

PCB BCAS 12-04

2012

1                                   A bill to be entitled  
2       An act relating to early learning programs; creating  
3       chapter 431, F.S.; providing a short title; defining  
4       terms; providing for designation of the Office of  
5       Early Learning as lead agency for the federal Child  
6       Care and Development Fund; providing the office's  
7       powers and duties for administering the school  
8       readiness program; providing for a preassessment and  
9       postassessment of children enrolled in the school  
10      readiness program; specifying uses of assessment data;  
11      requiring the office to submit an annual report to the  
12      Governor and Legislature; providing for the  
13      establishment and duties of early learning coalitions;  
14      limiting the number of coalitions and providing the  
15      minimum number of children that each coalition must  
16      serve; providing for the merger of coalitions under  
17      certain circumstances; providing for the membership of  
18      coalition boards; limiting the use of certain funds by  
19      coalitions; requiring coalitions to annually submit  
20      school readiness plans to the Office of Early Learning  
21      in the format prescribed by the office; establishing a  
22      scorecard to measure coalition performance; providing  
23      the coalitions' powers and duties for administering  
24      the school readiness program; requiring the coalitions  
25      to submit annual reports to the Office of Early  
26      Learning; establishing eligibility criteria for the  
27      enrollment of children in the school readiness program  
28      and the priorities by which children are enrolled;

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29 providing standards and eligibility criteria for  
30 school readiness providers; requiring school readiness  
31 providers to execute the statewide provider agreement  
32 prescribed by the Office of Early Learning; providing  
33 for the allocation of school readiness funds as  
34 specified in the General Appropriations Act; limiting  
35 expenditures for administrative activities, quality  
36 activities, and nondirect services; providing for the  
37 payment of school readiness providers according to  
38 calculations of payment rates and sliding fee scales  
39 as provided in the General Appropriations Act;  
40 authorizing the Office of Early Learning to request  
41 budget amendments for increased payment rates in  
42 certain geographic areas under certain circumstances;  
43 providing for compliance with federal parental choice  
44 requirements through payment of school readiness  
45 providers with payment certificates; providing for  
46 investigations of fraud or overpayment in the school  
47 readiness program; providing for the repayment of  
48 identified overpayments; limiting the participation of  
49 school readiness providers and parents in the program  
50 until repayment is made in full; providing penalties  
51 for certain acts of fraud; authorizing the Office of  
52 Early Learning to adopt rules; specifying additional  
53 rulemaking requirements; transferring, renumbering,  
54 and amending ss. 411.0101 and 411.011, F.S.;  
55 conforming cross-references; transferring,  
56 renumbering, and amending s. 411.01013, F.S.; revising

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57 | provisions for calculation of the prevailing market  
 58 | rate schedule; requiring school readiness providers to  
 59 | annually submit their market rates by a specified  
 60 | date; transferring, renumbering, and amending s.  
 61 | 411.01015, F.S.; conforming a cross-reference;  
 62 | transferring, renumbering, and amending s. 411.0102,  
 63 | F.S.; deleting a short title; deleting provisions for  
 64 | the membership and duties of the Child Care Executive  
 65 | Partnership; requiring the Office of Early Learning to  
 66 | administer the Child Care Executive Partnership  
 67 | Program; deleting provisions of community child care  
 68 | task forces and the disbursement of funds through  
 69 | local purchasing pools; transferring and renumbering  
 70 | ss. 411.0103 and 411.0105, F.S.; transferring,  
 71 | renumbering, and amending s. 411.0106, F.S.;  
 72 | conforming a cross-reference; transferring,  
 73 | renumbering, and amending s. 1002.77, F.S.; revising  
 74 | the purpose of the Florida Early Learning Advisory  
 75 | Council; conforming cross-references; amending ss.  
 76 | 11.45, 20.15, 216.136, 402.302, 490.014, 491.014,  
 77 | 1002.51, 1002.53, 1002.67, 1002.71, and 1006.03, F.S.;  
 78 | F.S.; conforming cross-references; conforming  
 79 | terminology; repealing ss. 411.01, 411.01014,  
 80 | 411.0104, 445.023, and 445.032, F.S., relating to the  
 81 | School Readiness Act, school readiness transportation  
 82 | services, Early Head Start collaboration grants,  
 83 | dependent care for families with children with special  
 84 | needs, and transitional child care; providing an

85 effective date.

86

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

88

89 Section 1. Chapter 431, Florida Statutes, consisting of  
 90 sections 431.01, 431.03, 431.05, 431.07, 431.09, 431.11, 431.13,  
 91 431.15, 431.17, 431.19, 431.23, and 431.41, is created to read:

92 CHAPTER 431

93 EARLY LEARNING

94 431.01 Short title.—This chapter may be cited as the  
 95 "School Readiness Act."

96 431.03 Definitions.—As used in this chapter, the term:

97 (1) "Adjusted payment rate percentage" means a specified  
 98 percentage provided in the General Appropriations Act that is  
 99 applied to the prevailing market rate for each type of school  
 100 readiness provider and level of care.

101 (2) "At-risk child" means:

102 (a) A child from a family under investigation for child  
 103 abuse, neglect, abandonment, or exploitation by the Department  
 104 of Children and Family Services or a designated sheriff's  
 105 office.

106 (b) A child in a diversion program provided by the  
 107 Department of Children and Family Services or its contracted  
 108 provider who is from a family that is actively participating and  
 109 complying in department-prescribed activities, including  
 110 education, health services, or work.

111 (c) A child from a family that is under supervision by the  
 112 Department of Children and Family Services or a contracted

113 service provider for abuse, neglect, abandonment, or  
 114 exploitation.

115 (d) A child placed in court-ordered, long-term custody or  
 116 under the guardianship of a relative or nonrelative after  
 117 termination of supervision by the Department of Children and  
 118 Family Services or its contracted provider.

119 (3) "Authorized hours of care" means the hours of care  
 120 that are necessary to provide protection or complete work  
 121 activities or eligible educational activities, including  
 122 reasonable travel time.

123 (4) "Coalition" means an early learning coalition  
 124 established under s. 431.07.

125 (5) "Earned income" means gross remuneration derived from  
 126 work, professional service, or self-employment. The term  
 127 includes commissions, bonuses, back pay awards, and the cash  
 128 value of all remuneration paid in a medium other than cash.

129 (6) "Economically disadvantaged" means having a family  
 130 income that does not exceed 150 percent of the federal poverty  
 131 level.

132 (7) "Family income" means the combined gross income,  
 133 whether earned or unearned, that is derived from any source by  
 134 all family or household members who are 18 years of age or older  
 135 and currently reside together in the same dwelling unit. The  
 136 term does not include income earned by a currently enrolled high  
 137 school student who, since attaining the age of 18 years, has not  
 138 terminated school enrollment or received a high school diploma,  
 139 high school equivalency diploma, special diploma, or certificate  
 140 of high school completion. The term also does not include food

141 stamp benefits or federal housing assistance payments issued  
 142 directly to a landlord or the associated utilities expenses.

143 (8) "Family or household members" means spouses, former  
 144 spouses, persons related by blood or marriage, persons who are  
 145 parents of a child in common regardless of whether they have  
 146 been married, and other persons who are currently residing  
 147 together in the same dwelling unit as if a family.

148 (9) "Fraud" means an intentional deception or  
 149 misrepresentation made by a person with knowledge that the  
 150 deception or misrepresentation may result in unauthorized  
 151 benefit to that person or another person. The term includes any  
 152 act that constitutes fraud under applicable federal or state  
 153 law.

154 (10) "Full-time care" means at least 6 hours, but not more  
 155 than 11 hours, of child care or early childhood education  
 156 services within a 24-hour period.

157 (11) "Gold Seal premium percentage" means a specified  
 158 percentage provided in the General Appropriations Act that, for  
 159 a school readiness provider that has the Gold Seal Quality Care  
 160 designation under s. 402.281, is applied to the provider's  
 161 adjusted payment rate.

162 (12) "Informal child care provider" means, to the extent  
 163 authorized in the state's Child Care and Development Fund Plan  
 164 as approved by the United States Department of Health and Human  
 165 Services pursuant to 45 C.F.R. s. 98.18, an in-home child care  
 166 provider as defined in 45 C.F.R. s. 98.2 or a relative, such as  
 167 a grandparent, great grandparent, aunt, uncle, or sibling who  
 168 provides care for the child.

169       (13) "In loco parentis" means acting as a child's  
 170 temporary guardian.

171       (14) "Market rate" means the price that a child care or  
 172 early childhood education provider charges for full-time or  
 173 part-time daily, weekly, or monthly child care or early  
 174 childhood education services.

175       (15) "Office" means the Office of Early Learning of the  
 176 Department of Education established under s. 20.15(3)(h).

177       (16) "Parent" means a parent by blood, marriage, or  
 178 adoption; a legal guardian; or another person standing in loco  
 179 parentis.

180       (17) "Part-time care" means less than 6 hours of child  
 181 care or early childhood education services within a 24-hour  
 182 period.

183       (18) "Payment certificate" means a child care certificate  
 184 as defined in 45 C.F.R. s. 98.2.

185       (19) "Prevailing market rate" means the biennially  
 186 determined statewide median of the market rate for child care  
 187 and early childhood education services.

188       (20) "Single point of entry" means an integrated  
 189 information system that allows a parent to enroll his or her  
 190 child in the school readiness program at various locations  
 191 throughout a county, that may allow a parent to enroll his or  
 192 her child by telephone or through an Internet website, and that  
 193 uses a unified waiting list to track eligible children waiting  
 194 for enrollment in the school readiness program.

