



1                                   A bill to be entitled  
2       An act relating to early learning; creating s.  
3       1001.213, F.S.; creating the Office of Early Learning  
4       within the Office of Independent Education and  
5       Parental Choice; providing duties relating to the  
6       establishment and operation of the school readiness  
7       program and the Voluntary Prekindergarten Education  
8       Program; amending s. 1002.51, F.S.; conforming a  
9       cross-reference; amending s. 1002.53, F.S.; clarifying  
10      Voluntary Prekindergarten Education Program student  
11      enrollment provisions; amending s. 1002.55, F.S.;  
12      providing additional requirements for private  
13      prekindergarten providers and instructors; providing  
14      duties of the office; amending s. 1002.57, F.S.;  
15      requiring the office to adopt standards for a  
16      prekindergarten director credential; amending s.  
17      1002.59, F.S.; requiring the office to adopt standards  
18      for training courses; amending s. 1002.61, F.S.;  
19      providing a requirement for a public school delivering  
20      the summer prekindergarten program; amending s.  
21      1002.63, F.S.; providing a requirement for a public  
22      school delivering the school-year prekindergarten  
23      program; amending s. 1002.66, F.S.; deleting obsolete  
24      provisions; amending s. 1002.67, F.S.; requiring the  
25      office to adopt performance standards for students in  
26      the Voluntary Prekindergarten Education Program and  
27      approve curricula; revising provisions relating to  
28      removal of provider eligibility, submission of an



29 | improvement plan, and required corrective actions;  
30 | amending s. 1002.69, F.S.; providing duties of the  
31 | office relating to statewide kindergarten screening,  
32 | kindergarten readiness rates, and good cause  
33 | exemptions for providers; amending s. 1002.71, F.S.;  
34 | revising provisions relating to payment of funds to  
35 | providers; amending s. 1002.72, F.S.; providing for  
36 | the release of Voluntary Prekindergarten Education  
37 | Program student records for the purpose of  
38 | investigations; amending s. 1002.75, F.S.; revising  
39 | duties of the office for administering the Voluntary  
40 | Prekindergarten Education Program; amending s.  
41 | 1002.77, F.S.; revising provisions relating to the  
42 | Florida Early Learning Advisory Council; amending s.  
43 | 1002.79, F.S.; deleting certain State Board of  
44 | Education rulemaking authority for the Voluntary  
45 | Prekindergarten Education Program; creating part VI of  
46 | ch. 1002, F.S., consisting of ss. 1002.81-1002.96,  
47 | relating to the school readiness program; providing  
48 | definitions; providing powers and duties of the Office  
49 | of Early Learning; providing for early learning  
50 | coalitions; providing early learning coalition powers  
51 | and duties for the school readiness program; providing  
52 | requirements for early learning coalition plans;  
53 | providing a school readiness program education  
54 | component; providing school readiness program  
55 | eligibility and enrollment requirements; providing  
56 | school readiness program provider standards and



57 | eligibility to deliver the school readiness program;  
58 | providing school readiness program funding; providing  
59 | a market rate schedule; providing for investigation of  
60 | fraud or overpayment and penalties therefor; providing  
61 | for child care and early childhood resource and  
62 | referral; providing for school readiness program  
63 | transportation services; providing for the Child Care  
64 | Executive Partnership Program; providing for the  
65 | Teacher Education and Compensation Helps scholarship  
66 | program; providing for Early Head Start collaboration  
67 | grants; transferring, renumbering, and amending s.  
68 | 411.011, F.S., relating to the confidentiality of  
69 | records of children in the school readiness program;  
70 | revising provisions with respect to the release of  
71 | records; amending s. 11.45, F.S.; conforming a cross-  
72 | reference; amending s. 20.15, F.S.; conforming  
73 | provisions; modifying the organizational structure  
74 | within the Department of Education; amending s.  
75 | 216.136, F.S.; conforming a cross-reference; amending  
76 | s. 402.281, F.S.; revising requirements relating to  
77 | receipt of a Gold Seal Quality Care designation;  
78 | amending s. 402.302, F.S.; conforming a cross-  
79 | reference; amending s. 402.305, F.S.; providing that  
80 | certain child care after-school programs may provide  
81 | meals through a federal program; amending ss. 445.023,  
82 | 490.014, and 491.014, F.S.; conforming cross-  
83 | references; amending s. 1001.11, F.S.; providing a  
84 | duty of the Commissioner of Education relating to



85 | early learning programs; repealing s. 411.01, F.S.,  
86 | relating to the school readiness program and early  
87 | learning coalitions; repealing s. 411.0101, F.S.,  
88 | relating to child care and early childhood resource  
89 | and referral; repealing s. 411.01013, F.S., relating  
90 | to the prevailing market rate schedule; repealing s.  
91 | 411.01014, F.S., relating to school readiness  
92 | transportation services; repealing s. 411.01015, F.S.,  
93 | relating to consultation to child care centers and  
94 | family day care homes; repealing s. 411.0102, F.S.,  
95 | relating to the Child Care Executive Partnership Act;  
96 | repealing s. 411.0103, F.S., relating to the Teacher  
97 | Education and Compensation Helps scholarship program;  
98 | repealing s. 411.0104, relating to Early Head Start  
99 | collaboration grants; repealing s. 411.0105, F.S.,  
100 | relating to the Early Learning Opportunities Act and  
101 | Even Start Family Literacy Programs; repealing s.  
102 | 411.0106, F.S., relating to infants and toddlers in  
103 | state-funded education and care programs; authorizing  
104 | specified positions for the Office of Early Learning;  
105 | requiring the office to develop a reorganization plan  
106 | for the office and submit the plan to the Governor and  
107 | the Legislature; providing an effective date.

108 |  
109 | Be It Enacted by the Legislature of the State of Florida:

110 |  
111 | Section 1. Section 1001.213, Florida Statutes, is created  
112 | to read:



113 1001.213 Office of Early Learning.—There is created within  
114 the Office of Independent Education and Parental Choice the  
115 Office of Early Learning, as required under s. 20.15, which  
116 shall be administered by an executive director. The office shall  
117 be fully accountable to the Commissioner of Education but shall:

118 (1) Independently exercise all powers, duties, and  
119 functions prescribed by law and shall not be construed as part  
120 of the K-20 education system.

121 (2) Adopt rules for the establishment and operation of the  
122 school readiness program and the Voluntary Prekindergarten  
123 Education Program. The office shall submit the rules to the  
124 State Board of Education for approval or disapproval. If the  
125 state board does not act on a rule within 60 days after receipt,  
126 the rule shall be filed immediately with the Department of  
127 State.

128 (3) In compliance with part VI of chapter 1002 and its  
129 powers and duties under s. 1002.82, administer the school  
130 readiness program at the state level for the state's eligible  
131 population described in s. 1002.87 and provide guidance to early  
132 learning coalitions in the implementation of the program.

133 (4) In compliance with parts V and VI of chapter 1002 and  
134 its powers and duties under s. 1002.75, administer the Voluntary  
135 Prekindergarten Education Program at the state level.

136 (5) Administer the operational requirements of the child  
137 care resource and referral network at the state level.

138 (6) Keep administrative staff to the minimum necessary to  
139 administer the duties of the office.

140 Section 2. Subsection (4) of section 1002.51, Florida



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141 Statutes, is amended to read:

142 1002.51 Definitions.—As used in this part, the term:

143 (4) "Early learning coalition" or "coalition" means an  
144 early learning coalition created under s. 1002.83 ~~411.01~~.

145 Section 3. Paragraph (a) of subsection (4) and paragraph  
146 (b) of subsection (6) of section 1002.53, Florida Statutes, is  
147 amended to read:

148 1002.53 Voluntary Prekindergarten Education Program;  
149 eligibility and enrollment.—

150 (4) (a) Each parent enrolling a child in the Voluntary  
151 Prekindergarten Education Program must complete and submit an  
152 application to the early learning coalition through the single  
153 point of entry established under s. 1002.82 ~~411.01~~.

154 (6) (b) A parent may enroll his or her child with any  
155 public school within the school district which is eligible to  
156 deliver the Voluntary Prekindergarten Education Program under  
157 this part, subject to available space. Each school district may  
158 limit the number of students admitted by any public school for  
159 enrollment in the school-year program; however, the school  
160 district must provide for the admission of every eligible child  
161 within the district whose parent enrolls the child in a summer  
162 prekindergarten program delivered by a public school under s.  
163 1002.61.

164 Section 4. Paragraphs (c) and (g) of subsection (3) of  
165 section 1002.55, Florida Statutes, are amended, paragraph (i) is  
166 redesignated as paragraph (m), and new paragraphs (i), (j), (k),  
167 and (l) are added to that subsection, to read:

168 1002.55 School-year prekindergarten program delivered by



169 private prekindergarten providers.—

170 (3) To be eligible to deliver the prekindergarten program,  
 171 a private prekindergarten provider must meet each of the  
 172 following requirements:

173 (c) The private prekindergarten provider must have, for  
 174 each prekindergarten class of 11 children or fewer, at least one  
 175 prekindergarten instructor who meets each of the following  
 176 requirements:

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

179 a. A child development associate credential issued by the  
 180 National Credentialing Program of the Council for Professional  
 181 Recognition; or

182 b. A credential approved by the Department of Children and  
 183 Families ~~Family Services~~ as being equivalent to or greater than  
 184 the credential described in sub-subparagraph a.

185  
 186 The Department of Children and Families ~~Family Services~~ may  
 187 adopt rules under ss. 120.536(1) and 120.54 which provide  
 188 criteria and procedures for approving equivalent credentials  
 189 under sub-subparagraph b.

190 2. The prekindergarten instructor must successfully  
 191 complete an emergent literacy training course and a student  
 192 performance standards training course approved by the office  
 193 ~~department~~ as meeting or exceeding the minimum standards adopted  
 194 under s. 1002.59. The requirement for completion of the  
 195 standards training course shall take effect July 1, 2014, and  
 196 the course shall be available online. ~~This subparagraph does not~~



197 ~~apply to a prekindergarten instructor who successfully completes~~  
198 ~~approved training in early literacy and language development~~  
199 ~~under s. 402.305(2)(d)5., s. 402.313(6), or s. 402.3131(5)~~  
200 ~~before the establishment of one or more emergent literacy~~  
201 ~~training courses under s. 1002.59 or April 1, 2005, whichever~~  
202 ~~occurs later.~~

203 (g) ~~Before the beginning of the 2006-2007 school year,~~ The  
204 private prekindergarten provider must have a prekindergarten  
205 director who has a prekindergarten director credential that is  
206 approved by the office ~~department~~ as meeting or exceeding the  
207 minimum standards adopted under s. 1002.57. Successful  
208 completion of a child care facility director credential under s.  
209 402.305(2)(f) before the establishment of the prekindergarten  
210 director credential under s. 1002.57 or July 1, 2006, whichever  
211 occurs later, satisfies the requirement for a prekindergarten  
212 director credential under this paragraph.

213 (i) The private prekindergarten provider must execute the  
214 statewide provider contract prescribed under s. 1002.75, except  
215 that an individual who owns or operates multiple private  
216 prekindergarten providers within a coalition's service area may  
217 execute a single agreement with the coalition on behalf of each  
218 provider.

219 (j) The private prekindergarten provider must maintain  
220 general liability insurance and provide the coalition with  
221 written evidence of general liability insurance coverage,  
222 including coverage for transportation of children if  
223 prekindergarten students are transported by the provider. A  
224 provider must obtain and retain an insurance policy that





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225 provides a minimum of \$100,000 of coverage per occurrence and a  
226 minimum of \$300,000 general aggregate coverage. The office may  
227 authorize lower limits upon request, as appropriate. A provider  
228 must add the coalition as a named certificateholder and as an  
229 additional insured. A provider must provide the coalition with a  
230 minimum of 10 calendar days' advance written notice of  
231 cancellation of or changes to coverage. The general liability  
232 insurance required by this paragraph must remain in full force  
233 and effect for the entire period of the provider contract with  
234 the coalition.

235 (k) The private prekindergarten provider must obtain and  
236 maintain any required workers' compensation insurance under  
237 chapter 440 and any required reemployment assistance or  
238 unemployment compensation coverage under chapter 443.

239 (l) Notwithstanding paragraph (j), for a private  
240 prekindergarten provider that is a state agency or a subdivision  
241 thereof, as defined in s. 768.28(2), the provider must agree to  
242 notify the coalition of any additional liability coverage  
243 maintained by the provider in addition to that otherwise  
244 established under s. 768.28. The provider shall indemnify the  
245 coalition to the extent permitted by s. 768.28.

246 Section 5. Subsection (1) of section 1002.57, Florida  
247 Statutes, is amended to read:

248 1002.57 Prekindergarten director credential.—

249 (1) ~~By July 1, 2006,~~ The office, in consultation with the  
250 Department of Children and Families, ~~department~~ shall adopt  
251 minimum standards for a credential for prekindergarten directors  
252 of private prekindergarten providers delivering the Voluntary



253 Prekindergarten Education Program. The credential must encompass  
254 requirements for education and onsite experience.

255 Section 6. Section 1002.59, Florida Statutes, is amended  
256 to read:

257 1002.59 Emergent literacy and performance standards  
258 training courses.-

259 (1) ~~By April 1, 2005,~~ The office ~~department~~ shall adopt  
260 minimum standards for one or more training courses in emergent  
261 literacy for prekindergarten instructors. Each course must  
262 comprise 5 clock hours and provide instruction in strategies and  
263 techniques to address the age-appropriate progress of  
264 prekindergarten students in developing emergent literacy skills,  
265 including oral communication, knowledge of print and letters,  
266 phonemic and phonological awareness, and vocabulary and  
267 comprehension development. Each course must also provide  
268 resources containing strategies that allow students with  
269 disabilities and other special needs to derive maximum benefit  
270 from the Voluntary Prekindergarten Education Program. Successful  
271 completion of an emergent literacy training course approved  
272 under this section satisfies requirements for approved training  
273 in early literacy and language development under ss.  
274 402.305(2)(d)5., 402.313(6), and 402.3131(5).

275 (2) The office shall adopt minimum standards for one or  
276 more training courses on the performance standards adopted under  
277 s. 1002.67(1). Each course must comprise at least 3 clock hours,  
278 provide instruction in strategies and techniques to address age-  
279 appropriate progress of each child in attaining the standards,  
280 and be available online.



281 Section 7. Subsections (3), (4), and (8) of section  
282 1002.61, Florida Statutes, are amended to read:

283 1002.61 Summer prekindergarten program delivered by public  
284 schools and private prekindergarten providers.—

285 (3)(a) Each district school board shall determine which  
286 public schools in the school district are eligible to deliver  
287 the summer prekindergarten program. The school district shall  
288 use educational facilities available in the public schools  
289 during the summer term for the summer prekindergarten program.

