

1 A bill to be entitled
2 An act relating to the Early Learning Scholarship
3 program; providing a short title; creating s. 1002.56,
4 F.S.; establishing the Early Learning Scholarship
5 program, administered by the Division of Early
6 Learning; providing the purpose of the program;
7 defining terms; specifying eligibility criteria;
8 providing that a student who receives a scholarship
9 remains eligible to participate until the student is
10 admitted to kindergarten or attains the age of 6 years
11 by a specified date; requiring program funds to be
12 used for a specified purpose; providing for the
13 administration of the program; requiring the division
14 to contract with an independent contractor to evaluate
15 the program; requiring that the evaluation include
16 specified recommendations; requiring the division to
17 submit a written copy of the evaluation to the
18 Legislature and certain state agencies by a specified
19 date; specifying provider eligibility criteria;
20 exempting the state from liability; providing that the
21 program does not expand the regulatory authority of
22 the state; requiring the State Board of Education to
23 adopt rules; providing an effective date.

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

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 27 Section 1. This act may be cited as the "Brighter Future
 28 Act."

29 Section 2. Section 1002.56, Florida Statutes, is created
 30 to read:

31 1002.56 Early Learning Scholarship program.—

32 (1) PURPOSE.—There is established the Early Learning
 33 Scholarship program to be administered by the Division of Early
 34 Learning. The program is established in order to close the
 35 opportunity gap by increasing access to high-quality early
 36 childhood education services.

37 (2) DEFINITIONS.—As used in this section, the term:

38 (a) "Direct certification list" has the same meaning as in
 39 s. 1002.395(2).

40 (b) "Division" means the Division of Early Learning.

41 (c) "Household income" has the same meaning as in s.
 42 1002.395(2).

43 (d) "Parent" means a resident of this state who is a
 44 parent as defined in s. 1000.21(5).

45 (e) "Program" means the Early Learning Scholarship
 46 program.

47 (f) "Provider" means a private prekindergarten provider
 48 pursuant to s. 1002.55 or a contracted school readiness provider
 49 pursuant to s. 1002.88 which meets the requirements of
 50 subsection (6).

51 (3) ELIGIBILITY.—A student is eligible for a scholarship
52 under the program to attend education services offered by
53 providers if:

54 (a) The student:

55 1. Is a resident of this state;

56 2. Is not receiving any other scholarship established
57 under this chapter; and

58 3. Meets at least one of the eligibility priorities
59 described in paragraph (5)(c);

60 (b) The student's household income level does not exceed
61 300 percent of the federal poverty level; and

62 (c) The student's parent has applied for a scholarship
63 with the division.

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65 A student who initially receives a scholarship based on
66 eligibility under this subsection remains eligible to
67 participate until the student is admitted to kindergarten or
68 attains the age of 6 years by February 1 of any school year.

69 (4) USE OF FUNDS.—Funds awarded under the program must be
70 used for tuition and fees for eligible children to access
71 educational services offered by providers.

72 (5) ADMINISTRATION.—

73 (a) Subject to the appropriation of funds by the
74 Legislature, the division shall coordinate annually with early
75 learning coalitions to issue program scholarships.

76 (b) The division shall establish application timelines and
77 determine the schedule for awarding scholarships in a manner
78 that meets the needs of eligible students and their parents.
79 Such awards must be made by direct payment from early learning
80 coalitions to program providers.

81 (c) An early learning coalition shall apply the following
82 priority order for students in awarding scholarships, beginning
83 with the highest priority:

84 1. Students who are in foster care.

85 2. Students who are infants or toddlers with a current
86 individualized family service plan.

87 3. Students who have a parent younger than 21 years of age
88 who is pursuing a high school or high school equivalency
89 diploma.

90 4. Students who are experiencing or have experienced
91 homelessness or who fall within the category "children known to
92 the department" as defined in s. 39.0016(1).

93 5. Students who have a household income that does not
94 exceed 185 percent of the federal poverty level.

95 6. Students on the direct certification list.

96 7. Subject to the appropriation of general revenue funds
97 by the Legislature, students who have a household income above
98 185 percent but not exceeding 300 percent of the federal poverty
99 level.

100 (d) An early learning coalition may prioritize

101 applications on the basis of additional factors, including
102 geographic location and whether the student's family is
103 currently enrolled in, or on a waiting list for, a publicly
104 funded program that provides early education or child care
105 services.

106 (e) The division shall establish criteria for early
107 learning coalitions to use when determining the amount of
108 scholarship awards. The total amount of a scholarship award, or
109 the amount of a scholarship award in combination with any other
110 public funds received to provide early education or child care
111 services for the student, may not exceed the program provider's
112 published private pay rate. Scholarship funds may not be used to
113 supplant any federal funding received by the program to provide
114 services for the student.

115 (f) The division shall report on program implementation
116 and progress as part of its annual reporting requirements under
117 s. 1002.82(7). The report must include, at a minimum,
118 information on the number, ages, and priority levels of children
119 served and the total number and the total dollar amount of
120 scholarships awarded by priority level.

121 (g) The division shall contract with an independent
122 contractor to evaluate the program. The evaluation must include
123 recommendations regarding the appropriate scholarship amount,
124 the efficiency and effectiveness of program administration, and
125 the impact on kindergarten readiness. By January 15, 2025, the

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126 division shall submit a written copy of the evaluation to the
127 chairs and ranking minority members of the legislative
128 committees and to state agencies with primary jurisdiction over
129 kindergarten through grade 12 education.

130 (6) PROVIDER ELIGIBILITY.—

131 (a) A provider is eligible to receive scholarship funds if
132 the provider:

133 1. Meets the minimum performance metric or designation
134 under s. 1002.68(5); or

135 2. Demonstrates acceptable performance on the program
136 assessment under s. 1002.82(2)(n).

137 (b) A provider that is providing services under contract
138 with both the Voluntary Prekindergarten Education Program and
139 the school readiness program must satisfy the requirements of
140 subparagraphs (a)1. and 2.

141 (7) LIABILITY.—The state is not liable for the award of
142 funds or any use of awarded funds under this section.

143 (8) SCOPE OF AUTHORITY.—This section does not expand the
144 regulatory authority of the state, its officers, or the division
145 to impose additional regulations on participating private
146 Voluntary Prekindergarten Education Program providers beyond
147 those reasonably necessary to enforce requirements expressly set
148 forth in this section.

149 (9) RULES.—The State Board of Education shall adopt rules
150 to administer this section.

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151 Section 3. This act shall take effect July 1, 2022.