

By Senator Gruters

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1 A bill to be entitled
2 An act relating to school readiness program funding;
3 amending s. 1002.89, F.S.; deleting a requirement that
4 all state, federal, and local matching funds provided
5 to an early learning coalition for certain purposes be
6 used for implementation of its approved school
7 readiness plan; conforming provisions to changes made
8 by the act; creating s. 1002.891, F.S.; requiring the
9 Division of Early Learning within the Department of
10 Education to conduct an allocation conference;
11 specifying conference principals; requiring conference
12 principals to discuss and agree to all conventions and
13 calculation methods to be used to calculate the school
14 readiness funding formula for the early learning
15 coalitions for the fiscal year for which the
16 appropriations are made; requiring conventions and
17 calculation methods to remain in effect until further
18 agreements are reached in subsequent allocation
19 conferences; requiring the division to provide
20 conference principals with specified data before each
21 recalculation of the school readiness funding formula;
22 amending ss. 1002.81 and 1002.82, F.S.; conforming
23 cross-references; providing an effective date.

24
25 Be It Enacted by the Legislature of the State of Florida:

26
27 Section 1. Subsections (4) and (5) of section 1002.89,
28 Florida Statutes, are amended to read:
29 1002.89 School readiness program; funding.-

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30 ~~(4) All state, federal, and local matching funds provided~~
31 ~~to an early learning coalition for purposes of this section~~
32 ~~shall be used for implementation of its approved school~~
33 ~~readiness program plan, including the hiring of staff to~~
34 ~~effectively operate the school readiness program.~~

35 ~~(5) Costs shall be kept to the minimum necessary for the~~
36 ~~efficient and effective administration of the school readiness~~
37 ~~program with the highest priority of expenditure being direct~~
38 ~~services for eligible children. However, no more than 5 percent~~
39 ~~of the funds described in subsection (4) may be used for~~
40 ~~administrative costs and no more than 22 percent of the funds~~
41 ~~described in subsection (4) may be used in any fiscal year for~~
42 ~~any combination of administrative costs, quality activities, and~~
43 ~~nondirect services as follows:~~

44 ~~(a) Administrative costs as described in 45 C.F.R. s.~~
45 ~~98.54, which shall include monitoring providers using the~~
46 ~~standard methodology adopted under s. 1002.82 to improve~~
47 ~~compliance with state and federal regulations and law pursuant~~
48 ~~to the requirements of the statewide provider contract adopted~~
49 ~~under s. 1002.82(2)(m).~~

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

53 ~~1. Developing, establishing, expanding, operating, and~~
54 ~~coordinating resource and referral programs specifically related~~
55 ~~to the provision of comprehensive consumer education to parents~~
56 ~~and the public to promote informed child care choices specified~~
57 ~~in 45 C.F.R. s. 98.33.~~

58 ~~2. Awarding grants and providing financial support to~~

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59 ~~school readiness program providers and their staff to assist~~
60 ~~them in meeting applicable state requirements for the program~~
61 ~~assessment required under s. 1002.82(2)(n), child care~~
62 ~~performance standards, implementing developmentally appropriate~~
63 ~~curricula and related classroom resources that support~~
64 ~~curricula, providing literacy supports, and providing continued~~
65 ~~professional development and training. Any grants awarded~~
66 ~~pursuant to this subparagraph shall comply with ss. 215.971 and~~
67 ~~287.058.~~

68 ~~3. Providing training, technical assistance, and financial~~
69 ~~support to school readiness program providers, staff, and~~
70 ~~parents on standards, child screenings, child assessments, child~~
71 ~~development research and best practices, developmentally~~
72 ~~appropriate curricula, character development, teacher-child~~
73 ~~interactions, age-appropriate discipline practices, health and~~
74 ~~safety, nutrition, first aid, cardiopulmonary resuscitation, the~~
75 ~~recognition of communicable diseases, and child abuse detection,~~
76 ~~prevention, and reporting.~~

77 ~~4. Providing, from among the funds provided for the~~
78 ~~activities described in subparagraphs 1.-3., adequate funding~~
79 ~~for infants and toddlers as necessary to meet federal~~
80 ~~requirements related to expenditures for quality activities for~~
81 ~~infant and toddler care.~~

82 ~~5. Improving the monitoring of compliance with, and~~
83 ~~enforcement of, applicable state and local requirements as~~
84 ~~described in and limited by 45 C.F.R. s. 98.40.~~

85 ~~6. Responding to Warm-Line requests by providers and~~
86 ~~parents, including providing developmental and health screenings~~
87 ~~to school readiness program children.~~