290 (b) Each public school delivering the summer  
291 prekindergarten program must execute the statewide provider  
292 contract prescribed under s. 1002.75, except that the school  
293 district may execute a single agreement with the early learning  
294 coalition on behalf of all district schools.

295 (c) ~~(b)~~ Except as provided in this section, to be eligible  
296 to deliver the summer prekindergarten program, a private  
297 prekindergarten provider must meet each requirement in s.  
298 1002.55.

299 (4) Notwithstanding ss. 1002.55(3)(c)1. and 1002.63(4),  
300 each public school and private prekindergarten provider must  
301 have, for each prekindergarten class, at least one  
302 prekindergarten instructor who:

303 ~~(a)~~ is a certified teacher~~r~~ or

304 ~~(b)~~ holds one of the educational credentials specified in  
305 s. 1002.55(4)(a) or (b). As used in this subsection, the term  
306 "certified teacher" means a teacher holding a valid Florida  
307 educator certificate under s. 1012.56 who has the qualifications  
308 required by the district school board to instruct students in



309 the summer prekindergarten program. In selecting instructional  
310 staff for the summer prekindergarten program, each school  
311 district shall give priority to teachers who have experience or  
312 coursework in early childhood education.

313 (8) Each public school delivering the summer  
314 prekindergarten program must also:

315 ~~(a)~~ register with the early learning coalition on forms  
316 prescribed by the Office of Early Learning~~+~~ and

317 ~~(b)~~ deliver the Voluntary Prekindergarten Education  
318 Program in accordance with this part.

319 Section 8. Subsections (3) and (8) of section 1002.63,  
320 Florida Statutes, are amended to read:

321 1002.63 School-year prekindergarten program delivered by  
322 public schools.—

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

326 (b) Each public school delivering the school-year  
327 prekindergarten program must execute the statewide provider  
328 contract prescribed under s. 1002.75, except that the school  
329 district may execute a single agreement with the early learning  
330 coalition on behalf of all district schools.

331 (8) Each public school delivering the school-year  
332 prekindergarten program must:

333 ~~(a)~~ register with the early learning coalition on forms  
334 prescribed by the Office of Early Learning~~+~~ and

335 ~~(b)~~ deliver the Voluntary Prekindergarten Education  
336 Program in accordance with this part.



337 Section 9. Subsection (1) of section 1002.66, Florida  
338 Statutes, is amended to read:

339 1002.66 Specialized instructional services for children  
340 with disabilities.—

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

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

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

350 Section 10. Subsection (1), paragraph (c) of subsection  
351 (2), and subsection (4) of section 1002.67, Florida Statutes,  
352 are amended to read:

353 1002.67 Performance standards; curricula and  
354 accountability.—

355 (1)(a) The office ~~department~~ shall develop and adopt  
356 performance standards for students in the Voluntary  
357 Prekindergarten Education Program. The performance standards  
358 must address the age-appropriate progress of students in the  
359 development of:

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

362 2. Emergent literacy skills, including oral communication,  
363 knowledge of print and letters, phonemic and phonological  
364 awareness, and vocabulary and comprehension development.



365  
366 By October 1, 2013, the office shall examine the existing  
367 performance standards in the area of mathematical thinking and  
368 develop a plan to make appropriate professional development and  
369 training courses available to prekindergarten instructors.

370 (b) The office ~~State Board of Education~~ shall periodically  
371 review and revise the performance standards for the statewide  
372 kindergarten screening administered under s. 1002.69 and align  
373 the standards to the standards established by the state board  
374 for student performance on the statewide assessments  
375 administered pursuant to s. 1008.22.

376 (2)

377 (c) The office ~~department~~ shall review and approve  
378 curricula for use by private prekindergarten providers and  
379 public schools that are placed on probation under paragraph  
380 (4) (c). The office ~~department~~ shall maintain a list of the  
381 curricula approved under this paragraph. Each approved  
382 curriculum must meet the requirements of paragraph (b).

383 (4) (a) Each early learning coalition shall verify that  
384 each private prekindergarten provider delivering the Voluntary  
385 Prekindergarten Education Program within the coalition's county  
386 or multicounty region complies with this part. Each district  
387 school board shall verify that each public school delivering the  
388 program within the school district complies with this part.

389 (b) If a private prekindergarten provider or public school  
390 fails or refuses to comply with this part, or if a provider or  
391 school engages in misconduct, the office ~~of Early Learning~~ shall  
392 require the early learning coalition to remove the provider, and



393 ~~the Department of Education shall~~ require the school district to  
394 remove the school from eligibility to deliver the Voluntary  
395 Prekindergarten Education Program and receive state funds under  
396 this part for a period of 5 years.

397 (c)1. If the kindergarten readiness rate of a private  
398 prekindergarten provider or public school falls below the  
399 minimum rate adopted by the office ~~State Board of Education~~ as  
400 satisfactory under s. 1002.69(6), the early learning coalition  
401 or school district, as applicable, shall require the provider or  
402 school to submit an improvement plan for approval by the  
403 coalition or school district, as applicable, and to implement  
404 the plan; ~~and~~

405 ~~2. If a private prekindergarten provider or public school~~  
406 ~~fails to meet the minimum rate adopted by the State Board of~~  
407 ~~Education as satisfactory under s. 1002.69(6), the early~~  
408 ~~learning coalition or school district, as applicable,~~ shall  
409 place the provider or school on probation; and shall ~~must~~  
410 require the provider or school to take certain corrective  
411 actions, including the use of a curriculum approved by the  
412 office ~~department~~ under paragraph (2)(c) or a staff development  
413 plan to strengthen instruction in language development and  
414 phonological awareness approved by the office ~~department~~.

415 ~~2.3.~~ A private prekindergarten provider or public school  
416 that is placed on probation must continue the corrective actions  
417 required under subparagraph 1. 2. ~~2.~~, including the use of a  
418 curriculum or a staff development plan to strengthen instruction  
419 in language development and phonological awareness approved by  
420 the office ~~department~~, until the provider or school meets the



421 minimum rate adopted by the office ~~State Board of Education~~ as  
422 satisfactory under s. 1002.69(6). Failure to implement an  
423 approved improvement plan or staff development plan shall result  
424 in the termination of the provider's contract to deliver the  
425 Voluntary Prekindergarten Education Program for a period of 5  
426 years.

427 3.4. If a private prekindergarten provider or public  
428 school remains on probation for 2 consecutive years and fails to  
429 meet the minimum rate adopted by the office ~~State Board of~~  
430 ~~Education~~ as satisfactory under s. 1002.69(6) and is not granted  
431 a good cause exemption by the office ~~department~~ pursuant to s.  
432 1002.69(7), the office ~~of Early Learning~~ shall require the early  
433 learning coalition or ~~the Department of Education~~ shall require  
434 the school district to remove, as applicable, the provider or  
435 school from eligibility to deliver the Voluntary Prekindergarten  
436 Education Program and receive state funds for the program for a  
437 period of 5 years.

438 (d) Each early learning coalition and, ~~the office of Early~~  
439 ~~Learning, and the department~~ shall coordinate with the Child  
440 Care Services Program Office of the Department of Children and  
441 Families ~~Family Services~~ to minimize interagency duplication of  
442 activities for monitoring private prekindergarten providers for  
443 compliance with requirements of the Voluntary Prekindergarten  
444 Education Program under this part, the school readiness program  
445 ~~programs~~ under part VI of this chapter ~~s. 411.01~~, and the  
446 licensing of providers under ss. 402.301-402.319.

447 Section 11. Subsections (2), (5), (6), and (7) of section  
448 1002.69, Florida Statutes, are amended to read:





449 | 1002.69 Statewide kindergarten screening; kindergarten  
450 | readiness rates; state-approved prekindergarten enrollment  
451 | screening; good cause exemption.—

452 | (2) The statewide kindergarten screening shall provide  
453 | objective data concerning each student's readiness for  
454 | kindergarten and progress in attaining the performance standards  
455 | adopted by the office ~~department~~ under s. 1002.67(1).

456 | (5) The office ~~State Board of Education~~ shall adopt  
457 | procedures ~~for the department~~ to annually calculate each private  
458 | prekindergarten provider's and public school's kindergarten  
459 | readiness rate, which must be expressed as the percentage of the  
460 | provider's or school's students who are assessed as ready for  
461 | kindergarten. The methodology for calculating each provider's  
462 | kindergarten readiness rate must include student learning gains  
463 | when available and the percentage of students who meet all state  
464 | readiness measures. The rates must not include students who are  
465 | not administered the statewide kindergarten screening. The  
466 | office ~~state board~~ shall determine learning gains using a value-  
467 | added measure based on growth demonstrated by the results of the  
468 | preassessment and postassessment ~~pre- and post-assessment~~ from  
469 | at least 2 successive years of administration of the  
470 | preassessment and postassessment ~~pre- and post-assessment~~.

471 | (6) The office ~~State Board of Education~~ shall periodically  
472 | adopt a minimum kindergarten readiness rate that, if achieved by  
473 | a private prekindergarten provider or public school, would  
474 | demonstrate the provider's or school's satisfactory delivery of  
475 | the Voluntary Prekindergarten Education Program.

476 | (7) (a) Notwithstanding s. 1002.67(4)(c)3. ~~1002.67(4)(e)4.~~,



477 the office ~~State Board of Education~~, upon the request of a  
478 private prekindergarten provider or public school that remains  
479 on probation for 2 consecutive years or more and subsequently  
480 fails to meet the minimum rate adopted under subsection (6) and  
481 for good cause shown, may grant to the provider or school an  
482 exemption from being determined ineligible to deliver the  
483 Voluntary Prekindergarten Education Program and receive state  
484 funds for the program. Such exemption is valid for 1 year and,  
485 upon the request of the private prekindergarten provider or  
486 public school and for good cause shown, may be renewed.

487 (b) A private prekindergarten provider's or public  
488 school's request for a good cause exemption, or renewal of such  
489 an exemption, must be submitted to the office ~~state board~~ in the  
490 manner and within the timeframes prescribed by the office ~~state~~  
491 ~~board~~ and must include the following:

492 1. Submission of data by the private prekindergarten  
493 provider or public school which documents the achievement and  
494 progress of the children served as measured by the state-  
495 approved prekindergarten enrollment screening and the  
496 standardized postassessment approved by the office ~~department~~  
497 pursuant to subparagraph (c)1.

498 2. Submission and review of data available from the  
499 respective early learning coalition or district school board,  
500 the Department of Children and Families ~~Family Services~~, local  
501 licensing authority, or an accrediting association, as  
502 applicable, relating to the private prekindergarten provider's  
503 or public school's compliance with state and local health and  
504 safety standards.



505 | 3. Submission and review of data available to the office  
506 | ~~department~~ on the performance of the children served and the  
507 | calculation of the private prekindergarten provider's or public  
508 | school's kindergarten readiness rate.

509 | (c) The office ~~State Board of Education~~ shall adopt  
510 | criteria for granting good cause exemptions. Such criteria shall  
511 | include, but are not limited to:

512 | 1. Learning gains of children served in the Voluntary  
513 | Prekindergarten Education Program by the private prekindergarten  
514 | provider or public school.

515 | 2. Verification that local and state health and safety  
516 | requirements are met.

517 | (d) A good cause exemption may not be granted to any  
518 | private prekindergarten provider that has any class I violations  
519 | or two or more class II violations within the 2 years preceding  
520 | the provider's or school's request for the exemption. For  
521 | purposes of this paragraph, class I and class II violations have  
522 | the same meaning as provided in s. 402.281(4).

523 | (e) A private prekindergarten provider or public school  
524 | granted a good cause exemption shall continue to implement its  
525 | improvement plan and continue the corrective actions required  
526 | under s. 1002.67(4)(c)1. ~~1002.67(4)(c)2.~~, including the use of a  
527 | curriculum approved by the office ~~department~~, until the provider  
528 | or school meets the minimum rate adopted under subsection (6).

529 | (f) ~~The State Board of Education shall notify the Office~~  
530 | ~~of Early Learning of any good cause exemption granted to a~~  
531 | ~~private prekindergarten provider under this subsection.~~ If a  
532 | good cause exemption is granted to a private prekindergarten



533 provider who remains on probation for 2 consecutive years, the  
534 office ~~of Early Learning~~ shall notify the early learning  
535 coalition of the good cause exemption and direct that the  
536 coalition, notwithstanding s. 1002.67(4)(c)3. ~~1002.67(4)(e)4.~~,  
537 not remove the provider from eligibility to deliver the  
538 Voluntary Prekindergarten Education Program or to receive state  
539 funds for the program, if the provider meets all other  
540 applicable requirements of this part.

541 Section 12. Paragraph (d) of subsection (3) and  
542 subsections (5) and (7) of section 1002.71, Florida Statutes,  
543 are amended to read:

544 1002.71 Funding; financial and attendance reporting.—

545 (3)

546 (d) For programs offered by school districts pursuant to  
547 s. 1002.61 ~~and beginning with the 2009 summer program~~, each  
548 district's funding shall be based on a student enrollment that  
549 is evenly divisible by 12. If the result of dividing a  
550 district's student enrollment by 12 is not a whole number, the  
551 district's enrollment calculation shall be adjusted by adding  
552 the minimum number of students to produce a student enrollment  
553 calculation that is evenly divisible by 12.

554 (5) (a) Each early learning coalition shall maintain  
555 through the single point of entry established under s. 1002.82  
556 ~~411.01~~ a current database of the students enrolled in the  
557 Voluntary Prekindergarten Education Program for each county  
558 within the coalition's region.

559 (b) The Office of Early Learning shall adopt procedures  
560 for the payment of private prekindergarten providers and public



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561 schools delivering the Voluntary Prekindergarten Education  
562 Program. The procedures shall provide for the advance payment of  
563 providers and schools based upon student enrollment in the  
564 program, the certification of student attendance, and the  
565 reconciliation of advance payments in accordance with the  
566 uniform attendance policy adopted under paragraph (6)(d). The  
567 procedures shall provide for the monthly distribution of funds  
568 by the Office of Early Learning to the early learning coalitions  
569 for payment by the coalitions to private prekindergarten  
570 providers and public schools. ~~The department shall transfer to~~  
571 ~~the Office of Early Learning at least once each quarter the~~  
572 ~~funds available for payment to private prekindergarten providers~~  
573 ~~and public schools in accordance with this paragraph from the~~  
574 ~~funds appropriated for that purpose.~~

575 (7) The Office of Early Learning shall require that  
576 administrative expenditures be kept to the minimum necessary for  
577 efficient and effective administration of the Voluntary  
578 Prekindergarten Education Program. Administrative policies and  
579 procedures shall be revised, to the maximum extent practicable,  
580 to incorporate the use of automation and electronic submission  
581 of forms, including those required for child eligibility and  
582 enrollment, provider and class registration, and monthly  
583 certification of attendance for payment. A school district may  
584 use its automated daily attendance reporting system for the  
585 purpose of transmitting attendance records to the early learning  
586 coalition in a mutually agreed-upon format. In addition, actions  
587 shall be taken to reduce paperwork, eliminate the duplication of  
588 reports, and eliminate other duplicative activities. ~~Beginning~~



589 ~~with the 2011-2012 fiscal year,~~ Each early learning coalition  
590 may retain and expend no more than 4.0 percent of the funds paid  
591 by the coalition to private prekindergarten providers and public  
592 schools under paragraph (5) (b). Funds retained by an early  
593 learning coalition under this subsection may be used only for  
594 administering the Voluntary Prekindergarten Education Program  
595 and may not be used for the school readiness program or other  
596 programs.

