

By Senator Grall

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1                                   A bill to be entitled  
2       An act relating to early learning; amending s.  
3       1002.61, F.S.; revising requirements for  
4       prekindergarten instructors; amending s. 1002.67,  
5       F.S.; prohibiting private prekindergarten provider and  
6       public school curricula from using a coordinated  
7       screening and progress monitoring program or other  
8       specified methods for direct student instruction;  
9       amending s. 1002.68, F.S.; authorizing alternative  
10      methods for calculating program assessment composite  
11      scores; requiring prekindergarten providers and public  
12      schools to notify parents under certain circumstances;  
13      revising exceptions for a good cause exemption; making  
14      technical changes; amending s. 1002.71, F.S.; revising  
15      the percentage of funds an early learning coalition  
16      may retain and expend; amending s. 1002.82, F.S.;  
17      revising the performance standards adopted by the  
18      Department of Education relating to the Voluntary  
19      Prekindergarten Education Program; amending s.  
20      1002.83, F.S.; authorizing an early learning coalition  
21      to appoint a certain additional board member; amending  
22      s. 1002.89, F.S.; revising school readiness program  
23      expenditures that are subject to certain cost  
24      requirements; amending s. 1008.25, F.S.; providing  
25      that certain Voluntary Prekindergarten Education  
26      Program students are eligible to receive instructional  
27      support in early literacy skills through a specified  
28      program; providing specifications for the program;  
29      providing for funding for the program; providing an

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30 effective date.

31  
32 Be It Enacted by the Legislature of the State of Florida:

33  
34 Section 1. Subsection (4) of section 1002.61, Florida  
35 Statutes, is amended to read:

36 1002.61 Summer prekindergarten program delivered by public  
37 schools and private prekindergarten providers.—

38 (4) Notwithstanding ss. 1002.55(3)(c)1. and 1002.63(4),  
39 each public school and private prekindergarten provider must  
40 have, for each prekindergarten class, at least one  
41 prekindergarten instructor who is a certified teacher or holds  
42 one of the educational credentials specified in s. 1002.55(4)(a)  
43 or (b), or an educational credential specified in s.  
44 1002.55(3)(c)1. as long as the instructor has completed the  
45 early literacy micro-credential program under s. 1003.485 or has  
46 an instructional support score of 3 or higher on a program  
47 assessment conducted under s. 1002.68(2) or s. 1002.82(2)(n). As  
48 used in this subsection, the term "certified teacher" means a  
49 teacher holding a valid Florida educator certificate under s.  
50 1012.56 who has the qualifications required by the district  
51 school board to instruct students in the summer prekindergarten  
52 program. In selecting instructional staff for the summer  
53 prekindergarten program, each school district shall give  
54 priority to teachers who have experience or coursework in early  
55 childhood education and have completed emergent literacy and  
56 performance standards courses, as provided for in s.

57 1002.55(3)(c)2.

58 Section 2. Paragraph (b) of subsection (2) of section

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59 1002.67, Florida Statutes, is amended to read:

60 1002.67 Performance standards and curricula.—

61 (2)

62 (b) Each private prekindergarten provider's and public  
63 school's curriculum must be developmentally appropriate and  
64 must:

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

67 2. Develop students' background knowledge through a  
68 content-rich and sequential knowledge building early literacy  
69 curriculum;

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

73 4. Support student learning gains through differentiated  
74 instruction that must ~~shall~~ be measured by the coordinated  
75 screening and progress monitoring program under s. 1008.25(9). A  
76 private prekindergarten provider's or public school's curriculum  
77 may not use the coordinated screening and progress monitoring  
78 program, any other progress monitoring program, or an  
79 instructional program that requires one student to one device  
80 for direct student instruction.

81 Section 3. Paragraphs (a) and (c) of subsection (4),  
82 paragraph (a) of subsection (5), and paragraph (d) of subsection  
83 (6) of section 1002.68, Florida Statutes, are amended to read:

84 1002.68 Voluntary Prekindergarten Education Program  
85 accountability.—

86 (4) (a) Beginning with the 2024-2025 ~~2023-2024~~ program year,  
87 the department shall adopt a methodology for calculating each

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88 private prekindergarten provider's and public school provider's  
89 performance metric, which must be based on a combination of the  
90 following:

91 1. Program assessment composite scores under subsection  
92 (2), which may be calculated differently, based on the  
93 methodology adopted by the department, than the program  
94 assessment composite score required for contracting in paragraph  
95 (5) (a), and which must be weighted at no less than 50 percent.

