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# **Education Committee**

**Friday, March 22, 2013**

**8:00 AM – 10:00 AM**

**102 HOB**

## **Action Packet**

**Will Weatherford**  
Speaker

**H. Marlene O'Toole**  
Chair

# COMMITTEE MEETING REPORT

## Education Committee

3/22/2013 8:00:00AM

**Location:** Reed Hall (102 HOB)

### Summary:

#### Education Committee

Friday March 22, 2013 08:00 am

HB 21	Favorable	Yeas: 16	Nays: 0
HB 295	Favorable	Yeas: 16	Nays: 0
CS/HB 461	Favorable	Yeas: 14	Nays: 0
HB 525	Favorable	Yeas: 15	Nays: 0
CS/HB 609	Favorable With Committee Substitute Amendment 193539 Adopted	Yeas: 14	Nays: 0
CS/HB 863	Favorable With Committee Substitute Amendment 028635 Adopted Amendment 173691 Adopted Amendment 222939 Adopted	Yeas: 11	Nays: 3
CS/HB 867	Favorable With Committee Substitute Amendment 393689 Adopted Amendment 922037 Withdrawn	Yeas: 11	Nays: 7
HB 1027	Favorable	Yeas: 14	Nays: 0
HB 7051	Favorable With Committee Substitute Amendment 570113 Adopted	Yeas: 15	Nays: 0
PCS for CS/HB 7009	Favorable With Amendments Amendment PCS for CSHB 7009 a1 Adopted Amendment PCS for CSHB 7009 a2 Adopted Amendment PCS for CSHB 7009 a3 Adopted Amendment PCS for CSHB 7009 a4 Withdrawn Amendment PCS for CSHB 7009 a5 Adopted	Yeas: 12	Nays: 6

Committee meeting was reported out: Friday, March 22, 2013 4:29:56PM

# COMMITTEE MEETING REPORT

## Education Committee

3/22/2013 8:00:00AM

**Location:** Reed Hall (102 HOB)

**Attendance:**

	<i>Present</i>	<i>Absent</i>	<i>Excused</i>
H. Marlene O'Toole (Chair)	X		
Janet Adkins	X		
Michael Bileca	X		
Mark Danish	X		
Manny Diaz, Jr.	X		
Reggie Fullwood	X		
James Grant	X		
Travis Hutson	X		
Charles McBurney	X		
Jeanette Nuñez	X		
W. Keith Perry	X		
Kathleen Peters	X		
Elizabeth Porter	X		
Betty Reed	X		
Joe Saunders	X		
Cynthia Stafford	X		
Victor Torres, Jr.	X		
Carl Zimmermann	X		
<b>Totals:</b>	<b>18</b>	<b>0</b>	<b>0</b>

Committee meeting was reported out: Friday, March 22, 2013 4:29:56PM

# COMMITTEE MEETING REPORT

## Education Committee

3/22/2013 8:00:00AM

Location: Reed Hall (102 HOB)

### HB 21 : Background Screening for Noninstructional Contractors on School Grounds

Favorable

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Janet Adkins	X				
Michael Bileca	X				
Mark Danish	X				
Manny Diaz, Jr.	X				
Reggie Fullwood	X				
James Grant	X				
Travis Hutson				X	
Charles McBurney	X				
Jeanette Nufiez	X				
W. Keith Perry	X				
Kathleen Peters	X				
Elizabeth Porter	X				
Betty Reed				X	
Joe Saunders	X				
Cynthia Stafford	X				
Victor Torres, Jr.	X				
Carl Zimmermann	X				
H. Marlene O'Toole (Chair)	X				
<b>Total Yeas: 16</b>		<b>Total Nays: 0</b>			

#### Appearances:

Richard Watson, Legislative Counsel (Lobbyist) - Waive In Support  
Associated  
Post Office Box 10038  
Tallahassee Florida 32302  
Phone: (850) 222-0000

Brian Pitts, Trustee - Information Only  
Justice-2-Jesus  
1119 Newton Ave South  
Saint Petersburg Florida 33705  
Phone: (727) 897-9291

Amy Datz - Waive In Support  
1130 Crestview Ave  
Tallahassee Florida 32303  
Phone: (850) 322-1599

Adam Giery, Director of Policy (Lobbyist) - Waive In Support  
Florida Chamber of Commerce  
136 South Bronough Street  
Tallahassee Florida 32301  
Phone: (850) 521-1200

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# COMMITTEE MEETING REPORT

## Education Committee

3/22/2013 8:00:00AM

**Location:** Reed Hall (102 HOB)

**HB 295 : American Founders' Month**

Favorable

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Janet Adkins	X				
Michael Bileca	X				
Mark Danish	X				
Manny Diaz, Jr.	X				
Reggie Fullwood	X				
James Grant	X				
Travis Hutson				X	
Charles McBurney	X				
Jeanette Nuñez	X				
W. Keith Perry	X				
Kathleen Peters	X				
Elizabeth Porter	X				
Betty Reed				X	
Joe Saunders	X				
Cynthia Stafford	X				
Victor Torres, Jr.	X				
Carl Zimmermann	X				
H. Marlene O'Toole (Chair)	X				
<b>Total Yeas: 16</b>		<b>Total Nays: 0</b>			

### Appearances:

Brian Pitts, Trustee - Information Only

Justice-2-Jesus

1119 Newton Ave South

Saint Petersburg Florida 33705

Phone: (727) 897-9291

Committee meeting was reported out: Friday, March 22, 2013 4:29:56PM

# COMMITTEE MEETING REPORT

## Education Committee

3/22/2013 8:00:00AM

Location: Reed Hall (102 HOB)

CS/HB 461 : Deaf and Hard-of-Hearing Students

Favorable

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Janet Adkins	X				
Michael Bileca	X				
Mark Danish	X				
Manny Diaz, Jr.	X				
Reggie Fullwood	X				
James Grant				X	
Travis Hutson				X	
Charles McBurney	X				
Jeanette Nuñez	X				
W. Keith Perry	X				
Kathleen Peters	X				
Elizabeth Porter	X				
Betty Reed				X	
Joe Saunders	X				
Cynthia Stafford	X				
Victor Torres, Jr.	X				
Carl Zimmermann				X	
H. Marlene O'Toole (Chair)	X				
<b>Total Yeas: 14</b>		<b>Total Nays: 0</b>			

### Appearances:

Lieffers, Gary (Lobbyist) - Proponent  
Florida Registry of Interpreters for the Deaf  
5020 Centennial Oak Circle  
Tallahassee FL 32308  
Phone: (850)264-5139

Committee meeting was reported out: Friday, March 22, 2013 4:29:56PM

# COMMITTEE MEETING REPORT

## Education Committee

3/22/2013 8:00:00AM

**Location:** Reed Hall (102 HOB)

**HB 525 : Joint Use of Public School Facilities**

Favorable

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Janet Adkins				X	
Michael Bileca	X				
Mark Danish	X				
Manny Diaz, Jr.	X				
Reggie Fullwood	X				
James Grant	X				
Travis Hutson				X	
Charles McBurney	X				
Jeanette Nufiez	X				
W. Keith Perry	X				
Kathleen Peters	X				
Elizabeth Porter	X				
Betty Reed				X	
Joe Saunders	X				
Cynthia Stafford	X				
Victor Torres, Jr.	X				
Carl Zimmermann	X				
H. Marlene O'Toole (Chair)	X				
<b>Total Yeas: 15</b>					
		<b>Total Nays: 0</b>			

**Appearances:**

Brian Pitts, Trustee - Information Only

Justice-2-Jesus  
1119 Newton Ave South  
Saint Petersburg Florida 33705  
Phone: (727) 897-9291

Fely Curva (Lobbyist) - Waive In Support

Florida Alliance for Health, PE, Recreation, Dance, & Sports  
1212 Piedmont Drive  
Tallahassee Florida 32312  
Phone: (850) 508-2256

Bob Harris (Lobbyist) - Proponent

2618 Centennial Place  
Tallahassee Florida 32308  
Phone: (850) 222-0720

James Mosteller (Lobbyist) - Waive In Support

American Heart Association  
2851 Remington Green Cir  
Tallahassee Florida 32308  
Phone: (850) 692-3166

Committee meeting was reported out: Friday, March 22, 2013 4:29:56PM

# COMMITTEE MEETING REPORT

## Education Committee

3/22/2013 8:00:00AM

**Location:** Reed Hall (102 HOB)

**CS/HB 609 : Bullying in the Public School System**

*Favorable With Committee Substitute*

	<i>Yea</i>	<i>Nay</i>	<i>No Vote</i>	<i>Absentee Yea</i>	<i>Absentee Nay</i>
Janet Adkins				X	
Michael Bileca	X				
Mark Danish	X				
Manny Diaz, Jr.	X				
Reggie Fullwood	X				
James Grant	X				
Travis Hutson				X	
Charles McBurney	X				
Jeanette Nuñez	X				
W. Keith Perry	X				
Kathleen Peters	X				
Elizabeth Porter	X				
Betty Reed				X	
Joe Saunders	X				
Cynthia Stafford	X				
Victor Torres, Jr.	X				
Carl Zimmermann	X				
H. Marlene O'Toole (Chair)				X	
<b>Total Yeas: 14</b>		<b>Total Nays: 0</b>			

### CS/HB 609 Amendments

#### Amendment 193539

*Adopted*

#### Appearances:

Bob Harris (Lobbyist) - Opponent  
Panhandle Area Educational Consortium  
2618 Cennntennial Place  
Tallahassee FL 32308  
Phone: (850)222-0720

Committee meeting was reported out: Friday, March 22, 2013 4:29:56PM





Amendment No. 1

COMMITTEE/SUBCOMMITTEE ACTION

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

1 Committee/Subcommittee hearing bill: Education Committee  
 2 Representative Fullwood offered the following:

**Amendment (with directory and title amendments)**

5 Remove lines 138-148 and insert:

7 (h) A process to investigate whether a reported act of  
 8 bullying or harassment is within the scope of the district  
 9 school system and, if not, a process for referral of such an act  
 10 to the appropriate jurisdiction. Computers without web-filtering  
 11 software, or computers with web-filtering software that is  
 12 disabled, shall be used when complaints of cyberbullying are  
 13 investigated.

14 (i) A procedure for providing immediate notification to  
 15 the parents of a victim of bullying or harassment and the  
 16 parents of the perpetrator of an act of bullying or harassment,  
 17 as well as notification to all local agencies where criminal  
 18 charges may be pursued against the perpetrator.

19 (j) A procedure to refer victims and perpetrators of  
 20 bullying or harassment for counseling.



Amendment No. 1

21 (k) A procedure for including incidents of bullying or  
22 harassment in the school's report of data concerning school  
23 safety and discipline required under s. 1006.09(6). The report  
24 must include each incident of bullying or harassment and the  
25 resulting consequences, including discipline and referrals. The  
26 report must include in a separate section each reported incident  
27 of bullying or harassment that does not meet the criteria of a  
28 prohibited act under this section with recommendations regarding  
29 such incidents. The Department of Education shall aggregate  
30 information contained in the reports.

31 (l) A procedure for providing instruction to students,  
32 parents, teachers, school administrators, counseling staff, and  
33 school volunteers on identifying, preventing, and responding to  
34 bullying or harassment, including instruction on recognizing  
35 behaviors that lead to bullying and harassment and taking  
36 appropriate preventive action based on those observations.

37 (m) A procedure for regularly reporting to a victim's  
38 parents the actions taken to protect the victim.

39 (n) A procedure for publicizing the policy, which must  
40 include its publication in the code of student conduct required  
41 under s. 1006.07(2) and in all employee handbooks.

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**D I R E C T O R Y   A M E N D M E N T**

Remove lines 24-27 and insert:



Amendment No. 1

49 Section 1. Subsections (2) and (3) and paragraphs (h) and (l)  
50 of subsection (4) of section 1006.147, Florida Statutes, are  
51 amended to read:

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**T I T L E   A M E N D M E N T**

58

Remove lines 16-20 and insert:

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taking appropriate preventive action; requiring the use of  
60 computers without web-filtering software, or computers with web-  
61 filtering software that is disabled, when investigating  
62 complaints of cyberbullying

63

# COMMITTEE MEETING REPORT

## Education Committee

3/22/2013 8:00:00AM

**Location:** Reed Hall (102 HOB)

**CS/HB 863 : Teacher Preparation and Accountability**

Favorable With Committee Substitute

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Janet Adkins	X				
Michael Bileca	X				
Mark Danish		X			
Manny Diaz, Jr.	X				
Reggie Fullwood	X				
James Grant				X	
Travis Hutson				X	
Charles McBurney	X				
Jeanette Nuñez	X				
W. Keith Perry				X	
Kathleen Peters	X				
Elizabeth Porter	X				
Betty Reed				X	
Joe Saunders	X				
Cynthia Stafford		X			
Victor Torres, Jr.		X			
Carl Zimmermann	X				
H. Marlene O'Toole (Chair)	X				
<b>Total Yeas: 11</b>		<b>Total Nays: 3</b>			

### CS/HB 863 Amendments

#### Amendment 028635

Adopted

#### Amendment 173691

Adopted

#### Amendment 222939

Adopted

### Appearances:

Bob Boyd, General Counsel (Lobbyist) - Waive In Support  
Independent Colleges & Universities of Florida  
660 East Jefferson St  
Tallahassee Florida 32301  
Phone: (850) 412-0306

Committee meeting was reported out: Friday, March 22, 2013 4:29:56PM

# COMMITTEE MEETING REPORT

## Education Committee

3/22/2013 8:00:00AM

**Location:** Reed Hall (102 HOB)

**CS/HB 863 : Teacher Preparation and Accountability (continued)**

**Appearances: (continued)**

Tanya Cooper (Lobbyist) (State Employee) - Waive In Support  
Department of Education  
325 West Gaines St  
Tallahassee Florida 32399  
Phone: (850) 245-0507

Bill Warren, Legislative Director (Lobbyist) - Waive In Support  
Foundation for Florida's Future  
Post Office Box 10691  
Tallahassee Florida 32302  
Phone: (850) 391-3070

Adam Giery, Director of Policy (Lobbyist) - Waive In Support  
Florida Chamber of Commerce  
136 South Bronough St  
Tallahassee Florida 32301  
Phone: (850) 521-1200

Committee meeting was reported out: Friday, March 22, 2013 4:29:56PM



Amendment No. 1

COMMITTEE/SUBCOMMITTEE ACTION

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

1 Committee/Subcommittee hearing bill: Education Committee  
2 Representative Spano offered the following:

3  
4 **Amendment**

5 Remove line 196 and insert:  
6 positions in Florida public schools and private schools, if  
7 available.

8



Amendment No.2

COMMITTEE/SUBCOMMITTEE ACTION

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

1 Committee/Subcommittee hearing bill: Education Committee  
 2 Representative Spano offered the following:

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 4  
 5  
 6  
 7  
 8

**Amendment**

Remove lines 208-209 and insert:

e. Results of program completers' annual evaluations in accordance with the timeline as set forth in s. 1012.34.



Amendment No.3

COMMITTEE/SUBCOMMITTEE ACTION

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

1 Committee/Subcommittee hearing bill: Education Committee  
 2 Representative Spano offered the following:

**Amendment**

5 Remove lines 386-393 and insert:

6 (a) All individuals ~~instructors~~ in postsecondary teacher  
 7 preparation programs who instruct or supervise preservice field  
 8 experience courses or internships in which a candidate  
 9 demonstrates his or her impact on student learning growth shall  
 10 have ~~at least one of~~ the following: specialized training in  
 11 clinical supervision; at least three years of successful,  
 12 relevant prekindergarten through grade 12 teaching, student  
 13 services, or school administration experience; and an annual  
 14 demonstration of experience in a relevant prekindergarten  
 15 through grade 12 school setting as defined by State Board of  
 16 Education rule ~~valid professional teaching certificate pursuant~~  
 17 ~~to ss. 1012.56 and 1012.585; or at least 3 years of successful~~  
 18 ~~teaching experience in prekindergarten through grade 12.~~



# COMMITTEE MEETING REPORT

## Education Committee

3/22/2013 8:00:00AM

**Location:** Reed Hall (102 HOB)

**CS/HB 867 : Parent Empowerment in Education**

*Favorable With Committee Substitute*

	<i>Yea</i>	<i>Nay</i>	<i>No Vote</i>	<i>Absentee Yea</i>	<i>Absentee Nay</i>
Janet Adkins	X				
Michael Bileca	X				
Mark Danish		X			
Manny Diaz, Jr.	X				
Reggie Fullwood		X			
James Grant	X				
Travis Hutson	X				
Charles McBurney	X				
Jeanette Nuñez	X				
W. Keith Perry	X				
Kathleen Peters	X				
Elizabeth Porter	X				
Betty Reed		X			
Joe Saunders		X			
Cynthia Stafford		X			
Victor Torres, Jr.		X			
Carl Zimmermann		X			
H. Marlene O'Toole (Chair)	X				
<b>Total Yeas: 11</b>		<b>Total Nays: 7</b>			

### CS/HB 867 Amendments

#### Amendment 393689

*Adopted*

#### Amendment 922037

*Withdrawn*

### Appearances:

Brian Pitts, Trustee - Information Only  
Justice-2-Jesus  
1119 Newton Ave South  
Saint Petersburg Florida 33705  
Phone: (727) 897-9291

Tia Young, CEO - Information Only  
8402 North 15th Street  
Tampa Florida 33604  
Phone: (813) 731-5808

Committee meeting was reported out: Friday, March 22, 2013 4:29:56PM

# COMMITTEE MEETING REPORT

## Education Committee

3/22/2013 8:00:00AM

**Location:** Reed Hall (102 HOB)

**CS/HB 867 : Parent Empowerment in Education (continued)**

**Appearances: (continued)**

Rohan Robinson - Proponent  
13804 Kapok Ct.  
Tampa Florida 33613  
Phone: (813) 298-8098

Amy Datz - Waive In Opposition  
1130 Crestview Ave.  
Tallahassee Florida 32303  
Phone: (850) 322-7599

William Hutchinson the 3rd - Proponent  
123 Dallas Street  
Sebring Florida 33870  
Phone: (863) 381-5034

Michael Stovall - Opponent  
1294 Stimson St  
Jacksonville Florida 32205  
Phone: (904) 401-4825

Nikki Lowrey, State Director (Lobbyist) - Proponent  
1705 Choctaw Trail  
Maitland Florida 32751  
Phone: (407) 951-5415

Reagan McDaniel - Opponent  
2530 Farris Ave  
Pensacola Florida 32526  
Phone: (850) 393-6529

Wendy Howard - Proponent  
1752 Loch Haven Ct  
Trinity Florida 34655  
Phone: (727) 375-9578

David Bryant - Opponent  
8853 Atter Lane  
Jacksonville Florida 32216  
Phone: (904) 928-3744

Karen Francis-Winston - Proponent  
13706 SW 40th Cir.  
Ocala Florida 34473  
Phone: (352) 307-9778

Vern Pickup-Crawford (Lobbyist) - Proponent  
Palm Beach County School District  
571 Kingsbury Terrace  
Wellington Florida 33414  
Phone: (561) 644-2439

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# COMMITTEE MEETING REPORT

## Education Committee

3/22/2013 8:00:00AM

**Location:** Reed Hall (102 HOB)

**CS/HB 867 : Parent Empowerment in Education (continued)**

**Appearances: (continued)**

Tanner Bailey - Proponent  
12104 Clearbrook Ln  
Hudson Florida 34667  
Phone: (727) 495-0886

Hunter Bailey - Waive In Support  
12104 Clearbrook Ln  
Hudson Florida 34667  
Phone: (727) 495-0886

Jeff Wright, Director Public Policy Advocacy (Lobbyist) - Opponent  
Florida Education Association  
213 S. Adams St  
Tallahassee Florida 32301  
Phone: (850) 224-2078

Jim Junecko - Waive In Opposition  
701 NE 67th St, Suite 1  
Miami Florida 33138  
Phone: (407) 346-3525

Linda Edson, Legislative Chair Leon/ Wakulla County - Waive In Opposition  
Florida Retired Educators Association  
1841 Myrick Rd  
Tallahassee Florida 32303  
Phone: (850) 385-3196

Scott Howat, Senior Executive Director (Lobbyist) - Waive In Opposition  
Orange County Public Schools  
445 West Amelia Street  
Orlando Florida 32801  
Phone: (407) 317-3337

Georida Slack, Legislative Consultant (Lobbyist) - Waive In Opposition  
Broward School District  
9693 Ridgecrest Ct.  
Davie Florida 33328  
Phone: (305) 608-5110

Adam Giery, Director of Policy (Lobbyist) - Waive In Support  
Florida Chamber of Commerce  
36 South Bronough St.  
Tallahassee Florida 32301  
Phone: (850) 521-1200

Bill Warren, Legislative Director (Lobbyist) - Waive In Support  
Foundation for Florida's Future  
Post Office Box 10691  
Tallahassee Florida 32302  
Phone: (850) 391-3070

Committee meeting was reported out: Friday, March 22, 2013 4:29:56PM

# COMMITTEE MEETING REPORT

## Education Committee

3/22/2013 8:00:00AM

**Location:** Reed Hall (102 HOB)

**CS/HB 867 : Parent Empowerment in Education (continued)**

**Appearances: (continued)**

Jessica Howard - Waive In Support

1753 Loch Haven Ct.

Trinity Florida 34655

Phone: (727) 375-9578

Ruth Melton, Director of Legislative Relations (Lobbyist) - Waive In Opposition

Florida School Board Association

203 South Monroe

Tallahassee Florida 32301

Phone: (850) 414-2578

Astrid Bailey - Waive In Support

12104 Clearbrook Ln

Hudson Florida 34667

Phone: (727) 495-0886



Amendment No. 1

COMMITTEE/SUBCOMMITTEE ACTION

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

1 Committee/Subcommittee hearing bill: Education Committee

2 Representative Trujillo offered the following:

3  
4 **Amendment**

5 Remove lines 168-169 and insert:

6 when a public school has earned a school grade of "F" and is  
7 required to select a turnaround option pursuant to s.



Amendment No. 2

COMMITTEE/SUBCOMMITTEE ACTION

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

1 Committee/Subcommittee hearing bill: Education Committee  
2 Representative Saunders offered the following:

**Amendment**

5 Remove lines 407-421 and insert:

6 (b) If a high school or middle school student is currently  
7 taught by a classroom teacher in a core curriculum class who,  
8 during that school year, receives a performance evaluation  
9 rating of "needs improvement" or "unsatisfactory" under s.  
10 1012.34, the student may not be assigned the following school  
11 year to a classroom teacher in the same core curriculum subject  
12 area who received a performance evaluation rating of "needs  
13 improvement" or "unsatisfactory" in the preceding school year.  
14 However, the student's parent may opt to have the student taught  
15 by a teacher who received a performance evaluation of "needs  
16 improvement" or "unsatisfactory" in the preceding school year.