597 Section 13. Paragraph (a) of subsection (3) of section  
598 1002.72, Florida Statutes, is amended to read:

599 1002.72 Records of children in the Voluntary  
600 Prekindergarten Education Program.—

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

603 1. The United States Secretary of Education, the United  
604 States Secretary of Health and Human Services, and the  
605 Comptroller General of the United States for the purpose of  
606 federal audits or investigations.

607 2. Individuals or organizations conducting studies for  
608 institutions to develop, validate, or administer assessments or  
609 improve instruction.

610 3. Accrediting organizations in order to carry out their  
611 accrediting functions.

612 4. Appropriate parties in connection with an emergency if  
613 the information is necessary to protect the health or safety of  
614 the child or other individuals.

615 5. The Auditor General in connection with his or her  
616 official functions.



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

619 7. Parties to an interagency agreement among early  
620 learning coalitions, local governmental agencies, Voluntary  
621 Prekindergarten Education Program providers, or state agencies  
622 for the purpose of implementing the Voluntary Prekindergarten  
623 Education Program.

624 Section 14. Subsection (1) and paragraphs (a) and (d) of  
625 subsection (2) of section 1002.75, Florida Statutes, are amended  
626 to read:

627 1002.75 Office of Early Learning; powers and duties~~+~~  
628 ~~operational requirements.~~

629 (1) The Office of Early Learning shall adopt by rule a  
630 standard statewide provider contract to be used with each  
631 Voluntary Prekindergarten Education Program provider, with  
632 standardized attachments by provider type. The office shall  
633 publish a copy of the standard statewide provider contract on  
634 its website. The standard statewide contract shall include, at a  
635 minimum, provisions for provider probation, termination for  
636 cause, and emergency termination for those actions or inactions  
637 of a provider that pose an immediate and serious danger to the  
638 health, safety, or welfare of children. The standard statewide  
639 contract shall also include appropriate due process procedures.  
640 During the pendency of an appeal of a termination, the provider  
641 may not continue to offer its services. Any provision imposed  
642 upon a provider that is inconsistent with, or prohibited by, law  
643 is void and unenforceable. ~~The Office of Early Learning shall~~



644 ~~administer the operational requirements of the Voluntary~~  
645 ~~Prekindergarten Education Program at the state level.~~

646 (2) The Office of Early Learning shall adopt procedures  
647 governing the administration of the Voluntary Prekindergarten  
648 Education Program by the early learning coalitions and school  
649 districts for:

650 (a) Enrolling children in and determining the eligibility  
651 of children for the Voluntary Prekindergarten Education Program  
652 under s. 1002.53, which shall include the enrollment of children  
653 by public schools and private providers that meet specified  
654 requirements.

655 (d) Determining the eligibility of private prekindergarten  
656 providers to deliver the program under ss. 1002.55 and 1002.61  
657 and streamlining the process of provider eligibility whenever  
658 possible.

659 Section 15. Subsections (1), (2), and (3) of section  
660 1002.77, Florida Statutes, are amended to read:

661 1002.77 Florida Early Learning Advisory Council.—

662 (1) There is created the Florida Early Learning Advisory  
663 Council within the Office of Early Learning. The purpose of the  
664 advisory council is to submit recommendations to the office  
665 ~~department~~ on the early learning best practices ~~policy of this~~  
666 ~~state,~~ including recommendations relating to the most effective  
667 administration of the Voluntary Prekindergarten Education  
668 Program under this part and the school readiness program  
669 ~~programs~~ under part VI of this chapter s. 411.01. The advisory  
670 council shall periodically analyze and provide recommendations  
671 to the office on the effective and efficient use of local,





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672 state, and federal funds; the content of professional  
673 development training programs; and best practices for the  
674 development and implementation of coalition plans pursuant to s.  
675 1002.85.

676 (2) The advisory council shall be composed of the  
677 following members:

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

680 (b) The chair of each early learning coalition.

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

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

685  
686 The chair of the advisory council appointed by the Governor and  
687 the members appointed by the presiding officers of the  
688 Legislature must be from the business community and be in  
689 compliance with s. 1002.83(5) ~~each have a background in early~~  
690 ~~learning.~~

691 (3) The advisory council shall meet at least quarterly but  
692 may meet as often as necessary to carry out its duties and  
693 responsibilities. The advisory council may use any method of  
694 telecommunications to conduct meetings, including establishing a  
695 quorum through telecommunications, only if the public is given  
696 proper notice of a telecommunications meeting and reasonable  
697 access to observe and, when appropriate, participate.

698 Section 16. Section 1002.79, Florida Statutes, is amended  
699 to read:



700 1002.79 Rulemaking authority.—

701 ~~(1) The State Board of Education shall adopt rules under~~  
 702 ~~ss. 120.536(1) and 120.54 to administer the provisions of this~~  
 703 ~~part conferring duties upon the department.~~

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

707 Section 17. Part VI of chapter 1002, Florida Statutes,  
 708 consisting of sections 1002.81 through 1002.96, is created to  
 709 read:

710 PART VI

711 SCHOOL READINESS PROGRAM

712 1002.81 Definitions.—Consistent with the requirements of  
 713 45 C.F.R. parts 98 and 99 and as used in this part, the term:

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

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

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

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

726 (d) A child placed in court-ordered, long-term custody or  
 727 under the guardianship of a relative or nonrelative after



728 termination of supervision by the Department of Children and  
729 Families or its contracted provider.

730 (e) A child in the custody of a parent who is a victim of  
731 domestic violence residing in a certified domestic violence  
732 center.

733 (f) A child in the custody of a parent who is considered  
734 homeless as verified by a Department of Children and Families  
735 certified homeless shelter.

736 (2) "Authorized hours of care" means the hours of care  
737 that are necessary to provide protection, maintain employment,  
738 or complete work activities or eligible educational activities,  
739 including reasonable travel time.

740 (3) "Average market rate" means the biennially determined  
741 average of the market rate by program care level and provider  
742 type in a predetermined geographic market.

743 (4) "Direct enhancement services" means services for  
744 families and children that are in addition to payments for the  
745 placement of children in the school readiness program. Direct  
746 enhancement services for families and children may include  
747 supports for providers, parent training and involvement  
748 activities, and strategies to meet the needs of unique  
749 populations and local eligibility priorities. Direct enhancement  
750 services offered by an early learning coalition shall be  
751 consistent with the activities prescribed in s. 1002.89(6)(b).

752 (5) "Disenrollment" means the removal either temporary or  
753 permanent, of a child from participation in the school readiness  
754 program. Removal of a child from the school readiness program  
755 may be based on the following events: a reduction in available



756 school readiness program funding, participant's failure to meet  
757 eligibility or program participation requirements, fraud, or a  
758 change in local service priorities.

759 (6) "Earned income" means gross remuneration derived from  
760 work, professional service, or self-employment. The term  
761 includes commissions, bonuses, back pay awards, and the cash  
762 value of all remuneration paid in a medium other than cash.

763 (7) "Economically disadvantaged" means having a family  
764 income that does not exceed 150 percent of the federal poverty  
765 level and includes being a child of a working migratory family  
766 as defined by 34 C.F.R. s. 200.81(d) or (f) or an agricultural  
767 worker who is employed by more than one agricultural employer  
768 during the course of a year, and whose income varies according  
769 to weather conditions and market stability.

770 (8) "Family income" means the combined gross income,  
771 whether earned or unearned, that is derived from any source by  
772 all family or household members who are 18 years of age or older  
773 who are currently residing together in the same dwelling unit.  
774 The term does not include income earned by a currently enrolled  
775 high school student who, since attaining the age of 18 years, or  
776 a student with a disability who, since attaining the age of 22  
777 years, has not terminated school enrollment or received a high  
778 school diploma, high school equivalency diploma, special  
779 diploma, or certificate of high school completion. The term also  
780 does not include food stamp benefits or federal housing  
781 assistance payments issued directly to a landlord or the  
782 associated utilities expenses.



783       (9) "Family or household members" means spouses, former  
784 spouses, persons related by blood or marriage, persons who are  
785 parents of a child in common regardless of whether they have  
786 been married, and other persons who are currently residing  
787 together in the same dwelling unit as if a family.

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

791       (11) "Market rate" means the price that a child care or  
792 early childhood education provider charges for full-time or  
793 part-time daily, weekly, or monthly child care or early  
794 childhood education services.

795       (12) "Office" means the Office of Early Learning of the  
796 Department of Education.

797       (13) "Part-time care" means less than 6 hours of child  
798 care or early childhood education services within a 24-hour  
799 period.

800       (14) "Single point of entry" means an integrated  
801 information system that allows a parent to enroll his or her  
802 child in the school readiness program or the Voluntary  
803 Prekindergarten Education Program at various locations  
804 throughout a county, that may allow a parent to enroll his or  
805 her child by telephone or through a website, and that uses a  
806 uniform waiting list to track eligible children waiting for  
807 enrollment in the school readiness program.

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

810       (a) Documented alimony and child support received.



- 811        (b) Social security benefits.
- 812        (c) Supplemental security income benefits.
- 813        (d) Workers' compensation benefits.
- 814        (e) Reemployment assistance or unemployment compensation  
815 benefits.
- 816        (f) Veterans' benefits.
- 817        (g) Retirement benefits.
- 818        (h) Temporary cash assistance under chapter 414.
- 819        (16) "Working family" means:
- 820            (a) A single-parent family in which the parent with whom  
821 the child resides is employed or engaged in eligible work or  
822 education activities for at least 20 hours per week;
- 823            (b) A two-parent family in which both parents with whom  
824 the child resides are employed or engaged in eligible work or  
825 education activities for a combined total of at least 40 hours  
826 per week; or
- 827            (c) A two-parent family in which one of the parents with  
828 whom the child resides is exempt from work requirements due to  
829 age or disability, as determined and documented by a physician  
830 licensed under chapter 458 or chapter 459, and one parent is  
831 employed or engaged in eligible work or education activities at  
832 least 20 hours per week.
- 833        1002.82 Office of Early Learning; powers and duties.—
- 834            (1) For purposes of administration of the Child Care and  
835 Development Block Grant Trust Fund, pursuant to 45 C.F.R. parts  
836 98 and 99, the Office of Early Learning is designated as the  
837 lead agency and must comply with lead agency responsibilities  
838 pursuant to federal law. The office may apply to the Governor



839 and Cabinet for a waiver of, and the Governor and Cabinet may  
840 wave, any provision of ss. 411.223 and 1003.54 if the waiver is  
841 necessary for implementation of the school readiness program.  
842 Section 125.901(2)(a)3. does not apply to the school readiness  
843 program.

844 (2) The office shall:

845 (a) Focus on improving the educational quality delivered  
846 by all providers participating in the school readiness program.

847 (b) Preserve parental choice by permitting parents to  
848 choose from a variety of child care categories, including  
849 center-based care, family child care, and informal child care to  
850 the extent authorized in the state's Child Care and Development  
851 Fund Plan as approved by the United States Department of Health  
852 and Human Services pursuant to 45 C.F.R. s. 98.18. Care and  
853 curriculum by a faith-based provider may not be limited or  
854 excluded in any of these categories.

855 (c) Be responsible for the prudent use of all public and  
856 private funds in accordance with all legal and contractual  
857 requirements, safeguarding the effective use of federal, state,  
858 and local resources to achieve the highest practicable level of  
859 school readiness for the children described in s. 1002.87,  
860 including:

861 1. The adoption of a uniform chart of accounts for  
862 budgeting and financial reporting purposes that provides  
863 standardized definitions for expenditures and reporting,  
864 consistent with the requirements of 45 C.F.R. part 98 and s.  
865 1002.89 for each of the following categories of expenditure:

866 a. Direct services to children.



867        b. Administrative costs.  
868        c. Quality activities.  
869        d. Nondirect services.  
870        2. Coordination with other state and federal agencies to  
871 perform data matches on children participating in the school  
872 readiness program and their families in order to verify the  
873 children's eligibility pursuant to s. 1002.87.  
874        (d) Establish procedures for the biennial calculation of  
875 the average market rate.  
876        (e) Review each early learning coalition's school  
877 readiness program plan every 2 years and provide final approval  
878 of the plan and any amendments submitted.  
879        (f) Establish a unified approach to the state's efforts to  
880 coordinate a comprehensive early learning program. In support of  
881 this effort, the office:  
882        1. Shall adopt specific program support services that  
883 address the state's school readiness program, including:  
884        a. Statewide data information program requirements that  
885 include:  
886        (I) Eligibility requirements.  
887        (II) Financial reports.  
888        (III) Program accountability measures.  
889        (IV) Child progress reports.  
890        b. Child care resource and referral services.  
891        c. A single point of entry and uniform waiting list.  
892        2. May provide technical assistance and guidance on  
893 additional support services to complement the school readiness  
894 program, including:





- 895 | a. Rating and improvement systems.
- 896 | b. Warm-Line services.
- 897 | c. Anti-fraud plans.
- 898 | d. School readiness program standards.
- 899 | e. Child screening and assessments.
- 900 | f. Training and support for parental involvement in
- 901 | children's early education.
- 902 | g. Family literacy activities and services.
- 903 | (g) Provide technical assistance to early learning
- 904 | coalitions.
- 905 | (h) In cooperation with the early learning coalitions,
- 906 | coordinate with the Child Care Services Program Office of the
- 907 | Department of Children and Families to reduce paperwork and to
- 908 | avoid duplicating interagency activities, health and safety
- 909 | monitoring, and acquiring and composing data pertaining to child
- 910 | care training and credentialing.
- 911 | (i) Develop, in coordination with the Child Care Services
- 912 | Program Office of the Department of Children and Families, and
- 913 | adopt a health and safety checklist to be completed by license-
- 914 | exempt providers that does not exceed the requirements s.
- 915 | 402.305.
- 916 | (j) Develop and adopt standards and benchmarks that
- 917 | address the age-appropriate progress of children in the
- 918 | development of school readiness skills. The standards for
- 919 | children from birth to 5 years of age in the school readiness
- 920 | program must be aligned with the performance standards adopted
- 921 | for children in the Voluntary Prekindergarten Education Program
- 922 | and must address the following domains:



- 923 |       1. Approaches to learning.
- 924 |       2. Cognitive development and general knowledge.
- 925 |       3. Numeracy, language, and communication.
- 926 |       4. Physical development.
- 927 |       5. Self-regulation.

