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# **PreK-12 Policy Committee**

**Wednesday, March 17, 2010**

**9:30 a.m.**

**Morris Hall**

## **Action Packet**

**Larry Cretul  
Speaker**

**John Legg  
Chair**

# COMMITTEE MEETING REPORT

## PreK-12 Policy Committee

3/17/2010 9:30:00AM

**Location:** Morris Hall (17 HOB)

### Summary:

#### PreK-12 Policy Committee

*Wednesday March 17, 2010 09:30 am*

HB 467	Favorable With Committee Substitute	Yeas: 12	Nays: 0
HB 603	Favorable With Committee Substitute	Yeas: 12	Nays: 0
HB 1203	Favorable With Committee Substitute	Yeas: 12	Nays: 0
HB 1287	Favorable With Committee Substitute	Yeas: 12	Nays: 0
HB 1505	Favorable With Committee Substitute	Yeas: 12	Nays: 0
HB 1569	Favorable With Committee Substitute	Yeas: 12	Nays: 0
HB 1619	Favorable With Committee Substitute	Yeas: 11	Nays: 0
PCS for HB 1085	Favorable	Yeas: 12	Nays: 0
PCS for HB 31	Favorable With Amendments (2)	Yeas: 10	Nays: 3

Committee meeting was reported out: Wednesday, March 17, 2010 1:59:26PM

# COMMITTEE MEETING REPORT

## PreK-12 Policy Committee

3/17/2010 9:30:00AM

Location: Morris Hall (17 HOB)

### Attendance:

	<i>Present</i>	<i>Absent</i>	<i>Excused</i>
John Legg (Chair)	X		
Dwight Bullard	X		
Rachel V. Burgin	X		
Marti Coley	X		
Anitere Flores	X		
Erik Fresen	X		
Eduardo Gonzalez	X		
Mia Jones	X		
Martin Klar	X		
Scott Plakon	X		
Kevin Rader	X		
Elaine Schwartz			X
Kelli Stargel	X		
Michael Weinstein	X		
<b>Totals:</b>	<b>13</b>	<b>0</b>	<b>1</b>

Committee meeting was reported out: Wednesday, March 17, 2010 1:59:26PM

# COMMITTEE MEETING REPORT

## PreK-12 Policy Committee

3/17/2010 9:30:00AM

**Location:** Morris Hall (17 HOB)

**HB 467 : Public K-12 Education**

Favorable With Committee Substitute

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Dwight Bullard	X				
Rachel V. Burgin				X	
Marti Coley	X				
Anitere Flores	X				
Erik Fresen	X				
Eduardo Gonzalez	X				
Mia Jones	X				
Martin Kiar	X				
Scott Plakon	X				
Kevin Rader	X				
Elaine Schwartz			X		
Kelli Stargel	X				
Michael Weinstein	X				
John Legg (Chair)	X				
<b>Total Yeas: 12</b>		<b>Total Nays: 0</b>			

### Appearances:

Paula J. Hoisington (General Public) - Proponent  
564 E. DeSoto St.  
Clermont FL 34711  
Phone: 407-489-0418

Fely Curva (Lobbyist) - Proponent  
Florida Alliance of Health, Physical Education, Recreation, Dance, and Sport  
1212 Piedmont Dr.  
Tallahassee FL 32312  
Phone: 850-508-2256

Jessica Lowe-Minor (Lobbyist) - Proponent  
Business and Professional Women of Florida  
3400 Old Bainbridge Rd. Unit #105  
Tallahassee FL 32303  
Phone: 850-228-3646

Committee meeting was reported out: Wednesday, March 17, 2010 1:59:26PM

# COMMITTEE MEETING REPORT

## PreK-12 Policy Committee

3/17/2010 9:30:00AM

Location: Morris Hall (17 HOB)

### HB 603 : Notification of School Personnel

Favorable With Committee Substitute

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Dwight Bullard	X				
Rachel V. Burgin				X	
Marti Coley	X				
Anitere Flores	X				
Erik Fresen	X				
Eduardo Gonzalez	X				
Mia Jones	X				
Martin Kiar	X				
Scott Plakon	X				
Kevin Rader	X				
Elaine Schwartz			X		
Kelli Stargel	X				
Michael Weinstein	X				
John Legg (Chair)	X				
<b>Total Yeas: 12</b>		<b>Total Nays: 0</b>			

Committee meeting was reported out: Wednesday, March 17, 2010 1:59:26PM

# COMMITTEE MEETING REPORT

## PreK-12 Policy Committee

3/17/2010 9:30:00AM

**Location:** Morris Hall (17 HOB)

**HB 1203 : Early Learning**

Favorable With Committee Substitute

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Dwight Bullard	X				
Rachel V. Burgin				X	
Marti Coley	X				
Anitere Flores	X				
Erik Fresen	X				
Eduardo Gonzalez	X				
Mia Jones	X				
Martin Kiar	X				
Scott Plakon	X				
Kevin Rader	X				
Elaine Schwartz			X		
Kelli Stargel	X				
Michael Weinstein	X				
John Legg (Chair)	X				
<b>Total Yeas: 12</b>		<b>Total Nays: 0</b>			

### Appearances:

William De La Sierra - Proponent  
Kidworks USA President, Florida Association for Child Care Management  
8155 W. 28th Ave.  
Miami FL 33016  
Phone: 305-992-4921

Janet Mabry - Proponent  
Florida Association of Child Care  
2866 Bay Heather Circle  
Gulf Breeze FL 32563  
Phone: 850-501-2502

Dani Foresman - Proponent  
6997 Hanging Vine Way  
Tallahassee FL 32317  
Phone: 850-212-4759

Mary-Lynn Cullen (Lobbyist) - Proponent  
Legislative Liason, Advocacy Institute for Children  
1674 University Parkway  
Sarasota FL 34243  
Phone: 941-928-0278

Committee meeting was reported out: Wednesday, March 17, 2010 1:59:26PM

# COMMITTEE MEETING REPORT

## PreK-12 Policy Committee

3/17/2010 9:30:00AM

**Location:** Morris Hall (17 HOB)

**HB 1287 : Public K-12 Education**

Favorable With Committee Substitute

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Dwight Bullard	X				
Rachel V. Burgin				X	
Marti Coley	X				
Anitere Flores	X				
Erik Fresen	X				
Eduardo Gonzalez	X				
Mia Jones	X				
Martin Kiar	X				
Scott Plakon	X				
Kevin Rader	X				
Elaine Schwartz			X		
Kelli Stargel	X				
Michael Weinstein	X				
John Legg (Chair)	X				
<b>Total Yeas: 12</b>		<b>Total Nays: 0</b>			

### Appearances:

Scott Kittel (Lobbyist) (State Employee) - Proponent  
Policy Coordinator, Governor's Office of Policy and Budget-Education  
400 S. Monroe St.  
Tallahassee FL 32399

Stacey Webb (Lobbyist) - Proponent  
Associated Industries of Florida  
120 S. Monroe St.  
Tallahassee FL 32301

Dr. Eric J. Smith (Lobbyist) (State Employee) - Proponent  
Commissioner, Department of Education  
325 W. Gaines St.  
Tallahassee FL 32399  
Phone: 850-245-0507

David Foy (Lobbyist) (State Employee) - Proponent  
Deputy Chief of Staff, Governor's Office  
400 S. Monroe St. PL-05 Capitol  
Tallahassee FL 32399  
Phone: 850-488-5603

Patricia Levesque (Lobbyist) - Proponent  
Executive Director, Foundation for Florida's Future  
215 S. Monroe St., Ste. 100  
Tallahassee FL 32301  
Phone: 850-391-3070

Committee meeting was reported out: Wednesday, March 17, 2010 1:59:26PM

# COMMITTEE MEETING REPORT

## PreK-12 Policy Committee

3/17/2010 9:30:00AM

**Location:** Morris Hall (17 HOB)

**HB 1505 : John M. McKay Scholarships for Students with Disabilities Program**

Favorable With Committee Substitute

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Dwight Bullard	X				
Rachel V. Burgin				X	
Marti Coley	X				
Anitere Flores	X				
Erik Fresen	X				
Eduardo Gonzalez	X				
Mia Jones	X				
Martin Kiar	X				
Scott Plakon	X				
Kevin Rader	X				
Elaine Schwartz			X		
Kelli Stargel	X				
Michael Weinstein	X				
John Legg (Chair)	X				
<b>Total Yeas: 12</b>		<b>Total Nays: 0</b>			

### Appearances:

Gabe Sheheane (Lobbyist) - Proponent  
Government Affairs, Florida Chamber of Commerce  
136 S. Bronough St.  
Tallahassee FL 32301  
Phone: 850-521-1200

Diane Johnson - Opponent  
President, Coalition for the Education of Exceptional Students  
3010 Avon Circle  
Tallahassee FL 32312  
Phone: 850-556-2823

Patricia Levesque (Lobbyist) - Proponent  
Executive Director, Foundation for Florida's Future  
215 S. Monroe St., Ste. 100  
Tallahassee FL 32301  
Phone: 850-391-3070

Committee meeting was reported out: Wednesday, March 17, 2010 1:59:26PM



# COMMITTEE MEETING REPORT

## PreK-12 Policy Committee

3/17/2010 9:30:00AM

**Location:** Morris Hall (17 HOB)

**HB 1569 : Charter Schools**

Favorable With Committee Substitute

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Dwight Bullard	X				
Rachel V. Burgin				X	
Marti Coley	X				
Anitere Flores	X				
Erik Fresen	X				
Eduardo Gonzalez	X				
Mia Jones	X				
Martin Kiar	X				
Scott Plakon	X				
Kevin Rader	X				
Elaine Schwartz			X		
Kelli Stargel	X				
Michael Weinstein	X				
John Legg (Chair)	X				
<b>Total Yeas: 12</b>		<b>Total Nays: 0</b>			

### Appearances:

David Shepp (Lobbyist) - Proponent

McKeel Academy

P.O. Box 3739

Lakeland FL 33802

Phone: 863-581-4250

Andreina Figueroa (Lobbyist) - Proponent

Florida Consortium of Public Charter Schools

8460 SW 18th St.

Miami FL 33157

Phone: 786-586-7001

Committee meeting was reported out: Wednesday, March 17, 2010 1:59:26PM

# COMMITTEE MEETING REPORT

## PreK-12 Policy Committee

3/17/2010 9:30:00AM

Location: Morris Hall (17 HOB)

HB 1619 : School Food Service Programs

Favorable With Committee Substitute

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Dwight Bullard	X				
Rachel V. Burgin				X	
Marti Coley			X		
Anitere Flores	X				
Erik Fresen	X				
Eduardo Gonzalez	X				
Mia Jones	X				
Martin Kiar	X				
Scott Plakon	X				
Kevin Rader	X				
Elaine Schwartz			X		
Kelli Stargel	X				
Michael Weinstein	X				
John Legg (Chair)	X				
<b>Total Yeas: 11</b>		<b>Total Nays: 0</b>			

### Appearances:

Fely Curva (Lobbyist) - Proponent

Florida IMPACT

1212 Piedmont Dr.

Tallahassee FL 32312

Phone: 850-508-2256

Judy Laster (Lobbyist) - Proponent

Executive Director, Florida School Nutrition Association

124 Salem Ct.

Tallahassee FL 32301

Phone: 850-878-1832

Committee meeting was reported out: Wednesday, March 17, 2010 1:59:26PM

# COMMITTEE MEETING REPORT

## PreK-12 Policy Committee

3/17/2010 9:30:00AM

Location: Morris Hall (17 HOB)

PCS for HB 1085 : Career and Education Planning

Favorable

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Dwight Bullard	X				
Rachel V. Burgin				X	
Marti Coley	X				
Anitere Flores	X				
Erik Fresen	X				
Eduardo Gonzalez	X				
Mia Jones	X				
Martin Kiar	X				
Scott Plakon	X				
Kevin Rader	X				
Elaine Schwartz			X		
Kelli Stargel	X				
Michael Weinstein	X				
John Legg (Chair)	X				
<b>Total Yeas: 12</b>		<b>Total Nays: 0</b>			

Committee meeting was reported out: Wednesday, March 17, 2010 1:59:26PM

# COMMITTEE MEETING REPORT

## PreK-12 Policy Committee

3/17/2010 9:30:00AM

**Location:** Morris Hall (17 HOB)

**PCS for HB 31 : Public Education**

Favorable With Amendments (2)

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Dwight Bullard		X			
Rachel V. Burgin	X				
Marti Coley	X				
Anitere Flores	X				
Erik Fresen	X				
Eduardo Gonzalez	X				
Mia Jones	X				
Martin Kiar		X			
Scott Plakon	X				
Kevin Rader		X			
Elaine Schwartz			X		
Kelli Stargel	X				
Michael Weinstein	X				
John Legg (Chair)	X				
<b>Total Yeas: 10</b>		<b>Total Nays: 3</b>			

### Appearances:

Bob Harris, Esq. - Proponent  
Panhandle Area Educational Consortium  
Tallahassee FL  
Phone: 850-222-0720

Debby Eisinger (State Employee) - Opponent  
Mayor, Cooper City  
3502 Ottawa Lane  
Cooper City FL 33026  
Phone: 954-253-9538

Mary Allen - Proponent  
812 W. Jefferson St.  
Tallahassee FL 32313  
Phone: 850-261-3936

Mickey Linsey - Proponent  
Head Football Coach, Pace High School  
4065 Norris Rd.  
Pace FL 32571  
Phone: 850-995-3611

David Barkey (Lobbyist) - Opponent  
Southern Area Counsel, Anti-Defamation League  
621 NW 53rd St., Ste. 450  
Boca Raton FL 33487  
Phone: 561-988-2912

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# COMMITTEE MEETING REPORT

## PreK-12 Policy Committee

3/17/2010 9:30:00AM

**Location:** Morris Hall (17 HOB)

Robert Freeman - Proponent  
Athletic Director, Pace High School  
2889 Camp Grace Rd  
Pace FL 32571  
Phone: 850-995-0491

Frank Lay - Proponent  
Principal, Pace High School  
4521 S. Spearfield Rd  
Pace FL 32571  
Phone: 850-994-7632

Bernie Friedman (Lobbyist) - Opponent  
Florida Association of Jewish Federations  
311 Stirling Rd  
Hollywood FL  
Phone: 954-985-4180

Bill Bunkley (Lobbyist) - Proponent  
Legislative Consultant, Florida Baptist Convention  
1839 Jaclif Ct  
Tallahassee FL 32308  
Phone: 850-942-4317

Nathan Dunn (Lobbyist) - Proponent  
Vice President of Public Policy, Florida Family Action  
P.O. Box 10626  
Tallahassee FL 32302  
Phone: 850-567-8143

Courtenay Strickland (Lobbyist) - Opponent  
Director of Public Policy, ACLU of Florida  
4500 Biscayne Blvd. #340  
Miami FL 33137  
Phone: 305-457-5422

Committee meeting was reported out: Wednesday, March 17, 2010 1:59:26PM

COUNCIL/COMMITTEE AMENDMENT

Bill No. HB 467 (2010)

Amendment No. 01

COUNCIL/COMMITTEE ACTION

ADOPTED                                    \_\_\_ (Y/N)  
ADOPTED AS AMENDED                   \_\_\_ (Y/N)  
ADOPTED W/O OBJECTION                ✓ (Y/N)  
FAILED TO ADOPT                        \_\_\_ (Y/N)  
WITHDRAWN                               \_\_\_ (Y/N)  
OTHER                                     \_\_\_\_\_

1 Council/Committee hearing bill: PreK-12 Policy Committee  
2 Representative(s) Jones offered the following:

3  
4  
5  
6

**Amendment**

Remove line 38 and insert:

community resources available to victims of

COUNCIL/COMMITTEE AMENDMENT

Bill No. HB 467 (2010)

Amendment No. 02

COUNCIL/COMMITTEE ACTION

ADOPTED                                    \_\_\_ (Y/N)  
ADOPTED AS AMENDED                   \_\_\_ (Y/N)  
ADOPTED W/O OBJECTION                 (Y/N)  
FAILED TO ADOPT                        \_\_\_ (Y/N)  
WITHDRAWN                               \_\_\_ (Y/N)  
OTHER                                     \_\_\_\_\_

1 Council/Committee hearing bill: PreK-12 Policy Committee  
2 Representative(s) Jones offered the following:

3  
4  
5  
6  
7  
8  
9

**Amendment**

Remove lines 60-62 and insert:

(2) By January 1, 2011, the Department of Education shall develop a model policy to serve as a guide for district school boards in the development of the dating violence and abuse policy described in subsection (1).

Amendment No. 01

COUNCIL/COMMITTEE ACTION

ADOPTED	___	(Y/N)
ADOPTED AS AMENDED	___	(Y/N)
ADOPTED W/O OBJECTION	<input checked="" type="checkbox"/>	(Y/N)
FAILED TO ADOPT	___	(Y/N)
WITHDRAWN	___	(Y/N)
OTHER	_____	

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1 Council/Committee hearing bill: PreK-12 Policy Committee  
 2 Representative(s) Soto offered the following:

**Amendment (with title amendment)**

5 Remove lines 26-29 and insert:

6 classroom teachers, the child's assigned bus driver, and any  
 7 other school personnel whose duties include direct supervision  
 8 of the child. Upon notification, the principal is authorized to  
 9 begin disciplinary actions under s. 1006.09(1)-(4). The  
 10 principal must also be notified and must notify the other school  
 11 personnel whose duties include direct supervision of the child  
 12 of the disposition of the charges against the child.

13  
 14  
 15 -----  
 16 **T I T L E A M E N D M E N T**

17 Remove lines 6-7 and insert:

18 act that would be a felony if committed by an adult and the  
 19 disposition of the charges; providing an effective date.



Amendment No.. 02

COUNCIL/COMMITTEE ACTION

ADOPTED                                   \_\_\_ (Y/N)  
ADOPTED AS AMENDED                   \_\_\_ (Y/N)  
ADOPTED W/O OBJECTION                 (Y/N)  
FAILED TO ADOPT                        \_\_\_ (Y/N)  
WITHDRAWN                              \_\_\_ (Y/N)  
OTHER                                    \_\_\_\_\_

1 Council/Committee hearing bill: PreK-12 Policy Committee  
2 Representative Plakon offered the following:

3  
4       **Amendment (with title amendment)**

5       Between lines 29 and 30, insert:

6       Section 2. Subsection (2) of section 1002.221, Florida  
7 Statutes, is amended to read:

8       1002.221 K-12 education records.-

9       (2) (a) An agency, as defined in s. 1002.22(1)(a), or a  
10 public school, center, institution, or other entity that is part  
11 of Florida's education system under s. 1000.04(1), (3), or (4),  
12 may not release a student's education records without the  
13 written consent of the student or parent to any individual,  
14 agency, or organization, except in accordance with and as  
15 permitted by the FERPA. Education records released by an agency,  
16 as defined in s. 1002.22(1)(a), or by a public school, center,  
17 institution, or other entity that is part of Florida's education  
18 system under s. 1000.04(1), (3), or (4), to the Auditor General  
19 or the Office of Program Policy Analysis and Government

Amendment No. 02

20 Accountability, which are necessary for such agencies to perform  
21 their official duties and responsibilities, shall be used and  
22 maintained by the Auditor General and the Office of Program  
23 Policy Analysis and Government Accountability in accordance with  
24 the FERPA.

25 (b) In accordance with FERPA, and the federal regulations  
26 issued pursuant to FERPA, an agency, as defined in s. 1002.22,  
27 or a public school, center, institution, or other entity that is  
28 part of Florida's education system under s. 1000.04(1), (3), or  
29 (4) may release a student's education records without written  
30 consent of the student or parent to parties to an interagency  
31 agreement among the Department of Juvenile Justice, the school,  
32 law enforcement authorities, and other signatory agencies. The  
33 purpose of such an agreement and information sharing is to  
34 reduce juvenile crime, especially motor vehicle theft, by  
35 promoting cooperation and collaboration and the sharing of  
36 appropriate information in a joint effort to improve school  
37 safety, to reduce truancy and in-school and out-of-school  
38 suspensions, and to support alternatives to in-school and out-  
39 of-school suspensions and expulsions that provide structured and  
40 well-supervised educational programs supplemented by a  
41 coordinated overlay of other appropriate services designed to  
42 correct behaviors that lead to truancy, suspensions, and  
43 expulsions and that support students in successfully completing  
44 their education. Information provided in furtherance of the  
45 interagency agreements is intended solely for use in determining  
46 the appropriate programs and services for each juvenile or the  
47 juvenile's family, or for coordinating the delivery of the

Amendment No. 02

48 programs and services, and as such is inadmissible in any court  
49 proceeding before a dispositional hearing unless written consent  
50 is provided by a parent or other responsible adult on behalf of  
51 the juvenile.

52  
53 -----  
54 **T I T L E A M E N D M E N T**

55 Remove lines 2-5 and insert:

56 An act relating to cooperation between schools and juvenile  
57 authorities; amending s. 985.04, F.S.; requiring that  
58 specified school personnel be notified when a child of any  
59 age is formally charged by a state attorney with a felony  
60 or a delinquent amending s. 1002.221, F.S.; providing for  
61 release of a student's education records to parties to an  
62 interagency agreement for specified purposes without  
63 consent of the student or parent; providing that such  
64 information is inadmissible in court proceedings before a  
65 dispositional hearing without consent;

Amendment No. 01

COUNCIL/COMMITTEE ACTION

ADOPTED	___	(Y/N)
ADOPTED AS AMENDED	___	(Y/N)
ADOPTED W/O OBJECTION	<input checked="" type="checkbox"/>	(Y/N)
FAILED TO ADOPT	___	(Y/N)
WITHDRAWN	___	(Y/N)
OTHER	_____	

1 Council/Committee hearing bill: PreK-12 Policy Committee  
 2 Representative Nelson offered the following:

3

4 **Amendment (with title amendment)**

5 Remove everything after the enacting clause and insert:

6 Section 1. Subsection (7) of section 39.0121, Florida  
 7 Statutes, is amended to read:

8 39.0121 Specific rulemaking authority.—Pursuant to the  
 9 requirements of s. 120.536, the department is specifically  
 10 authorized to adopt, amend, and repeal administrative rules  
 11 which implement or interpret law or policy, or describe the  
 12 procedure and practice requirements necessary to implement this  
 13 chapter, including, but not limited to, the following:

14 (7) Federal funding requirements and procedures; foster  
 15 care and adoption subsidies; and subsidized independent living,  
 16 ~~and subsidized child care.~~

17 Section 2. Paragraph (a) of subsection (2) of section  
 18 39.202, Florida Statutes, is amended to read:

COUNCIL/COMMITTEE AMENDMENT

Bill No. HB 1203 (2010)

Amendment No. 01

19 39.202 Confidentiality of reports and records in cases of  
20 child abuse or neglect.-

21 (2) Except as provided in subsection (4), access to such  
22 records, excluding the name of the reporter which shall be  
23 released only as provided in subsection (5), shall be granted  
24 only to the following persons, officials, and agencies:

25 (a) Employees, authorized agents, or contract providers of  
26 the department, the Department of Health, the Agency for Persons  
27 with Disabilities, or county agencies responsible for carrying  
28 out:

29 1. Child or adult protective investigations;

30 2. Ongoing child or adult protective services;

31 3. Early intervention and prevention services;

32 4. Healthy Start services;

33 5. Licensure or approval of adoptive homes, foster homes,  
34 child care facilities, facilities licensed under chapter 393, or  
35 family day care homes or informal child care providers who  
36 receive school readiness ~~subsidized child care~~ funding, or other  
37 homes used to provide for the care and welfare of children; or

38 6. Services for victims of domestic violence when provided  
39 by certified domestic violence centers working at the  
40 department's request as case consultants or with shared clients.

41

42 Also, employees or agents of the Department of Juvenile Justice  
43 responsible for the provision of services to children, pursuant  
44 to chapters 984 and 985.

45 Section 3. Paragraph (f) of subsection (2) of section  
46 39.5085, Florida Statutes, is amended to read:

Amendment No. 01

47 39.5085 Relative Caregiver Program.—

48 (2)

49 (f) Within available funding, the Relative Caregiver  
50 Program shall provide relative caregivers with family support  
51 and preservation services, flexible funds in accordance with s.  
52 409.165, school readiness ~~subsidized child care~~, and other  
53 available services in order to support the child's safety,  
54 growth, and healthy development. Children living with relative  
55 caregivers who are receiving assistance under this section shall  
56 be eligible for Medicaid coverage.

57 Section 4. Paragraph (b) of subsection (1) and subsection  
58 (2) of section 383.14, Florida Statutes, are amended to read:

59 383.14 Screening for metabolic disorders, other hereditary  
60 and congenital disorders, and environmental risk factors.—

61 (1) SCREENING REQUIREMENTS.—To help ensure access to the  
62 maternal and child health care system, the Department of Health  
63 shall promote the screening of all newborns born in Florida for  
64 metabolic, hereditary, and congenital disorders known to result  
65 in significant impairment of health or intellect, as screening  
66 programs accepted by current medical practice become available  
67 and practical in the judgment of the department. The department  
68 shall also promote the identification and screening of all  
69 newborns in this state and their families for environmental risk  
70 factors such as low income, poor education, maternal and family  
71 stress, emotional instability, substance abuse, and other high-  
72 risk conditions associated with increased risk of infant  
73 mortality and morbidity to provide early intervention,  
74 remediation, and prevention services, including, but not limited

COUNCIL/COMMITTEE AMENDMENT

Bill No. HB 1203 (2010)

Amendment No. 01

75 to, parent support and training programs, home visitation, and  
76 case management. Identification, perinatal screening, and  
77 intervention efforts shall begin prior to and immediately  
78 following the birth of the child by the attending health care  
79 provider. Such efforts shall be conducted in hospitals,  
80 perinatal centers, county health departments, school health  
81 programs that provide prenatal care, and birthing centers, and  
82 reported to the Office of Vital Statistics.

83 (b) Postnatal screening.—A risk factor analysis using the  
84 department's designated risk assessment instrument shall also be  
85 conducted as part of the medical screening process upon the  
86 birth of a child and submitted to the department's Office of  
87 Vital Statistics for recording and other purposes provided for  
88 in this chapter. The department's screening process for risk  
89 assessment shall include a scoring mechanism and procedures that  
90 establish thresholds for notification, further assessment,  
91 referral, and eligibility for services by professionals or  
92 paraprofessionals consistent with the level of risk. Procedures  
93 for developing and using the screening instrument, notification,  
94 referral, and care coordination services, reporting  
95 requirements, management information, and maintenance of a  
96 computer-driven registry in the Office of Vital Statistics which  
97 ensures privacy safeguards must be consistent with the  
98 provisions and plans established under chapter 411, Pub. L. No.  
99 99-457, and this chapter. Procedures established for reporting  
100 information and maintaining a confidential registry must include  
101 a mechanism for a centralized information depository at the  
102 state and county levels. The department shall coordinate with

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103 existing risk assessment systems and information registries. The  
104 department must ensure, to the maximum extent possible, that the  
105 screening information registry is integrated with the  
106 department's automated data systems, including the Florida On-  
107 line Recipient Integrated Data Access (FLORIDA) system. Tests  
108 and screenings must be performed by the State Public Health  
109 Laboratory, in coordination with Children's Medical Services, at  
110 such times and in such manner as is prescribed by the department  
111 after consultation with the Genetics and Infant Screening  
112 Advisory Council and the Agency for Workforce Innovation State  
113 ~~Coordinating Council for School Readiness Programs.~~

114 (2) RULES.—After consultation with the Genetics and  
115 Newborn Screening Advisory Council, the department shall adopt  
116 and enforce rules requiring that every newborn in this state  
117 shall, prior to becoming 1 week of age, be subjected to a test  
118 for phenylketonuria and, at the appropriate age, be tested for  
119 such other metabolic diseases and hereditary or congenital  
120 disorders as the department may deem necessary from time to  
121 time. After consultation with the Agency for Workforce  
122 Innovation State Coordinating Council for School Readiness  
123 ~~Programs~~, the department shall also adopt and enforce rules  
124 requiring every newborn in this state to be screened for  
125 environmental risk factors that place children and their  
126 families at risk for increased morbidity, mortality, and other  
127 negative outcomes. The department shall adopt such additional  
128 rules as are found necessary for the administration of this  
129 section and s. 383.145, including rules providing definitions of  
130 terms, rules relating to the methods used and time or times for



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131 testing as accepted medical practice indicates, rules relating  
132 to charging and collecting fees for the administration of the  
133 newborn screening program authorized by this section, rules for  
134 processing requests and releasing test and screening results,  
135 and rules requiring mandatory reporting of the results of tests  
136 and screenings for these conditions to the department.