17 (c) If an elementary school student is currently taught by  
18 a classroom teacher in a core curriculum class who, during that  
19 school year, receives a performance evaluation rating of "needs



Amendment No. 2

20 improvement" or "unsatisfactory" under s. 1012.34, the student  
21 may not be assigned the following school year to a classroom  
22 teacher in a core curriculum class who received a performance  
23 evaluation rating of "needs improvement" or "unsatisfactory" in  
24 the preceding school year. However, the student's parent may opt  
25 to have the student taught by a teacher who received a  
26 performance evaluation of "needs improvement" or  
27 "unsatisfactory" in the preceding school year.

# COMMITTEE MEETING REPORT

## Education Committee

3/22/2013 8:00:00AM

**Location:** Reed Hall (102 HOB)

**HB 1027 : Broward County Education, Research, and Training Authority, Broward County**

Favorable

	<i>Yea</i>	<i>Nay</i>	<i>No Vote</i>	<i>Absentee Yea</i>	<i>Absentee Nay</i>
Janet Adkins	X				
Michael Bileca	X				
Mark Danish	X				
Manny Diaz, Jr.	X				
Reggie Fullwood	X				
James Grant				X	
Travis Hutson				X	
Charles McBurney	X				
Jeanette Nuñez	X				
W. Keith Perry	X				
Kathleen Peters	X				
Elizabeth Porter	X				
Betty Reed				X	
Joe Saunders	X				
Cynthia Stafford	X				
Victor Torres, Jr.	X				
Carl Zimmermann				X	
H. Marlene O'Toole (Chair)	X				
<b>Total Yeas: 14</b>		<b>Total Nays: 0</b>			

Committee meeting was reported out: Friday, March 22, 2013 4:29:56PM



# COMMITTEE MEETING REPORT

## Education Committee

3/22/2013 8:00:00AM

Location: Reed Hall (102 HOB)

### HB 7051 : Resident Status for Tuition Purposes

Favorable With Committee Substitute

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Janet Adkins	X				
Michael Bileca	X				
Mark Danish	X				
Manny Diaz, Jr.	X				
Reggie Fullwood	X				
James Grant	X				
Travis Hutson				X	
Charles McBurney	X				
Jeanette Nuñez	X				
W. Keith Perry				X	
Kathleen Peters	X				
Elizabeth Porter	X				
Betty Reed				X	
Joe Saunders	X				
Cynthia Stafford	X				
Victor Torres, Jr.	X				
Carl Zimmermann	X				
H. Marlene O'Toole (Chair)	X				
<b>Total Yeas: 15</b>		<b>Total Nays: 0</b>			

### HB 7051 Amendments

#### Amendment 570113

Adopted

#### Appearances:

Philip Kellerman, President - Opponent

Harvest of Hope Foundation

P.O. Box 358025

Gainesville FL 32635

Phone: (352) 262-5921

Ron Bilbao, Sr. Legislative Associate (Lobbyist) - Proponent

American Civil Liberties Union of Florida

4500 Biscayne Blvd, Suite 340

Miami Florida 33137

Phone: (919)-923-7288

Brian Pitts, Trustee (General Public) - Information Only

Justice-2-Jesus

1119 Newton Ave. S.

St. Petersburg FL 33705

Phone: (727)-897-9291

Committee meeting was reported out: Friday, March 22, 2013 4:29:56PM

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 7051 (2013)

Amendment No. 1

COMMITTEE/SUBCOMMITTEE ACTION

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

---

1 Committee/Subcommittee hearing bill: Education Committee  
2 Representative Nuñez offered the following:

3

4 **Amendment**

5 Remove lines 165-166 and insert:

6 including reserve components thereof, who were honorably  
7 discharged and who physically reside in this state while  
8 enrolled in an institution of higher education.

9

# COMMITTEE MEETING REPORT

## Education Committee

3/22/2013 8:00:00AM

**Location:** Reed Hall (102 HOB)

**PCS for CS/HB 7009 : Charter Schools**

*Favorable With Amendments*

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Janet Adkins	X				
Michael Bileca	X				
Mark Danish		X			
Manny Diaz, Jr.	X				
Reggie Fullwood		X			
James Grant	X				
Travis Hutson	X				
Charles McBurney	X				
Jeanette Nuñez	X				
W. Keith Perry	X				
Kathleen Peters	X				
Elizabeth Porter	X				
Betty Reed	X				
Joe Saunders		X			
Cynthia Stafford		X			
Victor Torres, Jr.		X			
Carl Zimmermann		X			
H. Marlene O'Toole (Chair)	X				
<b>Total Yeas: 12</b>		<b>Total Nays: 6</b>			

**PCS for CS/HB 7009 Amendments**

**Amendment PCS for CSHB 7009 a1**

*Adopted*

**Amendment PCS for CSHB 7009 a2**

*Adopted*

**Amendment PCS for CSHB 7009 a3**

*Adopted*

**Amendment PCS for CSHB 7009 a4**

*Withdrawn*

**Amendment PCS for CSHB 7009 a5**

*Adopted*

Committee meeting was reported out: Friday, March 22, 2013 4:29:56PM

# COMMITTEE MEETING REPORT

## Education Committee

3/22/2013 8:00:00AM

**Location:** Reed Hall (102 HOB)

**PCS for CS/HB 7009 : Charter Schools (continued)**

### Appearances:

Nikki Lowrey, State Director (Lobbyist) - Waive In Support

Students First  
1705 Choctaw Trail  
Maitland Florida 32751  
Phone: (407) 951-5415

Douglas Rodrigues, Principal - Waive In Support

Doral Academy  
1060 Brickell Ave, Suite 3217  
Miami Florida 33131  
Phone: (786) 351-4270

Lourdes Isla-Marrero, Principal - Waive In Support

Mater Gardens  
14525 Mahogany Ct.  
Miami Lakes Florida 33014  
Phone: (305) 231-8661

Eleni Pantaridis, Esq. - Waive In Support

11373 Misty Ridge Way  
Boyton Beach Florida 33437  
Phone: (954) 292-4365

Lauren Hollander, CEO - Waive In Support

301 Southern Blvd.  
West Palm Beach Florida 33405  
Phone: (561) 379-8555

Larry Williams (Lobbyist) - Waive In Support

Florida Consortium of Public Charter Schools  
113 South Monroe Street  
Tallahassee Florida 32301  
Phone: (850) 201-7145

Bill Warren (Lobbyist) - Waive In Support

Foundation for Florida Future  
Post Office Box 10691  
Tallahassee Florida 32302  
Phone: (850) 391-3070

Jim Horne (Lobbyist) - Waive In Support

Florida Charter School Alliance  
200 West College St.  
Tallahassee Florida 32301  
Phone: (904) 759-4596

Mariah Mcneal - Waive In Support

Capital City High School  
Post Office Box 14453  
Tallahassee Florida 32303

Committee meeting was reported out: Friday, March 22, 2013 4:29:56PM

# COMMITTEE MEETING REPORT

## Education Committee

3/22/2013 8:00:00AM

**Location:** Reed Hall (102 HOB)

**PCS for CS/HB 7009 : Charter Schools (continued)**

**Appearances: (continued)**

Wanda Walker - Waive In Support  
Post Office Box 14453  
Tallahassee Florida 32303  
Phone: (901) 552-0158

Nicole Houston - Waive In Support  
Capital City Charter High School  
343 N. Adams St.  
Tallahassee Florida 32308  
Phone: (850) 566-2314

Amy Datz - Waive In Opposition  
1130 Crestview Ave.  
Tallahassee Florida 32303  
Phone: (850) 322-1599

Mike Kooi (State Employee) - Information Only  
Florida Department of Education  
325 W Gaines St  
Tallahassee Florida 32399  
Phone: (850) 245-0507

**Amendment 1**

Larry Williams (Lobbyist) - Proponent  
Florida Consortium of Public Charter Schools  
113 South Monroe Street  
Tallahassee Florida 32301  
Phone: (850) 201-7145

Committee meeting was reported out: Friday, March 22, 2013 4:29:56PM



Amendment No. 1

COMMITTEE/SUBCOMMITTEE ACTION

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

1 Committee/Subcommittee hearing PCB: Education Committee

2 Representative Moraitis offered the following:

3

4 **Amendment**

5 Remove lines 415-416 and insert:

6 Any provision of a charter contract inconsistent with, or  
7 prohibited by, the requirements of this section

8



Amendment No. 2

COMMITTEE/SUBCOMMITTEE ACTION

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

1 Committee/Subcommittee hearing PCB: Education Committee  
 2 Representative Moraitis offered the following:

**Amendment (with title amendment)**

Remove lines 1055-1059 and insert:

6 Section 4. The Department of Education shall develop a  
 7 proposed statewide standard charter contract by consulting and  
 8 negotiating with both school districts and charter schools and  
 9 shall provide it to the Governor, the President of the Senate  
 10 and the Speaker of the House of Representatives by November 1,  
 11 2013.

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

Remove line 58 and insert:

16 system; requiring the Department of Education to develop a  
 17 proposed standard statewide charter; providing an effective  
 18 date.

Amendment No. 3

COMMITTEE/SUBCOMMITTEE ACTION

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

1 Committee/Subcommittee hearing PCB: Education Committee

2 Representative Saunders offered the following:

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

5 Remove lines 733-738 and insert:

6 (o)1. Upon initial notification of nonrenewal, closure, or  
7 termination of its charter, a charter school may not expend more  
8 than \$10,000 per expenditure without prior written approval from  
9 the sponsor unless such expenditure was included within the  
10 annual budget submitted to the sponsor pursuant to the charter  
11 contract, is for reasonable attorney fees and costs during the  
12 pendency of any appeal, or is for reasonable fees and costs to  
13 conduct an independent audit.

14 2. An independent audit shall be completed within 30 days  
15 after notice of nonrenewal, closure, or termination to account  
16 for all public funds and assets.

17 3. A provision in a charter contract that contains an  
18 acceleration clause requiring the expenditure of funds based  
19 upon closure or upon notification of nonrenewal or termination  
20 is void and unenforceable.



Amendment No. 3

21       4. A charter school may not enter into a contract with an  
22 employee that exceeds the term of the school's charter contract  
23 with its sponsor.

24       5. A violation of this paragraph triggers a reversion or  
25 clawback power by the sponsor allowing for collection of an  
26 amount equal to or less than the accelerated amount that exceeds  
27 normal expenditures. The reversion or clawback plus legal fees  
28 and costs shall be levied against the person or entity receiving  
29 the accelerated amount.

30  
31  
32  
33 -----  
34                   **T I T L E   A M E N D M E N T**

35       Remove lines 28-29 and insert:  
36       expenditures upon nonrenewal, closure, or termination  
37       of a charter school; requiring an independent audit  
38       within a specified time after notification of  
39       nonrenewal, closure, or termination; prohibiting  
40       certain actions by a charter school; providing  
41       penalties; requiring a charter school to maintain  
42



Amendment No. 4

COMMITTEE/SUBCOMMITTEE ACTION

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

---

1 Committee/Subcommittee hearing PCB: Education Committee  
 2 Representative Peters offered the following:

**Amendment**

5 Remove line 854 and insert:

6 ~~to other public schools in the district.~~ This provision also  
 7 specifically requires that the school district must provide a  
 8 charter school that has expressed interest in such a facility  
 9 with the right of first refusal prior to any disposition of the  
 10 property including, but not limited to, the demolition or  
 11 destruction of the facility or the sale or lease of the facility  
 12 or property to any other third party. A charter school using



Amendment No. 5

COMMITTEE/SUBCOMMITTEE/ACTION

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

1 Committee/Subcommittee hearing PCS: Education Committee  
 2 Representative Fullwood offered the following:

**Amendment**

5 Remove line 1039 and insert:

6 the entity. To the extent practicable, the State Board of  
 7 Education shall develop a rubric for the approval of such  
 8 entities that aligns with the priorities of the Federal Charter  
 9 Schools Program Grants for Replication and Expansion of High-  
 10 Quality Charter Schools, found in the Federal Register, Volume  
 11 76, Number 133.

**Early Learning Draft 03-21-13**

BILL

ORIGINAL

YEAR

1 A bill to be entitled  
 2 An act relating to early learning;amending s. 20.15,  
 3 F.S.; amending s. 1001.11, F.S.; creating s. 1002.81,  
 4 F.S.; creating s. 1002.82, F.S.; creating s. 1002.83,  
 5 F.S.; creating s. 1002.84, F.S.; creating s. 1002.85,  
 6 F.S.; creating s. 1002.86, F.S.; creating s. 1002.87,  
 7 F.S.; creating s. 1002.88, F.S.; creating s. 1002.89,  
 8 F.S.; creating s. 1002.90, F.S.; amending s. 1002.77,  
 9 F.S.; creating s. 1002.91, F.S.; creating s. 1002.91,  
 10 F.S.; creating s. 1002.92, F.S.; creating s. 1002.93,  
 11 F.S.; creating s. 1002.94, F.S.; creating s. 1002.95,  
 12 F.S.; creating s. 1002.96, F.S.; creating s. 1002.97,  
 13 F.S.; creating s. 1002.98, F.S.; repealing s.  
 14 411.01(1) , (2) (a) (b) (c) (d) (e) (f) , (3) (a) (b) ,  
 15 (4) (a) (b) (c) (d) (e) (f) (g) (h) (i) (j) (k) (l) (m) (n) ,  
 16 (5) (a) (b) (c) (d) (e) (f) , (6) (a) (b) (c) ,  
 17 (7) (a) (b) (c) (d) (e) , (8) , (9) (a) (b) (c) (d) (e) (f) (g) ,  
 18 (10) and (11) , F.S., relating to School readiness  
 19 programs; early learning coalitions.; repealing s.  
 20 411.0101(1) , (2) , (3) (a) (b) (c) (d) (e) (f) (g) (h) and  
 21 (4) , F.S., relating to Child care and early childhood  
 22 resource and referral.; repealing s.  
 23 411.01013(1) (a) (b) , (2) (a) (b) , (3) (a) (b) (c) (d) , (4)  
 24 , (5) , (6) and (7) , F.S., relating to Prevailing  
 25 market rate schedule.; repealing s. 411.01014(1) and  
 26 (2) , F.S., relating to School readiness  
 27 transportation services.; repealing s. 411.01015(1) ,

BILL ORIGINAL YEAR

28 (2) , (3) , (4) and (5) , F.S., relating to  
 29 Consultation to child care centers and family day care  
 30 homes regarding health, developmental, disability, and  
 31 special needs issues.; repealing s. 411.0102(1) ,  
 32 (2) (a) (b) (c) , (3) , (4) (a) (b) (c) (d) ,  
 33 (5) (a) (b) (c) (d) (e) and (6) , F.S., relating to Child  
 34 Care Executive Partnership Act; findings and intent;  
 35 grant; limitation; rules.; repealing s. 411.0103(1) ,  
 36 (2) and (3) , F.S., relating to Teacher Education and  
 37 Compensation Helps (TEACH) scholarship program.;  
 38 repealing s. 411.0104(1) , (2) (a) (b) (c) and (3) ,  
 39 F.S., relating to Early Head Start collaboration  
 40 grants.; repealing s. 411.0105, F.S., relating to  
 41 Early Learning Opportunities Act and Even Start Family  
 42 Literacy Programs; lead agency.; repealing s.  
 43 411.0106, F.S., relating to Infants and toddlers in  
 44 state-funded education and care programs; brain  
 45 development activities.; repealing s. 411.011(1) , (2)  
 46 and (3) (a) (b) (c) (d) (e) (f) (g) , F.S., relating to  
 47 Records of children in school readiness programs.;  
 48 providing an effective date.

49  
50 Be It Enacted by the Legislature of the State of Florida:

51  
52 Section 1. Paragraph (h) of subsection (3) of section  
53 20.15, Florida Statutes, is amended to read:

54 20.15 Department of Education.—There is created a

BILL

ORIGINAL

YEAR

55 Department of Education.

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

58 (h) Division ~~The Office~~ of Early Learning, which shall  
59 administer the school readiness system in accordance with part  
60 VI of chapter 1002 s. 411.01 and ~~the operational requirements of~~  
61 ~~the Voluntary Prekindergarten Education Program in accordance~~  
62 ~~with part V of chapter 1002. The office is a separate budget~~  
63 ~~entity and is not subject to control, supervision, or direction~~  
64 ~~by the Department of Education or the State Board of Education~~  
65 ~~in any manner including, but not limited to, personnel,~~  
66 ~~purchasing, transactions involving personal property, and~~  
67 ~~budgetary matters. The office director shall be appointed by the~~  
68 ~~Governor and confirmed by the Senate, shall serve at the~~  
69 ~~pleasure of the Governor, and shall be the agency head of the~~  
70 ~~office for all purposes. The office shall enter into a service~~  
71 ~~agreement with the department for professional, technological,~~  
72 ~~and administrative support services. The office shall be subject~~  
73 ~~to review and oversight by the Chief Inspector General or his or~~  
74 ~~her designee.~~

75  
76 Section 2. Section 196.198, Florida Statutes, is amended  
77 to read:

78 196.198 Educational property exemption.—Educational  
79 institutions within this state and their property used by them  
80 or by any other exempt entity or educational institution  
81 exclusively for educational purposes shall be exempt from

BILL

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YEAR

82 | taxation. Sheltered workshops providing rehabilitation and  
 83 | retraining of disabled individuals and exempted by a certificate  
 84 | under s. (d) of the federal Fair Labor Standards Act of 1938, as  
 85 | amended, are declared wholly educational in purpose and shall be  
 86 | exempted from certification, accreditation, and membership  
 87 | requirements set forth in s. 196.012. Those portions of property  
 88 | of college fraternities and sororities certified by the  
 89 | president of the college or university to the appropriate  
 90 | property appraiser as being essential to the educational process  
 91 | shall be exempt from ad valorem taxation. The use of property by  
 92 | public fairs and expositions chartered by chapter 616 is  
 93 | presumed to be an educational use of such property and shall be  
 94 | exempt from ad valorem taxation to the extent of such use.  
 95 | Property used exclusively for educational purposes shall be  
 96 | deemed owned by an educational institution if the entity owning  
 97 | 100 percent of the educational institution is owned by the  
 98 | identical natural persons who own the property or if the entity  
 99 | owning 100 percent of the educational institution and the entity  
 100 | owning the property are owned by identical natural persons.  
 101 | Land, buildings, and other improvements to real property used  
 102 | exclusively for educational purposes shall be deemed owned by an  
 103 | educational institution if the entity owning 100 percent of the  
 104 | land is a nonprofit entity and the land is used, under a ground  
 105 | lease or other contractual arrangement, by an educational  
 106 | institution that owns the buildings and other improvements to  
 107 | the real property, is a nonprofit entity under s. 501(c)(3) of  
 108 | the Internal Revenue Code, and provides education limited to



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109 students in prekindergarten through grade 8. If legal title to  
 110 property is held by a governmental agency that leases the  
 111 property to a lessee, the property shall be deemed to be owned  
 112 by the governmental agency and used exclusively for educational  
 113 purposes if the governmental agency continues to use such  
 114 property exclusively for educational purposes pursuant to a  
 115 sublease or other contractual agreement with that lessee. If the  
 116 title to land is held by the trustee of an irrevocable inter  
 117 vivos trust and if the trust grantor owns 100 percent of the  
 118 entity that owns an educational institution that is using the  
 119 land exclusively for educational purposes, the land is deemed to  
 120 be property owned by the educational institution for purposes of  
 121 this exemption. Property owned by an educational institution  
 122 shall be deemed to be used for an educational purpose if the  
 123 institution has taken affirmative steps to prepare the property  
 124 for educational use. Affirmative steps means environmental or  
 125 land use permitting activities, creation of architectural plans  
 126 or schematic drawings, land clearing or site preparation,  
 127 construction or renovation activities, or other similar  
 128 activities that demonstrate commitment of the property to an  
 129 educational use.

130 Section 3. Section 402.281, Florida Statutes, is amended  
 131 to read:

132 402.281 Gold Seal Quality Care program.—

133 (1)(a) There is established within the department the Gold  
 134 Seal Quality Care Program.

135 (b) A child care facility, large family child care home,

BILL

ORIGINAL

YEAR

136 or family day care home that is accredited by an ~~a nationally~~  
 137 ~~recognized~~ accrediting association approved by the department  
 138 under subsection (3) and meets all other requirements shall,  
 139 upon application to the department, receive a separate "Gold  
 140 Seal Quality Care" designation.

141 (2) The department shall adopt rules establishing Gold  
 142 Seal Quality Care accreditation standards based on the  
 143 applicable accrediting standards of the National Association for  
 144 the Education of Young Children (NAEYC), the National  
 145 Association of Family Child Care, and the National Early  
 146 Childhood Program Accreditation Commission.

147 (3)(a) In order to be approved by the department for  
 148 participation in the Gold Seal Quality Care program, an  
 149 accrediting association must apply to the department and  
 150 demonstrate that it:

- 151 1. Is a ~~nationally~~ recognized accrediting association.
- 152 2. Has accrediting standards that substantially meet or  
 153 exceed the Gold Seal Quality Care standards adopted by the  
 154 department under subsection (2).

155 (b) In approving accrediting associations, the department  
 156 shall consult with the Department of Education, the Florida Head  
 157 Start Directors Association, the Florida Association of Child  
 158 Care Management, the Florida Family Day Care Association, the  
 159 Florida Children's Forum, the Early Childhood Association of  
 160 Florida, the Child Development Education Alliance, The  
 161 Association of Early Learning Coalitions, and providers  
 162 receiving exemptions under s. 402.316, and parents.

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163 (4) In order to obtain and maintain a designation as a  
 164 Gold Seal Quality Care provider, a child care facility, large  
 165 family child care home, or family day care home must meet the  
 166 following additional criteria:

167 (a) The child care provider must not have had any class I  
 168 violations, as defined by rule, within the 2 years preceding its  
 169 application for designation as a Gold Seal Quality Care  
 170 provider. Commission of a class I violation shall be grounds for  
 171 termination of the designation as a Gold Seal Quality Care  
 172 provider until the provider has no class I violations for a  
 173 period of 2 years.

174 (b) The child care provider must not have had three or  
 175 more class II violations, as defined by rule, within the 2 years  
 176 preceding its application for designation as a Gold Seal Quality  
 177 Care provider. Commission of three or more class II violations  
 178 within a 2-year period shall be grounds for termination of the  
 179 designation as a Gold Seal Quality Care provider until the  
 180 provider has no class II violations for a period of 1 year.

181 (c) The child care provider must not have been cited for  
 182 the same class III violation, as defined by rule, three or more  
 183 times and failed to correct the violation within 1 year after  
 184 the date of each citation, within the 2 years preceding its  
 185 application for designation as a Gold Seal Quality Care  
 186 provider. Commission of the same class III violation three or  
 187 more times and failure to correct within the required time  
 188 during a 2-year period may be grounds for termination of the  
 189 designation as a Gold Seal Quality Care provider until the

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190 provider has no class III violations for a period of 1 year.

191 (5) The Department of Children and Family Services shall  
 192 adopt rules under ss. 120.536(1) and 120.54 which provide  
 193 criteria and procedures for reviewing and approving accrediting  
 194 associations for participation in the Gold Seal Quality Care  
 195 program, conferring and revoking designations of Gold Seal  
 196 Quality Care providers, and classifying violations.

