 paragraph (5) (b). Funds retained by an early learning coalition
 2175 under this subsection may be used only for administering the

2176 Voluntary Prekindergarten Education Program and may not be used
 2177 for the school readiness program or other programs.

2178 Section 44. Subsection (1) of section 1002.72, Florida
 2179 Statutes, is amended to read:

2180 1002.72 Records of children in the Voluntary
 2181 Prekindergarten Education Program.—

2182 (1) (a) The records of a child enrolled in the Voluntary
 2183 Prekindergarten Education Program held by an early learning
 2184 coalition, the department ~~Office of Early Learning~~, or a
 2185 Voluntary Prekindergarten Education Program provider are
 2186 confidential and exempt from s. 119.07(1) and s. 24(a), Art. I
 2187 of the State Constitution. For purposes of this section, such
 2188 records include assessment data, health data, records of teacher
 2189 observations, and personal identifying information of an
 2190 enrolled child and his or her parent.

2191 (b) This exemption applies to the records of a child
 2192 enrolled in the Voluntary Prekindergarten Education Program held
 2193 by an early learning coalition, the department ~~Office of Early
 2194 Learning~~, or a Voluntary Prekindergarten Education Program
 2195 provider before, on, or after the effective date of this
 2196 exemption.

2197 Section 45. Section 1002.73, Florida Statutes, is amended
 2198 to read:

2199 1002.73 Department of Education; powers and duties;
 2200 accountability requirements.—

2201 (1) The department shall adopt by rule a standard
 2202 statewide provider contract to be used with each Voluntary
 2203 Prekindergarten Education Program provider, with standardized
 2204 attachments by provider type. The department shall publish a
 2205 copy of the standard statewide provider contract on its website.
 2206 The standard statewide provider contract shall include, at a
 2207 minimum, provisions for provider probation, termination for
 2208 cause, and emergency termination for actions or inactions of a
 2209 provider that pose an immediate and serious danger to the
 2210 health, safety, or welfare of children. The standard statewide
 2211 provider contract shall also include appropriate due process
 2212 procedures. During the pendency of an appeal of a termination,
 2213 the provider may not continue to offer its services. Any
 2214 provision imposed upon a provider that is inconsistent with, or
 2215 prohibited by, law is void and unenforceable ~~administer the~~
 2216 ~~accountability requirements of the Voluntary Prekindergarten~~
 2217 ~~Education Program at the state level.~~

2218 (2) The department shall adopt procedures for ~~its~~:
 2219 (a) The approval of prekindergarten director credentials
 2220 under ss. 1002.55 and 1002.57.

2221 (b) The approval of emergent literacy and early
 2222 mathematics skills training courses under ss. 1002.55 and
 2223 1002.59.

2224 (c) Annually notifying private prekindergarten providers
 2225 and public schools placed on probation for not meeting the

2226 minimum performance metric or designation as required by s.
2227 1002.68 of the high-quality professional development
2228 opportunities developed or supported by the department.

2229 (d) The administration of the Voluntary Prekindergarten
2230 Education Program by the early learning coalitions, including,
2231 but not limited to, procedures for:

2232 1. Enrolling students in and determining the eligibility
2233 of children for the Voluntary Prekindergarten Education Program
2234 under s. 1002.53, which shall include the enrollment of children
2235 by public schools and private providers that meet specified
2236 requirements.

2237 2. Providing parents with profiles of private
2238 prekindergarten providers and public schools under s. 1002.53.

2239 3. Registering private prekindergarten providers and
2240 public schools to deliver the program under ss. 1002.55,
2241 1002.61, and 1002.63.

2242 4. Determining the eligibility of private prekindergarten
2243 providers to deliver the program under ss. 1002.55 and 1002.61
2244 and streamlining the process of determining provider eligibility
2245 whenever possible.

2246 5. Verifying the compliance of private prekindergarten
2247 providers and public schools and removing providers or schools
2248 from eligibility to deliver the program due to noncompliance or
2249 misconduct as provided in s. 1002.67.

2250 6. Paying private prekindergarten providers and public

2251 schools under s. 1002.71.

2252 7. Documenting and certifying student enrollment and
2253 student attendance under s. 1002.71.

2254 8. Reconciling advance payments in accordance with the
2255 uniform attendance policy under s. 1002.71.

2256 9. Reenrolling students dismissed by a private
2257 prekindergarten provider or public school for noncompliance with
2258 the provider's or school district's attendance policy under s.
2259 1002.71.

2260 (3) The department shall administer the accountability
2261 requirements of the Voluntary Prekindergarten Education Program
2262 at the state level.

2263 (4) The department shall adopt procedures governing the
2264 administration of the Voluntary Prekindergarten Education
2265 Program by the early learning coalitions for:

2266 (a) Approving improvement plans of private prekindergarten
2267 providers and public schools under s. 1002.68.

2268 (b) Placing private prekindergarten providers and public
2269 schools on probation and requiring corrective actions under s.
2270 1002.68.

2271 (c) Removing a private prekindergarten provider or public
2272 school from eligibility to deliver the program due to the
2273 provider's or school's remaining on probation beyond the time
2274 permitted under s. 1002.68. Notwithstanding any other law, if a
2275 private prekindergarten provider has been cited for a class I

2276 violation, as defined by rule of the Child Care Services Program
 2277 Office of the Department of Children and Families, the coalition
 2278 may refuse to contract with the provider or revoke the
 2279 provider's eligibility to deliver the Voluntary Prekindergarten
 2280 Education Program.

2281 (d) Enrolling children in and determining the eligibility
 2282 of children for the Voluntary Prekindergarten Education Program
 2283 under s. 1002.66.

2284 (e) Paying specialized instructional services providers
 2285 under s. 1002.66.

2286 ~~(c) Administration of the statewide kindergarten screening~~
 2287 ~~and calculation of kindergarten readiness rates under s.~~
 2288 ~~1002.69.~~

2289 ~~(d) Implementation of, and determination of costs~~
 2290 ~~associated with, the state-approved prekindergarten enrollment~~
 2291 ~~screening and the standardized postassessment approved by the~~
 2292 ~~department, and determination of the learning gains of students~~
 2293 ~~who complete the state-approved prekindergarten enrollment~~
 2294 ~~screening and the standardized postassessment approved by the~~
 2295 ~~department.~~

2296 (f)(e) Approving Approval of specialized instructional
 2297 services providers under s. 1002.66.

2298 ~~(f) Annual reporting of the percentage of kindergarten~~
 2299 ~~students who meet all state readiness measures.~~

2300 (g) Granting of a private prekindergarten provider's or

2301 public school's request for a good cause exemption under s.
 2302 1002.68 ~~s. 1002.69(7)~~.

2303 (5) The department shall adopt procedures for the
 2304 distribution of funds to early learning coalitions under s.
 2305 1002.71.

2306 (6) ~~(3)~~ Except as provided by law, the department may not
 2307 impose requirements on a private prekindergarten provider or
 2308 public school that does not deliver the Voluntary
 2309 Prekindergarten Education Program or receive state funds under
 2310 this part.

2311 Section 46. Sections 1002.75, Florida Statutes, is
 2312 repealed.

2313 Section 47. Section 1002.79, Florida Statutes, is amended
 2314 to read:

2315 1002.79 Rulemaking authority.—The State Board of Education
 2316 ~~Office of Early Learning~~ shall adopt rules under ss. 120.536(1)
 2317 and 120.54 to administer the provisions of this part conferring
 2318 duties upon the department ~~office~~.

2319 Section 48. Section 1002.81, Florida Statutes, is amended
 2320 to read:

2321 1002.81 Definitions.—Consistent with the requirements of
 2322 45 C.F.R. parts 98 and 99 and as used in this part, the term:

2323 (1) "At-risk child" means:

2324 (a) A child from a family under investigation by the
 2325 Department of Children and Families or a designated sheriff's

2326 office for child abuse, neglect, abandonment, or exploitation.

2327 (b) A child who is in a diversion program provided by the
 2328 Department of Children and Families or its contracted provider
 2329 and who is from a family that is actively participating and
 2330 complying in department-prescribed activities, including
 2331 education, health services, or work.

2332 (c) A child from a family that is under supervision by the
 2333 Department of Children and Families or a contracted service
 2334 provider for abuse, neglect, abandonment, or exploitation.

2335 (d) A child placed in court-ordered, long-term custody or
 2336 under the guardianship of a relative or nonrelative after
 2337 termination of supervision by the Department of Children and
 2338 Families or its contracted provider.

2339 (e) A child in the custody of a parent who is considered a
 2340 victim of domestic violence and is receiving services through a
 2341 certified domestic violence center.

2342 (f) A child in the custody of a parent who is considered
 2343 homeless as verified by a Department of Children and Families
 2344 certified homeless shelter.

2345 (2) "Authorized hours of care" means the hours of care
 2346 that are necessary to provide protection, maintain employment,
 2347 or complete work activities or eligible educational activities,
 2348 including reasonable travel time.

2349 (3)~~(4)~~ "Direct enhancement services" means services for
 2350 families and children that are in addition to payments for the

2351 placement of children in the school readiness program. Direct
2352 enhancement services for families and children may include
2353 supports for providers, parent training and involvement
2354 activities, and strategies to meet the needs of unique
2355 populations and local eligibility priorities. Direct enhancement
2356 services offered by an early learning coalition shall be
2357 consistent with the activities prescribed in s. 1002.89(5)(b) ~~s.~~
2358 ~~1002.89(6)(b)~~.

2359 (4)~~(5)~~ "Disenrollment" means the removal, either temporary
2360 or permanent, of a child from participation in the school
2361 readiness program. Removal of a child from the school readiness
2362 program may be based on the following events: a reduction in
2363 available school readiness program funding, participant's
2364 failure to meet eligibility or program participation
2365 requirements, fraud, or a change in local service priorities.

2366 (5)~~(6)~~ "Earned income" means gross remuneration derived
2367 from work, professional service, or self-employment. The term
2368 includes commissions, bonuses, back pay awards, and the cash
2369 value of all remuneration paid in a medium other than cash.

2370 (6)~~(7)~~ "Economically disadvantaged" means having a family
2371 income that does not exceed 150 percent of the federal poverty
2372 level and includes being a child of a working migratory family
2373 as defined by 34 C.F.R. s. 200.81(d) or (f) or an agricultural
2374 worker who is employed by more than one agricultural employer
2375 during the course of a year, and whose income varies according

2376 | to weather conditions and market stability.

2377 | (7)~~(8)~~ "Family income" means the combined gross income,
 2378 | whether earned or unearned, that is derived from any source by
 2379 | all family or household members who are 18 years of age or older
 2380 | who are currently residing together in the same dwelling unit.
 2381 | The term does not include income earned by a currently enrolled
 2382 | high school student who, since attaining the age of 18 years, or
 2383 | a student with a disability who, since attaining the age of 22
 2384 | years, has not terminated school enrollment or received a high
 2385 | school diploma, high school equivalency diploma, special
 2386 | diploma, or certificate of high school completion. The term also
 2387 | does not include food stamp benefits or federal housing
 2388 | assistance payments issued directly to a landlord or the
 2389 | associated utilities expenses.

2390 | (8)~~(9)~~ "Family or household members" means spouses, former
 2391 | spouses, persons related by blood or marriage, persons who are
 2392 | parents of a child in common regardless of whether they have
 2393 | been married, and other persons who are currently residing
 2394 | together in the same dwelling unit as if a family.

2395 | (9)~~(10)~~ "Full-time care" means at least 6 hours, but not
 2396 | more than 11 hours, of child care or early childhood education
 2397 | services within a 24-hour period.

2398 | (10)~~(11)~~ "Market rate" means the price that a child care
 2399 | or early childhood education provider charges for full-time or
 2400 | part-time daily, weekly, or monthly child care or early

2401 childhood education services.

2402 ~~(12) "Office" means the Office of Early Learning of the~~
 2403 ~~Department of Education.~~

2404 ~~(11)-(13)~~ "Part-time care" means less than 6 hours of child
 2405 care or early childhood education services within a 24-hour
 2406 period.

2407 ~~(12)-(3)~~ "Prevailing Average market rate" means the
 2408 biennially determined 75th percentile of a reasonable frequency
 2409 distribution average of the market rate by program care level
 2410 and provider type in a predetermined geographic market at which
 2411 child care providers charge a person for child care services.

2412 ~~(13)-(14)~~ "Single point of entry" means an integrated
 2413 information system that allows a parent to enroll his or her
 2414 child in the school readiness program or the Voluntary
 2415 Prekindergarten Education Program at various locations
 2416 throughout a county, that may allow a parent to enroll his or
 2417 her child by telephone or through a website, and that uses a
 2418 uniform waiting list to track eligible children waiting for
 2419 enrollment in the school readiness program.

2420 ~~(14)-(15)~~ "Unearned income" means income other than earned
 2421 income. The term includes, but is not limited to:

- 2422 (a) Documented alimony and child support received.
- 2423 (b) Social security benefits.
- 2424 (c) Supplemental security income benefits.
- 2425 (d) Workers' compensation benefits.

2426 (e) Reemployment assistance or unemployment compensation
 2427 benefits.

2428 (f) Veterans' benefits.

2429 (g) Retirement benefits.

2430 (h) Temporary cash assistance under chapter 414.

2431 (15)~~(16)~~ "Working family" means:

2432 (a) A single-parent family in which the parent with whom
 2433 the child resides is employed or engaged in eligible work or
 2434 education activities for at least 20 hours per week;

2435 (b) A two-parent family in which both parents with whom
 2436 the child resides are employed or engaged in eligible work or
 2437 education activities for a combined total of at least 40 hours
 2438 per week; or

2439 (c) A two-parent family in which one of the parents with
 2440 whom the child resides is exempt from work requirements due to
 2441 age or disability, as determined and documented by a physician
 2442 licensed under chapter 458 or chapter 459, and one parent is
 2443 employed or engaged in eligible work or education activities at
 2444 least 20 hours per week.

2445 Section 49. Section 1002.82, Florida Statutes, is amended
 2446 to read:

2447 1002.82 Department of Education ~~Office of Early Learning~~;
 2448 powers and duties.—

2449 (1) For purposes of administration of the Child Care and
 2450 Development Block Grant Trust Fund, pursuant to 45 C.F.R. parts

2451 98 and 99, the Department of Education ~~Office of Early Learning~~
2452 is designated as the lead agency and must comply with lead
2453 agency responsibilities pursuant to federal law. The department
2454 ~~office~~ may apply to the Governor and Cabinet for a waiver of,
2455 and the Governor and Cabinet may waive, any provision of ss.
2456 411.223 and 1003.54 if the waiver is necessary for
2457 implementation of the school readiness program. Section
2458 125.901(2)(a)3. does not apply to the school readiness program.

