



389728

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
02/09/2024	.	
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	.	

The Appropriations Committee on Education (Grall) recommended the following:

Senate Amendment (with title amendment)

Delete everything after the enacting clause and insert:

Section 1. Paragraph (a) of subsection (7) of section 402.305, Florida Statutes, is amended to read:

402.305 Licensing standards; child care facilities.—

(7) SANITATION AND SAFETY.—

(a) Minimum standards shall include requirements for sanitary and safety conditions, first aid treatment, emergency



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11 procedures, and pediatric cardiopulmonary resuscitation. The
12 minimum standards shall require that at least one staff person
13 trained in person in cardiopulmonary resuscitation, as evidenced
14 by current documentation of course completion, must be present
15 at all times that children are present.

16 Section 2. Subsection (4) of section 1002.61, Florida
17 Statutes, is amended to read:

18 1002.61 Summer prekindergarten program delivered by public
19 schools and private prekindergarten providers.—

20 (4) Notwithstanding ss. 1002.55(3)(c)1. and 1002.63(4),
21 each public school and private prekindergarten provider must
22 have, for each prekindergarten class, at least one
23 prekindergarten instructor who is a certified teacher or holds
24 one of the educational credentials specified in s. 1002.55(4)(a)
25 or (b), or an educational credential specified in s.

26 1002.55(3)(c)1. as long as the instructor has completed the
27 early literacy micro-credential program under s. 1003.485. As
28 used in this subsection, the term "certified teacher" means a
29 teacher holding a valid Florida educator certificate under s.
30 1012.56 who has the qualifications required by the district
31 school board to instruct students in the summer prekindergarten
32 program. In selecting instructional staff for the summer
33 prekindergarten program, each school district shall give
34 priority to teachers who have experience or coursework in early
35 childhood education and have completed emergent literacy and
36 performance standards courses, as provided for in s.

37 1002.55(3)(c)2.

38 Section 3. Paragraph (b) of subsection (2) of section
39 1002.67, Florida Statutes, is amended to read:



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40 1002.67 Performance standards and curricula.—

41 (2)

42 (b) Each private prekindergarten provider's and public
43 school's curriculum must be developmentally appropriate and
44 must:

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

47 2. Develop students' background knowledge through a
48 content-rich and sequential knowledge building early literacy
49 curriculum;

50 3. Enhance the age-appropriate progress of students in
51 attaining the performance standards adopted by the department
52 under subsection (1); and

53 4. Support student learning gains through differentiated
54 instruction that must ~~shall~~ be measured by the coordinated
55 screening and progress monitoring program under s. 1008.25(9). A
56 private prekindergarten provider's or public school's curriculum
57 may not use the coordinated screening and progress monitoring
58 program or any other progress monitoring program for direct
59 student instruction. A private prekindergarten provider or
60 public school may not allow any student during the approved
61 Voluntary Prekindergarten Education Program hours to be
62 individually engaged for direct instruction in viewing an
63 electronic screen, commonly known as screen time, for more than
64 10 percent of the instructional day. As used in this
65 subparagraph, the term "screen" includes, but is not limited to,
66 a television, a computer, a tablet, a virtual reality device, a
67 mobile phone, or a gaming console. Any such screen time must
68 involve activities directly related to the Voluntary



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69 Prekindergarten Education Program standards. This limitation
70 does not include administration of the coordinated screening and
71 progress monitoring system as required under s. 1008.25(9).

72 Section 4. Paragraph (d) of subsection (6) of section
73 1002.68, Florida Statutes, is amended to read:

74 1002.68 Voluntary Prekindergarten Education Program
75 accountability.-

76 (6)

77 (d) A good cause exemption may not be granted to any
78 private prekindergarten provider or public school that has any
79 class I violations or three ~~two~~ or more of the same class II
80 violations, as defined by rule of the Department of Children and
81 Families, within the 2 years preceding the provider's or
82 school's request for the exemption.