197 Section 4. Paragraph (b) of subsection (1) of section  
 198 1001.11, Florida Statutes, is amended to read:

199 1001.11 Commissioner of Education; other duties.-

200 (1) The Commissioner of Education must independently  
 201 perform the following duties:

202 (b) Serve as the primary source of information to the  
 203 Legislature, including the President of the Senate and the  
 204 Speaker of the House of Representatives, concerning the State  
 205 Board of Education and the K-20 education system, and early  
 206 learning programs.

207 Section 5. Part VI of chapter 1002, Florida Statutes,  
 208 shall be entitled " and shall consist of ss. 1002.81-1002.99.

209 Section 6. Section 1002.81, Florida Statutes, is created  
 210 to read:

211 1002.81 -- Definitions.-

212 Consistent with the requirements of 45 C.F.R. Part 98 and 99 and  
 213 as used in this chapter, the term:

214 (1) "At-risk child" means:

BILL

ORIGINAL

YEAR

215 (a) A child from a family under investigation by the  
 216 Department of Children and Families or a designated sheriff's  
 217 office for child abuse, neglect, abandonment, or exploitation.

218 (b) A child who is in a diversion program provided by the  
 219 Department of Children and Families or its contracted provider  
 220 and who is from a family that is actively participating and  
 221 complying in department-prescribed activities, including  
 222 education, health services, or work.

223 (c) A child from a family that is under supervision by the  
 224 Department of Children and Families or a contracted service  
 225 provider for abuse, neglect, abandonment, or exploitation.

226 (d) A child placed in court-ordered, long-term custody or  
 227 under the guardianship of a relative or nonrelative after  
 228 termination of supervision by the Department of Children and  
 229 Families or its contracted provider.

230 (2) "Authorized hours of care" means the hours of care  
 231 that are necessary to provide protection, maintain employment,  
 232 or complete work activities or eligible educational activities,  
 233 including reasonable travel time.

234 (3) "Earned income" means gross remuneration derived from  
 235 work, professional service, or self-employment. The term  
 236 includes commissions, bonuses, back pay awards, and the cash  
 237 value of all remuneration paid in a medium other than cash.

238 (4) "Economically disadvantaged" means having a family  
 239 income that does not exceed 150 percent of the federal poverty  
 240 level and includes being a child of a working migratory family  
 241 as defined by 34 CFR 200.81(d) or (f) or an agricultural worker

BILL

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242 who is employed by more than one agricultural employer during  
 243 the course of a year, and who income varies according to weather  
 244 conditions and market stability.

245 (5) "Family income" means the combined gross income, whether  
 246 earned or unearned, that is derived from any source by all  
 247 family or household members who are 18 years of age or older and  
 248 currently residing together in the same dwelling unit. The term  
 249 does not include income earned by a currently enrolled high  
 250 school student who, since attaining the age of 18 years, or a  
 251 student with a disability who, since attaining the age of 22,  
 252 has not terminated school enrollment or received a high school  
 253 diploma, high school equivalency diploma, special diploma, or  
 254 certificate of high school completion. The term also does not  
 255 include food stamp benefits or federal housing assistance  
 256 payments issued directly to a landlord or the associated  
 257 utilities expenses.

258 (6) "Family or household members" means spouses, former  
 259 spouses, persons related by blood or marriage, persons who are  
 260 parents of a child in common regardless of whether they have  
 261 been married, and other persons who are currently residing  
 262 together in the same dwelling unit as if a family.

263 (7) "Full-time care" means at least 6 hours, but not more  
 264 than 11 hours, of child care or early childhood education  
 265 services within a 24-hour period.

266 (8) "Gold Seal premium percentage" means a specified  
 267 percentage that, for a school readiness provider that maintains

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268 the Gold Seal Quality Care designation under s. 402.281, is  
 269 applied to the provider's adjusted payment rate.

270 (9) "In loco parentis" means acting as a child's temporary  
 271 guardian.

272 (10) "Market rate" means the price that a child care or  
 273 early childhood education provider charges for full-time or  
 274 part-time daily, weekly, or monthly child care or early  
 275 childhood education services.

276 (11) " Division " means the Division of Early Learning of  
 277 the Department of Education.

278 (12) "Part-time care" means less than 6 hours of child  
 279 care or early childhood education services within a 24-hour  
 280 period.

281 (13) "Average market rate" means the biannually determined  
 282 average of the market rate by program care level and provider  
 283 type in a predetermined geographic market.

284 (14) "Single point of entry" means an integrated  
 285 information system that allows a parent to enroll his or her  
 286 child in the school readiness program at various locations  
 287 throughout a county, that may allow a parent to enroll his or  
 288 her child by telephone or through an Internet website, and that  
 289 uses a uniform waiting list to track eligible children waiting  
 290 for enrollment in the school readiness program.

291 (15) "Unearned income" means income other than earned  
 292 income. The term includes, but is not limited to:

- 293 a. Documented alimony and child support received.
- 294 b. Social security benefits.

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295 c. Supplemental security income benefits.  
 296 d. Workers' compensation benefits.  
 297 e. Unemployment compensation benefits.  
 298 f. Veterans' benefits.  
 299 g. Retirement benefits.  
 300 h. Temporary cash assistance under chapter 414.  
 301 i. Military housing assistance under the federal Family  
 302 Subsistence Supplemental Allowance Program.  
 303 (16) "Working family" means:  
 304 a. A single-parent family in which the parent with whom  
 305 the child resides is employed, engaged in eligible work or  
 306 education activities for at least 20 hours per week;  
 307 b. A two-parent family in which both parents are each  
 308 employed or engaged in eligible work activity at least 55 hours  
 309 of which 50 hours per week must be eligible core work  
 310 activities; or  
 311 c. A two-parent family in which one of the parents, as  
 312 prescribed by rules of the Division, are exempt from work  
 313 requirements due to age or a disability as determined and  
 314 documented by a physician licensed under chapter 458 or 459, and  
 315 one parent is engaged in work activities at least 30 hours per  
 316 week of which 20 hours per week are eligible core work  
 317 activities.  
 318 Section 7. Section 1002.82, Florida Statutes, is created  
 319 to read:  
 320 1002.82 .-- Division of Early Learning; powers and  
 321 duties.--



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322 (1) For purposes of administration of the Child Care and  
 323 Development Fund, pursuant to 45 C.F.R. parts 98 and 99, the  
 324 Department of Education is designated as the lead agency and  
 325 must comply with lead agency responsibilities pursuant to  
 326 federal law.

327 (2) The Chancellor of the Division of Early Learning shall:

328 (a) Administer the school readiness program at the state  
 329 level and coordinate with the early learning coalitions to  
 330 provide school readiness services that support the efforts of  
 331 parents to work and be financially self-sufficient and to  
 332 enhance the quality of child care programs in the state.

333 (b) Focus on improving the educational quality of all  
 334 providers participating in the school readiness programs.

335 (c) Preserve parental choice by permitting parents to  
 336 choose from a variety of child care categories, including:  
 337 center-based care; group home child care; family child care; and  
 338 in-home child care. Care and curriculum by a sectarian provider  
 339 may not be limited or excluded in any of these categories.

340 (d) Be responsible for the prudent use of all public and  
 341 private funds in accordance with all legal and contractual  
 342 requirements, safeguarding the effective use of federal, state,  
 343 and local resources to achieve the highest practicable level of  
 344 school readiness for the children described in s. 1002.87,  
 345 including:

346 1. The adoption of a uniform chart of accounts for  
 347 budgeting and financial reporting purposes that provides  
 348 standardized definitions for expenditures and reporting,

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349 consistent with the requirements of 45 C.F.R. part 98 and s.  
 350 1002.89 for each of the following categories of expenditure:

351 a. Direct services to children.

352 b. Administrative costs.

353 c. Quality activities.

354 d. Nondirect services.

355 2. Coordination with other state and federal agencies to  
 356 perform data matches on children participating in school  
 357 readiness programs and their families in order to verify the  
 358 children's eligibility pursuant to s. 1002.87.

359 (e) Provide final approval and every 2 years review each  
 360 early learning coalition's school readiness plans.

361 (f) Establish a unified approach to the state's efforts  
 362 toward enhancement of school readiness to build a comprehensive  
 363 early learning system. In support of this effort, the Division  
 364 of Early Learning:

365 1. Shall adopt specific system support services that  
 366 address the state's school readiness programs including:

367 a. Child care resource and referral services;

368 b. Eligibility determination;

369 c. Statewide data information system requirements; and

370 d. A single point of entry and uniform waiting list.

371 2. May provide technical assistance and guidance on  
 372 additional support services to compliment the school readiness  
 373 programs including:

374 a. Rating and improvement systems;

375 b. Warm-line services;

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376 c. Anti-fraud plans;  
 377 c. Child performance standards;  
 378 d. Child screening and assessments;  
 379 e. Training and support for parental involvement in  
 380 children's early education; and  
 381 f. Family literacy activities and services.  
 382 (g) Safeguard the effective use of federal, state, local,  
 383 and private resources to achieve the highest possible level of  
 384 school readiness for the children in this state.  
 385 (h) Provide technical assistance to early learning  
 386 coalitions.  
 387 (i) In cooperation with the early learning coalitions,  
 388 coordinate with the Child Care Services Program Office of the  
 389 Department of Children and Families to minimize duplicating  
 390 interagency activities, health and safety monitoring, and  
 391 acquiring and composing data pertaining to child care training  
 392 and credentialing.  
 393 (j) Develop and adopt a Health and Safety Checklist to be  
 394 completed by licensed-exempt providers.  
 395 (k) Develop and adopt performance standards and benchmarks  
 396 that address the age-appropriate progress of children in the  
 397 development of school readiness skills. The performance  
 398 standards for children from birth to 4 years of age in school  
 399 readiness programs must be aligned with the performance  
 400 standards adopted by the Department of Education for children in  
 401 the Voluntary Prekindergarten Education Program under s.  
 402 1002.67.

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403        (1) Contingent upon legislative appropriation, select  
 404 assessments that are valid, reliable, and developmentally  
 405 appropriate for use as pre- and post-assessment for the age  
 406 ranges specified in the coalitions' plan. The assessments must  
 407 be designed to measure progress in the domains of the  
 408 performance standards adopted pursuant to s. 1002.82(2)(k) and  
 409 administered by qualified individuals, consistent with the  
 410 publisher's instructions.

411        (1) Establish a process for the review and approval of  
 412 curriculum that provides appropriate instruction in the  
 413 performance standards and adopt of list of approved curricula  
 414 for use by providers.

415        (m) Adopt a standard statewide provider contract to be  
 416 used with each school readiness provider. The division shall  
 417 publish a copy of the statewide provider contract on its  
 418 Internet website and provide a copy of the contract to each  
 419 coalition. The early learning coalitions may not amend, alter or  
 420 add addendum to the standard statewide contract. The standard  
 421 statewide contract shall include, at a minimum, provisions  
 422 providing placing a provider on probation, for termination for  
 423 cause; emergency termination for those actions or inactions of  
 424 the provider that pose an immediate and serious danger to the  
 425 health, safety, or welfare of the children; and appropriate due  
 426 process procedures. During the pendency of an appeal of a  
 427 termination, the provider may not offer any School Readiness  
 428 services.

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429            (n) Establish a single statewide information system that  
 430 each coalition must use for the purposes of managing the single  
 431 point of entry, tracking children's progress, coordinating  
 432 services among stakeholders, determining eligibility, tracking  
 433 child attendance, and streamlining administrative processes for  
 434 providers and early learning coalitions.

435            (o) Adopt standardized procedures for coalitions to use  
 436 when monitoring the compliance of school readiness providers  
 437 with the terms of the statewide provider contract.

438            (p) Monitor and evaluate the performance of each early  
 439 learning coalition in administering the school readiness  
 440 program, ensuring proper payments for school readiness services,  
 441 implementing the coalition's school readiness plan, and  
 442 administering the Voluntary Prekindergarten Education Program.  
 443 These monitoring and performance evaluations must include, at a  
 444 minimum, onsite monitoring of each coalition's finances,  
 445 management, operations, and programs.

446            (q) Coordinate with the Child Care Services Program Office  
 447 of the Department of Children and Families to minimize  
 448 duplicating interagency activities pertaining to acquiring and  
 449 composing data for child care training and credentialing.

450            (r) Administer, contingent upon specific appropriations, a  
 451 statewide toll-free Warm-Line to provide assistance and  
 452 consultation to child care centers and family day care homes  
 453 regarding health, developmental, disability, and special needs  
 454 issues of the children they are serving, particularly children  
 455 with disabilities and other special needs. The division shall:

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456 1. Annually inform child care centers and family day care  
 457 homes of the availability of this service through the child care  
 458 resource and referral network under s. 1002.91.

459 2. Expand, or contract for the expansion of, contingent  
 460 upon specific appropriations, the Warm-Line to maintain at least  
 461 one Warm-Line in each early learning coalition service area.

462 (s) Administer the operational requirements of the  
 463 Voluntary Prekindergarten Education Program at the state level.

464 (t) Monitor and evaluate the performance of each early  
 465 learning coalition and of the coalition's finances and  
 466 operations related to administration of the Voluntary  
 467 Prekindergarten Education Program.

468 (u) Adopt a standard statewide provider contract to be used  
 469 with each voluntary prekindergarten education provider. The  
 470 department shall publish a copy of the statewide provider  
 471 contract on its Internet website and provide a copy of the  
 472 contract to each coalition. The early learning coalitions may  
 473 not amend, alter or add addendum to the standard statewide  
 474 contract. The standard statewide contract shall include, at a  
 475 minimum, placing a provider on probation, provisions providing  
 476 for termination for cause; emergency termination for those  
 477 actions or inactions of the provider that pose an immediate and  
 478 serious danger to the health, safety, or welfare of the  
 479 children; and appropriate due process procedures. During the  
 480 pendency of an appeal of a termination, the provider may not  
 481 offer any Voluntary Prekindergarten Education Program.

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482           (3) If the Division of Early Learning determines during  
 483 the review of school readiness plans, or through monitoring and  
 484 performance evaluations conducted under s.1002.85, that an early  
 485 learning coalition has not substantially implemented its plan,  
 486 has not substantially met the performance standards and outcome  
 487 measures adopted by the division, or has not effectively  
 488 administered the school readiness program or Voluntary  
 489 Prekindergarten Education Program, the division may dissolve the  
 490 coalition and temporarily contract with a qualified entity to  
 491 continue school readiness and prekindergarten services in the  
 492 coalition's county or multicounty region until the division  
 493 reestablishes the coalition and a new school readiness plan is  
 494 approved in accordance with the rules adopted by the State Board  
 495 of Education.

496           (4) The Division of Early Learning may request the Governor  
 497 to apply for a waiver to allow the coalition to administer the  
 498 Head Start Program to accomplish the purposes of the school  
 499 readiness program.

500           (5) By January 1 of each year, the Division of Early  
 501 Learning shall annually publish on their website a report of its  
 502 activities conducted under this section. The report must  
 503 include a summary of the coalitions' annual reports, a statewide  
 504 summary, and the following:

505           (a) An analysis of early learning activities throughout  
 506 the state, including the school readiness program and the  
 507 voluntary prekindergarten program.

508           1. The total and average number of children served in the

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509 school readiness program, enumerated by age, eligibility  
 510 priority category, and coalition; and the total number of  
 511 children served in the voluntary prekindergarten program.

512 2. A summary of expenditures by coalition, by fund source,  
 513 including a breakdown by coalition of the percentage of  
 514 expenditures for administrative activities, quality activities,  
 515 nondirect services, and direct services for children.

516 3. A description of the division's and each coalition's  
 517 expenditures by fund source for the quality activities described  
 518 in s. 431.19(4)(b).

519 4. A summary of annual findings and collections related to  
 520 provider fraud and parent fraud.

521 5. Coalition scorecard performance data to measure the  
 522 success of the coalitions in implementing the early learning  
 523 programs.

524 6. The total number of children disenrolled statewide and  
 525 the reason for disenrollment.

526 7. The total number of providers by provider type.

527 8. The total number of provider contracts revoked and the  
 528 reasons for revocation.

529 (b) A summary of the activities and detailed expenditures  
 530 related to the Child Care Executive Partnership Program.

531 (6) Administrative staff for early learning programs shall  
 532 be kept to the minimum necessary to administer the duties of the  
 533 Division of Early Learning.

534 (7) PARENTAL CHOICE.—



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

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

541 (c) The school readiness program shall, in accordance with  
 542 45 C.F.R. s. 98.30, provide parental choice through a payment  
 543 certificate that provides, to the maximum extent possible,  
 544 flexibility in the school readiness program and payment  
 545 arrangements. The payment certificate must bear the names of the  
 546 beneficiary and the program provider and, when redeemed, must  
 547 bear the signatures of both the beneficiary and an authorized  
 548 representative of the provider.

549 (d) If it is determined that a provider has given any cash  
 550 to the beneficiary in return for receiving a payment  
 551 certificate, the early learning coalition or its fiscal agent  
 552 shall refer the matter to the Department of Financial Services  
 553 pursuant to s. 414.411 for investigation.

554 (8) Participation in the school readiness program does not  
 555 expand the regulatory authority of the state, its officers, or  
 556 any early learning coalition to impose any additional regulation  
 557 of providers beyond those necessary to enforce the requirements  
 558 set forth in this Part.

559 (9) The division shall adopt procedures governing the  
 560 administration of the Voluntary Prekindergarten Education  
 561 Program by the early learning coalitions and school districts

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562 for:

563 (a) Enrolling children in and determining the eligibility  
 564 of children for the Voluntary Prekindergarten Education Program  
 565 under s. 1002.53 which shall include the enrollment of children  
 566 by public schools and private providers that meet specified  
 567 requirements.

568 (b) Providing parents with profiles of private  
 569 prekindergarten providers and public schools under s. 1002.53.

570 (c) Registering private prekindergarten providers and  
 571 public schools to deliver the program under ss. 1002.55,  
 572 1002.61, and 1002.63.

573 (d) Determining the eligibility of private prekindergarten  
 574 providers to deliver the program under ss. 1002.55 and 1002.61,  
 575 and streamlining the process of provider eligibility whenever  
 576 possible.

577 (e) Verifying the compliance of private prekindergarten  
 578 providers and public schools and removing providers or schools  
 579 from eligibility to deliver the program due to noncompliance or  
 580 misconduct as provided in s. 1002.67.

581 (f) Paying private prekindergarten providers and public  
 582 schools under s. 1002.71.

583 (g) Documenting and certifying student enrollment and  
 584 student attendance under s. 1002.71.

585 (h) Reconciling advance payments in accordance with the  
 586 uniform attendance policy under s. 1002.71.

587 (i) Reenrolling students dismissed by a private  
 588 prekindergarten provider or public school for noncompliance with

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589 the provider's or school district's attendance policy under s.  
 590 1002.71.

591 (10) The division shall adopt, in consultation with and  
 592 subject to approval by the department, procedures governing the  
 593 administration of the Voluntary Prekindergarten Education  
 594 Program by the early learning coalitions and school districts  
 595 for:

596 (a) Approving improvement plans of private prekindergarten  
 597 providers and public schools under s. 1002.67.

598 (b) Placing private prekindergarten providers and public  
 599 schools on probation and requiring corrective actions under s.  
 600 1002.67.

601 (c) Removing a private prekindergarten provider or public  
 602 school from eligibility to deliver the program due to the  
 603 provider's or school's remaining on probation beyond the time  
 604 permitted under s. 1002.67.

605 (d) Enrolling children in and determining the eligibility  
 606 of children for the Voluntary Prekindergarten Education Program  
 607 under s. 1002.66.

608 (e) Paying specialized instructional services providers  
 609 under s. 1002.66.

610 (11) The division shall also adopt procedures for the  
 611 distribution of funds to early learning coalitions under s.  
 612 1002.71.

613 (12) Except as provided by law, the division may not  
 614 impose requirements on a private prekindergarten provider or  
 615 public school that does not deliver the Voluntary

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616 Prekindergarten Education Program or receive state funds under  
 617 this part.

618 Section 8. Section 1002.83, Florida Statutes, is created  
 619 to read:

620 1002.83 .-- Early Learning Coalitions; coalition boards.--

621 (1) Early learning coalitions.--

622 (a) Thirty-one or fewer early learning coalitions are  
 623 established and shall maintain direct enhancement services at  
 624 the local level and provide access to such services in all 67  
 625 counties. Two or more early learning coalitions may join for  
 626 purposes of planning and implementing a school readiness program  
 627 and voluntary prekindergarten program.

628 (b) Each early learning coalition shall be composed of at  
 629 least 15 members but not more than 30 members. The Division of  
 630 Early Learning shall adopt standards establishing within this  
 631 range the minimum and maximum number of members that may be  
 632 appointed to an early learning coalition and procedures for  
 633 identifying which members have voting privileges under paragraph  
 634 (d). These standards must include variations for a coalition  
 635 serving a multicounty region. Each early learning coalition must  
 636 comply with these standards.

637 (c) The Governor shall appoint the chair and two other  
 638 members of each early learning coalition, who must each meet the  
 639 same qualifications as private sector business members appointed  
 640 by the coalition under paragraph (e).

641 (d) Each early learning coalition must include the  
 642 following member positions; however, in a multicounty coalition,

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643 each ex officio member position may be filled by multiple  
 644 nonvoting members but no more than one voting member shall be  
 645 seated per member position. If an early learning coalition has  
 646 more than one member representing the same entity, only one of  
 647 such members may serve as a voting member:

648 1. A Department of Children and Families circuit  
 649 administrator or his or her designee who is authorized to make  
 650 decisions on behalf of the department.

651 2. A district superintendent of schools or his or her  
 652 designee who is authorized to make decisions on behalf of the  
 653 district.

654 3. A regional workforce board executive director or his or  
 655 her designee.

656 4. A county health department director or his or her  
 657 designee.

658 5. A children's services council or juvenile welfare board  
 659 chair or executive director, if applicable.

660 6. An agency head of a local licensing agency as defined  
 661 in s. 402.302, where applicable.

662 7. A president of a community college or his or her  
 663 designee.

664 8. One member appointed by a board of county commissioners  
 665 or the governing board of a municipality.

666 9. A central agency administrator, where applicable.

667 10. A Head Start director.

668 11. A representative of private for-profit child care  
 669 providers, including private for-profit family day care homes.

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670 12. A representative of faith-based child care providers.

671 13. A representative of programs for children with  
 672 disabilities under the federal Individuals with Disabilities  
 673 Education Act.

674 (e) Including the members appointed by the Governor under  
 675 subparagraph 5., more than one-third of the members of each  
 676 early learning coalition must be private sector business  
 677 members, either for-profit or non-profit, who do not have, and  
 678 none of whose relatives as defined in s. 112.3143 has, a  
 679 substantial financial interest in the design or delivery of the  
 680 Voluntary Prekindergarten Education Program created under part V  
 681 of chapter 1002 or the coalition's school readiness program. To  
 682 meet this requirement an early learning coalition must appoint  
 683 additional members. The Division of Early Learning shall  
 684 establish criteria for appointing private sector business  
 685 members. These criteria must include standards for determining  
 686 whether a member or relative has a substantial financial  
 687 interest in the design or delivery of the Voluntary  
 688 Prekindergarten Education Program or the coalition's school  
 689 readiness program.