928 |       (k) Select assessments that are valid, reliable, and  
 929 | developmentally appropriate for use as preassessment and  
 930 | postassessment for the age ranges specified in the coalition  
 931 | plans. The assessments must be designed to measure progress in  
 932 | the domains of the performance standards adopted pursuant to  
 933 | paragraph (j), provide appropriate accommodations for children  
 934 | with disabilities and English language learners, and be  
 935 | administered by qualified individuals, consistent with the  
 936 | publisher's instructions.

937 |       (l) Adopt a list of approved curricula that meet the  
 938 | performance standards for the school readiness program and  
 939 | establish a process for the review and approval of a provider's  
 940 | curriculum that meets the performance standards.

941 |       (m) Adopt by rule a standard statewide provider contract  
 942 | to be used with each school readiness program provider, with  
 943 | standardized attachments by provider type. The office shall  
 944 | publish a copy of the standard statewide provider contract on  
 945 | its website. The standard statewide contract shall include, at a  
 946 | minimum, provisions for provider probation, termination for  
 947 | cause, and emergency termination for those actions or inactions  
 948 | of a provider that pose an immediate and serious danger to the  
 949 | health, safety, or welfare of the children. The standard  
 950 | statewide provider contract shall also include appropriate due



951 process procedures. During the pendency of an appeal of a  
952 termination, the provider may not continue to offer its  
953 services. Any provision imposed upon a provider that is  
954 inconsistent with, or prohibited by, law is void and  
955 unenforceable.

956 (n) Establish a single statewide information system that  
957 each coalition must use for the purposes of managing the single  
958 point of entry, tracking children's progress, coordinating  
959 services among stakeholders, determining eligibility of  
960 children, tracking child attendance, and streamlining  
961 administrative processes for providers and early learning  
962 coalitions.

963 (o) Adopt by rule standardized procedures for coalitions  
964 to use when monitoring the compliance of school readiness  
965 program providers with the terms of the standard statewide  
966 provider contract.

967 (p) Monitor and evaluate the performance of each early  
968 learning coalition in administering the school readiness  
969 program, ensuring proper payments for school readiness program  
970 services, implementing the coalition's school readiness program  
971 plan, and administering the Voluntary Prekindergarten Education  
972 Program. These monitoring and performance evaluations must  
973 include, at a minimum, onsite monitoring of each coalition's  
974 finances, management, operations, and programs.

975 (q) Work in conjunction with the Bureau of Federal  
976 Education Programs within the Department of Education to  
977 coordinate readiness and voluntary prekindergarten services to  
978 the populations served by the bureau.



979 (r) Administer a statewide toll-free Warm-Line to provide  
980 assistance and consultation to child care facilities and family  
981 day care homes regarding health, developmental, disability, and  
982 special needs issues of the children they are serving,  
983 particularly children with disabilities and other special needs.

984 The office shall:

985 1. Annually inform child care facilities and family day  
986 care homes of the availability of this service through the child  
987 care resource and referral network under s. 1002.92.

988 2. Expand or contract for the expansion of the Warm-Line  
989 to maintain at least one Warm-Line in each early learning  
990 coalition service area.

991 (3) If the office determines during the review of school  
992 readiness program plans, or through monitoring and performance  
993 evaluations conducted under s. 1002.85, that an early learning  
994 coalition has not substantially implemented its plan, has not  
995 substantially met the performance standards and outcome measures  
996 adopted by the office, or has not effectively administered the  
997 school readiness program or Voluntary Prekindergarten Education  
998 Program, the office may temporarily contract with a qualified  
999 entity to continue school readiness program and prekindergarten  
1000 services in the coalition's county or multicounty region until  
1001 the office reestablishes the coalition and a new school  
1002 readiness program plan is approved in accordance with the rules  
1003 adopted by the office.

1004 (4) The office may request the Governor to apply for a  
1005 waiver to allow a coalition to administer the Head Start Program  
1006 to accomplish the purposes of the school readiness program.



1007           (5) By January 1 of each year, the office shall annually  
1008 publish on its website a report of its activities conducted  
1009 under this section. The report must include a summary of the  
1010 coalitions' annual reports, a statewide summary, and the  
1011 following:

1012           (a) An analysis of early learning activities throughout  
1013 the state, including the school readiness program and the  
1014 Voluntary Prekindergarten Education Program.

1015           1. The total and average number of children served in the  
1016 school readiness program, enumerated by age, eligibility  
1017 priority category, and coalition, and the total number of  
1018 children served in the Voluntary Prekindergarten Education  
1019 Program.

1020           2. A summary of expenditures by coalition, by fund source,  
1021 including a breakdown by coalition of the percentage of  
1022 expenditures for administrative activities, quality activities,  
1023 nondirect services, and direct services for children.

1024           3. A description of the office's and each coalition's  
1025 expenditures by fund source for the quality and enhancement  
1026 activities described in s. 1002.89(6)(b).

1027           4. A summary of annual findings and collections related to  
1028 provider fraud and parent fraud.

1029           5. Data regarding the coalitions' delivery of early  
1030 learning programs.

1031           6. The total number of children disenrolled statewide and  
1032 the reason for disenrollment.

1033           7. The total number of providers by provider type.

1034           8. The total number of provider contracts revoked and the



1035 reasons for revocation.

1036 (b) A summary of the activities and detailed expenditures  
 1037 related to the Child Care Executive Partnership Program.

1038 (6) (a) Parental choice of child care providers, including  
 1039 private and faith-based providers, shall be established to the  
 1040 maximum extent practicable in accordance with 45 C.F.R. s.  
 1041 98.30.

1042 (b) As used in this subsection, the term "payment  
 1043 certificate" means a child care certificate as defined in 45  
 1044 C.F.R. s. 98.2.

1045 (c) The school readiness program shall, in accordance with  
 1046 45 C.F.R. s. 98.30, provide parental choice through a payment  
 1047 certificate that provides, to the maximum extent possible,  
 1048 flexibility in the school readiness program and payment  
 1049 arrangements. The payment certificate must bear the names of the  
 1050 beneficiary and the program provider and, when redeemed, must  
 1051 bear the signatures of both the beneficiary and an authorized  
 1052 representative of the provider.

1053 (d) If it is determined that a provider has given any cash  
 1054 or other consideration to the beneficiary in return for  
 1055 receiving a payment certificate, the early learning coalition or  
 1056 its fiscal agent shall refer the matter to the Department of  
 1057 Financial Services pursuant to s. 414.411 for investigation.

1058 (7) Participation in the school readiness program does not  
 1059 expand the regulatory authority of the state, its officers, or  
 1060 an early learning coalition to impose any additional regulation  
 1061 on providers beyond those necessary to enforce the requirements  
 1062 set forth in this part and part V of this chapter.



1063           1002.83 Early learning coalitions.—  
 1064           (1) Thirty-one or fewer early learning coalitions are  
 1065 established and shall maintain direct enhancement services at  
 1066 the local level and provide access to such services in all 67  
 1067 counties. Two or more early learning coalitions may join for  
 1068 purposes of planning and implementing a school readiness program  
 1069 and the Voluntary Prekindergarten Education Program.  
 1070           (2) Each early learning coalition shall be composed of at  
 1071 least 15 members but not more than 30 members.  
 1072           (3) The Governor shall appoint the chair and two other  
 1073 members of each early learning coalition, who must each meet the  
 1074 same qualifications as private sector business members appointed  
 1075 by the coalition under subsection (5).  
 1076           (4) Each early learning coalition must include the  
 1077 following member positions; however, in a multicounty coalition,  
 1078 each ex officio member position may be filled by multiple  
 1079 nonvoting members but no more than one voting member shall be  
 1080 seated per member position. If an early learning coalition has  
 1081 more than one member representing the same entity, only one of  
 1082 such members may serve as a voting member:  
 1083           (a) A Department of Children and Families regional  
 1084 administrator or his or her permanent designee who is authorized  
 1085 to make decisions on behalf of the department.  
 1086           (b) A district superintendent of schools or his or her  
 1087 permanent designee who is authorized to make decisions on behalf  
 1088 of the district.  
 1089           (c) A regional workforce board executive director or his  
 1090 or her permanent designee.



- 1091 |       (d) A county health department director or his or her
- 1092 | designee.
- 1093 |       (e) A children's services council or juvenile welfare
- 1094 | board chair or executive director, if applicable.
- 1095 |       (f) An agency head of a local licensing agency as defined
- 1096 | in s. 402.302, where applicable.
- 1097 |       (g) A president of a Florida College System institution or
- 1098 | his or her permanent designee.
- 1099 |       (h) One member appointed by a board of county
- 1100 | commissioners or the governing board of a municipality.
- 1101 |       (i) A Head Start director.
- 1102 |       (j) A representative of private for-profit child care
- 1103 | providers, including private for-profit family day care homes.
- 1104 |       (k) A representative of faith-based child care providers.
- 1105 |       (l) A representative of programs for children with
- 1106 | disabilities under the federal Individuals with Disabilities
- 1107 | Education Act.
- 1108 |       (m) A central agency administrator, where applicable.
- 1109 |       (5) Including the members appointed by the Governor under
- 1110 | subsection (3), more than one-third of the members of each early
- 1111 | learning coalition must be private sector business members,
- 1112 | either for-profit or nonprofit, who do not have, and none of
- 1113 | whose relatives as defined in s. 112.3143 has, a substantial
- 1114 | financial interest in the design or delivery of the Voluntary
- 1115 | Prekindergarten Education Program created under part V of this
- 1116 | chapter or the school readiness program. To meet this
- 1117 | requirement an early learning coalition must appoint additional
- 1118 | members. The office shall establish criteria for appointing





1119 private sector business members. These criteria must include  
1120 standards for determining whether a member or relative has a  
1121 substantial financial interest in the design or delivery of the  
1122 Voluntary Prekindergarten Education Program or the school  
1123 readiness program.

1124 (6) A majority of the voting membership of an early  
1125 learning coalition constitutes a quorum required to conduct the  
1126 business of the coalition. An early learning coalition may use  
1127 any method of telecommunications to conduct meetings, including  
1128 establishing a quorum through telecommunications, provided that  
1129 the public is given proper notice of a telecommunications  
1130 meeting and reasonable access to observe and, when appropriate,  
1131 participate.

1132 (7) A voting member of an early learning coalition may not  
1133 appoint a designee to act in his or her place, except as  
1134 otherwise provided in this subsection. A voting member may send  
1135 a representative to coalition meetings but that representative  
1136 does not have voting privileges. When a regional administrator  
1137 for the Department of Children and Families appoints a designee  
1138 to an early learning coalition, the designee is the voting  
1139 member of the coalition, and any individual attending in the  
1140 designee's place, including the district administrator, does not  
1141 have voting privileges.

1142 (8) Each member of an early learning coalition is subject  
1143 to ss. 112.313, 112.3135, and 112.3143. For purposes of s.  
1144 112.3143(3)(a), each voting member is a local public officer who  
1145 must abstain from voting when a voting conflict exists.



1146 (9) For purposes of tort liability, each member or  
1147 employee of an early learning coalition shall be governed by s.  
1148 768.28.

1149 (10) An early learning coalition serving a multicounty  
1150 region must include representation from each county.

1151 (11) Each early learning coalition shall establish terms  
1152 for all appointed members of the coalition. The terms must be  
1153 staggered and must be a uniform length that does not exceed 4  
1154 years per term. Coalition chairs shall be appointed for 4 years  
1155 in conjunction with their membership on the Early Learning  
1156 Advisory Council pursuant to s. 20.052. Appointed members may  
1157 serve a maximum of two consecutive terms. When a vacancy occurs  
1158 in an appointed position, the coalition must advertise the  
1159 vacancy.

1160 (12) State, federal, and local matching funds provided to  
1161 the early learning coalitions may not be used directly or  
1162 indirectly to pay for meals, food, or beverages for coalition  
1163 members, coalition employees, or for subcontractor employees.  
1164 Preapproved, reasonable, and necessary per diem allowances and  
1165 travel expenses may be reimbursed. Such reimbursement shall be  
1166 at the standard travel reimbursement rates established in s.  
1167 112.061 and must comply with applicable federal and state  
1168 requirements.

1169 (13) Each early learning coalition shall use a coordinated  
1170 professional development system that supports the achievement  
1171 and maintenance of core competencies by school readiness program  
1172 teachers in helping children attain the performance standards  
1173 adopted by the office.



1174       (14) Each school district shall, upon request of the  
1175 coalition, make a list of all individuals currently eligible to  
1176 act as a substitute teacher within the school district, pursuant  
1177 to rules adopted by the school district pursuant to s. 1012.35,  
1178 available to an early learning coalition serving students within  
1179 the school district. Child care facilities as defined in s.  
1180 402.302 may employ individuals listed as substitute instructors  
1181 for the purpose of offering the school readiness program, the  
1182 Voluntary Prekindergarten Education Program, and all other  
1183 legally operating child care programs.

1184       1002.84 Early learning coalitions; school readiness powers  
1185 and duties.—Each early learning coalition shall:

1186       (1) Administer and implement a local comprehensive program  
1187 of school readiness program services in accordance with this  
1188 part and the rules adopted by the office, which enhances the  
1189 cognitive, social, and physical development of children to  
1190 achieve the performance standards.

1191       (2) Establish a uniform waiting list to track eligible  
1192 children waiting for enrollment in the school readiness program  
1193 in accordance with rules adopted by the office.

1194       (3) Establish a resource and referral network operating  
1195 under 1002.92 to assist parents in making an informed choice and  
1196 provide maximum parental choice of providers and to provide  
1197 information on available community resources.

1198       (4) Establish a regional Warm-Line as directed by the  
1199 office pursuant to s. 1002.82(2)(r). Regional Warm-Line staff  
1200 shall provide onsite technical assistance, when requested, to  
1201 assist child care facilities and family day care homes with



1202 inquiries relating to the strategies, curriculum, and  
1203 environmental adaptations the child care facilities and family  
1204 day care homes may need as they serve children with disabilities  
1205 and other special needs.

1206 (5) Establish an age-appropriate screening, for children  
1207 ages birth to 5 years, of each child's development and an  
1208 appropriate referral process for children with identified  
1209 delays. Such screening shall not be a requirement of entry into  
1210 the school readiness program and shall be only given with  
1211 parental consent.

