

By Senator Calatayud

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1                                   A bill to be entitled  
2       An act relating to the school readiness program;  
3       amending s. 1002.81, F.S.; revising the definition of  
4       the term "economically disadvantaged"; amending s.  
5       1002.84, F.S.; revising requirements for the sliding  
6       fee scale for families receiving school readiness  
7       program services to include a new method to calculate  
8       parent copayments at the time of eligibility  
9       determination and annually thereafter, regardless of  
10      the number of children; revising the methodology for  
11      distributing school readiness program funds to  
12      eligible providers; amending s. 1002.85, F.S.;  
13      revising requirements for the data elements that must  
14      be collected and reported by the Department of  
15      Education; revising the date by which the report must  
16      be implemented; amending s. 1002.89, F.S.; revising  
17      the method for determining the annual allocation for  
18      the school readiness program; deleting a provision  
19      relating to certain expenditures from the Gold Seal  
20      Quality Care Program allocation; deleting a provision  
21      relating to certain expenditures from the differential  
22      payment program allocation; deleting a provision  
23      relating to certain expenditures from the special  
24      needs differential allocation; amending s. 1002.90,  
25      F.S.; requiring that provider reimbursement rates be  
26      established based on certain information; deleting a  
27      requirement for the Early Learning Programs Estimating  
28      Conference to provide official cost-of-care  
29      information to the Legislature; providing an effective

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30 date.

31

32 WHEREAS, it is the intent of the Legislature to preserve  
 33 parent choice and ensure that young children have access to  
 34 high-quality early education opportunities that promote  
 35 kindergarten readiness and prepare them for later economic  
 36 success, and

37 WHEREAS, it is the intent of the Legislature to increase  
 38 workforce participation, strengthen this state's economy, and  
 39 support low-income families on a path to reach economic self-  
 40 sufficiency, NOW, THEREFORE,

41

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

43

44 Section 1. Subsection (6) of section 1002.81, Florida  
 45 Statutes, is amended to read:

46 1002.81 Definitions.—Consistent with the requirements of 45  
 47 C.F.R. parts 98 and 99 and as used in this part, the term:

48 (6) "Economically disadvantaged" means having a family  
 49 income that does not exceed 55 percent of the state median  
 50 income ~~150 percent of the federal poverty level~~ and includes  
 51 being a child of a working migratory family as defined by 34  
 52 C.F.R. s. 200.81(d) or (f) or an agricultural worker who is  
 53 employed by more than one agricultural employer during the  
 54 course of a year, and whose income varies according to weather  
 55 conditions and market stability.

56 Section 2. Subsections (9) and (17) of section 1002.84,  
 57 Florida Statutes, are amended to read:

58 1002.84 Early learning coalitions; school readiness powers

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59 and duties.—Each early learning coalition shall:

60 (9) Implement ~~Establish~~ a parent sliding fee scale that  
61 provides for the calculation of a parent copayment at the time  
62 of the eligibility determination and for an annual eligibility  
63 redetermination thereafter, which increases in percentage with a  
64 parent's income, regardless of the number of children, as  
65 follows:

66 (a) A parent whose income is at or below 60 percent of the  
67 state median income is responsible for a copayment of 7 percent  
68 of his or her income.

69 (b) A parent whose income is above 60 percent but at or  
70 below 65 percent of the state median income is responsible for a  
71 copayment of 9 percent of his or her income.

72 (c) A parent whose income is above 65 percent but at or  
73 below 75 percent of the state median income is responsible for a  
74 copayment of 11 percent of his or her income.

75 (d) A parent whose income is above 75 percent but at or  
76 below 80 percent of the state median income is responsible for a  
77 copayment of 13 percent of his or her income.

78 (e) A parent whose income is above 80 percent but at or  
79 below 85 percent of the state median income is responsible for a  
80 copayment of 15 percent of his or her income.