195       (21) "Unearned income" means income other than earned  
 196 income. The term includes, but is not limited to:

- 197 (a) Documented alimony and child support received.
- 198 (b) Social security benefits.
- 199 (c) Supplemental security income benefits.
- 200 (d) Workers' compensation benefits.
- 201 (e) Unemployment compensation benefits.
- 202 (f) Veterans' benefits.
- 203 (g) Retirement benefits.
- 204 (h) Temporary cash assistance under chapter 414.
- 205 (i) Military housing assistance under the federal Family
- 206 Subsistence Supplemental Allowance Program.

207 (22) "Working family" means:

208 (a) A single-parent family in which the parent with whom  
 209 the child resides is employed or engaged in eligible education  
 210 activities for at least 20 hours per week;

211 (b) A two-parent family in which both parents with whom  
 212 the child resides are each employed or engaged in eligible  
 213 education activities for at least 20 hours per week; or

214 (c) A family in which the parents, as prescribed by rules  
 215 adopted by the office, are exempt from work requirements due to  
 216 age or a disability as determined and documented by a physician  
 217 licensed under chapter 458 or chapter 459.

218 431.05 Office of Early Learning; powers and duties.—

219 (1) The Governor shall designate the Office of Early  
 220 Learning as the lead agency for administration of the federal  
 221 Child Care and Development Fund, 45 C.F.R. parts 98 and 99, and  
 222 the office shall comply with the lead agency responsibilities  
 223 under federal law.

224 (2) The office shall:



225 (a) Administer the school readiness program at the state  
 226 level and coordinate with the early learning coalitions to  
 227 ensure the availability of school readiness services to support  
 228 the efforts of parents to work and be financially self-  
 229 sufficient and to enhance the quality of child care programs in  
 230 the state.

231 (b) Provide the school readiness services authorized in  
 232 this chapter in a manner that ensures the preservation of  
 233 parental choice.

234 (c) Be responsible for the prudent use of all public and  
 235 private funds in accordance with all legal and contractual  
 236 requirements, safeguarding the effective use of federal, state,  
 237 and local resources to achieve the highest practicable level of  
 238 school readiness for the children described in s. 431.13.

239 (d) Maintain a single statewide information system that  
 240 each coalition must use for the purposes of managing the single  
 241 point of entry, tracking children's progress, coordinating  
 242 services among stakeholders, determining eligibility, tracking  
 243 child attendance, and streamlining administrative processes for  
 244 providers and coalitions.

245 (e) Ensure statewide access to school readiness services  
 246 throughout every county.

247 (f) Ensure that each coalition serves the minimum number  
 248 of children required in s. 431.07(1)(b) and that the maximum  
 249 number of coalitions is not exceeded.

250 (g) Approve school readiness plans annually.

251 (h) Monitor and evaluate the performance of each coalition  
 252 in administering the school readiness program, ensuring proper

253 payments of school readiness benefits, and implementing the  
 254 coalition's school readiness plan. These monitoring and  
 255 performance evaluations must include, at a minimum, onsite  
 256 monitoring of each coalition's finances, management, operations,  
 257 and programs.

258 (i) Monitor each coalition to ensure that additional  
 259 regulations or requirements are not placed upon school readiness  
 260 providers that exceed the authority provided under this chapter  
 261 or rules adopted pursuant to this chapter.

262 (j) Provide technical assistance to early learning  
 263 coalitions consistent with the purposes of this section to avoid  
 264 duplication of services.

265 (k) Ensure that all expenditures are properly allocated by  
 266 expenditure type, clearly accounting for indirect and direct  
 267 expenditures, and ensuring that funds used to support staff and  
 268 salaries, contracts, and vendors are accounted for separate and  
 269 apart from other expenditures within each expenditure type.

270 (l) Coordinate with the Child Care Services Program Office  
 271 of the Department of Children and Family Services with respect  
 272 to health and safety monitoring, background screenings, and the  
 273 collection and maintenance of data pertaining to child care  
 274 training and credentialing.

275 (m) Coordinate with the Department of Economic Opportunity  
 276 to perform data matches on families participating in the school  
 277 readiness program and receiving unemployment compensation.

278 (3) The office has authority to administer this chapter,  
 279 including the power to receive and accept grants, loans, or  
 280 advances of funds from any public or private agency and to

281 receive and accept from any source contributions of money,  
 282 property, labor, or any other thing of value, to be held, used,  
 283 and applied for purposes of this section.

284 (4) The office must exercise due diligence in securing  
 285 full payment of all accounts receivable and other claims due to  
 286 the state complying with the procedures for collections under s.  
 287 17.20.

288 (5) The office shall prepare and submit a unified budget  
 289 request for the school readiness system in accordance with  
 290 chapter 216.

291 (6) The office shall adopt rules prescribing child  
 292 development standards for the physical health, approaches to  
 293 learning, social and emotional development, language and  
 294 communication, cognitive development, and general knowledge and  
 295 motor development of children served in the school readiness  
 296 program. The child development standards shall align with  
 297 performance standards adopted by the Department of Education for  
 298 the Voluntary Prekindergarten Education Program pursuant to s.  
 299 1002.67.

300 (7) The office may implement a statewide preassessment and  
 301 postassessment aligned with a child development standards  
 302 adopted pursuant to subsection (6). The assessment shall be  
 303 implemented and used by school readiness providers to inform  
 304 classroom instruction. The assessment may not be used for  
 305 evaluating providers or for high stakes accountability. The  
 306 office shall collect the results of the preassessments and  
 307 postassessments statewide to evaluate the effectiveness of the  
 308 school readiness program. At a minimum, a preassessment shall be

309 administered to each school readiness child that participates in  
 310 the program within the first 45 days after enrollment. By May 30  
 311 of each year, a postassessment shall be administered to each  
 312 school readiness child who participates in a provider's program  
 313 for at least 6 months.

314 (8) By January 1 of each year, the office shall submit an  
 315 annual report of its activities conducted under this chapter to  
 316 the Governor, the President of the Senate, and the Speaker of  
 317 the House of Representatives. The report must include a summary  
 318 of the coalitions' annual reports, a statewide summary, and the  
 319 following:

320 (a) An analysis of school readiness activities throughout  
 321 the state.

322 (b) The total and average number of children served in the  
 323 school readiness program, enumerated by age, eligibility  
 324 priority category, and coalition.

325 (c) A summary of expenditures by coalition, including a  
 326 breakdown by coalition of the percentage of expenditures for  
 327 administrative activities, quality activities, nondirect  
 328 services, and direct services for children.

329 (d) A description of the expenditures by the office and  
 330 the coalitions for the quality activities described in s.  
 331 431.19(4) (b) by the office and the coalitions.

332 (e) A summary of annual findings and collections related  
 333 to provider fraud and parent fraud.

334 (f) Coalition scorecard performance data to measure the  
 335 success of the coalitions in implementing the early learning  
 336 programs.

337 (g) The total number of children disenrolled statewide and  
 338 the reason for disenrollment.

339 (h) The total number of provider contracts revoked and the  
 340 reasons for the revocation.

341 431.07 Early learning coalitions; coalition boards.-

342 (1) (a) A coalition is established upon the approval of the  
 343 coalition's school readiness plan by the Office of Early  
 344 Learning pursuant to s. 431.09.

345 (b) No more than 25 coalitions may be established, and  
 346 each coalition must serve at least 1,700 children, which shall  
 347 be calculated according to the average number of children served  
 348 per month in the school readiness program during the previous 12  
 349 months. Each coalition's service area shall comprise one or more  
 350 counties. If a coalition would serve fewer children than the  
 351 minimum number established in this paragraph, the coalition must  
 352 merge with another county to form a multicounty coalition.

353 (c) The office shall adopt rules prescribing procedures  
 354 for merging coalitions, including procedures for the  
 355 consolidation of merging coalitions, and for the early  
 356 termination of the terms of coalition board members, which are  
 357 necessary to accomplish the mergers.

358 (2) Each coalition shall be governed by a coalition board  
 359 composed of at least 12 members but not more than 18 members:

360 (a) The Governor shall appoint the chair and at least two  
 361 additional members who must each be private sector business  
 362 members and meet the qualifications in paragraph (d).

363 (b) The Governor shall appoint the following public sector  
 364 members:

365       1. A Department of Children and Family Services circuit  
366 administrator or his or her designee who is authorized by the  
367 Secretary of Children and Family Services to make decisions on  
368 behalf of the department or, if applicable, the head of a local  
369 licensing agency approved under ss. 402.306 and 402.307 or his  
370 or her designee. If the coalition's service area includes  
371 multiple circuits or counties, the Governor shall make the  
372 appointment from one of the circuits or counties.

373       2. A district superintendent of schools or his or her  
374 designee who is authorized by the district school board to make  
375 decisions on behalf of the district. If the coalition's service  
376 area includes multiple school districts, the Governor shall,  
377 from term to term, rotate the appointment among each of the  
378 districts.

379       3. A regional workforce board executive director or his or  
380 her designee. If the coalition's service area includes multiple  
381 regional workforce board service delivery areas, the Governor  
382 shall make the appointment from one of regional workforce  
383 boards.

384       4. A county health department director or his or her  
385 designee. If the coalition's service area includes multiple  
386 counties, the Governor shall make the appointment from one of  
387 the counties.

388       5. If the coalition's service area includes a Florida  
389 College System institution, the college president or his or her  
390 designee. If the coalition's service area includes multiple  
391 Florida College System institutions, the Governor make the  
392 appointment from one of the institutions.

393 6. One member appointed by a board of county  
 394 commissioners. If the coalition's service area includes multiple  
 395 counties, the Governor shall determine which county shall make  
 396 the appointment.

397 7. If the coalition's service area includes a  
 398 municipality, one member appointed by the governing board of the  
 399 municipality. If the coalition's service area includes multiple  
 400 municipalities, the Governor shall determine which municipality  
 401 shall make the appointment.

402 8. If the coalition's service area includes a federal Head  
 403 Start program, the Head Start director. If the coalition's  
 404 service area includes multiple Head Start programs, the Governor  
 405 shall appoint the member from one of the programs.