1212 (6) Implement an age-appropriate preassessment and  
1213 postassessment of children if specified in the coalition's  
1214 approved plan.

1215 (7) Determine child eligibility pursuant to s. 1002.87 and  
1216 provider eligibility pursuant to s. 1002.88. At a minimum, child  
1217 eligibility must be redetermined annually. Redetermination must  
1218 also be conducted twice per year for an additional 50 percent of  
1219 a coalition's enrollment through a statistically valid random  
1220 sampling. A coalition must document the reason why a child is no  
1221 longer eligible for the school readiness program according to  
1222 the standard codes prescribed by the office.

1223 (8) Establish a parent sliding fee scale that requires a  
1224 parent copayment to participate in the school readiness program.  
1225 Providers are required to collect the parent's copayment. A  
1226 coalition may, on a case-by-case basis, waive the copayment for  
1227 an at-risk child or temporarily waive the copayment for a child  
1228 whose family experiences a natural disaster or an event that  
1229 limits the parent's ability to pay, such as incarceration,



1230 placement in residential treatment, or becoming homeless, or an  
1231 emergency situation such as a household fire or burglary, or  
1232 while the parent is participating in parenting classes. A parent  
1233 may not transfer school readiness program services to another  
1234 school readiness program provider until the parent has submitted  
1235 documentation from the current school readiness program provider  
1236 to the early learning coalition stating that the parent has  
1237 satisfactorily fulfilled the copayment obligation.

1238 (9) Establish proper maintenance of records related to  
1239 eligibility and enrollment files, provider payments, coalition  
1240 staff background screenings, and other documents required for  
1241 the implementation of the school readiness program.

1242 (10) Establish a records retention requirement for sign-in  
1243 and sign-out records that is consistent with state and federal  
1244 law. Attendance records may not be altered or amended after  
1245 December 31 of the subsequent year.

1246 (11) Follow the tangible personal property requirements of  
1247 chapter 274 and rules adopted under that chapter.

1248 (12) Comply with federal procurement requirements and the  
1249 procurement requirements of ss. 215.971, 287.057, and 287.058,  
1250 except that an early learning coalition is not required to  
1251 competitively procure direct services for school readiness  
1252 program and Voluntary Prekindergarten Education Program  
1253 providers.

1254 (13) Establish proper information technology security  
1255 controls, including, but not limited to, periodically reviewing  
1256 the appropriateness of access privileges assigned to users of  
1257 certain systems; monitoring system hardware performance and



1258 capacity-related issues; and ensuring appropriate backup  
1259 procedures and disaster recovery plans are in place.

1260 (14) Develop written policies, procedures, and standards  
1261 for monitoring vendor contracts, including, but not limited to,  
1262 provisions specifying the particular procedures that may be used  
1263 to evaluate contractor performance and the documentation that is  
1264 to be maintained to serve as a record of contractor performance.  
1265 This subsection does not apply to contracts with school  
1266 readiness program providers or Voluntary Prekindergarten  
1267 Education Program providers.

1268 (15) Monitor school readiness program providers in  
1269 accordance with its plan, or in response to a parental  
1270 complaint, to verify that the standards prescribed in ss.  
1271 1002.82 and 1002.88 are being met using a standard monitoring  
1272 tool adopted by the office. Providers determined to be high-risk  
1273 by the coalition, as demonstrated by substantial findings of  
1274 violations of federal law or the general or local laws of the  
1275 state, shall be monitored more frequently. Providers with 3  
1276 consecutive years of compliance may be monitored biennially.

1277 (16) Adopt a payment schedule that encompasses all  
1278 programs funded under this part and part V of this chapter. The  
1279 payment schedule must take into consideration the average market  
1280 rate, include the projected number of children to be served, and  
1281 be submitted for approval by the office. Informal child care  
1282 arrangements shall be reimbursed at not more than 50 percent of  
1283 the rate adopted for a family day care home.

1284 (17) Implement an anti-fraud plan addressing the  
1285 detection, reporting, and prevention of overpayments, abuse, and



1286 fraud relating to the provision of and payment for school  
1287 readiness program and Voluntary Prekindergarten Education  
1288 Program services and submit the plan to the office for approval,  
1289 as required by s. 1002.91.

1290 (18) By October 1 of each year, submit an annual report to  
1291 the office. The report shall conform to the format adopted by  
1292 the office and must include:

1293 (a) Segregation of school readiness program funds,  
1294 Voluntary Prekindergarten Education Program funds, Child Care  
1295 Executive Partnership Program funds, and other local revenues  
1296 available to the coalition.

1297 (b) Details of expenditures by fund source, including  
1298 total expenditures for administrative activities, quality  
1299 activities, nondirect services, and direct services for  
1300 children.

1301 (c) The total number of coalition staff and the related  
1302 expenditures for salaries and benefits. For any subcontracts,  
1303 the total number of contracted staff and the related  
1304 expenditures for salaries and benefits must be included.

1305 (d) The number of children served in the school readiness  
1306 program, by provider type, enumerated by age and eligibility  
1307 priority category, reported as the number of children served  
1308 during the month, the average participation throughout the  
1309 month, and the number of children served during the month.

1310 (e) The total number of children disenrolled during the  
1311 year and the reasons for disenrollment.

1312 (f) The total number of providers by provider type.

1313 (g) A listing of any school readiness program provider, by



1314 type, whose eligibility to deliver the school readiness program  
1315 is revoked, including a brief description of the state or  
1316 federal violation that resulted in the revocation.

1317 (h) An evaluation of its direct enhancement services.

1318 (i) The total number of children served in each provider  
1319 facility.

1320 (19) Maintain its administrative staff at the minimum  
1321 necessary to administer the duties of the early learning  
1322 coalition.

1323 (20) To increase transparency and accountability, comply  
1324 with the requirements of this section before contracting with a  
1325 member of the coalition or a relative, as defined in s.  
1326 112.3143(1)(b), of a coalition member or of an employee of the  
1327 coalition. Such contracts may not be executed without the  
1328 approval of the office. Such contracts, as well as documentation  
1329 demonstrating adherence to this section by the coalition, must  
1330 be approved by a two-thirds vote of the coalition, a quorum  
1331 having been established; all conflicts of interest must be  
1332 disclosed before the vote; and any member who may benefit from  
1333 the contract, or whose relative may benefit from the contract,  
1334 must abstain from the vote. A contract under \$25,000 between an  
1335 early learning coalition and a member of that coalition or  
1336 between a relative, as defined in s. 112.3143(1)(b), of a  
1337 coalition member or of an employee of the coalition is not  
1338 required to have the prior approval of the office but must be  
1339 approved by a two-thirds vote of the coalition, a quorum having  
1340 been established, and must be reported to the office within 30  
1341 days after approval. If a contract cannot be approved by the





1342 office, a review of the decision to disapprove the contract may  
1343 be requested by the early learning coalition or other parties to  
1344 the disapproved contract.

1345 1002.85 Early learning coalition plans.—

1346 (1) The office shall adopt rules prescribing the  
1347 standardized format and required content of school readiness  
1348 program plans as necessary for a coalition or other qualified  
1349 entity to administer the school readiness program as provided in  
1350 this part.

1351 (2) Each early learning coalition must biennially submit a  
1352 school readiness program plan to the office before the  
1353 expenditure of funds. A coalition may not implement its school  
1354 readiness program plan until it receives approval from the  
1355 office. A coalition may not implement any revision to its school  
1356 readiness program plan until the coalition submits the revised  
1357 plan to and receives approval from the office. If the office  
1358 rejects a plan or revision, the coalition must continue to  
1359 operate under its previously approved plan. The plan must  
1360 include, but is not limited to:

1361 (a) The coalition's operations, including its membership  
1362 and business organization, and the coalition's articles of  
1363 incorporation and bylaws if the coalition is organized as a  
1364 corporation. If the coalition is not organized as a corporation  
1365 or other business entity, the plan must include the contract  
1366 with a fiscal agent.

1367 (b) The minimum number of children to be served by care  
1368 level.

1369 (c) The coalition's procedures for implementing the



1370 requirements of this part, including:

1371 1. Single point of entry.

1372 2. Uniform waiting list.

1373 4. Eligibility and enrollment processes.

1374 5. Parent access and choice.

1375 6. Sliding fee scale and policies on applying the waiver or

1376 reduction of fees in accordance with 1002.84(8).

1377 7. Use of preassessments and postassessments, as

1378 applicable.

1379 8. Payment rate.

1380 (d) A detailed description of the coalition's quality

1381 activities and services, including:

1382 1. Resource and referral and school-age child care.

1383 2. Infant and toddler early learning.

1384 3. Inclusive early learning programs.

1385 (e) A detailed budget that outlines estimated expenditures

1386 for state, federal, and local matching funds at the lowest level

1387 of detail available by other-cost-accumulator code number; all

1388 estimated sources of revenue with identifiable descriptions; a

1389 listing of full-time equivalent positions; contracted

1390 subcontractor costs with related annual compensation amount or

1391 hourly rate of compensation; and a capital improvements plan

1392 outlining existing fixed capital outlay projects and proposed

1393 capital outlay projects that will begin during the budget year.

1394 (f) A detailed accounting, in the format prescribed by the

1395 office, of all revenues and expenditures during the previous

1396 state fiscal year. Revenue sources should be identifiable and

1397 expenditures should be reported by three categories: state and



1398 federal funds, local matching funds, and Child Care Executive  
1399 Partnership Program funds.

1400 (g) Updated policies and procedures, including those  
1401 governing procurement, maintenance of tangible personal  
1402 property, maintenance of records, information technology  
1403 security, and disbursement controls.

1404 (h) A description of the procedures for monitoring school  
1405 readiness program providers, including in response to a parental  
1406 complaint, to determine that the standards prescribed in ss.  
1407 1002.82 and 1002.88 are met using a standard monitoring tool  
1408 adopted by the office. Providers determined to be high risk by  
1409 the coalition as demonstrated by substantial findings of  
1410 violations of law shall be monitored more frequently.

1411 (i) Documentation that the coalition has solicited and  
1412 considered comments regarding the proposed school readiness  
1413 program plan from the local community.

1414 (3) The coalition may periodically amend its plan as  
1415 necessary. An amended plan must be submitted to and approved by  
1416 the office before any expenditures are incurred on the new  
1417 activities proposed in the amendment.

1418 (4) The office shall publish a copy of the standardized  
1419 format and required content of school readiness program plans on  
1420 its website.

1421 (5) The office shall collect and report data on coalition  
1422 delivery of early learning programs. Elements shall include, but  
1423 are not limited to, measures related to progress towards  
1424 reducing the number of children on the waitlist, the percentage  
1425 of children served by the program as compared to the number of



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1426 administrative staff and overhead, the percentage of children  
1427 served compared to total number of children under the age of 5  
1428 years below 150 percent of the federal poverty level, provider  
1429 payment processes, fraud intervention, child attendance and  
1430 stability, use of child care resource and referral, and  
1431 kindergarten readiness outcomes for children in the Voluntary  
1432 Prekindergarten Education Program or the school readiness  
1433 program upon entry into kindergarten. The office shall request  
1434 input from the coalitions and school readiness program providers  
1435 before finalizing the format and data to be used. The report  
1436 shall be implemented beginning July 1, 2014, and results of the  
1437 report must be included in the annual report under s. 1002.82.

1438 1002.86 School readiness program; education component.—The  
1439 education component of the school readiness program should be  
1440 developmentally appropriate and based on research, involve the  
1441 parent as the child's first teacher, serve as a preventive  
1442 measure for children at risk of future school failure, and  
1443 enhance the educational readiness of eligible children. The  
1444 school readiness program should be of assistance to parents in  
1445 preparing their at-risk children for educational success,  
1446 including, as appropriate, health screening and referral.

1447 1002.87 School readiness program; eligibility and  
1448 enrollment.—

1449 (1) Effective August 1, 2013, or upon reevaluation of  
1450 eligibility for children currently served, whichever is later,  
1451 each early learning coalition shall give priority for  
1452 participation in the school readiness program as follows:

1453 (a) Priority shall be given first to a child younger than



1454 13 years of age from a family that includes a parent who is  
1455 receiving temporary cash assistance under chapter 414 and  
1456 subject to the federal work requirements.

1457 (b) Priority shall be given next to an at-risk child  
1458 younger than 9 years of age.

1459 (c) Priority shall be given next to a child from birth to  
1460 the beginning of the school year for which the child is eligible  
1461 for admission to kindergarten in a public school under s.  
1462 1003.21(1)(a)2. who is from a working family that is  
1463 economically disadvantaged, and may include such child's  
1464 eligible siblings, beginning with the school year in which the  
1465 sibling is eligible for admission to kindergarten in a public  
1466 school under s. 1003.21(1)(a)2. until the beginning of the  
1467 school year in which the sibling is eligible to begin 6th grade,  
1468 provided that the first priority for funding an eligible sibling  
1469 is local revenues available to the coalition for funding direct  
1470 services. However, a child eligible under this paragraph ceases  
1471 to be eligible if his or her family income exceeds 200 percent  
1472 of the federal poverty level.

1473 (d) Priority shall be given next to a child of a parent  
1474 who transitions from the work program into employment as  
1475 described in s. 445.032 from birth to the beginning of the  
1476 school year for which the child is eligible for admission to  
1477 kindergarten in a public school under s. 1003.21(1)(a)2.

1478 (e) Priority shall be given next to an at-risk child who  
1479 is at least 9 years of age but younger than 13 years of age. An  
1480 at-risk child whose sibling is enrolled in the school readiness  
1481 program within an eligibility priority category listed in



1482 paragraphs (a)-(c) shall be given priority over other children  
1483 who are eligible under this paragraph.

1484 (f) Priority shall be given next to a child who is younger  
1485 than 13 years of age from a working family that is economically  
1486 disadvantaged. A child who is eligible under this paragraph  
1487 whose sibling is enrolled in the school readiness program under  
1488 paragraph (c) shall be given priority over other children who  
1489 are eligible under this paragraph. However, a child eligible  
1490 under this paragraph ceases to be eligible if his or her family  
1491 income exceeds 200 percent of the federal poverty level.

1492 (g) Priority shall be given next to a child of a parent  
1493 who transitions from the work program into employment as  
1494 described in s. 445.032 who is younger than 13 years of age.

1495 (h) Priority shall be given next to a child who has  
1496 special needs, has been determined eligible as a student with a  
1497 disability, has a current individual education plan with a  
1498 Florida school district, and is not younger than 3 years of age.  
1499 A special needs child eligible under this paragraph remains  
1500 eligible until the child is eligible for admission to  
1501 kindergarten in a public school under s. 1003.21(1)(a)2.

1502 (i) Notwithstanding paragraphs (a)-(d), priority shall be  
1503 given last to a child who otherwise meets one of the eligibility  
1504 criteria in paragraphs (a)-(d) but who is also enrolled  
1505 concurrently in the federal Head Start Program and the Voluntary  
1506 Prekindergarten Education Program.