690 (f) A majority of the voting membership of an early  
 691 learning coalition constitutes a quorum required to conduct the  
 692 business of the coalition. An early learning coalition board may  
 693 use any method of telecommunications to conduct meetings,  
 694 including establishing a quorum through telecommunications,  
 695 provided that the public is given proper notice of a

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696 telecommunications meeting and reasonable access to observe and,  
 697 when appropriate, participate.

698 (g) A voting member of an early learning coalition may not  
 699 appoint a designee to act in his or her place, except as  
 700 otherwise provided in this paragraph. A voting member may send a  
 701 representative to coalition meetings, but that representative  
 702 does not have voting privileges. When a district administrator  
 703 for the Department of Children and Families appoints a designee  
 704 to an early learning coalition, the designee is the voting  
 705 member of the coalition, and any individual attending in the  
 706 designee's place, including the district administrator, does not  
 707 have voting privileges.

708 (h) Each member of an early learning coalition is subject  
 709 to ss. 112.313, 112.3135, and 112.3143. For purposes of s.  
 710 112.3143(3) (a), each voting member is a local public officer who  
 711 must abstain from voting when a voting conflict exists.

712 (i) For purposes of tort liability, each member or  
 713 employee of an early learning coalition shall be governed by s.  
 714 768.28.

715 (j) An early learning coalition serving a multicounty  
 716 region must include representation from each county.

717 (k) Each early learning coalition shall establish terms  
 718 for all appointed members of the coalition. The terms must be  
 719 staggered and must be a uniform length that does not exceed 4  
 720 years per term. Coalition chairs shall be appointed for 4 years  
 721 in conjunction with their membership on the Early Learning  
 722 Advisory Council under s. 20.052. Appointed members may serve a

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723 maximum of two consecutive terms. When a vacancy occurs in an  
 724 appointed position, the coalition must advertise the vacancy.

725 (1) State, federal, and local maintenance-of-effort and  
 726 matching funds provided to the early learning coalitions may not  
 727 be used directly or indirectly to pay for meals, food, or  
 728 beverages for coalition board members or employees.

729 Preapproved, reasonable, and necessary per diem allowances and  
 730 travel expenses may be reimbursed. Such reimbursement shall be  
 731 at the standard travel reimbursement rates established in s.  
 732 112.061 and must comply with applicable federal and state  
 733 requirements.

734 Section 9. Section 1002.84, Florida Statutes, is created  
 735 to read:

736 1002.84 .-- Early learning coalitions; school readiness  
 737 powers and duties.--Each early learning coalition shall:

738 (1) Administer and implement a local comprehensive program  
 739 of school readiness services in accordance with this chapter and  
 740 the rules adopted with the division, which enhance the  
 741 cognitive, social, and physical development of children to  
 742 achieve the performance standards.

743 (2) Establish a uniform waiting list to track eligible  
 744 children waiting for enrollment in the school readiness program  
 745 in accordance with rules promulgated by the division.

746 (3) Establish a resource and referral network operating  
 747 under 1002.91 to assist parents in making an informed choice and  
 748 to provide maximum parental choice of providers.

749 (4) Establish a regional Warm-Line as directed by the



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750 division pursuant to s. 1002.82(2)(r). Regional Warm-Line staff  
 751 shall provide onsite technical assistance, when requested to  
 752 assist child care centers and family day care homes with  
 753 inquiries relating to the strategies, curriculum, and  
 754 environmental adaptations the child care centers and family day  
 755 care homes may need as they serve children with disabilities and  
 756 other special needs.

757 (5) Establish an age-appropriate screening of each child's  
 758 development and an appropriate referral process for children  
 759 with identified delays.

760 (6) Implement an age-appropriate pre-assessment and post-  
 761 assessment of children as specified in the coalition's plan.

762 (7) Determine child eligibility pursuant to s. 1002.87 and  
 763 provider eligibility pursuant to s. 1002.88. At a minimum, child  
 764 eligibility must be redetermined annually. Redetermination must  
 765 also be conducted biannually for an additional 50-percent of a  
 766 coalition's enrollment through a statistically valid random  
 767 sampling. A coalition must document the reason why a child is  
 768 no longer eligible for the school readiness program according to  
 769 the termination codes prescribed by the division.

770 (8) Establish a parent sliding fee scale that requires a  
 771 parent copayment to participate in the school readiness program.  
 772 Providers are required to collect the parent's copayment. A  
 773 coalition may, on a case-by-case basis, waive the copayment for  
 774 an at-risk child or temporarily waive the copayment for a child  
 775 whose family experiences a natural disaster or emergency

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776 situation such as a household fire or burglary, or while the  
 777 parent is participating in parenting classes.

778 (9) Establish proper maintenance of records related to  
 779 eligibility and enrollment files, provider payments, coalition  
 780 staff background screenings, and other documents required for  
 781 the implementation of the school readiness program.

782 (10) Establish a records-retention requirement for sign-in  
 783 and sign-out records that is consistent with state and federal  
 784 law. Attendance records shall not be altered or amended after  
 785 December 31<sup>st</sup> each year.

786 (11) Follow the requirements established by the Chief  
 787 Financial Officer for the recording of property and for the  
 788 periodic review of property for inventory purposes.

789 (12) Comply with federal procurement requirements and the  
 790 procurement requirements of ss. 287.057 and 287.058, except that  
 791 an early learning coalition is not required to competitively  
 792 procure direct services for school readiness and Voluntary  
 793 Prekindergarten Education providers.

794 (13) Establish proper information technology security  
 795 controls, including, but not limited to, periodically reviewing  
 796 the appropriateness of access privileges assigned to users of  
 797 certain systems; monitoring system hardware performance and  
 798 capacity-related issues; and ensuring appropriate backup  
 799 procedures and disaster recovery plans are in place.

800 (14) Develop written policies, procedures, and standards  
 801 for monitoring vendor contracts, including, but not limited to,  
 802 provisions specifying the particular procedures that may be used

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803 to evaluate contractor performance and the documentation that is  
 804 to be maintained to serve as a record of contractor performance.  
 805 This subsection does not apply to contracts with school  
 806 readiness providers.

807 (15) Monitor school readiness providers on an annual  
 808 basis, or in response to a parental complaint, to determine that  
 809 the standards prescribed in ss. 1002.86 and 1002.88 are met  
 810 using a standard monitoring tool adopted by the Division of Early  
 811 Learning. Providers determined to be high-risk by the  
 812 coalition, as demonstrated by substantial findings of violations  
 813 of federal law or the general or local laws of the state, shall  
 814 be monitored more frequently.

815 (16) Adopt a payment schedule that encompasses all  
 816 programs funded under this part. The payment schedule must take  
 817 into consideration the prevailing market rate, must include the  
 818 projected number of children to be served, and must be submitted  
 819 for approval by the Division of Early Learning. Informal child  
 820 care arrangements shall be reimbursed at not more than 50  
 821 percent of the rate adopted for a family day care home.

822 (17) Implement an anti-fraud plan addressing the  
 823 detection, reporting, and prevention of overpayments, abuse, and  
 824 fraud relating to the provision of and payment for School  
 825 Readiness and Voluntary Prekindergarten Education Program  
 826 services and submit the plan to the Division of Early Learning  
 827 for approval, as required by s. 1002.90.

828 (18) By October 1 of each year, submit an annual report to  
 829 the division. The report shall conform to the format adopted by

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830 the division and must include:

831 (a) Segregation of school readiness funds, Voluntary  
 832 Prekindergarten Education Program funds, and Child Care  
 833 Executive Partnership Program funds.

834 (b) Details of expenditures by fund source, including  
 835 total expenditures for administrative activities, quality  
 836 activities, nondirect services, and direct services for  
 837 children.

838 (c) The total number of coalition staff and the related  
 839 expenditures for salaries and benefits. For any subcontracts,  
 840 the total number of contracted staff and the related  
 841 expenditures for salaries and benefits must be included.

842 (d) The number of children served in the school readiness  
 843 program, enumerated by age and eligibility priority category,  
 844 reported as the number of children served during the first week  
 845 of every month, the average full-time equivalent child  
 846 participation throughout the month, and the number of children  
 847 served during the last week of the month.

848 (e) The total number of children disenrolled during the  
 849 year and the reasons for disenrollment.

850 (f) The total number of providers by provider type.

851 (g) A listing of any school readiness providers, by type,  
 852 whose eligibility to deliver the school readiness program is  
 853 revoked, including a brief description of the state or federal  
 854 violation that resulted in the revocation.

855 (h) An evaluation of its direct enhancement services.

856 (19) Administrative staff for the school readiness

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857 programs shall be kept to the minimum necessary to administer  
 858 the duties of the early learning coalitions.

859 (20) To increase transparency and accountability, an early  
 860 learning coalition must comply with the requirements of this  
 861 section before contracting with a member of the board or a  
 862 relative, as defined in s. 112.3143(1)(b), of a board member or  
 863 of an employee of the board. Such contracts may not be executed  
 864 without the approval of the division. Such contracts, as well as  
 865 documentation demonstrating adherence to this section by the  
 866 division, must be approved by a two-thirds vote of the board, a  
 867 quorum having been established; all conflicts of interest must  
 868 be disclosed before the vote; and any member who may benefit  
 869 from the contract, or whose relative may benefit from the  
 870 contract, must abstain from the vote. A contract under \$25,000  
 871 between an early learning coalition and a member of that board  
 872 or between a relative, as defined in s. 112.3143(1)(b), of a  
 873 board member or of an employee of the board is not required to  
 874 have the prior approval of the division but must be approved by  
 875 a two-thirds vote of the board, a quorum having been  
 876 established, and must be reported to the division within 30 days  
 877 after approval. If a contract cannot be approved by the  
 878 division, a review of the decision to disapprove the contract  
 879 may be requested by the early learning coalition or other  
 880 parties to the disapproved contract.

881 Section 10. Section 1002.85, Florida Statutes, is created  
 882 to read:

883 1002.85 .-- Coalition plans; scorecard.--

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884       (1) The Division of Early Learning shall adopt rules  
 885 prescribing the standardized format and required content of  
 886 school readiness plans as necessary for a coalition or other  
 887 qualified entity to administer the school readiness program as  
 888 provided in this part.

889       (2) Each coalition must annually submit a school readiness  
 890 plan to the division before the expenditure of funds. A  
 891 coalition may not implement its school readiness plan until it  
 892 receives approval from the division. A coalition may not  
 893 implement any revision to its school readiness plan until the  
 894 coalition submits the revised plan to and receives approval from  
 895 the division. If the division rejects a plan or revision, the  
 896 coalition must continue to operate under its previously approved  
 897 plan. The plan must include, but is not limited to:

898       (a) The coalition's operations including, board membership  
 899 and business organization and the coalition's articles of  
 900 incorporation and bylaws if the coalition is organized as a  
 901 corporation. If the coalition is not organized as a corporation  
 902 or other business entity, the plan must include the contract  
 903 with a fiscal agent.

904       (b) The minimum number of children to be served.

905       (c) The coalition's procedures for implementing the  
 906 requirements of this chapter, including:

- 907       1. Single point of entry;
- 908       2. Uniform waiting list;
- 909       4. Eligibility and enrollment processes;
- 910       5. Parent access and choice;

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911 6. Sliding fee scale and policies on the reduction of these  
 912 fees; and

913 7. Pre- and Post-Assessment

914 8. Payment rate.

915 (d) A detailed description of the coalition's quality  
 916 activities and services, including:

917 1. Resource and referral and school-age childcare;

918 2. Infant and toddler early learning; and

919 3. Inclusive early learning programs.

920 (e) A detailed budget that outlines estimated expenditures  
 921 for state, federal, and local maintenance-of-effort and matching  
 922 funds at the lowest level of detail available by other-cost-  
 923 accumulator code number; all estimated sources of revenue with  
 924 identifiable descriptions; a listing of full-time equivalent  
 925 positions; contracted subcontractor costs with related annual  
 926 compensation amount or hourly rate of compensation; and a  
 927 capital improvements plan outlining existing fixed capital  
 928 outlay projects and proposed capital outlay projects that will  
 929 begin during the budget year.

930 (f) A detailed accounting, in the format prescribed by the  
 931 division, of all revenues and expenditures during the previous  
 932 state fiscal year. Revenue sources should be identifiable and  
 933 expenditures should be reported by three categories: state and  
 934 federal funds, local maintenance-of-effort and matching funds,  
 935 and Child Care Executive Partnership Program funds.

936 (g) Updated policies and procedures, including those  
 937 governing procurement, maintenance of tangible personal

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938 property, maintenance of records, information technology  
 939 security and expenses, and disbursement controls.

940 (h) A description of the procedures for monitoring school  
 941 readiness providers on an annual basis, or in response to a  
 942 parental complaint, to determine that the standards prescribed  
 943 in s. 1002.86 and s. 1002.88 are met using a standard monitoring  
 944 tool adopted by the Division of Early Learning. Providers  
 945 determined to be high risk by the coalition, as demonstrated by  
 946 substantial findings of violations of law shall be monitored  
 947 more frequently.

948 (i) Documentation that the coalition has solicited and  
 949 considered comments regarding the proposed school readiness plan  
 950 from the local community.

951 (3) The coalition may periodically amend its plan as  
 952 necessary. An amended plan must be submitted to the division  
 953 before any expenditures are incurred on new direct activities.

954 (4) The division shall publish a copy of the standardized  
 955 format and required content of school readiness plans on its  
 956 Internet website and provide a copy of the format and content to  
 957 each early learning coalition.

958 (5) The division shall establish a scorecard to measure  
 959 coalition performance in delivering early learning programs.  
 960 Measures shall include, but are not limited to, measures related  
 961 to the number of children on the waitlist, the percentage of  
 962 children served as compared to the number of administrative  
 963 staff and overhead, the percentage of children served compared  
 964 to total number of children under the age of 5 below 150% of the



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965 federal poverty line; provider payment processes, fraud  
 966 intervention, child attendance and stability, use of child care  
 967 resource and referral, and kindergarten readiness outcomes for  
 968 children in the Voluntary Prekindergarten Education Program upon  
 969 entry into kindergarten. The division shall request input from  
 970 the coalitions, the Department of Education, and school  
 971 readiness providers before finalizing the scorecard format and  
 972 measures to be used. The scorecard shall be implemented  
 973 beginning July 1, 2014, and results of the scorecard must be  
 974 included in the annual report under s. 1002.82.

975 Section 11. Section 1002.86, Florida Statutes, is created  
 976 to read:

977 1002.86 .-- School Readiness Program.--

978 (1) Program requirements.--

979 (a) The school readiness program must meet the following  
 980 requirements:

981 1. Maximize parental choice through a variety of providers  
 982 including private and faith-based providers, be developmentally  
 983 appropriate, research-based, involve the parent as a child's  
 984 first teacher, serve as preventive measures for children at risk  
 985 of future school failure, and enhance the school readiness of  
 986 eligible children. Each school readiness program shall assist  
 987 parents to prepare at-risk children for school, including health  
 988 screening and referral, and an appropriate educational program.

989 2. Enhance the age-appropriate progress of each child in  
 990 attaining the performance standards adopted by the Division of  
 991 Early Learning.

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992           3. Operate on a full-time and part-time basis, and  
 993 provide extended-day and extended-year services to the maximum  
 994 extent possible without compromising the quality of the program  
 995 to meet the needs of parents who work.

996           4. Provide a coordinated professional development system  
 997 that supports the achievement and maintenance of core  
 998 competencies by school readiness instructors in helping children  
 999 attain the performance standards adopted by the Division of  
 1000 Early Learning.

1001           5. Implement minimum standards for child discipline  
 1002 practices that are age-appropriate. Such standards must provide  
 1003 that children not be subjected to discipline that is severe,  
 1004 humiliating, or frightening or discipline that is associated  
 1005 with food, rest, or toileting. Spanking or any other form of  
 1006 physical punishment is prohibited.

1007           6. Provide expanded access to community services and  
 1008 resources for families to help achieve economic self-  
 1009 sufficiency, by building upon existing services and work in  
 1010 cooperation with other programs for young children in a manner  
 1011 that minimizes and avoids duplication.

1012           (b) The school readiness program shall be an integrated  
 1013 and seamless program of services with a developmentally  
 1014 appropriate education component for the state's eligible  
 1015 population described in s. 1002.87 but shall not be construed as  
 1016 part of the K-20 education system.

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1017 (c) Persons with an early childhood teaching certificate  
 1018 may provide support and supervision to other staff in the school  
 1019 readiness program.

1020 (d) Each school district shall make a list of all  
 1021 individuals currently eligible to act as a substitute teacher  
 1022 within the county pursuant to the rules adopted by the school  
 1023 district pursuant to s. 1012.35 available to an early learning  
 1024 coalition serving students within the school district. Child  
 1025 care facilities, as defined by s. 402.302, may employ  
 1026 individuals listed as substitute instructors for the purpose of  
 1027 offering the school readiness program, the Voluntary  
 1028 Prekindergarten Education Program, and all other legally  
 1029 operating child care programs.

1030 (e) Section 125.901(2)(a)3. does not apply to school  
 1031 readiness programs. The Division of Early Learning may apply to  
 1032 the Governor and Cabinet for a waiver of, and the Governor and  
 1033 Cabinet may waive, any of the provisions of ss. 411.223 and  
 1034 1003.54, if the waiver is necessary for implementation of school  
 1035 readiness programs.

1036 Section 12. Section 1002.87, Florida Statutes, is created  
 1037 to read:

1038 1002.87 -- School readiness program; eligibility and  
 1039 enrollment.--

1040 (1) Effective August 1, 2013, or upon reevaluation of  
 1041 eligibility for children currently served, whichever is later,  
 1042 each early learning coalition shall give priority for  
 1043 participation in the school readiness program as follows:

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1044 (a) Priority shall be given first to a child younger than  
 1045 13 years of age from a working family that includes a parent  
 1046 receiving temporary cash assistance under chapter 414, and  
 1047 subject to the federal work requirements or parents who  
 1048 transition for the work program into employment as described in  
 1049 s. 445.032, F.S.

1050 (b) Priority shall be given next to an at-risk child  
 1051 younger than 9 years of age.

1052 (c) Priority shall be given next to a child from birth to  
 1053 the beginning of the school year for which the child is eligible  
 1054 for admission to kindergarten in a public school under s.  
 1055 1003.21(1)(a)2., from a working family that is economically  
 1056 disadvantaged. However, the child ceases to be eligible if his  
 1057 or her family income exceeds 200 percent of the federal poverty  
 1058 level.

1059 (d) Priority shall be given next to an at-risk child who  
 1060 is at least 9 years of age, but younger than 13 years of age. An  
 1061 at-risk child whose sibling is enrolled in the school readiness  
 1062 program within an eligibility priority category listed in  
 1063 paragraphs (a)-(c) shall be given priority over other children  
 1064 who are eligible under this paragraph.

1065 (e) Priority shall be given next to a child who has  
 1066 special needs, who is 3 years of age to the beginning of the  
 1067 school year for which the child is eligible for admission to  
 1068 kindergarten in a public school under s. 1003.21(1)(a)2., who  
 1069 has been determined eligible as a student with disabilities, and  
 1070 who has a current individual education plan with a Florida

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1071 school district.

1072 (f) Priority shall be given next to a child who is younger  
 1073 than the age of 13 from a working family that is economically  
 1074 disadvantaged. A child who is eligible under this paragraph  
 1075 whose sibling is enrolled in the school readiness program under  
 1076 paragraph (c) shall be given priority over other children who  
 1077 are eligible who are eligible under this paragraph.

1078 (g) Notwithstanding paragraphs (a)-(d), priority shall be  
 1079 given last to a child who otherwise meets one of the eligibility  
 1080 criteria in paragraphs (a)-(d) but who is also enrolled  
 1081 concurrently in the federal Head Start Program and the Voluntary  
 1082 Prekindergarten Education Program.

1083 (2) A school readiness provider may be paid only for  
 1084 authorized hours of care provided for a child in the school  
 1085 readiness program. A child enrolled in the Voluntary  
 1086 Prekindergarten Education Program may receive care from the  
 1087 school readiness program if the child is eligible according to  
 1088 the eligibility priorities in this section.

1089 (3) A coalition shall enroll all eligible children,  
 1090 including those from its waiting list, according to the  
 1091 eligibility priorities in this section.

1092 (4) The parent of a child enrolled in the school readiness  
 1093 program must notify the coalition or its designee within 10 days  
 1094 after any change in employment, income, or family size. Upon  
 1095 notification by the parent, the child's eligibility must be  
 1096 reevaluated.

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1097 (5) A child whose eligibility priority category requires  
 1098 the child to be from a working family ceases to be eligible for  
 1099 the school readiness program if a parent with whom the child  
 1100 resides does not reestablish employment within 30 days after  
 1101 becoming unemployed.

1102 (6) Eligibility for each child must be reevaluated  
 1103 annually. Upon reevaluation, a child may not continue to receive  
 1104 school readiness services if he or she has ceased to be eligible  
 1105 under this subsection.

1106 (7) If a coalition disenrolls children from the school  
 1107 readiness program, the coalition must disenroll the children in  
 1108 reverse order of the eligibility priorities listed in paragraph  
 1109 (1), beginning with children from families with the highest  
 1110 family incomes. A notice of disenrollment must be sent to  
 1111 parents and school readiness providers at least 2 weeks before  
 1112 disenrollment to provide adequate time for parents to arrange  
 1113 alternative care for their children. However, an at-risk child  
 1114 may not be disenrolled from the program without the written  
 1115 approval of the Family Safety Program Office of the Department  
 1116 of Children and Families or the community-based lead agency.

1117 (8) If a child is absent for 5 consecutive days without  
 1118 contact from the parent, the school readiness provider shall  
 1119 report the absences to the early learning coalition for a  
 1120 determination of the need for continued care.

1121 (9) Notwithstanding s. 39.604, a school readiness  
 1122 provider, regardless of whether the provider is licensed, shall  
 1123 comply with the reporting requirements of the Rilya Wilson Act

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1124 for each at-risk child, under the age of school entry, enrolled  
 1125 in the school readiness program.

1126 (10) The State Board of Education shall adopt rules to  
 1127 implement this section.

1128 Section 13. Section 1002.88, Florida Statutes, is created  
 1129 to read:

1130 1002.88 .-- School readiness provider standards;  
 1131 eligibility to deliver school readiness program.--

1132 (1) To be eligible to deliver the school readiness  
 1133 program, a school readiness provider must:

1134 (a) Be a child care facility licensed under s. 402.305,  
 1135 family day care home licensed or registered under s. 402.313,  
 1136 large family child care home licensed under s. 402.3131, public  
 1137 school or nonpublic school exempt from licensure under s.  
 1138 402.3025, faith-based child care provider exempt from licensure  
 1139 under s. 402.316, before-school or after-school program  
 1140 described in s. 402.305(1)(c), or an informal child care  
 1141 provider, to the extent authorized in the state's Child Care and  
 1142 Development Fund Plan as approved by the United States  
 1143 Department of Health and Human Services pursuant to 45 C.F.R. s.  
 1144 98.18.