2459 (2) The department ~~office~~ shall:

2460 (a) Focus on improving the educational quality delivered
2461 by all providers participating in the school readiness program.

2462 (b) Preserve parental choice by permitting parents to
2463 choose from a variety of child care categories, including
2464 center-based care, family child care, and informal child care to
2465 the extent authorized in the state's Child Care and Development
2466 Fund Plan as approved by the United States Department of Health
2467 and Human Services pursuant to 45 C.F.R. s. 98.18. Care and
2468 curriculum by a faith-based provider may not be limited or
2469 excluded in any of these categories.

2470 (c) Be responsible for the prudent use of all public and
2471 private funds in accordance with all legal and contractual
2472 requirements, safeguarding the effective use of federal, state,
2473 and local resources to achieve the highest practicable level of
2474 school readiness for the children described in s. 1002.87,
2475 including:

2476 1. The adoption of a uniform chart of accounts for
 2477 budgeting and financial reporting purposes that provides
 2478 standardized definitions for expenditures and reporting,
 2479 consistent with the requirements of 45 C.F.R. part 98 and s.
 2480 1002.89 for each of the following categories of expenditure:

- 2481 a. Direct services to children.
- 2482 b. Administrative costs.
- 2483 c. Quality activities.
- 2484 d. Nondirect services.

2485 2. Coordination with other state and federal agencies to
 2486 perform data matches on children participating in the school
 2487 readiness program and their families in order to verify the
 2488 children's eligibility pursuant to s. 1002.87.

2489 (d) Establish procedures for the biennial calculation of
 2490 the prevailing ~~average~~ market rate or an alternative model that
 2491 has been approved by the Administration for Children and
 2492 Families pursuant to 45 C.F.R. s. 98.45(c).

2493 (e) Review each early learning coalition's school
 2494 readiness program plan every 2 years and provide final approval
 2495 of the plan and any amendments submitted.

2496 (f) Establish a unified approach to the state's efforts to
 2497 coordinate a comprehensive early learning program. In support of
 2498 this effort, the department ~~office~~:

2499 1. Shall adopt specific program support services that
 2500 address the state's school readiness program, including:

2501 a. Statewide data information program requirements that
 2502 include:
 2503 (I) Eligibility requirements.
 2504 (II) Financial reports.
 2505 (III) Program accountability measures.
 2506 (IV) Child progress reports.
 2507 b. Child care resource and referral services.
 2508 c. A single point of entry and uniform waiting list.
 2509 2. May provide technical assistance and guidance on
 2510 additional support services to complement the school readiness
 2511 program, including:
 2512 ~~a. Rating and improvement systems.~~
 2513 a.b. Warm-Line services.
 2514 ~~b.e.~~ Anti-fraud plans.
 2515 ~~d. School readiness program standards.~~
 2516 ~~e. Child screening and assessments.~~
 2517 c.f. Training and support for parental involvement in
 2518 children's early education.
 2519 ~~d.g.~~ Family literacy activities and services.
 2520 (g) Provide technical assistance to early learning
 2521 coalitions.
 2522 (h) In cooperation with the early learning coalitions,
 2523 coordinate with the Child Care Services Program Office of the
 2524 Department of Children and Families to reduce paperwork and to
 2525 avoid duplicating interagency activities, health and safety

2526 monitoring, and acquiring and composing data pertaining to child
 2527 care training and credentialing.

2528 (i) Enter into a memorandum of understanding with local
 2529 licensing agencies and the Child Care Services Program Office of
 2530 the Department of Children and Families for inspections of
 2531 school readiness program providers to monitor and verify
 2532 compliance with s. 1002.88 and the health and safety checklist
 2533 adopted by the department ~~office~~. The provider contract of a
 2534 school readiness program provider that refuses permission for
 2535 entry or inspection shall be terminated. The health and safety
 2536 checklist may not exceed the requirements of s. 402.305 and the
 2537 Child Care and Development Fund pursuant to 45 C.F.R. part 98. A
 2538 child development program that is accredited by a national
 2539 accrediting body and operates on a military installation that is
 2540 certified by the United States Department of Defense is exempted
 2541 from the inspection requirements under s. 1002.88.

2542 (j) Monitor the alignment and consistency of the Develop
 2543 ~~and adopt~~ standards and benchmarks developed and adopted by the
 2544 department that address the age-appropriate progress of children
 2545 in the development of school readiness skills. The standards for
 2546 children from birth to kindergarten entry ~~5 years of age~~ in the
 2547 school readiness program must be aligned with the performance
 2548 standards adopted for children in the Voluntary Prekindergarten
 2549 Education Program and must address the following domains:

2550 1. Approaches to learning.

- 2551 2. Cognitive development and general knowledge.
- 2552 3. Numeracy, language, and communication.
- 2553 4. Physical development.
- 2554 5. Self-regulation.
- 2555 (k) Identify observation-based child assessments that are
- 2556 valid, reliable, and developmentally appropriate for use at
- 2557 least three times a year. The assessments must:
- 2558 1. Provide interval level and norm-referenced ~~riterion-~~
- 2559 ~~referenced~~ data that measures equivalent levels of growth across
- 2560 the core domains of early childhood development and that can be
- 2561 used for determining developmentally appropriate learning gains.
- 2562 2. Measure progress in the performance standards adopted
- 2563 pursuant to paragraph (j).
- 2564 3. Provide for appropriate accommodations for children
- 2565 with disabilities and English language learners and be
- 2566 administered by qualified individuals, consistent with the
- 2567 developer's instructions.
- 2568 4. Coordinate with the performance standards adopted by
- 2569 the department under s. 1002.67(1) for the Voluntary
- 2570 Prekindergarten Education Program.
- 2571 5. Provide data in a format for use in the single
- 2572 statewide information system to meet the requirements of
- 2573 paragraph (q) ~~(p)~~.
- 2574 (1) Adopt a list of approved curricula that meet the
- 2575 performance standards for the school readiness program and

2576 establish a process for the review and approval of a provider's
2577 curriculum that meets the performance standards.

2578 (m) Provide technical support to an early learning
2579 coalition to facilitate the use of ~~Adopt by rule~~ a standard
2580 statewide provider contract adopted by the department to be used
2581 with each school readiness program provider, with standardized
2582 attachments by provider type. The department ~~office~~ shall
2583 publish a copy of the standard statewide provider contract on
2584 its website. The standard statewide contract shall include, at a
2585 minimum, contracted slots, if applicable, in accordance with the
2586 Child Care and Development Block Grant Act of 2014, 45 C.F.R.
2587 parts 98 and 99; quality improvement strategies, if applicable;
2588 program assessment requirements; and provisions for provider
2589 probation, termination for cause, and emergency termination for
2590 those actions or inactions of a provider that pose an immediate
2591 and serious danger to the health, safety, or welfare of the
2592 children. The standard statewide provider contract shall also
2593 include appropriate due process procedures. During the pendency
2594 of an appeal of a termination, the provider may not continue to
2595 offer its services. Any provision imposed upon a provider that
2596 is inconsistent with, or prohibited by, law is void and
2597 unenforceable. Provisions for termination for cause must also
2598 include failure to meet the minimum quality measures established
2599 under paragraph (n) for a period of up to 5 years, unless the
2600 coalition determines that the provider is essential to meeting

2601 capacity needs based on the assessment under s. 1002.85(2)(j)
2602 and the provider has an active improvement plan pursuant to
2603 paragraph (n).

2604 (n) Adopt a program assessment for school readiness
2605 program providers that measures the quality of teacher-child
2606 interactions, including emotional and behavioral support,
2607 engaged support for learning, classroom organization, and
2608 instructional support for children ages birth to 5 years. The
2609 implementation of the program assessment must ~~also~~ include the
2610 following components adopted by rule of the State Board of
2611 Education:

2612 1. Quality measures, including a minimum program
2613 assessment composite score threshold for contracting purposes
2614 and program improvement through an improvement plan. The minimum
2615 program assessment composite score required for the Voluntary
2616 Prekindergarten Education Program contracting threshold must be
2617 the same as the minimum program assessment composite score
2618 required for contracting for the school readiness program. The
2619 methodology for the calculation of the minimum program
2620 assessment composite score shall be reviewed by the independent
2621 expert identified in s. 1002.68(4)(d).

2622 2. Requirements for program participation, frequency of
2623 program assessment, and exemptions.

2624 (o) No later than July 1, 2019, develop a differential
2625 payment program based on the quality measures adopted by the

2626 department office under paragraph (n). The differential payment
2627 may not exceed a total of 15 percent for each care level and
2628 unit of child care for a child care provider. No more than 5
2629 percent of the 15 percent total differential may be provided to
2630 providers who submit valid and reliable data to the statewide
2631 information system in the domains of language and executive
2632 functioning using a child assessment identified pursuant to
2633 paragraph (k). Providers below the minimum program assessment
2634 score adopted threshold for contracting purposes are ineligible
2635 for such payment.

2636 (p) No later than July 1, 2022, develop and adopt
2637 requirements for the implementation of a program designed to
2638 make available contracted slots to serve children at the
2639 greatest risk of school failure as determined by such children
2640 being located in an area that has been designated as a poverty
2641 area tract according to the latest census data. The contracted
2642 slot program may also be used to increase the availability of
2643 child care capacity based on the assessment under s.
2644 1002.85(2)(j).

2645 (q) ~~(p)~~ Establish a single statewide information system
2646 that each coalition must use for the purposes of managing the
2647 single point of entry, tracking children's progress,
2648 coordinating services among stakeholders, determining
2649 eligibility of children, tracking child attendance, and
2650 streamlining administrative processes for providers and early

2651 learning coalitions. By July 1, 2019, the system, subject to ss.
2652 1002.72 and 1002.97, shall:

2653 1. Allow a parent to monitor the development of his or her
2654 child as the child moves among programs within the state.

2655 2. Enable analysis at the state, regional, and local level
2656 to measure child growth over time, program impact, and quality
2657 improvement and investment decisions.

2658 (r)-(q) Provide technical support to coalitions to
2659 facilitate the use of ~~Adopt by rule~~ standardized procedures
2660 adopted in state board rule for early learning coalitions to use
2661 when monitoring the compliance of school readiness program
2662 providers with the terms of the standard statewide provider
2663 contract.

2664 (s)-(r) At least biennially provide fiscal and programmatic
2665 monitoring to ~~Monitor and~~ evaluate the performance of each early
2666 learning coalition in administering the school readiness
2667 program, ensuring proper payments for school readiness program
2668 services, implementing the coalition's school readiness program
2669 plan, and administering the Voluntary Prekindergarten Education
2670 Program. These monitoring and performance evaluations must
2671 include, at a minimum, onsite monitoring of each coalition's
2672 finances, management, operations, and programs.

2673 (t)-(s) Work in conjunction with the Bureau of Federal
2674 Education Programs within the Department of Education to
2675 coordinate readiness and voluntary prekindergarten services to

2676 the populations served by the bureau.

2677 (u)~~(t)~~ Administer a statewide toll-free Warm-Line to
2678 provide assistance and consultation to child care facilities and
2679 family day care homes regarding health, developmental,
2680 disability, and special needs issues of the children they are
2681 serving, particularly children with disabilities and other
2682 special needs. The department ~~office~~ shall:

2683 1. Annually inform child care facilities and family day
2684 care homes of the availability of this service through the child
2685 care resource and referral network under s. 1002.92.

2686 2. Expand or contract for the expansion of the Warm-Line
2687 to maintain at least one Warm-Line in each early learning
2688 coalition service area.

2689 (v)~~(u)~~ Develop and implement strategies to increase the
2690 supply and improve the quality of child care services for
2691 infants and toddlers, children with disabilities, children who
2692 receive care during nontraditional hours, children in
2693 underserved areas, and children in areas that have significant
2694 concentrations of poverty and unemployment.

2695 (w)~~(v)~~ Establish preservice and inservice training
2696 requirements that address, at a minimum, school readiness child
2697 development standards, health and safety requirements, and
2698 social-emotional behavior intervention models, which may include
2699 positive behavior intervention and support models, including the
2700 integration of early learning professional development pathways

2701 established in s. 1002.995.

2702 (x)~~(w)~~ Establish standards for emergency preparedness

2703 plans for school readiness program providers.

2704 (y)~~(*)~~ Establish group sizes.

2705 (z)~~(y)~~ Establish staff-to-children ratios that do not

2706 exceed the requirements of s. 402.302(8) or (11) or s.

2707 402.305(4), as applicable, for school readiness program

2708 providers.

2709 (aa)~~(z)~~ Establish eligibility criteria, including

2710 limitations based on income and family assets, in accordance

2711 with s. 1002.87 and federal law.

2712 (3)(a) The department shall adopt performance standards

2713 and outcome measures for early learning coalitions that, at a

2714 minimum, include the development of objective customer service

2715 surveys that shall be deployed beginning in fiscal year 2022-

2716 2023 and be distributed to:

2717 1. Customers who use the services in s. 1002.92 upon the

2718 completion of a referral inquiry.

2719 2. Parents, annually, at the time of eligibility

2720 determination.

2721 3. Child care providers that participate in the school

2722 readiness program or the Voluntary Prekindergarten Education

2723 Program at the time of execution of the statewide provider

2724 contract.

2725 4. Board members required under s. 1002.83.

2726 (b) Results of the survey shall be based on a
2727 statistically significant sample size and calculated annually
2728 for each early learning coalition and included in the
2729 department's annual report under subsection (7). If an early
2730 learning coalition's customer satisfaction survey results are
2731 below 60 percent, the coalition shall be placed on a 1-year
2732 corrective action plan. If, after being placed on corrective
2733 action, an early learning coalition's customer satisfaction
2734 survey results do not improve above the 60 percent threshold,
2735 the department may contract out or merge the coalition.

