

1 A bill to be entitled
2 An act relating to the school readiness program;
3 amending s. 1002.81, F.S.; revising the definition of
4 the term "economically disadvantaged"; amending s.
5 1002.82, F.S.; requiring the Department of Education
6 to establish procedures to annually collect specified
7 data; providing requirements for such data; requiring
8 the department to annually report specified data to
9 the Legislature; amending s. 1002.84, F.S.; revising
10 provisions relating to the sliding fee scale for
11 families receiving school readiness program services;
12 revising requirements for the distribution of the
13 school readiness program funds; amending s. 1002.85,
14 F.S.; revising requirements for the data that must be
15 collected and reported by the department; revising the
16 date by which the report must be implemented; amending
17 s. 1002.89, F.S.; revising a specified calculation for
18 the school readiness program allocation; amending s.
19 1002.895, F.S.; revising requirements for the
20 implementation of the school readiness program market
21 rate schedule; deleting a requirement that the
22 department collect specified data and provide such
23 data to a specified entity; repealing s. 1002.90,
24 F.S., relating to school readiness cost-of-care
25 information; amending s. 1002.92, F.S.; conforming

26 | provisions to changes made by the act; providing
 27 | appropriations; providing an effective date
 28 | togetherness.

30 | Be It Enacted by the Legislature of the State of Florida:

32 | Section 1. Subsection (6) of section 1002.81, Florida
 33 | Statutes, is amended to read:

34 | 1002.81 Definitions.—Consistent with the requirements of
 35 | 45 C.F.R. parts 98 and 99 and as used in this part, the term:

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

44 | Section 2. Paragraph (d) of subsection (2) of section
 45 | 1002.82, Florida Statutes, is amended, and subsections (10) and
 46 | (11) are added to that section, to read:

47 | 1002.82 Department of Education; powers and duties.—

48 | (2) The department shall:

49 | (d) Establish procedures for the annual calculation of the
 50 | prevailing market rate and procedures for the collection of data

51 to support the calculation of the cost data ~~of care~~ pursuant to
 52 subsection (10) s. 1002.90.

53 (10) The department shall establish procedures to annually
 54 collect cost data. Such data must include, but are not limited
 55 to:

56 (a) Data from the Department of Commerce's Bureau of
 57 Workforce Statistics and Economic Research on the average salary
 58 for child care personnel, including, at a minimum, child care
 59 instructors and child care directors.

60 (b) Data from child care providers, including, at a
 61 minimum, the average annual cost of materials and curriculum,
 62 the average annual cost of food and maintenance, the average
 63 annual cost of any regulatory fees, the average annual cost of
 64 salaries and benefits, and the average annual cost of all other
 65 operational costs per child.

66 (11) By November 1, 2024, and annually thereafter, the
 67 department shall submit the following data to the Legislature:

68 (a) The current fiscal year reimbursement rates, by
 69 county, by provider type, and by care level.

70 (b) The cost data collected in subsection (10).

71 (c) The market rate survey data collected pursuant to s.
 72 1002.895.

73 (d) The narrow costs analysis data required by 45 C.F.R.
 74 s. 98.45.

75 Section 3. Subsections (9) and (17) of section 1002.84,

76 Florida Statutes, are amended to read:

77 1002.84 Early learning coalitions; school readiness powers
78 and duties.—Each early learning coalition shall:

79 (9) Implement ~~Establish~~ a parent sliding fee scale as
80 established in rule by the State Board of Education that
81 provides for the calculation of a parent copayment at the time
82 of the eligibility determination and for an annual eligibility
83 redetermination thereafter ~~that is not a barrier to families~~
84 ~~receiving school readiness program services~~. A coalition may
85 waive the copayment for an at-risk child or temporarily waive
86 the copayment for a child whose family's income is at or below
87 the federal poverty level or whose family experiences a natural
88 disaster or an event that limits the parent's ability to pay,
89 such as incarceration, placement in residential treatment, or
90 becoming homeless, or an emergency situation such as a household
91 fire or burglary, or while the parent is participating in
92 parenting classes or participating in an Early Head Start
93 program or Head Start Program. A parent may not transfer school
94 readiness program services to another school readiness program
95 provider until the parent has submitted documentation from the
96 current school readiness program provider to the early learning
97 coalition stating that the parent has satisfactorily fulfilled
98 the copayment obligation.