81  
82 The parent copayment for a child who receives part-time care is  
83 50 percent of the copayment amount calculated in paragraphs (a)-  
84 (e) that is not a barrier to families receiving school readiness  
85 program services. A coalition may waive the copayment for an at-  
86 risk child or temporarily waive the copayment for a child whose  
87 family's income is at or below the federal poverty level or

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88 whose family experiences a natural disaster or an event that  
89 limits the parent's ability to pay, such as incarceration,  
90 placement in residential treatment, or becoming homeless, or an  
91 emergency situation such as a household fire or burglary, or  
92 while the parent is participating in parenting classes or  
93 participating in an Early Head Start program or Head Start  
94 Program. A parent may not transfer school readiness program  
95 services to another school readiness program provider until the  
96 parent has submitted documentation from the current school  
97 readiness program provider to the early learning coalition  
98 stating that the parent has satisfactorily fulfilled the  
99 copayment obligation.

100 (17) (a) Distribute the school readiness program funds as  
101 allocated in the General Appropriations Act to ~~the~~ eligible  
102 providers using the provider cost of care or reimbursement rates  
103 developed in accordance with s. 1002.90. ~~following methodology:~~

104 ~~1. For each county in the early learning coalition,~~  
105 ~~multiply the cost of care by care level as provided in s.~~  
106 ~~1002.90 by the county's comparable wage factor provided in s.~~  
107 ~~1011.62(2).~~

108 ~~2. If a county enacted a local ordinance before January 1,~~  
109 ~~2022, that establishes the county's staff-to-children ratio for~~  
110 ~~licensed child care facilities below the ratio established in s.~~  
111 ~~402.305(4), multiply the provider reimbursement rates for that~~  
112 ~~county by the adjustment factor specified in the General~~  
113 ~~Appropriations Act.~~

114 ~~3. Apply the weight established pursuant to s. 1002.90 for~~  
115 ~~each provider type to calculate the minimum provider~~  
116 ~~reimbursement rates by care level.~~

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117 ~~4. Multiply the weighted provider reimbursement rates by 22~~  
118 ~~percent to determine the amount of the school readiness~~  
119 ~~allocation an early learning coalition is eligible to retain~~  
120 ~~pursuant to s. 1002.89(4).~~

121 (b) Distribute to each eligible provider the minimum  
122 provider reimbursement rate, by provider type and care level,  
123 regardless of the provider's private pay rate. All minimum  
124 provider reimbursement rates shall be charged as direct services  
125 pursuant to s. 1002.89.

126  
127 Each early learning coalition with approved minimum provider  
128 reimbursement rates for the infant to age 5 care levels that are  
129 higher than the minimum provider reimbursement rates developed  
130 in accordance with s. 1002.90 ~~established in this subsection~~ may  
131 continue to implement its approved minimum provider  
132 reimbursement rates until the rates established in this  
133 subsection exceed its approved rates.

134 Section 3. Subsection (5) of section 1002.85, Florida  
135 Statutes, is amended to read:

136 1002.85 Early learning coalition plans.—

137 (5) The department shall collect and report data on  
138 coalition delivery of early learning programs. Data elements  
139 must ~~shall~~ include, but are not limited to, measures related to  
140 progress toward ~~towards~~ reducing the number of children on the  
141 waiting list, the percentage of children served by the program  
142 as compared to the number of administrative staff and overhead,  
143 the percentage of children served compared to total number of  
144 children younger than ~~under~~ the age of 5 years whose family  
145 income is below 55 percent of the state median income ~~150~~

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146 ~~percent of the federal poverty level,~~ provider payment  
147 processes, fraud intervention, child attendance and stability,  
148 use of child care resource and referral, and kindergarten  
149 readiness outcomes for children in the Voluntary Prekindergarten  
150 Education Program or the school readiness program upon entry  
151 into kindergarten. The department shall request input from the  
152 coalitions and school readiness program providers before  
153 finalizing the format and data to be used. The report must ~~shall~~  
154 be implemented beginning July 1, 2025 ~~2014~~, and results of the  
155 report must be included in the annual report under s. 1002.82.