2736 (4)-(3) If the department ~~office~~ determines during the
2737 review of school readiness program plans, or through monitoring
2738 and performance evaluations conducted under s. 1002.85, that an
2739 early learning coalition has not substantially implemented its
2740 plan, has not substantially met the performance standards and
2741 outcome measures adopted by the department ~~office~~, or has not
2742 effectively administered the school readiness program or
2743 Voluntary Prekindergarten Education Program, the department
2744 ~~office~~ may remove the coalition from eligibility to administer
2745 early learning programs and ~~temporarily~~ contract with a
2746 qualified entity to continue school readiness program and
2747 prekindergarten services in the coalition's county or
2748 multicounty region until the department ~~office~~ reestablishes or
2749 merges the coalition and a new school readiness program plan is
2750 approved in accordance with the rules adopted by the state board

2751 ~~office.~~

2752 (5) The department shall adopt procedures for merging
2753 early learning coalitions for failure to meet the requirements
2754 of subsection (3) or subsection (4), including procedures for
2755 the consolidation of merging coalitions that minimizes
2756 duplication of programs and services due to the merger, and for
2757 the early termination of the terms of the coalition members
2758 which are necessary to accomplish the mergers.

2759 (6)~~(4)~~ The department ~~office~~ may request the Governor to
2760 apply for a waiver to allow a coalition to administer the Head
2761 Start Program to accomplish the purposes of the school readiness
2762 program.

2763 (7)~~(5)~~ By January 1 of each year, the department ~~office~~
2764 shall annually publish on its website a report of its activities
2765 conducted under this section. The report must include a summary
2766 of the coalitions' annual reports, a statewide summary, and the
2767 following:

2768 (a) An analysis of early learning activities throughout
2769 the state, including the school readiness program and the
2770 Voluntary Prekindergarten Education Program.

2771 1. The total and average number of children served in the
2772 school readiness program, enumerated by age, eligibility
2773 priority category, and coalition, and the total number of
2774 children served in the Voluntary Prekindergarten Education
2775 Program.

2776 | 2. A summary of expenditures by coalition, by fund source,
 2777 | including a breakdown by coalition of the percentage of
 2778 | expenditures for administrative activities, quality activities,
 2779 | nondirect services, and direct services for children.

2780 | 3. A description of the department's ~~office's~~ and each
 2781 | coalition's expenditures by fund source for the quality and
 2782 | enhancement activities described in s. 1002.89(5)(b) ~~s.~~
 2783 | ~~1002.89(6)(b)~~.

2784 | 4. A summary of annual findings and collections related to
 2785 | provider fraud and parent fraud.

2786 | 5. Data regarding the coalitions' delivery of early
 2787 | learning programs.

2788 | 6. The total number of children disenrolled statewide and
 2789 | the reason for disenrollment.

2790 | 7. The total number of providers by provider type.

2791 | 8. The number of school readiness program providers who
 2792 | have completed the program assessment required under paragraph
 2793 | (2)(n); the number of providers who have not met the minimum
 2794 | program assessment composite score threshold ~~threshold~~ for contracting
 2795 | established under paragraph (2)(n); and the number of providers
 2796 | that have an active improvement plan based on the results of the
 2797 | program assessment under paragraph (2)(n).

2798 | 9. The total number of provider contracts revoked and the
 2799 | reasons for revocation.

2800 | (b) A detailed summary of the analysis compiled using the

2801 single statewide information system established in subsection
2802 (2) activities and detailed expenditures related to the Child
2803 Care Executive Partnership Program.

2804 (8) (a) (6) (a) Parental choice of child care providers,
2805 including private and faith-based providers, shall be
2806 established to the maximum extent practicable in accordance with
2807 45 C.F.R. s. 98.30.

2808 (b) As used in this subsection, the term "payment
2809 certificate" means a child care certificate as defined in 45
2810 C.F.R. s. 98.2.

2811 (c) The school readiness program shall, in accordance with
2812 45 C.F.R. s. 98.30, provide parental choice through a payment
2813 certificate that provides, to the maximum extent possible,
2814 flexibility in the school readiness program and payment
2815 arrangements. The payment certificate must bear the names of the
2816 beneficiary and the program provider and, when redeemed, must
2817 bear the signatures of both the beneficiary and an authorized
2818 representative of the provider.

2819 (d) If it is determined that a provider has given any cash
2820 or other consideration to the beneficiary in return for
2821 receiving a payment certificate, the early learning coalition or
2822 its fiscal agent shall refer the matter to the Department of
2823 Financial Services pursuant to s. 414.411 for investigation.

2824 (9) (7) Participation in the school readiness program does
2825 not expand the regulatory authority of the state, its officers,

2826 or an early learning coalition to impose any additional
 2827 regulation on providers beyond those necessary to enforce the
 2828 requirements set forth in this part and part V of this chapter.

2829 Section 50. Subsections (5) through (14) of section
 2830 1002.83, Florida Statutes, are renumbered as subsections (6)
 2831 through (15), respectively, subsections (1) and (3), paragraphs
 2832 (e), (f), and (m) of subsection (4), and present subsections
 2833 (5), (11), and (13) are amended, and a new subsection (5) is
 2834 added to that section, to read:

2835 1002.83 Early learning coalitions.—

2836 (1) Thirty ~~Thirty-one~~ or fewer early learning coalitions
 2837 are established and shall maintain direct enhancement services
 2838 at the local level and provide access to such services in all 67
 2839 counties. Two or more early learning coalitions may join for
 2840 purposes of planning and implementing a school readiness program
 2841 and the Voluntary Prekindergarten Education Program.

2842 (3) The Governor shall appoint the chair and two other
 2843 members of each early learning coalition, who must each meet the
 2844 ~~same~~ qualifications of a as private sector business member
 2845 ~~members appointed by the coalition~~ under subsection (6) ~~(5)~~. In
 2846 the absence of a governor-appointed chair, the Commissioner of
 2847 Education may appoint an interim chair from the current early
 2848 learning coalition board membership.

2849 (4) Each early learning coalition must include the
 2850 following member positions; however, in a multicounty coalition,

2851 each ex officio member position may be filled by multiple
2852 nonvoting members but no more than one voting member shall be
2853 seated per member position. If an early learning coalition has
2854 more than one member representing the same entity, only one of
2855 such members may serve as a voting member:

2856 (e) A children's services council or juvenile welfare
2857 board chair or executive director from each county, if
2858 applicable.

2859 (f) A Department of Children and Families child care
2860 regulation representative or an agency head of a local licensing
2861 agency as defined in s. 402.302, where applicable.

2862 ~~(m) A central agency administrator, where applicable.~~

2863 (5) If members of the board are found to be
2864 nonparticipating according to the early learning coalition
2865 bylaws, the early learning coalition may request an alternate
2866 designee who meets the same qualifications or membership
2867 requirements of the nonparticipating member.

2868 (6)-(5) The early learning coalition may appoint additional
2869 ~~Including the members who appointed by the Governor under~~
2870 ~~subsection (3), more than one third of the members of each early~~
2871 ~~learning coalition~~ must be private sector business members,
2872 either for-profit or nonprofit, who do not have, and none of
2873 whose relatives as defined in s. 112.3143 has, a substantial
2874 financial interest in the design or delivery of the Voluntary
2875 Prekindergarten Education Program created under part V of this

2876 chapter or the school readiness program. ~~To meet this~~
2877 ~~requirement, an early learning coalition must appoint additional~~
2878 ~~members.~~ The department office shall establish criteria for
2879 appointing private sector business members. These criteria must
2880 include standards for determining whether a member or relative
2881 has a substantial financial interest in the design or delivery
2882 of the Voluntary Prekindergarten Education Program or the school
2883 readiness program.

2884 (12) ~~(11)~~ Each early learning coalition shall establish
2885 terms for all appointed members of the coalition. The terms must
2886 be staggered and must be a uniform length that does not exceed 4
2887 years per term. ~~Coalition chairs shall be appointed for 4 years~~
2888 ~~pursuant to s. 20.052.~~ Appointed members may serve a maximum of
2889 two consecutive terms. When a vacancy occurs in an appointed
2890 position, the coalition must advertise the vacancy.

2891 (14) ~~(13)~~ Each early learning coalition shall complete an
2892 annual evaluation of the early learning coalition's executive
2893 director or chief executive officer on forms adopted by the
2894 department. The annual evaluation must be submitted to the
2895 commissioner by June 30 of each year. ~~use a coordinated~~
2896 ~~professional development system that supports the achievement~~
2897 ~~and maintenance of core competencies by school readiness program~~
2898 ~~teachers in helping children attain the performance standards~~
2899 ~~adopted by the office.~~

2900 Section 51. Subsections (7) through (20) of section

2901 1002.84, Florida Statutes, are renumbered as subsections (8)
 2902 through (21), respectively, subsections (1), (2), and (4) and
 2903 present subsections (7), (8), (15), (16), (17), (18), and (20)
 2904 of that section are amended, and a new subsection (7) is added
 2905 to that section, to read:

2906 1002.84 Early learning coalitions; school readiness powers
 2907 and duties.—Each early learning coalition shall:

2908 (1) Administer and implement a local comprehensive program
 2909 of school readiness program services in accordance with this
 2910 part and the rules adopted by the department ~~office~~, which
 2911 enhances the cognitive, social, and physical development of
 2912 children to achieve the performance standards.

2913 (2) Establish a uniform waiting list to track eligible
 2914 children waiting for enrollment in the school readiness program
 2915 in accordance with rules adopted by the State Board of Education
 2916 ~~office~~.

2917 (4) Establish a regional Warm-Line as directed by the
 2918 department ~~office~~ pursuant to s. 1002.82(2)(u) ~~s. 1002.82(2)(t)~~.
 2919 Regional Warm-Line staff shall provide onsite technical
 2920 assistance, when requested, to assist child care facilities and
 2921 family day care homes with inquiries relating to the strategies,
 2922 curriculum, and environmental adaptations the child care
 2923 facilities and family day care homes may need as they serve
 2924 children with disabilities and other special needs.

2925 (7) Use a coordinated professional development system that

2926 | supports the achievement and maintenance of core competencies by
 2927 | school readiness program teachers in helping children attain the
 2928 | performance standards adopted by the department.

2929 | (8)~~(7)~~ Determine child eligibility pursuant to s. 1002.87
 2930 | and provider eligibility pursuant to s. 1002.88. Child
 2931 | eligibility must be redetermined annually. A coalition must
 2932 | document the reason a child is no longer eligible for the school
 2933 | readiness program according to the standard codes prescribed by
 2934 | the department ~~office~~.

2935 | (9)~~(8)~~ Establish a parent sliding fee scale that provides
 2936 | for a parent copayment that is not a barrier to families
 2937 | receiving school readiness program services. ~~Providers are~~
 2938 | ~~required to collect the parent's copayment.~~ A coalition may, ~~on~~
 2939 | ~~a case-by-case basis,~~ waive the copayment for an at-risk child
 2940 | or temporarily waive the copayment for a child whose family's
 2941 | income is at or below the federal poverty level or ~~and~~ whose
 2942 | family experiences a natural disaster or an event that limits
 2943 | the parent's ability to pay, such as incarceration, placement in
 2944 | residential treatment, or becoming homeless, or an emergency
 2945 | situation such as a household fire or burglary, or while the
 2946 | parent is participating in parenting classes or participating in
 2947 | an Early Head Start program or Head Start Program. A parent may
 2948 | not transfer school readiness program services to another school
 2949 | readiness program provider until the parent has submitted
 2950 | documentation from the current school readiness program provider

2951 to the early learning coalition stating that the parent has
2952 satisfactorily fulfilled the copayment obligation.

2953 ~~(16)-(15)~~ Monitor school readiness program providers in
2954 accordance with its plan, or in response to a parental
2955 complaint, to verify that the standards prescribed in ss.
2956 1002.82 and 1002.88 are being met using a standard monitoring
2957 tool adopted by the department ~~office~~. Providers determined to
2958 be high-risk by the coalition, as demonstrated by substantial
2959 findings of violations of federal law or the general or local
2960 laws of the state, shall be monitored more frequently. Providers
2961 with 3 consecutive years of compliance may be monitored
2962 biennially.

2963 ~~(17)-(16)~~ Adopt a payment schedule that encompasses all
2964 programs funded under this part and part V of this chapter. The
2965 payment schedule must take into consideration the prevailing
2966 ~~average~~ market rate, include the projected number of children to
2967 be served, and be submitted for approval by the department
2968 ~~office~~. Informal child care arrangements shall be reimbursed at
2969 not more than 50 percent of the rate adopted for a family day
2970 care home.

2971 ~~(18)-(17)~~ Implement an anti-fraud plan addressing the
2972 detection, reporting, and prevention of overpayments, abuse, and
2973 fraud relating to the provision of and payment for school
2974 readiness program and Voluntary Prekindergarten Education
2975 Program services and submit the plan to the department ~~office~~

2976 | for approval, as required by s. 1002.91.

2977 | (19)~~(18)~~ By October 1 of each year, submit an annual

2978 | report to the department ~~office~~. The report shall conform to the

2979 | format adopted by the department ~~office~~ and must include:

2980 | (a) Segregation of school readiness program funds,

2981 | Voluntary Prekindergarten Education Program funds, ~~Child Care~~

2982 | ~~Executive Partnership Program funds~~, and other local revenues

2983 | available to the coalition.

2984 | (b) Details of expenditures by fund source, including

2985 | total expenditures for administrative activities, quality

2986 | activities, nondirect services, and direct services for

2987 | children.

2988 | (c) The total number of coalition staff and the related

2989 | expenditures for salaries and benefits. For any subcontracts,

2990 | the total number of contracted staff and the related

2991 | expenditures for salaries and benefits must be included.

2992 | (d) The number of children served in the school readiness

2993 | program, by provider type, enumerated by age and eligibility

2994 | priority category, reported as the number of children served

2995 | during the month, the average participation throughout the

2996 | month, and the number of children served during the month.

2997 | (e) The total number of children disenrolled during the

2998 | year and the reasons for disenrollment.

2999 | (f) The total number of providers by provider type.

3000 | (g) A listing of any school readiness program provider, by

3001 type, whose eligibility to deliver the school readiness program
3002 is revoked, including a brief description of the state or
3003 federal violation that resulted in the revocation.

3004 (h) An evaluation of its direct enhancement services.

3005 (i) The total number of children served in each provider
3006 facility.