1145 (b) Enhance the age-appropriate progress of each child in  
 1146 attaining the child development standards adopted by the  
 1147 division.

1148 (c) Provide basic health and safety of its premises and  
 1149 facilities and compliance with requirements for age-appropriate  
 1150 immunizations of children enrolled in the school readiness

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1151 program. For a child care facility, large family child care  
 1152 home, or licensed family day care home, compliance with s.  
 1153 402.305, s. 402.3131, or s. 402.313 satisfies this requirement.  
 1154 For a public or nonpublic school, compliance with s. 402.3025 or  
 1155 s. 1003.22 satisfies this requirement. A faith-based child care  
 1156 provider, an informal child care provider, or a nonpublic  
 1157 school, exempt from licensure under ss. 402.316 or 402.3025,  
 1158 shall annually complete the Health and Safety Checklist adopted  
 1159 by the Division of Early Learning, post the checklist  
 1160 prominently on its premises in plain site for visitor and  
 1161 parents, and submit it annually to its local early learning  
 1162 coalition.

1163 (d) Provide an appropriate staff-to-children ratio,  
 1164 pursuant to s. 402.305(4) or s. 402.302(8) or (11), as  
 1165 applicable, and as verified pursuant to s. 402.311.

1166 (e) Provide a healthy and safe environment pursuant to s.  
 1167 402.305(5), (6), and (7), as applicable, and as verified  
 1168 pursuant to s. 402.311.

1169 (f) Implement a curriculum approved by the Division of  
 1170 Early Learning that meets the child development standards.

1171 (g) Implement a character development program to develop  
 1172 basic values.

1173 (h) Collaborate with the respective early learning  
 1174 coalition, if requested, to complete initial screening for each  
 1175 child, aged six weeks to kindergarten eligibility, within 45  
 1176 days after the child's first or subsequent enrollment, to  
 1177 identify children who may need individualized supports.



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1178 (i) Provide that the minimum standards associated with  
 1179 child discipline under s. 1002.86(1)(a)5. are met.

1180 (j) Obtain and keep on file the child's immunizations,  
 1181 physical development, and other health requirements as  
 1182 necessary, including appropriate vision and hearing screening  
 1183 and examination, within 30 days of enrollment.

1184 (k) Implement before-school or after-school programs that  
 1185 meet or exceed the requirements of s. 402.305(5), (6), and (7).

1186 (1) Providers, excluding informal providers, are required  
 1187 to maintain liability insurance coverage, and maintain the  
 1188 necessary business requirements to legally-operate a business in  
 1189 Florida, including worker's compensation under ch. 440, and  
 1190 unemployment compensation insurance under ch. 443.

1191 (m) Execute the standard statewide provider contract  
 1192 adopted by the Division of Early Learning.

1193 (2) If a school readiness provider fails or refuses to  
 1194 comply with this chapter or any contractual obligation of the  
 1195 statewide provider contract under s. 1002.82(2)(m), the  
 1196 coalition or the division may revoke the provider's eligibility  
 1197 to deliver the school readiness program or receive state or  
 1198 federal funds under this chapter.

1199 (3) The division and the coalitions may not:

1200 (a) Impose any requirement on a child care or early  
 1201 childhood education provider that does not deliver services  
 1202 under the school readiness program or receive state or federal  
 1203 funds under this chapter; or

1204 (b) Impose any requirement on a school readiness provider

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1205 that exceeds the authority provided under this chapter or rules  
 1206 adopted pursuant to this chapter.

1207 Section 14. Section 1002.89, Florida Statutes, is created  
 1208 to read:

1209 1002.89 .-- Funding; school readiness program.--

1210 (1) Funding for the school readiness program shall be  
 1211 allocated among the early learning coalitions in accordance with  
 1212 this section, s. 411.013, and the General Appropriations Act.

1213 (2) The Office of Early Learning shall administer school  
 1214 readiness funds and shall prepare and submit a unified budget  
 1215 request for the school readiness system in accordance with  
 1216 chapter 216.

1217 (3) All instructions to early learning coalitions for  
 1218 administering this section shall emanate from the Office of  
 1219 Early Learning in accordance with the policies of the  
 1220 Legislature.

1221 (4) All cost savings and all revenues received through a  
 1222 mandatory sliding fee scale shall be used increase the number of  
 1223 children served in each early learning coalition's school  
 1224 readiness program.

1225 (5) All state, federal, and required local maintenance-of-  
 1226 effort or matching funds provided to an early learning coalition  
 1227 for purposes of this section shall be used for implementation of  
 1228 its approved school readiness plan, including the hiring of  
 1229 staff to effectively operate the coalition's school readiness  
 1230 program.

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1231 (6) Costs shall be kept to the minimum necessary for the  
 1232 efficient and effective administration of the school readiness  
 1233 program. Of the funds described in subsection (5), funds shall  
 1234 be prioritized toward direct services and may be used on  
 1235 administrative, quality and nondirect activities, as follows:

1236 (a) Administrative costs as described in 45 C.F.R. s.  
 1237 98.52.

1238 (b) Activities to improve the quality of child care as  
 1239 described in 45 C.F.R. s. 98.51, which shall be limited to the  
 1240 following:

1241 1. Developing, establishing, expanding, operating, and  
 1242 coordinating resource and referral programs specifically related  
 1243 to the provision of comprehensive consumer education to parents  
 1244 and the public regarding participation in the school readiness  
 1245 program.

1246 2. Awarding grants to school readiness providers to assist  
 1247 them in meeting applicable state requirements for child care  
 1248 performance standards, implementing developmentally appropriate  
 1249 curricula and related classroom resources that support  
 1250 curricula, providing literacy supports, and providing  
 1251 professional development.

1252 3. Providing training and technical assistance for school  
 1253 readiness providers, staff, and parents on child performance  
 1254 standards, child screenings, child assessments, developmentally  
 1255 appropriate curricula, character development, teacher-child  
 1256 interactions, age-appropriate discipline practices, health and

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1257 safety, nutrition, first aid, the recognition of communicable  
 1258 diseases, and child abuse detection and prevention.

1259 4. Providing from among the funds provided for the  
 1260 activities described in sub-subparagraphs a.-c. adequate funding  
 1261 for infants and toddlers as necessary to meet federal  
 1262 requirements related to expenditures for quality activities for  
 1263 infant and toddler care.

1264 5. Monitoring providers using the standardized methodology  
 1265 adopted under subparagraph (5)(d)12. to improve compliance with  
 1266 state and federal regulations and law pursuant to the  
 1267 requirements of the statewide provider contract adopted under  
 1268 subparagraph (5)(d)11.

1269 6. Assisting the provider in implementing a pre-assessment  
 1270 and post-assessment.

1271 7. Responding to Warm-Line requests by providers and  
 1272 parents related to school readiness children, including  
 1273 providing developmental and health screenings to school  
 1274 readiness children.

1275 (c) Nondirect services as described in 63 Fed. Reg. 39962-  
 1276 39963 (July 24, 1998) and applicable Office of Management and  
 1277 Budget instructions required to administer the school readiness  
 1278 program. Such services include, but are not limited to:

- 1279 1. Assisting families to complete the required
- 1280 application and eligibility documentation;
- 1281 2. Determining child and family eligibility;
- 1282 3. Recruiting eligible child care providers;
- 1283 4. Processing and tracking attendance records; and

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1284 5. Developing and maintaining a statewide childcare  
 1285 information system.

1286 As used in this paragraph, the term "nondirect services" does  
 1287 not include payments to school readiness providers for direct  
 1288 services provided to children who are eligible under paragraph  
 1289 (7)(a), administrative costs as described in subparagraph 1., or  
 1290 quality activities as described in subparagraph 2.

1291 (6) State funds appropriated for the school readiness  
 1292 program may not be used for the construction of new facilities  
 1293 or the purchase of buses.

1295 Section 15. Section 1002.90, Florida Statutes, is created  
 1296 to read:

1297 1002.90 .-- Investigations of fraud or overpayment;  
 1298 penalties.--

1299 (1) As used in this subsection, the term "fraud" means an  
 1300 intentional deception or misrepresentation made by a person with  
 1301 knowledge that the deception or misrepresentation may result in  
 1302 unauthorized benefit to that person or another person, or any  
 1303 aiding and abetting of the commission of such an act. The term  
 1304 includes any act that constitutes fraud under applicable federal  
 1305 or state law.

1306 (2) To recover state, federal, and local matching funds,  
 1307 the Division of Early Learning shall investigate early learning  
 1308 coalitions, recipients, and providers of the school readiness  
 1309 program and the Voluntary Prekindergarten Education Program to  
 1310 determine possible fraud or overpayment. If by its own

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1311 inquiries, or as a result of a complaint, the division has  
 1312 reason to believe that a person has engaged in, or is engaging  
 1313 in, a fraudulent act or acts, it shall investigate and determine  
 1314 whether any overpayment has occurred due to the fraudulent act  
 1315 or acts. During the investigation, the division may examine all  
 1316 records, including electronic benefits transfer records, and  
 1317 make inquiry of all persons who may have knowledge as to any  
 1318 irregularity incidental to the disbursement of public moneys or  
 1319 other items or benefits authorizations to recipients.

1320 (3) Based on the results of the investigation, the  
 1321 Division of Early Learning may, in its discretion, refer the  
 1322 investigation to the Department of Financial Services for  
 1323 criminal investigation or refer the matter to the applicable  
 1324 coalition. Any suspected criminal violation identified by the  
 1325 Division of Early Learning must be referred to the Department of  
 1326 Financial Services for criminal investigation.

1327 (4) An early learning coalition may suspend or terminate a  
 1328 provider from participation in the School Readiness program or  
 1329 Voluntary Prekindergarten Education program when it has  
 1330 reasonable cause to believe that the provider has committed  
 1331 fraud. The Division of Early Learning shall adopt by rule  
 1332 appropriate due process procedures that the early learning  
 1333 coalition will apply in suspending or terminating any provider  
 1334 including the suspension or termination of payment. If  
 1335 suspended, the provider will remain suspended until the  
 1336 completion of any investigation by the Division of Early  
 1337 Learning, the Department of Financial Services, applicable early

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1338 learning coalition, or any other state or federal agency, and  
 1339 any subsequent prosecution or other legal proceedings.

1340 (5) If a school readiness provider, after investigation and  
 1341 adjudication by a court of competent jurisdiction, is convicted  
 1342 under s. 414.39, the coalition shall permanently refrain from  
 1343 contracting with, or using the services of, that provider. In  
 1344 addition, the coalition shall permanently refrain from  
 1345 contracting with, or using the services of, any provider that  
 1346 shares an officer or director with a provider that is convicted  
 1347 under s. 414.39.

1348 (6) If the investigation is not confidential or otherwise  
 1349 exempt from disclosure by law, the results of the investigation  
 1350 may be reported by the Division of Early Learning to the  
 1351 appropriate legislative committees, the Department of Children  
 1352 and Families, and such other persons as the division deems  
 1353 appropriate.

1354 (7) The early learning coalition shall not contract with a  
 1355 provider who is on the United States Department of Agriculture  
 1356 National Disqualified List. In addition, the coalition shall  
 1357 not contract with any provider that shares an officer or  
 1358 director with a provider that is on the United States Department  
 1359 of Agriculture National Disqualified List.

1360 (8) Each early learning coalition shall adopt an anti-fraud  
 1361 plan addressing the detection and prevention of overpayments,  
 1362 abuse, and fraud relating to the provision of and payment for  
 1363 School Readiness and Voluntary Prekindergarten Education Program  
 1364 services and submit the plan to the Division of Early learning

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1365 for approval. The Division of Early Learning will adopt rules  
 1366 establishing criteria for the anti-fraud plan including  
 1367 appropriate due process provisions. The anti-fraud plan must  
 1368 include, at a minimum:

1369 1. A written description or chart outlining the  
 1370 organizational structure of the plan's personnel who are  
 1371 responsible for the investigation and reporting of possible  
 1372 overpayment, abuse, or fraud;

1373 2. A description of the plan's procedures for detecting and  
 1374 investigating possible acts of fraud, abuse, and overpayment;

1375 3. A description of the plan's procedures for the  
 1376 mandatory reporting of possible overpayment, abuse, or fraud to  
 1377 the Office of Inspector General within the division;

1378 4. A description of the plan's program and procedures for  
 1379 educating and training personnel on how to detect and prevent  
 1380 fraud, abuse, and overpayment;

1381 5. A description of the plan's procedures including the  
 1382 appropriate due process provisions adopted by the Division of  
 1383 Early Learning for suspending or terminating from the School  
 1384 Readiness or Voluntary Prekindergarten Education programs  
 1385 recipients or providers who the early learning coalition  
 1386 reasonably believes has committed fraud.

1387 (9) A person who commits an act of fraud as defined in this  
 1388 subsection is subject to the penalties provided in s.  
 1389 414.39(5)(a) and (b).

1390 Section 16. Section 1002.91, Florida Statutes, is created  
 1391 to read:



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1392            1002.91 .-- Child care and early childhood resource and  
 1393 referral.--

1394            (1) As a part of the school readiness programs, the  
 1395 Division of Early Learning shall establish a statewide child  
 1396 care resource and referral network that is unbiased and provides  
 1397 referrals to families for child care. Preference shall be given  
 1398 to using the already established early learning coalitions as  
 1399 the child care resource and referral agencies. If an early  
 1400 learning coalition cannot comply with the requirements to offer  
 1401 the resource information component or does not want to offer  
 1402 that service, the early learning coalition shall select the  
 1403 resource and referral agency for its county or multicounty  
 1404 region based upon a request for proposal pursuant to s.  
 1405 411.01(5)(e)1.

1406            (2) At least one child care resource and referral agency  
 1407 must be established in each early learning coalition's county or  
 1408 multicounty region. The Division of Early Learning shall adopt  
 1409 rules regarding accessibility of child care resource and  
 1410 referral services offered through child care resource and  
 1411 referral agencies in each county or multicounty region which  
 1412 include, at a minimum, required hours of operation, methods by  
 1413 which parents may request services, and child care resource and  
 1414 referral staff training requirements.

1415            (3) Child care resource and referral agencies shall  
 1416 provide the following services:

1417            (a) Identification of existing public and private child  
 1418 care and early childhood education services, including child

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1419 care services by public and private employers, and the  
 1420 development of a resource file of those services through the  
 1421 single statewide information system developed by the Division of  
 1422 Early Learning under s. 1002.82(2)(n). These services may  
 1423 include family day care, public and private child care programs,  
 1424 the Voluntary Prekindergarten Education Program, Head Start, the  
 1425 school readiness program, special education programs for  
 1426 prekindergarten children with disabilities, services for  
 1427 children with developmental disabilities, full-time and part-  
 1428 time programs, before-school and after-school programs, vacation  
 1429 care programs, parent education, the Temporary Cash Assistance  
 1430 Program, and related family support services. The resource file  
 1431 shall include, but not be limited to:

- 1432 1. Type of program.
- 1433 2. Hours of service.
- 1434 3. Ages of children served.
- 1435 4. Number of children served.
- 1436 5. Program information.
- 1437 6. Fees and eligibility for services.
- 1438 7. Availability of transportation.

1439 (b) The establishment of a referral process that responds  
 1440 to parental need for information and that is provided with full  
 1441 recognition of the confidentiality rights of parents. The  
 1442 resource and referral network shall make referrals to legally  
 1443 operating child care facilities. Referrals may not be made to a  
 1444 child care facility that is operating illegally.

1445 (c) Maintenance of ongoing documentation of requests for

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1446 service tabulated through the internal referral process through  
 1447 the single statewide information system. The following  
 1448 documentation of requests for service shall be maintained by the  
 1449 child care resource and referral network:

1450 1. Number of calls and contacts to the child care resource  
 1451 information and referral network component by type of service  
 1452 requested.

1453 2. Ages of children for whom service was requested.

1454 3. Time category of child care requests for each child.

1455 4. Special time category, such as nights, weekends, and  
 1456 swing shift.

1457 5. Reason that the child care is needed.

1458 6. Name of the employer and primary focus of the business  
 1459 for an employer based child care program.

1460 (d) Provision of technical assistance to existing and  
 1461 potential providers of child care services. This assistance may  
 1462 include:

1463 1. Information on initiating new child care services,  
 1464 zoning, and program and budget development and assistance in  
 1465 finding such information from other sources.

1466 2. Information and resources which help existing child  
 1467 care services providers to maximize their ability to serve  
 1468 children and parents in their community.

1469 3. Information and incentives that may help existing or  
 1470 planned child care services offered by public or private  
 1471 employers seeking to maximize their ability to serve the  
 1472 children of their working parent employees in their community,

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1473 through contractual or other funding arrangements with  
 1474 businesses.

1475 (e) Assistance to families and employers in applying for  
 1476 various sources of subsidy including, but not limited to, the  
 1477 Voluntary Prekindergarten Education Program, the school  
 1478 readiness program, Head Start, Project Independence, private  
 1479 scholarships, and the federal child and dependent care tax  
 1480 credit.

1481 (f) Assistance in negotiating discounts or other special  
 1482 arrangements with child care providers.

1483 (g) Assistance to families in identifying summer  
 1484 recreation camp and summer day camp programs, evaluating the  
 1485 health and safety qualities of summer recreation camp and summer  
 1486 day camp programs, and evaluating the health and safety  
 1487 qualities of summer camp programs. Contingent upon specific  
 1488 appropriation, a checklist of important health and safety  
 1489 qualities that parents can use to choose their summer camp  
 1490 programs shall be developed and distributed in a manner that  
 1491 will reach parents interested in such programs for their  
 1492 children.

1493 (h) A child care facility licensed under s. 402.305 and  
 1494 licensed and registered family day care homes must provide the  
 1495 statewide child care and resource and referral network with the  
 1496 following information annually:

- 1497 1. Type of program.
- 1498 2. Hours of service.
- 1499 3. Ages of children served.

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1500 4. Fees and eligibility for services.

1501 (4) The Division of Early Learning shall adopt any rules  
 1502 necessary for the implementation and administration of this  
 1503 section.

1504 Section 17. Section 1002.93, Florida Statutes, is created  
 1505 to read:

1506 1002.93 .-- School readiness transportation services.--

1507 (1) The Division of Early Learning, pursuant to chapter  
 1508 427, may authorize an early learning coalition to establish  
 1509 school readiness transportation services for children at risk of  
 1510 abuse or neglect participating in the school readiness program.  
 1511 The early learning coalitions may contract for the provision of  
 1512 transportation services as required by this section.

1513 (2) The transportation servicers may only provide  
 1514 transportation to each child participating in the school  
 1515 readiness program to the extent that such transportation is  
 1516 necessary to provide child care opportunities that otherwise  
 1517 would not be available to a child whose home is more than a  
 1518 reasonable walking distance from the nearest child care facility  
 1519 or family day care home.

1520 Section 18. Section 1002.94, Florida Statutes, is created  
 1521 to read:

1522 1002.94 .-- Child Care Executive Partnership Act; findings  
 1523 and intent; grant; limitation; rules.--

1524 (1) This section may be cited as the "Child Care Executive  
 1525 Partnership Act."

1526 (2) There is created a body politic and corporate known as

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1527 the Child Care Executive Partnership which shall establish and  
 1528 govern the Child Care Executive Partnership Program. The purpose  
 1529 of the Child Care Executive Partnership Program is to utilize  
 1530 state and federal funds as incentives for matching local funds  
 1531 derived from local governments, employers, charitable  
 1532 foundations, and other sources so that Florida communities may  
 1533 create local flexible partnerships with employers. The Child  
 1534 Care Executive Partnership Program funds shall be used at the  
 1535 discretion of local communities to meet the needs of working  
 1536 parents. A child care purchasing pool shall be developed with  
 1537 the state, federal, and local funds to provide subsidies to low-  
 1538 income working parents whose family income does not exceed the  
 1539 allowable income for any federally subsidized child care program  
 1540 with a dollar-for-dollar match from employers, local government,  
 1541 and other matching contributions. The funds used from the child  
 1542 care purchasing pool must be used to supplement or extend the  
 1543 use of existing public or private funds.

1544 (3) The Child Care Executive Partnership, staffed by the  
 1545 division, shall consist of a representative of the Executive  
 1546 Office of the Governor and nine members of the corporate or  
 1547 child care community, appointed by the Governor.

1548 (a) Members shall serve for a period of 4 years, except  
 1549 that the representative of the Executive Office of the Governor  
 1550 shall serve at the pleasure of the Governor.

1551 (b) The Child Care Executive Partnership shall be chaired  
 1552 by a member chosen by a majority vote and shall meet at least  
 1553 quarterly and at other times upon the call of the chair. The

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1554 Child Care Executive Partnership may use any method of  
 1555 telecommunications to conduct meetings, including establishing a  
 1556 quorum through telecommunications, only if the public is given  
 1557 proper notice of a telecommunications meeting and reasonable  
 1558 access to observe and, when appropriate, participate.

1559 (c) Members shall serve without compensation, but may be  
 1560 reimbursed for per diem and travel expenses in accordance with  
 1561 s. 112.061.

1562 (d) The Child Care Executive Partnership shall have all  
 1563 the powers and authority, not explicitly prohibited by statute,  
 1564 necessary to carry out and effectuate the purposes of this  
 1565 section, as well as the functions, duties, and responsibilities  
 1566 of the partnership, including, but not limited to, the  
 1567 following:

1568 1. Assisting in the formulation and coordination of the  
 1569 state's child care policy.

1570 2. Adopting an official seal.

1571 3. Soliciting, accepting, receiving, investing, and  
 1572 expending funds from public or private sources.

1573 4. Contracting with public or private entities as  
 1574 necessary.

1575 5. Approving an annual budget.

1576 6. Carrying forward any unexpended state appropriations  
 1577 into succeeding fiscal years.

1578 7. Providing a report to the Governor, the Speaker of the  
 1579 House of Representatives, and the President of the Senate, on or  
 1580 before December 1 of each year.

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1581 (5) (a) The Legislature shall annually determine the amount  
 1582 of state or federal low-income child care moneys which shall be  
 1583 used to create Child Care Executive Partnership Program child  
 1584 care purchasing pools in counties chosen by the Child Care  
 1585 Executive Partnership, provided that at least two of the  
 1586 counties have populations of no more than 300,000. The  
 1587 Legislature shall annually review the effectiveness of the child  
 1588 care purchasing pool program and reevaluate the percentage of  
 1589 additional state or federal funds, if any, which can be used for  
 1590 the program's expansion.

1591 (b) To ensure a seamless service delivery and ease of  
 1592 access for families, the division shall administer the child  
 1593 care purchasing pool funds.