137 Section 5. Section 402.25, Florida Statutes, is  
138 transferred, renumbered as section 411.0106, Florida Statutes,  
139 and amended to read:

140 411.0106 ~~402.25~~ Infants and toddlers in state-funded  
141 education and care programs; brain development activities.—Each  
142 state-funded education and care program for children from birth  
143 to 5 years of age must provide activities to foster brain  
144 development in infants and toddlers. A program must provide an  
145 environment that helps children attain the performance standards  
146 adopted by the Agency for Workforce Innovation under s.

147 411.01(4)(d)8. and must be rich in language and music and filled  
148 with objects of various colors, shapes, textures, and sizes to  
149 stimulate visual, tactile, auditory, and linguistic senses in  
150 the children and must include classical music and at least 30  
151 minutes of reading to the children each day. A program may be  
152 offered through an existing early childhood program such as  
153 Healthy Start, the Title I program, the school readiness program  
154 ~~contracted or directly operated subsidized child care, the~~  
155 ~~prekindergarten early intervention program, Florida First Start,~~  
156 the Head Start program, or a private child care program. A  
157 program must provide training for the infants' and toddlers'  
158 parents including direct dialogue and interaction between

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159 teachers and parents demonstrating the urgency of brain  
160 development in the first year of a child's life. Family day care  
161 centers are encouraged, but not required, to comply with this  
162 section.

163 Section 6. Subsection (5) of section 402.26, Florida  
164 Statutes, is amended to read:

165 402.26 Child care; legislative intent.—

166 (5) It is the further intent of the Legislature to provide  
167 and make accessible child care opportunities for children at  
168 risk, economically disadvantaged children, and other children  
169 traditionally disenfranchised from society. In achieving this  
170 intent, the Legislature shall develop a school readiness program  
171 ~~subsidized child care system~~, a range of child care options,  
172 support services, and linkages with other programs to fully meet  
3 the child care needs of this population.

174 Section 7. Subsection (2) of section 402.281, Florida  
175 Statutes, is amended to read:

176 402.281 Gold Seal Quality Care program.—

177 (2) In developing the Gold Seal Quality Care program  
178 standards, the department shall consult with the Department of  
179 Education, the Agency for Workforce Innovation, the Florida Head  
180 Start Directors Association, the Florida Association of Child  
181 Care Management, the Florida Family Day Care Association, the  
182 Florida Children's Forum, ~~the State Coordinating Council for~~  
183 ~~School Readiness Programs~~, the Early Childhood Association of  
184 Florida, the ~~National Association for~~ Child Development  
185 Education Alliance, providers receiving exemptions under s.

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186 402.316, and parents, for the purpose of approving the  
187 accrediting associations.

188 Section 8. Section 402.3016, Florida Statutes, is  
189 transferred and renumbered as section 411.0104, Florida  
190 Statutes.

191 Section 9. Section 402.3018, Florida Statutes, is  
192 transferred, renumbered as section 411.01015, Florida Statutes,  
193 and amended to read:

194 411.01015 ~~402.3018~~ Consultation to child care centers and  
195 family day care homes regarding health, developmental,  
196 disability, and special needs issues.-

197 (1) Contingent upon specific appropriations, the Agency  
198 for Workforce Innovation shall administer ~~department is directed~~  
199 ~~to contract with the statewide resource information and referral~~  
200 ~~agency for~~ a statewide toll-free Warm-Line for the purpose of  
201 providing assistance and consultation to child care centers and  
202 family day care homes regarding health, developmental,  
203 disability, and special needs issues of the children they are  
204 serving, particularly children with disabilities and other  
205 special needs.

206 (2) The purpose of the Warm-Line is to provide advice to  
207 child care personnel concerning strategies, curriculum, and  
208 environmental adaptations that allow a child with a disability  
209 or special need to derive maximum benefit from ~~the~~ child care  
210 services ~~experience~~.

211 (3) The Agency for Workforce Innovation ~~department~~ shall  
212 annually inform child care centers and family day care homes of

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213 the availability of this service through the child care resource  
214 and referral network under s. 411.0101, on an annual basis.

215 (4) Contingent upon specific appropriations, the Agency  
216 for Workforce Innovation department shall expand, or contract  
217 for the expansion of, the Warm-Line to maintain at least one  
218 Warm-Line site in each early learning coalition service area  
219 ~~from one statewide site to one Warm-Line site in each child care~~  
220 ~~resource and referral agency region.~~

221 (5) Each regional Warm-Line shall provide assistance and  
222 consultation to child care centers and family day care homes  
223 regarding health, developmental, disability, and special needs  
224 issues of the children they are serving, particularly children  
225 with disabilities and other special needs. Regional Warm-Line  
226 staff shall provide onsite technical assistance, when requested,  
227 to assist child care centers and family day care homes with  
228 inquiries relative to the strategies, curriculum, and  
229 environmental adaptations the child care centers and family day  
230 care homes may need as they serve children with disabilities and  
231 other special needs.

232 Section 10. Section 402.3051, Florida Statutes, is  
233 transferred, renumbered as section 411.01013, Florida Statutes,  
234 and amended to read:

235 (Substantial rewording of section. See  
236 s. 402.3051, F.S., for present text.)  
237 411.01013 Prevailing market rate schedule.-

238 (1) As used in this section, the term:

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239 (a) "Market rate" means the price that a child care  
240 provider charges for daily, weekly, or monthly child care  
241 services.

242 (b) "Prevailing market rate" means the annually determined  
243 75th percentile of a reasonable frequency distribution of the  
244 market rate in a predetermined geographic market at which child  
245 care providers charge a person for child care services.

246 (2) The Agency for Workforce Innovation shall establish  
247 procedures for the adoption of a prevailing market rate  
248 schedule. The schedule must include, at a minimum, county-by-  
249 county rates:

250 (a) At the prevailing market rate, plus the maximum rate,  
251 for child care providers that hold a Gold Seal Quality Care  
252 designation under s. 402.281.

253 (b) At the prevailing market rate for child care providers  
254 that do not hold a Gold Seal Quality Care designation.

255 (3) The prevailing market rate schedule, at a minimum,  
256 must:

257 (a) Differentiate rates by type, including, but not  
258 limited to, a child care provider that holds a Gold Seal Quality  
259 Care designation under s. 402.281, a child care facility  
260 licensed under s. 402.305, a public or nonpublic school exempt  
261 from licensure under s. 402.3025, a faith-based child care  
262 facility exempt from licensure under s. 402.316 that does not  
263 hold a Gold Seal Quality Care designation, a large family child  
264 care home licensed under s. 402.3131, a family day care home  
265 licensed or registered under s. 402.313, or an after-school

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266 program that is not defined as child care under rules adopted  
267 pursuant to s. 402.3045.

268 (b) Differentiate rates by the type of child care services  
269 provided for children with special needs or risk categories,  
270 infants, toddlers, preschool-age children, and school-age  
271 children.

272 (c) Differentiate rates between full-time and part-time  
273 child care services.

274 (d) Consider discounted rates for child care services for  
275 multiple children in a single family.

276 (4) The prevailing market rate schedule must be based  
277 exclusively on the prices charged for child care services. If a  
278 conflict exists between this subsection and federal  
279 requirements, the federal requirements shall control.

0 (5) The Agency for Workforce Innovation may contract with  
281 one or more qualified entities to administer this section and  
282 provide support and technical assistance for child care  
283 providers.

284 (6) The Agency for Workforce Innovation may adopt rules  
285 pursuant to ss. 120.536(1) and 120.54 to administer this  
286 section.

287 Section 11. Subsection (1) of section 402.313, Florida  
288 Statutes, is amended to read:

289 402.313 Family day care homes.—

290 (1) Family day care homes shall be licensed under this act  
291 if they are presently being licensed under an existing county  
292 licensing ordinance, ~~if they are participating in the subsidized~~  
293 ~~child care program,~~ or if the board of county commissioners

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294 passes a resolution that family day care homes be licensed. If  
295 ~~no county authority exists for the licensing of a family day~~  
296 ~~care home, the department shall have the authority to license~~  
297 ~~family day care homes under contract for the purchase of service~~  
298 ~~system in the subsidized child care program.~~

299 (a) If not subject to license, family day care homes shall  
300 register annually with the department, providing the following  
301 information:

- 302 1. The name and address of the home.
- 303 2. The name of the operator.
- 304 3. The number of children served.
- 305 4. Proof of a written plan to provide at least one other  
306 competent adult to be available to substitute for the operator  
307 in an emergency. This plan shall include the name, address, and  
308 telephone number of the designated substitute.
- 309 5. Proof of screening and background checks.
- 310 6. Proof of successful completion of the 30-hour training  
311 course, as evidenced by passage of a competency examination,  
312 which shall include:
  - 313 a. State and local rules and regulations that govern child  
314 care.
  - 315 b. Health, safety, and nutrition.
  - 316 c. Identifying and reporting child abuse and neglect.
  - 317 d. Child development, including typical and atypical  
318 language development; and cognitive, motor, social, and self-  
319 help skills development.

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320 e. Observation of developmental behaviors, including using  
321 a checklist or other similar observation tools and techniques to  
322 determine a child's developmental level.

323 f. Specialized areas, including early literacy and  
324 language development of children from birth to 5 years of age,  
325 as determined by the department, for owner-operators of family  
326 day care homes.

327 7. Proof that immunization records are kept current.

328 8. Proof of completion of the required continuing  
329 education units or clock hours.

330 (b) A family day care home ~~not participating in the~~  
331 ~~subsidized child care program~~ may volunteer to be licensed under  
332 ~~the provisions of this act.~~

333 (c) The department may provide technical assistance to  
334 counties and family day care home providers to enable counties  
335 and family day care providers to achieve compliance with family  
336 day care homes standards.

337 Section 12. Section 402.3135, Florida Statutes, is  
338 repealed.

339 Section 13. Section 402.3145, Florida Statutes, is  
340 transferred, renumbered as section 411.01014, Florida Statutes,  
341 and amended to read:

342 411.01014 ~~402.3145~~ School readiness ~~Subsidized child care~~  
343 ~~transportation services program.~~

344 (1) The Agency for Workforce Innovation department,  
345 pursuant to chapter 427, shall establish school readiness a  
346 ~~subsidized child care transportation services system~~ for  
347 children at risk of abuse or neglect participating in the school



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348 readiness subsidized child care program. The early learning  
349 coalitions may state community child care coordination agencies  
350 ~~shall~~ contract for the provision of transportation services as  
351 required by this section.

352 (2) The transportation servicers may only system shall  
353 provide transportation to each child participating in the school  
354 readiness program to the extent that such subsidized child care  
355 ~~when, and only when,~~ transportation is necessary to provide  
356 child care opportunities that which otherwise would not be  
357 available to a child whose home is more than a reasonable  
358 walking distance from the nearest child care facility or family  
359 day care home.

360 Section 14. Subsection (3) of section 402.315, Florida  
361 Statutes, is amended to read:

362 402.315 Funding; license fees.-

363 (3) The department shall collect a fee for any license it  
364 issues for a child care facility, family day care home, or large  
365 family child care home pursuant to ss. 402.305, 402.313, and  
366 402.3131 s. 402.308.

367 (a) For a child care facility licensed pursuant to s.  
368 402.305, such fee shall be \$1 per child based on the licensed  
369 capacity of the facility, except that the minimum fee shall be  
370 \$25 per facility center and the maximum fee shall be \$100 per  
371 facility center.

372 (b) For a family day care home registered pursuant to s.  
373 402.313, such fee shall be \$25.

374 (c) For a family day care home licensed pursuant to s.  
375 402.313, such fee shall be \$50.

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376        (d) For a large family child care home licensed pursuant  
377 to s. 402.3131, such fee shall be \$60.

378        Section 15. Subsection (6) of section 402.45, Florida  
379 Statutes, is amended to read:

380        402.45 Community resource mother or father program.—

381        (6) Individuals under contract to provide community  
382 resource mother or father services shall participate in  
383 preservice and ongoing training as determined by the Department  
384 of Health in consultation with the Agency for Workforce  
385 Innovation State Coordinating Council for School Readiness  
386 Programs. A community resource mother or father shall not be  
387 assigned a client caseload until all preservice training  
388 requirements are completed.

389        Section 16. Paragraph (c) of subsection (5) of section  
390 409.1671, Florida Statutes, is amended to read:

391        409.1671 Foster care and related services; outsourcing.—

392        (5)

393        (c) A foster home ~~dually licensed home~~ under s. 409.175  
394 ~~may this section shall be~~ dually licensed as a family day care  
395 home or large family child care home under chapter 402 and may  
396 ~~eligible to receive a foster care maintenance both an out-of-~~  
397 ~~home care payment and, to the extent permitted under federal~~  
398 ~~law, school readiness funding a subsidized child care payment~~  
399 for the same child ~~pursuant to federal law~~. The department may  
400 adopt ~~administrative~~ rules necessary to administer this  
401 paragraph.

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402 Section 17. Paragraphs (a), (d), (e), (f), (g), and (h) of  
403 subsection (2) and subsections (4) through (11) of section  
404 411.01, Florida Statutes, are amended to read:

405 411.01 School readiness programs; early learning  
406 coalitions.—

407 (2) LEGISLATIVE INTENT.—

408 (a) The Legislature recognizes that school readiness  
409 programs increase children's chances of achieving future  
410 educational success and becoming productive members of society.  
411 It is the intent of the Legislature that the programs be  
412 developmentally appropriate, research-based, involve the parent  
413 ~~parents~~ as a ~~their~~ child's first teacher, serve as preventive  
414 measures for children at risk of future school failure, enhance  
415 the educational readiness of eligible children, and support  
416 family education. Each school readiness program shall provide  
417 the elements necessary to prepare at-risk children for school,  
418 including health screening and referral and an appropriate  
419 educational program.

420 (d) It is the intent of the Legislature that the  
421 administrative staff ~~at the state level~~ for school readiness  
422 programs be kept to the minimum necessary to administer the  
423 duties of the Agency for Workforce Innovation and early learning  
424 coalitions. The Agency for Workforce Innovation shall implement  
425 system support services at the state level to build a  
426 comprehensive early learning system, ~~as the school readiness~~  
427 ~~programs are to be regionally designed, operated, and managed,~~  
428 ~~with the Agency for Workforce Innovation developing school~~  
429 ~~readiness program performance standards and outcome measures and~~

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430 ~~approving and reviewing early learning coalitions and school~~  
431 ~~readiness plans.~~

432 ~~(e) It is the intent of the Legislature that~~  
433 ~~appropriations for combined school readiness programs shall not~~  
434 ~~be less than the programs would receive in any fiscal year on an~~  
435 ~~uncombined basis.~~

436 ~~(e)~~(f) It is the intent of the Legislature that the school  
437 readiness program coordinate and operate in conjunction with the  
438 district school systems. However, it is also the intent of the  
439 Legislature that the school readiness program not be construed  
440 as part of the system of free public schools but rather as a  
441 separate program for children under the age of kindergarten  
442 eligibility, funded separately from the system of free public  
443 schools, utilizing a mandatory sliding fee scale, and providing  
444 an integrated and seamless system of school readiness services  
445 for the state's birth-to-kindergarten population.

446 ~~(g) It is the intent of the Legislature that the federal~~  
447 ~~child care income tax credit be preserved for school readiness~~  
448 ~~programs.~~

449 ~~(f)~~(h) It is the intent of the Legislature that school  
450 readiness services shall be an integrated and seamless program  
451 ~~system~~ of services with a developmentally appropriate education  
452 component for the state's eligible birth-to-kindergarten  
453 population described in subsection (6) and shall not be  
454 construed as part of the seamless K-20 education system.

455 (4) AGENCY FOR WORKFORCE INNOVATION.—

456 (a) The Agency for Workforce Innovation shall administer  
457 school readiness programs at the state level and shall

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458 coordinate with the early learning coalitions in providing  
459 school readiness services on a full-day, full-year, full-choice  
460 basis to the extent possible in order to enable parents to work  
461 and be financially self-sufficient.

462 (b) The Agency for Workforce Innovation shall:

463 1. Coordinate the birth-to-kindergarten services for  
464 children who are eligible under subsection (6) and the  
465 programmatic, administrative, and fiscal standards under this  
466 section for all public providers of school readiness programs.

467 ~~2. Continue to provide unified leadership for school~~  
468 ~~readiness through early learning coalitions.~~

469 ~~2.3.~~ Focus on improving the educational quality of all  
470 program providers participating in publicly funded school  
471 readiness programs.

472 (c) The Governor shall designate the Agency for Workforce  
473 Innovation as the lead agency for ~~purposes of~~ administration of  
474 the federal Child Care and Development Fund, 45 C.F.R. parts 98  
475 and 99, and the agency ~~for Workforce Innovation may be~~  
476 ~~designated by the Governor as the lead agency and, if so~~  
477 ~~designated,~~ shall comply with the lead agency responsibilities  
478 under federal law.

479 (d) The Agency for Workforce Innovation shall:

480 1. Be responsible for the prudent use of all public and  
481 private funds in accordance with all legal and contractual  
482 requirements.

483 2. Provide final approval and every 2 years ~~periodic~~  
484 review ~~of~~ early learning coalitions and school readiness plans.

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485 3. ~~Establish~~ Provide leadership for the enhancement of  
486 ~~school readiness in this state by aggressively establishing a~~  
487 unified approach to the state's efforts toward enhancement of  
488 school readiness. In support of this effort, the Agency for  
489 Workforce Innovation shall adopt ~~may develop and implement~~  
490 specific system support service strategies that address the  
491 state's school readiness programs. An early learning coalition  
492 shall amend its school readiness plan to conform to the specific  
493 system support service strategies adopted by the Agency for  
494 Workforce Innovation. System support services shall include, but  
495 are not limited to:

- 496 a. Child care resource and referral services;  
497 b. Warm-Line services;  
498 c. Eligibility determinations;  
499 d. Child performance standards;  
500 e. Child screening and assessment;  
501 f. Developmentally appropriate curricula;  
502 g. Health and safety requirements;  
503 h. Statewide data system requirements; and  
504 i. Rating and improvement systems.

505 4. Safeguard the effective use of federal, state, local,  
506 and private resources to achieve the highest possible level of  
507 school readiness for the children in this state.

508 5. Adopt a rule establishing criteria for the expenditure  
509 of funds designated for the purpose of funding activities to  
510 improve the quality of child care within the state in accordance  
511 with s. 658G of the federal Child Care and Development Block  
512 Grant Act.

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513 ~~6.5.~~ Provide technical assistance to early learning  
514 coalitions in a manner determined by the Agency for Workforce  
515 Innovation based upon information obtained by the agency from  
516 various sources, including, but not limited to, public input,  
517 government reports, private interest group reports, agency  
518 monitoring visits, and coalition requests for service.

519 7. In cooperation with the Department of Education and  
520 early learning coalitions, coordinate with the Child Care  
521 Services Program Office of the Department of Children and Family  
522 Services to minimize duplicating interagency activities, health  
523 and safety monitoring, and acquiring and composing data  
524 pertaining to child care training and credentialing.

525 ~~6. Assess gaps in service.~~

526 ~~7. Provide technical assistance to counties that form a~~  
527 ~~multicounty region served by an early learning coalition.~~

528 8. Develop and adopt performance standards and outcome  
529 measures for school readiness programs. The performance  
530 standards must address the age-appropriate progress of children  
531 in the development of ~~the~~ school readiness skills ~~required under~~  
532 ~~paragraph (j)~~. The performance standards for children from birth  
533 to 5 ~~3~~ years of age in school readiness programs must be  
534 integrated with the performance standards adopted by the  
535 Department of Education for children in the Voluntary  
536 Prekindergarten Education Program under s. 1002.67.

537 9. Adopt a standard contract that must be used by the  
538 coalitions when contracting with school readiness providers.

539 (e) The Agency for Workforce Innovation may adopt rules  
540 under ss. 120.536(1) and 120.54 to administer the provisions of

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541 law conferring duties upon the agency, including, but not  
542 limited to, rules governing the administration of system support  
543 services ~~preparation and implementation~~ of the school readiness  
544 programs ~~system~~, the collection of data, the approval of early  
545 learning coalitions and school readiness plans, the provision of  
546 a method whereby an early learning coalition may serve two or  
547 more counties, the award of incentives to early learning  
548 coalitions, child performance standards, child outcome measures,  
549 ~~and the issuance of waivers, and the implementation of the~~  
550 state's Child Care and Development Fund Plan as approved by the  
551 federal Administration for Children and Families.

552 (f) The Agency for Workforce Innovation shall have all  
553 powers necessary to administer this section, including, but not  
554 limited to, the power to receive and accept grants, loans, or  
555 advances of funds from any public or private agency and to  
556 receive and accept from any source contributions of money,  
557 property, labor, or any other thing of value, to be held, used,  
558 and applied for purposes of this section.

559 (g) Except as provided by law, the Agency for Workforce  
560 Innovation may not impose requirements on a child care or early  
561 childhood education provider that does not deliver services  
562 under the a school readiness programs ~~program~~ or receive state  
563 or federal funds under this section.

564 (h) The Agency for Workforce Innovation shall have a  
565 budget for ~~the~~ school readiness programs ~~system~~, which shall be  
566 financed through an annual appropriation made for purposes of  
567 this section in the General Appropriations Act.



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568 (i) The Agency for Workforce Innovation shall coordinate  
569 the efforts toward school readiness in this state and provide  
570 independent policy analyses, data analyses, and recommendations  
571 to the Governor, the State Board of Education, and the  
572 Legislature.

573 (j) The Agency for Workforce Innovation shall require that  
574 ~~each early learning coalition's~~ school readiness programs  
575 ~~program must~~, at a minimum, enhance the age-appropriate progress  
576 of each child in attaining the performance standards adopted  
577 under subparagraph (d)8. and in the development of the following  
578 school readiness skills:

- 579 1. Compliance with rules, limitations, and routines.
- 580 2. Ability to perform tasks.
- 581 3. Interactions with adults.
- 582 4. Interactions with peers.
- 583 5. Ability to cope with challenges.
- 584 6. Self-help skills.
- 585 7. Ability to express the child's needs.
- 586 8. Verbal communication skills.
- 587 9. Problem-solving skills.
- 588 10. Following of verbal directions.
- 589 11. Demonstration of curiosity, persistence, and  
590 exploratory behavior.
- 591 12. Interest in books and other printed materials.
- 592 13. Paying attention to stories.
- 593 14. Participation in art and music activities.

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594 15. Ability to identify colors, geometric shapes, letters  
595 of the alphabet, numbers, and spatial and temporal  
596 relationships.

597  
598 Within 30 days after enrollment ~~The Agency for Workforce~~  
599 ~~Innovation shall also require that, before a child is enrolled~~  
600 ~~in the an early learning coalition's school readiness program,~~  
601 ~~the early learning coalition must ensure that the program~~  
602 ~~provider obtains~~ information is obtained by the coalition or the  
603 ~~school readiness provider~~ regarding the child's immunizations,  
604 physical development, and other health requirements as  
605 necessary, including appropriate vision and hearing screening  
606 and examinations. For a program provider licensed by the  
607 Department of Children and Family Services, the provider's  
608 compliance with s. 402.305(9), as verified pursuant to s.  
609 402.311, shall satisfy this requirement.

610 (k) The Agency for Workforce Innovation shall conduct  
611 studies and planning activities related to the overall  
612 improvement and effectiveness of the outcome measures adopted by  
613 the agency for school readiness programs and the specific system  
614 support service strategies to address the state's school  
615 readiness programs adopted by the Agency for Workforce  
616 Innovation in accordance with subparagraph (d)3.

617 (l) The Agency for Workforce Innovation shall monitor and  
618 evaluate the performance of each early learning coalition in  
619 administering the school readiness program, implementing the  
620 coalition's school readiness plan, and administering the  
621 Voluntary Prekindergarten Education Program. These monitoring

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622 and performance evaluations must include, at a minimum, onsite  
623 monitoring of each coalition's finances, management, operations,  
624 and programs.

625 ~~(m) The Agency for Workforce Innovation shall identify~~  
626 ~~best practices of early learning coalitions in order to improve~~  
627 ~~the outcomes of school readiness programs.~~

628 ~~(m)(n)~~ The Agency for Workforce Innovation shall submit an  
629 annual report of its activities conducted under this section to  
630 the Governor, ~~the executive director of the Florida Healthy Kids~~  
631 ~~Corporation,~~ the President of the Senate, the Speaker of the  
632 House of Representatives, and the minority leaders of both  
633 houses of the Legislature. In addition, the Agency for Workforce  
634 Innovation's reports and recommendations shall be made available  
635 to ~~the State Board of Education,~~ the Florida Early Learning  
636 Advisory Council and, other appropriate state agencies and  
637 entities, ~~district school boards, central agencies, and county~~  
638 ~~health departments.~~ The annual report must provide an analysis  
639 of school readiness activities across the state, including the  
640 number of children who were served in the programs.

641 ~~(n)(e)~~ The Agency for Workforce Innovation shall work with  
642 the early learning coalitions to ensure availability of training  
643 and support for parental ~~increase parents' training for and~~  
644 involvement in ~~their~~ children's early preschool education and to  
645 provide family literacy activities and services programs.

646 (5) CREATION OF EARLY LEARNING COALITIONS.-

647 (a) Early learning coalitions.-

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648 1. Each early learning coalition shall maintain direct  
649 enhancement services at the local level and ensure access to  
650 such services in each county.

651 ~~2.1.~~ The Agency for Workforce Innovation shall establish  
652 the minimum number of children to be served by each early  
653 learning coalition through the coalition's school readiness  
654 program. The Agency for Workforce Innovation may only approve  
655 school readiness plans in accordance with this minimum number.  
656 The minimum number must be uniform for every early learning  
657 coalition and must:

- 658 a. Permit 31 ~~30~~ or fewer coalitions to be established; and  
659 b. Require each coalition to serve at least 2,000 children  
660 based upon the average number of all children served per month  
661 through the coalition's school readiness program during the  
662 previous 12 months.