83 Section 5. Subsection (7) of section 1002.71, Florida
84 Statutes, is amended to read:

85 1002.71 Funding; financial and attendance reporting.-

86 (7) The department shall require that administrative
87 expenditures be kept to the minimum necessary for efficient and
88 effective administration of the Voluntary Prekindergarten
89 Education Program. Administrative policies and procedures shall
90 be revised, to the maximum extent practicable, to incorporate
91 the use of automation and electronic submission of forms,
92 including those required for child eligibility and enrollment,
93 provider and class registration, and monthly certification of
94 attendance for payment. A school district may use its automated
95 daily attendance reporting system for the purpose of
96 transmitting attendance records to the early learning coalition
97 in a mutually agreed-upon format. In addition, actions shall be



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98 taken to reduce paperwork, eliminate the duplication of reports,
99 and eliminate other duplicative activities. Each early learning
100 coalition may retain and expend no more than 5 ~~4.0~~ percent of
101 the funds paid by the coalition to private prekindergarten
102 providers and public schools under paragraph (5) (b). Funds
103 retained by an early learning coalition under this subsection
104 may be used only for administering the Voluntary Prekindergarten
105 Education Program and may not be used for the school readiness
106 program or other programs.

107 Section 6. Paragraph (j) of subsection (2) of section
108 1002.82, Florida Statutes, is amended to read:

109 1002.82 Department of Education; powers and duties.—

110 (2) The department shall:

111 (j) Monitor the alignment and consistency of the standards
112 and benchmarks developed and adopted by the department that
113 address the age-appropriate progress of children in the
114 development of school readiness skills. The standards for
115 children from birth to kindergarten entry in the school
116 readiness program must be aligned with the performance standards
117 adopted for children in the Voluntary Prekindergarten Education
118 Program and must address the following domains:

- 119 1. Approaches to learning.
- 120 2. Cognitive development and general knowledge.
- 121 3. Numeracy, language, and communication.
- 122 4. Physical development.
- 123 5. Executive functioning ~~Self-regulation~~.

124 Section 7. Present subsections (5) through (16) of section
125 1002.83, Florida Statutes, are redesignated as subsections (6)
126 through (17), respectively, a new subsection (5) is added to



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127 that section, and subsection (3) of that section is amended, to
128 read:

129 1002.83 Early learning coalitions.—

130 (3) The Governor shall appoint the chair and two other
131 members of each early learning coalition, who must each meet the
132 qualifications of a private sector business member under
133 subsection (7) ~~(6)~~. In the absence of a governor-appointed
134 chair, the Commissioner of Education may appoint an interim
135 chair from the current early learning coalition board
136 membership.

137 (5) Each early learning coalition may choose to appoint an
138 additional public sector board member in order to include a
139 representative of local law enforcement.

140 Section 8. Present paragraphs (h) through (s) of subsection
141 (1) of section 1002.88, Florida Statutes, are redesignated as
142 paragraphs (i) through (t), respectively, a new paragraph (h) is
143 added to that subsection, and present paragraphs (n) and (p) of
144 that subsection are amended, to read:

145 1002.88 School readiness program provider standards;
146 eligibility to deliver the school readiness program.—

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

149 (h) Prohibit a child from birth to the beginning of the
150 school year for which the child is eligible for admission to
151 kindergarten in public school under s. 1003.21(1)(a) to be
152 individually engaged for direct instruction in viewing an
153 electronic screen, commonly known as screen time. As used in
154 this subparagraph, the term "screen" includes, but is not
155 limited to, a television, a computer, a tablet, a virtual



156 reality device, a mobile phone, or a gaming console.

157 (o)~~(n)~~ For a provider that is an informal provider, comply
158 with the provisions of paragraph (n) ~~(m)~~ or maintain homeowner's
159 liability insurance and, if applicable, a business rider. If an
160 informal provider chooses to maintain a homeowner's policy, the
161 provider must obtain and retain a homeowner's insurance policy
162 that provides a minimum of \$100,000 of coverage per occurrence
163 and a minimum of \$300,000 general aggregate coverage. The
164 department may authorize lower limits upon request, as
165 appropriate. An informal provider must add the coalition as a
166 named certificateholder and as an additional insured. An
167 informal provider must provide the coalition with a minimum of
168 10 calendar days' advance written notice of cancellation of or
169 changes to coverage. The general liability insurance required by
170 this paragraph must remain in full force and effect for the
171 entire period of the provider's contract with the coalition.