1594 (c) The division, in conjunction with the Child Care  
 1595 Executive Partnership, shall develop procedures for disbursement  
 1596 of funds through the child care purchasing pools. In order to be  
 1597 considered for funding, an early learning coalition or the  
 1598 division must commit to:

1599 1. Matching the state purchasing pool funds on a dollar-  
 1600 for-dollar basis; and

1601 2. Expending only those public funds that are matched by  
 1602 employers, local government, and other matching contributors who  
 1603 contribute to the purchasing pool. Parents shall also pay a fee,  
 1604 which may not be less than the amount identified in the early  
 1605 learning coalition's school readiness program sliding fee scale.

1606 (d) Each early learning coalition shall establish a  
 1607 community child care task force for each child care purchasing



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1608 pool. The task force must be composed of employers, parents,  
 1609 private child care providers, and one representative from the  
 1610 local children's services council, if one exists in the area of  
 1611 the purchasing pool. The early learning coalition is expected to  
 1612 recruit the task force members from existing child care  
 1613 councils, commissions, or task forces already operating in the  
 1614 area of a purchasing pool. A majority of the task force shall  
 1615 consist of employers.

1616 (e) Each participating early learning coalition board  
 1617 shall develop a plan for the use of child care purchasing pool  
 1618 funds. The plan must show how many children will be served by  
 1619 the purchasing pool, how many will be new to receiving child  
 1620 care services, and how the early learning coalition intends to  
 1621 attract new employers and their employees to the program.

1622 (6) The Division of Early Learning shall adopt any rules  
 1623 necessary for the implementation and administration of this  
 1624 section.

1626 Section 19. Section 1002.95, Florida Statutes, is created  
 1627 to read:

1628 1002.95 .-- Teacher Education and Compensation Helps  
 1629 (TEACH) scholarship program.--

1630 (1) The Division of Early Learning may contract for the  
 1631 administration of the Teacher Education and Compensation Helps  
 1632 (TEACH) scholarship program, which provides educational  
 1633 scholarships to caregivers and administrators of early childhood  
 1634 programs, family day care homes, and large family child care

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1635 homes. The goal of the program is to increase the education and  
 1636 training for caregivers, increase the compensation for child  
 1637 caregivers who complete the program requirements and reduce the  
 1638 rate of participants' turnover in the field of early childhood  
 1639 education.

1640 (2) The division shall adopt rules under ss. 120.536(1)  
 1641 and 120.54 as necessary to administer this section.

1642 Section 20. Section 1002.96, Florida Statutes, is created  
 1643 to read:

1644 1002.96 .-- Early Head Start collaboration grants.--

1645 (1) Contingent upon specific appropriations, the division  
 1646 shall establish a program to award collaboration grants to  
 1647 assist local agencies in securing Early Head Start programs  
 1648 through Early Head Start program federal grants. The  
 1649 collaboration grants shall provide the required matching funds  
 1650 for public and private nonprofit agencies that have been  
 1651 approved for Early Head Start program federal grants.

1652 (2) Public and private nonprofit agencies providing Early  
 1653 Head Start programs applying for collaborative grants must:

1654 (a) Meet the requirements in the Head Start program  
 1655 performance standards and other applicable rules and  
 1656 regulations;

1657 (b) Collaborate with other service providers at the local  
 1658 level; and

1659 (c) Provide a comprehensive array of health, nutritional,  
 1660 and other services to the program's pregnant women and very  
 1661 young children, and their families.

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1662 (3) The Division of Early Learning may adopt rules under  
 1663 ss. 120.536(1) and 120.54 as necessary for the award of  
 1664 collaboration grants to competing agencies and the  
 1665 administration of the collaboration grants program under this  
 1666 section.

1667 Section 21. Section 1002.97, Florida Statutes, is created  
 1668 to read:

1669 1002.97 .-- Infants and toddlers in state-funded education  
 1670 and care programs; brain development activities.--

1671 Each state-funded education and care program for children from  
 1672 birth to 5 years of age must provide activities to foster brain  
 1673 development in infants and toddlers. A program must provide an  
 1674 environment that helps children attain the performance standards  
 1675 adopted by the Division of Early Learning under s. 1002.82(2)(k)  
 1676 and must be rich in language and music and filled with objects  
 1677 of various colors, shapes, textures, and sizes to stimulate  
 1678 visual, tactile, auditory, and linguistic senses in the children  
 1679 and must include classical music and at least 30 minutes of  
 1680 reading to the children each day. A program may be offered  
 1681 through an existing early childhood program such as Healthy  
 1682 Start, the Title I program, the school readiness program, the  
 1683 Head Start program, or a private child care program. A program  
 1684 must provide training for the infants' and toddlers' parents  
 1685 including direct dialogue and interaction between teachers and  
 1686 parents demonstrating the urgency of brain development in the  
 1687 first year of a child's life. Family day care centers are  
 1688 encouraged, but not required, to comply with this section.

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1689 Section 22. Section 1002.98, Florida Statutes, is created  
 1690 to read:

1691 1002.98 .-- Records of children in school readiness  
 1692 programs.--

1693 (1) The individual records of children enrolled in school  
 1694 readiness programs provided under this Part, held by an early  
 1695 learning coalition or the Division of Early Learning, are  
 1696 confidential and exempt from s. 119.07(1) and s. 24(a), Art. I  
 1697 of the State Constitution. For purposes of this section, records  
 1698 include assessment data, health data, records of teacher  
 1699 observations, and personal identifying information.

1700 (2) A parent, guardian, or individual acting as a parent  
 1701 in the absence of a parent or guardian has the right to inspect  
 1702 and review the individual school readiness program record of his  
 1703 or her child and to obtain a copy of the record.

1704 (3) School readiness records may be released to:

1705 (a) The United States Secretary of Education, the United  
 1706 States Secretary of Health and Human Services, and the  
 1707 Comptroller General of the United States for the purpose of  
 1708 federal audits and investigations.

1709 (b) Individuals or organizations conducting studies for  
 1710 institutions to develop, validate, or administer assessments or  
 1711 improve instruction.

1712 (c) Accrediting organizations in order to carry out their  
 1713 accrediting functions.

1714 (d) Appropriate parties in connection with an emergency if  
 1715 the information is necessary to protect the health or safety of

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1716 the child enrollee or other individuals.  
 1717 (e) The Office of Program Policy and Government  
 1718 Accountability and the Auditor General in connection with their  
 1719 official functions.  
 1720 (f) A court of competent jurisdiction in compliance with  
 1721 an order of that court in accordance with a lawfully issued  
 1722 subpoena.  
 1723 (g) Parties to an interagency agreement among early  
 1724 learning coalitions, local governmental agencies, providers of  
 1725 school readiness programs, state agencies, and the division for  
 1726 the purpose of implementing the school readiness program.  
 1727  
 1728 Agencies, organizations, or individuals that receive school  
 1729 readiness records in order to carry out their official functions  
 1730 must protect the data in a manner that does not permit the  
 1731 personal identification of a child enrolled in a school  
 1732 readiness program and his or her parents by persons other than  
 1733 those authorized to receive the records.  
 1734 Section 23. Section 411.01, Florida Statutes, is repealed.  
 1735 Section 24. Section 411.0101, Florida Statutes, is  
 1736 repealed.  
 1737 Section 25. Section 411.01013, Florida Statutes, is  
 1738 repealed.  
 1739 Section 26. Section 411.01014, Florida Statutes, is  
 1740 repealed.  
 1741 Section 27. Section 411.01015, Florida Statutes, is  
 1742 repealed.

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1743 Section 28. Section 411.0102, Florida Statutes, is  
 1744 repealed.

1745 Section 29. Section 411.0103, Florida Statutes, is  
 1746 repealed.

1747 Section 30. Section 411.0104, Florida Statutes, is  
 1748 repealed.

1749 Section 31. Section 411.0105, Florida Statutes, is  
 1750 repealed.

1751 Section 32. Section 411.0106, Florida Statutes, is  
 1752 repealed.

1753 Section 33. Section 411.011, Florida Statutes, is  
 1754 repealed.

1755 Section 34. Subsection (4) of section 1002.51, Florida  
 1756 Statutes, is amended to read:

1757 1002.51 Definitions.—As used in this part, the term:

1758 (4) "Early learning coalition" or "coalition" means an  
 1759 early learning coalition created under s. 1002.83411.01.

1760 Section 35. Paragraph (a) of subsection (4) and paragraph  
 1761 (b) of subsection (6) of section 1002.53, Florida Statutes, is  
 1762 amended to read:

1763 1002.53 Voluntary Prekindergarten Education Program;  
 1764 eligibility and enrollment.—

1765 (4) (a) Each parent enrolling a child in the Voluntary  
 1766 Prekindergarten Education Program must complete and submit an  
 1767 application to the early learning coalition through the single  
 1768 point of entry established under s. 1002.83411.01.

1769 (6) (b) A parent may enroll his or her child with any

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1770 public school within the school district which is eligible to  
 1771 deliver the Voluntary Prekindergarten Education Program under  
 1772 this part, subject to available space. Each school district may  
 1773 limit the number of students admitted by any public school for  
 1774 enrollment in the school year program; however, the school  
 1775 district must provide for the admission of every eligible child  
 1776 within the district whose parent enrolls the child in a summer  
 1777 prekindergarten program delivered by a public school under s.  
 1778 1002.61.

1779 Section 36. Section 1002.55, Florida Statutes, is amended  
 1780 to read:

1781 1002.55 School-year prekindergarten program delivered by  
 1782 private prekindergarten providers.-

1783 (1) Each early learning coalition shall administer the  
 1784 Voluntary Prekindergarten Education Program at the county or  
 1785 regional level for students enrolled under s. 1002.53(3)(a) in a  
 1786 school-year prekindergarten program delivered by a private  
 1787 prekindergarten provider.

1788 (2) Each school-year prekindergarten program delivered by  
 1789 a private prekindergarten provider must comprise at least 540  
 1790 instructional hours.

1791 (3) To be eligible to deliver the prekindergarten program,  
 1792 a private prekindergarten provider must meet each of the  
 1793 following requirements:

1794 (a) The private prekindergarten provider must be a child  
 1795 care facility licensed under s. 402.305, family day care home  
 1796 licensed under s. 402.313, large family child care home licensed

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1797 under s. 402.3131, nonpublic school exempt from licensure under  
 1798 s. 402.3025(2), or faith-based child care provider exempt from  
 1799 licensure under s. 402.316.

1800 (b) The private prekindergarten provider must:

1801 1. Be accredited by an accrediting association that is a  
 1802 member of the National Council for Private School Accreditation,  
 1803 or the Florida Association of Academic Nonpublic Schools, or be  
 1804 accredited by the Southern Association of Colleges and Schools,  
 1805 or Western Association of Colleges and Schools, or North Central  
 1806 Association of Colleges and Schools, or Middle States  
 1807 Association of Colleges and Schools, or New England Association  
 1808 of Colleges and Schools; and have written accreditation  
 1809 standards that meet or exceed the state's licensing requirements  
 1810 under s. 402.305, s. 402.313, or s. 402.3131 and require at  
 1811 least one onsite visit to the provider or school before  
 1812 accreditation is granted;

1813 2. Hold a current Gold Seal Quality Care designation under  
 1814 s. 402.281; or

1815 3. Be licensed under s. 402.305, s. 402.313, or s.  
 1816 402.3131 and demonstrate, before delivering the Voluntary  
 1817 Prekindergarten Education Program, as verified by the early  
 1818 learning coalition, that the provider meets each of the  
 1819 requirements of the program under this part, including, but not  
 1820 limited to, the requirements for credentials and background  
 1821 screenings of prekindergarten instructors under paragraphs (c)  
 1822 and (d), minimum and maximum class sizes under paragraph (f),  
 1823 prekindergarten director credentials under paragraph (g), and a



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1824 developmentally appropriate curriculum under s. 1002.67(2)(b).

1825 (c) The private prekindergarten provider must have, for  
 1826 each prekindergarten class of 11 children or fewer, at least one  
 1827 prekindergarten instructor who meets each of the following  
 1828 requirements:

1829 1. The prekindergarten instructor must hold, at a minimum,  
 1830 one of the following credentials:

1831 a. A child development associate credential issued by the  
 1832 National Credentialing Program of the Council for Professional  
 1833 Recognition; or

1834 b. A credential approved by the Department of Children and  
 1835 Family Services as being equivalent to or greater than the  
 1836 credential described in sub-subparagraph a.

1837  
 1838 The Department of Children and Family Services may adopt rules  
 1839 under ss. 120.536(1) and 120.54 which provide criteria and  
 1840 procedures for approving equivalent credentials under sub-  
 1841 subparagraph b.

1842 2. The prekindergarten instructor must successfully  
 1843 complete a Voluntary Prekindergarten standards an emergent  
 1844 ~~literacy~~ training course approved by the department as meeting  
 1845 or exceeding the minimum standards adopted under s. 1002.59.  
 1846 This subparagraph does not apply to a prekindergarten instructor  
 1847 who successfully completes approved training in early literacy  
 1848 and language development under s. 402.305(2)(d)5., s.  
 1849 402.313(6), or s. 402.3131(5) before the establishment of one or  
 1850 more emergent literacy training courses under s. 1002.59 or

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1851 April 1, 2005, whichever occurs later.

1852 (d) Each prekindergarten instructor employed by the  
 1853 private prekindergarten provider must be of good moral  
 1854 character, must be screened using the level 2 screening  
 1855 standards in s. 435.04 before employment and rescreened at least  
 1856 once every 5 years, must be denied employment or terminated if  
 1857 required under s. 435.06, and must not be ineligible to teach in  
 1858 a public school because his or her educator certificate is  
 1859 suspended or revoked.

1860 (e) A private prekindergarten provider may assign a  
 1861 substitute instructor to temporarily replace a credentialed  
 1862 instructor if the credentialed instructor assigned to a  
 1863 prekindergarten class is absent, as long as the substitute  
 1864 instructor is of good moral character and has been screened  
 1865 before employment in accordance with level 2 background  
 1866 screening requirements in chapter 435. The state board shall  
 1867 adopt rules to implement this paragraph which shall include  
 1868 required qualifications of substitute instructors and the  
 1869 circumstances and time limits for which a private  
 1870 prekindergarten provider may assign a substitute instructor.

1871 (f) Each of the private prekindergarten provider's  
 1872 prekindergarten classes must be composed of at least 4 students  
 1873 but may not exceed 20 students. In order to protect the health  
 1874 and safety of students, each private prekindergarten provider  
 1875 must also provide appropriate adult supervision for students at  
 1876 all times and, for each prekindergarten class composed of 12 or  
 1877 more students, must have, in addition to a prekindergarten

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1878 instructor who meets the requirements of paragraph (c), at least  
 1879 one adult prekindergarten instructor who is not required to meet  
 1880 those requirements but who must meet each requirement of  
 1881 paragraph (d). This paragraph does not supersede any requirement  
 1882 imposed on a provider under ss. 402.301-402.319.

1883 ~~(g) Before the beginning of the 2006-2007 school year, the~~  
 1884 The private prekindergarten provider must have a prekindergarten  
 1885 director who has a prekindergarten director credential that is  
 1886 approved by the department as meeting or exceeding the minimum  
 1887 standards adopted under s. 1002.57. Successful completion of a  
 1888 child care facility director credential under s. 402.305(2)(f)  
 1889 before the establishment of the prekindergarten director  
 1890 credential under s. 1002.57 or July 1, 2006, whichever occurs  
 1891 later, satisfies the requirement for a prekindergarten director  
 1892 credential under this paragraph.

1893 (h) The private prekindergarten provider must register  
 1894 with the early learning coalition on forms prescribed by the  
 1895 division Office of Early Learning.

1896 (i) The private prekindergarten provider must execute the  
 1897 statewide provider contract prescribed under s. 1002.75, except  
 1898 that an individual who owns or operates multiple private  
 1899 prekindergarten providers within a coalition's service area may  
 1900 execute a single agreement with the coalition on behalf of each  
 1901 provider.

1902 (j)-(i) The private prekindergarten provider must deliver  
 1903 the Voluntary Prekindergarten Education Program in accordance  
 1904 with this part.

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1905 (4) A prekindergarten instructor, in lieu of the minimum  
 1906 credentials and courses required under paragraph (3)(c), may  
 1907 hold one of the following educational credentials:

1908 (a) A bachelor's or higher degree in early childhood  
 1909 education, prekindergarten or primary education, preschool  
 1910 education, or family and consumer science;

1911 (b) A bachelor's or higher degree in elementary education,  
 1912 if the prekindergarten instructor has been certified to teach  
 1913 children any age from birth through 6th grade, regardless of  
 1914 whether the instructor's educator certificate is current, and if  
 1915 the instructor is not ineligible to teach in a public school  
 1916 because his or her educator certificate is suspended or revoked;

1917 (c) An associate's or higher degree in child development;

1918 (d) An associate's or higher degree in an unrelated field,  
 1919 at least 6 credit hours in early childhood education or child  
 1920 development, and at least 480 hours of experience in teaching or  
 1921 providing child care services for children any age from birth  
 1922 through 8 years of age; or

1923 (e) An educational credential approved by the department  
 1924 as being equivalent to or greater than an educational credential  
 1925 described in this subsection. The department may adopt criteria  
 1926 and procedures for approving equivalent educational credentials  
 1927 under this paragraph.

1928 (5) Notwithstanding paragraph (3)(b), a private  
 1929 prekindergarten provider may not participate in the Voluntary  
 1930 Prekindergarten Education Program if the provider has child  
 1931 disciplinary policies that do not prohibit children from being

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1932 subjected to discipline that is severe, humiliating,  
 1933 frightening, or associated with food, rest, toileting, spanking,  
 1934 or any other form of physical punishment as provided in s.  
 1935 402.305(12).

1936 Section 37. Section 1002.57, Florida Statutes, is amended  
 1937 to read:

1938 1002.57 Prekindergarten director credential.—

1939 (1) ~~By July 1, 2006, the~~ The department shall adopt  
 1940 minimum standards for a credential for prekindergarten directors  
 1941 of private prekindergarten providers delivering the Voluntary  
 1942 Prekindergarten Education Program. The credential must encompass  
 1943 requirements for education and onsite experience.

1944 (2) The educational requirements must include training in  
 1945 the following:

1946 (a) Professionally accepted standards for prekindergarten  
 1947 programs, early learning, and strategies and techniques to  
 1948 address the age-appropriate progress of prekindergarten students  
 1949 in attaining the performance standards adopted by the department  
 1950 under s. 1002.67;

1951 (b) Strategies that allow students with disabilities and  
 1952 other special needs to derive maximum benefit from the Voluntary  
 1953 Prekindergarten Education Program; and

1954 (c) Program administration and operations, including  
 1955 management, organizational leadership, and financial and legal  
 1956 issues.

1957 (3) The prekindergarten director credential must meet or  
 1958 exceed the requirements of the Department of Children and Family

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1959 Services for the child care facility director credential under  
 1960 s. 402.305(2)(f), and successful completion of the  
 1961 prekindergarten director credential satisfies these requirements  
 1962 for the child care facility director credential.

1963 (4) The department shall, to the maximum extent  
 1964 practicable, award credit to a person who successfully completes  
 1965 the child care facility director credential under s.  
 1966 402.305(2)(f) for those requirements of the prekindergarten  
 1967 director credential which are duplicative of requirements for  
 1968 the child care facility director credential.

1969 Section 38. Section 1002.59, Florida Statutes, is amended  
 1970 to read:

1971 1002.59 Emergent literacy training courses.— ~~By April 1,~~  
 1972 ~~2005,~~ the The department shall adopt minimum standards for one  
 1973 or more training courses in emergent literacy for  
 1974 prekindergarten instructors. Each course must comprise 5 clock  
 1975 hours and provide instruction in strategies and techniques to  
 1976 address the age-appropriate progress of prekindergarten students  
 1977 in developing emergent literacy skills, including oral  
 1978 communication, knowledge of print and letters, phonemic and  
 1979 phonological awareness, and vocabulary and comprehension  
 1980 development. Each course must also provide resources containing  
 1981 strategies that allow students with disabilities and other  
 1982 special needs to derive maximum benefit from the Voluntary  
 1983 Prekindergarten Education Program. Successful completion of an  
 1984 emergent literacy training course approved under this section  
 1985 satisfies requirements for approved training in early literacy

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1986 and language development under ss. 402.305(2)(d)5., 402.313(6),  
 1987 and 402.3131(5).

1988 Section 39. Section 1002.61, Florida Statutes, is amended  
 1989 to read:

1990 1002.61 Summer prekindergarten program delivered by public  
 1991 schools and private prekindergarten providers.—

1992 (1)(a) Each school district shall administer the Voluntary  
 1993 Prekindergarten Education Program at the district level for  
 1994 students enrolled under s. 1002.53(3)(b) in a summer  
 1995 prekindergarten program delivered by a public school.

1996 (b) Each early learning coalition shall administer the  
 1997 Voluntary Prekindergarten Education Program at the county or  
 1998 regional level for students enrolled under s. 1002.53(3)(b) in a  
 1999 summer prekindergarten program delivered by a private  
 2000 prekindergarten provider.

2001 (2) Each summer prekindergarten program delivered by a  
 2002 public school or private prekindergarten provider must:

2003 (a) Comprise at least 300 instructional hours;

2004 (b) Not begin earlier than May 1 of the school year; and

2005 (c) Not deliver the program for a child earlier than the  
 2006 summer immediately before the school year for which the child is  
 2007 eligible for admission to kindergarten in a public school under  
 2008 s. 1003.21(1)(a)2.

2009 (3)(a) Each district school board shall determine which  
 2010 public schools in the school district are eligible to deliver  
 2011 the summer prekindergarten program. The school district shall  
 2012 use educational facilities available in the public schools

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2013 during the summer term for the summer prekindergarten program.

2014 (b) Each public school delivering the summer  
 2015 prekindergarten program must execute the statewide provider  
 2016 contract prescribed under s. 1002.75, except that the school  
 2017 district may execute a single agreement with the early learning  
 2018 coalition on behalf of all district schools.

2019 (c)-(b) Except as provided in this section, to be eligible  
 2020 to deliver the summer prekindergarten program, a private  
 2021 prekindergarten provider must meet each requirement in s.  
 2022 1002.55.

2023 (4) Notwithstanding ss. 1002.55(3)(c)1. and 1002.63(4),  
 2024 each public school and private prekindergarten provider must  
 2025 have, for each prekindergarten class, at least one  
 2026 prekindergarten instructor who+

2027 ~~— (a) —~~ is is a certified teacher; or  
 2028 ~~(b) — Holds~~ holds one of the educational credentials  
 2029 specified in s. 1002.55(4)(a) or (b).  
 2030

2031 As used in this subsection, the term "certified teacher" means a  
 2032 teacher holding a valid Florida educator certificate under s.  
 2033 1012.56 who has the qualifications required by the district  
 2034 school board to instruct students in the summer prekindergarten  
 2035 program. In selecting instructional staff for the summer  
 2036 prekindergarten program, each school district shall give  
 2037 priority to teachers who have experience or coursework in early  
 2038 childhood education.