96 2. Learning gains operationalized as change-in-ability  
97 scores from the initial and final progress monitoring results  
98 described in subsection (1).

99 3. Norm-referenced developmental learning outcomes  
100 described in subsection (1).

101 (c) The program assessment composite score in subsection  
102 (5) and performance metric must be calculated for each private  
103 prekindergarten or public school site.

104 (5) (a) Beginning with the 2024-2025 program year, if a  
105 private prekindergarten provider's or public school's  
106 performance metric or designation does not maintain ~~falls below~~  
107 the minimum performance metric or designation, the early  
108 learning coalition shall:

109 1. Require the provider or school to submit for approval to  
110 the early learning coalition an improvement plan and implement  
111 the plan.

112 2. Place the provider or school on probation.

113 3. Require the provider or school to take certain  
114 corrective actions, including notifying the parent of each  
115 student enrolled in the Voluntary Prekindergarten Education  
116 Program based on rules adopted by the department and the use of

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117 a curriculum approved by the department under s. 1002.67(2)(c)  
118 and a staff development plan approved by the department to  
119 strengthen instructional practices in emotional support,  
120 classroom organization, instructional support, language  
121 development, phonological awareness, alphabet knowledge, and  
122 mathematical thinking.

123 (6)

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

130 Section 4. Subsection (7) of section 1002.71, Florida  
131 Statutes, is amended to read:

132 1002.71 Funding; financial and attendance reporting.-

133 (7) The department shall require that administrative  
134 expenditures be kept to the minimum necessary for efficient and  
135 effective administration of the Voluntary Prekindergarten  
136 Education Program. Administrative policies and procedures shall  
137 be revised, to the maximum extent practicable, to incorporate  
138 the use of automation and electronic submission of forms,  
139 including those required for child eligibility and enrollment,  
140 provider and class registration, and monthly certification of  
141 attendance for payment. A school district may use its automated  
142 daily attendance reporting system for the purpose of  
143 transmitting attendance records to the early learning coalition  
144 in a mutually agreed-upon format. In addition, actions shall be  
145 taken to reduce paperwork, eliminate the duplication of reports,

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146 and eliminate other duplicative activities. Each early learning  
147 coalition may retain and expend no more than 5 ~~4.0~~ percent of  
148 the funds paid by the coalition to private prekindergarten  
149 providers and public schools under paragraph (5)(b). Funds  
150 retained by an early learning coalition under this subsection  
151 may be used only for administering the Voluntary Prekindergarten  
152 Education Program and may not be used for the school readiness  
153 program or other programs.

154 Section 5. Paragraph (j) of subsection (2) of section  
155 1002.82, Florida Statutes, is amended to read:

156 1002.82 Department of Education; powers and duties.—

157 (2) The department shall:

158 (j) Monitor the alignment and consistency of the standards  
159 and benchmarks developed and adopted by the department that  
160 address the age-appropriate progress of children in the  
161 development of school readiness skills. The standards for  
162 children from birth to kindergarten entry in the school  
163 readiness program must be aligned with the performance standards  
164 adopted for children in the Voluntary Prekindergarten Education  
165 Program and must address the following domains:

- 166 1. Approaches to learning.
- 167 2. Cognitive development and general knowledge.
- 168 3. Numeracy, language, and communication.
- 169 4. Physical development.
- 170 5. Executive functioning ~~Self-regulation~~.

171 Section 6. Present subsections (5) through (16) of section  
172 1002.83, Florida Statutes, are redesignated as subsections (6)  
173 through (17), respectively, a new subsection (5) is added to  
174 that section, and subsection (3) of that section is amended, to

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175 read:

176 1002.83 Early learning coalitions.—

177 (3) The Governor shall appoint the chair and two other  
178 members of each early learning coalition, who must each meet the  
179 qualifications of a private sector business member under  
180 subsection (7) ~~(6)~~. In the absence of a governor-appointed  
181 chair, the Commissioner of Education may appoint an interim  
182 chair from the current early learning coalition board  
183 membership.

