

1 A bill to be entitled
2 An act relating to early learning; amending s.
3 402.305, F.S.; requiring that at least one staff
4 person receive in-person cardiopulmonary resuscitation
5 training; amending s. 1002.61, F.S.; revising
6 requirements for prekindergarten instructors; amending
7 s. 1002.67, F.S.; providing that private
8 prekindergarten provider or public school curricula
9 may not use a certain coordinated screening and
10 progress monitoring program or other specified methods
11 for direct student instruction; providing a limitation
12 for which a private prekindergarten provider or public
13 school may allow students to view an electronic
14 screen; defining the term "screen"; requiring that
15 such time involve certain activities; providing that
16 the limitation does not include the required
17 administration of the screening and monitoring system;
18 amending s. 1002.68, F.S.; revising circumstances
19 under which a good cause exemption may not be granted;
20 revising requirements with respect to performance
21 metric methodology and the assignment of designations
22 under the Voluntary Prekindergarten Education Program;
23 republishing reverted provisions of law pursuant to
24 ch. 2023-240, Laws of Florida; amending s. 1002.82,
25 F.S.; revising the performance standards adopted by

26 | the Department of Education relating to the Voluntary
 27 | Prekindergarten Education Program; amending s.
 28 | 1002.83, F.S.; authorizing an early learning coalition
 29 | to appoint a certain additional board member; amending
 30 | s. 1002.87, F.S.; revising the criteria for a child to
 31 | receive priority for participation in the school
 32 | readiness program; conforming provisions to changes
 33 | made by the act; amending s. 1002.88, F.S.; requiring
 34 | a school readiness program provider to prohibit
 35 | certain students from viewing electronic screens;
 36 | authorizing certain students to have screen time for a
 37 | specified amount of time; defining the term "screen";
 38 | amending s. 1002.89, F.S.; providing requirements for
 39 | a school readiness program provider to be eligible to
 40 | receive specified funding; revising school readiness
 41 | program expenditures that are subject to certain cost
 42 | requirements; requiring that certain training be
 43 | provided by a specified date; providing an effective
 44 | date.

45 |
 46 | Be It Enacted by the Legislature of the State of Florida:

47 |
 48 | Section 1. Paragraph (a) of subsection (7) of section
 49 | 402.305, Florida Statutes, is amended to read:
 50 | 402.305 Licensing standards; child care facilities.-

51 (7) SANITATION AND SAFETY.—

52 (a) Minimum standards shall include requirements for
 53 sanitary and safety conditions, first aid treatment, emergency
 54 procedures, and pediatric cardiopulmonary resuscitation. The
 55 minimum standards shall require that at least one staff person
 56 trained in person in cardiopulmonary resuscitation, as evidenced
 57 by current documentation of course completion, must be present
 58 at all times that children are present.

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

61 1002.61 Summer prekindergarten program delivered by public
 62 schools and private prekindergarten providers.—

63 (4) Notwithstanding ss. 1002.55(3)(c)1. and 1002.63(4),
 64 each public school and private prekindergarten provider must
 65 have, for each prekindergarten class, at least one
 66 prekindergarten instructor who is a certified teacher or holds
 67 one of the educational credentials specified in s. 1002.55(4)(a)
 68 or (b), or an educational credential specified in s.
 69 1002.55(3)(c)1. as long as the instructor has completed the
 70 early literacy micro-credential program under s. 1003.485. As
 71 used in this subsection, the term "certified teacher" means a
 72 teacher holding a valid Florida educator certificate under s.
 73 1012.56 who has the qualifications required by the district
 74 school board to instruct students in the summer prekindergarten
 75 program. In selecting instructional staff for the summer

76 | prekindergarten program, each school district shall give
 77 | priority to teachers who have experience or coursework in early
 78 | childhood education and have completed emergent literacy and
 79 | performance standards courses, as provided for in s.

80 | 1002.55(3)(c)2.

81 | Section 3. Paragraph (b) of subsection (2) of section
 82 | 1002.67, Florida Statutes, is amended to read:

83 | 1002.67 Performance standards and curricula.—

84 | (2)

85 | (b) Each private prekindergarten provider's and public
 86 | school's curriculum must be developmentally appropriate and
 87 | must:

88 | 1. Be designed to prepare a student for early literacy and
 89 | provide for instruction in early math skills;

90 | 2. Develop students' background knowledge through a
 91 | content-rich and sequential knowledge building early literacy
 92 | curriculum;

93 | 3. Enhance the age-appropriate progress of students in
 94 | attaining the performance standards adopted by the department
 95 | under subsection (1); and