99 (17) (a) Distribute the school readiness program funds as
100 allocated in the General Appropriations Act to each ~~the~~ eligible

101 provider based upon the reimbursement rate by county, by
102 provider type, and by care level. All instructions to early
103 learning coalitions for distributing the school readiness
104 program funds to eligible providers shall emanate from the
105 department in accordance with the policies of the Legislature.
106 ~~providers using the following methodology:~~

107 ~~1. For each county in the early learning coalition,~~
108 ~~multiply the cost of care by care level as provided in s.~~
109 ~~1002.90 by the county's comparable wage factor provided in s.~~
110 ~~1011.62(2).~~

111 ~~2. If a county enacted a local ordinance before January 1,~~
112 ~~2022, that establishes the county's staff-to-children ratio for~~
113 ~~licensed child care facilities below the ratio established in s.~~
114 ~~402.305(4), multiply the provider reimbursement rates for that~~
115 ~~county by the adjustment factor specified in the General~~
116 ~~Appropriations Act.~~

117 ~~3. Apply the weight established pursuant to s. 1002.90 for~~
118 ~~each provider type to calculate the minimum provider~~
119 ~~reimbursement rates by care level.~~

120 ~~4. Multiply the weighted provider reimbursement rates by~~
121 ~~22 percent to determine the amount of the school readiness~~
122 ~~allocation an early learning coalition is eligible to retain~~
123 ~~pursuant to s. 1002.89(4).~~

124 ~~(b) Distribute to each eligible provider the minimum~~
125 ~~provider reimbursement rate, by provider type and care level,~~

126 ~~regardless of the provider's private pay rate.~~ All minimum
 127 provider reimbursement rates shall be charged as direct services
 128 pursuant to s. 1002.89.

129
 130 Each early learning coalition with approved prior year ~~minimum~~
 131 provider reimbursement rates for the infant to age 5 care levels
 132 that are higher than the ~~minimum~~ provider reimbursement rates
 133 established in this subsection may continue to implement its
 134 approved prior year ~~minimum~~ provider reimbursement rates until
 135 the rates established in this subsection exceed its approved
 136 prior year rates.

137 Section 4. Subsection (5) of section 1002.85, Florida
 138 Statutes, is amended to read:

139 1002.85 Early learning coalition plans.—

140 (5) The department shall collect and report data on
 141 coalition delivery of early learning programs. Data ~~Elements~~
 142 shall include, but are not limited to, measures related to
 143 progress towards reducing the number of children on the waiting
 144 list, the percentage of children served by the program as
 145 compared to the number of administrative staff and overhead, the
 146 percentage of children served compared to the total number of
 147 children younger than ~~under~~ the age of 5 years whose family
 148 income is below 55 percent of the state median income ~~150~~
 149 ~~percent of the federal poverty level~~, provider payment
 150 processes, fraud intervention, child attendance and stability,

151 use of child care resource and referral, and kindergarten
 152 readiness outcomes for children in the Voluntary Prekindergarten
 153 Education Program or the school readiness program upon entry
 154 into kindergarten. The department shall request input from the
 155 early learning coalitions and school readiness program providers
 156 before finalizing the format and data to be used. The report
 157 shall be implemented beginning July 1, 2025 ~~2014~~, and results of
 158 the report must be included in the annual report under s.
 159 1002.82.

160 Section 5. Paragraph (a) of subsection (1) of section
 161 1002.89, Florida Statutes, is amended to read:

162 1002.89 School readiness program; funding.—

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

167 (a) School readiness program allocation.—If the annual
 168 allocation for the school readiness program is not determined in
 169 the General Appropriations Act or the substantive bill
 170 implementing the General Appropriations Act, it shall be
 171 determined as follows:

172 1. For each county in the early learning coalition, the
 173 total number of unweighted full-time equivalent school readiness
 174 children ~~eligible population~~, as adopted by the Early Learning
 175 Programs Estimating Conference pursuant to s. 216.136(8), shall

176 be multiplied by the appropriate care level factor to calculate
177 the weighted full-time equivalent school readiness children. For
178 purposes of this subparagraph, the term "care level factor"
179 means the adjustment made based on the relative differences in
180 reimbursement rates associated with the eligible school
181 readiness children pursuant to s. 1002.87 ~~county's comparable~~
182 ~~wage factor provided in s. 1011.62(2).~~

183 2. The product of weighted full-time equivalent school
184 readiness children shall be multiplied by the rate index to
185 calculate the adjusted weighted full-time equivalent school
186 readiness children. For purposes of this subparagraph, the term
187 "rate index" means the adjustment made based on the impact of
188 geographic location on reimbursement rates ~~If a county passed a~~
189 ~~local ordinance before January 1, 2022, that establishes the~~
190 ~~county's staff-to-children ratio for licensed child care~~
191 ~~facilities below the ratio established in s. 402.305(4),~~
192 ~~multiply the product calculated in subparagraph 1. by the~~
193 ~~adjustment factor specified in the General Appropriations Act.~~

194 3. The school readiness program funds shall be distributed
195 ~~Each county's school readiness allocation shall be based on~~ each
196 ~~the county's proportionate share of the total adjusted~~ weighted
197 full-time equivalent school readiness children ~~eligible school~~
198 ~~readiness population.~~

199 Section 6. Subsections (8) and (9) of section 1002.895,
200 Florida Statutes, are renumbered as subsections (6) and (7),

201 respectively, and present subsections (1), (2), (3), (4), (6),
 202 and (7) of that section are amended to read:

203 1002.895 Market rate schedule.—The school readiness
 204 program market rate schedule shall be implemented as follows:

205 (1) The department shall establish procedures for the
 206 adoption of a market rate schedule. The schedule must include,
 207 at a minimum, county-by-county rates and—

208 ~~(a)~~ the market rate, to include ~~including~~ the minimum and
 209 the maximum rates for child care providers that hold a Gold Seal
 210 Quality Care designation under s. 1002.945 and adhere to its
 211 accrediting association's teacher-to-child ratios and group size
 212 requirements and—

213 ~~(b)~~ ~~The market rate~~ for child care providers that do not
 214 hold a Gold Seal Quality Care designation.