663  
664 ~~The Agency for Workforce Innovation shall adopt procedures for~~  
665 ~~merging early learning coalitions, including procedures for the~~  
666 ~~consolidation of merging coalitions, and for the early~~  
667 ~~termination of the terms of coalition members which are~~  
668 ~~necessary to accomplish the mergers. Each early learning~~  
669 ~~coalition must comply with the merger procedures and shall be~~  
670 ~~organized in accordance with this subparagraph by April 1, 2005.~~  
671 ~~By June 30, 2005, each coalition must complete the transfer of~~  
672 ~~powers, duties, functions, rules, records, personnel, property,~~  
673 ~~and unexpended balances of appropriations, allocations, and~~  
674 ~~other funds to the successor coalition, if applicable.~~

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675        ~~3.2.~~ If an early learning coalition would serve fewer  
676 children than the minimum number established under subparagraph  
677 ~~2. 1.~~, the coalition must merge with another county to form a  
678 multicounty coalition. The Agency for Workforce Innovation shall  
679 adopt procedures for merging early learning coalitions,  
680 including procedures for the consolidation of merging  
681 coalitions, and for the early termination of the terms of  
682 coalition members which are necessary to accomplish the mergers.

683 However, the Agency for Workforce Innovation may authorize an  
684 early learning coalition to serve fewer children than the  
685 minimum number established under subparagraph 1., if:

686        a. The coalition demonstrates to the Agency for Workforce  
687 Innovation that merging with another county or multicounty  
688 region contiguous to the coalition would cause an extreme  
689 hardship on the coalition;

690        b. The Agency for Workforce Innovation has determined  
691 during the most recent ~~annual~~ review of the coalition's school  
692 readiness plan, or through monitoring and performance  
693 evaluations conducted under paragraph (4) (1), that the coalition  
694 has substantially implemented its plan and substantially met the  
695 performance standards and outcome measures adopted by the  
696 agency; and

697        c. The coalition demonstrates to the Agency for Workforce  
698 Innovation the coalition's ability to effectively and  
699 efficiently implement the Voluntary Prekindergarten Education  
700 Program.

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702 If an early learning coalition fails or refuses to merge as  
703 required by this subparagraph, the Agency for Workforce  
704 Innovation may dissolve the coalition and temporarily contract  
705 with a qualified entity to continue school readiness and  
706 prekindergarten services in the coalition's county or  
707 multicounty region until the agency reestablishes the coalition  
708 and a new is reestablished through resubmission of a school  
709 readiness plan is approved and approval by the agency.

710 ~~3. Notwithstanding the provisions of subparagraphs 1. and~~  
711 ~~2., the early learning coalitions in Sarasota, Osceola, and~~  
712 ~~Santa Rosa Counties which were in operation on January 1, 2005,~~  
713 ~~are established and authorized to continue operation as~~  
714 ~~independent coalitions, and shall not be counted within the~~  
715 ~~limit of 30 coalitions established in subparagraph 1.~~

716 4. Each early learning coalition shall be composed of at  
717 least 15 ~~18~~ members but not more than 30 ~~35~~ members. The Agency  
718 for Workforce Innovation shall adopt standards establishing  
719 within this range the minimum and maximum number of members that  
720 may be appointed to an early learning coalition and procedures  
721 for identifying which members have voting privileges under  
722 subparagraph 6. These standards must include variations for a  
723 coalition serving a multicounty region. Each early learning  
724 coalition must comply with these standards.

725 5. The Governor shall appoint the chair and two other  
726 members of each early learning coalition, who must each meet the  
727 same qualifications as private sector business members appointed  
728 by the coalition under subparagraph 7.

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729           6. Each early learning coalition must include the  
730 following member positions; however, in a multicounty coalition,  
731 each ex officio member position may be filled by multiple  
732 nonvoting members but no more than one voting member shall be  
733 seated per member position. If an early learning coalition has  
734 more than one member representing the same entity, only one of  
735 such members may serve as a voting member members:

736           a. A Department of Children and Family Services circuit  
737 ~~district~~ administrator or his or her designee who is authorized  
738 to make decisions on behalf of the department.

739           b. A district superintendent of schools or his or her  
740 designee who is authorized to make decisions on behalf of the  
741 district, ~~who shall be a nonvoting member.~~

742           c. A regional workforce board executive director or his or  
743 her designee.

744           d. A county health department director or his or her  
745 designee.

746           e. A children's services council or juvenile welfare board  
747 chair or executive director, if applicable, ~~who shall be a~~  
748 ~~nonvoting member if the council or board is the fiscal agent of~~  
749 ~~the coalition or if the council or board contracts with and~~  
750 ~~receives funds from the coalition for any purpose other than~~  
751 ~~rent.~~

752           f. An agency head of a local licensing agency as defined  
753 in s. 402.302, where applicable.

754           g. A president of a community college or his or her  
755 designee.

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756 h. One member appointed by a board of county commissioners  
757 or the governing board of a municipality.

758 ~~i. A central agency administrator, where applicable, who~~  
759 ~~shall be a nonvoting member.~~

760 ~~i.j. A Head Start director, who shall be a nonvoting~~  
761 ~~member.~~

762 ~~j.k. A representative of private for-profit child care~~  
763 ~~providers, including private for-profit family day care homes,~~  
764 ~~who shall be a nonvoting member.~~

765 ~~k.l. A representative of faith-based child care providers,~~  
766 ~~who shall be a nonvoting member.~~

767 ~~l.m. A representative of programs for children with~~  
768 ~~disabilities under the federal Individuals with Disabilities~~  
769 ~~Education Act, who shall be a nonvoting member.~~

770 7. Including the members appointed by the Governor under  
771 subparagraph 5., more than one-third of the members of each  
772 early learning coalition must be private sector business members  
773 who do not have, and none of whose relatives as defined in s.  
774 112.3143 has, a substantial financial interest in the design or  
775 delivery of the Voluntary Prekindergarten Education Program  
776 created under part V of chapter 1002 or the coalition's school  
777 readiness program. To meet this requirement an early learning  
778 coalition must appoint additional members ~~from a list of~~  
779 ~~nominees submitted to the coalition by a chamber of commerce or~~  
780 ~~economic development council within the geographic region served~~  
781 ~~by the coalition.~~ The Agency for Workforce Innovation shall  
782 establish criteria for appointing private sector business  
783 members. These criteria must include standards for determining



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784 whether a member or relative has a substantial financial  
785 interest in the design or delivery of the Voluntary  
786 Prekindergarten Education Program or the coalition's school  
787 readiness program.

788 8. A majority of the voting membership of an early  
789 learning coalition constitutes a quorum required to conduct the  
790 business of the coalition. An early learning coalition board may  
791 use any method of telecommunications to conduct meetings,  
792 including establishing a quorum through telecommunications,  
793 provided that the public is given proper notice of a  
794 telecommunications meeting and reasonable access to observe and,  
795 when appropriate, participate.

796 9. A voting member of an early learning coalition may not  
797 appoint a designee to act in his or her place, except as  
798 otherwise provided in this paragraph. A voting member may send a  
799 representative to coalition meetings, but that representative  
800 does not have voting privileges. When a district administrator  
801 for the Department of Children and Family Services appoints a  
802 designee to an early learning coalition, the designee is the  
803 voting member of the coalition, and any individual attending in  
804 the designee's place, including the district administrator, does  
805 not have voting privileges.

806 10. Each member of an early learning coalition is subject  
807 to ss. 112.313, 112.3135, and 112.3143. For purposes of s.  
808 112.3143(3)(a), each voting member is a local public officer who  
809 must abstain from voting when a voting conflict exists.

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810 11. For purposes of tort liability, each member or  
811 employee of an early learning coalition shall be governed by s.  
812 768.28.

813 12. An early learning coalition serving a multicounty  
814 region must include representation from each county.

815 13. Each early learning coalition shall establish terms  
816 for all appointed members of the coalition. The terms must be  
817 staggered and must be a uniform length that does not exceed 4  
818 years per term. Coalition chairs shall be appointed for 4 years  
819 in conjunction with their membership on the Early Learning  
820 Advisory Council under s. 20.052. Appointed members may serve a  
821 maximum of two consecutive terms. When a vacancy occurs in an  
822 appointed position, the coalition must advertise the vacancy.

823 (b) Limitation.—Except as provided by law, the early  
824 learning coalitions may not impose requirements on a child care  
825 or early childhood education provider that does not deliver  
826 services under the school readiness programs or receive state,  
827 federal, required maintenance of effort, or matching funds under  
828 this section.

829 ~~(b) Program participation. The school readiness program~~  
830 ~~shall be established for children from birth to the beginning of~~  
831 ~~the school year for which a child is eligible for admission to~~  
832 ~~kindergarten in a public school under s. 1003.21(1)(a)2. The~~  
833 ~~program shall be administered by the early learning coalition.~~  
834 ~~Within funding limitations, the early learning coalition, along~~  
835 ~~with all providers, shall make reasonable efforts to accommodate~~  
836 ~~the needs of children for extended day and extended year~~  
837 ~~services without compromising the quality of the program.~~

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838 (c) Program expectations.—

839 1. The school readiness program must meet the following  
840 expectations:

841 a. The program must, at a minimum, enhance the age-  
842 appropriate progress of each child in attaining the development  
843 ~~of the school readiness skills required under paragraph (4)(j),~~  
844 ~~as measured by the performance standards and outcome measures~~  
845 adopted by the Agency for Workforce Innovation.

846 b. The program must provide extended-day and extended-year  
847 services to the maximum extent possible without compromising the  
848 quality of the program to meet the needs of parents who work.

849 c. ~~The program~~ There must provide a ~~be~~ coordinated  
850 professional staff development system that supports the  
851 achievement and maintenance of core competencies by school  
852 readiness instructors in helping children attain the performance  
853 standards and outcome measures adopted by the Agency for  
854 Workforce Innovation and teaching opportunities.

855 d. There must be expanded access to community services and  
856 resources for families to help achieve economic self-  
857 sufficiency.

858 e. There must be a single point of entry and unified  
859 waiting list. As used in this sub-subparagraph, the term "single  
860 point of entry" means an integrated information system that  
861 allows a parent to enroll his or her child in the school  
862 readiness program at various locations throughout a the county  
863 ~~or multicounty region served by an early learning coalition,~~  
864 that may allow a parent to enroll his or her child by telephone  
865 or through an Internet website, and that uses a unified waiting

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866 list to track eligible children waiting for enrollment in the  
867 school readiness program. The Agency for Workforce Innovation  
868 shall establish through technology a single statewide  
869 information system that each coalition must use for the purposes  
870 of managing the integrates each early learning coalition's  
871 single point of entry, tracking children's progress,  
872 coordinating services among stakeholders, determining  
873 eligibility, tracking child attendance, and streamlining  
874 administrative processes for providers and early learning  
875 coalitions and each coalition must use the statewide system.

876 f. The Agency for Workforce Innovation must consider the  
877 access of eligible children to the school readiness program, as  
878 demonstrated in part by waiting lists, before approving a  
879 proposed increase in payment rates submitted by an early  
880 learning coalition. In addition, early learning coalitions shall  
881 use school readiness funds made available due to enrollment  
882 shifts from school readiness programs to the Voluntary  
883 Prekindergarten Education Program for increasing the number of  
884 children served in school readiness programs before increasing  
885 payment rates.

886 ~~g. There must be a community plan to address the needs of~~  
887 ~~all eligible children.~~

888 g.h. The program must meet all state licensing guidelines,  
889 where applicable.

890 h. The program must ensure that minimum standards for  
891 child discipline practices are age-appropriate. Such standards  
892 must provide that children not be subjected to discipline that  
893 is severe, humiliating, or frightening or discipline that is

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894 associated with food, rest, or toileting. Spanking or any other  
895 form of physical punishment is prohibited.

896 2. Each ~~The~~ early learning coalition must implement a  
897 comprehensive program of school readiness services in accordance  
898 with the rules adopted by the agency which ~~that~~ enhance the  
899 cognitive, social, and physical development of children to  
900 achieve the performance standards and outcome measures ~~adopted~~  
901 ~~by the agency for Workforce Innovation~~. At a minimum, these  
902 programs must contain the following system support service  
903 elements:

904 a. Developmentally appropriate curriculum designed to  
905 enhance the age-appropriate progress of children in attaining  
906 the performance standards adopted by the Agency for Workforce  
907 Innovation under subparagraph (4)(d)8.

908 b. A character development program to develop basic  
909 values.

910 c. An age-appropriate screening assessment of each child's  
911 development.

912 d. An age-appropriate assessment ~~A pretest~~ administered to  
913 children when they enter a program and an age-appropriate  
914 assessment ~~a posttest~~ administered to children when they leave  
915 the program.

916 e. An appropriate staff-to-children ratio, pursuant to s.  
917 402.305(4) or s. 402.302(7) or (8), as applicable, and as  
918 verified pursuant to s. 402.311.

919 f. A healthy and safe environment pursuant to s.  
920 401.305(5), (6), and (7), as applicable, and as verified  
921 pursuant to s. 402.311.

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922 g. A resource and referral network established under s.  
923 411.0101 to assist parents in making an informed choice and a  
924 regional Warm-Line under s. 411.01015.

925  
926 The Agency for Workforce Innovation, the Department of  
927 Education, and early learning coalitions shall coordinate with  
928 the Child Care Services Program Office of the Department of  
929 Children and Family Services to minimize duplicating interagency  
930 activities pertaining to acquiring and composing data for child  
931 care training and credentialing.

932 (d) Implementation.—

933 1. An early learning coalition may not implement the  
934 school readiness program until the coalition is authorized  
935 through approval of the coalition's school readiness plan by the  
936 Agency for Workforce Innovation.

937 2. Each early learning coalition shall coordinate with one  
938 another to implement a comprehensive program of school readiness  
939 services which enhances the cognitive, social, physical, and  
940 moral character of the children to achieve the performance  
941 standards and outcome measures and which helps families achieve  
942 economic self-sufficiency. Such program must contain, at a  
943 minimum, the following elements: ~~develop a plan for implementing~~

944 a. Implement the school readiness program to meet the  
945 requirements of this section and the system support services  
946 performance standards and outcome measures adopted by the Agency  
947 for Workforce Innovation.

948 b. ~~The plan must~~ Demonstrate how the program will ensure  
949 that each ~~3-year old and 4-year old~~ child from birth through 5

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950 years of age in a publicly funded school readiness program  
951 receives scheduled activities and instruction designed to  
952 enhance the age-appropriate progress of the children in  
953 attaining the performance standards adopted by the Agency for  
954 Workforce Innovation under subparagraph (4)(d)8.

955 c. Ensure that the coalition has solicited and considered  
956 comments regarding the proposed school readiness plan from the  
957 local community.

958

959 Before implementing the school readiness program, the early  
960 learning coalition must submit the plan to the Agency for  
961 Workforce Innovation for approval. The Agency for Workforce  
962 Innovation may approve the plan, reject the plan, or approve the  
963 plan with conditions. The Agency for Workforce Innovation shall  
964 review school readiness plans at least every 2 years annually.

965 3. If the Agency for Workforce Innovation determines  
966 during the ~~annual~~ review of school readiness plans, or through  
967 monitoring and performance evaluations conducted under paragraph  
968 (4)(1), that an early learning coalition has not substantially  
969 implemented its plan, has not substantially met the performance  
970 standards and outcome measures adopted by the agency, or has not  
971 effectively administered the school readiness program or  
972 Voluntary Prekindergarten Education Program, the Agency for  
973 Workforce Innovation may dissolve the coalition and temporarily  
974 contract with a qualified entity to continue school readiness  
975 and prekindergarten services in the coalition's county or  
976 multicounty region until the agency reestablishes the coalition  
977 and a new the coalition is reestablished through resubmission of

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978 a school readiness plan is approved in accordance with the rules  
979 adopted and approval by the agency.

980 4. The Agency for Workforce Innovation shall adopt rules  
981 establishing criteria for the approval of school readiness  
982 plans. The criteria must be consistent with the system support  
983 services, performance standards, and outcome measures adopted by  
984 the agency and must require each approved plan to include the  
985 following minimum standards and provisions for the school  
986 readiness program:

987 a. A community plan that addresses the needs of all  
988 children and providers within the coalition's county or  
989 multicounty region.

990 b.a. A sliding fee scale establishing a copayment for  
991 parents based upon their ability to pay, which is the same for  
992 all program providers, ~~to be implemented and reflected in each~~  
993 ~~program's budget.~~

994 c.b. A choice of settings and locations in licensed,  
995 registered, religious-exempt, or school-based programs to be  
996 provided to parents.

997 ~~e. Instructional staff who have completed the training~~  
998 ~~course as required in s. 402.305(2)(d)1., as well as staff who~~  
999 ~~have additional training or credentials as required by the~~  
1000 ~~Agency for Workforce Innovation. The plan must provide a method~~  
1001 ~~for assuring the qualifications of all personnel in all program~~  
1002 ~~settings.~~

1003 d. Specific eligibility priorities for children ~~within the~~  
1004 ~~early learning coalition's county or multicounty region in~~  
1005 accordance with subsection (6).



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1006 e. Performance standards and outcome measures adopted by  
1007 the Agency for Workforce Innovation.

1008 f. Payment rates adopted by the early learning coalitions  
1009 ~~coalition~~ and approved by the Agency for Workforce Innovation.  
1010 Payment rates may not have the effect of limiting parental  
1011 choice or creating standards or levels of services that have not  
1012 been expressly established ~~authorized~~ by the Legislature, unless  
1013 the creation of such standards or levels of service is a  
1014 precondition for the state's eligibility to receive federal  
1015 funds available for early learning programs.

1016 ~~g. Systems support services, including a central agency,~~  
1017 ~~child care resource and referral, eligibility determinations,~~  
1018 ~~training of providers, and parent support and involvement.~~

1019 g.h. Direct enhancement services for ~~to~~ families and  
1020 children. System support and direct enhancement services shall  
1021 be in addition to payments for the placement of children in  
1022 school readiness programs. Direct enhancement services for  
1023 families may include parent training and involvement activities  
1024 and strategies to meet the needs of unique populations and local  
1025 eligibility priorities. Enhancement services for children may  
1026 include provider supports and professional development approved  
1027 in the plan by the Agency for Workforce Innovation.

1028 ~~h.i.~~ The business organization of the early learning  
1029 coalition, which must include the coalition's articles of  
1030 incorporation and bylaws if the coalition is organized as a  
1031 corporation. If the coalition is not organized as a corporation  
1032 or other business entity, the plan must include the contract  
1033 with a fiscal agent. An early learning coalition may contract

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1034 with other coalitions to achieve efficiency in multicounty  
1035 services, and these contracts may be part of the coalition's  
1036 school readiness plan.

1037 i. The implementation of locally developed quality  
1038 programs in accordance with the requirements adopted by the  
1039 agency under subparagraph (4)(d)5.

1040 ~~j. Strategies to meet the needs of unique populations,~~  
1041 ~~such as migrant workers.~~

1042  
1043 ~~As part of the school readiness plan, The Agency for Workforce~~  
1044 ~~Innovation early learning coalition may request the Governor to~~  
1045 ~~apply for a waiver to allow the coalition to administer the Head~~  
1046 ~~Start Program to accomplish the purposes of the school readiness~~  
1047 ~~program. If a school readiness plan demonstrates that specific~~  
1048 ~~statutory goals can be achieved more effectively by using~~  
1049 ~~procedures that require modification of existing rules,~~  
1050 ~~policies, or procedures, a request for a waiver to the Agency~~  
1051 ~~for Workforce Innovation may be submitted as part of the plan.~~  
1052 ~~Upon review, the Agency for Workforce Innovation may grant the~~  
1053 ~~proposed modification.~~

1054 5. Persons with an early childhood teaching certificate  
1055 may provide support and supervision to other staff in the school  
1056 readiness program.

1057 6. An early learning coalition may not implement its  
1058 school readiness plan until it submits the plan to and receives  
1059 approval from the Agency for Workforce Innovation. Once the plan  
1060 is approved, the plan and the services provided under the plan  
1061 shall be controlled by the early learning coalition. The plan

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1062 shall be reviewed and revised as necessary, but at least  
1063 biennially. An early learning coalition may not implement the  
1064 revisions until the coalition submits the revised plan to and  
1065 receives approval from the Agency for Workforce Innovation. If  
1066 the Agency for Workforce Innovation rejects a revised plan, the  
1067 coalition must continue to operate under its prior approved  
1068 plan.

1069 7. Sections 125.901(2)(a)3., 411.221, and 411.232 do not  
1070 apply to ~~an early learning coalition with an approved school~~  
1071 ~~readiness programs plan.~~ The Agency for Workforce Innovation ~~To~~  
1072 ~~facilitate innovative practices and to allow the regional~~  
1073 ~~establishment of school readiness programs, an early learning~~  
1074 ~~coalition~~ may apply to the Governor and Cabinet for a waiver of,  
1075 and the Governor and Cabinet may waive, any of the provisions of  
1076 ss. 411.223, 411.232, and 1003.54, if the waiver is necessary  
1077 for implementation of ~~the coalition's~~ school readiness programs  
1078 ~~plan.~~

1079 8. Two or more early learning coalitions ~~counties~~ may join  
1080 for purposes of planning and implementing a school readiness  
1081 program.

1082 ~~9. An early learning coalition may, subject to approval by~~  
1083 ~~The Agency for Workforce Innovation as part of the coalition's~~  
1084 ~~school readiness plan, receive subsidized child care funds for~~  
1085 ~~all children eligible for any federal subsidized child care~~  
1086 ~~program.~~

1087 ~~10. An early learning coalition may enter into multiparty~~  
1088 ~~contracts with multicounty service providers in order to meet~~  
1089 ~~the needs of unique populations such as migrant workers.~~

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1090 (e) Requests for proposals; payment schedule.-

1091 1. Each early learning coalition must comply with the  
1092 procurement and expenditure procedures adopted by the Agency for  
1093 Workforce Innovation, including, but not limited to, applying  
1094 the procurement and expenditure procedures required by federal  
1095 law for the expenditure of federal funds s. 287.057 for the  
1096 procurement of commodities or contractual services from the  
1097 funds described in paragraph (9)(d). The period of a contract  
1098 for purchase of these commodities or contractual services,  
1099 together with any renewal of the original contract, may not  
1100 exceed 3 years.

1101 2. Each early learning coalition shall adopt a payment  
1102 schedule that encompasses all programs funded ~~by the coalition~~  
1103 under this section. The payment schedule must take into  
1104 consideration the prevailing relevant market rate, must include  
1105 the projected number of children to be served, and must be  
1106 submitted for approval by the Agency for Workforce Innovation.  
1107 Informal child care arrangements shall be reimbursed at not more  
1108 than 50 percent of the rate adopted ~~developed~~ for a family day  
1109 care home.

1110 ~~(f) Requirements relating to fiscal agents. If an early~~  
1111 ~~learning coalition is not legally organized as a corporation or~~  
1112 ~~other business entity, the coalition must designate a fiscal~~  
1113 ~~agent, which may be a public entity, a private nonprofit~~  
1114 ~~organization, or a certified public accountant who holds a~~  
1115 ~~license under chapter 473. The fiscal agent must provide~~  
1116 ~~financial and administrative services under a contract with the~~  
1117 ~~early learning coalition. The fiscal agent may not provide~~

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1118 ~~direct early childhood education or child care services;~~  
1119 ~~however, a fiscal agent may provide those services upon written~~  
1120 ~~request of the early learning coalition to the Agency for~~  
1121 ~~Workforce Innovation and upon the approval of the request by the~~  
1122 ~~agency. The cost of the financial and administrative services~~  
1123 ~~shall be negotiated between the fiscal agent and the early~~  
1124 ~~learning coalition. If the fiscal agent is a provider of early~~  
1125 ~~childhood education and child care programs, the contract must~~  
1126 ~~specify that the fiscal agent shall act on policy direction from~~  
1127 ~~the early learning coalition and must not receive policy~~  
1128 ~~direction from its own corporate board regarding disbursement of~~  
1129 ~~the coalition's funds. The fiscal agent shall disburse funds in~~  
1130 ~~accordance with the early learning coalition's approved school~~  
1131 ~~readiness plan and based on billing and disbursement procedures~~  
1132 ~~approved by the Agency for Workforce Innovation. The fiscal~~  
1133 ~~agent must conform to all data reporting requirements~~  
1134 ~~established by the Agency for Workforce Innovation.~~

1135 (f)(g) Evaluation and annual report.—Each early learning  
1136 coalition shall conduct an evaluation of its implementation the  
1137 effectiveness of the school readiness program, including system  
1138 support services, performance standards, and outcome measures,  
1139 and shall provide an annual report and fiscal statement to the  
1140 Agency for Workforce Innovation. This report must also include  
1141 an evaluation of the effectiveness of its direct enhancement  
1142 services and conform to the content and format specifications  
1143 adopted set by the Agency for Workforce Innovation. The Agency  
1144 for Workforce Innovation must include an analysis of the early  
1145 learning coalitions' reports in the agency's annual report.

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1146 (6) PROGRAM ELIGIBILITY.—~~The Each early learning~~  
1147 ~~coalition's~~ school readiness program is shall be established for  
1148 children from birth to the beginning of the school year for  
1149 which a child is eligible for admission to kindergarten in a  
1150 public school under s. 1003.21(1)(a)2. or who are eligible for  
1151 any federal subsidized child care program. Each early learning  
1152 coalition shall give priority for participation in the school  
1153 readiness program as follows:

1154 (a) Priority shall be given first to a child from a family  
1155 in which there is an adult receiving temporary cash assistance  
1156 who is subject to federal work requirements.

1157 (b) Priority shall be given next to a child who is  
1158 eligible for a school readiness program but who has not yet  
1159 entered children age 3 years to school, entry who is are served  
1160 by the Family Safety Program Office of the Department of  
1161 Children and Family Services or a community-based lead agency  
1162 under chapter 39 or chapter 409, and for whom child care is  
1163 needed to minimize risk of further abuse, neglect, or  
1164 abandonment.

1165 (c) Subsequent priority shall be given to a child other  
1166 eligible populations include children who meets meet one or more  
1167 of the following criteria:

1168 1. (a) A child who is younger than Children under the age  
1169 of kindergarten eligibility and who are:

1170 1. ~~Children determined to be at risk of abuse, neglect, or~~  
1171 ~~exploitation who are currently clients of the Family Safety~~  
1172 ~~Program Office of the Department of Children and Family~~

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1173 ~~Services, but who are not otherwise given priority under this~~  
1174 ~~subsection.~~

1175 a.2. Is Children at risk of welfare dependency, including  
1176 an economically disadvantaged child children, a child children  
1177 of a participant participants in the welfare transition program,  
1178 a child of a migratory agricultural worker children of migrant  
1179 farmworkers, or a child and children of a teen parent parents.

1180 b.3. Is a member Children of a working family that is  
1181 economically disadvantaged families whose family income does not  
1182 exceed 150 percent of the federal poverty level.

1183 c.4. Children For whom financial assistance is provided  
1184 through the state is paying a Relative Caregiver Program payment  
1185 under s. 39.5085.

1186 2.(b) A 3-year-old child or Three-year-old children and 4-  
1187 year-old child children who may not be economically  
1188 disadvantaged but who has a disability; has have disabilities,  
1189 have been served in a specific part-time exceptional education  
1190 program or a combination of part-time exceptional education  
1191 programs with required special services, aids, or equipment;  
1192 and was were previously reported for funding part time under  
1193 with the Florida Education Finance Program as an exceptional  
1194 student students.

1195 3.(c) An economically disadvantaged child children, a  
1196 child children with a disability disabilities, or a child and  
1197 children at risk of future school failure, from birth to 4 years  
1198 of age, who is are served at home through a home visitor program  
1199 programs and an intensive parent education program programs.