96 | 4. Support student learning gains through differentiated
 97 | instruction that must ~~shall~~ be measured by the coordinated
 98 | screening and progress monitoring program under s. 1008.25(9). A
 99 | private prekindergarten provider's or public school's curriculum
 100 | may not use the coordinated screening and progress monitoring

101 program or any other progress monitoring program for direct
 102 student instruction. A private prekindergarten provider or
 103 public school may not allow any student to view an electronic
 104 screen, commonly known as screen time, for more than 10 percent
 105 of the day. As used in this subparagraph, the term "screen"
 106 includes, but is not limited to, a television, a computer, a
 107 tablet, a virtual reality device, a mobile telephone, or a
 108 gaming console. Any such screen time must involve activities
 109 directly related to the Voluntary Prekindergarten Education
 110 Program standards. This limitation does not include
 111 administration of the coordinated screening and progress
 112 monitoring system as required under s. 1008.25(9).

113 Section 4. Paragraph (d) of subsection (6) of section
 114 1002.68, Florida Statutes, is amended, and paragraph (c) of
 115 subsection (4) of that section is republished, to read:

116 1002.68 Voluntary Prekindergarten Education Program
 117 accountability.—

118 (4)

119 (c) The program assessment composite score and performance
 120 metric must be calculated for each private prekindergarten or
 121 public school site.

122 (6)

123 (d) A good cause exemption may not be granted to any
 124 private prekindergarten provider or public school that has any
 125 class I violations or three ~~two~~ or more of the same class II

126 | violations, as defined by rule of the Department of Children and
127 | Families, within the 2 years preceding the provider's or
128 | school's request for the exemption.

129 | Section 5. Upon the expiration and reversion of the
130 | amendments made to section 1002.68, Florida Statutes, pursuant
131 | to section 6 of chapter 2023-240, Laws of Florida, paragraphs
132 | (a) and (f) of subsection (4) of section 1002.68, Florida
133 | Statutes, are amended, and subsection (5) and paragraph (e) of
134 | subsection (6) of that section are republished, to read:

135 | 1002.68 Voluntary Prekindergarten Education Program
136 | accountability.—

137 | (4)(a) Beginning with the 2023-2024 ~~2022-2023~~ program
138 | year, the department shall adopt a methodology for calculating
139 | each private prekindergarten provider's and public school
140 | provider's performance metric, which must be based on a
141 | combination of the following:

142 | 1. Program assessment composite scores under subsection
143 | (2), which must be weighted at no less than 50 percent.

144 | 2. Learning gains operationalized as change-in-ability
145 | scores from the initial and final progress monitoring results
146 | described in subsection (1).

147 | 3. Norm-referenced developmental learning outcomes
148 | described in subsection (1).

149 | (f) The department shall adopt procedures to annually
150 | calculate each private prekindergarten provider's and public

151 school's performance metric, based on the methodology adopted in
152 paragraphs (a) and (b), and assign a designation under paragraph
153 (d). Beginning with the 2024-2025 ~~2023-2024~~ program year, each
154 private prekindergarten provider or public school shall be
155 assigned a designation within 45 days after the conclusion of
156 the school-year Voluntary Prekindergarten Education Program
157 delivered by all participating private prekindergarten providers
158 or public schools and within 45 days after the conclusion of the
159 summer Voluntary Prekindergarten Education Program delivered by
160 all participating private prekindergarten providers or public
161 schools.

162 (5)(a) If a public school's or private prekindergarten
163 provider's program assessment composite score for its
164 prekindergarten classrooms fails to meet the minimum program
165 assessment composite score for contracting adopted in rule by
166 the department, the private prekindergarten provider or public
167 school may not participate in the Voluntary Prekindergarten
168 Education Program beginning in the consecutive program year and
169 thereafter until the public school or private prekindergarten
170 provider meets the minimum composite score for contracting. A
171 public school or private prekindergarten provider may request
172 one program assessment per program year in order to requalify
173 for participation in the Voluntary Prekindergarten Education
174 Program, provided that the public school or private
175 prekindergarten provider is not excluded from participation

176 | under ss. 1002.55(6), 1002.61(10)(b), 1002.63(9)(b), or
177 | paragraph (5)(b) of this section. If a public school or private
178 | prekindergarten provider would like an additional program
179 | assessment completed within the same program year, the public
180 | school or private prekindergarten provider shall be responsible
181 | for the cost of the program assessment.

182 | (b) If a private prekindergarten provider's or public
183 | school's performance metric or designation falls below the
184 | minimum performance metric or designation, the early learning
185 | coalition shall:

186 | 1. Require the provider or school to submit for approval
187 | to the early learning coalition an improvement plan and
188 | implement the plan.