3007 (21) (a) (20) To increase transparency and accountability,
3008 comply with the requirements of this section before contracting
3009 with one or more of the following persons or business entities
3010 which employs, has a contractual relationship with, or is owned
3011 by the following persons:

3012 1. A member of the coalition appointed pursuant to s.
3013 1002.83(3);

3014 2. A board member of any other early learning subrecipient
3015 entity;

3016 3. A coalition employee; or

3017 4. A relative, as defined in s. 112.3143(1)(c), of any
3018 person listed in subparagraphs 1.-3 ~~a coalition member or of an~~
3019 ~~employee of the coalition.~~

3020 (b) Such contracts may not be executed without the
3021 approval of the department ~~office~~. Such contracts, as well as
3022 documentation demonstrating adherence to this section by the
3023 coalition, must be approved by a two-thirds vote of the
3024 coalition, a quorum having been established; all conflicts of
3025 interest must be disclosed before the vote; and any member who

3026 | may benefit from the contract, or whose relative may benefit
 3027 | from the contract, must abstain from the vote. A contract under
 3028 | \$25,000 ~~between an early learning coalition and a member of that~~
 3029 | ~~coalition or between a relative, as defined in s.~~
 3030 | ~~112.3143(1)(c), of a coalition member or of an employee of the~~
 3031 | ~~coalition~~ is not required to have the prior approval of the
 3032 | department ~~office~~ but must be approved by a two-thirds vote of
 3033 | the coalition, a quorum having been established, and must be
 3034 | reported to the department ~~office~~ within 30 days after approval.
 3035 | If a contract cannot be approved by the department ~~office~~, a
 3036 | review of the decision to disapprove the contract may be
 3037 | requested by the early learning coalition or other parties to
 3038 | the disapproved contract.

3039 | Section 52. Section 1002.85, Florida Statutes, is amended
 3040 | to read:

3041 | 1002.85 Early learning coalition plans.—

3042 | (1) The department ~~office~~ shall adopt rules prescribing
 3043 | the standardized format and required content of school readiness
 3044 | program plans as necessary for a coalition or other qualified
 3045 | entity to administer the school readiness program as provided in
 3046 | this part.

3047 | (2) Each early learning coalition must biennially submit a
 3048 | school readiness program plan to the department ~~office~~ before
 3049 | the expenditure of funds. A coalition may not implement its
 3050 | school readiness program plan until it receives approval from

3051 the department ~~office~~. A coalition may not implement any
3052 revision to its school readiness program plan until the
3053 coalition submits the revised plan to and receives approval from
3054 the department ~~office~~. If the department ~~office~~ rejects a plan
3055 or revision, the coalition must continue to operate under its
3056 previously approved plan. The plan must include, but is not
3057 limited to:

3058 (a) The coalition's operations, including its membership
3059 and business organization, and the coalition's articles of
3060 incorporation and bylaws if the coalition is organized as a
3061 corporation. If the coalition is not organized as a corporation
3062 or other business entity, the plan must include the contract
3063 with a fiscal agent.

3064 (b) The minimum number of children to be served by care
3065 level.

3066 (c) The coalition's procedures for implementing the
3067 requirements of this part, including:

- 3068 1. Single point of entry.
- 3069 2. Uniform waiting list.
- 3070 3. Eligibility and enrollment processes and local
3071 eligibility priorities for children pursuant to s. 1002.87.
- 3072 4. Parent access and choice.
- 3073 5. Sliding fee scale and policies on applying the waiver
3074 or reduction of fees in accordance with s. 1002.84(9) ~~s.~~
3075 ~~1002.84(8)~~.

3076 6. Use of preassessments and postassessments, as
 3077 applicable.
 3078 7. Payment rate schedule.
 3079 8. Use of contracted slots, as applicable, based on the
 3080 results of the assessment required under paragraph (j).
 3081 (d) A detailed description of the coalition's quality
 3082 activities and services, including, but not limited to:
 3083 1. Resource and referral and school-age child care.
 3084 2. Infant and toddler early learning.
 3085 3. Inclusive early learning programs.
 3086 4. Quality improvement strategies that strengthen teaching
 3087 practices and increase child outcomes.
 3088 (e) A detailed budget that outlines estimated expenditures
 3089 for state, federal, and local matching funds at the lowest level
 3090 of detail available by other-cost-accumulator code number; all
 3091 estimated sources of revenue with identifiable descriptions; a
 3092 listing of full-time equivalent positions; contracted
 3093 subcontractor costs with related annual compensation amount or
 3094 hourly rate of compensation; and a capital improvements plan
 3095 outlining existing fixed capital outlay projects and proposed
 3096 capital outlay projects that will begin during the budget year.
 3097 (f) A detailed accounting, in the format prescribed by the
 3098 department ~~office~~, of all revenues and expenditures during the
 3099 previous state fiscal year. Revenue sources should be
 3100 identifiable, and expenditures should be reported by two ~~three~~

3101 categories: state and federal funds and local matching funds,
 3102 ~~and Child Care Executive Partnership Program funds.~~

3103 (g) Updated policies and procedures, including those
 3104 governing procurement, maintenance of tangible personal
 3105 property, maintenance of records, information technology
 3106 security, and disbursement controls.

3107 (h) A description of the procedures for monitoring school
 3108 readiness program providers, including in response to a parental
 3109 complaint, to determine that the standards prescribed in ss.
 3110 1002.82 and 1002.88 are met using a standard monitoring tool
 3111 adopted by the department ~~office~~. Providers determined to be
 3112 high risk by the coalition as demonstrated by substantial
 3113 findings of violations of law shall be monitored more
 3114 frequently.

3115 (i) Documentation that the coalition has solicited and
 3116 considered comments regarding the proposed school readiness
 3117 program plan from the local community.

3118 (j) An assessment of local priorities within the county or
 3119 multicounty region based on the needs of families and provider
 3120 capacity using available community data.

3121 (3) The coalition may periodically amend its plan as
 3122 necessary. An amended plan must be submitted to and approved by
 3123 the department ~~office~~ before any expenditures are incurred on
 3124 the new activities proposed in the amendment.

3125 (4) The department ~~office~~ shall publish a copy of the

3126 standardized format and required content of school readiness
3127 program plans on its website.

3128 (5) The department ~~office~~ shall collect and report data on
3129 coalition delivery of early learning programs. Elements shall
3130 include, but are not limited to, measures related to progress
3131 towards reducing the number of children on the waiting list, the
3132 percentage of children served by the program as compared to the
3133 number of administrative staff and overhead, the percentage of
3134 children served compared to total number of children under the
3135 age of 5 years below 150 percent of the federal poverty level,
3136 provider payment processes, fraud intervention, child attendance
3137 and stability, use of child care resource and referral, and
3138 kindergarten readiness outcomes for children in the Voluntary
3139 Prekindergarten Education Program or the school readiness
3140 program upon entry into kindergarten. The department ~~office~~
3141 shall request input from the coalitions and school readiness
3142 program providers before finalizing the format and data to be
3143 used. The report shall be implemented beginning July 1, 2014,
3144 and results of the report must be included in the annual report
3145 under s. 1002.82.

3146 Section 53. Paragraphs (a), (b), (c), (e), (f), (m), (n),
3147 (p), and (q) of subsection (1) and subsection (3) of section
3148 1002.88, Florida Statutes, are amended, and paragraph (s) is
3149 added to subsection (1) of that section, to read:

3150 1002.88 School readiness program provider standards;

3151 eligibility to deliver the school readiness program.—

3152 (1) To be eligible to deliver the school readiness
3153 program, a school readiness program provider must:

3154 (a) Be a child care facility licensed under s. 402.305, a
3155 family day care home licensed or registered under s. 402.313, a
3156 large family child care home licensed under s. 402.3131, a
3157 public school or nonpublic school exempt from licensure under s.
3158 402.3025, a faith-based child care provider exempt from
3159 licensure under s. 402.316, a before-school or after-school
3160 program described in s. 402.305(1)(c), a child development
3161 program that is accredited by a national accrediting body and
3162 operates on a military installation that is certified by the
3163 United States Department of Defense, ~~or~~ an informal child care
3164 provider to the extent authorized in the state's Child Care and
3165 Development Fund Plan as approved by the United States
3166 Department of Health and Human Services pursuant to 45 C.F.R. s.
3167 98.18, or a provider who has been issued a provisional license
3168 pursuant to s. 402.309. A provider may not deliver the program
3169 while holding a probation-status license under s. 402.310.

3170 (b) Provide instruction and activities to enhance the age-
3171 appropriate progress of each child in attaining the child
3172 development standards adopted by the department ~~office~~ pursuant
3173 to s. 1002.82(2)(j). A provider should include activities to
3174 foster brain development in infants and toddlers; provide an
3175 environment that is rich in language and music and filled with

3176 objects of various colors, shapes, textures, and sizes to
3177 stimulate visual, tactile, auditory, and linguistic senses; and
3178 include 30 minutes of reading to children each day.

3179 (c) Provide basic health and safety of its premises and
3180 facilities and compliance with requirements for age-appropriate
3181 immunizations of children enrolled in the school readiness
3182 program.

3183 1. For a provider that is licensed, compliance with s.
3184 402.305, s. 402.3131, or s. 402.313 and this subsection, as
3185 verified pursuant to s. 402.311, satisfies this requirement.

3186 2. For a provider that is a registered family day care
3187 home or is not subject to licensure or registration by the
3188 Department of Children and Families, compliance with this
3189 subsection, as verified pursuant to s. 402.311, satisfies this
3190 requirement. Upon verification pursuant to s. 402.311, the
3191 provider shall annually post the health and safety checklist
3192 adopted by the department ~~office~~ prominently on its premises in
3193 plain sight for visitors and parents and shall annually submit
3194 the checklist to its local early learning coalition.

3195 3. For a child development program that is accredited by a
3196 national accrediting body and operates on a military
3197 installation that is certified by the United States Department
3198 of Defense, the submission and verification of annual
3199 inspections pursuant to United States Department of Defense
3200 Instructions 6060.2 and 1402.05 satisfies this requirement.

3201 (e) Employ child care personnel, as defined in s.
3202 402.302(3), who have satisfied the screening requirements of
3203 chapter 402 and fulfilled the training requirements of the
3204 department ~~office~~.

3205 (f) Implement one of the curricula approved by the
3206 department ~~office~~ that meets the child development standards.

3207 (m) For a provider that is not an informal provider,
3208 maintain general liability insurance and provide the coalition
3209 with written evidence of general liability insurance coverage,
3210 including coverage for transportation of children if school
3211 readiness program children are transported by the provider. A
3212 provider must obtain and retain an insurance policy that
3213 provides a minimum of \$100,000 of coverage per occurrence and a
3214 minimum of \$300,000 general aggregate coverage. The department
3215 ~~office~~ may authorize lower limits upon request, as appropriate.
3216 A provider must add the coalition as a named certificateholder
3217 and as an additional insured. A provider must provide the
3218 coalition with a minimum of 10 calendar days' advance written
3219 notice of cancellation of or changes to coverage. The general
3220 liability insurance required by this paragraph must remain in
3221 full force and effect for the entire period of the provider
3222 contract with the coalition.

3223 (n) For a provider that is an informal provider, comply
3224 with the provisions of paragraph (m) or maintain homeowner's
3225 liability insurance and, if applicable, a business rider. If an

3226 informal provider chooses to maintain a homeowner's policy, the
3227 provider must obtain and retain a homeowner's insurance policy
3228 that provides a minimum of \$100,000 of coverage per occurrence
3229 and a minimum of \$300,000 general aggregate coverage. The
3230 department ~~office~~ may authorize lower limits upon request, as
3231 appropriate. An informal provider must add the coalition as a
3232 named certificateholder and as an additional insured. An
3233 informal provider must provide the coalition with a minimum of
3234 10 calendar days' advance written notice of cancellation of or
3235 changes to coverage. The general liability insurance required by
3236 this paragraph must remain in full force and effect for the
3237 entire period of the provider's contract with the coalition.

3238 (p) Notwithstanding paragraph (m), for a provider that is
3239 a state agency or a subdivision thereof, as defined in s.
3240 768.28(2), agree to notify the coalition of any additional
3241 liability coverage maintained by the provider in addition to
3242 that otherwise established under s. 768.28. The provider shall
3243 indemnify the coalition to the extent permitted by s. 768.28.
3244 Notwithstanding paragraph (m), for a child development program
3245 that is accredited by a national accrediting body and operates
3246 on a military installation that is certified by the United
3247 States Department of Defense, the provider may demonstrate
3248 liability coverage by affirming that it is subject to the
3249 Federal Tort Claims Act, 28 U.S.C. ss. 2671 et seq.

3250 (q) Execute the standard statewide provider contract

3251 adopted by the department ~~office~~.

3252 (s) Collect all parent copayment fees unless a waiver has
 3253 been granted under s. 1002.84(9).

3254 (3) The department ~~office~~ and the coalitions may not:

3255 (a) Impose any requirement on a child care provider or
 3256 early childhood education provider that does not deliver
 3257 services under the school readiness program or receive state or
 3258 federal funds under this part;

3259 (b) Impose any requirement on a school readiness program
 3260 provider that exceeds the authority provided under this part or
 3261 part V of this chapter or rules adopted pursuant to this part or
 3262 part V of this chapter; or

3263 (c) Require a provider to administer a preassessment or
 3264 postassessment.

3265 Section 54. Subsections (3) through (7) of section
 3266 1002.89, Florida Statutes, are renumbered as subsections (2)
 3267 through (6), respectively, and subsection (2) and present
 3268 subsections (3) and (6) of that section are amended, to read:

3269 1002.89 School readiness program; funding.—

3270 ~~(2) The office shall administer school readiness program~~
 3271 ~~funds and prepare and submit a unified budget request for the~~
 3272 ~~school readiness program in accordance with chapter 216.~~

3273 (2)(3) All instructions to early learning coalitions for
 3274 administering this section shall emanate from the department
 3275 ~~office~~ in accordance with the policies of the Legislature.

3276 (5)~~(6)~~ Costs shall be kept to the minimum necessary for
 3277 the efficient and effective administration of the school
 3278 readiness program with the highest priority of expenditure being
 3279 direct services for eligible children. However, no more than 5
 3280 percent of the funds described in subsection (4) ~~subsection (5)~~
 3281 may be used for administrative costs and no more than 22 percent
 3282 of the funds described in subsection (4) ~~subsection (5)~~ may be
 3283 used in any fiscal year for any combination of administrative
 3284 costs, quality activities, and nondirect services as follows:

3285 (a) Administrative costs as described in 45 C.F.R. s.
 3286 98.54 ~~45 C.F.R. s. 98.52~~, which shall include monitoring
 3287 providers using the standard methodology adopted under s.
 3288 1002.82 to improve compliance with state and federal regulations
 3289 and law pursuant to the requirements of the statewide provider
 3290 contract adopted under s. 1002.82(2)(m).