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

187 Section 7. Subsection (4) of section 1002.89, Florida  
188 Statutes, is amended to read:

189 1002.89 School readiness program; funding.—

190 (4) COST REQUIREMENTS.—Costs shall be kept to the minimum  
191 necessary for the efficient and effective administration of the  
192 school readiness program with the highest priority of  
193 expenditure being direct services for eligible children.  
194 However, no more than 5 percent of the funds allocated in  
195 paragraph (1)(a) may be used for administrative costs and no  
196 more than 22 percent of the funds allocated in paragraph (1)(a)  
197 may be used in any fiscal year for any combination of  
198 administrative costs, quality activities, and nondirect services  
199 as follows:

200 (a) Administrative costs as described in 45 C.F.R. s.  
201 98.54, which shall include monitoring providers using the  
202 standard methodology adopted under s. 1002.82 to improve  
203 compliance with state and federal regulations and law pursuant

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204 to the requirements of the statewide provider contract adopted  
205 under s. 1002.82(2)(m).

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

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

214 2. Awarding grants and providing financial support to  
215 school readiness program providers and their staff to assist  
216 them in meeting applicable state requirements for the program  
217 assessment required under s. 1002.82(2)(n), child care  
218 performance standards, implementing developmentally appropriate  
219 curricula and related classroom resources that support parent  
220 engagement curricula, ~~providing~~ literacy supports, ~~and~~ providing  
221 continued professional development through the Teacher Education  
222 and Compensation Helps (TEACH) Scholarship Program under s.  
223 1002.95 and training aligned to the early learning professional  
224 development standards and career pathways under s. 1002.995, and  
225 reimbursement for background screenings and training. Any grants  
226 awarded pursuant to this subparagraph must ~~shall~~ comply with ss.  
227 215.971 and 287.058.

228 3. Providing training aligned with the early learning  
229 professional development standards and career pathways under s.  
230 1002.995, technical assistance, and financial support to school  
231 readiness program providers, staff, and parents on standards,  
232 child screenings, child assessments, the ~~child development~~



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233 ~~research and best practices,~~ developmentally appropriate  
234 curriculum under s. 1002.82(2)(1), executive functioning  
235 ~~curricula, character development,~~ teacher-child interactions,  
236 age-appropriate discipline practices, health and safety,  
237 nutrition, first aid, cardiopulmonary resuscitation, the  
238 recognition of communicable diseases, and child abuse detection,  
239 prevention, and reporting.

240 4. Providing, from among the funds provided for the  
241 activities described in subparagraphs 1.-3., adequate funding  
242 for infants and toddlers as necessary to meet federal  
243 requirements related to expenditures for quality activities for  
244 infant and toddler care.

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

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

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

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

258 2. Determining child and family eligibility.

259 3. Recruiting eligible child care providers.

260 4. Processing and tracking attendance records.

261 5. Developing and maintaining a statewide child care

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262 information system.

263  
264 As used in this paragraph, the term "nondirect services" does  
265 not include payments to school readiness program providers for  
266 direct services provided to children who are eligible under s.  
267 1002.87, administrative costs as described in paragraph (a), or  
268 quality activities as described in paragraph (b).

269 Section 8. Paragraph (b) of subsection (5) of section  
270 1008.25, Florida Statutes, is amended to read:

271 1008.25 Public school student progression; student support;  
272 coordinated screening and progress monitoring; reporting  
273 requirements.—

274 (5) READING DEFICIENCY AND PARENTAL NOTIFICATION.—

275 (b) A Voluntary Prekindergarten Education Program student  
276 who has attended at least 80 percent of the school year program  
277 and who exhibits a substantial deficiency in early literacy  
278 skills as identified by the performance standards adopted under  
279 s. 1002.67(1) (a) and scores below the 20th percentile on ~~based~~  
280 ~~upon the results of the administration of the final~~  
281 ~~administration of the~~ coordinated screening and progress  
282 monitoring under subsection (9) ~~is shall be referred to the~~  
283 ~~local school district and may be~~ eligible to receive early  
284 ~~literacy instructional support through a summer bridge program~~  
285 ~~the summer instruction in early literacy skills~~ before  
286 participating in kindergarten. The summer bridge program must  
287 ~~meet the requirements adopted by the department and consist of 4~~  
288 ~~hours of instruction per day for a minimum of 100 total hours.~~  
289 ~~Such early literacy skill instructional support must be paid for~~  
290 ~~with funds from the district's evidence-based reading~~

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291 instruction allocation in accordance with s. 1003.4201 ~~A student~~  
292 ~~with an individual education plan who has been retained pursuant~~  
293 ~~to paragraph (2)(g) and has demonstrated a substantial~~  
294 ~~deficiency in early literacy skills must receive instruction in~~  
295 ~~early literacy skills.~~

296 Section 9. This act shall take effect July 1, 2024.