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88 ~~(c) Nondirect services as described in applicable Office of~~
89 ~~Management and Budget instructions are those services not~~
90 ~~defined as administrative, direct, or quality services that are~~
91 ~~required to administer the school readiness program. Such~~
92 ~~services include, but are not limited to:~~

93 ~~1. Assisting families to complete the required application~~
94 ~~and eligibility documentation.~~

95 ~~2. Determining child and family eligibility.~~

96 ~~3. Recruiting eligible child care providers.~~

97 ~~4. Processing and tracking attendance records.~~

98 ~~5. Developing and maintaining a statewide child care~~
99 ~~information system.~~

100

101 ~~As used in this paragraph, the term "nondirect services" does~~
102 ~~not include payments to school readiness program providers for~~
103 ~~direct services provided to children who are eligible under s.~~
104 ~~1002.87, administrative costs as described in paragraph (a), or~~
105 ~~quality activities as described in paragraph (b).~~

106 Section 2. Section 1002.891, Florida Statutes, is created
107 to read:

108 1002.891 School Readiness Funding Formula Allocation
109 Conference.-

110 (1) Before the distribution of any funds appropriated in
111 the General Appropriations Act for the school readiness program,
112 the Division of Early Learning within the Department of
113 Education shall conduct an allocation conference. Conference
114 principals must include representatives of the Division of Early
115 Learning, the Executive Office of the Governor, and the
116 appropriations committees of the Senate and the House of

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117 Representatives.

118 (2) Conference principals shall discuss and agree to all
119 conventions and calculation methods, including the actual cost
120 of child care, eligible population data, rounding conventions,
121 and methods of computation, to be used to calculate the school
122 readiness funding formula for the early learning coalitions for
123 the fiscal year for which the appropriations are made. These
124 conventions and calculation methods shall remain in effect until
125 further agreements are reached in subsequent allocation
126 conferences called by the division for that purpose.

127 (3) The division shall, before each recalculation of the
128 school readiness funding formula and allocations to the early
129 learning coalitions, also provide conference principals with all
130 data necessary to replicate those allocations precisely. This
131 data shall include a matrix by early learning coalition of all
132 full-time equivalent changes made by the division as part of its
133 administration of the school readiness program.

134 Section 3. Subsection (4) of section 1002.81, Florida
135 Statutes, is amended to read:

136 1002.81 Definitions.—Consistent with the requirements of 45
137 C.F.R. parts 98 and 99 and as used in this part, the term:

138 (4) "Direct enhancement services" means services for
139 families and children that are in addition to payments for the
140 placement of children in the school readiness program. Direct
141 enhancement services for families and children may include
142 supports for providers, parent training and involvement
143 activities, and strategies to meet the needs of unique
144 populations and local eligibility priorities. Direct enhancement
145 services offered by an early learning coalition must ~~shall~~ be

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146 consistent with the activities described in 45 C.F.R. s. 98.53
147 ~~prescribed in s. 1002.89(5)(b)~~.

148 Section 4. Paragraph (a) of subsection (7) of section
149 1002.82, Florida Statutes, is amended to read:

150 1002.82 Department of Education; powers and duties.—

151 (7) By January 1 of each year, the department shall
152 annually publish on its website a report of its activities
153 conducted under this section. The report must include a summary
154 of the coalitions' annual reports, a statewide summary, and the
155 following:

156 (a) An analysis of early learning activities throughout the
157 state, including the school readiness program and the Voluntary
158 Prekindergarten Education Program.

159 1. The total and average number of children served in the
160 school readiness program, enumerated by age, eligibility
161 priority category, and coalition, and the total number of
162 children served in the Voluntary Prekindergarten Education
163 Program.

164 2. A summary of expenditures by coalition, by fund source,
165 including a breakdown by coalition of the percentage of
166 expenditures for administrative activities, quality activities,
167 nondirect services, and direct services for children.

168 3. A description of the department's and each coalition's
169 expenditures by fund source for ~~the~~ quality and enhancement
170 activities described in 45 C.F.R. s. 98.53 ~~s. 1002.89(5)(b)~~.

171 4. A summary of annual findings and collections related to
172 provider fraud and parent fraud.

173 5. Data regarding the coalitions' delivery of early
174 learning programs.

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175 6. The total number of children disenrolled statewide and
176 the reason for disenrollment.

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

178 8. The number of school readiness program providers who
179 have completed the program assessment required under paragraph
180 (2)(n); the number of providers who have not met the minimum
181 program assessment composite score for contracting established
182 under paragraph (2)(n); and the number of providers that have an
183 active improvement plan based on the results of the program
184 assessment under paragraph (2)(n).

185 9. The total number of provider contracts revoked and the
186 reasons for revocation.

187 Section 5. This act shall take effect July 1, 2022.