406 9. A representative of programs for children with  
 407 disabilities under the federal Individuals with Disabilities  
 408 Education Act.

409 (c) The following members shall be selected by providers:

410 1. A representative of private for-profit child care  
 411 providers, including private for-profit family day care homes,  
 412 who shall be selected by majority vote of such providers located  
 413 in the coalition's service area.

414 2. A representative of faith-based child care providers  
 415 who shall be selected by majority vote of such providers located  
 416 in the coalition's service area.

417 (d) At least one-fourth of the members of each coalition  
 418 must be private sector business members who do not have, and  
 419 none of whose relatives as defined in s. 112.3143 has a  
 420 substantial financial interest in the design or delivery of the

421 Voluntary Prekindergarten Education Program created under part V  
 422 of chapter 1002 or the school readiness program. The coalition  
 423 board shall appoint additional members to the early coalition in  
 424 order to meet the requirements of this paragraph. Private sector  
 425 board members may serve at the pleasure of the Governor.

426 (e) A coalition serving more than one county must include  
 427 representation from each county.

428 (3) (a) A majority of the voting membership of a coalition  
 429 constitutes a quorum required to conduct the business of the  
 430 coalition. A coalition board may use any method of  
 431 telecommunications to conduct meetings, including establishing a  
 432 quorum through telecommunications, provided that the public is  
 433 given proper notice of a telecommunications meeting and  
 434 reasonable access to observe and, when appropriate, participate.

435 (b) Except as otherwise provided in subsection (2), a  
 436 member of a coalition may not appoint a designee to act in his  
 437 or her place. A member may send a representative to coalition  
 438 meetings, but that representative does not have voting  
 439 privileges. When a member appoints a designee under subsection  
 440 (2), the designee serve at the pleasure of the designating  
 441 official. Unless the designee is removed by the designating  
 442 official, the designee is the voting member of the coalition,  
 443 and any individual attending in the designee's place, including  
 444 the designating official, does not have voting privileges.

445 (c) Each member of a coalition is subject to ss. 112.313,  
 446 112.3135, and 112.3143. For purposes of s. 112.3143(3) (a), each  
 447 member is a local public officer who must abstain from voting  
 448 when a voting conflict exists.



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449 (d) For purposes of tort liability, each coalition board  
450 member and employee is governed by s. 768.28.

451 (4) Each coalition shall establish terms for all appointed  
452 members of the coalition. The terms of members must be staggered  
453 and must be a uniform length that does not exceed 4 years per  
454 term. Members appointed under paragraph (2) (a), subparagraphs  
455 (2) (b) 6.-9., or paragraphs (2) (c) or (d) may serve a maximum of  
456 8 consecutive years, not including any unexpired term for which  
457 the appointee was originally appointed. When a vacancy occurs in  
458 an appointed position, the coalition must advertise the vacancy,  
459 and notify the appointing authority.

460 (5) Each coalition board member who is not otherwise  
461 required to file financial disclosure pursuant to s. 8, Art. II  
462 of the State Constitution or s. 112.3144 shall file a disclosure  
463 of financial interest pursuant to s. 112.3145. A coalition's  
464 executive director or other person designated as being  
465 responsible for the coalition's operational and administrative  
466 functions who is not otherwise required to file financial  
467 disclosure pursuant to s. 8, Art. II of the State Constitution  
468 or s. 112.3144 shall file disclosure of financial interests  
469 pursuant to s. 112.3145.

470 (6) The Governor may, for cause, remove any coalition  
471 board member or executive director. As used in this subsection,  
472 the term "cause" includes engaging in fraud and other criminal  
473 acts, incapacity, unfitness, neglect of duty, and official  
474 incompetence and irresponsibility justifying removal in the  
475 public interest.

476 (7) State and federal funds provided to the early learning  
 477 coalitions may not be used directly or indirectly to pay for  
 478 meals, food, or beverages for coalition board members or  
 479 employees. Preapproved, reasonable, and necessary per diem  
 480 allowances and travel expenses may be reimbursed. Such  
 481 reimbursement shall be at a standard travel reimbursement rate  
 482 established in s. 112.061 and must comply with all applicable  
 483 federal and state requirements.

484 (8) The office may contract with a qualified entity to  
 485 administer the school readiness program or Voluntary  
 486 Prekindergarten Education Program in the coalition's service  
 487 area under the program and fiscal requirements established by  
 488 law or rule for coalitions if:

489 (a) The coalition serves fewer children than the minimum  
 490 number required in paragraph (1) (b) and does not merge on its  
 491 own;

492 (b) The office determines through monitoring and  
 493 performance evaluations that a coalition has not administered  
 494 its school readiness plan or the Voluntary Prekindergarten  
 495 Education Program in accordance with law or rule; or

496 (c) The office determines through monitoring and  
 497 performance that a coalition has not met the legal requirements  
 498 of federal, state, or local law to implement the school  
 499 readiness program or the Voluntary Prekindergarten Education  
 500 Program.

501 (9) The office may determine whether any adverse findings  
 502 shall result in terminating a contract with a coalition.

503 (10) The office may shift school readiness funds from a

504 designated coalition to another qualified entity if that  
 505 contract with the coalition is terminated under subsection (8)  
 506 for any reason.

507 431.09 School readiness plans; scorecard.-

508 (1) The Office of Early Learning shall adopt rules  
 509 prescribing a standardized format and required content of school  
 510 readiness plans as necessary for a coalition or other qualified  
 511 entity to administer the school readiness program as provided in  
 512 this section and s. 431.11.

513 (2) Each coalition must annually submit a school readiness  
 514 plan to the office before the expenditure of funds. A coalition  
 515 may not implement its school readiness plan until it receives  
 516 approval from the office. A coalition may not implement the  
 517 revisions until the coalition submits the revised plan to and  
 518 receives approval from the office. If the office rejects a plan,  
 519 the coalition must continue to operate under its previously  
 520 approved plan. The plan must include:

521 (a) The coalition's business organization, which must  
 522 include the coalition's articles of incorporation and bylaws if  
 523 the coalition is organized as a corporation. If the coalition is  
 524 not organized as a corporation or other business entity, the  
 525 plan must include the contract with a fiscal agent.

526 (b) A detailed budget that outlines estimated expenditures  
 527 for federal, state, and local matching funds at the lowest level  
 528 of detail available by other-cost-accumulator code number, all  
 529 estimated sources of revenue with identifiable descriptions, a  
 530 listing of full-time equivalent positions, contracted  
 531 subcontractor costs, with related annual gross salary amount or

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532 hourly rate of compensation, and a capital improvements plan  
533 outlining existing fixed capital outlay projects and proposed  
534 capital outlay projects that will begin during the budget year.

535 (c) A detailed accounting, in a format prescribed by the  
536 office, of all revenues and expenditures during the previous  
537 budget year. Revenue sources should be identifiable and  
538 expenditures should be reported by three categories: federal and  
539 state funds, local-match funds, and Child Care Executive  
540 Partnership Program funds.

541 (d) A description of the quality activities as described  
542 in s. 431.19(4)(b) and related expenditures used to meet the  
543 minimum requirements in 45 C.F.R. s. 98.51 for expenditures to  
544 improve the quality of child care. Quality activities shall be  
545 described and include a summary of the activity, estimated  
546 costs, and a timeline indicating when each activity will occur  
547 and be completed.

548 (e) Updated policies and procedures, including governing  
549 procurement, maintenance of tangible personal property,  
550 maintenance of records, information technology security and  
551 expense, and disbursement controls.

552 (f) Documentation that the coalition has solicited and  
553 considered comments regarding the proposed school readiness plan  
554 from the local community.

555 (3) The coalition may periodically amend its plan as  
556 necessary. An amended plan shall be submitted to the office  
557 before any expenditures for quality activities are incurred on  
558 new direct activities.

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559       (4) The office shall publish a copy of the standardized  
560 format and required content of school readiness plans on its  
561 Internet website and provide a copy of the format and content to  
562 each early learning coalition.

563       (5) The office shall establish a scorecard to measure  
564 coalition performance. In considering potential measures for the  
565 scorecard, the office shall consider measures related to  
566 provider satisfaction, parent satisfaction, payment processes,  
567 fraud intervention, child attendance and stability, use of child  
568 care resource and referral to support families, and school  
569 readiness outcomes for children in the Voluntary Prekindergarten  
570 Education Program upon entry into kindergarten. The office shall  
571 request input from the coalitions, the Department of Education,  
572 and school readiness providers before finalizing the scorecard  
573 format measures to be used. The scorecard shall be implemented  
574 beginning July 1, 2013, and results of the scorecard must be  
575 included in the annual report under s. 431.05(8).

576       431.11 Early learning coalitions; powers and duties.—Each  
577 early learning coalition shall:

578       (1) Administer the school readiness program at the county  
579 or regional level in accordance with this chapter.

580       (2) Establish a unified waiting list to track eligible  
581 children waiting for enrollment in the school readiness program.

582       (3) Establish a resource and referral network operating  
583 under s. 431.25 to assist parents in making an informed choice  
584 and to provide maximum parental choice of providers.

585       (4) Establish a regional Warm-Line under s. 431.29 as  
586 directed by the office.

587 (5) Determine child eligibility pursuant to s. 431.13 and  
 588 provider eligibility pursuant to s. 431.15. Child eligibility  
 589 must be redetermined annually. A coalition must document the  
 590 reason why a child is no longer eligible for the school  
 591 readiness program based on the termination codes prescribed by  
 592 the office. Provider eligibility must be determined annually.

593 (6) Ensure proper maintenance of records related to  
 594 eligibility and enrollment files, provider payments, coalition  
 595 staff background screenings, and other documents required for  
 596 the implementation of this program.

597 (7) Establish a records-retention requirement for sign-in  
 598 and sign-out sheets that is consistent with state and federal  
 599 law.