2039 (5) Each prekindergarten instructor employed by a public



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2040 school or private prekindergarten provider delivering the summer  
 2041 prekindergarten program must be of good moral character, must be  
 2042 screened using the level 2 screening standards in s. 435.04  
 2043 before employment and rescreened at least once every 5 years,  
 2044 must be denied employment or terminated if required under s.  
 2045 435.06, and must not be ineligible to teach in a public school  
 2046 because his or her educator certificate is suspended or revoked.  
 2047 This subsection does not supersede employment requirements for  
 2048 instructional personnel in public schools which are more  
 2049 stringent than the requirements of this subsection.

2050 (6) A public school or private prekindergarten provider  
 2051 may assign a substitute instructor to temporarily replace a  
 2052 credentialed instructor if the credentialed instructor assigned  
 2053 to a prekindergarten class is absent, as long as the substitute  
 2054 instructor is of good moral character and has been screened  
 2055 before employment in accordance with level 2 background  
 2056 screening requirements in chapter 435. This subsection does not  
 2057 supersede employment requirements for instructional personnel in  
 2058 public schools which are more stringent than the requirements of  
 2059 this subsection. The Division ~~Office~~ of Early Learning shall  
 2060 adopt rules to implement this subsection which shall include  
 2061 required qualifications of substitute instructors and the  
 2062 circumstances and time limits for which a public school or  
 2063 private prekindergarten provider may assign a substitute  
 2064 instructor.

2065 (7) Notwithstanding ss. 1002.55(3)(f) and 1002.63(7), each  
 2066 prekindergarten class in the summer prekindergarten program,

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2067 regardless of whether the class is a public school's or private  
 2068 prekindergarten provider's class, must be composed of at least 4  
 2069 students but may not exceed 12 students beginning with the 2009  
 2070 summer session. In order to protect the health and safety of  
 2071 students, each public school or private prekindergarten provider  
 2072 must also provide appropriate adult supervision for students at  
 2073 all times. This subsection does not supersede any requirement  
 2074 imposed on a provider under ss. 402.301-402.319.

2075 (8) Each public school delivering the summer  
 2076 prekindergarten program must also—  
 2077 ~~Register~~ register with the early learning coalition on  
 2078 forms prescribed by the division ~~Office~~ of Early Learning; and  
 2079 ~~Deliver~~ deliver the Voluntary Prekindergarten  
 2080 Education Program in accordance with this part.

2081 Section 40. Section 1002.63, Florida Statutes, is amended  
 2082 to read:

2083 1002.63 School-year prekindergarten program delivered by  
 2084 public schools.—

2085 (1) Each school district may administer the Voluntary  
 2086 Prekindergarten Education Program at the district level for  
 2087 students enrolled under s. 1002.53(3)(c) in a school-year  
 2088 prekindergarten program delivered by a public school.

2089 (2) Each school-year prekindergarten program delivered by  
 2090 a public school must comprise at least 540 instructional hours.

2091 (3) (a) The district school board of each school district  
 2092 shall determine which public schools in the district may deliver  
 2093 the prekindergarten program during the school year.

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2094        (b) Each public school delivering the school-year  
 2095 prekindergarten program must execute the statewide provider  
 2096 contract prescribed under s. 1002.75, except that the school  
 2097 district may execute a single agreement with the early learning  
 2098 coalition on behalf of all district schools.

2099        (4) Each public school must have, for each prekindergarten  
 2100 class, at least one prekindergarten instructor who meets each  
 2101 requirement in s. 1002.55(3)(c) for a prekindergarten instructor  
 2102 of a private prekindergarten provider.

2103        (5) Each prekindergarten instructor employed by a public  
 2104 school delivering the school-year prekindergarten program must  
 2105 be of good moral character, must be screened using the level 2  
 2106 screening standards in s. 435.04 before employment and  
 2107 rescreened at least once every 5 years, must be denied  
 2108 employment or terminated if required under s. 435.06, and must  
 2109 not be ineligible to teach in a public school because his or her  
 2110 educator certificate is suspended or revoked. This subsection  
 2111 does not supersede employment requirements for instructional  
 2112 personnel in public schools which are more stringent than the  
 2113 requirements of this subsection.

2114        (6) A public school prekindergarten provider may assign a  
 2115 substitute instructor to temporarily replace a credentialed  
 2116 instructor if the credentialed instructor assigned to a  
 2117 prekindergarten class is absent, as long as the substitute  
 2118 instructor is of good moral character and has been screened  
 2119 before employment in accordance with level 2 background  
 2120 screening requirements in chapter 435. This subsection does not

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2121 | supersede employment requirements for instructional personnel in  
 2122 | public schools which are more stringent than the requirements of  
 2123 | this subsection. The State Board of Education shall adopt rules  
 2124 | to implement this subsection which shall include required  
 2125 | qualifications of substitute instructors and the circumstances  
 2126 | and time limits for which a public school prekindergarten  
 2127 | provider may assign a substitute instructor.

2128 |         (7) Each prekindergarten class in a public school  
 2129 | delivering the school-year prekindergarten program must be  
 2130 | composed of at least 4 students but may not exceed 20 students.  
 2131 | In order to protect the health and safety of students, each  
 2132 | school must also provide appropriate adult supervision for  
 2133 | students at all times and, for each prekindergarten class  
 2134 | composed of 12 or more students, must have, in addition to a  
 2135 | prekindergarten instructor who meets the requirements of s.  
 2136 | 1002.55(3)(c), at least one adult prekindergarten instructor who  
 2137 | is not required to meet those requirements but who must meet  
 2138 | each requirement of subsection (5).

2139 |         (8) Each public school delivering the school-year  
 2140 | prekindergarten program must—

2141 |         —(a)—~~Register~~ register with the early learning coalition on  
 2142 | forms prescribed by the Office of Early Learning; and

2143 |         —(b)—~~Deliver~~ deliver the Voluntary Prekindergarten  
 2144 | Education Program in accordance with this part.

2145 |         Section 41. Section 1002.65, Florida Statutes, is amended  
 2146 | to read:

2147 |         1002.65 Professional credentials of prekindergarten

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2148 instructors; aspirational goals; legislative intent.—

2149 (1) The Legislature recognizes that there is a strong  
 2150 relationship between the skills and preparation of  
 2151 prekindergarten instructors and the educational outcomes of  
 2152 students in the Voluntary Prekindergarten Education Program.

2153 (2) To improve these educational outcomes, the Legislature  
 2154 intends that all prekindergarten instructors will continue to  
 2155 improve their skills and preparation through education and  
 2156 training, so that the following aspirational goals will be  
 2157 achieved:

2158 (a) By the 2010-2011 school year:

2159 1. Each prekindergarten class will have at least one  
 2160 prekindergarten instructor who holds an associate's or higher  
 2161 degree in the field of early childhood education or child  
 2162 development; and

2163 2. For each prekindergarten class composed of 11 or more  
 2164 students, in addition to a prekindergarten instructor who meets  
 2165 the requirements of subparagraph 1., the class will have at  
 2166 least one prekindergarten instructor who meets the requirements  
 2167 of s. 1002.55(3)(c).

2168 (b) By the 2013-2014 school year, each prekindergarten  
 2169 class will have at least one prekindergarten instructor who  
 2170 holds a bachelor's or higher degree in the field of early  
 2171 childhood education or child development.

2172 Section 42. Section 1002.66, Florida Statutes, is amended  
 2173 to read:

2174 1002.66 Specialized instructional services for children

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2175 with disabilities.—

2176 (1) ~~Beginning with the 2012-2013 school year,~~ a child  
 2177 who has a disability and enrolls with the early learning  
 2178 coalition under s. 1002.53(3)(d) is eligible for specialized  
 2179 instructional services if:

2180 (a) The child is eligible for the Voluntary  
 2181 Prekindergarten Education Program under s. 1002.53; and

2182 (b) A current individual educational plan has been  
 2183 developed for the child by the local school board in accordance  
 2184 with rules of the State Board of Education.

2185 (2) The parent of a child who is eligible for the  
 2186 prekindergarten program for children with disabilities may  
 2187 select one or more specialized instructional services that are  
 2188 consistent with the child's individual educational plan. These  
 2189 specialized instructional services may include, but are not  
 2190 limited to:

2191 (a) Applied behavior analysis as defined in ss. 627.6686  
 2192 and 641.31098.

2193 (b) Speech-language pathology as defined in s. 468.1125.

2194 (c) Occupational therapy as defined in s. 468.203.

2195 (d) Physical therapy as defined in s. 486.021.

2196 (e) Listening and spoken language specialists and an  
 2197 appropriate acoustical environment for a child who is deaf or  
 2198 hard of hearing who has received an implant or assistive hearing  
 2199 device.

2200 (3) The specialized instructional services provided for a  
 2201 child under this section must be delivered according to

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2202 professionally accepted standards; must be in accordance with  
 2203 the performance standards adopted by the department under s.  
 2204 1002.67; and must address the age-appropriate progress of the  
 2205 child in the development of the capabilities, capacities, and  
 2206 skills required under s. 1(b), Art. IX of the State  
 2207 Constitution.

2208 (4) The department shall approve specialized instructional  
 2209 service providers whose services meet the standards in  
 2210 subsection (3), maintain a list of approved providers, and  
 2211 notify each school district and early learning coalition of the  
 2212 approved provider list. Upon the request of a child's parent,  
 2213 the department may approve a specialized instructional service  
 2214 provider that is not on the approved list if the provider's  
 2215 services meet the standards in subsection (3) and the service is  
 2216 consistent with the child's individual educational plan.

2217 (5) The coalition shall reimburse an approved specialized  
 2218 instructional service provider for authorized services provided  
 2219 to an eligible child; however, the cumulative total of services  
 2220 reimbursed for a child may not exceed the amount of the base  
 2221 student allocation provided in the Voluntary Prekindergarten  
 2222 Education Program in the General Appropriations Act. Providers  
 2223 shall be reimbursed from funds allocated to the early learning  
 2224 coalition for the Voluntary Prekindergarten Education Program.

2225 Section 43. Section 1002.67, Florida Statutes, is amended  
 2226 to read:

2227 1002.67 Performance standards; curricula and  
 2228 accountability.—

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2229 (1)(a) The department shall develop and adopt performance  
 2230 standards for students in the Voluntary Prekindergarten  
 2231 Education Program. The performance standards must address the  
 2232 age-appropriate progress of students in the development of:

2233 1. The capabilities, capacities, and skills required under  
 2234 s. 1(b), Art. IX of the State Constitution; and

2235 2. Emergent literacy skills, including oral communication,  
 2236 knowledge of print and letters, phonemic and phonological  
 2237 awareness, and vocabulary and comprehension development.

2238 3. By October 1, 2013, the Division shall examine the  
 2239 existing child performance standards in the area of Mathematical  
 2240 Thinking and develop a plan to make appropriate professional  
 2241 development and training courses available to VPK instructors.

2242 (b) The State Board of Education shall periodically review  
 2243 and revise the performance standards for the statewide  
 2244 kindergarten screening administered under s. 1002.69 and align  
 2245 the standards to the standards established by the state board  
 2246 for student performance on the statewide assessments  
 2247 administered pursuant to s. 1008.22.

2248 (2)(a) Each private prekindergarten provider and public  
 2249 school may select or design the curriculum that the provider or  
 2250 school uses to implement the Voluntary Prekindergarten Education  
 2251 Program, except as otherwise required for a provider or school  
 2252 that is placed on probation under paragraph (4)(c).

2253 (b) Each private prekindergarten provider's and public  
 2254 school's curriculum must be developmentally appropriate and  
 2255 must:



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2256 1. Be designed to prepare a student for early literacy;  
 2257 2. Enhance the age-appropriate progress of students in  
 2258 attaining the performance standards adopted by the department  
 2259 under subsection (1); and

2260 3. Prepare students to be ready for kindergarten based  
 2261 upon the statewide kindergarten screening administered under s.  
 2262 1002.69.

2263 (c) The department shall review and approve curricula for  
 2264 use by private prekindergarten providers and public schools that  
 2265 are placed on probation under paragraph (4)(c). The department  
 2266 shall maintain a list of the curricula approved under this  
 2267 paragraph. Each approved curriculum must meet the requirements  
 2268 of paragraph (b).

2269 (3)(a) Contingent upon legislative appropriation, each  
 2270 private prekindergarten provider and public school in the  
 2271 Voluntary Prekindergarten Education Program must implement an  
 2272 evidence-based pre- and post-assessment that has been approved  
 2273 by rule of the State Board of Education.

2274 (b) In order to be approved, the assessment must be valid,  
 2275 reliable, developmentally appropriate, and designed to measure  
 2276 student progress on domains which must include, but are not  
 2277 limited to, early literacy, numeracy, and language.

2278 (c) The pre- and post-assessment must be administered by  
 2279 individuals meeting requirements established by rule of the  
 2280 State Board of Education.

2281 (4)(a) Each early learning coalition shall verify that  
 2282 each private prekindergarten provider delivering the Voluntary

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2283 Prekindergarten Education Program within the coalition's county  
 2284 or multicounty region complies with this part. Each district  
 2285 school board shall verify that each public school delivering the  
 2286 program within the school district complies with this part.

2287 (b) If a private prekindergarten provider or public school  
 2288 fails or refuses to comply with this part, or if a provider or  
 2289 school engages in misconduct, the Office of Early Learning shall  
 2290 require the early learning coalition to remove the provider, and  
 2291 the Department of Education shall require the school district to  
 2292 remove the school from eligibility to deliver the Voluntary  
 2293 Prekindergarten Education Program and receive state funds under  
 2294 this part for a period of five years.

2295 (c)~~1.~~ If the kindergarten readiness rate of a private  
 2296 prekindergarten provider or public school falls below the  
 2297 minimum rate adopted by the State Board of Education as  
 2298 satisfactory under s. 1002.69(6), the early learning coalition  
 2299 or school district, as applicable, shall require the provider or  
 2300 school to submit an improvement plan for approval by the  
 2301 coalition or school district, as applicable, and to implement  
 2302 the plan; and -

2303 ~~2. If a private prekindergarten provider or public school~~  
 2304 ~~fails to meet the minimum rate adopted by the State Board of~~  
 2305 ~~Education as satisfactory under s. 1002.69(6), the early~~  
 2306 ~~learning coalition or school district, as applicable, shall~~  
 2307 place the provider or school on probation and must require the  
 2308 provider or school to take certain corrective actions, including  
 2309 the use of a curriculum approved by the department under

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2310 paragraph (2)(c) or a staff development plan to strengthen  
 2311 instruction in language development and phonological awareness  
 2312 approved by the department.

2313 ~~2.3-~~ A private prekindergarten provider or public school  
 2314 that is placed on probation must continue the corrective actions  
 2315 required under subparagraph 2., including the use of a  
 2316 curriculum or a staff development plan to strengthen instruction  
 2317 in language development and phonological awareness approved by  
 2318 the department, until the provider or school meets the minimum  
 2319 rate adopted by the State Board of Education as satisfactory  
 2320 under s. 1002.69(6).

2321 4. If a private prekindergarten provider or public school  
 2322 remains on probation for 2 consecutive years and fails to meet  
 2323 the minimum rate adopted by the State Board of Education as  
 2324 satisfactory under s. 1002.69(6) and is not granted a good cause  
 2325 exemption by the department pursuant to s. 1002.69(7), the  
 2326 Division Office of Early Learning shall require the early  
 2327 learning coalition or the Department of Education shall require  
 2328 the school district to remove, as applicable, the provider or  
 2329 school from eligibility to deliver the Voluntary Prekindergarten  
 2330 Education Program and receive state funds for the program for a  
 2331 period of five years.

2332 (d) Each early learning coalition, the Office of Early  
 2333 Learning, and the department shall coordinate with the Child  
 2334 Care Services Program Office of the Department of Children and  
 2335 Family Services to minimize interagency duplication of  
 2336 activities for monitoring private prekindergarten providers for

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2337 compliance with requirements of the Voluntary Prekindergarten  
 2338 Education Program under this part, the school readiness programs  
 2339 under s. 1002.86 ~~411.01~~, and the licensing of providers under  
 2340 ss. 402.301-402.319.

2341 Section 44. Section 1002.69, Florida Statutes, is amended  
 2342 to read:

2343 1002.69 Statewide kindergarten screening; kindergarten  
 2344 readiness rates; state-approved prekindergarten enrollment  
 2345 screening; good cause exemption.—

2346 (1) The department shall adopt a statewide kindergarten  
 2347 screening that assesses the readiness of each student for  
 2348 kindergarten based upon the performance standards adopted by the  
 2349 department under s. 1002.67(1) for the Voluntary Prekindergarten  
 2350 Education Program. The department shall require that each school  
 2351 district administer the statewide kindergarten screening to each  
 2352 kindergarten student in the school district within the first 30  
 2353 school days of each school year. Nonpublic schools may  
 2354 administer the statewide kindergarten screening to each  
 2355 kindergarten student in a nonpublic school who was enrolled in  
 2356 the Voluntary Prekindergarten Education Program.

2357 (2) The statewide kindergarten screening shall provide  
 2358 objective data concerning each student's readiness for  
 2359 kindergarten and progress in attaining the performance standards  
 2360 adopted by the department under s. 1002.67(1).

2361 (3) The statewide kindergarten screening shall incorporate  
 2362 mechanisms for recognizing potential variations in kindergarten  
 2363 readiness rates for students with disabilities.

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2364 (4) Each parent who enrolls his or her child in the  
 2365 Voluntary Prekindergarten Education Program must submit the  
 2366 child for the statewide kindergarten screening, regardless of  
 2367 whether the child is admitted to kindergarten in a public school  
 2368 or nonpublic school. Each school district shall designate sites  
 2369 to administer the statewide kindergarten screening for children  
 2370 admitted to kindergarten in a nonpublic school.

2371 (5) The State Board of Education shall adopt procedures  
 2372 for the department to annually calculate each private  
 2373 prekindergarten provider's and public school's kindergarten  
 2374 readiness rate, which must be expressed as the percentage of the  
 2375 provider's or school's students who are assessed as ready for  
 2376 kindergarten. The methodology for calculating each provider's  
 2377 kindergarten readiness rate must include student learning gains  
 2378 when available and the percentage of students who meet all state  
 2379 readiness measures. The rates must not include students who are  
 2380 not administered the statewide kindergarten screening. The state  
 2381 board shall determine learning gains using a value-added measure  
 2382 based on growth demonstrated by the results of the pre- and  
 2383 post-assessment from at least 2 successive years of  
 2384 administration of the pre- and post-assessment.

2385 (6) The State Board of Education shall periodically adopt  
 2386 a minimum kindergarten readiness rate that, if achieved by a  
 2387 private prekindergarten provider or public school, would  
 2388 demonstrate the provider's or school's satisfactory delivery of  
 2389 the Voluntary Prekindergarten Education Program.

2390 (7) (a) Notwithstanding s. 1002.67(4)(c)4., the State Board

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2391 of Education, upon the request of a private prekindergarten  
 2392 provider or public school that remains on probation for 2  
 2393 consecutive years or more and subsequently fails to meet the  
 2394 minimum rate adopted under subsection (6) and for good cause  
 2395 shown, may grant to the provider or school an exemption from  
 2396 being determined ineligible to deliver the Voluntary  
 2397 Prekindergarten Education Program and receive state funds for  
 2398 the program. Such exemption is valid for 1 year and, upon the  
 2399 request of the private prekindergarten provider or public school  
 2400 and for good cause shown, may be renewed.

2401 (b) A private prekindergarten provider's or public  
 2402 school's request for a good cause exemption, or renewal of such  
 2403 an exemption, must be submitted to the state board in the manner  
 2404 and within the timeframes prescribed by the state board and must  
 2405 include the following:

2406 1. Submission of data by the private prekindergarten  
 2407 provider or public school which documents the achievement and  
 2408 progress of the children served as measured by the state-  
 2409 approved prekindergarten enrollment screening and the  
 2410 standardized postassessment approved by the department pursuant  
 2411 to subparagraph (c)1.

2412 2. Submission and review of data available from the  
 2413 respective early learning coalition or district school board,  
 2414 the Department of Children and Family Services, local licensing  
 2415 authority, or an accrediting association, as applicable,  
 2416 relating to the private prekindergarten provider's or public  
 2417 school's compliance with state and local health and safety

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2418 standards.

2419 3. Submission and review of data available to the  
 2420 department on the performance of the children served and the  
 2421 calculation of the private prekindergarten provider's or public  
 2422 school's kindergarten readiness rate.

2423 (c) The State Board of Education shall adopt criteria for  
 2424 granting good cause exemptions. Such criteria shall include, but  
 2425 are not limited to:

2426 1. Learning gains of children served in the Voluntary  
 2427 Prekindergarten Education Program by the private prekindergarten  
 2428 provider or public school.

2429 2. Verification that local and state health and safety  
 2430 requirements are met.

2431 (d) A good cause exemption may not be granted to any  
 2432 private prekindergarten provider that has any class I violations  
 2433 or two or more class II violations within the 2 years preceding  
 2434 the provider's or school's request for the exemption. For  
 2435 purposes of this paragraph, class I and class II violations have  
 2436 the same meaning as provided in s. 402.281(4).

2437 (e) A private prekindergarten provider or public school  
 2438 granted a good cause exemption shall continue to implement its  
 2439 improvement plan and continue the corrective actions required  
 2440 under s. 1002.67(4)(c)2., including the use of a curriculum  
 2441 approved by the department, until the provider or school meets  
 2442 the minimum rate adopted under subsection (6).

2443 (f) The State Board of Education shall notify the Office  
 2444 of Early Learning of any good cause exemption granted to a

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2445 private prekindergarten provider under this subsection. If a  
 2446 good cause exemption is granted to a private prekindergarten  
 2447 provider who remains on probation for 2 consecutive years, the  
 2448 Office of Early Learning shall notify the early learning  
 2449 coalition of the good cause exemption and direct that the  
 2450 coalition, notwithstanding s. 1002.67(4)(c)4., not remove the  
 2451 provider from eligibility to deliver the Voluntary  
 2452 Prekindergarten Education Program or to receive state funds for  
 2453 the program, if the provider meets all other applicable  
 2454 requirements of this part.

2455 Section 45. Section 1002.71, Florida Statutes, is amended  
 2456 to read:

2457 1002.71 Funding; financial and attendance reporting.—

2458 (1) Funds appropriated for the Voluntary Prekindergarten  
 2459 Education Program may be used only for the program in accordance  
 2460 with this part. If the student enrollment in the program for a  
 2461 fiscal year exceeds the estimated enrollment upon which the  
 2462 appropriation for that fiscal year is provided, thereby causing  
 2463 a shortfall, funds appropriated to the program for the  
 2464 subsequent fiscal year must be used first to fund the shortfall.

2465 (2) A full-time equivalent student in the Voluntary  
 2466 Prekindergarten Education Program shall be calculated as  
 2467 follows:

2468 (a) For a student in a school-year prekindergarten program  
 2469 delivered by a private prekindergarten provider: 540  
 2470 instructional hours.

2471 (b) For a student in a summer prekindergarten program



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2472 delivered by a public school or private prekindergarten  
 2473 provider: 300 instructional hours.