3291 (b) Activities to improve the quality of child care as
 3292 described in 45 C.F.R. s. 98.53 ~~45 C.F.R. s. 98.51~~, which shall
 3293 be limited to the following:

3294 1. Developing, establishing, expanding, operating, and
 3295 coordinating resource and referral programs specifically related
 3296 to the provision of comprehensive consumer education to parents
 3297 and the public to promote informed child care choices specified
 3298 in 45 C.F.R. s. 98.33.

3299 2. Awarding grants and providing financial support to
 3300 school readiness program providers and their staff to assist

3301 them in meeting applicable state requirements for the program
3302 assessment required under s. 1002.82(2)(n), child care
3303 performance standards, implementing developmentally appropriate
3304 curricula and related classroom resources that support
3305 curricula, providing literacy supports, and providing continued
3306 professional development and training. Any grants awarded
3307 pursuant to this subparagraph shall comply with ss. 215.971 and
3308 287.058.

3309 3. Providing training, technical assistance, and financial
3310 support to school readiness program providers, staff, and
3311 parents on standards, child screenings, child assessments, child
3312 development research and best practices, developmentally
3313 appropriate curricula, character development, teacher-child
3314 interactions, age-appropriate discipline practices, health and
3315 safety, nutrition, first aid, cardiopulmonary resuscitation, the
3316 recognition of communicable diseases, and child abuse detection,
3317 prevention, and reporting.

3318 4. Providing, from among the funds provided for the
3319 activities described in subparagraphs 1.-3., adequate funding
3320 for infants and toddlers as necessary to meet federal
3321 requirements related to expenditures for quality activities for
3322 infant and toddler care.

3323 5. Improving the monitoring of compliance with, and
3324 enforcement of, applicable state and local requirements as
3325 described in and limited by 45 C.F.R. s. 98.40.

3326 6. Responding to Warm-Line requests by providers and
 3327 parents, including providing developmental and health screenings
 3328 to school readiness program children.

3329 (c) Nondirect services as described in applicable Office
 3330 of Management and Budget instructions are those services not
 3331 defined as administrative, direct, or quality services that are
 3332 required to administer the school readiness program. Such
 3333 services include, but are not limited to:

- 3334 1. Assisting families to complete the required application
 3335 and eligibility documentation.
- 3336 2. Determining child and family eligibility.
- 3337 3. Recruiting eligible child care providers.
- 3338 4. Processing and tracking attendance records.
- 3339 5. Developing and maintaining a statewide child care
 3340 information system.

3341
 3342 As used in this paragraph, the term "nondirect services" does
 3343 not include payments to school readiness program providers for
 3344 direct services provided to children who are eligible under s.
 3345 1002.87, administrative costs as described in paragraph (a), or
 3346 quality activities as described in paragraph (b).

3347 Section 55. Subsection (1), paragraph (a) of subsection
 3348 (2), and subsections (4), (5), and (6) of section 1002.895,
 3349 Florida Statutes, are amended to read:

3350 1002.895 Market rate schedule.—The school readiness

3351 program market rate schedule shall be implemented as follows:

3352 (1) The department ~~office~~ shall establish procedures for
3353 the adoption of a market rate schedule until an alternative
3354 model that has been approved by the Administration for Children
3355 and Families pursuant to 45 C.F.R. s. 98.45(c) is available for
3356 adoption. The schedule must include, at a minimum, county-by-
3357 county rates:

3358 (a) The market rate, including the minimum and the maximum
3359 rates for child care providers that hold a Gold Seal Quality
3360 Care designation under s. 1002.945 and adhere to its accrediting
3361 association's teacher-to-child ratios and group size
3362 requirements ~~s. 402.281~~.

3363 (b) The market rate for child care providers that do not
3364 hold a Gold Seal Quality Care designation.

3365 (2) The market rate schedule, at a minimum, must:

3366 (a) Differentiate rates by type, including, but not
3367 limited to, a child care provider that holds a Gold Seal Quality
3368 Care designation under s. 1002.945 and adheres to its
3369 accrediting association's teacher-to-child ratios and group size
3370 requirements ~~s. 402.281~~, a child care facility licensed under s.
3371 402.305, a public or nonpublic school exempt from licensure
3372 under s. 402.3025, a faith-based child care facility exempt from
3373 licensure under s. 402.316 that does not hold a Gold Seal
3374 Quality Care designation, a large family child care home
3375 licensed under s. 402.3131, or a family day care home licensed

3376 or registered under s. 402.313.

3377 (4) The market rate schedule shall be considered by an
 3378 early learning coalition in the adoption of a payment schedule.
 3379 The payment schedule must take into consideration the prevailing
 3380 ~~average~~ market rate and~~7~~ include the projected number of
 3381 children to be served by each county~~7~~ and be submitted for
 3382 approval by the department ~~office~~. Informal child care
 3383 arrangements shall be reimbursed at not more than 50 percent of
 3384 the rate adopted for a family day care home.

3385 (5) The department ~~office~~ may contract with one or more
 3386 qualified entities to administer this section and provide
 3387 support and technical assistance for child care providers.

3388 (6) The department ~~office~~ may adopt rules for establishing
 3389 procedures for the collection of child care providers' market
 3390 rate, the calculation of the prevailing ~~average~~ market rate by
 3391 program care level and provider type in a predetermined
 3392 geographic market, and the publication of the market rate
 3393 schedule.

3394 Section 56. Section 1002.91, Florida Statutes, is amended
 3395 to read:

3396 1002.91 Investigations of fraud or overpayment;
 3397 penalties.—

3398 (1) As used in this subsection, the term "fraud" means an
 3399 intentional deception, omission, or misrepresentation made by a
 3400 person with knowledge that the deception, omission, or

3401 misrepresentation may result in unauthorized benefit to that
3402 person or another person, or any aiding and abetting of the
3403 commission of such an act. The term includes any act that
3404 constitutes fraud under applicable federal or state law.

3405 (2) To recover state, federal, and local matching funds,
3406 the department ~~office~~ shall investigate early learning
3407 coalitions, recipients, and providers of the school readiness
3408 program and the Voluntary Prekindergarten Education Program to
3409 determine possible fraud or overpayment. If by its own
3410 inquiries, or as a result of a complaint, the department ~~office~~
3411 has reason to believe that a person, coalition, or provider has
3412 engaged in, or is engaging in, a fraudulent act, it shall
3413 investigate and determine whether any overpayment has occurred
3414 due to the fraudulent act. During the investigation, the
3415 department ~~office~~ may examine all records, including electronic
3416 benefits transfer records, and make inquiry of all persons who
3417 may have knowledge as to any irregularity incidental to the
3418 disbursement of public moneys or other items or benefits
3419 authorizations to recipients.

3420 (3) Based on the results of the investigation, the
3421 department ~~office~~ may, in its discretion, refer the
3422 investigation to the Department of Financial Services for
3423 criminal investigation or refer the matter to the applicable
3424 coalition. Any suspected criminal violation identified by the
3425 department ~~office~~ must be referred to the Department of

3426 Financial Services for criminal investigation.

3427 (4) An early learning coalition may suspend or terminate a
3428 provider from participation in the school readiness program or
3429 the Voluntary Prekindergarten Education Program when it has
3430 reasonable cause to believe that the provider has committed
3431 fraud. The department ~~office~~ shall adopt by rule appropriate due
3432 process procedures that the early learning coalition shall apply
3433 in suspending or terminating any provider, including the
3434 suspension or termination of payment. If suspended, the provider
3435 shall remain suspended until the completion of any investigation
3436 by the department ~~office~~, the Department of Financial Services,
3437 or any other state or federal agency, and any subsequent
3438 prosecution or other legal proceeding.

3439 (5) If a school readiness program provider or a Voluntary
3440 Prekindergarten Education Program provider, or an owner,
3441 officer, or director thereof, is convicted of, found guilty of,
3442 or pleads guilty or nolo contendere to, regardless of
3443 adjudication, public assistance fraud pursuant to s. 414.39, or
3444 is acting as the beneficial owner for someone who has been
3445 convicted of, found guilty of, or pleads guilty or nolo
3446 contendere to, regardless of adjudication, public assistance
3447 fraud pursuant to s. 414.39, the early learning coalition shall
3448 refrain from contracting with, or using the services of, that
3449 provider for a period of 5 years. In addition, the coalition
3450 shall refrain from contracting with, or using the services of,

3451 any provider that shares an officer or director with a provider
 3452 that is convicted of, found guilty of, or pleads guilty or nolo
 3453 contendere to, regardless of adjudication, public assistance
 3454 fraud pursuant to s. 414.39 for a period of 5 years.

3455 (6) If the investigation is not confidential or otherwise
 3456 exempt from disclosure by law, the results of the investigation
 3457 may be reported by the department ~~office~~ to the appropriate
 3458 legislative committees, the Department of Children and Families,
 3459 and such other persons as the department ~~office~~ deems
 3460 appropriate.

3461 (7) The early learning coalition may not contract with a
 3462 school readiness program provider or a Voluntary Prekindergarten
 3463 Education Program provider who is on the United States
 3464 Department of Agriculture National Disqualified List. In
 3465 addition, the coalition may not contract with any provider that
 3466 shares an officer or director with a provider that is on the
 3467 United States Department of Agriculture National Disqualified
 3468 List.

3469 (8) Each early learning coalition shall adopt an anti-
 3470 fraud plan addressing the detection and prevention of
 3471 overpayments, abuse, and fraud relating to the provision of and
 3472 payment for school readiness program and Voluntary
 3473 Prekindergarten Education Program services and submit the plan
 3474 to the department ~~office~~ for approval. The department ~~office~~
 3475 shall adopt rules establishing criteria for the anti-fraud plan,

3476 including appropriate due process provisions. The anti-fraud
 3477 plan must include, at a minimum:

3478 (a) A written description or chart outlining the
 3479 organizational structure of the plan's personnel who are
 3480 responsible for the investigation and reporting of possible
 3481 overpayment, abuse, or fraud.

3482 (b) A description of the plan's procedures for detecting
 3483 and investigating possible acts of fraud, abuse, or overpayment.

3484 (c) A description of the plan's procedures for the
 3485 mandatory reporting of possible overpayment, abuse, or fraud to
 3486 the Office of Inspector General within the department ~~office~~.

3487 (d) A description of the plan's program and procedures for
 3488 educating and training personnel on how to detect and prevent
 3489 fraud, abuse, and overpayment.

3490 (e) A description of the plan's procedures, including the
 3491 appropriate due process provisions adopted by the department
 3492 ~~office~~ for suspending or terminating from the school readiness
 3493 program or the Voluntary Prekindergarten Education Program a
 3494 recipient or provider who the early learning coalition believes
 3495 has committed fraud.

3496 (9) A person who commits an act of fraud as defined in
 3497 this section is subject to the penalties provided in s.
 3498 414.39(5) (a) and (b).

3499 Section 57. Subsections (1) and (2) and paragraphs (a),
 3500 (c), and (d) of subsection (3) of section 1002.92, Florida

3501 Statutes, are amended to read:

3502 1002.92 Child care and early childhood resource and
3503 referral.—

3504 (1) As a part of the school readiness program, the
3505 department ~~office~~ shall establish a statewide child care
3506 resource and referral network that is unbiased and provides
3507 referrals to families for child care and information on
3508 available community resources. Preference shall be given to
3509 using early learning coalitions as the child care resource and
3510 referral agencies. If an early learning coalition cannot comply
3511 with the requirements to offer the resource information
3512 component or does not want to offer that service, the early
3513 learning coalition shall select the resource and referral agency
3514 for its county or multicounty region based upon the procurement
3515 requirements of s. 1002.84(13) ~~s. 1002.84(12)~~.

3516 (2) At least one child care resource and referral agency
3517 must be established in each early learning coalition's county or
3518 multicounty region. The department ~~office~~ shall adopt rules
3519 regarding accessibility of child care resource and referral
3520 services offered through child care resource and referral
3521 agencies in each county or multicounty region which include, at
3522 a minimum, required hours of operation, methods by which parents
3523 may request services, and child care resource and referral staff
3524 training requirements.

3525 (3) Child care resource and referral agencies shall

3526 provide the following services:

3527 (a) Identification of existing public and private child
3528 care and early childhood education services, including child
3529 care services by public and private employers, and the
3530 development of an early learning provider performance profile a
3531 ~~resource file~~ of those services through the single statewide
3532 information system developed by the department ~~office~~ under s.
3533 1002.82(2)(q) ~~s. 1002.82(2)(p)~~. These services may include
3534 family day care, public and private child care programs, the
3535 Voluntary Prekindergarten Education Program, Head Start, the
3536 school readiness program, special education programs for
3537 prekindergarten children with disabilities, services for
3538 children with developmental disabilities, full-time and part-
3539 time programs, before-school and after-school programs, and
3540 vacation care programs, ~~parent education, the temporary cash~~
3541 ~~assistance program, and related family support services~~. The
3542 early learning provider performance profile ~~resource file~~ shall
3543 include, but not be limited to:

- 3544 1. Type of program.
- 3545 2. Hours of service.
- 3546 3. Ages of children served.
- 3547 4. Number of children served.
- 3548 5. Program information.
- 3549 6. Fees and eligibility for services.
- 3550 7. Availability of transportation.

- 3551 8. Participation in the Child Care Food Program, if
3552 applicable.
- 3553 9. A link to licensing inspection reports, if applicable.
- 3554 10. The components of the Voluntary Prekindergarten
3555 Education Program performance metric calculated under s. 1002.68
3556 which must consist of the program assessment composite score,
3557 learning gains score, achievement score, and its designations,
3558 if applicable.
- 3559 11. The school readiness program assessment composite
3560 score and program assessment care level composite score results
3561 delineated by infant classrooms, toddler classrooms, and
3562 preschool classrooms results under s. 1002.82, if applicable.
- 3563 12. Gold Seal Quality Care designation under s. 1002.945,
3564 if applicable.
- 3565 13. Indication of whether the provider implements a
3566 curriculum approved by the department and the name of the
3567 curriculum, if applicable.
- 3568 14. Participation in the school readiness child assessment
3569 under s. 1002.82.
- 3570 (c) Maintenance of ongoing documentation of requests for
3571 service tabulated through the internal referral process through
3572 the single statewide information system. The following
3573 documentation of requests for service shall be maintained by the
3574 child care resource and referral network:
- 3575 1. Number of calls and contacts to the child care resource

3576 information and referral network component by type of service
 3577 requested.