600 (8) Follow the requirements established by the Chief  
 601 Financial Officer for the recording of real property and for the  
 602 periodic review of property for inventory purposes.

603 (9) Comply with federal procurement requirements and the  
 604 expenditure requirements of federal and state law and state  
 605 rules.

606 (10) Ensure proper information technology security  
 607 controls are in place, including, but not limited to,  
 608 periodically reviewing the appropriateness of access privileges  
 609 assigned to users of certain systems; monitoring system hardware  
 610 performance and capacity-related issues; and ensuring  
 611 appropriate backup procedures and disaster recovery plans are in  
 612 place.

613 (11) Develop written policies, procedures, and standards  
 614 for monitoring vendor contracts, including, but not limited to,

615 provisions specifying the particular procedures that may be used  
 616 to evaluate contractor performance and the documentation that is  
 617 to be maintained to serve as a record of contractor performance.  
 618 This subsection does not apply to contracts with school  
 619 readiness providers.

620 (12) Monitor school readiness providers on an annual  
 621 basis, or in response to a parental complaint, to ensure  
 622 standards are met as prescribed under s. 431.15 and s. 431.17.

623 (a) Providers determined to be high risk by the coalition,  
 624 as demonstrated through substantial findings in violation of  
 625 federal law or the general or local laws of the state, shall be  
 626 monitored more frequently.

627 (b) To ensure basic health and safety standards,  
 628 coalitions shall monitor facilities exempt from licensure under  
 629 s. 402.316, registered family day care homes under s. 402.313,  
 630 and informal child care providers.

631 (13) Monitor the provider's records, including child  
 632 eligibility and child attendance, to reduce the risk of fraud  
 633 and overpayment and to recover state, federal and local funds.

634 (14) By October 1 of each year, submit an annual report to  
 635 the office. The report must include:

636 (a) Segregation of school readiness funds, Voluntary  
 637 Prekindergarten Education Program funds, and Child Care  
 638 Executive Partnership Program funds.

639 (b) Details of expenditures, including total expenditures  
 640 for administrative activities, quality activities, nondirect  
 641 services, and direct services for children.

642 (c) The number of children served in the school readiness

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643 program, enumerated by age and eligibility priority category,  
644 which shall be calculated using the number of children served  
645 during the first week of every month, the average full-time  
646 equivalent child participation throughout the month, and the  
647 number of children served during the last week of the month.

648 (d) The total number of children disenrolled during the  
649 year and the reasons for disenrollment.

650 (e) A listing of any school readiness providers, by type,  
651 whose eligibility to deliver the school readiness program is  
652 revoked, including a brief description of the state or federal  
653 violation that resulted in the revocation.

654 431.13 School readiness program; eligibility and  
655 enrollment.-

656 (1) Each coalition shall give priority for participation  
657 in the school readiness program as follows:

658 (a) Priority shall be given first to a child younger than  
659 13 years of age from a working family that includes an adult  
660 receiving temporary cash assistance under chapter 414.

661 (b) Priority shall be given next to an at-risk child  
662 younger than 9 years of age.

663 (c) Priority shall be given next to a child from birth to  
664 the beginning of the school year for which the child is eligible  
665 for admission to kindergarten in a public school under s.  
666 1003.21(1)(a)2. from a working family that is economically  
667 disadvantaged. However, the child ceases to be eligible if his  
668 or her family income exceeds 200 percent of the federal poverty  
669 level.

670 (d) Priority shall be given next to a child enrolled



671 concurrently in the federal Head Start program and the Voluntary  
 672 Prekindergarten Education Program.

673 (e) Priority shall be given last to an at-risk child who  
 674 is at least 9 years of age, but younger than 13 years of age. An  
 675 at-risk child whose sibling is enrolled in the school readiness  
 676 program within an eligibility priority category listed in  
 677 paragraphs (a)-(d) shall be given priority over other children  
 678 who are eligible under this paragraph.

679 (2) (a) Each parent enrolling a child in the school  
 680 readiness program must complete and submit an application to the  
 681 coalition through the single point of entry established under s.  
 682 431.05(2) (d) .

683 (b) Each coalition shall coordinate with each of the  
 684 school districts within the coalition's service area in the  
 685 development of procedures for enrolling children in school  
 686 readiness program delivered by public schools.

687 (c) A coalition shall enroll all eligible children,  
 688 including those from its waiting list, according to the  
 689 eligibility priorities provided in subsection (1) .

690 (3) A school readiness provider may be paid only for  
 691 authorized hours of care provided for a child in the school  
 692 readiness program. A child enrolled in the Voluntary  
 693 Prekindergarten Education Program may receive part-time care  
 694 from the school readiness program if the child is eligible  
 695 according to the eligibility priorities provided in subsection  
 696 (1) .

697       (4) The parent of a child enrolled in the school readiness  
 698 program must notify the coalition or its designee within 10 days  
 699 after any change in employment, income, or family size.

700       (5) A child ceases to be eligible for the school readiness  
 701 program if a parent with whom the child resides does not  
 702 reestablish employment within 30 days after becoming unemployed.

703       (6) Eligibility for each child must be reevaluated  
 704 annually. Upon reevaluation, a child may not continue to receive  
 705 school readiness services if he or she has ceased to be eligible  
 706 under this section.

707       (7) If a coalition disenrolls children from the school  
 708 readiness program, the coalition shall disenroll the children in  
 709 reverse order of the priorities listed in subsection (1),  
 710 beginning with children from families with the highest family  
 711 incomes. A notice of disenrollment must be sent to parents and  
 712 school readiness providers to ensure adequate time for parents  
 713 to arrange alternative care for their children.

714       (8) (a) If a child is absent for 5 consecutive days without  
 715 contact from a parent, the school readiness provider shall  
 716 report the absences to the coalition for a determination of the  
 717 need for continued care.

718       (b) Notwithstanding s. 39.604, a school readiness  
 719 provider, regardless of whether the provider is licensed, shall  
 720 comply with the reporting requirements of the Rylia Wislon Act  
 721 for each at-risk child enrolled in the school readiness program,  
 722 regardless of the child's age or eligibility for protective  
 723 services.

724 431.15 School readiness provider standards; eligibility to  
 725 deliver school readiness program.—

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

728 (a) Be a child care facility licensed under s. 402.305,  
 729 family day care home licensed or registered under s. 402.313,  
 730 large family child care home licensed under s. 402.3131, public  
 731 school or nonpublic school exempt from licensure under s.  
 732 402.3025, faith-based child care provider exempt from licensure  
 733 under s. 402.316, before-school or after-school program  
 734 described in s. 402.305(1)(c), or an informal child care  
 735 provider, to the extent authorized in the state's Child Care and  
 736 Development Fund Plan as approved by the United States  
 737 Department of Health and Human Services pursuant to 45 C.F.R. s.  
 738 98.18.

739 (b) Enhance the age-appropriate progress of each child in  
 740 attaining the child development standards adopted by the office  
 741 under s. 431.05(6). To satisfy this requirement, a school  
 742 readiness provider must select or design and implement a  
 743 curriculum and character development program for each child in  
 744 the school readiness program.

745 (c) Ensure the basic health and safety of its premises and  
 746 facilities and compliance with requirements for age-appropriate  
 747 immunizations of children enrolled in the school readiness  
 748 program. For a child care facility, large family child care  
 749 home, or registered or licensed family day care home, compliance  
 750 with s. 402.305, s. 402.3131, or s. 402.313 satisfies this  
 751 requirement. For a public or nonpublic school, compliance with

752 s. 402.3025 or s. 1003.22 satisfies this requirement. A faith-  
 753 based child care provider exempt from licensure must meet or  
 754 exceed the requirements of s. 402.305, except for square  
 755 footage, as determined by an onsite inspection by an early  
 756 learning coalition. An informal child care provider or  
 757 registered family child care home must meet or exceed the  
 758 requirements of s. 402.313.

759 (d) Ensure the minimum standards associated with child  
 760 discipline under s. 402.3105(12) are met.

761 (e) Execute the statewide provider agreement prescribed  
 762 under s. 431.17, except that:

763 1. An individual who owns or operates multiple providers  
 764 within a coalition's service area may execute a single agreement  
 765 on behalf of each provider.

766 2. A school district may execute a single agreement with  
 767 the coalition on behalf of all district schools delivering the  
 768 school readiness program.

769 (2) If a school readiness provider fails or refuses to  
 770 comply with this chapter or any contractual obligation of the  
 771 statewide provider agreement under s. 431.17, the coalition or  
 772 the office may revoke the provider's eligibility to deliver the  
 773 school readiness program or receive state or federal funds under  
 774 this chapter.

775 (3) The office and the coalitions may not:

776 (a) Impose any requirement on a child care or early  
 777 childhood education provider that does not deliver services  
 778 under the school readiness program or receive state or federal  
 779 funds under this chapter; or

780 (b) Impose any requirement on a school readiness provider  
 781 that exceeds the authority provided under this chapter or rules  
 782 adopted pursuant to this chapter.

783 431.17 Statewide provider agreement.—

784 (1) (a) The Office of Early Learning shall adopt rules  
 785 prescribing the statewide provider agreement for the school  
 786 readiness program.

787 (b) A coalition must use the statewide provider agreement  
 788 to annually contract with each school readiness provider that  
 789 delivers the school readiness program within the coalition's  
 790 service area.

791 (c) The rules must prescribe a standardized uniform format  
 792 for the statewide provider agreement. A coalition may not omit,  
 793 supplement, or amend any provision of the statewide provider  
 794 agreement. In addition, a coalition may not insert or append  
 795 attachments, addenda, or exhibits to the statewide provider  
 796 agreement.

797 (2) The statewide provider agreement include:

798 (a) Child eligibility and enrollment procedures and  
 799 requirements under s. 431.13.

800 (b) Funding, payment, and expenditures for the school  
 801 readiness program under s. 431.19.