1507 (2) A school readiness program provider may be paid only  
1508 for authorized hours of care provided for a child in the school  
1509 readiness program. A child enrolled in the Voluntary



1510 Prekindergarten Education Program may receive care from the  
1511 school readiness program if the child is eligible according to  
1512 the eligibility priorities in this section.

1513 (3) Contingent upon the availability of funds, a coalition  
1514 shall enroll eligible children, including those from its waiting  
1515 list, according to the eligibility priorities in this section.

1516 (4) The parent of a child enrolled in the school readiness  
1517 program must notify the coalition or its designee within 10 days  
1518 after any change in employment, income, or family size. Upon  
1519 notification by the parent, the child's eligibility must be  
1520 reevaluated.

1521 (5) A child whose eligibility priority category requires  
1522 the child to be from a working family ceases to be eligible for  
1523 the school readiness program if a parent with whom the child  
1524 resides does not reestablish employment within 60 days after  
1525 becoming unemployed.

1526 (6) Eligibility for each child must be reevaluated  
1527 annually. Upon reevaluation, a child may not continue to receive  
1528 school readiness program services if he or she has ceased to be  
1529 eligible under this section.

1530 (7) If a coalition disenrolls children from the school  
1531 readiness program, the coalition must disenroll the children in  
1532 reverse order of the eligibility priorities listed in subsection  
1533 (1) beginning with children from families with the highest  
1534 family incomes. A notice of disenrollment must be sent to the  
1535 parent and school readiness program provider at least 2 weeks  
1536 before disenrollment to provide adequate time for the parent to  
1537 arrange alternative care for the child. However, an at-risk



1538 child may not be disenrolled from the program without the  
 1539 written approval of the Child Welfare Program Office of the  
 1540 Department of Children and Families or the community-based lead  
 1541 agency.

1542 (8) If a child is absent from the program for 5  
 1543 consecutive days without parental notification to the program of  
 1544 such absence, the school readiness program provider shall report  
 1545 the absence to the early learning coalition for a determination  
 1546 of the need for continued care.

1547 (9) Notwithstanding s. 39.604, a school readiness program  
 1548 provider, regardless of whether the provider is licensed, shall  
 1549 comply with the reporting requirements of the Rilya Wilson Act  
 1550 for each at-risk child under the age of school entry who is  
 1551 enrolled in the school readiness program.

1552 1002.88 School readiness program provider standards;  
 1553 eligibility to deliver the school readiness program.-

1554 (1) To be eligible to deliver the school readiness  
 1555 program, a school readiness program provider must:

1556 (a) Be a child care facility licensed under s. 402.305, a  
 1557 family day care home licensed or registered under s. 402.313, a  
 1558 large family child care home licensed under s. 402.3131, a  
 1559 public school or nonpublic school exempt from licensure under s.  
 1560 402.3025, a faith-based child care provider exempt from  
 1561 licensure under s. 402.316, a before-school or after-school  
 1562 program described in s. 402.305(1)(c), or an informal child care  
 1563 provider to the extent authorized in the state's Child Care and  
 1564 Development Fund Plan as approved by the United States  
 1565 Department of Health and Human Services pursuant to 45 C.F.R. s.





1566 98.18.

1567 (b) Provide instruction and activities to enhance the age-  
1568 appropriate progress of each child in attaining the child  
1569 development standards adopted by the office pursuant to s.  
1570 1002.82(2)(j). A provider should include activities to foster  
1571 brain development in infants and toddlers; provide an  
1572 environment that is rich in language and music and filled with  
1573 objects of various colors, shapes, textures, and sizes to  
1574 stimulate visual, tactile, auditory, and linguistic senses; and  
1575 include 30 minutes of reading to children each day.

1576 (c) Provide basic health and safety of its premises and  
1577 facilities and compliance with requirements for age-appropriate  
1578 immunizations of children enrolled in the school readiness  
1579 program. For a child care facility, a large family child care  
1580 home, or a licensed family day care home, compliance with s.  
1581 402.305, s. 402.3131, or s. 402.313 satisfies this requirement.  
1582 For a public or nonpublic school, compliance with s. 402.3025 or  
1583 s. 1003.22 satisfies this requirement. A faith-based child care  
1584 provider, an informal child care provider, or a nonpublic  
1585 school, exempt from licensure under ss. 402.316 or 402.3025,  
1586 shall annually complete the health and safety checklist adopted  
1587 by the office, post the checklist prominently on its premises in  
1588 plain sight for visitors and parents, and submit it annually to  
1589 its local early learning coalition.

1590 (d) Provide an appropriate staff-to-children ratio,  
1591 pursuant to s. 402.305(4) or s. 402.302(8) or (11), as  
1592 applicable, and as verified pursuant to s. 402.311.



1593 (e) Provide a healthy and safe environment pursuant to s.  
1594 402.305(5), (6), and (7), as applicable, and as verified  
1595 pursuant to s. 402.311.

1596 (f) Implement one of the curricula approved by the office  
1597 that meets the child development standards.

1598 (g) Implement a character development program to develop  
1599 basic values.

1600 (h) Collaborate with the respective early learning  
1601 coalition to complete initial screening for each child, aged 6  
1602 weeks to kindergarten eligibility, within 45 days after the  
1603 child's first or subsequent enrollment, to identify a child who  
1604 may need individualized supports.

1605 (i) Implement minimum standards for child discipline  
1606 practices that are age-appropriate and consistent with the  
1607 requirements in s. 402.305(12). Such standards must provide that  
1608 children not be subjected to discipline that is severe,  
1609 humiliating, or frightening or discipline that is associated  
1610 with food, rest, or toileting. Spanking or any other form of  
1611 physical punishment is prohibited.

1612 (j) Obtain and keep on file record of the child's  
1613 immunizations, physical development, and other health  
1614 requirements as necessary, including appropriate vision and  
1615 hearing screening and examination, within 30 days after  
1616 enrollment.

1617 (k) Implement before-school or after-school programs that  
1618 meet or exceed the requirements of s. 402.305(5), (6), and (7).

1619 (l) For a provider that is not an informal provider,  
1620 maintain general liability insurance and provide the coalition



1621 with written evidence of general liability insurance coverage,  
1622 including coverage for transportation of children if school  
1623 readiness program children are transported by the provider. A  
1624 provider must obtain and retain an insurance policy that  
1625 provides a minimum of \$100,000 of coverage per occurrence and a  
1626 minimum of \$300,000 general aggregate coverage. The office may  
1627 authorize lower limits upon request, as appropriate. A provider  
1628 must add the coalition as a named certificateholder and as an  
1629 additional insured. A provider must provide the coalition with a  
1630 minimum of 10 calendar days' advance written notice of  
1631 cancellation of or changes to coverage. The general liability  
1632 insurance required by this paragraph must remain in full force  
1633 and effect for the entire period of the provider contract with  
1634 the coalition.

1635 (m) For a provider that is an informal provider, comply  
1636 with the provisions of paragraph (l) or maintain homeowner's  
1637 liability insurance and, if applicable, a business rider. If an  
1638 informal provider chooses to maintain a homeowner's policy, the  
1639 provider must obtain and retain a homeowner's insurance policy  
1640 that provides a minimum of \$100,000 of coverage per occurrence  
1641 and a minimum of \$300,000 general aggregate coverage. The office  
1642 may authorize lower limits upon request, as appropriate. An  
1643 informal provider must add the coalition as a named  
1644 certificateholder and as an additional insured. An informal  
1645 provider must provide the coalition with a minimum of 10  
1646 calendar days' advance written notice of cancellation of or  
1647 changes to coverage. The general liability insurance required by  
1648 this paragraph must remain in full force and effect for the



1649 entire period of the provider's contract with the coalition.

1650 (n) Obtain and maintain any required workers' compensation  
1651 insurance under chapter 440 and any required reemployment  
1652 assistance or unemployment compensation coverage under chapter  
1653 443.

1654 (o) Notwithstanding paragraph (l), for a provider that is  
1655 a state agency or a subdivision thereof, as defined in s.  
1656 768.28(2), agree to notify the coalition of any additional  
1657 liability coverage maintained by the provider in addition to  
1658 that otherwise established under s. 768.28. The provider shall  
1659 indemnify the coalition to the extent permitted by s. 768.28.

1660 (p) Execute the standard statewide provider contract  
1661 adopted by the office.

1662 (q) Operate on a full-time and part-time basis and provide  
1663 extended-day and extended-year services to the maximum extent  
1664 possible without compromising the quality of the program to meet  
1665 the needs of parents who work.

1666 (2) If a school readiness program provider fails or  
1667 refuses to comply with this part or any contractual obligation  
1668 of the statewide provider contract under s. 1002.82(2)(m), the  
1669 coalition may revoke the provider's eligibility to deliver the  
1670 school readiness program or receive state or federal funds under  
1671 this chapter for a period of 5 years.

1672 (3) The office and the coalitions may not:

1673 (a) Impose any requirement on a child care provider or  
1674 early childhood education provider that does not deliver  
1675 services under the school readiness program or receive state or  
1676 federal funds under this part;



1677 (b) Impose any requirement on a school readiness program  
 1678 provider that exceeds the authority provided under this part or  
 1679 part V of this chapter or rules adopted pursuant to this part or  
 1680 part V of this chapter; or

1681 (c) Require a provider to administer a preassessment or  
 1682 postassessment.

1683 1002.89 School readiness program; funding.—

1684 (1) Funding for the school readiness program shall be  
 1685 allocated among the early learning coalitions in accordance with  
 1686 this section and the General Appropriations Act.

1687 (2) The office shall administer school readiness program  
 1688 funds and prepare and submit a unified budget request for the  
 1689 school readiness program in accordance with chapter 216.

1690 (3) All instructions to early learning coalitions for  
 1691 administering this section shall emanate from the office in  
 1692 accordance with the policies of the Legislature.

1693 (4) All cost savings and all revenues received through a  
 1694 mandatory sliding fee scale shall be used to increase the number  
 1695 of children served.

1696 (5) All state, federal, and local matching funds provided  
 1697 to an early learning coalition for purposes of this section  
 1698 shall be used for implementation of its approved school  
 1699 readiness program plan, including the hiring of staff to  
 1700 effectively operate the school readiness program.

1701 (6) Costs shall be kept to the minimum necessary for the  
 1702 efficient and effective administration of the school readiness  
 1703 program with the highest priority of expenditure being direct  
 1704 services for eligible children. However, no more than 5 percent



1705 of the funds described in subsection (5) may be used for  
1706 administrative costs and no more than 22 percent of the funds  
1707 described in subsection (5) may be used in any fiscal year for  
1708 any combination of administrative costs, quality activities, and  
1709 nondirect services as follows:

1710 (a) Administrative costs as described in 45 C.F.R. s.  
1711 98.52, which shall include monitoring providers using the  
1712 standard methodology adopted under s. 1002.82 to improve  
1713 compliance with state and federal regulations and law pursuant  
1714 to the requirements of the statewide provider contract adopted  
1715 under s. 1002.82 (2) (m).

1716 (b) Activities to improve the quality of child care as  
1717 described in 45 C.F.R. s. 98.51, which shall be limited to the  
1718 following:

1719 1. Developing, establishing, expanding, operating, and  
1720 coordinating resource and referral programs specifically related  
1721 to the provision of comprehensive consumer education to parents  
1722 and the public regarding participation in the school readiness  
1723 program and parental choice.

1724 2. Awarding grants to school readiness program providers  
1725 to assist them in meeting applicable state requirements for  
1726 child care performance standards, implementing developmentally  
1727 appropriate curricula and related classroom resources that  
1728 support curricula, providing literacy supports, and providing  
1729 professional development. Any grants awarded pursuant to this  
1730 subparagraph shall comply with the requirements of ss. 215.971  
1731 and 287.058.



1732 3. Providing training and technical assistance for school  
1733 readiness program providers, staff, and parents on standards,  
1734 child screenings, child assessments, developmentally appropriate  
1735 curricula, character development, teacher-child interactions,  
1736 age-appropriate discipline practices, health and safety,  
1737 nutrition, first aid, the recognition of communicable diseases,  
1738 and child abuse detection and prevention.

1739 4. Providing from among the funds provided for the  
1740 activities described in subparagraphs 1.-3., adequate funding  
1741 for infants and toddlers as necessary to meet federal  
1742 requirements related to expenditures for quality activities for  
1743 infant and toddler care.

1744 5. Improving the monitoring of compliance with, and  
1745 enforcement of, applicable state and local requirements as  
1746 described in and limited by 45 C.F.R. s. 98.40.

1747 6. Responding to Warm-Line requests by providers and  
1748 parents related to school readiness program children, including  
1749 providing developmental and health screenings to school  
1750 readiness program children.

1751 (c) Nondirect services as described in applicable Office  
1752 of Management and Budget instructions are those services not  
1753 defined as administrative, direct, or quality services that are  
1754 required to administer the school readiness program. Such  
1755 services include, but are not limited to:

1756 1. Assisting families to complete the required application  
1757 and eligibility documentation.

1758 2. Determining child and family eligibility.

1759 3. Recruiting eligible child care providers.



- 1760           4. Processing and tracking attendance records.
- 1761           5. Developing and maintaining a statewide child care
- 1762 information system.

1763

1764 As used in this paragraph, the term "nondirect services" does  
 1765 not include payments to school readiness program providers for  
 1766 direct services provided to children who are eligible under s.  
 1767 1002.87, administrative costs as described in paragraph (a), or  
 1768 quality activities as described in paragraph (b).

1769           (7) Funds appropriated for the school readiness program  
 1770 may not be expended for the purchase or improvement of land, for  
 1771 the purchase, construction, or permanent improvement of any  
 1772 building or facility, or for the purchase of buses. However,  
 1773 funds may be expended for minor remodeling and upgrading child  
 1774 care facilities to ensure that providers meet state and local  
 1775 child care standards, including applicable health and safety  
 1776 requirements.

1777           1002.895 Market rate schedule.—The school readiness  
 1778 program market rate schedule shall be implemented as follows:

1779           (1) The office shall establish procedures for the adoption  
 1780 of a market rate schedule. The schedule must include, at a  
 1781 minimum, county-by-county rates:

1782           (a) The market rate, including the minimum and the maximum  
 1783 rates for child care providers that hold a Gold Seal Quality  
 1784 Care designation under s. 402.281.

1785           (b) The market rate for child care providers that do not  
 1786 hold a Gold Seal Quality Care designation.