2474 (c) For a student in a school-year prekindergarten program  
 2475 delivered by a public school: 540 instructional hours.

2476  
 2477 Except as provided in subsection (4), a student may not be  
 2478 reported for funding purposes as more than one full-time  
 2479 equivalent student.

2480 (3)(a) A separate base student allocation per full-time  
 2481 equivalent student in the Voluntary Prekindergarten Education  
 2482 Program shall be provided in the General Appropriations Act for  
 2483 a school-year prekindergarten program and for a summer  
 2484 prekindergarten program. The base student allocation for a  
 2485 school-year program shall be equal for each student, regardless  
 2486 of whether the student is enrolled in a school-year  
 2487 prekindergarten program delivered by a public school or a  
 2488 private prekindergarten provider. The base student allocation  
 2489 for a summer prekindergarten program shall be equal for each  
 2490 student, regardless of whether the student is enrolled in a  
 2491 summer prekindergarten program delivered by a public school or  
 2492 private prekindergarten provider.

2493 (b) Each county's allocation per full-time equivalent  
 2494 student in the Voluntary Prekindergarten Education Program shall  
 2495 be calculated annually by multiplying the base student  
 2496 allocation provided in the General Appropriations Act by the  
 2497 county's district cost differential provided in s. 1011.62(2).  
 2498 Each private prekindergarten provider and public school shall be

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2499 paid in accordance with the county's allocation per full-time  
 2500 equivalent student.

2501 (c) The initial allocation shall be based on estimated  
 2502 student enrollment in each coalition service area. The Office of  
 2503 Early Learning shall reallocate funds among the coalitions based  
 2504 on actual full-time equivalent student enrollment in each  
 2505 coalition service area. Each coalition shall report student  
 2506 enrollment pursuant to subsection (2) on a monthly basis. A  
 2507 student enrollment count for the prior fiscal year may not be  
 2508 amended after December 31 of the subsequent fiscal year.

2509 (d) For programs offered by school districts pursuant to  
 2510 s. 1002.61 ~~and beginning with the 2009 summer program~~, each  
 2511 district's funding shall be based on a student enrollment that  
 2512 is evenly divisible by 12. If the result of dividing a  
 2513 district's student enrollment by 12 is not a whole number, the  
 2514 district's enrollment calculation shall be adjusted by adding  
 2515 the minimum number of students to produce a student enrollment  
 2516 calculation that is evenly divisible by 12.

2517 (4) Notwithstanding s. 1002.53(3) and subsection (2):

2518 (a) A child who, for any of the prekindergarten programs  
 2519 listed in s. 1002.53(3), has not completed more than 70 percent  
 2520 of the hours authorized to be reported for funding under  
 2521 subsection (2), or has not expended more than 70 percent of the  
 2522 funds authorized for the child under s. 1002.66, may withdraw  
 2523 from the program for good cause and reenroll in one of the  
 2524 programs. The total funding for a child who reenrolls in one of  
 2525 the programs for good cause may not exceed one full-time

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2526 equivalent student. Funding for a child who withdraws and  
 2527 reenrolls in one of the programs for good cause shall be issued  
 2528 in accordance with the Office of Early Learning's uniform  
 2529 attendance policy adopted pursuant to paragraph (6)(d).

2530 (b) A child who has not substantially completed any of the  
 2531 prekindergarten programs listed in s. 1002.53(3) may withdraw  
 2532 from the program due to an extreme hardship that is beyond the  
 2533 child's or parent's control, reenroll in one of the summer  
 2534 programs, and be reported for funding purposes as a full-time  
 2535 equivalent student in the summer program for which the child is  
 2536 reenrolled.

2537  
 2538 A child may reenroll only once in a prekindergarten program  
 2539 under this section. A child who reenrolls in a prekindergarten  
 2540 program under this subsection may not subsequently withdraw from  
 2541 the program and reenroll, unless the child is granted a good  
 2542 cause exemption under this subsection. The Office of Early  
 2543 Learning shall establish criteria specifying whether a good  
 2544 cause exists for a child to withdraw from a program under  
 2545 paragraph (a), whether a child has substantially completed a  
 2546 program under paragraph (b), and whether an extreme hardship  
 2547 exists which is beyond the child's or parent's control under  
 2548 paragraph (b).

2549 (5)(a) Each early learning coalition shall maintain  
 2550 through the single point of entry established under s. 411.01 a  
 2551 current database of the students enrolled in the Voluntary  
 2552 Prekindergarten Education Program for each county within the

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2553 coalition's region.

2554 (b) The Office of Early Learning shall adopt procedures  
 2555 for the payment of private prekindergarten providers and public  
 2556 schools delivering the Voluntary Prekindergarten Education  
 2557 Program. The procedures shall provide for the advance payment of  
 2558 providers and schools based upon student enrollment in the  
 2559 program, the certification of student attendance, and the  
 2560 reconciliation of advance payments in accordance with the  
 2561 uniform attendance policy adopted under paragraph (6)(d). The  
 2562 procedures shall provide for the monthly distribution of funds  
 2563 by the Office of Early Learning to the early learning coalitions  
 2564 for payment by the coalitions to private prekindergarten  
 2565 providers and public schools. The department shall transfer to  
 2566 the Office of Early Learning at least once each quarter the  
 2567 funds available for payment to private prekindergarten providers  
 2568 and public schools in accordance with this paragraph from the  
 2569 funds appropriated for that purpose.

2570 (6)(a) Each parent enrolling his or her child in the  
 2571 Voluntary Prekindergarten Education Program must agree to comply  
 2572 with the attendance policy of the private prekindergarten  
 2573 provider or district school board, as applicable. Upon  
 2574 enrollment of the child, the private prekindergarten provider or  
 2575 public school, as applicable, must provide the child's parent  
 2576 with a copy of the provider's or school district's attendance  
 2577 policy, as applicable.

2578 (b)1. Each private prekindergarten provider's and district  
 2579 school board's attendance policy must require the parent of each

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2580 student in the Voluntary Prekindergarten Education Program to  
 2581 verify, each month, the student's attendance on the prior  
 2582 month's certified student attendance.

2583 2. The parent must submit the verification of the  
 2584 student's attendance to the private prekindergarten provider or  
 2585 public school on forms prescribed by the Office of Early  
 2586 Learning. The forms must include, in addition to the  
 2587 verification of the student's attendance, a certification, in  
 2588 substantially the following form, that the parent continues to  
 2589 choose the private prekindergarten provider or public school in  
 2590 accordance with s. 1002.53 and directs that payments for the  
 2591 program be made to the provider or school:

2592 VERIFICATION OF STUDENT'S ATTENDANCE  
 2593 AND CERTIFICATION OF PARENTAL CHOICE

2594 I, ...(Name of Parent)..., swear (or affirm) that my child,  
 2595 ...(Name of Student)..., attended the Voluntary Prekindergarten  
 2596 Education Program on the days listed above and certify that I  
 2597 continue to choose ...(Name of Provider or School)... to deliver  
 2598 the program for my child and direct that program funds be paid  
 2599 to the provider or school for my child.

2600 ...(Signature of Parent)...

2601 ...(Date)...

2602 3. The private prekindergarten provider or public school  
 2603 must keep each original signed form for at least 2 years. Each  
 2604 private prekindergarten provider must permit the early learning  
 2605 coalition, and each public school must permit the school

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2606 district, to inspect the original signed forms during normal  
 2607 business hours. The Office of Early Learning shall adopt  
 2608 procedures for early learning coalitions and school districts to  
 2609 review the original signed forms against the certified student  
 2610 attendance. The review procedures shall provide for the use of  
 2611 selective inspection techniques, including, but not limited to,  
 2612 random sampling. Each early learning coalition and the school  
 2613 districts must comply with the review procedures.

2614 (c) A private prekindergarten provider or school district,  
 2615 as applicable, may dismiss a student who does not comply with  
 2616 the provider's or district's attendance policy. A student  
 2617 dismissed under this paragraph is not removed from the Voluntary  
 2618 Prekindergarten Education Program and may continue in the  
 2619 program through reenrollment with another private  
 2620 prekindergarten provider or public school. Notwithstanding s.  
 2621 1002.53(6)(b), a school district is not required to provide for  
 2622 the admission of a student dismissed under this paragraph.

2623 (d) The Office of Early Learning shall adopt, for funding  
 2624 purposes, a uniform attendance policy for the Voluntary  
 2625 Prekindergarten Education Program. The attendance policy must  
 2626 apply statewide and apply equally to all private prekindergarten  
 2627 providers and public schools. The attendance policy must include  
 2628 at least the following provisions:

2629 1. A student's attendance may be reported on a pro rata  
 2630 basis as a fractional part of a full-time equivalent student.

2631 2. At a maximum, 20 percent of the total payment made on  
 2632 behalf of a student to a private prekindergarten provider or a

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2633 public school may be for hours a student is absent.

2634 3. A private prekindergarten provider or public school may  
 2635 not receive payment for absences that occur before a student's  
 2636 first day of attendance or after a student's last day of  
 2637 attendance.

2638  
 2639 The uniform attendance policy shall be used only for funding  
 2640 purposes and does not prohibit a private prekindergarten  
 2641 provider or public school from adopting and enforcing its  
 2642 attendance policy under paragraphs (a) and (c).

2643 (7) The Office of Early Learning shall require that  
 2644 administrative expenditures be kept to the minimum necessary for  
 2645 efficient and effective administration of the Voluntary  
 2646 Prekindergarten Education Program. Administrative policies and  
 2647 procedures shall be revised, to the maximum extent practicable,  
 2648 to incorporate the use of automation and electronic submission  
 2649 of forms, including those required for child eligibility and  
 2650 enrollment, provider and class registration, and monthly  
 2651 certification of attendance for payment. A school district may  
 2652 use its automated daily attendance reporting system for the  
 2653 purpose of transmitting attendance records to the early learning  
 2654 coalition in a mutually agreed-upon format. In addition, actions  
 2655 shall be taken to reduce paperwork, eliminate the duplication of  
 2656 reports, and eliminate other duplicative activities. ~~Beginning~~  
 2657 ~~with the 2011-2012 fiscal year, each~~ Each early learning  
 2658 coalition may retain and expend no more than 4.0 percent of the  
 2659 funds paid by the coalition to private prekindergarten providers

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2660 and public schools under paragraph (5)(b). Funds retained by an  
 2661 early learning coalition under this subsection may be used only  
 2662 for administering the Voluntary Prekindergarten Education  
 2663 Program and may not be used for the school readiness program or  
 2664 other programs.

2665 (8) Except as otherwise expressly authorized by law, a  
 2666 private prekindergarten provider or public school may not:

2667 (a) Require payment of a fee or charge for services  
 2668 provided for a child enrolled in the Voluntary Prekindergarten  
 2669 Education Program during a period reported for funding purposes;  
 2670 or

2671 (b) Require a child to enroll for, or require the payment  
 2672 of any fee or charge for, supplemental services as a condition  
 2673 of admitting a child for enrollment in the Voluntary  
 2674 Prekindergarten Education Program.

2675 (9) A parent is responsible for the transportation of his  
 2676 or her child to and from the Voluntary Prekindergarten Education  
 2677 Program, regardless of whether the program is delivered by a  
 2678 private prekindergarten provider or a public school. However, a  
 2679 provider or school may use part of the funds it is paid under  
 2680 paragraph (5)(b) for transporting students to and from the  
 2681 program. A student enrolled in the Voluntary Prekindergarten  
 2682 Education Program may not be reported under s. 1011.68 for  
 2683 student transportation funds.

2684 Section 46. Section 1002.72, Florida Statutes, is amended  
 2685 to read:

2686 1002.72 Records of children in the Voluntary



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2687 Prekindergarten Education Program.—

2688 (1) (a) The records of a child enrolled in the Voluntary  
 2689 Prekindergarten Education Program held by an early learning  
 2690 coalition, the Office of Early Learning, or a Voluntary  
 2691 Prekindergarten Education Program provider are confidential and  
 2692 exempt from s. 119.07(1) and s. 24(a), Art. I of the State  
 2693 Constitution. For purposes of this section, such records include  
 2694 assessment data, health data, records of teacher observations,  
 2695 and personal identifying information of an enrolled child and  
 2696 his or her parent.

2697 (b) This exemption applies to the records of a child  
 2698 enrolled in the Voluntary Prekindergarten Education Program held  
 2699 by an early learning coalition, the Office of Early Learning, or  
 2700 a Voluntary Prekindergarten Education Program provider before,  
 2701 on, or after the effective date of this exemption.

2702 (2) A parent has the right to inspect and review the  
 2703 Voluntary Prekindergarten Education Program record of his or her  
 2704 child and to obtain a copy of such record.

2705 (3) (a) Confidential and exempt Voluntary Prekindergarten  
 2706 Education Program records may be released to:

2707 1. The United States Secretary of Education, the United  
 2708 States Secretary of Health and Human Services, and the  
 2709 Comptroller General of the United States for the purpose of  
 2710 federal audits or investigations.

2711 2. Individuals or organizations conducting studies for  
 2712 institutions to develop, validate, or administer assessments or  
 2713 improve instruction.

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2714 3. Accrediting organizations in order to carry out their  
2715 accrediting functions.

2716 4. Appropriate parties in connection with an emergency if  
2717 the information is necessary to protect the health or safety of  
2718 the child or other individuals.

2719 5. The Auditor General in connection with his or her  
2720 official functions.

2721 6. A court of competent jurisdiction in compliance with an  
2722 order of that court pursuant to a lawfully issued subpoena.

2723 7. Parties to an interagency agreement among early  
2724 learning coalitions, local governmental agencies, Voluntary  
2725 Prekindergarten Education Program providers, or state agencies  
2726 for the purpose of implementing the Voluntary Prekindergarten  
2727 Education Program.

2728 (b) Agencies, organizations, or individuals receiving such  
2729 confidential and exempt records in order to carry out their  
2730 official functions must protect the records in a manner that  
2731 will not permit the personal identification of an enrolled child  
2732 or his or her parent by persons other than those authorized to  
2733 receive the records.

2734 Section 47. Section 1002.73, Florida Statutes, is amended  
2735 to read:

2736 1002.73 Department of Education; powers and duties;  
2737 accountability requirements.—

2738 (1) The department shall administer the accountability  
2739 requirements of the Voluntary Prekindergarten Education Program  
2740 at the state level.

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2741 (2) The department shall adopt procedures for its:  
 2742 (a) Approval of prekindergarten director credentials under  
 2743 ss. 1002.55 and 1002.57.  
 2744 (b) Approval of emergent literacy training courses under  
 2745 ss. 1002.55 and 1002.59.  
 2746 (c) Administration of the statewide kindergarten screening  
 2747 and calculation of kindergarten readiness rates under s.  
 2748 1002.69.  
 2749 (d) Implementation of, and determination of costs  
 2750 associated with, the state-approved prekindergarten enrollment  
 2751 screening and the standardized postassessment approved by the  
 2752 department, and determination of the learning gains of students  
 2753 who complete the state-approved prekindergarten enrollment  
 2754 screening and the standardized postassessment approved by the  
 2755 department.  
 2756 (e) Approval of specialized instructional services  
 2757 providers under s. 1002.66.  
 2758 (f) Annual reporting of the percentage of kindergarten  
 2759 students who meet all state readiness measures.  
 2760 (g) Granting of a private prekindergarten provider's or  
 2761 public school's request for a good cause exemption under s.  
 2762 1002.69(7).  
 2763 (3) Except as provided by law, the department may not  
 2764 impose requirements on a private prekindergarten provider that  
 2765 does not deliver the Voluntary Prekindergarten Education Program  
 2766 or receive state funds under this part.  
 2767 Section 48. Section 1002.75, Florida Statutes, is amended

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2768 to read:  
 2769 1002.75 Office of Early Learning; powers and duties;  
 2770 operational requirements.-

2771 (1) The Office of Early Learning shall:

2772 (a) ~~Administer~~ Administer the operational requirements of the  
 2773 Voluntary Prekindergarten Education Program at the state level.

2774 (b) Monitor and evaluate the performance of each early  
 2775 learning coalition and of the coalition's finances and  
 2776 operations related to administration of the Voluntary  
 2777 Prekindergarten Education Program.

2778 (c) Adopt a standard statewide provider contract to be used  
 2779 with each voluntary prekindergarten education provider. The  
 2780 department shall publish a copy of the statewide provider  
 2781 contract on its Internet website and provide a copy of the  
 2782 contract to each coalition. The early learning coalitions may  
 2783 not amend, alter or add addendum to the standard statewide  
 2784 contract. The standard statewide contract shall include, at a  
 2785 minimum, provisions for placing a provider on probation,  
 2786 provisions providing for termination for cause; emergency  
 2787 termination for those actions or inactions of the provider that  
 2788 pose an immediate and serious danger to the health, safety, or  
 2789 welfare of the children; and appropriate due process procedures.  
 2790 During the pendency of an appeal of a termination, the provider  
 2791 may not offer any Voluntary Prekindergarten Education Program.

2792 (2) The Office of Early Learning shall adopt procedures  
 2793 governing the administration of the Voluntary Prekindergarten  
 2794 Education Program by the early learning coalitions and school

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2795 districts for:

2796 (a) Enrolling children in and determining the eligibility  
 2797 of children for the Voluntary Prekindergarten Education Program  
 2798 under s. 1002.53 which shall include the enrollment of children  
 2799 by public schools and private providers that meet specified  
 2800 requirements.

2801 (b) Providing parents with profiles of private  
 2802 prekindergarten providers and public schools under s. 1002.53.

2803 (c) Registering private prekindergarten providers and  
 2804 public schools to deliver the program under ss. 1002.55,  
 2805 1002.61, and 1002.63.

2806 (d) Determining the eligibility of private prekindergarten  
 2807 providers to deliver the program under ss. 1002.55 and 1002.61,  
 2808 and streamlining the process of provider eligibility whenever  
 2809 possible.

2810 (e) Verifying the compliance of private prekindergarten  
 2811 providers and public schools and removing providers or schools  
 2812 from eligibility to deliver the program due to noncompliance or  
 2813 misconduct as provided in s. 1002.67.

2814 (f) Paying private prekindergarten providers and public  
 2815 schools under s. 1002.71.

2816 (g) Documenting and certifying student enrollment and  
 2817 student attendance under s. 1002.71.

2818 (h) Reconciling advance payments in accordance with the  
 2819 uniform attendance policy under s. 1002.71.

2820 (i) Reenrolling students dismissed by a private  
 2821 prekindergarten provider or public school for noncompliance with

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2822 the provider's or school district's attendance policy under s.  
 2823 1002.71.

2824 (3) The Office of Early Learning shall adopt, in  
 2825 consultation with and subject to approval by the department,  
 2826 procedures governing the administration of the Voluntary  
 2827 Prekindergarten Education Program by the early learning  
 2828 coalitions and school districts for:

2829 (a) Approving improvement plans of private prekindergarten  
 2830 providers and public schools under s. 1002.67.

2831 (b) Placing private prekindergarten providers and public  
 2832 schools on probation and requiring corrective actions under s.  
 2833 1002.67.

2834 (c) Removing a private prekindergarten provider or public  
 2835 school from eligibility to deliver the program due to the  
 2836 provider's or school's remaining on probation beyond the time  
 2837 permitted under s. 1002.67.

2838 (d) Enrolling children in and determining the eligibility  
 2839 of children for the Voluntary Prekindergarten Education Program  
 2840 under s. 1002.66.

2841 (e) Paying specialized instructional services providers  
 2842 under s. 1002.66.

2843 (4) The Office of Early Learning shall also adopt  
 2844 procedures for the distribution of funds to early learning  
 2845 coalitions under s. 1002.71.

2846 (5) Except as provided by law, the Office of Early  
 2847 Learning may not impose requirements on a private  
 2848 prekindergarten provider or public school that does not deliver

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2849 the Voluntary Prekindergarten Education Program or receive state  
2850 funds under this part.

2851 Section 49. Section 1002.77, Florida Statutes, is amended  
2852 to read:

2853 1002.77 Florida Early Learning Advisory Council.—

2854 (1) There is created the Florida Early Learning Advisory  
2855 Council within the Division ~~Office~~ of Early Learning. The  
2856 purpose of the advisory council is to submit recommendations to  
2857 the department on the early learning policy of this state,  
2858 including recommendations relating to administration of the  
2859 Voluntary Prekindergarten Education Program under this part and  
2860 the school readiness programs under s. 411.01.

2861 (2) The advisory council shall be composed of the  
2862 following members:

2863 (a) The chair of the advisory council who shall be  
2864 appointed by and serve at the pleasure of the Governor.

2865 (b) The chair of each early learning coalition or  
2866 designee.

2867 (c) One member who shall be appointed by and serve at the  
2868 pleasure of the President of the Senate.

2869 (d) One member who shall be appointed by and serve at the  
2870 pleasure of the Speaker of the House of Representatives.

2871  
2872 The chair of the advisory council appointed by the Governor and  
2873 the members appointed by the presiding officers of the  
2874 Legislature must each have a background in early learning, or  
2875 from the business community.

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2876 (3) The advisory council shall meet at least quarterly but  
 2877 may meet as often as necessary to carry out its duties and  
 2878 responsibilities. The advisory council may use any method of  
 2879 telecommunication to conduct meetings, including establishing a  
 2880 quorum through telecommunications, only if the public is given  
 2881 proper notice of a telecommunications meeting and reasonable  
 2882 access to observe and when appropriate, participate.

2883 (4) (a) Each member of the advisory council shall serve  
 2884 without compensation but is entitled to receive reimbursement  
 2885 for per diem and travel expenses for attendance at council  
 2886 meetings as provided in s. 112.061.

2887 (b) Each member of the advisory council is subject to the  
 2888 ethics provisions in part III of chapter 112.

2889 (c) For purposes of tort liability, each member of the  
 2890 advisory council shall be governed by s. 768.28.

2891 (5) The division ~~Office of Early Learning~~ shall provide  
 2892 staff and administrative support for the advisory council.

2893 Section 50. Section 1002.79, Florida Statutes, is amended  
 2894 to read:

2895 1002.79 Rulemaking authority.—

2896 (1) The State Board of Education shall adopt rules under  
 2897 ss. 120.536(1) and 120.54 to administer the provisions of this  
 2898 part conferring duties upon the department.

2899 (2) The Office of Early Learning shall adopt rules under  
 2900 ss. 120.536(1) and 120.54 to administer the provisions of this  
 2901 part conferring duties upon the office.

2902 Section 51. By October 1, 2013, the Chancellor of the



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2903 Division of Early Learning shall develop a reorganization plan  
 2904 for the division. The plan shall examine personnel, purchasing,  
 2905 and budgetary matters and their alignment with the duties and  
 2906 responsibilities of the division; include a report of all  
 2907 outstanding contractual obligations; and recommendations for  
 2908 statutory and budgetary changes. The report shall be provided to  
 2909 the Governor, the President of the Senate, and the Speaker of  
 2910 the House of Representatives.

2911 Section 52. This act shall take effect July 1, 2013.

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