802 (c) Child development standards for the school readiness  
 803 program under s. 431.05(6).

804 (d) School readiness provider standards under s. 431.15.

805 (e) Requirements for the maintenance of records and data  
 806 and the confidentiality of such information.

807 (f) Requirements for notifications between the early

808 learning coalition, the school readiness provider, and the  
 809 parent, which may include, but are not limited to:

- 810 1. Changes to information submitted in the provider's  
 811 registration form.
- 812 2. A parent's withdrawal of his or her child from the  
 813 school readiness program or a provider's dismissal of a child.
- 814 3. Temporary closure of a school readiness provider's  
 815 facility and subsequent reopening of the facility.

- 816 (g) Procedures for the reporting and certification of  
 817 student attendance under s. 1002.71.
- 818 (h) Specific grounds for termination of the agreement for  
 819 failure to comply with federal, state, or local law.
- 820 (i) Specific grounds for high-risk monitoring by a  
 821 coalition.
- 822 (j) Dispute resolution procedures, including a method for  
 823 a provider to seek guidance from the office on a dispute.
- 824 (k) Provisions under which the school readiness provider  
 825 indemnifies the coalition from liability arising under the  
 826 agreement.

- 827 (3) (a) A coalition may not execute the statewide provider  
 828 agreement with a school readiness provider before the coalition  
 829 determines that the provider is eligible to deliver the school  
 830 readiness program under s. 431.15.
- 831 (b) A coalition shall submit to the office each original,  
 832 fully executed, and dated agreement. The coalition shall provide  
 833 a copy of the executed agreement to the school readiness  
 834 provider or school district that executed the agreement. The  
 835 coalition shall also maintain a copy of the executed agreement

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836 in the coalition's records.

837 (c) A school readiness provider may not deliver the school  
838 readiness program until the statewide provider agreement is  
839 fully executed.

840 (4) The office shall publish a copy of the statewide  
841 provider agreement on its Internet website and provide a copy of  
842 the agreement to each coalition.

843 431.19 School readiness program; funding.—

844 (1) Funding for the school readiness program shall be  
845 allocated among the coalitions in accordance with this section  
846 as provided in the General Appropriations Act.

847 (2) (a) The Office of Early Learning shall administer  
848 school readiness funds and shall prepare and submit a unified  
849 budget request for the school readiness system in accordance  
850 with chapter 216.

851 (b) All instructions to coalitions for administering this  
852 chapter shall emanate from the office as provided by law.

853 (3) All state, federal, and required local maintenance-of-  
854 effort or matching funds provided to a coalition for purposes of  
855 this section shall be used for implementation of its approved  
856 school readiness plan, including the hiring of staff to  
857 effectively operate the coalition's school readiness program.

858 (4) Costs shall be kept to the minimum necessary for the  
859 efficient and effective administration of the school readiness  
860 program but, of the funds described in subsection (3):

861 (a) No more than 4 percent may be expended for  
862 administrative activities as described in 45 C.F.R. s. 98.52,  
863 which shall be limited to the following:

- 864        1. Planning for local implementation of the school  
 865 readiness program.
- 866        2. Providing local officials and the public with  
 867 information about the school readiness program to support  
 868 fundraising efforts for local matching funds.
- 869        3. Monitoring program activities for compliance with  
 870 program requirements.
- 871        4. Evaluating and reporting program activities and  
 872 accomplishments to the office.
- 873        5. Maintaining substantiated complaint files.
- 874        6. Coordinating with state and local child care, early  
 875 childhood education, and before-school and after-school care  
 876 programs for the provision of school readiness services.
- 877        7. Paying travel expenses.
- 878        8. Accounting and audit services.
- 879        9. Purchasing goods and services required for the  
 880 administration of the program.
- 881        10. Indirect costs.
- 882        (b) No more than 6 percent may be expended for activities  
 883 to improve the quality of child care as described in 45 C.F.R.  
 884 s. 98.51, which shall be limited to the following:
- 885        1. Developing, establishing, expanding, operating, and  
 886 coordinating resource and referral programs specifically related  
 887 to the provision of comprehensive consumer education to parents  
 888 and the public regarding participation in the school readiness  
 889 program.
- 890        2. Awarding grants to school readiness providers to assist  
 891 them in implementing developmentally appropriate curricula and



892 related classroom resources that support the curricula and  
 893 providing literacy supports.

894 3. Providing training to school readiness providers and  
 895 parents on child development standards, child screenings, child  
 896 assessments, developmentally appropriate curricula, character  
 897 development, teacher-child interactions, age-appropriate  
 898 discipline practices, health and safety, nutrition, first aid,  
 899 the recognition of communicable diseases, and child abuse  
 900 detection and prevention.

901 4. Providing from among the funds provided for the  
 902 activities described in subparagraphs 1.-3. adequate funding of  
 903 direct services for infants and toddlers as necessary to meet  
 904 federal requirements related to expenditures for quality  
 905 activities for infant and toddler care.

906 5. Assisting the provider to implement a preassessment and  
 907 postassessment approved by the office.

908 6. Responding to Warm-Line requests by providers to  
 909 support concerns related to school readiness children, including  
 910 providing developmental and health screenings to school  
 911 readiness children as requested under s. 431.29.

912  
 913 However, a coalition may expend for quality activities under  
 914 this subsection any unused funds available within the  
 915 expenditure limits imposed by paragraphs (a) and (c) upon  
 916 administrative activities and nondirect services.

917 (c) No more than 8 percent may be expended for nondirect  
 918 services required to administer the school program, which shall  
 919 be limited to the following:

- 920 |       1. Eligibility determination and redetermination.
- 921 |       2. Enrollment processes and services.
- 922 |       3. Processing and tracking attendance records.
- 923 |       4. Paying providers.
- 924 |       5. Review and supervision of child care placements to  
 925 | ensure compliance with federal, state, and local laws.
- 926 |       6. Preparation and participation in judicial hearings.
- 927 |       7. Child care placement.
- 928 |       8. The establishment and maintenance of computerized child  
 929 | care information systems necessary to implement the school  
 930 | readiness program.

931 |

932 | As used in this paragraph, the term "nondirect services" does  
 933 | not include payments to school readiness providers for direct  
 934 | services provided to eligible children pursuant to s. 431.15,  
 935 | administrative activities described in subparagraph (a), or  
 936 | quality activities described in paragraph (b).

937 |       (5) (a) A sliding fee scale percentage shall be provided in  
 938 | the General Appropriations Act, which shall be the same for all  
 939 | school readiness providers. A parent's copayment for the school  
 940 | readiness program shall be determined by multiplying the sliding  
 941 | fee scale percentage by the family income and adjusting for  
 942 | family size.

943 |       (b) Each coalition shall implement the sliding fee scale  
 944 | as provided in the General Appropriations Act. A coalition may,  
 945 | on a case-by-case basis, waive the copayment for an at-risk  
 946 | child or temporarily waive the copayment for a child whose  
 947 | family experiences a natural disaster or emergency situation

948 such as a household fire or burglary.

949 (6) (a) An adjusted payment rate percentage shall be  
 950 provided in the General Appropriations Act, and shall be used to  
 951 determine annual payment rates for school readiness providers.  
 952 The annual payment rates for each type of school readiness  
 953 provider and level of care shall be calculated by:

954 1. Multiplying the prevailing market rate for the  
 955 respective type of school readiness provider and level of care  
 956 by the adjusted payment rate percentage;

957 2. Adjusting the product of subparagraph 1. by the  
 958 district cost differential as provided in s. 1011.62(2) for the  
 959 county in which the school readiness provider is located; and

960 3. If the school readiness provider has the Gold Seal  
 961 Quality Care designation under s. 402.281, multiplying the  
 962 product of subparagraph 2. by the Gold Seal premium percentage.

963 (b) A school readiness provider's total payment for a  
 964 child shall be equal to the payment rate calculated under  
 965 paragraph (a) less the amount of the parent's copayment as  
 966 determined under subsection (5). However, payments made to the  
 967 school readiness provider may not exceed the provider's charges  
 968 to the general public for the same services.

969 (7) The office may request a budget amendment to increase  
 970 the adjusted payment rate percentage for a specific geographic  
 971 area in order to ensure that care levels are available  
 972 throughout the state. Any request to increase an adjusted  
 973 payment rate percentage must be funded through the current  
 974 year's appropriation and within each early learning coalition's  
 975 allocation for the affected geographic area. The budget

976 amendment is subject to review and approval by the Legislative  
 977 Budget Commission.

978 (8) State funds appropriated for the school readiness  
 979 program may not be used for the construction of new facilities  
 980 or the purchase of buses.

981 (9) (a) The school readiness program, in accordance with 45  
 982 C.F.R. s. 98.30, shall provide parental choice through a payment  
 983 certificate that ensures, to the maximum extent possible,  
 984 flexibility in the school readiness program and payment  
 985 arrangements. The payment certificate must bear the names of the  
 986 beneficiary and the school readiness provider and, when  
 987 redeemed, must bear the signatures of both the beneficiary and  
 988 the provider's authorized representative.

989 (b) If it is determined that a school readiness provider  
 990 has given any cash to the beneficiary in return for receiving a  
 991 payment certificate, the coalition or its fiscal agent shall  
 992 refer the matter to the Department of Financial Services  
 993 pursuant to s. 414.411 for investigation.

994 431.23 Fraudulent submission of false enrollment or  
 995 attendance information.-

996 (1) To recover state, federal, and local matching funds,  
 997 the inspector general of the Office of Early Learning shall  
 998 investigate coalitions, recipients, and providers of the school  
 999 readiness program and the Voluntary Prekindergarten Education  
 1000 Program to determine possible fraud or overpayment. If by its  
 1001 own inquiries, or as a result of a complaint, the office has  
 1002 reason to believe that a person has engaged in, or is engaging  
 1003 in a fraudulent act, it shall investigate and determine whether

1004 any overpayment has occurred due to the fraudulent act. During  
 1005 the investigation, the office may examine all records, including  
 1006 electronic benefits transfer records, and make inquiry of all  
 1007 persons who may have knowledge as to any irregularity incidental  
 1008 to the disbursement of public moneys or other items or benefits  
 1009 authorizations to recipients.