172 (q)~~(p)~~ Notwithstanding paragraph (n) ~~(m)~~, for a provider
173 that is a state agency or a subdivision thereof, as defined in
174 s. 768.28(2), agree to notify the coalition of any additional
175 liability coverage maintained by the provider in addition to
176 that otherwise established under s. 768.28. The provider shall
177 indemnify the coalition to the extent permitted by s. 768.28.
178 Notwithstanding paragraph (n) ~~(m)~~, for a child development
179 program that is accredited by a national accrediting body and
180 operates on a military installation that is certified by the
181 United States Department of Defense, the provider may
182 demonstrate liability coverage by affirming that it is subject
183 to the Federal Tort Claims Act, 28 U.S.C. ss. 2671 et seq.

184 Section 9. Subsection (4) of section 1002.89, Florida



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185 Statutes, is amended to read:

186 1002.89 School readiness program; funding.—

187 (4) COST REQUIREMENTS.—Costs shall be kept to the minimum
188 necessary for the efficient and effective administration of the
189 school readiness program with the highest priority of
190 expenditure being direct services for eligible children.

191 However, no more than 5 percent of the funds allocated in
192 paragraph (1)(a) may be used for administrative costs and no
193 more than 22 percent of the funds allocated in paragraph (1)(a)
194 may be used in any fiscal year for any combination of
195 administrative costs, quality activities, and nondirect services
196 as follows:

197 (a) Administrative costs as described in 45 C.F.R. s.
198 98.54, which shall include monitoring providers using the
199 standard methodology adopted under s. 1002.82 to improve
200 compliance with state and federal regulations and law pursuant
201 to the requirements of the statewide provider contract adopted
202 under s. 1002.82(2)(m).

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

206 1. Developing, establishing, expanding, operating, and
207 coordinating resource and referral programs specifically related
208 to the provision of comprehensive consumer education to parents
209 and the public to promote informed child care choices specified
210 in 45 C.F.R. s. 98.33.

211 2. Awarding grants and providing financial support to
212 school readiness program providers and their staff to assist
213 them in meeting applicable state requirements for the program



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214 assessment required under s. 1002.82(2)(n), child care
215 performance standards, implementing developmentally appropriate
216 curricula and related classroom resources that support parent
217 engagement curricula, ~~providing~~ literacy supports, and providing
218 continued professional development through the Teacher Education
219 and Compensation Helps (TEACH) Scholarship Program under s.
220 1002.95 and training aligned to the early learning professional
221 development standards and career pathways under s. 1002.995, and
222 reimbursement for background screenings and training. Any grants
223 awarded pursuant to this subparagraph must ~~shall~~ comply with ss.
224 215.971 and 287.058.

225 3. Providing professional development through:

226 a. The TEACH Scholarship Program under s. 1002.95, if
227 annual state funding has been exhausted.

228 b. By July 1, 2026, training aligned with the early
229 learning professional development standards and career pathways
230 under s. 1002.995.

231 c. Training on cardiopulmonary resuscitation, which
232 training must be delivered in person ~~training, technical~~
233 ~~assistance, and financial support to school readiness program~~
234 ~~providers, staff, and parents on standards, child screenings,~~
235 ~~child assessments, child development research and best~~
236 ~~practices, developmentally appropriate curricula, character~~
237 ~~development, teacher-child interactions, age-appropriate~~
238 ~~discipline practices, health and safety, nutrition, first aid,~~
239 ~~cardiopulmonary resuscitation, the recognition of communicable~~
240 ~~diseases, and child abuse detection, prevention, and reporting.~~

241 4. Providing, from among the funds provided for the
242 activities described in subparagraphs 1.-3., adequate funding



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243 for infants and toddlers as necessary to meet federal
244 requirements related to expenditures for quality activities for
245 infant and toddler care.

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

249 6. Responding to Warm-Line requests by providers and
250 parents, including providing developmental and health screenings
251 to school readiness program children.