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

190 | 3. Require the provider or school to take certain
191 | corrective actions, including the use of a curriculum approved
192 | by the department under s. 1002.67(2)(c) and a staff development
193 | plan approved by the department to strengthen instructional
194 | practices in emotional support, classroom organization,
195 | instructional support, language development, phonological
196 | awareness, alphabet knowledge, and mathematical thinking.

197 | (c) A private prekindergarten provider or public school
198 | that is placed on probation must continue the corrective actions
199 | required under paragraph (b) until the provider or school meets
200 | the minimum performance metric or designation adopted by the

201 department. Failure to meet the requirements of subparagraphs
 202 (b)1. and 3. shall result in the termination of the provider's
 203 or school's contract to deliver the Voluntary Prekindergarten
 204 Education Program for a period of at least 2 years but no more
 205 than 5 years.

206 (d) If a private prekindergarten provider or public school
 207 remains on probation for 2 consecutive years and fails to meet
 208 the minimum performance metric or designation, or is not granted
 209 a good cause exemption by the department, the department shall
 210 require the early learning coalition to revoke the provider's
 211 eligibility and the school district to revoke the school's
 212 eligibility to deliver the Voluntary Prekindergarten Education
 213 Program and receive state funds for the program for a period of
 214 at least 2 years but no more than 5 years.

215 (6)

216 (e) A private prekindergarten provider or public school
 217 granted a good cause exemption shall continue to implement its
 218 improvement plan and continue the corrective actions required
 219 under paragraph (5)(b) until the provider or school meets the
 220 minimum performance metric.

221 Section 6. Paragraph (j) of subsection (2) of section
 222 1002.82, Florida Statutes, is amended to read:

223 1002.82 Department of Education; powers and duties.—

224 (2) The department shall:

225 (j) Monitor the alignment and consistency of the standards

226 and benchmarks developed and adopted by the department that
227 address the age-appropriate progress of children in the
228 development of school readiness skills. The standards for
229 children from birth to kindergarten entry in the school
230 readiness program must be aligned with the performance standards
231 adopted for children in the Voluntary Prekindergarten Education
232 Program and must address the following domains:

- 233 1. Approaches to learning.
- 234 2. Cognitive development and general knowledge.
- 235 3. Numeracy, language, and communication.
- 236 4. Physical development.
- 237 5. Executive functioning ~~Self-regulation~~.

238 Section 7. Present subsections (5) through (16) of section
239 1002.83, Florida Statutes, are redesignated as subsections (6)
240 through (17), respectively, a new subsection (5) is added to
241 that section, and subsection (3) of that section is amended, to
242 read:

243 1002.83 Early learning coalitions.—

244 (3) The Governor shall appoint the chair and two other
245 members of each early learning coalition, who must each meet the
246 qualifications of a private sector business member under
247 subsection (7) ~~(6)~~. In the absence of a governor-appointed
248 chair, the Commissioner of Education may appoint an interim
249 chair from the current early learning coalition board
250 membership.

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

254 Section 8. Paragraph (c) of subsection (1) of section
 255 1002.87, Florida Statutes, is amended to read:

256 1002.87 School readiness program; eligibility and
 257 enrollment.—

258 (1) Each early learning coalition shall give priority for
 259 participation in the school readiness program as follows:

260 (c) Subsequent priority shall be given, based on the early
 261 learning coalition's local priorities identified under s.
 262 1002.85(2)(i), to children who meet the following criteria:

263 1. A child from birth to the beginning of the school year
 264 for which the child is eligible for admission to kindergarten in
 265 a public school under s. 1003.21(1)(a)2. who is from a working
 266 family that is economically disadvantaged, and may include such
 267 child's eligible siblings, beginning with the school year in
 268 which the sibling is eligible for admission to kindergarten in a
 269 public school under s. 1003.21(1)(a)2. until the beginning of
 270 the school year in which the sibling is eligible to begin 6th
 271 grade, provided that the first priority for funding an eligible
 272 sibling is local revenues available to the coalition for funding
 273 direct services.

274 2. A child of a parent who transitions from the work
 275 program into employment as described in s. 445.032 from birth to

276 the beginning of the school year for which the child is eligible
277 for admission to kindergarten in a public school under s.
278 1003.21(1)(a)2.

279 3. An at-risk child who is at least 9 years of age but
280 younger than 13 years of age. An at-risk child whose sibling is
281 enrolled in the school readiness program within an eligibility
282 priority category listed in paragraphs (a) and (b) and
283 subparagraph 1. shall be given priority over other children who
284 are eligible under this paragraph.