3578 2. Ages of children for whom service was requested.

3579 3. Time category of child care requests for each child.

3580 4. Special time category, such as nights, weekends, and
 3581 swing shift.

3582 5. Reason that the child care is needed.

3583 6. Customer service survey data required under s.

3584 1002.82(3) Name of the employer and primary focus of the
 3585 business for an employer-based child care program.

3586 (d) Assistance to families that connects them to parent
 3587 education opportunities, the temporary cash assistance program,
 3588 or social services programs that support families with children,
 3589 and related child development support services ~~Provision of~~
 3590 ~~technical assistance to existing and potential providers of~~
 3591 ~~child care services. This assistance may include:~~

3592 1. ~~Information on initiating new child care services,~~
 3593 ~~zoning, and program and budget development and assistance in~~
 3594 ~~finding such information from other sources.~~

3595 2. ~~Information and resources which help existing child~~
 3596 ~~care services providers to maximize their ability to serve~~
 3597 ~~children and parents in their community.~~

3598 3. ~~Information and incentives that may help existing or~~
 3599 ~~planned child care services offered by public or private~~
 3600 ~~employers seeking to maximize their ability to serve the~~

3601 ~~children of their working parent employees in their community,~~
3602 ~~through contractual or other funding arrangements with~~
3603 ~~businesses.~~

3604 Section 58. Subsection (1) of section 1002.93, Florida
3605 Statutes, is amended to read:

3606 1002.93 School readiness program transportation services.—

3607 (1) The department ~~office~~ may authorize an early learning
3608 coalition to establish school readiness program transportation
3609 services for children at risk of abuse or neglect who are
3610 participating in the school readiness program, pursuant to
3611 chapter 427. The early learning coalitions may contract for the
3612 provision of transportation services as required by this
3613 section.

3614 Section 59. Section 1002.94, Florida Statutes, is
3615 repealed.

3616 Section 60. Section 1002.95, Florida Statutes, is amended
3617 to read:

3618 1002.95 Teacher Education and Compensation Helps (TEACH)
3619 scholarship program.—

3620 (1) The department ~~office~~ may contract for the
3621 administration of the Teacher Education and Compensation Helps
3622 (TEACH) scholarship program, which provides educational
3623 scholarships to caregivers and administrators of early childhood
3624 programs, family day care homes, and large family child care
3625 homes. The goal of the program is to increase the education and

3626 training for caregivers, increase the compensation for child
 3627 caregivers who complete the program requirements, and reduce the
 3628 rate of participant turnover in the field of early childhood
 3629 education.

3630 (2) The State Board of Education ~~office~~ shall adopt rules
 3631 as necessary to administer this section.

3632 Section 61. Subsections (1) and (3) of section 1002.96,
 3633 Florida Statutes, are amended to read:

3634 1002.96 Early Head Start collaboration grants.—

3635 (1) Contingent upon specific appropriation, the department
 3636 ~~office~~ shall establish a program to award collaboration grants
 3637 to assist local agencies in securing Early Head Start programs
 3638 through Early Head Start program federal grants. The
 3639 collaboration grants shall provide the required matching funds
 3640 for public and private nonprofit agencies that have been
 3641 approved for Early Head Start program federal grants.

3642 (3) The department ~~office~~ may adopt rules as necessary for
 3643 the award of collaboration grants to competing agencies and the
 3644 administration of the collaboration grants program under this
 3645 section.

3646 Section 62. Subsection (1) and paragraph (g) of subsection
 3647 (3) of section 1002.97, Florida Statutes, are amended to read:

3648 1002.97 Records of children in the school readiness
 3649 program.—

3650 (1) The individual records of children enrolled in the

3651 school readiness program provided under this part, held by an
3652 early learning coalition or the department ~~office~~, are
3653 confidential and exempt from s. 119.07(1) and s. 24(a), Art. I
3654 of the State Constitution. For purposes of this section, records
3655 include assessment data, health data, records of teacher
3656 observations, and personal identifying information.

3657 (3) School readiness program records may be released to:

3658 (g) Parties to an interagency agreement among early
3659 learning coalitions, local governmental agencies, providers of
3660 the school readiness program, state agencies, and the department
3661 ~~office~~ for the purpose of implementing the school readiness
3662 program.

3663
3664 Agencies, organizations, or individuals that receive school
3665 readiness program records in order to carry out their official
3666 functions must protect the data in a manner that does not permit
3667 the personal identification of a child enrolled in a school
3668 readiness program and his or her parent by persons other than
3669 those authorized to receive the records.

3670 Section 63. Subsections (1) and (3) of section 1002.995,
3671 Florida Statutes, are amended to read:

3672 1002.995 Early learning professional development standards
3673 and career pathways.—

3674 (1) The department ~~office~~ shall:

3675 (a) Develop early learning professional development

3676 training and course standards to be utilized for school
 3677 readiness program providers.

3678 (b) Identify both formal and informal early learning
 3679 career pathways with stackable credentials and certifications
 3680 that allow early childhood teachers to access specialized
 3681 professional development that:

- 3682 1. Strengthens knowledge and teaching practices.
- 3683 2. Aligns to established professional standards and core
 3684 competencies.
- 3685 3. Provides a progression of attainable, competency-based
 3686 stackable credentials and certifications.
- 3687 4. Improves outcomes for children to increase kindergarten
 3688 readiness and early grade success.

3689 (3) The State Board of Education ~~office~~ shall adopt rules
 3690 to administer this section.

3691 Section 64. Section 1007.01, Florida Statutes, is amended
 3692 to read:

3693 1007.01 Articulation; legislative intent; purpose; role of
 3694 the State Board of Education and the Board of Governors;
 3695 Articulation Coordinating Committee.—

3696 (1) It is the intent of the Legislature to facilitate
 3697 articulation and seamless integration of the Early Learning-20
 3698 ~~K-20~~ education system by building, sustaining, and strengthening
 3699 relationships among Early Learning-20 ~~K-20~~ public organizations,
 3700 between public and private organizations, and between the

3701 education system as a whole and Florida's communities. The
3702 purpose of building, sustaining, and strengthening these
3703 relationships is to provide for the efficient and effective
3704 progression and transfer of students within the education system
3705 and to allow students to proceed toward their educational
3706 objectives as rapidly as their circumstances permit. The
3707 Legislature further intends that articulation policies and
3708 budget actions be implemented consistently in the practices of
3709 the Department of Education and postsecondary educational
3710 institutions and expressed in the collaborative policy efforts
3711 of the State Board of Education and the Board of Governors.

3712 (2) To improve and facilitate articulation systemwide, the
3713 State Board of Education and the Board of Governors shall
3714 collaboratively establish and adopt policies with input from
3715 statewide K-20 advisory groups established by the Commissioner
3716 of Education and the Chancellor of the State University System
3717 and shall recommend the policies to the Legislature. The
3718 policies shall relate to:

3719 (a) The alignment between the exit requirements of one
3720 education system and the admissions requirements of another
3721 education system into which students typically transfer.

3722 (b) The identification of common courses, the level of
3723 courses, institutional participation in a statewide course
3724 numbering system, and the transferability of credits among such
3725 institutions.

3726 (c) Identification of courses that meet general education
 3727 or common degree program prerequisite requirements at public
 3728 postsecondary educational institutions.

3729 (d) Dual enrollment course equivalencies.

3730 (e) Articulation agreements.

3731 (3) The Commissioner of Education, in consultation with
 3732 the Chancellor of the State University System, shall establish
 3733 the Articulation Coordinating Committee, which shall make
 3734 recommendations related to statewide articulation policies and
 3735 issues regarding access, quality, and reporting of data
 3736 maintained by the educational ~~K-20~~ data warehouse, established
 3737 pursuant to ss. 1001.10 and 1008.31, to the Higher Education
 3738 Coordination Council, the State Board of Education, and the
 3739 Board of Governors. The committee shall consist of two members
 3740 each representing the State University System, the Florida
 3741 College System, public career and technical education, K-12
 3742 education, and nonpublic postsecondary education and one member
 3743 representing students. The chair shall be elected from the
 3744 membership. The Office of K-20 Articulation shall provide
 3745 administrative support for the committee. The committee shall:

3746 (a) Monitor the alignment between the exit requirements of
 3747 one education system and the admissions requirements of another
 3748 education system into which students typically transfer and make
 3749 recommendations for improvement.

3750 (b) Propose guidelines for interinstitutional agreements

3751 between and among public schools, career and technical education
3752 centers, Florida College System institutions, state
3753 universities, and nonpublic postsecondary institutions.

3754 (c) Annually recommend dual enrollment course and high
3755 school subject area equivalencies for approval by the State
3756 Board of Education and the Board of Governors.

3757 (d) Annually review the statewide articulation agreement
3758 pursuant to s. 1007.23 and make recommendations for revisions.

3759 (e) Annually review the statewide course numbering system,
3760 the levels of courses, and the application of transfer credit
3761 requirements among public and nonpublic institutions
3762 participating in the statewide course numbering system and
3763 identify instances of student transfer and admissions
3764 difficulties.

3765 (f) Annually publish a list of courses that meet common
3766 general education and common degree program prerequisite
3767 requirements at public postsecondary institutions identified
3768 pursuant to s. 1007.25.

3769 (g) Foster timely collection and reporting of statewide
3770 education data to improve the Early Learning-20 ~~K-20~~ education
3771 performance accountability system pursuant to ss. 1001.10 and
3772 1008.31, including, but not limited to, data quality,
3773 accessibility, and protection of student records.

3774 (h) Recommend roles and responsibilities of public
3775 education entities in interfacing with the single, statewide

3776 computer-assisted student advising system established pursuant
3777 to s. 1006.735.

3778 Section 65. Section 1008.2125, Florida Statutes, is
3779 created to read:

3780 1008.2125 Coordinated screening and progress monitoring
3781 program for students in the Voluntary Prekindergarten Education
3782 Program through grade 3.—

3783 (1) The primary purpose of the coordinated screening and
3784 progress monitoring program for students in the Voluntary
3785 Prekindergarten Education Program through grade 3 is to provide
3786 information on students' progress in mastering the appropriate
3787 grade-level standards and to provide information on their
3788 progress to parents, teachers, and school and program
3789 administrators. Data shall be used by Voluntary Prekindergarten
3790 Education Program providers and school districts to improve
3791 instruction, by parents and teachers to guide learning
3792 objectives and provide timely and appropriate supports and
3793 interventions to students not meeting grade level expectations,
3794 and by the public to assess the cost benefit of the expenditure
3795 of taxpayer dollars. The coordinated screening and progress
3796 monitoring program must:

3797 (a) Assess the progress of students in the Voluntary
3798 Prekindergarten Education Program through grade 3 in meeting the
3799 appropriate expectations in emergent literacy and math skills
3800 and in English Language Arts and mathematics, as required by ss.

3801 1002.67(1)(a) and 1003.41.

3802 (b) Provide data for accountability of the Voluntary
3803 Prekindergarten Education Program, as required by s. 1002.68.

3804 (c) Provide baseline data to the department of each
3805 student's readiness for kindergarten, which must be based on
3806 each kindergarten students progress monitoring results within
3807 the first 30 days of enrollment in accordance with paragraph
3808 (2)(a). The methodology for determining a student's readiness
3809 for kindergarten shall be developed by the same independent
3810 expert identified in s. 1002.68(4)(d).

3811 (d) Identify the educational strengths and needs of
3812 students in the Voluntary Prekindergarten Education Program
3813 through grade 3.

3814 (e) Provide teachers with progress monitoring data to
3815 provide timely interventions and supports pursuant to s.
3816 1008.25(4).

3817 (f) Assess how well educational goals and curricular
3818 standards are met at the provider, school, district, and state
3819 levels.

3820 (g) Provide information to aid in the evaluation and
3821 development of educational programs and policies.

3822 (2) The Commissioner of Education shall design a
3823 statewide, standardized coordinated screening and progress
3824 monitoring program to assess early literacy and mathematics
3825 skills and the English Language Arts and mathematics standards

3826 established in ss. 1002.67(1)(a) and 1003.41, respectively. The
3827 coordinated screening and progress monitoring program must
3828 provide interval level and norm-referenced data that measures
3829 equivalent levels of growth; be a developmentally appropriate,
3830 valid, and reliable direct assessment; be able to capture data
3831 on students who may be performing below grade or developmental
3832 level and which may enable the identification of early
3833 indicators of dyslexia or other developmental delays; accurately
3834 measure the core content in the applicable grade level
3835 standards; document learning gains for the achievement of these
3836 standards; and provide teachers with progress monitoring
3837 supports and materials that enhance differentiated instruction
3838 and parent communication. Participation in the coordinated
3839 screening and progress monitoring program is mandatory for all
3840 students in the Voluntary Prekindergarten Education Program and
3841 enrolled in a public school in kindergarten through grade 3. The
3842 coordinated screening and progress monitoring program shall be
3843 implemented beginning in the 2022-2023 school year for students
3844 in the Voluntary Prekindergarten Education Program and
3845 kindergarten students, as follows:

3846 (a) The coordinated screening and progress monitoring
3847 program shall be administered within the first 30 days after
3848 enrollment, midyear, and within the last 30 days of the program
3849 or school year, in accordance with the rules adopted by the
3850 State Board of Education. The state board may adopt alternate

3851 timeframes to address nontraditional school year calendars or
 3852 summer programs to ensure administration of the coordinated
 3853 screening and progress monitoring program is administered a
 3854 minimum of 3 times within a year or program.

3855 (b) The results of the coordinated screening and progress
 3856 monitoring program shall be reported to the department, in
 3857 accordance with the rules adopted by the state board, and
 3858 maintained in the department's educational data warehouse.

3859 (3) The Commissioner of Education shall:

3860 (a) Develop a plan, in coordination with the Council for
 3861 Early Grade Success, for implementing the coordinated screening
 3862 and progress monitoring program in consideration of timelines
 3863 for implementing new early literacy and mathematics skills and
 3864 the English Language Arts and mathematics standards established
 3865 in ss. 1002.67(1)(a) and 1003.41, as appropriate.

3866 (b) Provide data, reports, and information as requested to
 3867 the Council for Early Grade Success.

3868 (4) The Council for Early Grade Success, a council defined
 3869 in s. 20.03(7), is created within the Department of Education to
 3870 oversee the coordinated screening and progress monitoring
 3871 program and, except as otherwise provided in this section, shall
 3872 operate consistent with s. 20.052.