1787           (2) The market rate schedule, at a minimum, must:





1788        (a) Differentiate rates by type, including, but not  
1789 limited to, a child care provider that holds a Gold Seal Quality  
1790 Care designation under s. 402.281, a child care facility  
1791 licensed under s. 402.305, a public or nonpublic school exempt  
1792 from licensure under s. 402.3025, a faith-based child care  
1793 facility exempt from licensure under s. 402.316 that does not  
1794 hold a Gold Seal Quality Care designation, a large family child  
1795 care home licensed under s. 402.3131, or a family day care home  
1796 licensed or registered under s. 402.313.

1797        (b) Differentiate rates by the type of child care services  
1798 provided for children with special needs or risk categories,  
1799 infants, toddlers, preschool-age children, and school-age  
1800 children.

1801        (c) Differentiate rates between full-time and part-time  
1802 child care services.

1803        (d) Consider discounted rates for child care services for  
1804 multiple children in a single family.

1805        (3) The market rate schedule must be based exclusively on  
1806 the prices charged for child care services.

1807        (4) The market rate schedule shall be considered by an  
1808 early learning coalition in the adoption of a payment schedule.  
1809 The payment schedule must take into consideration the average  
1810 market rate, include the projected number of children to be  
1811 served, and be submitted for approval by the office. Informal  
1812 child care arrangements shall be reimbursed at not more than 50  
1813 percent of the rate adopted for a family day care home.

1814        (5) The office may contract with one or more qualified  
1815 entities to administer this section and provide support and



1816 technical assistance for child care providers.

1817 (6) The office may adopt rules for establishing procedures  
1818 for the collection of child care providers' market rate, the  
1819 calculation of the average market rate by program care level and  
1820 provider type in a predetermined geographic market, and the  
1821 publication of the market rate schedule.

1822 1002.91 Investigations of fraud or overpayment;  
1823 penalties.—

1824 (1) As used in this subsection, the term "fraud" means an  
1825 intentional deception, omission, or misrepresentation made by a  
1826 person with knowledge that the deception, omission, or  
1827 misrepresentation may result in unauthorized benefit to that  
1828 person or another person, or any aiding and abetting of the  
1829 commission of such an act. The term includes any act that  
1830 constitutes fraud under applicable federal or state law.

1831 (2) To recover state, federal, and local matching funds,  
1832 the office shall investigate early learning coalitions,  
1833 recipients, and providers of the school readiness program and  
1834 the Voluntary Prekindergarten Education Program to determine  
1835 possible fraud or overpayment. If by its own inquiries, or as a  
1836 result of a complaint, the office has reason to believe that a  
1837 person, coalition, or provider has engaged in, or is engaging  
1838 in, a fraudulent act, it shall investigate and determine whether  
1839 any overpayment has occurred due to the fraudulent act. During  
1840 the investigation, the office may examine all records, including  
1841 electronic benefits transfer records, and make inquiry of all  
1842 persons who may have knowledge as to any irregularity incidental



1843 to the disbursement of public moneys or other items or benefits  
 1844 authorizations to recipients.

1845 (3) Based on the results of the investigation, the office  
 1846 may, in its discretion, refer the investigation to the  
 1847 Department of Financial Services for criminal investigation or  
 1848 refer the matter to the applicable coalition. Any suspected  
 1849 criminal violation identified by the office must be referred to  
 1850 the Department of Financial Services for criminal investigation.

1851 (4) An early learning coalition may suspend or terminate a  
 1852 provider from participation in the school readiness program or  
 1853 the Voluntary Prekindergarten Education Program when it has  
 1854 reasonable cause to believe that the provider has committed  
 1855 fraud. The office shall adopt by rule appropriate due process  
 1856 procedures that the early learning coalition shall apply in  
 1857 suspending or terminating any provider, including the suspension  
 1858 or termination of payment. If suspended, the provider shall  
 1859 remain suspended until the completion of any investigation by  
 1860 the office, the Department of Financial Services, or any other  
 1861 state or federal agency, and any subsequent prosecution or other  
 1862 legal proceeding.

1863 (5) If a school readiness program provider or a Voluntary  
 1864 Prekindergarten Education Program provider, or an owner,  
 1865 officer, or director thereof, is convicted of, found guilty of,  
 1866 or pleads guilty or nolo contendere to, regardless of  
 1867 adjudication, public assistance fraud pursuant to s. 414.39, or  
 1868 is acting as the beneficial owner for someone who has been  
 1869 convicted of, found guilty of, or pleads guilty or nolo  
 1870 contendere to, regardless of adjudication, public assistance



1871 fraud pursuant to s. 414.39, the early learning coalition shall  
1872 refrain from contracting with, or using the services of, that  
1873 provider for a period of 5 years. In addition, the coalition  
1874 shall refrain from contracting with, or using the services of,  
1875 any provider that shares an officer or director with a provider  
1876 that is convicted of, found guilty of, or pleads guilty or nolo  
1877 contendere to, regardless of adjudication, public assistance  
1878 fraud pursuant to s. 414.39 for a period of 5 years.

1879 (6) If the investigation is not confidential or otherwise  
1880 exempt from disclosure by law, the results of the investigation  
1881 may be reported by the office to the appropriate legislative  
1882 committees, the Department of Children and Families, and such  
1883 other persons as the office deems appropriate.

1884 (7) The early learning coalition may not contract with a  
1885 school readiness program provider or a Voluntary Prekindergarten  
1886 Education Program provider who is on the United States  
1887 Department of Agriculture National Disqualified List. In  
1888 addition, the coalition may not contract with any provider that  
1889 shares an officer or director with a provider that is on the  
1890 United States Department of Agriculture National Disqualified  
1891 List.

1892 (8) Each early learning coalition shall adopt an anti-  
1893 fraud plan addressing the detection and prevention of  
1894 overpayments, abuse, and fraud relating to the provision of and  
1895 payment for school readiness program and Voluntary  
1896 Prekindergarten Education Program services and submit the plan  
1897 to the office for approval. The office shall adopt rules  
1898 establishing criteria for the anti-fraud plan, including



1899 appropriate due process provisions. The anti-fraud plan must  
 1900 include, at a minimum:

1901 (a) A written description or chart outlining the  
 1902 organizational structure of the plan's personnel who are  
 1903 responsible for the investigation and reporting of possible  
 1904 overpayment, abuse, or fraud.

1905 (b) A description of the plan's procedures for detecting  
 1906 and investigating possible acts of fraud, abuse, or overpayment.

1907 (c) A description of the plan's procedures for the  
 1908 mandatory reporting of possible overpayment, abuse, or fraud to  
 1909 the Office of Inspector General within the office.

1910 (d) A description of the plan's program and procedures for  
 1911 educating and training personnel on how to detect and prevent  
 1912 fraud, abuse, and overpayment.

1913 (e) A description of the plan's procedures, including the  
 1914 appropriate due process provisions adopted by the office for  
 1915 suspending or terminating from the school readiness program or  
 1916 the Voluntary Prekindergarten Education Program a recipient or  
 1917 provider who the early learning coalition believes has committed  
 1918 fraud.

1919 (9) A person who commits an act of fraud as defined in  
 1920 this section is subject to the penalties provided in s.  
 1921 414.39(5) (a) and (b).

1922 1002.92 Child care and early childhood resource and  
 1923 referral.—

1924 (1) As a part of the school readiness program, the office  
 1925 shall establish a statewide child care resource and referral  
 1926 network that is unbiased and provides referrals to families for



1927 child care and information on available community resources.  
 1928 Preference shall be given to using early learning coalitions as  
 1929 the child care resource and referral agencies. If an early  
 1930 learning coalition cannot comply with the requirements to offer  
 1931 the resource information component or does not want to offer  
 1932 that service, the early learning coalition shall select the  
 1933 resource and referral agency for its county or multicounty  
 1934 region based upon the procurement requirements of s.  
 1935 1002.84(12).

1936 (2) At least one child care resource and referral agency  
 1937 must be established in each early learning coalition's county or  
 1938 multicounty region. The office shall adopt rules regarding  
 1939 accessibility of child care resource and referral services  
 1940 offered through child care resource and referral agencies in  
 1941 each county or multicounty region which include, at a minimum,  
 1942 required hours of operation, methods by which parents may  
 1943 request services, and child care resource and referral staff  
 1944 training requirements.

1945 (3) Child care resource and referral agencies shall  
 1946 provide the following services:

1947 (a) Identification of existing public and private child  
 1948 care and early childhood education services, including child  
 1949 care services by public and private employers, and the  
 1950 development of a resource file of those services through the  
 1951 single statewide information system developed by the office  
 1952 under s. 1002.82(2)(n). These services may include family day  
 1953 care, public and private child care programs, the Voluntary  
 1954 Prekindergarten Education Program, Head Start, the school



1955 readiness program, special education programs for  
 1956 prekindergarten children with disabilities, services for  
 1957 children with developmental disabilities, full-time and part-  
 1958 time programs, before-school and after-school programs, vacation  
 1959 care programs, parent education, the temporary cash assistance  
 1960 program, and related family support services. The resource file  
 1961 shall include, but not be limited to:

- 1962 1. Type of program.
- 1963 2. Hours of service.
- 1964 3. Ages of children served.
- 1965 4. Number of children served.
- 1966 5. Program information.
- 1967 6. Fees and eligibility for services.
- 1968 7. Availability of transportation.

1969 (b) Establishment of a referral process that responds to  
 1970 parental need for information and that is provided with full  
 1971 recognition of the confidentiality rights of parents. The  
 1972 resource and referral network shall make referrals to legally  
 1973 operating child care facilities. Referrals may not be made to a  
 1974 child care facility that is operating illegally.

1975 (c) Maintenance of ongoing documentation of requests for  
 1976 service tabulated through the internal referral process through  
 1977 the single statewide information system. The following  
 1978 documentation of requests for service shall be maintained by the  
 1979 child care resource and referral network:

- 1980 1. Number of calls and contacts to the child care resource  
 1981 information and referral network component by type of service  
 1982 requested.



- 1983 |       2. Ages of children for whom service was requested.
- 1984 |       3. Time category of child care requests for each child.
- 1985 |       4. Special time category, such as nights, weekends, and
- 1986 | swing shift.
- 1987 |       5. Reason that the child care is needed.
- 1988 |       6. Name of the employer and primary focus of the business
- 1989 | for an employer based child care program.
- 1990 |       (d) Provision of technical assistance to existing and
- 1991 | potential providers of child care services. This assistance may
- 1992 | include:
- 1993 |       1. Information on initiating new child care services,
- 1994 | zoning, and program and budget development and assistance in
- 1995 | finding such information from other sources.
- 1996 |       2. Information and resources which help existing child
- 1997 | care services providers to maximize their ability to serve
- 1998 | children and parents in their community.
- 1999 |       3. Information and incentives that may help existing or
- 2000 | planned child care services offered by public or private
- 2001 | employers seeking to maximize their ability to serve the
- 2002 | children of their working parent employees in their community,
- 2003 | through contractual or other funding arrangements with
- 2004 | businesses.
- 2005 |       (e) Assistance to families and employers in applying for
- 2006 | various sources of subsidy, including, but not limited to, the
- 2007 | Voluntary Prekindergarten Education Program, the school
- 2008 | readiness program, Head Start, Project Independence, private
- 2009 | scholarships, and the federal child and dependent care tax
- 2010 | credit.





2011 (f) Assistance to families to negotiate discounts or other  
2012 special arrangements with child care providers.

2013 (g) Assistance to families in identifying summer  
2014 recreation camp and summer day camp programs to help families  
2015 make informed choice. Contingent upon specific appropriation, a  
2016 checklist of important health and safety qualities that parents  
2017 can use to choose their summer camp programs shall be developed  
2018 and distributed in a manner that will reach parents interested  
2019 in such programs for their children.

2020 (h) Assistance to families for accessing local community  
2021 resources.

2022 (4) A child care facility licensed under s. 402.305 and  
2023 licensed and registered family day care homes must provide the  
2024 statewide child care and resource and referral network with the  
2025 following information annually:

2026 (a) Type of program.

2027 (b) Hours of service.

2028 (c) Ages of children served.

2029 (d) Fees and eligibility for services.

2030 1002.93 School readiness program transportation services.—

2031 (1) The office may authorize an early learning coalition  
2032 to establish school readiness program transportation services  
2033 for children at risk of abuse or neglect who are participating  
2034 in the school readiness program, pursuant to chapter 427. The  
2035 early learning coalitions may contract for the provision of  
2036 transportation services as required by this section.

2037 (2) The transportation servicers may only provide  
2038 transportation to each child participating in the school



2039 readiness program to the extent that such transportation is  
 2040 necessary to provide child care opportunities that otherwise  
 2041 would not be available to a child whose home is more than a  
 2042 reasonable walking distance from the nearest child care facility  
 2043 or family day care home.

2044 1002.94 Child Care Executive Partnership Program.—

2045 (1) There is created a body politic and corporate known as  
 2046 the Child Care Executive Partnership which shall establish and  
 2047 govern the Child Care Executive Partnership Program. The purpose  
 2048 of the Child Care Executive Partnership Program is to use state  
 2049 and federal funds as incentives for matching local funds derived  
 2050 from local governments, employers, charitable foundations, and  
 2051 other sources so that Florida communities may create local  
 2052 flexible partnerships with employers. The Child Care Executive  
 2053 Partnership Program funds shall be used at the discretion of  
 2054 local communities to meet the needs of working parents. A child  
 2055 care purchasing pool shall be developed with the state, federal,  
 2056 and local funds to provide subsidies to low-income working  
 2057 parents whose family income does not exceed the allowable income  
 2058 for any federally subsidized child care program with a dollar-  
 2059 for-dollar match from employers, local government, and other  
 2060 matching contributions. The funds used from the child care  
 2061 purchasing pool must be used to supplement or extend the use of  
 2062 existing public or private funds for direct services.

2063 (2) The Child Care Executive Partnership, staffed by the  
 2064 office, shall consist of a representative of the Executive  
 2065 Office of the Governor and nine members of the corporate or  
 2066 child care community, appointed by the Governor.



2067           (a) Members shall serve for a period of 4 years, except  
2068 that the representative of the Executive Office of the Governor  
2069 shall serve at the pleasure of the Governor.

2070           (b) The Child Care Executive Partnership shall be chaired  
2071 by a member chosen by a majority vote and shall meet at least  
2072 quarterly and at other times upon the call of the chair. The  
2073 Child Care Executive Partnership may use any method of  
2074 telecommunications to conduct meetings, including establishing a  
2075 quorum through telecommunications, only if the public is given  
2076 proper notice of a telecommunications meeting and reasonable  
2077 access to observe and, when appropriate, participate.

2078           (c) Members shall serve without compensation, but may be  
2079 reimbursed for per diem and travel expenses in accordance with  
2080 s. 112.061.