1010 (2) If the inspector general determines that an  
 1011 overpayment has occurred due to a fraudulent act, the parent or  
 1012 provider is responsible for repayment and restitution of any  
 1013 costs associated with the fraud, and the office shall pursue  
 1014 collection through any legal means. A provider or parent may not  
 1015 participate in the program until the repayment is made in full.  
 1016 Any provider that shares an officer or director with a provider  
 1017 that is ineligible to participate under this section is not be  
 1018 permitted to participate until repayment is made in full.

1019 (3) Based on the results of the investigation, the  
 1020 inspector general may, in his or her discretion, refer the  
 1021 investigation to the Department of Law Enforcement for criminal  
 1022 prosecution, seek civil enforcement, or refer the matter to the  
 1023 applicable coalition. Any suspected criminal violation  
 1024 identified by the inspector general must be referred to the  
 1025 Department of Legal Affairs for investigation.

1026 (4) If a school readiness provider, after investigation  
 1027 and adjudication by a court of competent jurisdiction, is  
 1028 convicted of fraudulently misrepresenting enrollment or  
 1029 attendance related to the school readiness program or the  
 1030 Voluntary Education Prekindergarten Program, the coalition shall  
 1031 permanently refrain from contracting with, or using the services

1032 of, that provider. In addition, the coalition shall permanently  
 1033 refrain from contracting with, or using the services of, any  
 1034 provider that shares an officer or director with a provider that  
 1035 is convicted of fraudulently misrepresenting enrollment or  
 1036 attendance related to the school readiness program or the  
 1037 Voluntary Education Prekindergarten Program.

1038 (5) If the investigation is not confidential or otherwise  
 1039 exempt from disclosure by law, the results of an investigation  
 1040 may be reported by the office to the appropriate legislative  
 1041 committees, the Department of Education, the Department of  
 1042 Children and Family Services, and to such other persons as the  
 1043 office deems appropriate.

1044 (6) A violation of this section is subject to the  
 1045 penalties provided in s. 414.39.

1046 431.41 Rulemaking.—In addition to the requirements of s.  
 1047 120.54, at least 30 days before publication in the Florida  
 1048 Administrative Weekly of notice of the proposed adoption,  
 1049 amendment, or repeal of any rule authorized by this chapter, the  
 1050 office must provide copies of the notice and the proposed rule  
 1051 to the President of the Senate and the Speaker of the House of  
 1052 Representatives.

1053 Section 2. Section 411.011, Florida Statutes, is  
 1054 transferred and renumbered as section 431.21, Florida Statutes,  
 1055 and subsection (1) and paragraph (g) of subsection (3) of that  
 1056 section are amended to read:

1057 431.21 ~~411.011~~ Records of children in the school readiness  
 1058 program ~~programs~~.—

1059 (1) The individual records of children enrolled in the

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1060 school readiness program ~~programs~~ provided under this chapter s.  
 1061 ~~411.01~~, held by an early learning coalition or the Office of  
 1062 Early Learning, are confidential and exempt from s. 119.07(1)  
 1063 and s. 24(a), Art. I of the State Constitution. For purposes of  
 1064 this section, records include assessment data, health data,  
 1065 records of teacher observations, and personal identifying  
 1066 information.

1067 (3) School readiness records may be released to:

1068 (g) Parties to an interagency agreement among early  
 1069 learning coalitions, local governmental agencies, school  
 1070 readiness providers ~~of school readiness programs~~, state  
 1071 agencies, and the Office of Early Learning for the purpose of  
 1072 implementing the school readiness program.

1073  
 1074 Agencies, organizations, or individuals that receive school  
 1075 readiness records in order to carry out their official functions  
 1076 must protect the data in a manner that does not permit the  
 1077 personal identification of a child enrolled in a school  
 1078 readiness program and his or her parents by persons other than  
 1079 those authorized to receive the records.

1080 Section 3. Section 411.0101, Florida Statutes, is  
 1081 transferred and renumbered as section 431.25, Florida Statutes,  
 1082 and subsection (1) and paragraph (a) of subsection (3) of that  
 1083 section are amended to read:

1084 431.25 ~~411.0101~~ Child care and early childhood resource  
 1085 and referral.—

1086 (1) As a part of the school readiness program ~~programs~~,  
 1087 the Office of Early Learning shall establish a statewide child

1088 care resource and referral network that is unbiased and provides  
 1089 referrals to families for child care. Preference shall be given  
 1090 to using the already established early learning coalitions as  
 1091 the child care resource and referral agencies. If an early  
 1092 learning coalition cannot comply with the requirements to offer  
 1093 the resource information component or does not want to offer  
 1094 that service, the early learning coalition shall select the  
 1095 resource and referral agency for its county or multicounty  
 1096 region based upon a request for proposal pursuant to s. 287.057  
 1097 ~~s. 411.01(5)(e)1.~~

1098 (3) Child care resource and referral agencies shall  
 1099 provide the following services:

1100 (a) Identification of existing public and private child  
 1101 care and early childhood education services, including child  
 1102 care services by public and private employers, and the  
 1103 development of a resource file of those services through the  
 1104 single statewide information system developed by the Office of  
 1105 Early Learning under s. 431.05(2)(d) ~~s. 411.01(5)(e)1.e.~~ These  
 1106 services may include family day care, public and private child  
 1107 care programs, the Voluntary Prekindergarten Education Program,  
 1108 Head Start, the school readiness program, special education  
 1109 programs for prekindergarten children with disabilities,  
 1110 services for children with developmental disabilities, full-time  
 1111 and part-time programs, before-school and after-school programs,  
 1112 vacation care programs, parent education, the Temporary Cash  
 1113 Assistance Program, and related family support services. The  
 1114 resource file shall include, but not be limited to:

1115 1. Type of program.



- 1116 2. Hours of service.
- 1117 3. Ages of children served.
- 1118 4. Number of children served.
- 1119 5. Significant program information.
- 1120 6. Fees and eligibility for services.
- 1121 7. Availability of transportation.

1122 Section 4. Section 411.01013, Florida Statutes, is  
 1123 transferred, renumbered as section 431.27, Florida Statutes, and  
 1124 amended to read:

1125 431.27 ~~411.01013~~ Prevailing market rate schedule.—

1126 ~~(1) As used in this section, the term:~~

1127 ~~(a) "Market rate" means the price that a child care~~  
 1128 ~~provider charges for daily, weekly, or monthly child care~~  
 1129 ~~services.~~

1130 ~~(b) "Prevailing market rate" means the annually determined~~  
 1131 ~~75th percentile of a reasonable frequency distribution of the~~  
 1132 ~~market rate in a predetermined geographic market at which child~~  
 1133 ~~care providers charge a person for child care services.~~

1134 ~~(1)(2)~~ The Office of Early Learning shall establish  
 1135 ~~procedures for the adoption of a prevailing market rate~~  
 1136 ~~schedule. The schedule must include, at a minimum, county-by-~~  
 1137 ~~county rates:~~

1138 ~~(a) At the prevailing market rate, plus the maximum rate,~~  
 1139 ~~for child care providers that hold a Gold Seal Quality Care~~  
 1140 ~~designation under s. 402.281.~~

1141 ~~(b) At the prevailing market rate for child care providers~~  
 1142 ~~that do not hold a Gold Seal Quality Care designation.~~

1143 ~~(3) The prevailing market rate schedule, at a minimum,~~

1144 ~~must:~~

1145       (a) Differentiate rates by type, including, but not

1146 limited to, ~~a child care provider that holds a Gold Seal Quality~~

1147 ~~Care designation under s. 402.281,~~ a child care facility

1148 licensed under s. 402.305, a public or nonpublic school exempt

1149 from licensure under s. 402.3025, a faith-based child care

1150 facility exempt from licensure under s. 402.316 ~~that does not~~

1151 ~~hold a Gold Seal Quality Care designation,~~ a large family child

1152 care home licensed under s. 402.3131, or a family day care home

1153 licensed or registered under s. 402.313.

1154       (b) Differentiate rates by the type of child care services

1155 provided for ~~children with special needs or risk categories,~~

1156 infants, toddlers, preschool-age children, and school-age

1157 children.

1158       (c) Differentiate rates between full-time and part-time

1159 child care services.

1160       ~~(d) Consider discounted rates for child care services for~~

1161 ~~multiple children in a single family.~~

1162       (2)-(4) The prevailing market rate schedule must be based

1163 exclusively on the prices charged for child care services. If a

1164 conflict exists between this subsection and federal

1165 requirements, the federal requirements shall control.

1166       (3)-(5) Each child care and early childhood education

1167 provider that receives school readiness funds must submit its

1168 market rate by August 1 of each year to the Office of Early

1169 Learning for inclusion in the calculation of the prevailing

1170 market rate ~~shall be considered by an early learning coalition~~

1171 ~~in the adoption of a payment schedule in accordance with s.~~

1172 ~~411.01(5)(e)2.~~

1173 (4)(6) The office of ~~Early Learning~~ may contract with one  
 1174 or more qualified entities to administer this section and  
 1175 provide support and technical assistance for child care  
 1176 providers.

1177 (5)(7) The office of ~~Early Learning~~ may adopt rules  
 1178 pursuant to ~~ss. 120.536(1) and 120.54~~ for establishing  
 1179 procedures for the collection of child care providers' market  
 1180 rate, the calculation of a reasonable frequency distribution of  
 1181 the market rate, and the publication of a prevailing market rate  
 1182 schedule.