3873 (a) The council shall be responsible for reviewing the
 3874 implementation of, training for, administration of, and outcomes
 3875 from the coordinated screening and progress monitoring program

3876 to provide recommendations to the department that supports grade
3877 3 students reading at or above grade level. The council, at a
3878 minimum, shall:

3879 1. Provide recommendations on the implementation of the
3880 coordinated screening and progress monitoring program, including
3881 reviewing any procurement solicitation documents and criteria
3882 before being published.

3883 2. Develop training plans and timelines for such training.

3884 3. Identify appropriate personnel, processes, and
3885 procedures required for the administration of the coordinated
3886 screening and progress monitoring program.

3887 4. Provide input on the methodology for calculating a
3888 provider's or school's performance metric and designations under
3889 s. 1002.68.

3890 5. Work with the department's independent expert under s.
3891 1002.68(4)(d) to review the methodology for determining a
3892 child's kindergarten readiness.

3893 6. Review data on age-appropriate learning gains by grade
3894 level that a student would need to attain in order to
3895 demonstrate proficiency in reading by grade 3.

3896 7. Continually review anonymized data from the results of
3897 the coordinated screening and progress monitoring program for
3898 students in the Voluntary Prekindergarten Education Program
3899 through grade 3 to help inform recommendations to the department
3900 that support practices that will enable grade 3 students to read

3901 at or above grade level.

3902 (b) The council shall be composed of 15 members who are

3903 residents of the state and appointed, notwithstanding any other

3904 provision of law, as follows:

3905 1. Two members appointed by the Governor, as follows:

3906 a. One representative from the Department of Education.

3907 b. One parent of a child who is 4 to 9 years of age.

3908 2. Thirteen members appointed jointly by the President of

3909 the Senate and Speaker of the House of Representatives, as

3910 follows:

3911 a. One representative of an urban school district.

3912 b. One representative of a rural school district.

3913 c. One representative of an urban early learning

3914 coalition.

3915 d. One representative of a rural early learning coalition.

3916 e. One representative of an early learning provider.

3917 f. One representative of a faith-based early learning

3918 provider.

3919 g. One representative who is a kindergarten teacher who

3920 has at least 5 years of teaching experience.

3921 h. One representative who is a second grade teacher who

3922 has at least 5 years of teaching experience.

3923 i. One representative who is a school principal.

3924 j. Four representatives with subject matter expertise in

3925 early learning, early grade success, or child assessments. The

3926 four representatives with subject matter expertise may not be
3927 direct stakeholders within the early learning or public school
3928 systems or potential recipients of a contract resulting from the
3929 committee's recommendations.

3930 (5) The council shall elect a chair and vice chair, one of
3931 whom must be a member who has subject matter expertise in early
3932 learning, early grade success, or child assessments. The vice
3933 chair must be a member appointed by the President of the Senate
3934 and the Speaker of the House of Representatives who is not one
3935 of the four members with subject matter expertise in early
3936 learning, early grade success, or child assessments appointed
3937 pursuant to sub-sub-paragraph(b)2.j. Members of the council
3938 shall serve without compensation but are entitled to
3939 reimbursement for per diem and travel expenses pursuant to s.
3940 112.061.

3941 (6) The council must meet at least biannually and may meet
3942 by teleconference or other electronic means, if possible, to
3943 reduce costs.

3944 (7) A majority of the members constitutes a quorum.

3945 Section 66. Paragraphs (b) and (c) of subsection (5) of
3946 section 1008.25, Florida Statutes, are redesignated as
3947 paragraphs (c) and (d), respectively, paragraph (b) of
3948 subsection (6), subsection (7), and paragraph (a) of subsection
3949 (8) are amended, and a new paragraph (b) is added to subsection
3950 (5) of that section, to read:

3951 1008.25 Public school student progression; student
3952 support; reporting requirements.—

3953 (5) READING DEFICIENCY AND PARENTAL NOTIFICATION.—

3954 (b) A Voluntary Prekindergarten Education Program student
3955 who exhibits a substantial deficiency in early literacy skills
3956 in accordance with the standards under s. 1002.67(1)(a) and
3957 based upon the results of the administration of the final
3958 coordinated screening and progress monitoring under s. 1008.2125
3959 shall be referred to the local school district and may be
3960 eligible to receive intensive reading interventions before
3961 participating in kindergarten. Such intensive reading
3962 interventions shall be paid for using funds from the district's
3963 research-based reading instruction allocation in accordance with
3964 s. 1011.62(9).

3965 (6) ELIMINATION OF SOCIAL PROMOTION.—

3966 (b) The district school board may only exempt students
3967 from mandatory retention, as provided in paragraph (5)(c)
3968 ~~(5)(b)~~, for good cause. A student who is promoted to grade 4
3969 with a good cause exemption shall be provided intensive reading
3970 instruction and intervention that include specialized diagnostic
3971 information and specific reading strategies to meet the needs of
3972 each student so promoted. The school district shall assist
3973 schools and teachers with the implementation of explicit,
3974 systematic, and multisensory reading instruction and
3975 intervention strategies for students promoted with a good cause

3976 exemption which research has shown to be successful in improving
3977 reading among students who have reading difficulties. Good cause
3978 exemptions are limited to the following:

3979 1. Limited English proficient students who have had less
3980 than 2 years of instruction in an English for Speakers of Other
3981 Languages program based on the initial date of entry into a
3982 school in the United States.

3983 2. Students with disabilities whose individual education
3984 plan indicates that participation in the statewide assessment
3985 program is not appropriate, consistent with the requirements of
3986 s. 1008.212.

3987 3. Students who demonstrate an acceptable level of
3988 performance on an alternative standardized reading or English
3989 Language Arts assessment approved by the State Board of
3990 Education.

3991 4. A student who demonstrates through a student portfolio
3992 that he or she is performing at least at Level 2 on the
3993 statewide, standardized English Language Arts assessment.

3994 5. Students with disabilities who take the statewide,
3995 standardized English Language Arts assessment and who have an
3996 individual education plan or a Section 504 plan that reflects
3997 that the student has received intensive instruction in reading
3998 or English Language Arts for more than 2 years but still
3999 demonstrates a deficiency and was previously retained in
4000 kindergarten, grade 1, grade 2, or grade 3.

4001 6. Students who have received intensive reading
 4002 intervention for 2 or more years but still demonstrate a
 4003 deficiency in reading and who were previously retained in
 4004 kindergarten, grade 1, grade 2, or grade 3 for a total of 2
 4005 years. A student may not be retained more than once in grade 3.

4006 (7) SUCCESSFUL PROGRESSION FOR RETAINED THIRD GRADE
 4007 STUDENTS.—

4008 (a) Students retained under paragraph (5) (c) ~~(5) (b)~~ must
 4009 be provided intensive interventions in reading to ameliorate the
 4010 student's specific reading deficiency and prepare the student
 4011 for promotion to the next grade. These interventions must
 4012 include:

4013 1. Evidence-based, explicit, systematic, and multisensory
 4014 reading instruction in phonemic awareness, phonics, fluency,
 4015 vocabulary, and comprehension and other strategies prescribed by
 4016 the school district.

4017 2. Participation in the school district's summer reading
 4018 camp, which must incorporate the instructional and intervention
 4019 strategies under subparagraph 1.

4020 3. A minimum of 90 minutes of daily, uninterrupted reading
 4021 instruction incorporating the instructional and intervention
 4022 strategies under subparagraph 1. This instruction may include:

4023 a. Integration of content-rich texts in science and social
 4024 studies within the 90-minute block.

4025 b. Small group instruction.

- 4026 c. Reduced teacher-student ratios.
- 4027 d. More frequent progress monitoring.
- 4028 e. Tutoring or mentoring.
- 4029 f. Transition classes containing 3rd and 4th grade
- 4030 students.
- 4031 g. Extended school day, week, or year.
- 4032 (b) Each school district shall:
- 4033 1. Provide written notification to the parent of a student
- 4034 who is retained under paragraph (5) (c) ~~(5) (b)~~ that his or her
- 4035 child has not met the proficiency level required for promotion
- 4036 and the reasons the child is not eligible for a good cause
- 4037 exemption as provided in paragraph (6) (b). The notification must
- 4038 comply with paragraph (5) (d) ~~(5) (e)~~ and must include a
- 4039 description of proposed interventions and supports that will be
- 4040 provided to the child to remediate the identified areas of
- 4041 reading deficiency.
- 4042 2. Implement a policy for the midyear promotion of a
- 4043 student retained under paragraph (5) (c) ~~(5) (b)~~ who can
- 4044 demonstrate that he or she is a successful and independent
- 4045 reader and performing at or above grade level in reading or,
- 4046 upon implementation of English Language Arts assessments,
- 4047 performing at or above grade level in English Language Arts.
- 4048 Tools that school districts may use in reevaluating a student
- 4049 retained may include subsequent assessments, alternative
- 4050 assessments, and portfolio reviews, in accordance with rules of

4051 the State Board of Education. Students promoted during the
4052 school year after November 1 must demonstrate proficiency levels
4053 in reading equivalent to the level necessary for the beginning
4054 of grade 4. The rules adopted by the State Board of Education
4055 must include standards that provide a reasonable expectation
4056 that the student's progress is sufficient to master appropriate
4057 grade 4 level reading skills.

4058 3. Provide students who are retained under paragraph
4059 (5) (c) ~~(5) (b)~~, including students participating in the school
4060 district's summer reading camp under subparagraph (a)2., with a
4061 highly effective teacher as determined by the teacher's
4062 performance evaluation under s. 1012.34, and, beginning July 1,
4063 2020, the teacher must also be certified or endorsed in reading.

4064 4. Establish at each school, when applicable, an intensive
4065 reading acceleration course for any student retained in grade 3
4066 who was previously retained in kindergarten, grade 1, or grade
4067 2. The intensive reading acceleration course must provide the
4068 following:

4069 a. Uninterrupted reading instruction for the majority of
4070 student contact time each day and opportunities to master the
4071 grade 4 Next Generation Sunshine State Standards in other core
4072 subject areas through content-rich texts.

4073 b. Small group instruction.

4074 c. Reduced teacher-student ratios.

4075 d. The use of explicit, systematic, and multisensory

4076 reading interventions, including intensive language, phonics,
 4077 and vocabulary instruction, and use of a speech-language
 4078 therapist if necessary, that have proven results in accelerating
 4079 student reading achievement within the same school year.

4080 e. A read-at-home plan.

4081 (8) ANNUAL REPORT.—

4082 (a) In addition to the requirements in paragraph (5)(c)
 4083 ~~(5)(b)~~, each district school board must annually report to the
 4084 parent of each student the progress of the student toward
 4085 achieving state and district expectations for proficiency in
 4086 English Language Arts, science, social studies, and mathematics.
 4087 The district school board must report to the parent the
 4088 student's results on each statewide, standardized assessment.
 4089 The evaluation of each student's progress must be based upon the
 4090 student's classroom work, observations, tests, district and
 4091 state assessments, response to intensive interventions provided
 4092 under paragraph (5)(a), and other relevant information. Progress
 4093 reporting must be provided to the parent in writing in a format
 4094 adopted by the district school board.

4095 Section 67. Section 1008.31, Florida Statutes, is amended
 4096 to read:

4097 1008.31 Florida's Early Learning-20 ~~K-20~~ education
 4098 performance accountability system; legislative intent; mission,
 4099 goals, and systemwide measures; data quality improvements.—

4100 (1) LEGISLATIVE INTENT.—It is the intent of the

4101 Legislature that:

4102 (a) The performance accountability system implemented to
4103 assess the effectiveness of Florida's seamless Early Learning-20
4104 ~~K-20~~ education delivery system provide answers to the following
4105 questions in relation to its mission and goals:

4106 1. What is the public receiving in return for funds it
4107 invests in education?

4108 2. How effectively is Florida's Early Learning-20 ~~K-20~~
4109 education system educating its students?

4110 3. How effectively are the major delivery sectors
4111 promoting student achievement?

4112 4. How are individual schools and postsecondary education
4113 institutions performing their responsibility to educate their
4114 students as measured by how students are performing and how much
4115 they are learning?

4116 (b) The Early Learning-20 ~~K-20~~ education performance
4117 accountability system be established as a single, unified
4118 accountability system with multiple components, including, but
4119 not limited to, student performance in public schools and school
4120 and district grades.

4121 (c) The K-20 education performance accountability system
4122 comply with the requirements of the "No Child Left Behind Act of
4123 2001," Pub. L. No. 107-110, and the Individuals with
4124 Disabilities Education Act (IDEA).

4125 (d) The early learning accountability system comply with

4126 | the requirements of part V and part VI of chapter 1002 and the
 4127 | requirements of the Child Care and Development Block Grant Trust
 4128 | Fund, pursuant to 45 C.F.R. parts 98 and 99.

4129 | (e)~~(d)~~ The State Board of Education and the Board of
 4130 | Governors of the State University System recommend to the
 4131 | Legislature systemwide performance standards; the Legislature
 4132 | establish systemwide performance measures and standards; and the
 4133 | systemwide measures and standards provide Floridians with
 4134 | information on what the public is receiving in return for the
 4135 | funds it invests in education and how well the Early Learning-20
 4136 | ~~K-20~~ system educates its students.

4137 | (f)1.~~(e)1.~~ The State Board of Education establish
 4138 | performance measures and set performance standards for
 4139 | individual public schools and Florida College System
 4140 | institutions, with measures and standards based primarily on
 4141 | student achievement.

4142 | 2. The Board of Governors of the State University System
 4143 | establish performance measures and set performance standards for
 4144 | individual state universities, including actual completion
 4145 | rates.

4146 | (2) MISSION, GOALS, AND SYSTEMWIDE MEASURES.—

4147 | (a) The mission of Florida's Early Learning-20 ~~K-20~~
 4148 | education system shall be to increase the proficiency of all
 4149 | students within one seamless, efficient system, by allowing them
 4150 | the opportunity to expand their knowledge and skills through

4151 learning opportunities and research valued by students, parents,
 4152 and communities.

4153 (b) The process for establishing state and sector-specific
 4154 standards and measures must be:

- 4155 1. Focused on student success.
- 4156 2. Addressable through policy and program changes.
- 4157 3. Efficient and of high quality.
- 4158 4. Measurable over time.
- 4159 5. Simple to explain and display to the public.
- 4160 6. Aligned with other measures and other sectors to
- 4161 support a coordinated Early Learning-20 ~~K-20~~ education system.