285 4. A child who is younger than 13 years of age from a
286 working family that is economically disadvantaged.

287 5. A child of a parent who transitions from the work
288 program into employment as described in s. 445.032 who is
289 younger than 13 years of age.

290 6.a. A child who has special needs ~~and,~~ has been
291 determined eligible as a student who requires additional
292 accommodations beyond those required by the Americans with
293 Disabilities Act. The child's special needs and associated
294 accommodations must be validated by a licensed health care
295 professional, licensed mental health professional, or
296 educational psychologist. Such person may not be the child's
297 parent or a person employed by a child care provider. The
298 following documentation must be used to determine the child's
299 eligibility for such accommodations:

300 I. ~~with a disability,~~ has A current individual education

301 plan with a Florida school district;~~7~~ ~~and is not younger than 3~~
 302 ~~years of age.~~

303 II. A current individualized family support plan;

304 III. A diagnosed special need; or

305 IV. A determination of required accommodations.

306 b. The child care provider of a child who meets the
 307 requirements of this subparagraph may be eligible for additional
 308 funding through the special needs differential allocation to
 309 implement the special needs rate as determined in s.

310 ~~1002.89(1)(d) needs child eligible under this paragraph remains~~
 311 ~~eligible until the child is eligible for admission to~~
 312 ~~kindergarten in a public school under s. 1003.21(1)(a)2.~~

313 7. A child who otherwise meets one of the eligibility
 314 criteria in paragraphs (a) and (b) and subparagraphs 1. and 2.
 315 but who is also enrolled concurrently in the federal Head Start
 316 Program and the Voluntary Prekindergarten Education Program.

317 Section 9. Present paragraphs (h) through (s) of
 318 subsection (1) of section 1002.88, Florida Statutes, are
 319 redesignated as paragraphs (i) through (t), respectively, a new
 320 paragraph (h) is added to that subsection, and present
 321 paragraphs (n) and (p) of that subsection are amended, to read:

322 1002.88 School readiness program provider standards;
 323 eligibility to deliver the school readiness program.—

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

326 (h) Prohibit a child from birth to 3 years of age from
327 viewing an electronic screen, commonly known as screen time. A
328 student 4 years of age or older may have screen time for no more
329 than 10 percent of the day. As used in this paragraph, the term
330 "screen" includes, but is not limited to, a television, a
331 computer, a tablet, a virtual reality device, a mobile
332 telephone, or a gaming console.

333 (o)~~(n)~~ For a provider that is an informal provider, comply
334 with the provisions of paragraph (n) ~~(m)~~ or maintain homeowner's
335 liability insurance and, if applicable, a business rider. If an
336 informal provider chooses to maintain a homeowner's policy, the
337 provider must obtain and retain a homeowner's insurance policy
338 that provides a minimum of \$100,000 of coverage per occurrence
339 and a minimum of \$300,000 general aggregate coverage. The
340 department may authorize lower limits upon request, as
341 appropriate. An informal provider must add the coalition as a
342 named certificateholder and as an additional insured. An
343 informal provider must provide the coalition with a minimum of
344 10 calendar days' advance written notice of cancellation of or
345 changes to coverage. The general liability insurance required by
346 this paragraph must remain in full force and effect for the
347 entire period of the provider's contract with the coalition.

348 (q)~~(p)~~ Notwithstanding paragraph (n) ~~(m)~~, for a provider
349 that is a state agency or a subdivision thereof, as defined in
350 s. 768.28(2), agree to notify the coalition of any additional

351 liability coverage maintained by the provider in addition to
 352 that otherwise established under s. 768.28. The provider shall
 353 indemnify the coalition to the extent permitted by s. 768.28.
 354 Notwithstanding paragraph (n) ~~(m)~~, for a child development
 355 program that is accredited by a national accrediting body and
 356 operates on a military installation that is certified by the
 357 United States Department of Defense, the provider may
 358 demonstrate liability coverage by affirming that it is subject
 359 to the Federal Tort Claims Act, 28 U.S.C. ss. 2671 et seq.

360 Section 10. Paragraph (d) of subsection (1) and subsection
 361 (4) of section 1002.89, Florida Statutes, are amended to read:

362 1002.89 School readiness program; funding.—

363 (1) DETERMINATION OF EARLY LEARNING COALITION SCHOOL
 364 READINESS PROGRAM FUNDING.—Funding for the school readiness
 365 program shall be used by the early learning coalitions in
 366 accordance with this part and the General Appropriations Act.