1183 Section 5. Section 411.01015, Florida Statutes, is  
 1184 transferred and renumbered as section 431.29, Florida Statutes,  
 1185 and subsection (3) of that section is amended to read:

1186 431.29 ~~411.01015~~ Consultation to child care centers and  
 1187 family day care homes regarding health, developmental,  
 1188 disability, and special needs issues.-

1189 (3) The office of ~~Early Learning~~ shall annually inform  
 1190 child care centers and family day care homes of the availability  
 1191 of this service through the child care resource and referral  
 1192 network under s. 431.25 ~~s. 411.0101~~.

1193 Section 6. Section 411.0102, Florida Statutes, is  
 1194 transferred, renumbered as section 431.31, Florida Statutes, and  
 1195 amended to read:

1196 431.31 ~~411.0102~~ Child Care Executive Partnership Act;  
 1197 findings and intent; grant; limitation; rules.-

1198 ~~(1) This section may be cited as the "Child Care Executive~~  
 1199 ~~Partnership Act."~~

1200           (1)~~(2)~~(a) The Legislature finds that when private  
 1201 employers provide onsite child care or provide other child care  
 1202 benefits, they benefit by improved recruitment and higher  
 1203 retention rates for employees, lower absenteeism, and improved  
 1204 employee morale. The Legislature also finds that there are many  
 1205 ways in which private employers can provide child care  
 1206 assistance to employees: information and referral, vouchering,  
 1207 employer contribution to child care programs, and onsite care.  
 1208 Private employers can offer child care as part of a menu of  
 1209 employee benefits. The Legislature recognizes that flexible  
 1210 compensation programs providing a child care option are  
 1211 beneficial to the private employer through increased  
 1212 productivity, to the private employee in knowing that his or her  
 1213 children are being cared for in a safe and nurturing  
 1214 environment, and to the state in more dollars being available  
 1215 for purchasing power and investment.

1216           (b) It is the intent of the Legislature to promote public-  
 1217 private ~~public/private~~ partnerships to ensure that the children  
 1218 of the state be provided safe and enriching child care at any  
 1219 time, but especially while parents work to remain self-  
 1220 sufficient. It is the intent of the Legislature that private  
 1221 employers be encouraged to participate in the future of this  
 1222 state by providing employee child care benefits. Further, it is  
 1223 the intent of the Legislature to encourage private employers to  
 1224 explore innovative ways to assist employees to obtain quality  
 1225 child care.

1226           (c) The Legislature further recognizes that many parents  
 1227 need assistance in paying the full costs of quality child care.

1228 The public and private sectors, by working in partnership, can  
 1229 promote and improve access to quality child care and early  
 1230 education for children of working families who need it.  
 1231 Therefore, a more formal mechanism is necessary to stimulate the  
 1232 establishment of public-private partnerships. It is the intent  
 1233 of the Legislature to expand the availability of scholarship  
 1234 options for working families by providing incentives for  
 1235 employers to contribute to meeting the needs of their employees'  
 1236 families through matching public dollars available for child  
 1237 care.

1238 (2) (a) (3) The office ~~There is created a body politic and~~  
 1239 ~~corporate known as the Child Care Executive Partnership which~~  
 1240 ~~shall establish and~~ govern the Child Care Executive Partnership  
 1241 Program. The purpose of the Child Care Executive Partnership  
 1242 Program is to utilize state and federal funds as incentives for  
 1243 matching local funds derived from local governments, employers,  
 1244 charitable foundations, and other sources so that Florida  
 1245 communities may create local flexible partnerships with  
 1246 employers. The Child Care Executive Partnership Program funds  
 1247 shall be used at the discretion of local communities to meet the  
 1248 needs of working parents. A child care purchasing pool shall be  
 1249 developed with the state, federal, and local funds to provide  
 1250 subsidies to low-income working parents whose family income does  
 1251 not exceed the allowable income for any federally subsidized  
 1252 child care program with a dollar-for-dollar match from  
 1253 employers, local government, and other matching contributions.  
 1254 The funds used from the child care purchasing pool must be used  
 1255 to supplement or extend the use of existing public or private

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funds.

~~(4) The Child Care Executive Partnership, staffed by the Office of Early Learning, shall consist of a representative of the Executive Office of the Governor and nine members of the corporate or child care community, appointed by the Governor.~~

~~(a) Members shall serve for a period of 4 years, except that the representative of the Executive Office of the Governor shall serve at the pleasure of the Governor.~~

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

~~(c) Members shall serve without compensation, but may be reimbursed for per diem and travel expenses in accordance with s. 112.061.~~

~~(d) The Child Care Executive Partnership shall have all the powers and authority, not explicitly prohibited by statute, necessary to carry out and effectuate the purposes of this section, as well as the functions, duties, and responsibilities of the partnership, including, but not limited to, the following:~~

- ~~1. Assisting in the formulation and coordination of the state's child care policy.~~
- ~~2. Adopting an official seal.~~

1284           3. ~~Soliciting, accepting, receiving, investing, and~~  
 1285 ~~expending funds from public or private sources.~~

1286           4. ~~Contracting with public or private entities as~~  
 1287 ~~necessary.~~

1288           5. ~~Approving an annual budget.~~

1289           6. ~~Carrying forward any unexpended state appropriations~~  
 1290 ~~into succeeding fiscal years.~~

1291           7. ~~Providing a report to the Governor, the Speaker of the~~  
 1292 ~~House of Representatives, and the President of the Senate, on or~~  
 1293 ~~before December 1 of each year.~~

1294           (5) (a) ~~The Legislature shall annually determine the amount~~  
 1295 ~~of state or federal low-income child care moneys which shall be~~  
 1296 ~~used to create Child Care Executive Partnership Program child~~  
 1297 ~~care purchasing pools in counties chosen by the Child Care~~  
 1298 ~~Executive Partnership, provided that at least two of the~~  
 1299 ~~counties have populations of no more than 300,000. The~~  
 1300 ~~Legislature shall annually review the effectiveness of the child~~  
 1301 ~~care purchasing pool program and reevaluate the percentage of~~  
 1302 ~~additional state or federal funds, if any, which can be used for~~  
 1303 ~~the program's expansion.~~

1304           (b) To ensure a seamless service delivery and ease of  
 1305 access for families, an early learning coalition or the office  
 1306 ~~of Early Learning~~ shall administer the child care purchasing  
 1307 pool funds.

1308           (c) The office ~~of Early Learning, in conjunction with the~~  
 1309 ~~Child Care Executive Partnership,~~ shall adopt rules develop  
 1310 procedures for the disbursement of Child Care Executive  
 1311 Partnership Program funds ~~through the child care purchasing~~

1312 ~~pools~~. In order to be considered for funding, an early learning  
 1313 coalition or the office of ~~Early Learning~~ must commit to:

1314 1. Matching the state purchasing pool funds on a dollar-  
 1315 for-dollar basis; and

1316 2. Expending only those public funds that are matched by  
 1317 employers, local government, and other matching contributors who  
 1318 contribute to the purchasing pool. Parents shall also pay a fee,  
 1319 which may not be less than the amount identified in the ~~early~~  
 1320 ~~learning coalition's~~ school readiness program sliding fee scale.

1321 ~~(d) Each early learning coalition shall establish a~~  
 1322 ~~community child care task force for each child care purchasing~~  
 1323 ~~pool. The task force must be composed of employers, parents,~~  
 1324 ~~private child care providers, and one representative from the~~  
 1325 ~~local children's services council, if one exists in the area of~~  
 1326 ~~the purchasing pool. The early learning coalition is expected to~~  
 1327 ~~recruit the task force members from existing child care~~  
 1328 ~~councils, commissions, or task forces already operating in the~~  
 1329 ~~area of a purchasing pool. A majority of the task force shall~~  
 1330 ~~consist of employers.~~

1331 (d)(e) Each participating ~~early learning~~ coalition board  
 1332 shall develop a plan for the use of child care purchasing pool  
 1333 funds. The plan must show how many children will be served by  
 1334 the purchasing pool, how many will be new to receiving child  
 1335 care services, and how the early learning coalition intends to  
 1336 attract new employers and their employees to the program.

1337 ~~(6) The Office of Early Learning shall adopt any rules~~  
 1338 ~~necessary for the implementation and administration of this~~  
 1339 ~~section.~~



1340           (3) Child Care Executive Partnership Program funds are  
 1341 subject to the funding requirements of s. 431.19.

1342           (4) The office shall report the activities and detailed  
 1343 expenditures related to the Child Care Executive Partnership  
 1344 Program in the annual report required under s. 431.05(8). Each  
 1345 coalition receiving Child Care Executive Partnership Program  
 1346 funds shall include a summary of related activities and detailed  
 1347 expenditures associated with this program in its annual report  
 1348 required under s. 431.11(14) (b) .

1349           Section 7. Section 411.0103, Florida Statutes, is  
 1350 transferred and renumbered as section 431.33, Florida Statutes.

1351           Section 8. Section 411.0105, Florida Statutes, is  
 1352 transferred and renumbered as section 431.35, Florida Statutes.

1353           Section 9. Section 411.0106, Florida Statutes, is  
 1354 transferred, renumbered as section 431.37, Florida Statutes, and  
 1355 amended to read:

1356           431.37 ~~411.0106~~ Infants and toddlers in state-funded  
 1357 education and care programs; brain development activities.—Each  
 1358 state-funded education and care program for children from birth  
 1359 to 5 years of age must provide activities to foster brain  
 1360 development in infants and toddlers. A program must provide an  
 1361 environment that helps children attain the child development  
 1362 ~~performance standards~~ adopted by the office of ~~Early Learning~~  
 1363 under s. 431.05(6) ~~s. 411.01(4)(d)8.~~ and must be rich in  
 1364 language and music and filled with objects of various colors,  
 1365 shapes, textures, and sizes to stimulate visual, tactile,  
 1366 auditory, and linguistic senses in the children and must include  
 1367 classical music and at least 30 minutes of reading to the

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1368 children each day. A program may be offered through an existing  
 1369 early childhood program such as Healthy Start, the Title I  
 1370 program, the school readiness program, the Head Start program,  
 1371 or a private child care program. A program must provide training  
 1372 for the infants' and toddlers' parents including direct dialogue  
 1373 and interaction between teachers and parents demonstrating the  
 1374 urgency of brain development in the first year of a child's  
 1375 life. Family day care centers are encouraged, but not required,  
 1376 to comply with this section.