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1200 ~~4.(d) A child~~ Children who meets ~~meet~~ federal and state  
1201 eligibility requirements for the migrant preschool program but  
1202 who is ~~do~~ not ~~meet the criteria of~~ economically disadvantaged.

1203  
1204 As used in this paragraph ~~subsection~~, the term "economically  
1205 disadvantaged" ~~child~~ means having a ~~child whose~~ family income  
1206 that does not exceed 150 percent of the federal poverty level.  
1207 Notwithstanding any change in a family's economic status, but  
1208 subject to additional family contributions in accordance with  
1209 the sliding fee scale, a child who meets the eligibility  
1210 requirements upon initial registration for the program remains  
1211 eligible until the beginning of the school year for which the  
1212 child is eligible for admission to kindergarten in a public  
1213 school under s. 1003.21(1)(a)2.

1214 (7) PARENTAL CHOICE.—

1215 (a) Parental choice of child care providers shall be  
1216 established, to the maximum extent practicable, in accordance  
1217 with 45 C.F.R. s. 98.30.

1218 (b) As used in this subsection, the term "payment  
1219 certificate" means a child care certificate as defined in 45  
1220 C.F.R. s. 98.2.

1221 (c) The school readiness program shall, in accordance with  
1222 45 C.F.R. s. 98.30, provide parental choice through a payment  
1223 certificate ~~purchase service order~~ that ensures, to the maximum  
1224 extent possible, flexibility in the school readiness program  
1225 ~~programs~~ and payment arrangements. ~~According to federal~~  
1226 ~~regulations requiring parental choice, a parent may choose an~~  
1227 ~~informal child care arrangement.~~ The payment certificate



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1228 ~~purchase order~~ must bear the names ~~name~~ of the beneficiary and  
1229 the program provider and, when redeemed, must bear the  
1230 signatures ~~signature~~ of both the beneficiary and an authorized  
1231 representative of the provider.

1232 ~~(d)(b)~~ If it is determined that a provider has given  
1233 ~~provided~~ any cash to the beneficiary in return for receiving a  
1234 payment certificate ~~the purchase order~~, the early learning  
1235 coalition or its fiscal agent shall refer the matter to the  
1236 Division of Public Assistance Fraud for investigation.

1237 ~~(e)(e)~~ The office of the Chief Financial Officer shall  
1238 establish an electronic transfer system for the disbursement of  
1239 funds in accordance with this subsection. Each early learning  
1240 coalition shall fully implement the electronic funds transfer  
1241 system within 2 years after approval of the coalition's school  
1242 readiness plan, unless a waiver is obtained from the Agency for  
1243 Workforce Innovation.

1244 (8) STANDARDS; OUTCOME MEASURES.—A program provider  
1245 participating in the All school readiness program ~~programs~~ must  
1246 meet the performance standards and outcome measures adopted by  
1247 the Agency for Workforce Innovation.

1248 (9) FUNDING; SCHOOL READINESS PROGRAM.—

1249 (a) It is the intent of this section to establish an  
1250 integrated and quality seamless service delivery system for all  
1251 publicly funded early childhood education and child care  
1252 programs operating in this state.

1253 (b)1. The Agency for Workforce Innovation shall administer  
1254 school readiness funds, plans, and policies and shall prepare

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1255 and submit a unified budget request for the school readiness  
1256 system in accordance with chapter 216.

1257 2. All instructions to early learning coalitions for  
1258 administering this section shall emanate from the Agency for  
1259 Workforce Innovation in accordance with the policies of the  
1260 Legislature.

1261 (c) The Agency for Workforce Innovation, subject to  
1262 legislative notice and review under s. 216.177, shall establish  
1263 ~~recommend~~ a formula for the allocation ~~among the early learning~~  
1264 ~~coalitions~~ of all state and federal school readiness funds  
1265 provided for children participating in the public or private  
1266 school readiness program, whether served by a public or private  
1267 provider, programs based upon equity for each county and  
1268 ~~performance~~. The allocation formula must be submitted to the  
1269 Governor, the chair of the Senate Ways and Means Committee or  
1270 its successor, and the chair of the House of Representatives  
1271 Fiscal Council or its successor no later than January 1 of each  
1272 year. If the Legislature specifies ~~shall specify in the annual~~  
1273 ~~General Appropriations Act any changes to~~ from the allocation  
1274 formula, methodology for the prior fiscal year which must be  
1275 used by the Agency for Workforce Innovation shall allocate funds  
1276 as specified in allocating the appropriations provided in the  
1277 General Appropriations Act.

1278 (d) All state, federal, and required local maintenance-of-  
1279 effort, or matching funds provided to an early learning  
1280 coalition for purposes of this section shall be used ~~by the~~  
1281 ~~coalition~~ for implementation of its approved school readiness  
1282 plan, including the hiring of staff to effectively operate the

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1283 coalition's school readiness program. As part of plan approval  
1284 and periodic plan review, The Agency for Workforce Innovation  
1285 shall require that administrative costs be kept to the minimum  
1286 necessary for efficient and effective administration of the  
1287 school readiness plan, but total administrative expenditures  
1288 must not exceed 5 percent unless specifically waived by the  
1289 Agency for Workforce Innovation. The Agency for Workforce  
1290 Innovation shall annually report to the Legislature any problems  
1291 relating to administrative costs.

1292 (e) The Agency for Workforce Innovation shall annually  
1293 distribute, to a maximum extent practicable, all eligible funds  
1294 provided under this section as block grants to the early  
1295 learning coalitions in accordance with the terms and conditions  
1296 specified by the agency.

1297 (f) State funds appropriated for the school readiness  
1298 program may not be used for the construction of new facilities  
1299 or the purchase of buses. ~~The Agency for Workforce Innovation~~  
1300 ~~shall present to the Legislature recommendations for providing~~  
1301 ~~necessary transportation services for school readiness programs.~~

1302 (g) All cost savings and all revenues received through a  
1303 mandatory sliding fee scale shall be used to help fund each  
1304 early learning coalition's school readiness program.

1305 (10) CONFLICTING PROVISIONS. ~~If in the event of a conflict~~  
1306 exists between this section and federal requirements, the  
1307 federal requirements shall control.

1308 ~~(11) PLACEMENTS. Notwithstanding any other provision of~~  
1309 ~~this section to the contrary, the first children to be placed in~~  
1310 ~~the school readiness program shall be those from families~~

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1311 ~~receiving temporary cash assistance and subject to federal work~~  
1312 ~~requirements. Subsequent placements shall be made in accordance~~  
1313 ~~with subsection (6).~~

1314 Section 18. Section 411.0101, Florida Statutes, is amended  
1315 to read:

1316 411.0101 Child care and early childhood resource and  
1317 referral.—

1318 (1) As a part of the school readiness programs, the Agency  
1319 for Workforce Innovation shall establish a statewide child care  
1320 resource and referral network that is unbiased and provides  
1321 referrals to families for child care. Preference shall be given  
1322 to using the already established early learning coalitions as  
1323 the child care resource and referral agencies agency. If an  
1324 early learning coalition cannot comply with the requirements to  
1325 offer the resource information component or does not want to  
1326 offer that service, the early learning coalition shall select  
1327 the resource and referral information agency for its county or  
1328 multicounty region based upon a request for proposal pursuant to  
1329 s. 411.01(5)(e)1.

1330 (2) At least one child care resource and referral agency  
1331 must be established in each early learning coalition's county or  
1332 multicounty region. The Agency for Workforce Innovation shall  
1333 adopt rules regarding accessibility of child care resource and  
1334 referral services offered through child care resource and  
1335 referral agencies in each county or multicounty region which  
1336 include, at a minimum, required hours of operation, methods by  
1337 which parents may request services, and child care resource and  
1338 referral staff training requirements.

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1339        (3) Child care resource and referral agencies shall  
1340 provide the following services:

1341        (a)~~(1)~~ Identification of existing public and private child  
1342 care and early childhood education services, including child  
1343 care services by public and private employers, and the  
1344 development of a resource file of those services through the  
1345 single statewide information system developed by the Agency for  
1346 Workforce Innovation under s. 411.01(5)(c)1.e. These services  
1347 may include family day care, public and private child care  
1348 programs, the Voluntary Prekindergarten Education Program, Head  
1349 Start, the school readiness program prekindergarten early  
1350 intervention programs, special education programs for  
1351 prekindergarten handicapped children who have disabilities,  
1352 services for children with developmental disabilities, full-time  
1353 and part-time programs, before-school and after-school programs,  
1354 vacation care programs, parent education, the WAGES Program, and  
1355 related family support services. The resource file shall  
1356 include, but not be limited to:

- 1357        1.~~(a)~~ Type of program.  
1358        2.~~(b)~~ Hours of service.  
1359        3.~~(c)~~ Ages of children served.  
1360        4.~~(d)~~ Number of children served.  
1361        5.~~(e)~~ Significant program information.  
1362        6.~~(f)~~ Fees and eligibility for services.  
1363        7.~~(g)~~ Availability of transportation.

1364        (b)~~(2)~~ The establishment of a referral process that ~~which~~  
1365 responds to parental need for information and that ~~which~~ is  
1366 provided with full recognition of the confidentiality rights of

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1367 parents. The resource and referral network programs shall make  
1368 referrals to legally operating licensed child care facilities.  
1369 Referrals may not shall be made to a an unlicensed child care  
1370 facility that is operating illegally or arrangement only if  
1371 there is no requirement that the facility or arrangement be  
1372 licensed.

1373 (c)(3) Maintenance of ongoing documentation of requests  
1374 for service tabulated through the internal referral process  
1375 through the single statewide information system. The following  
1376 documentation of requests for service shall be maintained by the  
1377 all child care resource and referral network agencies:

1378 1.(a) Number of calls and contacts to the child care  
1379 resource information and referral network agency component by  
1380 type of service requested.

1381 2.(b) Ages of children for whom service was requested.

1382 3.(c) Time category of child care requests for each child.

1383 4.(d) Special time category, such as nights, weekends, and  
1384 swing shift.

1385 5.(e) Reason that the child care is needed.

1386 6.(f) Name of the employer and primary focus of the  
1387 business.

1388 (d)(4) Provision of technical assistance to existing and  
1389 potential providers of child care services. This assistance may  
1390 include:

1391 1.(a) Information on initiating new child care services,  
1392 zoning, and program and budget development and assistance in  
1393 finding such information from other sources.

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1394 ~~2.(b)~~ Information and resources which help existing child  
1395 care services providers to maximize their ability to serve  
1396 children and parents in their community.

1397 ~~3.(e)~~ Information and incentives that may ~~which could~~ help  
1398 existing or planned child care services offered by public or  
1399 private employers seeking to maximize their ability to serve the  
1400 children of their working parent employees in their community,  
1401 through contractual or other funding arrangements with  
1402 businesses.

1403 ~~(e)(5)~~ Assistance to families and employers in applying  
1404 for various sources of subsidy including, but not limited to,  
1405 the Voluntary Prekindergarten Education Program, the school  
1406 readiness program ~~subsidized child care~~, Head Start,  
1407 ~~prekindergarten early intervention programs~~, Project  
1408 Independence, private scholarships, and the federal child and  
1409 dependent care tax credit.

1410 ~~(6)~~ ~~Assistance to state agencies in determining the market~~  
1411 ~~rate for child care.~~

1412 ~~(f)(7)~~ Assistance in negotiating discounts or other  
1413 special arrangements with child care providers.

1414 ~~(8)~~ ~~Information and assistance to local interagency~~  
1415 ~~councils coordinating services for prekindergarten handicapped~~  
1416 ~~children.~~

1417 ~~(g)(9)~~ Assistance to families in identifying summer  
1418 recreation camp and summer day camp programs, ~~and in~~ evaluating  
1419 the health and safety qualities of summer recreation camp and  
1420 summer day camp programs, ~~and in~~ evaluating the health and  
1421 safety qualities of summer camp programs. Contingent upon

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1422 specific appropriation, a checklist of important health and  
1423 safety qualities that parents can use to choose their summer  
1424 camp programs shall be developed and distributed in a manner  
1425 that will reach parents interested in such programs for their  
1426 children.

1427 ~~(h)-(10)~~ A child care facility licensed under s. 402.305  
1428 and licensed and registered family day care homes must provide  
1429 the statewide child care and resource and referral network  
1430 ~~agencies~~ with the following information annually:

- 1431 1.(a) Type of program.  
1432 2.(b) Hours of service.  
1433 3.(c) Ages of children served.  
1434 4.(d) Fees and eligibility for services.

1435 ~~(4)-(11)~~ The Agency for Workforce Innovation shall adopt  
1436 any rules necessary for the implementation and administration of  
1437 this section.

1438 Section 19. Subsection (3), paragraph (b) of subsection  
1439 (4), and paragraphs (c) and (d) of subsection (5) of section  
1440 411.0102, Florida Statutes, are amended to read:

1441 411.0102 Child Care Executive Partnership Act; findings  
1442 and intent; grant; limitation; rules.-

1443 (3) There is created a body politic and corporate known as  
1444 the Child Care Executive Partnership which shall establish and  
1445 govern the Child Care Executive Partnership Program. The purpose  
1446 of the Child Care Executive Partnership Program is to utilize  
1447 state and federal funds as incentives for matching local funds  
1448 derived from local governments, employers, charitable  
1449 foundations, and other sources, so that Florida communities may



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1450 create local flexible partnerships with employers. The Child  
1451 Care Executive Partnership Program funds shall be used at the  
1452 discretion of local communities to meet the needs of working  
1453 parents. A child care purchasing pool shall be developed with  
1454 the state, federal, and local funds to provide subsidies to low-  
1455 income working parents whose family income does not exceed the  
1456 allowable income for any federally subsidized child care program  
1457 ~~who are eligible for subsidized child care~~ with a dollar-for-  
1458 dollar match from employers, local government, and other  
1459 matching contributions. The funds used from the child care  
1460 purchasing pool must be used to supplement or extend the use of  
1461 existing public or private funds.

1462 (4) The Child Care Executive Partnership, staffed by the  
1463 Agency for Workforce Innovation, shall consist of a  
1464 representative of the Executive Office of the Governor and nine  
1465 members of the corporate or child care community, appointed by  
1466 the Governor.

1467 (b) The Child Care Executive Partnership shall be chaired  
1468 by a member chosen by a majority vote and shall meet at least  
1469 quarterly and at other times upon the call of the chair. The  
1470 Child Care Executive Partnership may use any method of  
1471 telecommunications to conduct meetings, including establishing a  
1472 quorum through telecommunications, only if the public is given  
1473 proper notice of a telecommunications meeting and reasonable  
1474 access to observe and, when appropriate, participate.

1475 (5)

1476 (c) The Agency for Workforce Innovation, in conjunction  
1477 with the Child Care Executive Partnership, shall develop

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1478 procedures for disbursement of funds through the child care  
1479 purchasing pools. In order to be considered for funding, an  
1480 early learning coalition or the Agency for Workforce Innovation  
1481 must commit to:

1482 1. Matching the state purchasing pool funds on a dollar-  
1483 for-dollar basis; and

1484 2. Expending only those public funds which are matched by  
1485 employers, local government, and other matching contributors who  
1486 contribute to the purchasing pool. Parents shall also pay a fee,  
1487 which may not ~~shall~~ be ~~not~~ less than the amount identified in  
1488 the early learning coalition's school readiness program  
1489 ~~subsidized child care~~ sliding fee scale.

1490 (d) Each early learning coalition board shall ~~be required~~  
1491 ~~to establish a community child care task force for each child~~  
1492 ~~care purchasing pool. The task force must be composed of~~  
1493 ~~employers, parents, private child care providers, and one~~  
1494 ~~representative from the local children's services council, if~~  
1495 ~~one exists in the area of the purchasing pool. The early~~  
1496 ~~learning coalition is expected to recruit the task force members~~  
1497 ~~from existing child care councils, commissions, or task forces~~  
1498 ~~already operating in the area of a purchasing pool. A majority~~  
1499 ~~of the task force shall consist of employers. Each task force~~  
1500 ~~shall~~ develop a plan for the use of child care purchasing pool  
1501 funds. The plan must show how many children will be served by  
1502 the purchasing pool, how many will be new to receiving child  
1503 care services, and how the early learning coalition intends to  
1504 attract new employers and their employees to the program.

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1505 Section 20. Paragraph (b) of subsection (8) of section  
1506 411.203, Florida Statutes, is amended to read:

1507 411.203 Continuum of comprehensive services.—The  
1508 Department of Education and the Department of Health and  
1509 Rehabilitative Services shall utilize the continuum of  
1510 prevention and early assistance services for high-risk pregnant  
1511 women and for high-risk and handicapped children and their  
1512 families, as outlined in this section, as a basis for the  
1513 intraagency and interagency program coordination, monitoring,  
1514 and analysis required in this chapter. The continuum shall be  
1515 the guide for the comprehensive statewide approach for services  
1516 for high-risk pregnant women and for high-risk and handicapped  
1517 children and their families, and may be expanded or reduced as  
1518 necessary for the enhancement of those services. Expansion or  
1519 reduction of the continuum shall be determined by intraagency or  
1520 interagency findings and agreement, whichever is applicable.  
1521 Implementation of the continuum shall be based upon applicable  
1522 eligibility criteria, availability of resources, and interagency  
1523 prioritization when programs impact both agencies, or upon  
1524 single agency prioritization when programs impact only one  
1525 agency. The continuum shall include, but not be limited to:

1526 (8) SUPPORT SERVICES FOR ALL EXPECTANT PARENTS AND PARENTS  
1527 OF HIGH-RISK CHILDREN.—

1528 (b) Child care and early childhood programs, including,  
1529 but not limited to, ~~subsidized child care~~, licensed  
1530 ~~nonsubsidized child care facilities~~, family day care homes,  
1531 therapeutic child care, Head Start, and preschool programs in  
1532 public and private schools.

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1533 Section 21. Subsection (2) of section 411.221, Florida  
1534 Statutes, is amended to read:

1535 411.221 Prevention and early assistance strategic plan;  
1536 agency responsibilities.—

1537 (2) The strategic plan and subsequent plan revisions shall  
1538 incorporate and otherwise utilize, to the fullest extent  
1539 possible, the evaluation findings and recommendations from  
1540 intraagency, independent third-party, field projects, and  
1541 reports issued by the Auditor General or the Office of Program  
1542 Policy Analysis and Government Accountability, as well as the  
1543 recommendations of the Agency for Workforce Innovation State  
1544 Coordinating Council for School Readiness Programs.

1545 Section 22. Paragraph (c) of subsection (4) of section  
1546 445.024, Florida Statutes, is amended to read:

1547 445.024 Work requirements.—

1548 (4) PRIORITIZATION OF WORK REQUIREMENTS.—Regional  
1549 workforce boards shall require participation in work activities  
1550 to the maximum extent possible, subject to federal and state  
1551 funding. If funds are projected to be insufficient to allow  
1552 full-time work activities by all program participants who are  
1553 required to participate in work activities, regional workforce  
1554 boards shall screen participants and assign priority based on  
1555 the following:

1556 (c) A participant who has access to ~~subsidized or~~  
1557 ~~unsubsidized~~ child care services may be assigned priority for  
1558 work activities.

1559

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1560 Regional workforce boards may limit a participant's weekly work  
1561 requirement to the minimum required to meet federal work  
1562 activity requirements. Regional workforce boards may develop  
1563 screening and prioritization procedures based on the allocation  
1564 of resources, the availability of community resources, the  
1565 provision of supportive services, or the work activity needs of  
1566 the service area.

1567 Section 23. Subsection (2) of section 445.030, Florida  
1568 Statutes, is amended to read:

1569 445.030 Transitional education and training.—In order to  
1570 assist former recipients of temporary cash assistance who are  
1571 working or actively seeking employment in continuing their  
1572 training and upgrading their skills, education, or training,  
1573 support services may be provided for up to 2 years after the  
1574 family is no longer receiving temporary cash assistance. This  
1575 section does not constitute an entitlement to transitional  
1576 education and training. If funds are not sufficient to provide  
1577 services under this section, the board of directors of Workforce  
1578 Florida, Inc., may limit or otherwise prioritize transitional  
1579 education and training.

1580 (2) Regional workforce boards may authorize child care or  
1581 other support services in addition to services provided in  
1582 conjunction with employment. For example, a participant who is  
1583 employed full time may receive ~~subsidized~~ child care services  
1584 related to that employment and may also receive additional  
1585 ~~subsidized~~ child care services in conjunction with training to  
1586 upgrade the participant's skills.

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1587 Section 24. Paragraph (a) of subsection (2) of section  
1588 490.014, Florida Statutes, is amended to read:

1589 490.014 Exemptions.—

1590 (2) No person shall be required to be licensed or  
1591 provisionally licensed under this chapter who:

1592 (a) Is a salaried employee of a government agency; a  
1593 developmental disability facility or program; a mental health,  
1594 alcohol, or drug abuse facility operating under chapter 393,  
1595 chapter 394, or chapter 397; the statewide subsidized child care  
1596 program, subsidized child care case management program, or child  
1597 care resource and referral network program operating under s.  
1598 411.0101 pursuant to chapter 402; a child-placing or child-  
1599 caring agency licensed pursuant to chapter 409; a domestic  
1600 violence center certified pursuant to chapter 39; an accredited  
1601 academic institution; or a research institution, if such  
1602 employee is performing duties for which he or she was trained  
1603 and hired solely within the confines of such agency, facility,  
1604 or institution, so long as the employee is not held out to the  
1605 public as a psychologist pursuant to s. 490.012(1)(a).

1606 Section 25. Paragraph (a) of subsection (4) of section  
1607 491.014, Florida Statutes, is amended to read:

1608 491.014 Exemptions.—

1609 (4) No person shall be required to be licensed,  
1610 provisionally licensed, registered, or certified under this  
1611 chapter who:

1612 (a) Is a salaried employee of a government agency; a  
1613 developmental disability facility or program; a mental health,  
1614 alcohol, or drug abuse facility operating under chapter 393,

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1615 chapter 394, or chapter 397; the statewide subsidized child care  
1616 program, subsidized child care case management program, or child  
1617 care resource and referral network program operating under s.  
1618 411.0101 pursuant to chapter 402; a child-placing or child-  
1619 caring agency licensed pursuant to chapter 409; a domestic  
1620 violence center certified pursuant to chapter 39; an accredited  
1621 academic institution; or a research institution, if such  
1622 employee is performing duties for which he or she was trained  
1623 and hired solely within the confines of such agency, facility,  
1624 or institution, so long as the employee is not held out to the  
1625 public as a clinical social worker, mental health counselor, or  
1626 marriage and family therapist.

1627 Section 26. Subsection (5) of section 1002.53, Florida  
1628 Statutes, is amended to read:

1629 1002.53 Voluntary Prekindergarten Education Program;  
1630 eligibility and enrollment.—

1631 (5) The early learning coalition shall provide each parent  
1632 enrolling a child in the Voluntary Prekindergarten Education  
1633 Program with a profile of every private prekindergarten provider  
1634 and public school delivering the program within the ~~coalition's~~  
1635 county where the child is being enrolled ~~or multicounty region~~.  
1636 The profiles shall be provided to parents in a format prescribed  
1637 by the Agency for Workforce Innovation. The profiles must  
1638 include, at a minimum, the following information about each  
1639 provider and school:

1640 (a) The provider's or school's services, curriculum,  
1641 instructor credentials, and instructor-to-student ratio; and

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1642 (b) The provider's or school's kindergarten readiness rate  
1643 calculated in accordance with s. 1002.69, based upon the most  
1644 recent available results of the statewide kindergarten  
1645 screening.

1646 Section 27. Paragraph (b) of subsection (3) of section  
1647 1002.55, Florida Statutes, is amended, and subsection (5) is  
1648 added to that section, to read:

1649 1002.55 School-year prekindergarten program delivered by  
1650 private prekindergarten providers.—

1651 (3) To be eligible to deliver the prekindergarten program,  
1652 a private prekindergarten provider must meet each of the  
1653 following requirements:

1654 (b) The private prekindergarten provider must:

1655 1. Be accredited by an accrediting association that is a  
1656 member of the National Council for Private School Accreditation,  
1657 Advance Education, Inc. (AdvancED) ~~the Commission on~~  
1658 ~~International and Trans-Regional Accreditation~~, or the Florida  
1659 Association of Academic Nonpublic Schools and have written  
1660 accreditation standards that meet or exceed the state's  
1661 licensing requirements under s. 402.305, s. 402.313, or s.  
1662 402.3131 and require at least one onsite visit to the provider  
1663 or school before accreditation is granted;

1664 2. Hold a current Gold Seal Quality Care designation under  
1665 s. 402.281; or

1666 3. Be licensed under s. 402.305, s. 402.313, or s.  
1667 402.3131 and demonstrate, before delivering the Voluntary  
1668 Prekindergarten Education Program, as verified by the early  
1669 learning coalition, that the provider meets each of the



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1670 requirements of the program under this part, including, but not  
1671 limited to, the requirements for credentials and background  
1672 screenings of prekindergarten instructors under paragraphs (c)  
1673 and (d), minimum and maximum class sizes under paragraph (f),  
1674 prekindergarten director credentials under paragraph (g), and a  
1675 developmentally appropriate curriculum under s. 1002.67(2)(b).

1676 (5) Notwithstanding paragraph (3)(b), a private  
1677 prekindergarten provider may not participate in the Voluntary  
1678 Prekindergarten Education Program if the provider has child  
1679 disciplinary policies that do not prohibit children from being  
1680 subjected to discipline that is severe, humiliating,  
1681 frightening, or associated with food, rest, toileting, spanking,  
1682 or any other form of physical punishment as provided in s.  
1683 402.305(12).

1684 Section 28. Paragraph (c) of subsection (3) of section  
1685 1002.67, Florida Statutes, is amended to read:

1686 1002.67 Performance standards; curricula and  
1687 accountability.—

1688 (3)

1689 (c)1. If the kindergarten readiness rate of a private  
1690 prekindergarten provider or public school falls below the  
1691 minimum rate adopted by the State Board of Education as  
1692 satisfactory under s. 1002.69(6), the early learning coalition  
1693 or school district, as applicable, shall require the provider or  
1694 school to submit an improvement plan for approval by the  
1695 coalition or school district, as applicable, and to implement  
1696 the plan.

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1697 2. If a private prekindergarten provider or public school  
1698 fails to meet the minimum rate adopted by the State Board of  
1699 Education as satisfactory under s. 1002.69(6) for 2 consecutive  
1700 years, the early learning coalition or school district, as  
1701 applicable, shall place the provider or school on probation and  
1702 must require the provider or school to take certain corrective  
1703 actions, including the use of a curriculum approved by the  
1704 department under paragraph (2)(c).

1705 3. A private prekindergarten provider or public school  
1706 that is placed on probation must continue the corrective actions  
1707 required under subparagraph 2., including the use of a  
1708 curriculum approved by the department, until the provider or  
1709 school meets the minimum rate adopted by the State Board of  
1710 Education as satisfactory under s. 1002.69(6).

1711 4. If a private prekindergarten provider or public school  
1712 remains on probation for 2 consecutive years and fails to meet  
1713 the minimum rate adopted by the State Board of Education as  
1714 satisfactory under s. 1002.69(6) and is not granted a good cause  
1715 exemption by the department pursuant to s. 1002.69(7), the  
1716 Agency for Workforce Innovation shall require the early learning  
1717 coalition or the Department of Education shall require the  
1718 school district, ~~as applicable,~~ to remove, as applicable, the  
1719 provider or school from eligibility to deliver the Voluntary  
1720 Prekindergarten Education Program and receive state funds for  
1721 the program.