367 (d) Special needs differential allocation.—There is
 368 created the special needs differential allocation to assist
 369 eligible school readiness program providers to implement the
 370 special needs rate provisions defined in the state's approved
 371 Child Care and Development Fund Plan. Subject to legislative
 372 appropriation, each early learning coalition shall be reimbursed
 373 based on actual expenditures. All expenditures from the special
 374 needs differential allocation shall be used by the department to
 375 help meet federal targeted requirements for improving quality to

376 | the extent allowable in the state's approved plan. A school
 377 | readiness program provider is eligible for funding through the
 378 | allocation to implement the special needs differential rate upon
 379 | meeting all of the following requirements by July 1, 2025:

380 | 1. If the provider has a program assessment score, the
 381 | score must meet or exceed the composite score established by the
 382 | department.

383 | 2. The provider has completed 10 hours of training in
 384 | inclusive early childhood or inclusive school-age education
 385 | practices within the preceding 2-year period with the provider
 386 | completing an additional 10 hours of such training each
 387 | subsequent 5-year period as specified by the department.

388 | (4) COST REQUIREMENTS.—Costs shall be kept to the minimum
 389 | necessary for the efficient and effective administration of the
 390 | school readiness program with the highest priority of
 391 | expenditure being direct services for eligible children.
 392 | However, no more than 5 percent of the funds allocated in
 393 | paragraph (1) (a) may be used for administrative costs and no
 394 | more than 22 percent of the funds allocated in paragraph (1) (a)
 395 | may be used in any fiscal year for any combination of
 396 | administrative costs, quality activities, and nondirect services
 397 | as follows:

398 | (a) Administrative costs as described in 45 C.F.R. s.
 399 | 98.54, which shall include monitoring providers using the
 400 | standard methodology adopted under s. 1002.82 to improve

401 compliance with state and federal regulations and law pursuant
 402 to the requirements of the statewide provider contract adopted
 403 under s. 1002.82(2)(m).

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

407 1. Developing, establishing, expanding, operating, and
 408 coordinating resource and referral programs specifically related
 409 to the provision of comprehensive consumer education to parents
 410 and the public to promote informed child care choices specified
 411 in 45 C.F.R. s. 98.33.

412 2. Awarding grants and providing financial support to
 413 school readiness program providers and their staff to assist
 414 them in meeting applicable state requirements for the program
 415 assessment required under s. 1002.82(2)(n), child care
 416 performance standards, implementing developmentally appropriate
 417 curriculum under s. 1002.82(2)(1) ~~curricula~~ and related
 418 classroom resources that support parent engagement curricula,
 419 ~~providing~~ literacy supports, ~~and~~ providing continued
 420 professional development and training through the Teacher
 421 Education and Compensation Helps (TEACH) Scholarship Program
 422 under s. 1002.95, and reimbursement for background screenings.
 423 Any grants awarded pursuant to this subparagraph must ~~shall~~
 424 comply with ss. 215.971 and 287.058.

425 3. Providing training, technical assistance, and financial

426 support to school readiness program providers, staff, and
427 parents on standards, child screenings, child assessments, the
428 ~~child development research and best practices,~~ developmentally
429 appropriate curriculum under s. 1002.82(2)(1), executive
430 functioning ~~curricula, character development,~~ teacher-child
431 interactions, age-appropriate discipline practices, health and
432 safety, nutrition, first aid, in-person cardiopulmonary
433 resuscitation, the recognition of communicable diseases, and
434 child abuse detection, prevention, and reporting.

435 4. Providing, from among the funds provided for the
436 activities described in subparagraphs 1.-3., adequate funding
437 for infants and toddlers as necessary to meet federal
438 requirements related to expenditures for quality activities for
439 infant and toddler care.

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

443 6. Responding to Warm-Line requests by providers and
444 parents, including providing developmental and health screenings
445 to school readiness program children.

446
447 By July 1, 2026, all training and professional development
448 provided by an early learning coalition under this paragraph
449 must be aligned with the early learning professional development
450 standards and career pathways under s. 1002.995.

451 (c) Nondirect services as described in applicable Office
 452 of Management and Budget instructions are those services not
 453 defined as administrative, direct, or quality services that are
 454 required to administer the school readiness program. Such
 455 services include, but are not limited to:

- 456 1. Assisting families to complete the required application
 457 and eligibility documentation.
- 458 2. Determining child and family eligibility.
- 459 3. Recruiting eligible child care providers.
- 460 4. Processing and tracking attendance records.
- 461 5. Developing and maintaining a statewide child care
 462 information system.

463
 464 As used in this paragraph, the term "nondirect services" does
 465 not include payments to school readiness program providers for
 466 direct services provided to children who are eligible under s.
 467 1002.87, administrative costs as described in paragraph (a), or
 468 quality activities as described in paragraph (b).

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