252 (c) Nondirect services as described in applicable Office of
253 Management and Budget instructions are those services not
254 defined as administrative, direct, or quality services that are
255 required to administer the school readiness program. Such
256 services include, but are not limited to:

257 1. Assisting families to complete the required application
258 and eligibility documentation.

259 2. Determining child and family eligibility.

260 3. Recruiting eligible child care providers.

261 4. Processing and tracking attendance records.

262 5. Developing and maintaining a statewide child care
263 information system.

264

265 As used in this paragraph, the term "nondirect services" does
266 not include payments to school readiness program providers for
267 direct services provided to children who are eligible under s.
268 1002.87, administrative costs as described in paragraph (a), or
269 quality activities as described in paragraph (b).

270 Section 10. Paragraph (b) of subsection (5) of section
271 1008.25, Florida Statutes, is amended to read:



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272 1008.25 Public school student progression; student support;
273 coordinated screening and progress monitoring; reporting
274 requirements.—

275 (5) READING DEFICIENCY AND PARENTAL NOTIFICATION.—

276 (b) Subject to legislative appropriation, a Voluntary
277 Prekindergarten Education Program student who has attended at
278 least 80 percent of the school year program and who exhibits a
279 substantial deficiency in early literacy skills as identified by
280 the performance standards adopted under s. 1002.67(1)(a) and
281 scores below the 20th percentile on based upon the results of
282 the administration of the final administration of the
283 coordinated screening and progress monitoring under subsection
284 (9) ~~is shall be referred to the local school district and may be~~
285 eligible to receive early literacy instructional support through
286 a summer bridge program the summer instruction in early literacy
287 ~~skills~~ before participating in kindergarten. The summer bridge
288 program must meet the requirements adopted by the department and
289 consist of no more than 4 hours of instruction per day for a
290 minimum of 100 total hours ~~A student with an individual~~
291 ~~education plan who has been retained pursuant to paragraph~~
292 ~~(2)(g) and has demonstrated a substantial deficiency in early~~
293 ~~literacy skills must receive instruction in early literacy~~
294 ~~skills.~~

295 Section 11. This act shall take effect July 1, 2024.

296 ===== T I T L E A M E N D M E N T =====

297 And the title is amended as follows:

298 Delete everything before the enacting clause
299 and insert:

300 A bill to be entitled



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301 An act relating to early learning; amending s.
302 402.305, F.S.; requiring that at least one staff
303 person receive in-person cardiopulmonary resuscitation
304 training; amending s. 1002.61, F.S.; revising
305 requirements for prekindergarten instructors; amending
306 s. 1002.67, F.S.; providing that private
307 prekindergarten provider or public school curricula
308 may not use a certain coordinated screening and
309 progress monitoring program or other specified methods
310 for direct student instruction; limiting the
311 percentage of the instructional day during which a
312 private prekindergarten provider or public school may
313 allow students to be individually engaged for direct
314 instruction in viewing an electronic screen; defining
315 the term "screen"; requiring that such time involve
316 certain activities; providing that the limitation does
317 not include the required administration of the
318 screening and monitoring system; amending s. 1002.68,
319 F.S.; revising circumstances under which a good cause
320 exemption may not be granted; amending s. 1002.71,
321 F.S.; revising the percentage of funds that an early
322 learning coalition may retain and expend; amending s.
323 1002.82, F.S.; revising the performance standards
324 adopted by the Department of Education relating to the
325 Voluntary Prekindergarten Education Program; amending
326 s. 1002.83, F.S.; authorizing an early learning
327 coalition to appoint a certain additional board
328 member; amending s. 1002.88, F.S.; requiring a school
329 readiness program provider to prohibit the use of



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330 certain electronic devices during a specified period
331 of a child's life; describing the term "screen";
332 amending s. 1002.89, F.S.; revising school readiness
333 program expenditures that are subject to certain cost
334 requirements; requiring that certain training be
335 provided by a specified date; amending s. 1008.25,
336 F.S.; providing that, subject to legislative
337 appropriation, certain Voluntary Prekindergarten
338 Education Program students are eligible to receive
339 early literacy instructional support through a
340 specified program; providing requirements for the
341 program; deleting a requirement for a child to receive
342 instruction in early literacy skills under specified
343 conditions; providing an effective date.