1722 Section 29. Subsection (7) is added to section 1002.69,  
1723 Florida Statutes, to read:

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1724 1002.69 Statewide kindergarten screening; kindergarten  
1725 readiness rates.—

1726 (7) (a) Notwithstanding s. 1002.67(3)(c)4., the State Board  
1727 of Education, upon the request of a private prekindergarten  
1728 provider or public school that remains on probation for 2  
1729 consecutive years or more and subsequently fails to meet the  
1730 minimum rate adopted under subsection (6) and for good cause  
1731 shown, may grant to the provider or school an exemption from  
1732 being determined ineligible to deliver the Voluntary  
1733 Prekindergarten Education Program and receive state funds for  
1734 the program. Such a good cause exemption is valid for 1 year  
1735 and, upon the request of the private prekindergarten provider or  
1736 public school and for good cause shown, may be renewed.

1737 (b) A private prekindergarten provider's or public  
1738 school's request for a good cause exemption, or renewal of such  
1739 an exemption, must be submitted to the state board in the manner  
1740 and within the timeframes prescribed by the state board and must  
1741 include the following:

1742 1. Submission of data by the private prekindergarten  
1743 provider or public school that documents on a standardized  
1744 assessment the achievement and progress of the children served.

1745 2. Submission and review of data available from the  
1746 respective early learning coalition or district school board,  
1747 the Department of Children and Family Services, local licensing  
1748 authority, or an accrediting association, as applicable,  
1749 relating to the private prekindergarten provider's or public  
1750 school's compliance with state and local health and safety  
1751 standards.

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1752 3. Submission and review of data available to the  
1753 department on the performance of the children served and the  
1754 calculation of the private prekindergarten provider's or public  
1755 school's kindergarten readiness rate.

1756 (c) The State Board of Education shall adopt criteria for  
1757 granting good cause exemptions. Such criteria shall include, but  
1758 are not limited to:

1759 1. Learning gains of children served in the Voluntary  
1760 Prekindergarten Education Program by the private prekindergarten  
1761 provider or public school.

1762 2. Verification that the private prekindergarten provider  
1763 or public school serves at least twice the statewide percentage  
1764 of children with disabilities as defined in s. 1003.01(3)(a).

1765 3. Verification that local and state health and safety  
1766 requirements are met.

1767 (d) A good cause exemption may not be granted to any  
1768 private prekindergarten provider that has any class I violations  
1769 or two or more class II violations within the 2 years preceding  
1770 the provider's or school's request for the exemption. For  
1771 purposes of this paragraph, class I and class II violations have  
1772 the same meaning as provided in s. 402.281(3).

1773 (e) A private prekindergarten provider or public school  
1774 granted a good cause exemption shall continue to implement its  
1775 improvement plan and continue the corrective actions required  
1776 under s. 1002.67(3)(c)2., including the use of a curriculum  
1777 approved by the department, until the provider or school meets  
1778 the minimum rate adopted under subsection (6).

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1779 Section 30. Paragraph (b) of subsection (6) of section  
1780 1002.71, Florida Statutes, is amended to read:

1781 1002.71 Funding; financial and attendance reporting.-  
1782 (6)

1783 (b)1. Each private prekindergarten provider's and district  
1784 school board's attendance policy must require the parent of each  
1785 student in the Voluntary Prekindergarten Education Program to  
1786 verify, each month, the student's attendance on the prior  
1787 month's certified student attendance.

1788 2. The parent must submit the verification of the  
1789 student's attendance to the private prekindergarten provider or  
1790 public school on forms prescribed by the Agency for Workforce  
1791 Innovation. The forms must include, in addition to the  
1792 verification of the student's attendance, a certification, in  
1793 substantially the following form, that the parent continues to  
1794 choose the private prekindergarten provider or public school in  
1795 accordance with s. 1002.53 and directs that payments for the  
1796 program be made to the provider or school:

1797

1798 VERIFICATION OF STUDENT'S ATTENDANCE

1799 AND CERTIFICATION OF PARENTAL CHOICE

1800

1801 I, ...(Name of Parent)..., swear (or affirm) that my  
1802 child, ...(Name of Student)..., attended the Voluntary  
1803 Prekindergarten Education Program on the days listed above and  
1804 certify that I continue to choose ...(Name of Provider or  
1805 School)... to deliver the program for my child and direct that  
1806 program funds be paid to the provider or school for my child.

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...(Signature of Parent)...

...(Date)...

3. The private prekindergarten provider or public school must keep each original signed form for at least 2 years. Each private prekindergarten provider must permit the early learning coalition, and each public school must permit the school district, to inspect the original signed forms during normal business hours. The Agency for Workforce Innovation shall adopt procedures for early learning coalitions and school districts to review the original signed forms against the certified student attendance. The review procedures shall provide for the use of selective inspection techniques, including, but not limited to, random sampling. Each early learning coalition and the school districts ~~district~~ must comply with the review procedures.

Section 31. Paragraph (d) is added to subsection (2) of section 1002.73, Florida Statutes, to read:

1002.73 Department of Education; powers and duties; accountability requirements.-

(2) The department shall adopt procedures for the department's:

(d) Granting of good cause exemptions from private prekindergarten providers' and public schools' being determined ineligible to deliver the program and receive state funds for the program.

Section 32. Paragraph (b) of subsection (4) of section 1009.64, Florida Statutes, is amended to read:

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1835 1009.64 Certified Education Paraprofessional Welfare  
1836 Transition Program.—

1837 (4) The agencies shall complete an implementation plan  
1838 that addresses at least the following recommended components of  
1839 the program:

1840 (b) A budget for use of incentive funding to provide  
1841 motivation to participants to succeed and excel. The budget for  
1842 incentive funding includes:

1843 1. Funds allocated by the Legislature directly for the  
1844 program.

1845 2. Funds that may be made available from the federal  
1846 Workforce Investment Act based on client eligibility or  
1847 requested waivers to make the clients eligible.

1848 3. Funds made available by implementation strategies that  
1849 would make maximum use of work supplementation funds authorized  
1850 by federal law.

1851 4. Funds authorized by strategies to lengthen  
1852 participants' eligibility for federal programs such as Medicaid,  
1853 ~~subsidized~~ child care services, and transportation.

1854  
1855 Incentives may include a stipend during periods of college  
1856 classroom training, a bonus and recognition for a high grade-  
1857 point average, child care and prekindergarten services for  
1858 children of participants, and services to increase a  
1859 participant's ability to advance to higher levels of employment.  
1860 Nonfinancial incentives should include providing a mentor or  
1861 tutor, and service incentives should continue and increase for  
1862 any participant who plans to complete the baccalaureate degree

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1863 and become a certified teacher. Services may be provided in  
1864 accordance with family choice by community colleges and school  
1865 district career centers, through family service centers and  
1866 full-service schools, or under contract with providers through  
1867 central agencies.

1868 Section 33. This act shall take effect July 1, 2010.  
1869  
1870

1871 -----  
1872 **T I T L E A M E N D M E N T**

1873 Remove the entire title and insert:

1874 A bill to be entitled

1875 An act relating to early learning; amending s. 39.0121,  
1876 F.S.; deleting an obsolete reference to the repealed  
1877 subsidized child care program; amending s. 39.202, F.S.;  
1878 replacing an obsolete reference to a repealed program with  
1879 an updated reference to the school readiness program;  
1880 authorizing county agencies responsible for licensure or  
1881 approval of child care providers to be granted access to  
1882 certain confidential reports and records in cases of child  
1883 abuse or neglect; amending s. 39.5085, F.S.; deleting an  
1884 obsolete reference to a repealed program; amending s.  
1885 383.14, F.S.; replacing obsolete references to the former  
1886 State Coordinating Council for School Readiness Programs  
1887 with updated references to the Agency for Workforce  
1888 Innovation; transferring, renumbering, and amending s.  
1889 402.25, F.S.; updating an obsolete reference to a repealed  
1890 program; deleting obsolete references relating to the



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1891 repealed prekindergarten early intervention program and  
1892 Florida First Start Program; amending s. 402.26, F.S.;  
1893 revising legislative intent; updating an obsolete  
1894 reference to a repealed program; amending s. 402.281,  
1895 F.S.; updating an obsolete reference to a former council;  
1896 requiring that the Department of Children and Family  
1897 Services consult with the Agency for Workforce Innovation  
1898 regarding the approval of accrediting associations for the  
1899 Gold Seal Quality Care program; transferring and  
1900 renumbering s. 402.3016, F.S., relating to Early Head  
1901 Start collaboration grants; transferring, renumbering, and  
1902 amending s. 402.3018, F.S.; transferring administration of  
1903 the statewide toll-free Warm-Line from the department to  
1904 the agency; conforming provisions; transferring,  
1905 renumbering, and amending s. 402.3051, F.S.; revising  
1906 procedures for child care market rate reimbursement and  
1907 child care grants; transferring authority to establish the  
1908 procedures from the department to the agency; directing  
1909 the agency to adopt a prevailing market rate schedule for  
1910 child care services; revising definitions; prohibiting the  
1911 schedule from interfering with parental choice;  
1912 authorizing the agency to enter into contracts and adopt  
1913 rules; amending s. 402.313, F.S.; deleting obsolete  
1914 provisions authorizing the department to license family  
1915 day care homes participating in a repealed program;  
1916 repealing s. 402.3135, F.S., relating to the subsidized  
1917 child care program case management program; transferring,  
1918 renumbering, and amending s. 402.3145, F.S.; transferring

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1919 administration of certain transportation services for  
1920 children at risk of abuse or neglect from the Department  
1921 of Children and Family Services to the Agency for  
1922 Workforce Innovation; revising requirements for the  
1923 provision of such transportation services; amending s.  
1924 402.315, F.S.; revising provisions relating to fees  
1925 collected for child care facilities; amending s. 402.45,  
1926 F.S.; updating an obsolete reference relating to a former  
1927 council; directing the Department of Health to consult  
1928 with the agency regarding certain training provided for  
1929 contractors of the community resource mother or father  
1930 program; amending s. 409.1671, F.S.; clarifying that a  
1931 licensed foster home may be dually licensed as a child  
1932 care facility and receive certain payments for the same  
1933 child; deleting an obsolete reference to a repealed  
1934 program; amending s. 411.01, F.S.; revising provisions  
1935 relating to the School Readiness Act; revising legislative  
1936 intent; revising the duties and responsibilities of the  
1937 Agency for Workforce Innovation; deleting obsolete  
1938 provisions relating to the merger of early learning  
1939 coalitions; revising provisions for the membership of  
1940 early learning coalitions and the voting privileges of  
1941 such members; revising requirements for parental choice;  
1942 directing the agency to establish a formula for allocating  
1943 school readiness funds to each county; providing for  
1944 legislative notice and review of the formula; amending s.  
1945 411.0101, F.S.; revising requirements for services  
1946 provided by the statewide child care resource and referral

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1947 network; updating obsolete references to repealed  
1948 programs; amending s. 411.0102, F.S.; revising provisions  
1949 relating to the Child Care Executive Partnership Act;  
1950 updating obsolete references to repealed programs;  
1951 deleting provisions relating to the duties of each early  
1952 coalition board; amending s. 411.203, F.S.; deleting an  
1953 obsolete reference to a repealed program; conforming  
1954 provisions; amending s. 411.221, F.S.; updating an  
1955 obsolete reference to a former council; amending ss.  
1956 445.024, 445.030, 490.014, and 491.014, F.S.; deleting  
1957 obsolete references to repealed programs; conforming  
1958 provisions to the repeal of the subsidized child care case  
1959 management program; amending ss. 1002.53, 1002.55,  
1960 1002.67, and 1002.71, F.S.; revising provisions relating  
1961 to the eligibility requirements for private  
1962 prekindergarten providers; conforming provisions to  
1963 changes made by the act; amending s. 1002.69, F.S.;  
1964 authorizing the State Board of Education to grant good  
1965 cause exemptions from private prekindergarten providers'  
1966 and private schools' ineligibility to deliver the  
1967 Voluntary Prekindergarten Education Program under certain  
1968 circumstances; amending s. 1002.73, F.S.; authorizing the  
1969 Department of Education to adopt procedures for the  
1970 granting of good cause exemptions; amending s. 1009.64,  
1971 F.S.; deleting an obsolete reference to a repealed  
1972 program; providing an effective date.

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ADOPTED	___	(Y/N)
ADOPTED AS AMENDED	___	(Y/N)
ADOPTED W/O OBJECTION	✓	(Y/N)
FAILED TO ADOPT	___	(Y/N)
WITHDRAWN	___	(Y/N)
OTHER	_____	

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1 Council/Committee hearing bill: PreK-12 Policy Committee  
2 Representative(s) Grady offered the following:

3

4 **Amendment**

5 Remove lines 12-37

6

Amendment No. 02

COUNCIL/COMMITTEE ACTION

ADOPTED                                    — (Y/N)  
 ADOPTED AS AMENDED                   — (Y/N)  
 ADOPTED W/O OBJECTION                ✓ (Y/N)  
 FAILED TO ADOPT                       — (Y/N)  
 WITHDRAWN                               — (Y/N)  
 OTHER                                     \_\_\_\_\_

1 Council/Committee hearing bill: PreK-12 Policy Committee  
 2 Representative Grady offered the following:

4                **Amendment**

5                Remove lines 49-68 and insert:

6                an annual report on the department's website on or before  
 7                January 15 each year that delineates:

8                1. The total number of teachers who participate in  
 9                professional development associated with AP courses; the  
 10               registration fees associated with such professional development;  
 11               and the number and value of scholarships awarded by the College  
 12               Board for teacher participation in AP professional development.

13               2. The number of students per school who enroll in AP  
 14               courses; the number of AP courses in which such students enroll;  
 15               the number and percentage of students enrolled in AP courses who  
 16               take the AP examination that corresponds to each course; the  
 17               number and percentage of students enrolled in AP courses who  
 18               take the AP examination that corresponds to each course and  
 19               receive a score of 3 or higher; and the number and percentage of

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20 students who take an AP examination without having enrolled in  
21 the corresponding AP course and earn a score of 3 or higher.  
22 Such information shall be reported at the state level by  
23 subject, race, and gender.

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COUNCIL/COMMITTEE ACTION

ADOPTED                                    \_\_\_ (Y/N)  
ADOPTED AS AMENDED                    \_\_\_ (Y/N)  
ADOPTED W/O OBJECTION                 (Y/N)  
FAILED TO ADOPT                        \_\_\_ (Y/N)  
WITHDRAWN                               \_\_\_ (Y/N)  
OTHER                                     \_\_\_\_\_

1 Council/Committee hearing bill: PreK-12 Policy Committee  
2 Representative(s) Grady offered the following:

4                    **Amendment**

5                    Remove lines 104-243 and insert:

6 proportionate value of the 0.16 additional funding per eligible  
7 student score minus administrative costs, or \$50 per eligible  
8 student score, whichever is greater. The teacher bonus in a  
9 school designated with a grade of "D" or "F" shall be an  
10 additional \$500 if any of the teacher's international  
11 baccalaureate students scores 4 or higher on an International  
12 Baccalaureate examination. ~~The school district shall distribute~~  
13 ~~to each classroom teacher who provided international~~  
14 ~~baccalaureate instruction:~~

15                    ~~1. A bonus in the amount of \$50 for each student taught by~~  
16 ~~the International Baccalaureate teacher in each international~~  
17 ~~baccalaureate course who receives a score of 4 or higher on the~~  
18 ~~international baccalaureate examination.~~

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19       ~~2. An additional bonus of \$500 to each International~~  
20 ~~Baccalaureate teacher in a school designated with a grade of "D"~~  
21 ~~or "F" who has at least one student scoring 4 or higher on the~~  
22 ~~international baccalaureate examination, regardless of the~~  
23 ~~number of classes taught or of the number of students scoring a~~  
24 ~~4 or higher on the international baccalaureate examination.~~

25  
26 Bonuses awarded to a teacher according to this paragraph shall  
27 ~~not exceed \$2,000 in any given school year and shall be in~~  
28 ~~addition to any regular wage or other bonus the teacher received~~  
29 ~~or is scheduled to receive. If funds received pursuant to this~~  
30 ~~paragraph are not sufficient to fully pay for teacher bonuses, a~~  
31 ~~school district may prorate all teacher bonuses proportionately~~  
32 ~~to the total funds available.~~

33       (n) Calculation of additional full-time equivalent  
34 membership based on Advanced International Certificate of  
35 Education examination scores of students.—A value of 0.16 full-  
36 time equivalent student membership shall be calculated for each  
37 student enrolled in a full-credit Advanced International  
38 Certificate of Education course who receives a score of E or  
39 higher on a subject examination. A value of 0.08 full-time  
40 equivalent student membership shall be calculated for each  
41 student enrolled in a half-credit Advanced International  
42 Certificate of Education course who receives a score of E or  
43 higher on a subject examination. A value of 0.3 full-time  
44 equivalent student membership shall be calculated for each  
45 student who receives an Advanced International Certificate of  
46 Education diploma. Such value shall be added to the total full-



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47 time equivalent student membership in basic programs for grades  
48 9 through 12 in the subsequent fiscal year. Each school district  
49 must allocate 100 percent of the funds received for Advanced  
50 International Certificate of Education instruction to the  
51 program that generates such funds. Funds allocated in accordance  
52 with this paragraph shall be expended solely for the payment of  
53 administrative costs associated with the Advanced International  
54 Certificate of Education Program and teacher bonuses.

55 Administrative costs shall include costs associated with  
56 Advanced International Certificate of Education annual school  
57 fees and examination fees and professional development for  
58 Advanced International Certificate of Education teachers. The  
59 teacher bonus shall equal the proportionate value of the 0.16 or  
60 0.08 additional funding per eligible student score minus  
61 administrative costs, or \$50 per eligible student score,  
62 whichever is greater. The teacher bonus in a school designated  
63 with a grade of "D" or "F" shall be an additional \$500 if any of  
64 the teacher's Advanced International Certificate of Education  
65 students scores E or higher on an Advanced International  
66 Certificate of Education examination. The school district shall  
67 distribute to each classroom teacher who provided Advanced  
68 International Certificate of Education instruction:

69 1. ~~A bonus in the amount of \$50 for each student taught by~~  
70 ~~the Advanced International Certificate of Education teacher in~~  
71 ~~each full credit Advanced International Certificate of Education~~  
72 ~~course who receives a score of E or higher on the Advanced~~  
73 ~~International Certificate of Education examination. A bonus in~~  
74 ~~the amount of \$25 for each student taught by the Advanced~~

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75 ~~International Certificate of Education teacher in each half-~~  
76 ~~credit Advanced International Certificate of Education course~~  
77 ~~who receives a score of E or higher on the Advanced~~  
78 ~~International Certificate of Education examination.~~

79 2. ~~An additional bonus of \$500 to each Advanced~~  
80 ~~International Certificate of Education teacher in a school~~  
81 ~~designated with a grade of "D" or "F" who has at least one~~  
82 ~~student scoring E or higher on the full credit Advanced~~  
83 ~~International Certificate of Education examination, regardless~~  
84 ~~of the number of classes taught or of the number of students~~  
85 ~~scoring an E or higher on the full credit Advanced International~~  
86 ~~Certificate of Education examination.~~

87 3. ~~Additional bonuses of \$250 each to teachers of half-~~  
88 ~~credit Advanced International Certificate of Education classes~~  
89 ~~in a school designated with a grade of "D" or "F" which has at~~  
90 ~~least one student scoring an E or higher on the half credit~~  
91 ~~Advanced International Certificate of Education examination in~~  
92 ~~that class. The maximum additional bonus for a teacher awarded~~  
93 ~~in accordance with this subparagraph shall not exceed \$500 in~~  
94 ~~any given school year. Teachers receiving an award under~~  
95 ~~subparagraph 2. are not eligible for a bonus under this~~  
96 ~~subparagraph.~~

97  
98 Bonuses awarded to a teacher according to this paragraph shall  
99 ~~not exceed \$2,000 in any given school year and shall be in~~  
100 addition to any regular wage or other bonus the teacher received  
101 or is scheduled to receive. If funds received pursuant to this  
102 paragraph are not sufficient to fully pay for teacher bonuses, a

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103 school district may prorate all teacher bonuses proportionately  
104 to the total funds available.

105 (o) Calculation of additional full-time equivalent  
106 membership based on College Board Advanced Placement scores of  
107 students.—A value of 0.16 full-time equivalent student  
108 membership shall be calculated for each student in each Advanced  
109 Placement course who receives a score of 3 or higher on the  
110 College Board Advanced Placement examination for the prior year  
111 and added to the total full-time equivalent student membership  
112 in basic programs for grades 9 through 12 in the subsequent  
113 fiscal year. Each school district must allocate 100 percent of  
114 the funds received for Advanced Placement instruction to the  
115 school that generates such funds. Funds allocated in accordance  
116 with this paragraph shall be expended solely for the payment of  
117 administrative costs associated with the Advanced Placement  
118 Program and teacher bonuses. Administrative costs shall include  
119 costs associated with Advanced Placement examination fees and  
120 professional development for Advanced Placement teachers. The  
121 teacher bonus shall equal the proportionate value of the 0.16  
122 additional funding per eligible student score minus  
123 administrative costs, or \$50 per eligible student score,  
124 whichever is greater. The teacher bonus in a school designated  
125 with a grade of "D" or "F" shall include an additional \$500 per  
126 student for the teacher's first four students who score 3 or  
127 higher on an Advanced Placement examination. Each district must  
128 allocate at least 80 percent of the funds provided to the  
129 district for advanced placement instruction, in accordance with  
130 this paragraph, to the high school that generates the funds. The

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131 ~~school district shall distribute to each classroom teacher who~~  
132 ~~provided advanced placement instruction:~~

133 1. ~~A bonus in the amount of \$50 for each student taught by~~  
134 ~~the Advanced Placement teacher in each advanced placement course~~  
135 ~~who receives a score of 3 or higher on the College Board~~  
136 ~~Advanced Placement Examination.~~

137 2. ~~An additional bonus of \$500 to each Advanced Placement~~  
138 ~~teacher in a school designated with a grade of "D" or "F" who~~  
139 ~~has at least one student scoring 3 or higher on the College~~  
140 ~~Board Advanced Placement Examination, regardless of the number~~  
141 ~~of classes taught or of the number of students scoring a 3 or~~  
142 ~~higher on the College Board Advanced Placement Examination.~~

143  
144 Bonuses awarded to a teacher according to this paragraph shall  
145 ~~not exceed \$2,000 in any given school year and shall be in~~  
146 ~~addition to any regular wage or other bonus the teacher received~~  
147 ~~or is scheduled to receive. If funds received pursuant to this~~  
148 ~~paragraph are not sufficient to fully pay for teacher bonuses, a~~  
149 ~~school district may prorate all teacher bonuses proportionately~~  
150 ~~to the total funds available.~~

COUNCIL/COMMITTEE AMENDMENT

Bill No. HB 1505 (2010)

Amendment No. 01

COUNCIL/COMMITTEE ACTION

ADOPTED                                    \_\_\_ (Y/N)  
ADOPTED AS AMENDED                    \_\_\_ (Y/N)  
ADOPTED W/O OBJECTION                ✓ (Y/N)  
FAILED TO ADOPT                         \_\_\_ (Y/N)  
WITHDRAWN                                \_\_\_ (Y/N)  
OTHER                                     \_\_\_\_\_

1 Council/Committee hearing bill: PreK-12 Policy Committee  
2 Representative(s) Flores offered the following:

3  
4        **Amendment**

5        Remove lines 50-52 and insert:

6        2. Has attended ~~spent the prior school year in attendance~~  
7 ~~at~~ a Florida public school or the Florida School for the Deaf  
8 and the Blind. For purposes of this subparagraph, ~~prior school~~  
9 ~~year in~~

COUNCIL/COMMITTEE AMENDMENT

Bill No. HB 1505 (2010)

Amendment No. 02

COUNCIL/COMMITTEE ACTION

ADOPTED                                   \_\_\_ (Y/N)  
ADOPTED AS AMENDED                   \_\_\_ (Y/N)  
ADOPTED W/O OBJECTION                 (Y/N)  
FAILED TO ADOPT                        \_\_\_ (Y/N)  
WITHDRAWN                               \_\_\_ (Y/N)  
OTHER                                     \_\_\_\_\_

---

1 Council/Committee hearing bill: PreK-12 Policy Committee  
2 Representative(s) Flores offered the following:

3  
4  
5  
6  
7

**Amendment**

Remove lines 249-250 and insert:

3. Notify the department of each student receiving  
services under this subsection.

Amendment No. 01

COUNCIL/COMMITTEE ACTION

ADOPTED                                   — (Y/N)  
ADOPTED AS AMENDED                   — (Y/N)  
ADOPTED W/O OBJECTION                ✓ (Y/N)  
FAILED TO ADOPT                       — (Y/N)  
WITHDRAWN                              — (Y/N)  
OTHER                                    —

1 Council/Committee hearing bill: PreK-12 Policy Committee  
2 Representative Stargel offered the following:

3  
4       **Amendment (with title amendment)**

5       Remove everything after the enacting clause and insert:

6  
7       Section 1. Subsection (7) of section 1002.33, Florida  
8 Statutes, is amended, a new subsection (8) is added to that  
9 section, and present subsections (8) through (26) are renumbered  
10 as subsections (9) through (27), respectively, and amended, to  
11 read:

12       1002.33 Charter schools.—

13       (7) CHARTER.—The major issues involving the operation of a  
14 charter school shall be considered in advance and written into  
15 the charter. The charter shall be signed by the governing body  
16 of the charter school and the sponsor, following a public  
17 hearing to ensure community input.

18       (a) The charter shall address and criteria for approval of  
19 the charter shall be based on:

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20 1. The school's mission, the students to be served, and  
21 the ages and grades to be included.

22 2. The focus of the curriculum, the instructional methods  
23 to be used, any distinctive instructional techniques to be  
24 employed, and identification and acquisition of appropriate  
25 technologies needed to improve educational and administrative  
26 performance which include a means for promoting safe, ethical,  
27 and appropriate uses of technology which comply with legal and  
28 professional standards. The charter shall ensure that reading is  
29 a primary focus of the curriculum and that resources are  
30 provided to identify and provide specialized instruction for  
31 students who are reading below grade level. The curriculum and  
32 instructional strategies for reading must be consistent with the  
33 Sunshine State Standards and grounded in scientifically based  
34 reading research.

35 3. The current incoming baseline standard of student  
36 academic achievement, the outcomes to be achieved, and the  
37 method of measurement that will be used. The criteria listed in  
38 this subparagraph shall include a detailed description of:

39 a. How the baseline student academic achievement levels  
40 and prior rates of academic progress will be established.

41 b. How these baseline rates will be compared to rates of  
42 academic progress achieved by these same students while  
43 attending the charter school.

44 c. To the extent possible, how these rates of progress  
45 will be evaluated and compared with rates of progress of other  
46 closely comparable student populations.

47



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48 The district school board is required to provide academic  
49 student performance data to charter schools for each of their  
50 students coming from the district school system, as well as  
51 rates of academic progress of comparable student populations in  
52 the district school system.

53 4. The methods used to identify the educational strengths  
54 and needs of students and how well educational goals and  
55 performance standards are met by students attending the charter  
56 school. The methods shall provide a means for the charter school  
57 to ensure accountability to its constituents by analyzing  
58 student performance data and by evaluating the effectiveness and  
59 efficiency of its major educational programs. Students in  
60 charter schools shall, at a minimum, participate in the  
61 statewide assessment program created under s. 1008.22.