1377 Section 10. Section 1002.77, Florida Statutes, is  
 1378 transferred, renumbered as section 431.39, Florida Statutes, and  
 1379 subsection (1) of that section is amended to read:

1380 431.39 ~~1002.77~~ Florida Early Learning Advisory Council.—

1381 (1) There is created the Florida Early Learning Advisory  
 1382 Council within the Office of Early Learning. The purpose of the  
 1383 advisory council is to share best practices ~~submit~~  
 1384 ~~recommendations to the department on the early learning policy~~  
 1385 ~~of this state, including recommendations~~ relating to  
 1386 administration of the Voluntary Prekindergarten Education  
 1387 Program under part V of chapter 1002 ~~this part~~ and the school  
 1388 readiness program ~~programs~~ under this chapter ~~s. 411.01~~.

1389 Section 11. Paragraph (p) of subsection (3) of section  
 1390 11.45, Florida Statutes, is amended to read:

1391 11.45 Definitions; duties; authorities; reports; rules.—

1392 (3) AUTHORITY FOR AUDITS AND OTHER ENGAGEMENTS.—The  
 1393 Auditor General may, pursuant to his or her own authority, or at  
 1394 the direction of the Legislative Auditing Committee, conduct  
 1395 audits or other engagements as determined appropriate by the

1396 Auditor General of:

1397 (p) The school readiness system, including the early  
 1398 learning coalitions, created under chapter 431 ~~s. 411.01~~.

1399 Section 12. Paragraph (h) of subsection (3) of section  
 1400 20.15, Florida Statutes, is amended to read:

1401 20.15 Department of Education.—There is created a  
 1402 Department of Education.

1403 (3) DIVISIONS.—The following divisions of the Department  
 1404 of Education are established:

1405 (h) The Office of Early Learning, which shall administer  
 1406 the school readiness system in accordance with chapter 431 ~~s.~~  
 1407 ~~411.01~~ and the operational requirements of the Voluntary  
 1408 Prekindergarten Education Program in accordance with part V of  
 1409 chapter 1002. The office is a separate budget entity and is not  
 1410 subject to control, supervision, or direction by the Department  
 1411 of Education or the State Board of Education in any manner  
 1412 including, but not limited to, personnel, purchasing,  
 1413 transactions involving personal property, and budgetary matters.  
 1414 The office director shall be appointed by the Governor and  
 1415 confirmed by the Senate, shall serve at the pleasure of the  
 1416 Governor, and shall be the agency head of the office for all  
 1417 purposes. The office shall enter into a service agreement with  
 1418 the department for professional, technological, and  
 1419 administrative support services. The office shall be subject to  
 1420 review and oversight by the Chief Inspector General or his or  
 1421 her designee.

1422 Section 13. Subsection (8) of section 216.136, Florida  
 1423 Statutes, is amended to read:

1424 216.136 Consensus estimating conferences; duties and  
 1425 principals.—

1426 (8) EARLY LEARNING PROGRAMS ESTIMATING CONFERENCE.—

1427 (a) The Early Learning Programs Estimating Conference  
 1428 shall develop estimates and forecasts of the unduplicated count  
 1429 of children eligible for the school readiness program ~~programs~~  
 1430 in accordance with the standards of eligibility established in  
 1431 s. 431.13 ~~s. 411.01(6)~~, and of children eligible for the  
 1432 Voluntary Prekindergarten Education Program in accordance with  
 1433 s. 1002.53(2), as the conference determines are needed to  
 1434 support the state planning, budgeting, and appropriations  
 1435 processes.

1436 (b) The Office of Early Learning shall provide information  
 1437 on needs and waiting lists for the school readiness program  
 1438 ~~programs~~, and information on the needs for the Voluntary  
 1439 Prekindergarten Education Program, as requested by the Early  
 1440 Learning Programs Estimating Conference or individual conference  
 1441 principals in a timely manner.

1442 Section 14. Subsection (9) of section 402.302, Florida  
 1443 Statutes, is amended to read:

1444 402.302 Definitions.—As used in this chapter, the term:

1445 (9) "Household children" means children who are related by  
 1446 blood, marriage, or legal adoption to, or who are the legal  
 1447 wards of, the family day care home operator, the large family  
 1448 child care home operator, or an adult household member who  
 1449 permanently or temporarily resides in the home. Supervision of  
 1450 the operator's household children shall be left to the  
 1451 discretion of the operator unless those children receive

1452 subsidized child care through the school readiness program  
 1453 pursuant to s. 431.23 ~~s. 411.0101~~ to be in the home.

1454 Section 15. Paragraph (a) of subsection (2) of section  
 1455 490.014, Florida Statutes, is amended to read:

1456 490.014 Exemptions.—

1457 (2) No person shall be required to be licensed or  
 1458 provisionally licensed under this chapter who:

1459 (a) Is a salaried employee of a government agency; a  
 1460 developmental disability facility or program; a mental health,  
 1461 alcohol, or drug abuse facility operating under chapter 393,  
 1462 chapter 394, or chapter 397; the statewide child care resource  
 1463 and referral network operating under s. 431.25 ~~s. 411.0101~~; a  
 1464 child-placing or child-caring agency licensed pursuant to  
 1465 chapter 409; a domestic violence center certified pursuant to  
 1466 chapter 39; an accredited academic institution; or a research  
 1467 institution, if such employee is performing duties for which he  
 1468 or she was trained and hired solely within the confines of such  
 1469 agency, facility, or institution, so long as the employee is not  
 1470 held out to the public as a psychologist pursuant to s.  
 1471 490.012(1)(a).

1472 Section 16. Paragraph (a) of subsection (4) of section  
 1473 491.014, Florida Statutes, is amended to read:

1474 491.014 Exemptions.—

1475 (4) No person shall be required to be licensed,  
 1476 provisionally licensed, registered, or certified under this  
 1477 chapter who:

1478 (a) Is a salaried employee of a government agency; a  
 1479 developmental disability facility or program; a mental health,

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1480 alcohol, or drug abuse facility operating under chapter 393,  
 1481 chapter 394, or chapter 397; the statewide child care resource  
 1482 and referral network operating under s. 431.25 ~~s. 411.0101~~; a  
 1483 child-placing or child-caring agency licensed pursuant to  
 1484 chapter 409; a domestic violence center certified pursuant to  
 1485 chapter 39; an accredited academic institution; or a research  
 1486 institution, if such employee is performing duties for which he  
 1487 or she was trained and hired solely within the confines of such  
 1488 agency, facility, or institution, so long as the employee is not  
 1489 held out to the public as a clinical social worker, mental  
 1490 health counselor, or marriage and family therapist.

1491 Section 17. Subsection (4) of section 1002.51, Florida  
 1492 Statutes, is amended to read:

1493 1002.51 Definitions.—As used in this part, the term:

1494 (4) "Early learning coalition" or "coalition" means an  
 1495 early learning coalition established ~~created~~ under s. 431.07 ~~s.~~  
 1496 ~~411.01~~.

1497 Section 18. Paragraph (a) of subsection (4) of section  
 1498 1002.53, Florida Statutes, is amended to read:

1499 1002.53 Voluntary Prekindergarten Education Program;  
 1500 eligibility and enrollment.—

1501 (4) (a) Each parent enrolling a child in the Voluntary  
 1502 Prekindergarten Education Program must complete and submit an  
 1503 application to the early learning coalition through the single  
 1504 point of entry established under s. 431.05(2)(d) ~~s. 411.01~~.

1505 Section 19. Paragraph (d) of subsection (3) of section  
 1506 1002.67, Florida Statutes, is amended to read:

1507 1002.67 Performance standards; curricula and

1508 accountability.—

1509 (3)

1510 (d) Each early learning coalition, the Office of Early  
 1511 Learning, and the department shall coordinate with the Child  
 1512 Care Services Program Office of the Department of Children and  
 1513 Family Services to minimize interagency duplication of  
 1514 activities for monitoring private prekindergarten providers for  
 1515 compliance with requirements of the Voluntary Prekindergarten  
 1516 Education Program under this part, the school readiness program  
 1517 ~~programs~~ under chapter 431 s. 411.01, and the licensing of  
 1518 providers under ss. 402.301-402.319.

1519 Section 20. Paragraph (a) of subsection (5) of section  
 1520 1002.71, Florida Statutes, is amended to read:

1521 1002.71 Funding; financial and attendance reporting.—

1522 (5) (a) Each early learning coalition shall maintain  
 1523 through the single point of entry established under s.  
 1524 431.05(2)(d) ~~s. 411.01~~ a current database of the students  
 1525 enrolled in the Voluntary Prekindergarten Education Program for  
 1526 each county within the coalition's region.

1527 Section 21. Subsection (4) of section 1006.03, Florida  
 1528 Statutes, is amended to read:

1529 1006.03 Diagnostic and learning resource centers.—

1530 (4) Diagnostic and learning resource centers may assist  
 1531 districts in providing testing and evaluation services for  
 1532 infants and preschool children with or at risk of developing  
 1533 disabilities, and may assist districts in providing  
 1534 interdisciplinary training and resources to parents of infants  
 1535 and preschool children with or at risk of developing

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1536 disabilities and to the school readiness program ~~programs~~.

1537 Section 22. Sections 411.01, 411.01014, 411.0104, 445.023,  
1538 and 445.032, Florida Statutes, are repealed.

1539 Section 23. This act shall take effect July 1, 2012.