215 (2) The market rate schedule must differentiate rates by
 216 provider type, including, but not limited to:

217 ~~(a)~~ ~~Child care providers that hold a Gold Seal Quality~~
 218 ~~Care designation under s. 1002.945 and adhere to their~~
 219 ~~accrediting association's teacher-to-child ratios and group size~~
 220 ~~requirements.~~

221 (a) ~~(b)~~ Child care providers licensed under s. 402.305,
 222 faith-based child care providers exempt from licensure under s.
 223 402.316 ~~that do not hold a Gold Seal Quality Care designation,~~
 224 and large family child care homes licensed under s. 402.3131
 225 ~~that do not hold a Gold Seal Quality Care designation.~~

226 (b)~~(e)~~ Public or nonpublic schools exempt from licensure
 227 under s. 402.3025.

228 (c)~~(d)~~ Family day care homes licensed or registered under
 229 s. 402.313.

230 ~~(e) Large family child care homes licensed under s.~~
 231 ~~402.3131.~~

232 (3) The market rate schedule must differentiate rates by
 233 care level that includes ~~the type of child care services~~
 234 ~~provided for children with special needs or risk categories,~~
 235 infants, toddlers, 2-year-old children, 3-year-old children, 4-
 236 year-old children, 5-year-old children, and school-age children.

237 (4) The market rate schedule must differentiate rates
 238 between full-time and part-time child care services ~~and consider~~
 239 ~~discounted rates for child care services for multiple children~~
 240 ~~in a single family.~~

241 ~~(6) The department shall establish procedures to annually~~
 242 ~~collect data regarding the cost of care to include, but not be~~
 243 ~~limited to:~~

244 ~~(a) Data from the Department of Economic Opportunity's~~
 245 ~~Bureau of Workforce Statistics and Economic Research on the~~
 246 ~~average salary for child care personnel to include, at a~~
 247 ~~minimum, child care instructors and child care directors.~~

248 ~~(b) Data from child care providers as part of data~~
 249 ~~collected under s. 1002.92(4) to include, at a minimum, the~~
 250 ~~average annual cost of materials and curriculum, the average~~

251 ~~annual cost of food and maintenance costs, and the average~~
 252 ~~annual cost of any regulatory fees or operational costs per~~
 253 ~~child.~~

254 ~~(7) The department shall provide all applicable data~~
 255 ~~collected in this section to the Early Learning Programs~~
 256 ~~Estimating Conference established pursuant to s. 216.136(8).~~

257 Section 7. Section 1002.90, Florida Statutes, is repealed.

258 Section 8. Paragraph (e) of subsection (4) of section
 259 1002.92, Florida Statutes, is amended to read:

260 1002.92 Child care and early childhood resource and
 261 referral.—

262 (4) A child care facility licensed under s. 402.305 and
 263 licensed and registered family day care homes must provide the
 264 statewide child care and resource and referral network with the
 265 following information annually:

266 ~~(e) Data required under s. 1002.895.~~

267 Section 9. For the 2024-2025 fiscal year, the sum of
 268 \$75,384,882 in nonrecurring funds is appropriated from the Child
 269 Care and Development Block Grant Trust Fund to the Department of
 270 Education for the costs associated with the change of the income
 271 eligibility requirement for the school readiness program to 55
 272 percent of the state median income as provided by this act.

273 These funds shall be placed in reserve. The department is
 274 authorized to submit budget amendments requesting the release of
 275 the funds pursuant to chapter 216, Florida Statutes. Release of

276 the funds is contingent upon the submission of an allocation
277 plan in accordance with the requirements of s. 1002.89(1),
278 Florida Statutes.

279 Section 10. For the 2024-2025 fiscal year, the sum of \$100
280 million in nonrecurring funds is appropriated from the Child
281 Care and Development Block Grant Trust Fund to the Department of
282 Education for allocation to the early learning coalitions in
283 accordance with s. 1002.84(17), Florida Statutes. These funds
284 shall be placed in reserve. The department is authorized to
285 submit budget amendments requesting the release of the funds
286 pursuant to chapter 216, Florida Statutes. Release of the funds
287 is contingent upon the submission of an allocation plan
288 developed by the department in collaboration with the early
289 learning coalitions.

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