62 5. In secondary charter schools, a method for determining  
63 that a student has satisfied the requirements for graduation in  
64 s. 1003.428, s. 1003.429, or s. 1003.43.

65 6. A method for resolving conflicts between the governing  
66 body of the charter school and the sponsor.

67 7. The admissions procedures and dismissal procedures,  
68 including the school's code of student conduct.

69 8. The ways by which the school will achieve a  
70 racial/ethnic balance reflective of the community it serves or  
71 within the racial/ethnic range of other public schools in the  
72 same school district.

73 9. The financial and administrative management of the  
74 school, including a reasonable demonstration of the professional  
75 experience or competence of those individuals or organizations

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76 applying to operate the charter school or those hired or  
77 retained to perform such professional services and the  
78 description of clearly delineated responsibilities and the  
79 policies and practices needed to effectively manage the charter  
80 school. A description of internal audit procedures and  
81 establishment of controls to ensure that financial resources are  
82 properly managed must be included. Both public sector and  
83 private sector professional experience shall be equally valid in  
84 such a consideration.

85 10. The asset and liability projections required in the  
86 application which are incorporated into the charter and shall be  
87 compared with information provided in the annual report of the  
88 charter school.

89 11. A description of procedures that identify various  
90 risks and provide for a comprehensive approach to reduce the  
91 impact of losses; plans to ensure the safety and security of  
92 students and staff; plans to identify, minimize, and protect  
93 others from violent or disruptive student behavior; and the  
94 manner in which the school will be insured, including whether or  
95 not the school will be required to have liability insurance,  
96 and, if so, the terms and conditions thereof and the amounts of  
97 coverage.

98 12. The term of the charter which shall provide for  
99 cancellation of the charter if insufficient progress has been  
100 made in attaining the student achievement objectives of the  
101 charter and if it is not likely that such objectives can be  
102 achieved before expiration of the charter. The initial term of a  
103 charter shall be for 4 or 5 years. In order to facilitate access

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104 to long-term financial resources for charter school  
105 construction, charter schools that are operated by a  
106 municipality or other public entity as provided by law are  
107 eligible for up to a 15-year charter, subject to approval by the  
108 district school board. A charter lab school is eligible for a  
109 charter for a term of up to 15 years. In addition, to facilitate  
110 access to long-term financial resources for charter school  
111 construction, charter schools that are operated by a private,  
112 not-for-profit, s. 501(c)(3) status corporation are eligible for  
113 up to a 15-year charter, subject to approval by the district  
114 school board. Such long-term charters remain subject to annual  
115 review and may be terminated during the term of the charter, but  
116 only according to the provisions set forth in subsection (9)~~(8)~~.

117 13. The facilities to be used and their location.

118 14. The qualifications to be required of the teachers and  
119 the potential strategies used to recruit, hire, train, and  
120 retain qualified staff to achieve best value.

121 15. The governance structure of the school, including the  
122 status of the charter school as a public or private employer as  
123 required in paragraph (13)~~(12)~~(i).

124 16. A timetable for implementing the charter which  
125 addresses the implementation of each element thereof and the  
126 date by which the charter shall be awarded in order to meet this  
127 timetable.

128 17. In the case of an existing public school that is being  
129 converted to charter status, alternative arrangements for  
130 current students who choose not to attend the charter school and  
131 for current teachers who choose not to teach in the charter

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132 school after conversion in accordance with the existing  
133 collective bargaining agreement or district school board rule in  
134 the absence of a collective bargaining agreement. However,  
135 alternative arrangements shall not be required for current  
136 teachers who choose not to teach in a charter lab school, except  
137 as authorized by the employment policies of the state university  
138 which grants the charter to the lab school.

139 18. Full disclosure of the identity of all relatives  
140 employed by the charter school who are related to the charter  
141 school owner, president, chairperson of the governing board of  
142 directors, superintendent, governing board member, principal,  
143 assistant principal, or any other person employed by the charter  
144 school who has equivalent decisionmaking authority. For the  
145 purpose of this subparagraph, the term "relative" means father,  
146 mother, son, daughter, brother, sister, uncle, aunt, first  
147 cousin, nephew, niece, husband, wife, father-in-law, mother-in-  
148 law, son-in-law, daughter-in-law, brother-in-law, sister-in-law,  
149 stepfather, stepmother, stepson, stepdaughter, stepbrother,  
150 stepsister, half brother, or half sister.

151 (b)1. A charter may be renewed provided that a program  
152 review demonstrates that the criteria in paragraph (a) have been  
153 successfully accomplished and that none of the grounds for  
154 nonrenewal established by paragraph (9)~~(8)~~(a) has been  
155 documented. In order to facilitate long-term financing for  
156 charter school construction, charter schools operating for a  
157 minimum of 3 years and demonstrating exemplary academic  
158 programming and fiscal management are eligible for a 15-year  
159 charter renewal. Such long-term charter is subject to annual

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160 review and may be terminated during the term of the charter.

161 2. The 15-year charter renewal that may be granted  
162 pursuant to subparagraph 1. shall be granted to a charter school  
163 that has received a school grade of "A" or "B" pursuant to s.  
164 1008.34 in 3 of the past 4 years and is not in a state of  
165 financial emergency or deficit position as defined by this  
166 section. Such long-term charter is subject to annual review and  
167 may be terminated during the term of the charter pursuant to  
168 subsection (9) ~~(8)~~.

169 (c) A charter may be modified during its initial term or  
170 any renewal term upon the recommendation of the sponsor or the  
171 charter school governing board and the approval of both parties  
172 to the agreement.

173 (8) HIGH-PERFORMING CHARTER SCHOOLS.—

174 (a) A charter school is designated as a high-performing  
175 charter school if it meets all of the following criteria:

176 1. Has received a school grade of "A" or "B" pursuant to  
177 s. 1008.34 for 3 consecutive years.

178 2. Has received unqualified opinions on its annual audited  
179 financial statements for 3 consecutive years.

180 3. Has maintained positive fund balances for 3 consecutive  
181 years.

182 (b) A high-performing charter school is entitled to:

183 1. Automatically renew its charter for 15 years.

184 2. Increase its enrollment in excess of the maximum  
185 enrollment specified in its charter.

186 3. Automatically qualify for startup grants for new  
187 applicants.

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188 4. Receive capital outlay funds under s. 1013.62 beginning  
189 with the first year it receives a high-performing charter school  
190 designation.

191 5. Receive an extension of time until January 1 to submit  
192 an initial application pursuant to subsection (6) to replicate a  
193 successful charter school.

194 (9) ~~(8)~~ CAUSES FOR NONRENEWAL OR TERMINATION OF CHARTER.-

195 (a) The sponsor may choose not to renew or may terminate  
196 the charter for any of the following grounds:

197 1. Failure to participate in the state's education  
198 accountability system created in s. 1008.31, as required in this  
199 section, or failure to meet the requirements for student  
200 performance stated in the charter.

201 2. Failure to meet generally accepted standards of fiscal  
202 management.

203 3. Violation of law.

204 4. Other good cause shown.

205 (b) At least 90 days prior to renewing or terminating a  
206 charter, the sponsor shall notify the governing body of the  
207 school of the proposed action in writing. The notice shall state  
208 in reasonable detail the grounds for the proposed action and  
209 stipulate that the school's governing body may, within 14  
210 calendar days after receiving the notice, request an informal  
211 hearing before the sponsor. The sponsor shall conduct the  
212 informal hearing within 30 calendar days after receiving a  
213 written request.

214 (c) If a charter is not renewed or is terminated pursuant  
215 to paragraph (b), the sponsor shall, within 10 calendar days,

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216 articulate in writing the specific reasons for its nonrenewal or  
217 termination of the charter and must provide the letter of  
218 nonrenewal or termination and documentation supporting the  
219 reasons to the charter school governing body, the charter school  
220 principal, and the Department of Education. The charter school's  
221 governing body may, within 30 calendar days after receiving the  
222 sponsor's final written decision to refuse to renew or to  
223 terminate the charter, appeal the decision pursuant to the  
224 procedure established in subsection (6).

225 (d) A charter may be terminated immediately if the sponsor  
226 determines that good cause has been shown or if the health,  
227 safety, or welfare of the students is threatened. The sponsor's  
228 determination is not subject to an informal hearing under  
229 paragraph (b) or pursuant to chapter 120. The sponsor shall  
230 notify in writing the charter school's governing body, the  
231 charter school principal, and the department if a charter is  
232 immediately terminated. The sponsor shall clearly identify the  
233 specific issues that resulted in the immediate termination and  
234 provide evidence of prior notification of issues resulting in  
235 the immediate termination when appropriate. The school district  
236 in which the charter school is located shall assume operation of  
237 the school under these circumstances. The charter school's  
238 governing board may, within 30 days after receiving the  
239 sponsor's decision to terminate the charter, appeal the decision  
240 pursuant to the procedure established in subsection (6).

241 (e) When a charter is not renewed or is terminated, the  
242 school shall be dissolved under the provisions of law under  
243 which the school was organized, and any unencumbered public

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244 funds, except for capital outlay funds and federal charter  
245 school program grant funds, from the charter school shall revert  
246 to the sponsor. Capital outlay funds provided pursuant to s.  
247 1013.62 and federal charter school program grant funds that are  
248 unencumbered shall revert to the department to be redistributed  
249 among eligible charter schools. In the event a charter school is  
250 dissolved or is otherwise terminated, all district school board  
251 property and improvements, furnishings, and equipment purchased  
252 with public funds shall automatically revert to full ownership  
253 by the district school board, subject to complete satisfaction  
254 of any lawful liens or encumbrances. Any unencumbered public  
255 funds from the charter school, district school board property  
256 and improvements, furnishings, and equipment purchased with  
257 public funds, or financial or other records pertaining to the  
258 charter school, in the possession of any person, entity, or  
259 holding company, other than the charter school, shall be held in  
260 trust upon the district school board's request, until any appeal  
261 status is resolved.

262 (f) If a charter is not renewed or is terminated, the  
263 charter school is responsible for all debts of the charter  
264 school. The district may not assume the debt from any contract  
265 made between the governing body of the school and a third party,  
266 except for a debt that is previously detailed and agreed upon in  
267 writing by both the district and the governing body of the  
268 school and that may not reasonably be assumed to have been  
269 satisfied by the district.

270 (g) If a charter is not renewed or is terminated, a  
271 student who attended the school may apply to, and shall be



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272 enrolled in, another public school. Normal application deadlines  
273 shall be disregarded under such circumstances.

274 ~~(10)~~~~(9)~~ CHARTER SCHOOL REQUIREMENTS.-

275 (a) A charter school shall be nonsectarian in its  
276 programs, admission policies, employment practices, and  
277 operations.

278 (b) A charter school shall admit students as provided in  
279 subsection (11) ~~(10)~~.

280 (c) A charter school shall be accountable to its sponsor  
281 for performance as provided in subsection (7).

282 (d) A charter school shall not charge tuition or  
283 registration fees, except those fees normally charged by other  
284 public schools. However, a charter lab school may charge a  
285 student activity and service fee as authorized by s. 1002.32(5).

286 (e) A charter school shall meet all applicable state and  
287 local health, safety, and civil rights requirements.

288 (f) A charter school shall not violate the  
289 antidiscrimination provisions of s. 1000.05.

290 (g) In order to provide financial information that is  
291 comparable to that reported for other public schools, charter  
292 schools are to maintain all financial records that constitute  
293 their accounting system:

294 1. In accordance with the accounts and codes prescribed in  
295 the most recent issuance of the publication titled "Financial  
296 and Program Cost Accounting and Reporting for Florida Schools";  
297 or

298 2. At the discretion of the charter school governing  
299 board, a charter school may elect to follow generally accepted

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300 accounting standards for not-for-profit organizations, but must  
301 reformat this information for reporting according to this  
302 paragraph.

303

304 Charter schools shall provide annual financial report and  
305 program cost report information in the state-required formats  
306 for inclusion in district reporting in compliance with s.  
307 1011.60(1). Charter schools that are operated by a municipality  
308 or are a component unit of a parent nonprofit organization may  
309 use the accounting system of the municipality or the parent but  
310 must reformat this information for reporting according to this  
311 paragraph. A charter school shall provide a quarterly monthly  
312 financial statement to the sponsor unless the charter school is  
313 determined to be in a state of financial emergency pursuant to  
314 s. 1002.345, in which case the charter school shall provide a  
315 monthly financial statement. The monthly financial statement  
316 required under this paragraph shall be in a form prescribed by  
317 the Department of Education.

318 (h) The governing board of the charter school shall  
319 annually adopt and maintain an operating budget.

320 (i) The governing body of the charter school shall  
321 exercise continuing oversight over charter school operations.

322 (j) The governing body of the charter school shall be  
323 responsible for:

324 1. Ensuring that the charter school has retained the  
325 services of a certified public accountant or auditor for the  
326 annual financial audit, pursuant to s. 1002.345(2), who shall  
327 submit the report to the governing body.

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328 2. Reviewing and approving the audit report, including  
329 audit findings and recommendations for the financial recovery  
330 plan.

331 3.a. Performing the duties in s. 1002.345, including  
332 monitoring a corrective action plan.

333 b. Monitoring a financial recovery plan in order to ensure  
334 compliance.

335 4. Participating in governance training approved by the  
336 department which must include government in the sunshine,  
337 conflicts of interest, ethics, and financial responsibility.

338 (k) The governing body of the charter school shall report  
339 its progress annually to its sponsor, which shall forward the  
340 report to the Commissioner of Education at the same time as  
341 other annual school accountability reports. The Department of  
342 Education shall develop a uniform, online annual accountability  
343 report to be completed by charter schools. This report shall be  
344 easy to utilize and contain demographic information, student  
345 performance data, and financial accountability information. A  
346 charter school shall not be required to provide information and  
347 data that is duplicative and already in the possession of the  
348 department. The Department of Education shall include in its  
349 compilation a notation if a school failed to file its report by  
350 the deadline established by the department. The report shall  
351 include at least the following components:

352 1. Student achievement performance data, including the  
353 information required for the annual school report and the  
354 education accountability system governed by ss. 1008.31 and  
355 1008.345. Charter schools are subject to the same accountability

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356 requirements as other public schools, including reports of  
357 student achievement information that links baseline student data  
358 to the school's performance projections identified in the  
359 charter. The charter school shall identify reasons for any  
360 difference between projected and actual student performance.

361 2. Financial status of the charter school which must  
362 include revenues and expenditures at a level of detail that  
363 allows for analysis of the charter school's ability to meet  
364 financial obligations and timely repayment of debt.

365 3. Documentation of the facilities in current use and any  
366 planned facilities for use by the charter school for instruction  
367 of students, administrative functions, or investment purposes.

368 4. Descriptive information about the charter school's  
369 personnel, including salary and benefit levels of charter school  
370 employees, the proportion of instructional personnel who hold  
371 professional or temporary certificates, and the proportion of  
372 instructional personnel teaching in-field or out-of-field.

373 (l) A charter school shall not levy taxes or issue bonds  
374 secured by tax revenues.

375 (m) A charter school shall provide instruction for at  
376 least the number of days required by law for other public  
377 schools and may provide instruction for additional days.

378 (n) The director and a representative of the governing  
379 body of a charter school that has received a school grade of "D"  
380 under s. 1008.34(2) shall appear before the sponsor or the  
381 sponsor's staff at least once a year to present information  
382 concerning each contract component having noted deficiencies.

383 The sponsor shall communicate at the meeting, and in writing to

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384 the director, the services provided to the school to help the  
385 school address its deficiencies.

386 (o) Upon notification that a charter school receives a  
387 school grade of "D" for 2 consecutive years or a school grade of  
388 "F" under s. 1008.34(2), the charter school sponsor or the  
389 sponsor's staff shall require the director and a representative  
390 of the governing body to submit to the sponsor for approval a  
391 school improvement plan to raise student achievement and to  
392 implement the plan. The sponsor has the authority to approve a  
393 school improvement plan that the charter school will implement  
394 in the following school year. ~~The sponsor may also consider the~~  
395 ~~State Board of Education's recommended action pursuant to s.~~  
396 ~~1008.33(1) as part of the school improvement plan.~~ The  
397 Department of Education shall offer technical assistance and  
398 training to the charter school and its governing body and  
399 establish guidelines for developing, submitting, and approving  
400 such plans.

401 1. If the charter school fails to improve its student  
402 performance from the year immediately prior to the  
403 implementation of the school improvement plan, the sponsor shall  
404 place the charter school on probation and shall require the  
405 charter school governing body to take one of the following  
406 corrective actions:

407 a. Contract for the educational services of the charter  
408 school;

409 b. Reorganize the school at the end of the school year  
410 under a new director or principal who is authorized to hire new  
411 staff and implement a plan that addresses the causes of

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412 inadequate progress; or

413 c. Reconstitute the charter school.

414 2. A charter school that is placed on probation shall  
415 continue the corrective actions required under subparagraph 1.  
416 until the charter school improves its student performance from  
417 the year prior to the implementation of the school improvement  
418 plan.

419 3. Notwithstanding any provision of this paragraph, the  
420 sponsor may terminate the charter at any time pursuant to  
421 subsection (9) ~~(8)~~.

422 (p) The director and a representative of the governing  
423 body of a graded charter school that has submitted a school  
424 improvement plan or has been placed on probation under paragraph  
425 (o) shall appear before the sponsor or the sponsor's staff at  
426 least once a year to present information regarding the  
427 corrective strategies that are being implemented by the school  
428 pursuant to the school improvement plan. The sponsor shall  
429 communicate at the meeting, and in writing to the director, the  
430 services provided to the school to help the school address its  
431 deficiencies.

432 (11) ~~(10)~~ ELIGIBLE STUDENTS.—

433 (a) A charter school shall be open to any student covered  
434 in an interdistrict agreement or residing in the school district  
435 in which the charter school is located; however, in the case of  
436 a charter lab school, the charter lab school shall be open to  
437 any student eligible to attend the lab school as provided in s.  
438 1002.32 or who resides in the school district in which the  
439 charter lab school is located. Any eligible student shall be

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440 allowed interdistrict transfer to attend a charter school when  
441 based on good cause. Good cause shall include, but is not  
442 limited to, geographic proximity to a charter school in a  
443 neighboring school district.

444 (b) The charter school shall enroll an eligible student  
445 who submits a timely application, unless the number of  
446 applications exceeds the capacity of a program, class, grade  
447 level, or building. In such case, all applicants shall have an  
448 equal chance of being admitted through a random selection  
449 process.

450 (c) When a public school converts to charter status,  
451 enrollment preference shall be given to students who would have  
452 otherwise attended that public school. The district school board  
453 shall consult and negotiate with the conversion charter school  
454 every 3 years to determine whether realignment of the conversion  
455 charter school's attendance zone is appropriate in order to  
456 ensure that students residing closest to the charter school are  
457 provided with an enrollment preference.

458 (d) A charter school may give enrollment preference to the  
459 following student populations:

460 1. Students who are siblings of a student enrolled in the  
461 charter school.

462 2. Students who are the children of a member of the  
463 governing board of the charter school.

464 3. Students who are the children of an employee of the  
465 charter school.

466 (e) A charter school may limit the enrollment process only  
467 to target the following student populations:

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- 468 1. Students within specific age groups or grade levels.
- 469 2. Students considered at risk of dropping out of school  
470 or academic failure. Such students shall include exceptional  
471 education students.
- 472 3. Students enrolling in a charter school-in-the-workplace  
473 or charter school-in-a-municipality established pursuant to  
474 subsection (16) ~~(15)~~.
- 475 4. Students residing within a reasonable distance of the  
476 charter school, as described in paragraph (21) ~~(20)~~ (c). Such  
477 students shall be subject to a random lottery and to the  
478 racial/ethnic balance provisions described in subparagraph  
479 (7) (a) 8. or any federal provisions that require a school to  
480 achieve a racial/ethnic balance reflective of the community it  
481 serves or within the racial/ethnic range of other public schools  
482 in the same school district.
- 483 5. Students who meet reasonable academic, artistic, or  
484 other eligibility standards established by the charter school  
485 and included in the charter school application and charter or,  
486 in the case of existing charter schools, standards that are  
487 consistent with the school's mission and purpose. Such standards  
488 shall be in accordance with current state law and practice in  
489 public schools and may not discriminate against otherwise  
490 qualified individuals.
- 491 6. Students articulating from one charter school to  
492 another pursuant to an articulation agreement between the  
493 charter schools that has been approved by the sponsor.
- 494 (f) Students with disabilities and students served in  
495 English for Speakers of Other Languages programs shall have an



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496 equal opportunity of being selected for enrollment in a charter  
497 school.

498 (g) A student may withdraw from a charter school at any  
499 time and enroll in another public school as determined by  
500 district school board rule.

501 (h) The capacity of the charter school shall be determined  
502 annually by the governing board, in conjunction with the  
503 sponsor, of the charter school in consideration of the factors  
504 identified in this subsection.

505 ~~(12)~~~~(11)~~ PARTICIPATION IN INTERSCHOLASTIC EXTRACURRICULAR  
506 ACTIVITIES.—A charter school student is eligible to participate  
507 in an interscholastic extracurricular activity at the public  
508 school to which the student would be otherwise assigned to  
509 attend pursuant to s. 1006.15(3)(d).

510 ~~(13)~~~~(12)~~ EMPLOYEES OF CHARTER SCHOOLS.—

511 (a) A charter school shall select its own employees. A  
512 charter school may contract with its sponsor for the services of  
513 personnel employed by the sponsor.

514 (b) Charter school employees shall have the option to  
515 bargain collectively. Employees may collectively bargain as a  
516 separate unit or as part of the existing district collective  
517 bargaining unit as determined by the structure of the charter  
518 school.

519 (c) The employees of a conversion charter school shall  
520 remain public employees for all purposes, unless such employees  
521 choose not to do so.

522 (d) The teachers at a charter school may choose to be part  
523 of a professional group that subcontracts with the charter

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524 school to operate the instructional program under the auspices  
525 of a partnership or cooperative that they collectively own.  
526 Under this arrangement, the teachers would not be public  
527 employees.

528 (e) Employees of a school district may take leave to  
529 accept employment in a charter school upon the approval of the  
530 district school board. While employed by the charter school and  
531 on leave that is approved by the district school board, the  
532 employee may retain seniority accrued in that school district  
533 and may continue to be covered by the benefit programs of that  
534 school district, if the charter school and the district school  
535 board agree to this arrangement and its financing. School  
536 districts shall not require resignations of teachers desiring to  
537 teach in a charter school. This paragraph shall not prohibit a  
538 district school board from approving alternative leave  
539 arrangements consistent with chapter 1012.

540 (f) Teachers employed by or under contract to a charter  
541 school shall be certified as required by chapter 1012. A charter  
542 school governing board may employ or contract with skilled  
543 selected noncertified personnel to provide instructional  
544 services or to assist instructional staff members as education  
545 paraprofessionals in the same manner as defined in chapter 1012,  
546 and as provided by State Board of Education rule for charter  
547 school governing boards. A charter school may not knowingly  
548 employ an individual to provide instructional services or to  
549 serve as an education paraprofessional if the individual's  
550 certification or licensure as an educator is suspended or  
551 revoked by this or any other state. A charter school may not

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552 knowingly employ an individual who has resigned from a school  
553 district in lieu of disciplinary action with respect to child  
554 welfare or safety, or who has been dismissed for just cause by  
555 any school district with respect to child welfare or safety. The  
556 qualifications of teachers shall be disclosed to parents.

557 (g)1. A charter school shall employ or contract with  
558 employees who have undergone background screening as provided in  
559 s. 1012.32. Members of the governing board of the charter school  
560 shall also undergo background screening in a manner similar to  
561 that provided in s. 1012.32.

562 2. A charter school shall disqualify instructional  
563 personnel and school administrators, as defined in s. 1012.01,  
564 from employment in any position that requires direct contact  
565 with students if the personnel or administrators are ineligible  
566 for such employment under s. 1012.315.

567 3. The governing board of a charter school shall adopt  
568 policies establishing standards of ethical conduct for  
569 instructional personnel and school administrators. The policies  
570 must require all instructional personnel and school  
571 administrators, as defined in s. 1012.01, to complete training  
572 on the standards; establish the duty of instructional personnel  
573 and school administrators to report, and procedures for  
574 reporting, alleged misconduct by other instructional personnel  
575 and school administrators which affects the health, safety, or  
576 welfare of a student; and include an explanation of the  
577 liability protections provided under ss. 39.203 and 768.095. A  
578 charter school, or any of its employees, may not enter into a  
579 confidentiality agreement regarding terminated or dismissed

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580 instructional personnel or school administrators, or personnel  
581 or administrators who resign in lieu of termination, based in  
582 whole or in part on misconduct that affects the health, safety,  
583 or welfare of a student, and may not provide instructional  
584 personnel or school administrators with employment references or  
585 discuss the personnel's or administrators' performance with  
586 prospective employers in another educational setting, without  
587 disclosing the personnel's or administrators' misconduct. Any  
588 part of an agreement or contract that has the purpose or effect  
589 of concealing misconduct by instructional personnel or school  
590 administrators which affects the health, safety, or welfare of a  
591 student is void, is contrary to public policy, and may not be  
592 enforced.

593 4. Before employing instructional personnel or school  
594 administrators in any position that requires direct contact with  
595 students, a charter school shall conduct employment history  
596 checks of each of the personnel's or administrators' previous  
597 employers, screen the instructional personnel or school  
598 administrators through use of the educator screening tools  
599 described in s. 1001.10(5), and document the findings. If unable  
600 to contact a previous employer, the charter school must document  
601 efforts to contact the employer.

602 5. The sponsor of a charter school that knowingly fails to  
603 comply with this paragraph shall terminate the charter under  
604 subsection (9) ~~(8)~~.

605 (h) For the purposes of tort liability, the governing body  
606 and employees of a charter school shall be governed by s.  
607 768.28.

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608 (i) A charter school shall organize as, or be operated by,  
609 a nonprofit organization. A charter school may be operated by a  
610 municipality or other public entity as provided for by law. As  
611 such, the charter school may be either a private or a public  
612 employer. As a public employer, a charter school may participate  
613 in the Florida Retirement System upon application and approval  
614 as a "covered group" under s. 121.021(34). If a charter school  
615 participates in the Florida Retirement System, the charter  
616 school employees shall be compulsory members of the Florida  
617 Retirement System. As either a private or a public employer, a  
618 charter school may contract for services with an individual or  
619 group of individuals who are organized as a partnership or a  
620 cooperative. Individuals or groups of individuals who contract  
621 their services to the charter school are not public employees.

622 ~~(14)~~(13) CHARTER SCHOOL COOPERATIVES.—Charter schools may  
623 enter into cooperative agreements to form charter school  
624 cooperative organizations that may provide the following  
625 services: charter school planning and development, direct  
626 instructional services, and contracts with charter school  
627 governing boards to provide personnel administrative services,  
628 payroll services, human resource management, evaluation and  
629 assessment services, teacher preparation, and professional  
630 development.

631 ~~(15)~~(14) CHARTER SCHOOL FINANCIAL ARRANGEMENTS;  
632 INDEMNIFICATION OF THE STATE AND SCHOOL DISTRICT; CREDIT OR  
633 TAXING POWER NOT TO BE PLEDGED.—Any arrangement entered into to  
634 borrow or otherwise secure funds for a charter school authorized  
635 in this section from a source other than the state or a school

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636 district shall indemnify the state and the school district from  
637 any and all liability, including, but not limited to, financial  
638 responsibility for the payment of the principal or interest. Any  
639 loans, bonds, or other financial agreements are not obligations  
640 of the state or the school district but are obligations of the  
641 charter school authority and are payable solely from the sources  
642 of funds pledged by such agreement. The credit or taxing power  
643 of the state or the school district shall not be pledged and no  
644 debts shall be payable out of any moneys except those of the  
645 legal entity in possession of a valid charter approved by a  
646 district school board pursuant to this section.