4162 (c) The Department of Education shall maintain an
 4163 accountability system that measures student progress toward the
 4164 following goals:

- 4165 1. Highest student achievement, as indicated by evidence
 4166 of student learning gains at all levels.
- 4167 2. Seamless articulation and maximum access, as measured
 4168 by evidence of progression, readiness, and access by targeted
 4169 groups of students identified by the Commissioner of Education.
- 4170 3. Skilled workforce and economic development, as measured
 4171 by evidence of employment and earnings.
- 4172 4. Quality efficient services, as measured by evidence of
 4173 return on investment.

4174 5. Other goals as identified by law or rule.

4175 (3) ~~K-20~~ EDUCATION DATA QUALITY IMPROVEMENTS.—To provide

4176 data required to implement education performance accountability
4177 measures in state and federal law, the Commissioner of Education
4178 shall initiate and maintain strategies to improve data quality
4179 and timeliness. The Board of Governors shall make available to
4180 the department all data within the State University Database
4181 System to be integrated into the educational ~~K-20~~ data
4182 warehouse. The commissioner shall have unlimited access to such
4183 data for the purposes of conducting studies, reporting annual
4184 and longitudinal student outcomes, and improving college
4185 readiness and articulation. All public educational institutions
4186 shall annually provide data from the prior year to the
4187 educational ~~K-20~~ data warehouse in a format based on data
4188 elements identified by the commissioner.

4189 (a) School districts and public postsecondary educational
4190 institutions shall maintain information systems that will
4191 provide the State Board of Education, the Board of Governors of
4192 the State University System, and the Legislature with
4193 information and reports necessary to address the specifications
4194 of the accountability system. The level of comprehensiveness and
4195 quality must be no less than that which was available as of June
4196 30, 2001.

4197 (b) Colleges and universities eligible to participate in
4198 the William L. Boyd, IV, Effective Access to Student Education
4199 Grant Program shall annually report student-level data from the
4200 prior year for each student who receives state funds in a format

4201 prescribed by the Department of Education. At a minimum, data
 4202 from the prior year must include retention rates, transfer
 4203 rates, completion rates, graduation rates, employment and
 4204 placement rates, and earnings of graduates. By October 1 of each
 4205 year, the colleges and universities described in this paragraph
 4206 shall report the data to the department.

4207 (c) The Commissioner of Education shall determine the
 4208 standards for the required data, monitor data quality, and
 4209 measure improvements. The commissioner shall report annually to
 4210 the State Board of Education, the Board of Governors of the
 4211 State University System, the President of the Senate, and the
 4212 Speaker of the House of Representatives data quality indicators
 4213 and ratings for all school districts and public postsecondary
 4214 educational institutions.

4215 (d) Before establishing any new reporting or data
 4216 collection requirements, the commissioner shall use existing
 4217 data being collected to reduce duplication and minimize
 4218 paperwork.

4219 (4) RULES.—The State Board of Education shall adopt rules
 4220 pursuant to ss. 120.536(1) and 120.54 to implement the
 4221 provisions of this section relating to the educational ~~K-20~~ data
 4222 warehouse.

4223 Section 68. Section 1008.32, Florida Statutes, is amended
 4224 to read:

4225 1008.32 State Board of Education oversight enforcement

4226 authority.—The State Board of Education shall oversee the
 4227 performance of early learning coalitions, district school
 4228 boards, and Florida College System institution boards of
 4229 trustees in enforcement of all laws and rules. District school
 4230 boards and Florida College System institution boards of trustees
 4231 shall be primarily responsible for compliance with law and state
 4232 board rule.

4233 (1) In order to ensure compliance with law or state board
 4234 rule, the State Board of Education shall have the authority to
 4235 request and receive information, data, and reports from early
 4236 learning coalitions, school districts, and Florida College
 4237 System institutions. Early learning coalition chief executive
 4238 officers or executive directors, district school
 4239 superintendents, and Florida College System institution
 4240 presidents are responsible for the accuracy of the information
 4241 and data reported to the state board.

4242 (2) (a) The Commissioner of Education may investigate
 4243 allegations of noncompliance with law or state board rule and
 4244 determine probable cause. The commissioner shall report
 4245 determinations of probable cause to the State Board of Education
 4246 which shall require the early learning coalition, district
 4247 school board, or Florida College System institution board of
 4248 trustees to document compliance with law or state board rule.

4249 (b) The Commissioner of Education shall report to the
 4250 State Board of Education any findings by the Auditor General

4251 that an early learning coalition, ~~a~~ district school board, or
 4252 Florida College System institution is acting without statutory
 4253 authority or contrary to general law. The State Board of
 4254 Education shall require the early learning coalition, district
 4255 school board, or Florida College System institution board of
 4256 trustees to document compliance with such law.

4257 (3) If the early learning coalition, district school
 4258 board, or Florida College System institution board of trustees
 4259 cannot satisfactorily document compliance, the State Board of
 4260 Education may order compliance within a specified timeframe.

4261 (4) If the State Board of Education determines that an
 4262 early learning coalition, ~~a~~ district school board, or Florida
 4263 College System institution board of trustees is unwilling or
 4264 unable to comply with law or state board rule within the
 4265 specified time, the state board shall have the authority to
 4266 initiate any of the following actions:

4267 (a) Report to the Legislature that the early learning
 4268 coalition, school district, or Florida College System
 4269 institution is unwilling or unable to comply with law or state
 4270 board rule and recommend action to be taken by the Legislature.

4271 (b) Withhold the transfer of state funds, discretionary
 4272 grant funds, discretionary lottery funds, or any other funds
 4273 specified as eligible for this purpose by the Legislature until
 4274 the early learning coalition, school district, or Florida
 4275 College System institution complies with the law or state board

4276 rule.

4277 (c) Declare the early learning coalition, school district,
 4278 or Florida College System institution ineligible for competitive
 4279 grants.

4280 (d) Require monthly or periodic reporting on the situation
 4281 related to noncompliance until it is remedied.

4282 (5) Nothing in this section shall be construed to create a
 4283 private cause of action or create any rights for individuals or
 4284 entities in addition to those provided elsewhere in law or rule.

4285 Section 69. Paragraph (a) of subsection (3) of section
 4286 1008.33, Florida Statutes, is amended to read:

4287 1008.33 Authority to enforce public school improvement.—

4288 (3) (a) The academic performance of all students has a
 4289 significant effect on the state school system. Pursuant to Art.
 4290 IX of the State Constitution, which prescribes the duty of the
 4291 State Board of Education to supervise Florida's public school
 4292 system, the state board shall equitably enforce the
 4293 accountability requirements of the state school system and may
 4294 impose state requirements on school districts in order to
 4295 improve the academic performance of all districts, schools, and
 4296 students based upon the provisions of the Florida Early
 4297 Learning-20 ~~K-20~~ Education Code, chapters 1000-1013; the federal
 4298 ESEA and its implementing regulations; and the ESEA flexibility
 4299 waiver approved for Florida by the United States Secretary of
 4300 Education.

4301 Section 70. Subsection (9) of section 1011.62, Florida
4302 Statutes, is amended to read:

4303 1011.62 Funds for operation of schools.—If the annual
4304 allocation from the Florida Education Finance Program to each
4305 district for operation of schools is not determined in the
4306 annual appropriations act or the substantive bill implementing
4307 the annual appropriations act, it shall be determined as
4308 follows:

4309 (9) RESEARCH-BASED READING INSTRUCTION ALLOCATION.—

4310 (a) The research-based reading instruction allocation is
4311 created to provide comprehensive reading instruction to students
4312 in kindergarten through grade 12, including certain students who
4313 exhibit a substantial deficiency in early literacy and completed
4314 the Voluntary Prekindergarten Education Program under s.
4315 1008.25(5)(b). Each school district that has one or more of the
4316 300 lowest-performing elementary schools based on a 3-year
4317 average of the state reading assessment data must use the
4318 school's portion of the allocation to provide an additional hour
4319 per day of intensive reading instruction for the students in
4320 each school. The additional hour may be provided within the
4321 school day. Students enrolled in these schools who earned a
4322 level 4 or level 5 score on the statewide, standardized English
4323 Language Arts assessment for the previous school year may
4324 participate in the additional hour of instruction. Exceptional
4325 student education centers may not be included in the 300

4326 schools. The intensive reading instruction delivered in this
4327 additional hour shall include: research-based reading
4328 instruction that has been proven to accelerate progress of
4329 students exhibiting a reading deficiency; differentiated
4330 instruction based on screening, diagnostic, progress monitoring,
4331 or student assessment data to meet students' specific reading
4332 needs; explicit and systematic reading strategies to develop
4333 phonemic awareness, phonics, fluency, vocabulary, and
4334 comprehension, with more extensive opportunities for guided
4335 practice, error correction, and feedback; and the integration of
4336 social studies, science, and mathematics-text reading, text
4337 discussion, and writing in response to reading.

4338 (b) Funds for comprehensive, research-based reading
4339 instruction shall be allocated annually to each school district
4340 in the amount provided in the General Appropriations Act. Each
4341 eligible school district shall receive the same minimum amount
4342 as specified in the General Appropriations Act, and any
4343 remaining funds shall be distributed to eligible school
4344 districts based on each school district's proportionate share of
4345 K-12 base funding.

4346 (c) Funds allocated under this subsection must be used to
4347 provide a system of comprehensive reading instruction to
4348 students enrolled in the K-12 programs and certain students who
4349 exhibit a substantial deficiency in early literacy and completed
4350 the Voluntary Prekindergarten Education Program pursuant to s.

4351 1008.25(5)(b), which may include the following:

4352 1. An additional hour per day of evidence-based intensive
4353 reading instruction to students in the 300 lowest-performing
4354 elementary schools by teachers and reading specialists who have
4355 demonstrated effectiveness in teaching reading as required in
4356 paragraph (a).

4357 2. Kindergarten through grade 5 evidence-based ~~reading~~
4358 ~~intervention~~ ~~teachers to provide~~ intensive reading interventions
4359 provided by reading intervention teachers ~~intervention~~ during
4360 the school day and in the required extra hour for students
4361 identified as having a reading deficiency.

4362 3. Highly qualified reading coaches to specifically
4363 support teachers in making instructional decisions based on
4364 student data, and improve teacher delivery of effective reading
4365 instruction, intervention, and reading in the content areas
4366 based on student need.

4367 4. Professional development for school district teachers
4368 in scientifically based reading instruction, including
4369 strategies to teach reading in content areas and with an
4370 emphasis on technical and informational text, to help school
4371 district teachers earn a certification or an endorsement in
4372 reading.

4373 5. Summer reading camps, using only teachers or other
4374 district personnel who are certified or endorsed in reading
4375 consistent with s. 1008.25(7)(b)3., for all students in

4376 kindergarten through grade 2 who demonstrate a reading
4377 deficiency as determined by district and state assessments, ~~and~~
4378 students in grades 3 through 5 who score at Level 1 on the
4379 statewide, standardized English Language Arts assessment, and
4380 certain students who exhibit a substantial deficiency in early
4381 literacy and completed the Voluntary Prekindergarten Education
4382 Program under s. 1008.25(5)(b).

4383 6. Scientifically researched and evidence-based
4384 supplemental instructional materials ~~that are grounded in~~
4385 ~~scientifically based reading research~~ as identified by the Just
4386 Read, Florida! Office pursuant to s. 1001.215(8).

4387 7. Evidence-based intensive interventions for students in
4388 kindergarten through grade 12 who have been identified as having
4389 a reading deficiency or who are reading below grade level as
4390 determined by the statewide, standardized English Language Arts
4391 assessment or for certain students who exhibit a substantial
4392 deficiency in early literacy and completed the Voluntary
4393 Prekindergarten Education Program under s. 1008.25(5)(b).

4394 (d)1. Annually, by a date determined by the Department of
4395 Education but before May 1, school districts shall submit a ~~K-12~~
4396 comprehensive reading plan for the specific use of the research-
4397 based reading instruction allocation in the format prescribed by
4398 the department for review and approval by the Just Read,
4399 Florida! Office created pursuant to s. 1001.215. The plan
4400 annually submitted by school districts shall be deemed approved

4401 unless the department rejects the plan on or before June 1. If a
4402 school district and the Just Read, Florida! Office cannot reach
4403 agreement on the contents of the plan, the school district may
4404 appeal to the State Board of Education for resolution. School
4405 districts shall be allowed reasonable flexibility in designing
4406 their plans and shall be encouraged to offer reading
4407 intervention through innovative methods, including career
4408 academies. The plan format shall be developed with input from
4409 school district personnel, including teachers and principals,
4410 and shall provide for intensive reading interventions through
4411 integrated curricula, provided that, beginning with the 2020-
4412 2021 school year, the interventions are delivered by a teacher
4413 who is certified or endorsed in reading. Such interventions must
4414 incorporate evidence-based strategies identified by the Just
4415 Read, Florida! Office pursuant to s. 1001.215(8). No later than
4416 July 1 annually, the department shall release the school
4417 district's allocation of appropriated funds to those districts
4418 having approved plans. A school district that spends 100 percent
4419 of this allocation on its approved plan shall be deemed to have
4420 been in compliance with the plan. The department may withhold
4421 funds upon a determination that reading instruction allocation
4422 funds are not being used to implement the approved plan. The
4423 department shall monitor and track the implementation of each
4424 district plan, including conducting site visits and collecting
4425 specific data on expenditures and reading improvement results.

4426 By February 1 of each year, the department shall report its
4427 findings to the Legislature.

4428 2. Each school district that has a school designated as
4429 one of the 300 lowest-performing elementary schools as specified
4430 in paragraph (a) shall specifically delineate in the
4431 comprehensive reading plan, or in an addendum to the
4432 comprehensive reading plan, the implementation design and
4433 reading intervention strategies that will be used for the
4434 required additional hour of reading instruction. The term
4435 "reading intervention" includes evidence-based strategies
4436 frequently used to remediate reading deficiencies and also
4437 includes individual instruction, tutoring, mentoring, or the use
4438 of technology that targets specific reading skills and
4439 abilities.

4440
4441 For purposes of this subsection, the term "evidence-based" means
4442 demonstrating a statistically significant effect on improving
4443 student outcomes or other relevant outcomes.

4444 Section 71. This act shall take effect upon becoming a
4445 law.