156 Section 4. Subsection (1) of section 1002.89, Florida  
157 Statutes, is amended to read:

158 1002.89 School readiness program; funding.—

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

163 (a) *School readiness program allocation.*—If the annual  
164 allocation for the school readiness program is not determined in  
165 the General Appropriations Act or the substantive bill  
166 implementing the General Appropriations Act, it must ~~shall~~ be  
167 determined based on a calculation that considers, at a minimum,  
168 full-time equivalent program enrollment estimates per care  
169 level, approved cost of care or provider reimbursement rates  
170 developed in accordance with s. 1002.90, the total school  
171 readiness eligible population as adopted by the Early Learning  
172 Programs Estimating Conference pursuant to s. 216.136(8), and  
173 coalition administrative and indirect service costs as allowed  
174 pursuant to s. 1002.89(4). ~~as follows:~~

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175 ~~1. For each county in the early learning coalition, the~~  
176 ~~total school readiness eligible population, as adopted by the~~  
177 ~~Early Learning Programs Estimating Conference pursuant to s.~~  
178 ~~216.136(8), shall be multiplied by the county's comparable wage~~  
179 ~~factor provided in s. 1011.62(2).~~

180 ~~2. If a county passed a local ordinance before January 1,~~  
181 ~~2022, that establishes the county's staff-to-children ratio for~~  
182 ~~licensed child care facilities below the ratio established in s.~~  
183 ~~402.305(4), multiply the product calculated in subparagraph 1.~~  
184 ~~by the adjustment factor specified in the General Appropriations~~  
185 ~~Act.~~

186 ~~3. Each county's school readiness allocation shall be based~~  
187 ~~on the county's proportionate share of the total adjusted~~  
188 ~~eligible school readiness population.~~

189 ~~(b) *Gold Seal Quality Care Program allocation.*—There is~~  
190 ~~created the Gold Seal Quality Care Program allocation to provide~~  
191 ~~eligible school readiness program providers the rate~~  
192 ~~differential established pursuant to s. 1002.945(6). Subject to~~  
193 ~~legislative appropriation, all expenditures from the Gold Seal~~  
194 ~~Quality Care Program allocation shall be used by the department~~  
195 ~~to help meet federal targeted requirements for improving quality~~  
196 ~~to the extent allowable in the state's approved Child Care and~~  
197 ~~Development Fund Plan.~~

198 ~~(c) *Differential payment program allocation.*—There is~~  
199 ~~created the differential payment program allocation to provide~~  
200 ~~eligible school readiness program providers the differential pay~~  
201 ~~established pursuant to s. 1002.82(2)(o). Subject to legislative~~  
202 ~~appropriation, all expenditures from the differential payment~~  
203 ~~program allocation shall be used by the department to help meet~~

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204 ~~federal targeted requirements for improving quality to the~~  
205 ~~extent allowable in the state's approved Child Care and~~  
206 ~~Development Fund Plan.~~

207 (d) *Special needs differential allocation.*—There is created  
208 the special needs differential allocation to assist eligible  
209 school readiness program providers to implement the special  
210 needs rate provisions defined in the state's approved Child Care  
211 and Development Fund Plan. ~~Subject to legislative appropriation,~~  
212 ~~each early learning coalition shall be reimbursed based on~~  
213 ~~actual expenditures. All expenditures from the special needs~~  
214 ~~differential allocation shall be used by the department to help~~  
215 ~~meet federal targeted requirements for improving quality to the~~  
216 ~~extent allowable in the state's approved plan.~~

217 Section 5. Section 1002.90, Florida Statutes, is amended to  
218 read:

219 1002.90 School readiness cost-of-care information.—  
220 Annually, the principals of the Early Learning Programs  
221 Estimating Conference established in s. 216.136(8) shall develop  
222 official cost-of-care information or provider reimbursement  
223 rates based on actual school readiness direct services program  
224 expenditures and information provided pursuant to s. 1002.895.  
225 Conference principals shall agree on the cost of child care by  
226 care level and provider type, the provider type weights if  
227 applicable, and the methods of computation. The department shall  
228 provide the conference principals with all requested and  
229 necessary data to develop such information. The data may include  
230 a matrix by early learning coalition of any full-time equivalent  
231 changes made by the Division of Early Learning as part of its  
232 administration of the school readiness program. ~~The Early~~



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233 ~~Learning Programs Estimating Conference shall provide the~~  
234 ~~official cost of care information to the Legislature at least 90~~  
235 ~~days before the scheduled annual legislative session.~~

236 Section 6. This act shall take effect July 1, 2024.