647 ~~(16)-(15)~~ CHARTER SCHOOLS-IN-THE-WORKPLACE; CHARTER  
648 SCHOOLS-IN-A-MUNICIPALITY.-

649 (a) In order to increase business partnerships in  
650 education, to reduce school and classroom overcrowding  
651 throughout the state, and to offset the high costs for  
652 educational facilities construction, the Legislature intends to  
653 encourage the formation of business partnership schools or  
654 satellite learning centers and municipal-operated schools  
655 through charter school status.

656 (b) A charter school-in-the-workplace may be established  
657 when a business partner:

658 1. Provides one of the following:

659 a. Access to a the school facility to be used;

660 b. Resources that materially reduce the cost of  
661 constructing a school facility;

662 c. Land for a school facility; or

663 d. Resources to maintain a school facility;

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664        2. Enrolls students based upon a random lottery that  
665 involves all of the children of employees of that business or  
666 corporation who are seeking enrollment, as provided for in  
667 subsection (11) ~~(10)~~; and

668        3. Enrolls students according to the racial/ethnic balance  
669 provisions described in subparagraph (7)(a)8.

670

671 A charter school-in-the-workplace is eligible for capital outlay  
672 funding under s. 1013.62. Any portion of a facility used for a  
673 public charter school shall be exempt from ad valorem taxes, as  
674 provided for in s. 1013.54, for the duration of its use as a  
675 public school.

676        (c) A charter school-in-a-municipality designation may be  
677 granted to a municipality that possesses a charter; enrolls  
678 students based upon a random lottery that involves all of the  
679 children of the residents of that municipality who are seeking  
680 enrollment, as provided for in subsection (11) ~~(10)~~; and enrolls  
681 students according to the racial/ethnic balance provisions  
682 described in subparagraph (7)(a)8. When a municipality has  
683 submitted charter applications for the establishment of a  
684 charter school feeder pattern, consisting of elementary, middle,  
685 and senior high schools, and each individual charter application  
686 is approved by the district school board, such schools shall  
687 then be designated as one charter school for all purposes listed  
688 pursuant to this section. Any portion of the land and facility  
689 used for a public charter school shall be exempt from ad valorem  
690 taxes, as provided for in s. 1013.54, for the duration of its  
691 use as a public school.

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692 (d) As used in this subsection, the terms "business  
693 partner" or "municipality" may include more than one business or  
694 municipality to form a charter school-in-the-workplace or  
695 charter school-in-a-municipality.

696 ~~(17)~~~~(16)~~ EXEMPTION FROM STATUTES.-

697 (a) A charter school shall operate in accordance with its  
698 charter and shall be exempt from all statutes in chapters 1000-  
699 1013. However, a charter school shall be in compliance with the  
700 following statutes in chapters 1000-1013:

- 701 1. Those statutes specifically applying to charter  
702 schools, including this section.
- 703 2. Those statutes pertaining to the student assessment  
704 program and school grading system.
- 705 3. Those statutes pertaining to the provision of services  
706 to students with disabilities.
- 707 4. Those statutes pertaining to civil rights, including s.  
708 1000.05, relating to discrimination.
- 709 5. Those statutes pertaining to student health, safety,  
710 and welfare.

711 (b) Additionally, a charter school shall be in compliance  
712 with the following statutes:

- 713 1. Section 286.011, relating to public meetings and  
714 records, public inspection, and criminal and civil penalties.
- 715 2. Chapter 119, relating to public records.

716 ~~(18)~~~~(17)~~ FUNDING.-Students enrolled in a charter school,  
717 regardless of the sponsorship, shall be funded as if they are in  
718 a basic program or a special program, the same as students  
719 enrolled in other public schools in the school district. Funding



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720 for a charter lab school shall be as provided in s. 1002.32.

721 (a) Each charter school shall report its student  
722 enrollment to the sponsor as required in s. 1011.62, and in  
723 accordance with the definitions in s. 1011.61. The sponsor shall  
724 include each charter school's enrollment in the district's  
725 report of student enrollment. All charter schools submitting  
726 student record information required by the Department of  
727 Education shall comply with the Department of Education's  
728 guidelines for electronic data formats for such data, and all  
729 districts shall accept electronic data that complies with the  
730 Department of Education's electronic format.

731 (b) The basis for the agreement for funding students  
732 enrolled in a charter school shall be the sum of the school  
733 district's operating funds from the Florida Education Finance  
34 Program as provided in s. 1011.62 and the General Appropriations  
735 Act, including gross state and local funds, discretionary  
736 lottery funds, and funds from the school district's current  
737 operating discretionary millage levy; divided by total funded  
738 weighted full-time equivalent students in the school district;  
739 multiplied by the weighted full-time equivalent students for the  
740 charter school. Charter schools whose students or programs meet  
741 the eligibility criteria in law shall be entitled to their  
742 proportionate share of categorical program funds included in the  
743 total funds available in the Florida Education Finance Program  
744 by the Legislature, including transportation. Total funding for  
745 each charter school shall be recalculated during the year to  
746 reflect the revised calculations under the Florida Education  
747 Finance Program by the state and the actual weighted full-time

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748 equivalent students reported by the charter school during the  
749 full-time equivalent student survey periods designated by the  
750 Commissioner of Education.

751 (c) If the district school board is providing programs or  
752 services to students funded by federal funds, any eligible  
753 students enrolled in charter schools in the school district  
754 shall be provided federal funds for the same level of service  
755 provided students in the schools operated by the district school  
756 board. Pursuant to provisions of 20 U.S.C. 8061 s. 10306, all  
757 charter schools shall receive all federal funding for which the  
758 school is otherwise eligible, including Title I and IDEA  
759 funding, not later than 5 months after the charter school first  
760 opens and within 5 months after any subsequent expansion of  
761 enrollment.

762 (d) Charter schools shall be included by the Department of  
763 Education and the district school board in requests for federal  
764 stimulus funds in the same manner as district school board-  
765 operated public schools, including Title I and IDEA funds and  
766 shall be entitled to receive such funds. Charter schools are  
767 eligible to participate in federal competitive grants that are  
768 available as part of the federal stimulus funds.

769 (e) District school boards shall make timely and efficient  
770 payment and reimbursement to charter schools, including  
771 processing paperwork required to access special state and  
772 federal funding for which they may be eligible. The district  
773 school board may distribute funds to a charter school for up to  
774 3 months based on the projected full-time equivalent student  
775 membership of the charter school. Thereafter, the results of

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776 full-time equivalent student membership surveys shall be used in  
777 adjusting the amount of funds distributed monthly to the charter  
778 school for the remainder of the fiscal year. The payment shall  
779 be issued no later than 10 working days after the district  
780 school board receives a distribution of state or federal funds.  
781 If a warrant for payment is not issued within 10 working days  
782 after receipt of funding by the district school board, the  
783 school district shall pay to the charter school, in addition to  
784 the amount of the scheduled disbursement, interest at a rate of  
785 1 percent per month calculated on a daily basis on the unpaid  
786 balance from the expiration of the 10 working days until such  
787 time as the warrant is issued.

788 (19)~~(18)~~ FACILITIES.-

789 (a) A startup charter school shall utilize facilities  
90 which comply with the Florida Building Code pursuant to chapter  
791 553 except for the State Requirements for Educational  
792 Facilities. Conversion charter schools shall utilize facilities  
793 that comply with the State Requirements for Educational  
794 Facilities provided that the school district and the charter  
795 school have entered into a mutual management plan for the  
796 reasonable maintenance of such facilities. The mutual management  
797 plan shall contain a provision by which the district school  
798 board agrees to maintain charter school facilities in the same  
799 manner as its other public schools within the district. Charter  
800 schools, with the exception of conversion charter schools, are  
801 not required to comply, but may choose to comply, with the State  
802 Requirements for Educational Facilities of the Florida Building  
803 Code adopted pursuant to s. 1013.37. The local governing

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804 authority shall not adopt or impose local building requirements  
805 or restrictions that are more stringent than those found in the  
806 Florida Building Code. The agency having jurisdiction for  
807 inspection of a facility and issuance of a certificate of  
808 occupancy shall be the local municipality or, if in an  
809 unincorporated area, the county governing authority. The school  
810 district shall not impose any restrictions that are more  
811 stringent than those of the agency having jurisdiction.

812 (b) A charter school shall utilize facilities that comply  
813 with the Florida Fire Prevention Code, pursuant to s. 633.025,  
814 as adopted by the authority in whose jurisdiction the facility  
815 is located as provided in paragraph (a).

816 (c) Any facility, or portion thereof, used to house a  
817 charter school whose charter has been approved by the sponsor  
818 and the governing board, pursuant to subsection (7), shall be  
819 exempt from ad valorem taxes pursuant to s. 196.1983. Library,  
820 community service, museum, performing arts, theatre, cinema,  
821 church, community college, college, and university facilities  
822 may provide space to charter schools within their facilities  
823 under their preexisting zoning and land use designations.

824 (d) Charter school facilities are exempt from assessments  
825 of fees for building permits, except as provided in s. 553.80,  
826 fees for building and occupational licenses, impact fees or  
827 exactions under s. 163.3180(13)(e)2., service availability fees,  
828 and assessments for special benefits.

829 (e) If a district school board facility or property is  
830 available because it is surplus, marked for disposal, or  
831 otherwise unused, it shall be provided for a charter school's

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832 use on the same basis as it is made available to other public  
833 schools in the district.. A charter school receiving property  
834 from the school district may not sell or dispose of such  
835 property without written permission of the school district.  
836 Similarly, for an existing public school converting to charter  
837 status, no rental or leasing fee for the existing facility or  
838 for the property normally inventoried to the conversion school  
839 may be charged by the district school board to the parents and  
840 teachers organizing the charter school. The charter school shall  
841 agree to reasonable maintenance provisions in order to maintain  
842 the facility in a manner similar to district school board  
843 standards. The Public Education Capital Outlay maintenance funds  
844 or any other maintenance funds generated by the facility  
845 operated as a conversion school shall remain with the conversion  
846 school.

847 (f) To the extent that charter school facilities are  
848 specifically created to mitigate the educational impact created  
849 by the development of new residential dwelling units, pursuant  
850 to subparagraph (2)(c)4., some of or all of the educational  
851 impact fees required to be paid in connection with the new  
852 residential dwelling units may be designated instead for the  
853 construction of the charter school facilities that will mitigate  
854 the student station impact. Such facilities shall be built to  
855 the State Requirements for Educational Facilities and shall be  
856 owned by a public or nonprofit entity. The local school district  
857 retains the right to monitor and inspect such facilities to  
858 ensure compliance with the State Requirements for Educational  
859 Facilities. If a facility ceases to be used for public

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860 educational purposes, either the facility shall revert to the  
861 school district subject to any debt owed on the facility, or the  
862 owner of the facility shall have the option to refund all  
863 educational impact fees utilized for the facility to the school  
864 district. The district and the owner of the facility may  
865 contractually agree to another arrangement for the facilities if  
866 the facilities cease to be used for educational purposes. The  
867 owner of property planned or approved for new residential  
868 dwelling units and the entity levying educational impact fees  
869 shall enter into an agreement that designates the educational  
870 impact fees that will be allocated for the charter school  
871 student stations and that ensures the timely construction of the  
872 charter school student stations concurrent with the expected  
873 occupancy of the residential units. The application for use of  
874 educational impact fees shall include an approved charter school  
875 application. To assist the school district in forecasting  
876 student station needs, the entity levying the impact fees shall  
877 notify the affected district of any agreements it has approved  
878 for the purpose of mitigating student station impact from the  
879 new residential dwelling units.

880 (g) Each school district shall annually provide to the  
881 Department of Education as part of its 5-year work plan the  
882 number of existing vacant classrooms in each school that the  
883 district does not intend to use or does not project will be  
884 needed for educational purposes for the following school year.  
885 The department may recommend that a district make such space  
886 available to an appropriate charter school.

887 ~~(20)~~(19) CAPITAL OUTLAY FUNDING.—Charter schools are

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888 eligible for capital outlay funds pursuant to s. 1013.62.

889 ~~(21)~~(20) SERVICES.—

890 (a) A sponsor shall provide certain administrative and  
891 educational services to charter schools. These services shall  
892 include contract management services; full-time equivalent and  
893 data reporting services; exceptional student education  
894 administration services; services related to eligibility and  
895 reporting duties required to ensure that school lunch services  
896 under the federal lunch program, consistent with the needs of  
897 the charter school, are provided by the school district at the  
898 request of the charter school, that any funds due to the charter  
899 school under the federal lunch program be paid to the charter  
900 school as soon as the charter school begins serving food under  
901 the federal lunch program, and that the charter school is paid  
902 at the same time and in the same manner under the federal lunch  
903 program as other public schools serviced by the sponsor or the  
904 school district; test administration services, including payment  
905 of the costs of state-required or district-required student  
906 assessments; processing of teacher certificate data services;  
907 and information services, including equal access to student  
908 information systems that are used by public schools in the  
909 district in which the charter school is located. Student  
910 performance data for each student in a charter school,  
911 including, but not limited to, FCAT scores, standardized test  
912 scores, previous public school student report cards, and student  
913 performance measures, shall be provided by the sponsor to a  
914 charter school in the same manner provided to other public  
915 schools in the district. A total administrative fee for the

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916 provision of such services shall be calculated based upon up to  
917 5 percent of the available funds defined in paragraph  
918 ~~(18)~~(17)(b) for all students. However, a sponsor may only  
919 withhold up to a 5-percent administrative fee for enrollment for  
920 up to and including 500 students. For charter schools with a  
921 population of 501 or more students, the difference between the  
922 total administrative fee calculation and the amount of the  
923 administrative fee withheld may only be used for capital outlay  
924 purposes specified in s. 1013.62(2). Each charter school shall  
925 receive 100 percent of the funds awarded to that school pursuant  
926 to s. 1012.225. Sponsors shall not charge charter schools any  
927 additional fees or surcharges for administrative and educational  
928 services in addition to the maximum 5-percent administrative fee  
929 withheld pursuant to this paragraph.

930 (b) If goods and services are made available to the  
931 charter school through the contract with the school district,  
932 they shall be provided to the charter school at a rate no  
933 greater than the district's actual cost unless mutually agreed  
934 upon by the charter school and the sponsor in a contract  
935 negotiated separately from the charter. When mediation has  
936 failed to resolve disputes over contracted services or  
937 contractual matters not included in the charter, an appeal may  
938 be made for a dispute resolution hearing before the Charter  
939 School Appeal Commission. To maximize the use of state funds,  
940 school districts shall allow charter schools to participate in  
941 the sponsor's bulk purchasing program if applicable.

942 (c) Transportation of charter school students shall be  
943 provided by the charter school consistent with the requirements



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944 of subpart I.E. of chapter 1006 and s. 1012.45. The governing  
945 body of the charter school may provide transportation through an  
946 agreement or contract with the district school board, a private  
947 provider, or parents. The charter school and the sponsor shall  
948 cooperate in making arrangements that ensure that transportation  
949 is not a barrier to equal access for all students residing  
950 within a reasonable distance of the charter school as determined  
951 in its charter.

952 ~~(22)~~~~(21)~~ PUBLIC INFORMATION ON CHARTER SCHOOLS.—

953 (a) The Department of Education shall provide information  
954 to the public, directly and through sponsors, on how to form and  
955 operate a charter school and how to enroll in a charter school  
956 once it is created. This information shall include a standard  
957 application format, charter format, evaluation instrument, and  
958 charter renewal format, which shall include the information  
959 specified in subsection (7) and shall be developed by consulting  
960 and negotiating with both school districts and charter schools  
961 before implementation. The charter and charter renewal formats  
962 shall be used by charter school sponsors.

963 (b)1. The Department of Education shall report student  
964 assessment data pursuant to s. 1008.34(3)(c) which is reported  
965 to schools that receive a school grade or student assessment  
966 data pursuant to s. 1008.341(3) which is reported to alternative  
967 schools that receive a school improvement rating to each charter  
968 school that:

- 969 a. Does not receive a school grade pursuant to s. 1008.34  
970 or a school improvement rating pursuant to s. 1008.341; and  
971 b. Serves at least 10 students who are tested on the

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972 statewide assessment test pursuant to s. 1008.22.

973 ~~2. The charter school shall report the information in~~  
974 ~~subparagraph 1. to each parent of a student at the charter~~  
975 ~~school, the parent of a child on a waiting list for the charter~~  
976 ~~school, the district in which the charter school is located, and~~  
977 ~~the governing board of the charter school. This paragraph does~~  
978 ~~not abrogate the provisions of s. 1002.22, relating to student~~  
979 ~~records, or the requirements of 20 U.S.C. s. 1232g, the Family~~  
980 ~~Educational Rights and Privacy Act.~~

981 2.3-a. Pursuant to this paragraph, the Department of  
982 Education shall compare the charter school student performance  
983 data for each charter school in subparagraph 1. with the student  
984 performance data in traditional public schools in the district  
985 in which the charter school is located and other charter schools  
986 in the state. For alternative charter schools, the department  
987 shall compare the student performance data described in this  
988 paragraph with all alternative schools in the state. The  
989 comparative data shall be provided by the following grade  
990 groupings:

- 991 (I) Grades 3 through 5;  
992 (II) Grades 6 through 8; and  
993 (III) Grades 9 through 11.

994 b. Each charter school shall provide the information  
995 specified in this paragraph on its Internet website and also  
996 provide notice to the public at large in a manner provided by  
997 the rules of the State Board of Education. The State Board of  
998 Education shall adopt rules to administer the notice  
999 requirements of this subparagraph pursuant to ss. 120.536(1) and

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1000 120.54. The website shall include, through links or actual  
1001 content, other information related to school performance.

1002 ~~(23)~~~~(22)~~ CHARTER SCHOOL REVIEW PANEL AND LEGISLATIVE  
1003 REVIEW.—

1004 (a) The Department of Education shall staff and regularly  
1005 convene a Charter School Review Panel in order to review issues,  
1006 practices, and policies regarding charter schools. The  
1007 composition of the review panel shall include individuals with  
1008 experience in finance, administration, law, education, and  
1009 school governance, and individuals familiar with charter school  
1010 construction and operation. The panel shall include two  
1011 appointees each from the Commissioner of Education, the  
1012 President of the Senate, and the Speaker of the House of  
1013 Representatives. The Governor shall appoint three members of the  
1014 panel and shall designate the chair. Each member of the panel  
1015 shall serve a 1-year term, unless renewed by the office making  
1016 the appointment. The panel shall make recommendations to the  
1017 Legislature, to the Department of Education, to charter schools,  
1018 and to school districts for improving charter school operations  
1019 and oversight and for ensuring best business practices at and  
1020 fair business relationships with charter schools.

1021 (b) The Legislature shall review the operation of charter  
1022 schools during the 2010 Regular Session of the Legislature.

1023 ~~(24)~~~~(23)~~ ANALYSIS OF CHARTER SCHOOL PERFORMANCE.—Upon  
1024 receipt of the annual report required by paragraph ~~(10)~~~~(9)~~(k),  
1025 the Department of Education shall provide to the State Board of  
1026 Education, the Commissioner of Education, the Governor, the  
1027 President of the Senate, and the Speaker of the House of

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1028 Representatives an analysis and comparison of the overall  
1029 performance of charter school students, to include all students  
1030 whose scores are counted as part of the statewide assessment  
1031 program, versus comparable public school students in the  
1032 district as determined by the statewide assessment program  
1033 currently administered in the school district, and other  
1034 assessments administered pursuant to s. 1008.22(3).

1035 ~~(25)~~(24) RESTRICTION ON EMPLOYMENT OF RELATIVES.-

1036 (a) This subsection applies to charter school personnel in  
1037 a charter school operated by a private entity. As used in this  
1038 subsection, the term:

1039 1. "Charter school personnel" means a charter school  
1040 owner, president, chairperson of the governing board of  
1041 directors, superintendent, governing board member, principal,  
1042 assistant principal, or any other person employed by the charter  
1043 school who has equivalent decisionmaking authority and in whom  
1044 is vested the authority, or to whom the authority has been  
1045 delegated, to appoint, employ, promote, or advance individuals  
1046 or to recommend individuals for appointment, employment,  
1047 promotion, or advancement in connection with employment in a  
1048 charter school, including the authority as a member of a  
1049 governing body of a charter school to vote on the appointment,  
1050 employment, promotion, or advancement of individuals.

1051 2. "Relative" means father, mother, son, daughter,  
1052 brother, sister, uncle, aunt, first cousin, nephew, niece,  
1053 husband, wife, father-in-law, mother-in-law, son-in-law,  
1054 daughter-in-law, brother-in-law, sister-in-law, stepfather,  
1055 stepmother, stepson, stepdaughter, stepbrother, stepsister, half

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1056 brother, or half sister.

1057 (b) 1. Charter school personnel may not knowingly recommend  
1058 or engage in the appoint, employ, promote, or advance, or  
1059 advocate for appointment, employment, promotion, or assignment  
1060 of an individual or employee to a work location if that action  
1061 will create a situation in which one employee will be  
1062 responsible for the direct supervision of, or exercise  
1063 advancement, in or to a position in the charter school in which  
1064 the personnel are serving or over which the personnel exercises  
1065 jurisdiction or control over, another employee any individual  
1066 who is a relative. The Commissioner of Education or the sponsor  
1067 may make exceptions to this paragraph if such personnel actions  
1068 would cause undue hardship on students or seriously disrupt a  
1069 charter school's operations.

1070 2. This paragraph does not prohibit the employment of  
1071 relatives in the same work location if neither person is  
1072 directly supervised by the other. An individual may not be  
1073 appointed, employed, promoted, or advanced in or to a position  
1074 in a charter school if such appointment, employment, promotion,  
1075 or advancement has been advocated by charter school personnel  
1076 who serve in or exercise jurisdiction or control over the  
1077 charter school and who is a relative of the individual or if  
1078 such appointment, employment, promotion, or advancement is made  
1079 by the governing board of which a relative of the individual is  
1080 a member.

1081 (c) The approval of budgets does not constitute  
1082 "jurisdiction or control" for the purposes of this subsection.

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1084 Charter school personnel in schools operated by a municipality  
1085 or other public entity are subject to s. 112.3135.

1086 ~~(26)~~(25) STANDARDS OF CONDUCT AND FINANCIAL DISCLOSURE.—

1087 (a) A member of a governing board of a charter school,  
1088 including a charter school operated by a private entity, is  
1089 subject to ss. 112.313(2), (3), (7), and (12) and 112.3143(3).

1090 (b) A member of a governing board of a charter school  
1091 operated by a municipality or other public entity is subject to  
1092 s. 112.3145 ~~112.3144~~, which relates to the disclosure of  
1093 financial interests.

1094 ~~(27)~~(26) RULEMAKING.—The Department of Education, after  
1095 consultation with school districts and charter school directors,  
1096 shall recommend that the State Board of Education adopt rules to  
1097 implement specific subsections of this section. Such rules shall  
1098 require minimum paperwork and shall not limit charter school  
1099 flexibility authorized by statute. The State Board of Education  
1100 shall adopt rules, pursuant to ss. 120.536(1) and 120.54, to  
1101 implement a charter model application form, evaluation  
1102 instrument, and charter and charter renewal formats in  
1103 accordance with this section.

1104 Section 2. Paragraph (e) of subsection (1) and subsections  
1105 (2) and (3) of section 1013.62, Florida Statutes, are amended to  
1106 read:

1107 1013.62 Charter schools capital outlay funding.—

1108 (1) In each year in which funds are appropriated for  
1109 charter school capital outlay purposes, the Commissioner of  
1110 Education shall allocate the funds among eligible charter  
1111 schools.

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1112 (e) Unless otherwise provided in the General  
1113 Appropriations Act, the funding allocation for each eligible  
1114 charter school is determined by multiplying the school's  
1115 projected student enrollment by one-fifteenth of the cost-per-  
1116 student station specified in s. 1013.64(6)(b) for an elementary,  
1117 middle, or high school, as appropriate. If the funds  
1118 appropriated are not sufficient, the commissioner shall prorate  
1119 the available funds among eligible charter schools. However, a  
1120 charter school or charter lab school may not receive state  
1121 charter school capital outlay funds greater than the one-  
1122 fifteenth cost per student station formula if the charter  
1123 school's combination of state charter school capital outlay  
1124 funds, capital outlay funds calculated through the reduction in  
1125 the administrative fee provided in s. 1002.33(21)~~(20)~~, and  
1126 capital outlay funds allowed in s. 1002.32(9)(e) and (h) exceeds  
1127 the one-fifteenth cost per student station formula.

1128 (2) A charter school's governing body may use charter  
1129 school capital outlay funds for the following purposes:

1130 (a) Purchase of real property.

1131 (b) Construction of school facilities.

1132 (c) Purchase, lease-purchase, or lease of permanent or  
1133 relocatable school facilities.

1134 (d) Purchase of vehicles to transport students to and from  
1135 the charter school.

1136 (e) Renovation, repair, and maintenance of school  
1137 facilities that the charter school owns or is purchasing through  
1138 a lease-purchase or long-term lease of 5 years or longer.

1139 (f) Effective July 1, 2008, purchase, lease-purchase, or

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1140 lease of new and replacement equipment, and enterprise resource  
1141 software applications that are classified as capital assets in  
1142 accordance with definitions of the Governmental Accounting  
1143 Standards Board, have a useful life of at least 5 years, and are  
1144 used to support schoolwide administration or state-mandated  
1145 reporting requirements.

1146 (g) Payment of the cost of premiums for property and  
1147 casualty insurance necessary to insure the school facilities.

1148 (h) Purchase, lease-purchase, or lease of driver's  
1149 education vehicles; motor vehicles used for the maintenance or  
1150 operation of plants and equipment; security vehicles; or  
1151 vehicles used in storing or distributing materials and  
1152 equipment.

1153 (i) Purchase of computer software, hardware, and network  
1154 systems.

1155 (j) Purchase of furniture and equipment.

1156

1157 Conversion charter schools may use capital outlay funds received  
1158 through the reduction in the administrative fee provided in s.  
1159 1002.33~~(21)~~~~(20)~~ for renovation, repair, and maintenance of  
1160 school facilities that are owned by the sponsor.

1161 (3) When a charter school is nonrenewed or terminated, any  
1162 unencumbered funds and all equipment and property purchased with  
1163 district public funds shall revert to the ownership of the  
1164 district school board, as provided for in s. 1002.33~~(9)~~~~(8)~~(e)  
1165 and (f). In the case of a charter lab school, any unencumbered  
1166 funds and all equipment and property purchased with university  
1167 public funds shall revert to the ownership of the state



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1168 university that issued the charter. The reversion of such  
1169 equipment, property, and furnishings shall focus on recoverable  
1170 assets, but not on intangible or irrecoverable costs such as  
1171 rental or leasing fees, normal maintenance, and limited  
1172 renovations. The reversion of all property secured with public  
1173 funds is subject to the complete satisfaction of all lawful  
1174 liens or encumbrances. If there are additional local issues such  
1175 as the shared use of facilities or partial ownership of  
1176 facilities or property, these issues shall be agreed to in the  
1177 charter contract prior to the expenditure of funds.

1178 Section 3. Paragraph (e) of subsection (13) of section  
1179 163.3180, Florida Statutes, is amended to read:

1180 163.3180 Concurrency.—

1181 (13) School concurrency shall be established on a  
1182 districtwide basis and shall include all public schools in the  
1183 district and all portions of the district, whether located in a  
1184 municipality or an unincorporated area unless exempt from the  
1185 public school facilities element pursuant to s. 163.3177(12).  
1186 The application of school concurrency to development shall be  
1187 based upon the adopted comprehensive plan, as amended. All local  
1188 governments within a county, except as provided in paragraph  
1189 (f), shall adopt and transmit to the state land planning agency  
1190 the necessary plan amendments, along with the interlocal  
1191 agreement, for a compliance review pursuant to s. 163.3184(7)  
1192 and (8). The minimum requirements for school concurrency are the  
1193 following:

1194 (e) Availability standard.—Consistent with the public  
1195 welfare, a local government may not deny an application for site

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1196 plan, final subdivision approval, or the functional equivalent  
1197 for a development or phase of a development authorizing  
1198 residential development for failure to achieve and maintain the  
1199 level-of-service standard for public school capacity in a local  
1200 school concurrency management system where adequate school  
1201 facilities will be in place or under actual construction within  
1202 3 years after the issuance of final subdivision or site plan  
1203 approval, or the functional equivalent. School concurrency is  
1204 satisfied if the developer executes a legally binding commitment  
1205 to provide mitigation proportionate to the demand for public  
1206 school facilities to be created by actual development of the  
1207 property, including, but not limited to, the options described  
1208 in subparagraph 1. Options for proportionate-share mitigation of  
1209 impacts on public school facilities must be established in the  
1210 public school facilities element and the interlocal agreement  
1211 pursuant to s. 163.31777.

1212 1. Appropriate mitigation options include the contribution  
1213 of land; the construction, expansion, or payment for land  
1214 acquisition or construction of a public school facility; the  
1215 construction of a charter school that complies with the  
1216 requirements of s. 1002.33(19)~~(18)~~; or the creation of  
1217 mitigation banking based on the construction of a public school  
1218 facility in exchange for the right to sell capacity credits.  
1219 Such options must include execution by the applicant and the  
1220 local government of a development agreement that constitutes a  
1221 legally binding commitment to pay proportionate-share mitigation  
1222 for the additional residential units approved by the local  
1223 government in a development order and actually developed on the

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1224 property, taking into account residential density allowed on the  
1225 property prior to the plan amendment that increased the overall  
1226 residential density. The district school board must be a party  
1227 to such an agreement. As a condition of its entry into such a  
1228 development agreement, the local government may require the  
1229 landowner to agree to continuing renewal of the agreement upon  
1230 its expiration.

1231 2. If the education facilities plan and the public  
1232 educational facilities element authorize a contribution of land;  
1233 the construction, expansion, or payment for land acquisition;  
1234 the construction or expansion of a public school facility, or a  
1235 portion thereof; or the construction of a charter school that  
1236 complies with the requirements of s. 1002.33(19)~~(18)~~, as  
1237 proportionate-share mitigation, the local government shall  
1238 credit such a contribution, construction, expansion, or payment  
1239 toward any other impact fee or exaction imposed by local  
1240 ordinance for the same need, on a dollar-for-dollar basis at  
1241 fair market value.

1242 3. Any proportionate-share mitigation must be directed by  
1243 the school board toward a school capacity improvement identified  
1244 in a financially feasible 5-year district work plan that  
1245 satisfies the demands created by the development in accordance  
1246 with a binding developer's agreement.

1247 4. If a development is precluded from commencing because  
1248 there is inadequate classroom capacity to mitigate the impacts  
1249 of the development, the development may nevertheless commence if  
1250 there are accelerated facilities in an approved capital  
1251 improvement element scheduled for construction in year four or

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1252 later of such plan which, when built, will mitigate the proposed  
1253 development, or if such accelerated facilities will be in the  
1254 next annual update of the capital facilities element, the  
1255 developer enters into a binding, financially guaranteed  
1256 agreement with the school district to construct an accelerated  
1257 facility within the first 3 years of an approved capital  
1258 improvement plan, and the cost of the school facility is equal  
1259 to or greater than the development's proportionate share. When  
1260 the completed school facility is conveyed to the school  
1261 district, the developer shall receive impact fee credits usable  
1262 within the zone where the facility is constructed or any  
1263 attendance zone contiguous with or adjacent to the zone where  
1264 the facility is constructed.

1265 5. This paragraph does not limit the authority of a local  
1266 government to deny a development permit or its functional  
1267 equivalent pursuant to its home rule regulatory powers, except  
1268 as provided in this part.

1269 Section 4. Paragraph (c) of subsection (9) of section  
1270 1002.32, Florida Statutes, is amended to read:

1271 1002.32 Developmental research (laboratory) schools.—

1272 (9) FUNDING.—Funding for a lab school, including a charter  
1273 lab school, shall be provided as follows:

1274 (c) All operating funds provided under this section shall  
1275 be deposited in a Lab School Trust Fund and shall be expended  
1276 for the purposes of this section. The university assigned a lab  
1277 school shall be the fiscal agent for these funds, and all rules  
1278 of the university governing the budgeting and expenditure of  
1279 state funds shall apply to these funds unless otherwise provided

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1280 by law or rule of the State Board of Education. The university  
1281 board of trustees shall be the public employer of lab school  
1282 personnel for collective bargaining purposes for lab schools in  
1283 operation prior to the 2002-2003 fiscal year. Employees of  
1284 charter lab schools authorized prior to June 1, 2003, but not in  
1285 operation prior to the 2002-2003 fiscal year shall be employees  
1286 of the entity holding the charter and must comply with the  
1287 provisions of s. 1002.33(13)~~(12)~~.

1288 Section 5. Paragraph (c) of subsection (10) and subsection  
1289 (13) of section 1002.34, Florida Statutes, are amended to read:

1290 1002.34 Charter technical career centers.—

1291 (10) EXEMPTION FROM STATUTES.—

1292 (c) A center must comply with the antidiscrimination  
1293 provisions in s. 1000.05 and the provisions in s.

1294 1002.33(25)~~(24)~~ which relate to the employment of relatives.

1295 (13) BOARD OF DIRECTORS AUTHORITY.—The board of directors  
1296 of a center may decide matters relating to the operation of the  
1297 school, including budgeting, curriculum, and operating  
1298 procedures, subject to the center's charter. The board of  
1299 directors is responsible for performing the duties provided in  
1300 s. 1002.345, including monitoring the corrective action plan.  
1301 The board of directors must comply with s. 1002.33(26)~~(25)~~.

1302 Section 6. Paragraphs (a) and (d) of subsection (1),  
1303 paragraph (b) of subsection (2), and subsection (6) of section  
1304 1002.345, Florida Statutes, are amended to read:

1305 1002.345 Determination of deteriorating financial  
1306 conditions and financial emergencies for charter schools and  
1307 charter technical career centers.—This section applies to

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1308 charter schools operating pursuant to s. 1002.33 and to charter  
1309 technical career centers operating pursuant to s. 1002.34.

1310 (1) EXPEDITED REVIEW; REQUIREMENTS.—

1311 (a) A charter school or a charter technical career center  
1312 is subject to an expedited review by the sponsor if one of the  
1313 following occurs:

1314 1. Failure to provide for an audit required by s. 218.39.

1315 2. Failure to comply with reporting requirements pursuant  
1316 to s. 1002.33(10)~~(9)~~ or s. 1002.34(11)(f) or (14).

1317 3. A deteriorating financial condition identified through  
1318 an annual audit pursuant to s. 218.39(5) or a ~~monthly~~ financial  
1319 statement pursuant to s. 1002.33(10)~~(9)~~(g) or s. 1002.34(11)(f).

1320 "Deteriorating financial condition" means a circumstance that  
1321 significantly impairs the ability of a charter school or a  
1322 charter technical career center to generate enough revenues to  
1323 meet its expenditures without causing the occurrence of a  
1324 condition described in s. 218.503(1).

1325 4. Notification pursuant to s. 218.503(2) that one or more  
1326 of the conditions specified in s. 218.503(1) have occurred or  
1327 will occur if action is not taken to assist the charter school  
1328 or charter technical career center.

1329 (d) The governing board shall include the corrective  
1330 action plan and the status of its implementation in the annual  
1331 progress report to the sponsor which is required pursuant to s.  
1332 1002.33(10)~~(9)~~(k) or s. 1002.34(14).

1333 (2) FINANCIAL EMERGENCY; REQUIREMENTS.—

1334 (b) The governing board shall include the financial  
1335 recovery plan and the status of its implementation in the annual

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1336 progress report to the sponsor which is required under s.  
1337 1002.33~~(10)~~~~(9)~~(k) or s. 1002.34(14).

1338 (6) FAILURE TO CORRECT DEFICIENCIES.—The sponsor may  
1339 decide not to renew or may terminate a charter if the charter  
1340 school or charter technical career center fails to correct the  
1341 deficiencies noted in the corrective action plan within 1 year  
1342 after being notified of the deficiencies or exhibits one or more  
1343 financial emergency conditions specified in s. 218.503 for 2  
1344 consecutive years. This subsection does not affect a sponsor's  
1345 authority to terminate or not renew a charter pursuant to s.  
1346 1002.33~~(9)~~~~(8)~~.

1347 Section 7. Section 1011.68, Florida Statutes, is amended  
1348 to read:

1349 1011.68 Funds for student transportation.—The annual  
1350 allocation to each district for transportation to public school  
1351 programs, including charter schools as provided in s.  
1352 1002.33~~(18)~~~~(17)~~(b), of students in membership in kindergarten  
1353 through grade 12 and in migrant and exceptional student programs  
1354 below kindergarten shall be determined as follows:

1355 (1) Subject to the rules of the State Board of Education,  
1356 each district shall determine the membership of students who are  
1357 transported:

1358 (a) By reason of living 2 miles or more from school.

1359 (b) By reason of being students with disabilities or  
1360 enrolled in a teenage parent program, regardless of distance to  
1361 school.

1362 (c) By reason of being in a state prekindergarten program,  
1363 regardless of distance from school.

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1364 (d) By reason of being career, dual enrollment, or  
1365 students with disabilities transported from one school center to  
1366 another to participate in an instructional program or service;  
1367 or students with disabilities, transported from one designation  
1368 to another in the state, provided one designation is a school  
1369 center and provided the student's individual educational plan  
1370 (IEP) identifies the need for the instructional program or  
1371 service and transportation to be provided by the school  
1372 district. A "school center" is defined as a public school  
1373 center, community college, state university, or other facility  
1374 rented, leased, or owned and operated by the school district or  
1375 another public agency. A "dual enrollment student" is defined as  
1376 a public school student in membership in both a public secondary  
1377 school program and a community college or a state university  
1378 program under a written agreement to partially fulfill ss.  
1379 1003.435 and 1007.23 and earning full-time equivalent membership  
1380 under s. 1011.62(1)(i).

1381 (e) With respect to elementary school students whose grade  
1382 level does not exceed grade 6, by reason of being subjected to  
1383 hazardous walking conditions en route to or from school as  
1384 provided in s. 1006.23. Such rules shall, when appropriate,  
1385 provide for the determination of membership under this paragraph  
1386 for less than 1 year to accommodate the needs of students who  
1387 require transportation only until such hazardous conditions are  
1388 corrected.

1389 (f) By reason of being a pregnant student or student  
1390 parent, and the child of a student parent as provided in s.  
1391 1003.54, regardless of distance from school.



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1392 (2) The allocation for each district shall be calculated  
1393 annually in accordance with the following formula:  
1394  $T = B + EX$ . The elements of this formula are defined as follows:  
1395 T is the total dollar allocation for transportation. B is the  
1396 base transportation dollar allocation prorated by an adjusted  
1397 student membership count. The adjusted membership count shall be  
1398 derived from a multiplicative index function in which the base  
1399 student membership is adjusted by multiplying it by index  
1400 numbers that individually account for the impact of the price  
1401 level index, average bus occupancy, and the extent of rural  
1402 population in the district. EX is the base transportation dollar  
1403 allocation for disabled students prorated by an adjusted  
1404 disabled student membership count. The base transportation  
1405 dollar allocation for disabled students is the total state base  
1406 disabled student membership count weighted for increased costs  
1407 associated with transporting disabled students and multiplying  
1408 it by the prior year's average per student cost for  
1409 transportation. The adjusted disabled student membership count  
1410 shall be derived from a multiplicative index function in which  
1411 the weighted base disabled student membership is adjusted by  
1412 multiplying it by index numbers that individually account for  
1413 the impact of the price level index, average bus occupancy, and  
1414 the extent of rural population in the district. Each adjustment  
1415 factor shall be designed to affect the base allocation by no  
1416 more or less than 10 percent.

1417 (3) The total allocation to each district for  
1418 transportation of students shall be the sum of the amounts  
1419 determined in subsection (2). If the funds appropriated for the

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1420 purpose of implementing this section are not sufficient to pay  
1421 the base transportation allocation and the base transportation  
1422 allocation for disabled students, the Department of Education  
1423 shall prorate the available funds on a percentage basis. If the  
1424 funds appropriated for the purpose of implementing this section  
1425 exceed the sum of the base transportation allocation and the  
1426 base transportation allocation for disabled students, the base  
1427 transportation allocation for disabled students shall be limited  
1428 to the amount calculated in subsection (2), and the remaining  
1429 balance shall be added to the base transportation allocation.

1430 (4) No district shall use funds to purchase transportation  
1431 equipment and supplies at prices which exceed those determined  
1432 by the department to be the lowest which can be obtained, as  
1433 prescribed in s. 1006.27(1).

1434 (5) Funds allocated or apportioned for the payment of  
1435 student transportation services may be used to pay for  
1436 transportation of students to and from school on local general  
1437 purpose transportation systems. Student transportation funds may  
1438 also be used to pay for transportation of students to and from  
1439 school in private passenger cars and boats when the  
1440 transportation is for isolated students, or students with  
1441 disabilities as defined by rule. Subject to the rules of the  
1442 State Board of Education, each school district shall determine  
1443 and report the number of assigned students using general purpose  
1444 transportation private passenger cars and boats. The allocation  
1445 per student must be equal to the allocation per student riding a  
1446 school bus.

1447 (6) Notwithstanding other provisions of this section, in

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1448 no case shall any student or students be counted for  
1449 transportation funding more than once per day. This provision  
1450 includes counting students for funding pursuant to trips in  
1451 school buses, passenger cars, or boats or general purpose  
1452 transportation.

1453 Section 8. Paragraph (b) of subsection (2) of section  
1454 1012.32, Florida Statutes, is amended to read:

1455 1012.32 Qualifications of personnel.-

1456 (2)

1457 (b) Instructional and noninstructional personnel who are  
1458 hired or contracted to fill positions in any charter school and  
1459 members of the governing board of any charter school, in  
1460 compliance with s. 1002.33(13)~~(12)~~(g); must, upon employment,  
1461 engagement of services, or appointment, undergo background  
1462 screening as required under s. 1012.465 or s. 1012.56, whichever  
1463 is applicable, by filing with the district school board for the  
1464 school district in which the charter school is located a  
1465 complete set of fingerprints taken by an authorized law  
1466 enforcement agency or an employee of the school or school  
1467 district who is trained to take fingerprints.

1468

1469 Fingerprints shall be submitted to the Department of Law  
1470 Enforcement for statewide criminal and juvenile records checks  
1471 and to the Federal Bureau of Investigation for federal criminal  
1472 records checks. A person subject to this subsection who is found  
1473 ineligible for employment under s. 1012.315, or otherwise found  
1474 through background screening to have been convicted of any crime  
1475 involving moral turpitude as defined by rule of the State Board

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1476 of Education, shall not be employed, engaged to provide  
1477 services, or serve in any position that requires direct contact  
1478 with students. Probationary persons subject to this subsection  
1479 terminated because of their criminal record have the right to  
1480 appeal such decisions. The cost of the background screening may  
1481 be borne by the district school board, the charter school, the  
1482 employee, the contractor, or a person subject to this  
1483 subsection.

1484 Section 9. (1) The Office of Program Policy Analysis and  
1485 Government Accountability (OPPAGA) shall conduct a study  
1486 comparing the funding of charter schools with traditional public  
1487 schools and shall:

1488 (a) Identify the school districts that distribute funds  
1489 generated by the capital improvement millage authorized pursuant  
1490 to s. 1011.71(2), Florida Statutes, to charter schools and the  
1491 use of such funds by the charter schools.

1492 (b) Determine the amount of funds that would be available  
1493 to charter schools if school districts equitably distribute to  
1494 district schools, including charter schools, funds generated by  
1495 the capital improvement millage authorized pursuant to s.  
1496 1011.71(2), Florida Statutes.

1497 (c) Examine the costs associated with supervising charter  
1498 schools and determine if the 5-percent administrative fee for  
1499 administrative and educational services for charter schools  
1500 covers the costs associated with the provision of the services.

1501 (2) OPPAGA shall make recommendations, if warranted, for  
1502 improving the accountability and equity of the funding system  
1503 for charter schools based on the findings of the study. The

Amendment No. 01

1504 results of the study shall be provided to the Governor, the  
1505 President of the Senate, and the Speaker of the House of  
1506 Representatives no later than January 1, 2011.

1507 Section 10. This act shall take effect July 1, 2010.  
1508  
1509

1510 -----

1511 **T I T L E A M E N D M E N T**

1512 Remove the entire title and insert:

1513 A bill to be entitled

1514 An act relating to charter schools; amending s. 1002.33, F.S.;

1515 correcting cross-references to high school graduation

1516 requirements; providing eligibility requirements for designation

1517 as a high-performing charter school; providing that a high-

1518 performing charter school is entitled to certain renewal,

1519 increase in enrollment, startup grants, capital outlay funds,

1520 and application procedures; revising requirements for providing

1521 financial statements to a sponsor; deleting obsolete provisions;

1522 revising requirements for the establishment of a charter school-

1523 in-the-workplace; providing that a charter school-in-the-

1524 workplace is eligible for capital outlay funding; providing that

1525 charter schools shall receive certain federal funding for which

1526 they are eligible; prohibiting a school district from imposing

1527 certain restrictions relating to charter school facilities;

1528 providing for an exemption from certain exactions; removing a

1529 reporting requirement relating to student assessment data;

1530 revising restrictions on the employment of relatives by charter

1531 school personnel; providing an exception; correcting a cross-

COUNCIL/COMMITTEE AMENDMENT

Bill No. HB 1569 (2010)

Amendment No. 01

1532 reference relating to the disclosure of financial interests;  
1533 conforming cross-references; amending s. 1013.62, F.S.;  
1534 authorizing additional uses for charter school capital outlay  
1535 funds; conforming cross-references; amending ss. 163.3180,  
1536 1002.32, 1002.34, 1002.345, 1011.68, and 1012.32, F.S.;  
1537 conforming cross-references; requiring the Office of Program  
1538 Policy Analysis and Government Accountability to conduct a study  
1539 comparing the funding of charter schools with traditional public  
1540 schools and examining certain funding and costs; requiring  
1541 recommendations to the Governor and Legislature, if warranted,  
1542 for improving the accountability and equity of the funding  
1543 system for charter schools; providing an effective date.

Amendment No. 01

COUNCIL/COMMITTEE ACTION

ADOPTED                                    \_\_\_ (Y/N)  
ADOPTED AS AMENDED                   \_\_\_ (Y/N)  
ADOPTED W/O OBJECTION                 (Y/N)  
FAILED TO ADOPT                         \_\_\_ (Y/N)  
WITHDRAWN                               \_\_\_ (Y/N)  
OTHER                                     \_\_\_\_\_

1 Council/Committee hearing bill: PreK-12 Policy Committee  
2 Representative(s) Bush offered the following:

3  
4                   **Amendment**

5                   Remove lines 28-48 and insert:

6 agency for the program. The program shall comply with the  
7 regulations of the National School Lunch Program and require:

8                   (a) The Department of Education to work with the  
9 Department of Agriculture and Consumer Services to develop  
10 policies pertaining to school food services which encourage:

11                   1. School districts to buy fresh and high-quality foods  
12 grown in this state when feasible;

13                   2. Farmers in this state to sell their products to school  
14 districts and schools;

15                   3. School districts and schools to demonstrate a  
16 preference for competitively priced organic food products.

17                   (b) School districts and schools to make reasonable  
18 efforts to select foods based on a preference for those that  
19 have maximum nutritional content.

COUNCIL/COMMITTEE AMENDMENT

Bill No. HB 1619 (2010)

Amendment No. 01

20 (c) The Department of Education, in collaboration with the  
21 Department of Agriculture and Consumer Services, to provide  
22 outreach, guidance, and training to districts, schools, school  
23 food service directors, parent and teacher organizations, and  
24 students about the benefits of fresh food products from farms in  
25 this state.





Committee on \_\_\_\_\_

Date \_\_\_\_\_

Action Not adopted

**HOUSE AMENDMENT FOR DRAFTING PURPOSES ONLY**

(may be used in Committee, but not on House Floor)

Amendment No. 01

Bill No. PLS For HB 31

(For filing with the Clerk, Committee and Member Amendments **must** be prepared on computer)

Representative(s)/The Committee on KEVIN RADWICK

offered the following amendment:

Amendment

on page 1, line 18-26,

strike lines 18-26 - all of subsection (1)



Committee on \_\_\_\_\_

Date 3-17-10

Action Adopted

**HOUSE AMENDMENT FOR DRAFTING PURPOSES ONLY**

(may be used in Committee, but not on House Floor)

Amendment No. 02

Bill No. PCS for HB3

(For filing with the Clerk, Committee and Member Amendments **must** be prepared on computer)

Representative(s)/The Committee on Mia Jones

offered the following amendment:

Amendment

on page 1, line 20 and 21,

strike "including but not limited to, a  
prayer or an invocation,"



Committee on \_\_\_\_\_

Date \_\_\_\_\_

Action Adopted

**HOUSE AMENDMENT FOR DRAFTING PURPOSES ONLY**  
(may be used in Committee, but not on House Floor)

Amendment No. 03

Bill No. \_\_\_\_\_

(For filing with the Clerk, Committee and Member Amendments **must** be prepared on computer)

Representative(s)/The Committee on Fresen

offered the following amendment:

Amendment

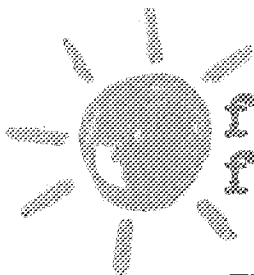
on page ~~20~~ 1, line 25-26,

delete

+

insert

and initiate the delivery  
of such inspirational message



# foundation for florida's future

Keeping the Promise of Quality Education

## The Foundation for Florida's Future

### SUPPORTS

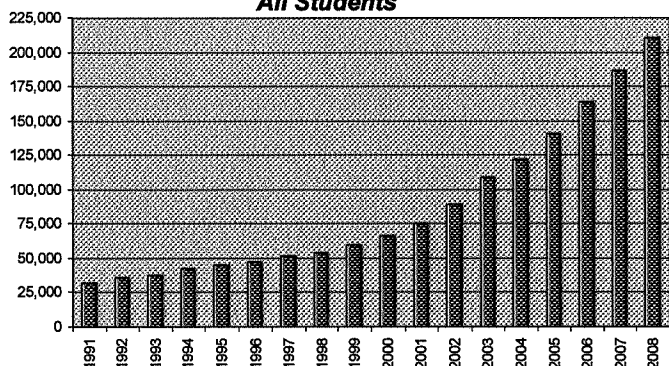
#### HB 1287: Relating to Public K-12 Education by Rep. Grady

The Foundation for Florida's Future asks that you vote **YES** on HB 1287 by Rep. Grady in the PreK–12 Policy Committee on March 17<sup>th</sup>, 2010. The "Incentives for Excellence in Education Act" adds to the successful College Board Partnership, which was created to prepare and inspire Florida's minority and underrepresented students to succeed in college.

Since its creation in 1999, the Florida Partnership for Minority and Underrepresented Student Achievement has produced tremendous Advanced Placement results in the state. The program serves as a tool to better prepare underrepresented student populations in college by offering free PSAT tests to students, providing professional development for teachers, implementing AP classes in schools, and financially **rewarding teachers** with a \$50 bonus for every passing student score on an AP exam. The results speak for themselves:

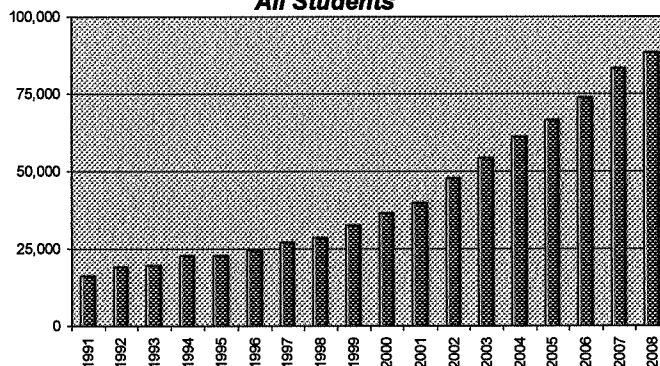
#### AP Exams Taken

##### All Students



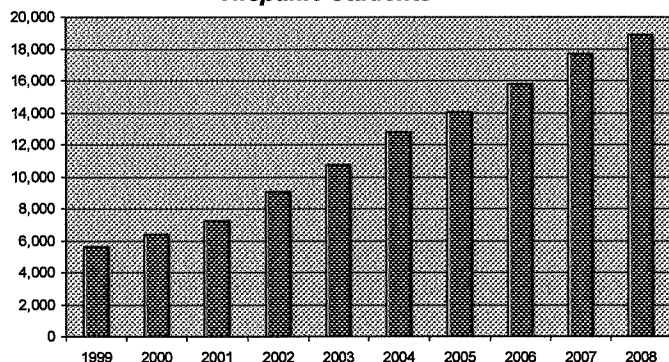
#### AP Passing Scores

##### All Students



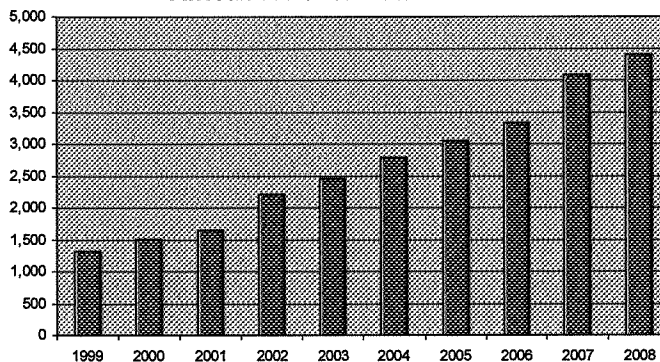
#### AP Passing Scores

##### Hispanic Students



#### AP Passing Scores

##### African-American Students



#### ☼ **The Bill at a Glance:**

To ensure we are focusing money to help students grow, the bill requires districts to spend 100 percent of advanced program funds – including money for programs like AP, IB, and AICE – solely on the administration, preparation, and measures to improve success of the students in these programs. To reward teachers for getting the most out of our students, HB 1287 removes the cap on bonuses for teachers whose students pass these difficult courses.

*Support of our legislative priorities will be reflected in the grade you earn on the 2010 Florida's Education Report Card. If you have any questions, please contact Adam Peshek, Policy Analyst, at (850) 298-8571 or adam@afloridapromise.org.*