2081           (d) The Child Care Executive Partnership shall have all  
2082 the powers and authority, not explicitly prohibited by law,  
2083 necessary to carry out and effectuate the purposes of this  
2084 section, as well as the functions, duties, and responsibilities  
2085 of the partnership, including, but not limited to, the  
2086 following:

2087           1. Making recommendations concerning the implementation  
2088 and coordination of the school readiness program.

2089           2. Soliciting, accepting, receiving, investing, and  
2090 expending funds from public or private sources.

2091           3. Contracting with public or private entities as  
2092 necessary.

2093           4. Approving an annual budget.

2094           5. Providing a report to the Governor, the Speaker of the



2095 House of Representatives, and the President of the Senate on or  
2096 before December 1 of each year.

2097  
2098 Notwithstanding this subsection, the corporate body politic  
2099 previously established by prior law is the corporate body  
2100 politic for purposes of this section and shall continue in  
2101 existence. All member terms of the existing corporate body  
2102 politic expire as of June 30, 2013, and new members shall be  
2103 appointed beginning July 1, 2013, in accordance with this  
2104 subsection.

2105 (3) (a) The Legislature shall annually determine the amount  
2106 of state or federal low-income child care moneys which shall be  
2107 used to create Child Care Executive Partnership Program child  
2108 care purchasing pools in counties chosen by the Child Care  
2109 Executive Partnership provided that at least two of the counties  
2110 have populations of no more than 300,000. The Legislature shall  
2111 annually review the effectiveness of the child care purchasing  
2112 pool program and reevaluate the percentage of additional state  
2113 or federal funds, if any, which can be used for the program's  
2114 expansion.

2115 (b) To ensure a seamless service delivery and ease of  
2116 access for families, the office shall administer the child care  
2117 purchasing pool funds.

2118 (c) The office, in conjunction with the Child Care  
2119 Executive Partnership, shall develop procedures for disbursement  
2120 of funds through the child care purchasing pools. In order to be  
2121 considered for funding, an early learning coalition or the  
2122 office must commit to:



2123 1. Matching the state purchasing pool funds on a dollar-  
2124 for-dollar basis.

2125 2. Expending only those public funds that are matched by  
2126 employers, local government, and other matching contributors who  
2127 contribute to the purchasing pool. Parents shall also pay a fee,  
2128 which may not be less than the amount identified in the early  
2129 learning coalition's school readiness program sliding fee scale.

2130 (d) Each early learning coalition shall establish a  
2131 community child care task force for each child care purchasing  
2132 pool. The task force must be composed of employers, parents,  
2133 private child care providers, and one representative from the  
2134 local children's services council, if one exists in the area of  
2135 the purchasing pool. The early learning coalition is expected to  
2136 recruit the task force members from existing child care  
2137 councils, commissions, or task forces already operating in the  
2138 area of a purchasing pool. A majority of the task force shall  
2139 consist of employers.

2140 (e) Each participating early learning coalition shall  
2141 develop a plan for the use of child care purchasing pool funds.  
2142 The plan must show how many children will be served by the  
2143 purchasing pool, how many will be new to receiving child care  
2144 services, and how the early learning coalition intends to  
2145 attract new employers and their employees to the program.

2146 (4) The office may adopt any rules necessary for the  
2147 implementation and administration of this section.

2148 1002.95 Teacher Education and Compensation Helps (TEACH)  
2149 scholarship program.—

2150 (1) The office may contract for the administration of the



2151 Teacher Education and Compensation Helps (TEACH) scholarship  
2152 program, which provides educational scholarships to caregivers  
2153 and administrators of early childhood programs, family day care  
2154 homes, and large family child care homes. The goal of the  
2155 program is to increase the education and training for  
2156 caregivers, increase the compensation for child caregivers who  
2157 complete the program requirements, and reduce the rate of  
2158 participant turnover in the field of early childhood education.

2159 (2) The office shall adopt rules as necessary to  
2160 administer this section.

2161 1002.96 Early Head Start collaboration grants.-

2162 (1) Contingent upon specific appropriation, the office  
2163 shall establish a program to award collaboration grants to  
2164 assist local agencies in securing Early Head Start programs  
2165 through Early Head Start program federal grants. The  
2166 collaboration grants shall provide the required matching funds  
2167 for public and private nonprofit agencies that have been  
2168 approved for Early Head Start program federal grants.

2169 (2) Public and private nonprofit agencies providing Early  
2170 Head Start programs applying for collaborative grants must:

2171 (a) Meet the requirements in the Head Start program  
2172 performance standards and other applicable rules and  
2173 regulations.

2174 (b) Collaborate with other service providers at the local  
2175 level.

2176 (c) Provide a comprehensive array of health, nutritional,  
2177 and other services to the program's pregnant women and very  
2178 young children, and their families.



2179           (3) The office may adopt rules as necessary for the award  
 2180 of collaboration grants to competing agencies and the  
 2181 administration of the collaboration grants program under this  
 2182 section.

2183           Section 18. Section 411.011, Florida Statutes, is  
 2184 transferred, renumbered as section 1002.97, Florida Statutes,  
 2185 and amended to read:

2186           1002.97 ~~411.011~~ Records of children in the school  
 2187 readiness program ~~programs~~.

2188           (1) The individual records of children enrolled in the  
 2189 school readiness program ~~programs~~ provided under this part ~~s.~~  
 2190 ~~411.01~~, held by an early learning coalition or the office ~~of~~  
 2191 ~~Early Learning~~, are confidential and exempt from s. 119.07(1)  
 2192 and s. 24(a), Art. I of the State Constitution. For purposes of  
 2193 this section, records include assessment data, health data,  
 2194 records of teacher observations, and personal identifying  
 2195 information.

2196           (2) A parent, ~~guardian, or individual acting as a parent~~  
 2197 ~~in the absence of a parent or guardian~~ has the right to inspect  
 2198 and review the individual school readiness program record of his  
 2199 or her child and to obtain a copy of the record.

2200           (3) School readiness program records may be released to:

2201           (a) The United States Secretary of Education, the United  
 2202 States Secretary of Health and Human Services, and the  
 2203 Comptroller General of the United States for the purpose of  
 2204 federal audits and investigations.

2205           (b) Individuals or organizations conducting studies for  
 2206 institutions to develop, validate, or administer assessments or



2207 improve instruction.

2208 (c) Accrediting organizations in order to carry out their  
 2209 accrediting functions.

2210 (d) Appropriate parties in connection with an emergency if  
 2211 the information is necessary to protect the health or safety of  
 2212 the child enrollee or other individuals.

2213 (e) The Office of Program Policy Analysis and Government  
 2214 Accountability and the Auditor General in connection with their  
 2215 ~~his or her~~ official functions.

2216 (f) A court of competent jurisdiction in compliance with  
 2217 an order of that court in accordance with a lawfully issued  
 2218 subpoena.

2219 (g) Parties to an interagency agreement among early  
 2220 learning coalitions, local governmental agencies, providers of  
 2221 the school readiness program ~~programs~~, state agencies, and the  
 2222 office ~~of Early Learning~~ for the purpose of implementing the  
 2223 school readiness program.

2224

2225 Agencies, organizations, or individuals that receive school  
 2226 readiness program records in order to carry out their official  
 2227 functions must protect the data in a manner that does not permit  
 2228 the personal identification of a child enrolled in a school  
 2229 readiness program and his or her parent ~~parents~~ by persons other  
 2230 than those authorized to receive the records.

2231 Section 19. Paragraph (p) of subsection (3) of section  
 2232 11.45, Florida Statutes, is amended to read:

2233 11.45 Definitions; duties; authorities; reports; rules.—

2234 (3) AUTHORITY FOR AUDITS AND OTHER ENGAGEMENTS.—The





2235 Auditor General may, pursuant to his or her own authority, or at  
 2236 the direction of the Legislative Auditing Committee, conduct  
 2237 audits or other engagements as determined appropriate by the  
 2238 Auditor General of:

2239 (p) The school readiness program system, including the  
 2240 early learning coalitions, ~~created~~ under part VI of chapter 1002  
 2241 ~~s. 411.01.~~

2242 Section 20. Paragraph (h) of subsection (3) of section  
 2243 20.15, Florida Statutes, is amended to read:

2244 20.15 Department of Education.—There is created a  
 2245 Department of Education.

2246 (3) DIVISIONS.—The following divisions of the Department  
 2247 of Education are established:

2248 (h) The Office of Independent Education and Parental  
 2249 Choice, which must include the following offices:

2250 1. The Office of Early Learning, which shall be  
 2251 administered by an executive director who is fully accountable  
 2252 to the Commissioner of Education. The executive director shall,  
 2253 pursuant to s. 1001.213, administer the early learning programs,  
 2254 including the school readiness program and the Voluntary  
 2255 Prekindergarten Education Program at the state level.

2256 2. The Office of K-12 School Choice, which shall be  
 2257 administered by an executive director who is fully accountable  
 2258 to the Commissioner of Education. ~~The Office of Early Learning,~~  
 2259 ~~which shall administer the school readiness system in accordance~~  
 2260 ~~with s. 411.01 and the operational requirements of the Voluntary~~  
 2261 ~~Prekindergarten Education Program in accordance with part V of~~  
 2262 ~~chapter 1002. The office is a separate budget entity and is not~~



2263 ~~subject to control, supervision, or direction by the Department~~  
 2264 ~~of Education or the State Board of Education in any manner~~  
 2265 ~~including, but not limited to, personnel, purchasing,~~  
 2266 ~~transactions involving personal property, and budgetary matters.~~  
 2267 ~~The office director shall be appointed by the Governor and~~  
 2268 ~~confirmed by the Senate, shall serve at the pleasure of the~~  
 2269 ~~Governor, and shall be the agency head of the office for all~~  
 2270 ~~purposes. The office shall enter into a service agreement with~~  
 2271 ~~the department for professional, technological, and~~  
 2272 ~~administrative support services. The office shall be subject to~~  
 2273 ~~review and oversight by the Chief Inspector General or his or~~  
 2274 ~~her designee.~~

2275 Section 21. Paragraph (a) of subsection (8) of section  
 2276 216.136, Florida Statutes, is amended to read:

2277 216.136 Consensus estimating conferences; duties and  
 2278 principals.—

2279 (8) EARLY LEARNING PROGRAMS ESTIMATING CONFERENCE.—

2280 (a) The Early Learning Programs Estimating Conference  
 2281 shall develop estimates and forecasts of the unduplicated count  
 2282 of children eligible for the school readiness program ~~programs~~  
 2283 in accordance with the standards of eligibility established in  
 2284 s. 1002.87 ~~411.01(6)~~, and of children eligible for the Voluntary  
 2285 Prekindergarten Education Program in accordance with s.  
 2286 1002.53(2), as the conference determines are needed to support  
 2287 the state planning, budgeting, and appropriations processes.

2288 Section 22. Paragraph (b) of subsection (1) and subsection  
 2289 (3) of section 402.281, Florida Statutes, are amended to read:

2290 402.281 Gold Seal Quality Care program.—



2291 (1)

2292 (b) A child care facility, large family child care home,

2293 or family day care home that is accredited by an ~~a nationally~~

2294 ~~recognized~~ accrediting association approved by the department

2295 under subsection (3) and meets all other requirements shall,

2296 upon application to the department, receive a separate "Gold

2297 Seal Quality Care" designation.

2298 (3)(a) In order to be approved by the department for

2299 participation in the Gold Seal Quality Care program, an

2300 accrediting association must apply to the department and

2301 demonstrate that it:

2302 1. Is a ~~nationally~~ recognized accrediting association.

2303 2. Has accrediting standards that substantially meet or

2304 exceed the Gold Seal Quality Care standards adopted by the

2305 department under subsection (2).

2306 (b) In approving accrediting associations, the department

2307 shall consult with the Department of Education, the Florida Head

2308 Start Directors Association, the Florida Association of Child

2309 Care Management, the Florida Family Child Day Care Home

2310 Association, the Florida Children's Forum, the Florida

2311 Association for the Education of the Young ~~Early Childhood~~

2312 Association of Florida, the Child Development Education

2313 Alliance, the Florida Association of Academic Nonpublic Schools,

2314 the Association of Early Learning Coalitions, providers

2315 receiving exemptions under s. 402.316, and parents.

2316 Section 23. Subsection (9) of section 402.302, Florida

2317 Statutes, is amended to read:

2318 402.302 Definitions.—As used in this chapter, the term:



2319 |           (9) "Household children" means children who are related by  
 2320 | blood, marriage, or legal adoption to, or who are the legal  
 2321 | wards of, the family day care home operator, the large family  
 2322 | child care home operator, or an adult household member who  
 2323 | permanently or temporarily resides in the home. Supervision of  
 2324 | the operator's household children shall be left to the  
 2325 | discretion of the operator unless those children receive  
 2326 | subsidized child care through the school readiness program  
 2327 | pursuant to s. 1002.92 ~~411.0101~~ to be in the home.

2328 |           Section 24. Paragraph (c) of subsection (1) of section  
 2329 | 402.305, Florida Statutes, is amended to read:

2330 |           402.305 Licensing standards; child care facilities.—

2331 |           (1) LICENSING STANDARDS.—The department shall establish  
 2332 | licensing standards that each licensed child care facility must  
 2333 | meet regardless of the origin or source of the fees used to  
 2334 | operate the facility or the type of children served by the  
 2335 | facility.

2336 |           (c) The minimum standards for child care facilities shall  
 2337 | be adopted in the rules of the department and shall address the  
 2338 | areas delineated in this section. The department, in adopting  
 2339 | rules to establish minimum standards for child care facilities,  
 2340 | shall recognize that different age groups of children may  
 2341 | require different standards. The department may adopt different  
 2342 | minimum standards for facilities that serve children in  
 2343 | different age groups, including school-age children. The  
 2344 | department shall also adopt by rule a definition for child care  
 2345 | which distinguishes between child care programs that require  
 2346 | child care licensure and after-school programs that do not



2347 require licensure. Notwithstanding any other provision of law to  
2348 the contrary, minimum child care licensing standards shall be  
2349 developed to provide for reasonable, affordable, and safe  
2350 before-school and after-school care. After-school programs that  
2351 otherwise meet the criteria for exclusion from licensure may  
2352 provide snacks and meals through the federal Afterschool Meal  
2353 Program (AMP) administered by the Department of Health in  
2354 accordance with federal regulations and standards. The  
2355 Department of Health shall consider meals to be provided through  
2356 the AMP only if the program is actively participating in the  
2357 AMP, is in good standing with the department, and the meals meet  
2358 AMP requirements. Standards, at a minimum, shall allow for a  
2359 credentialed director to supervise multiple before-school and  
2360 after-school sites.

2361 Section 25. Paragraph (c) of subsection (1) and subsection  
2362 (4) of section 445.023, Florida Statutes, are amended to read:

2363 445.023 Program for dependent care for families with  
2364 children with special needs.—

2365 (1) There is created the program for dependent care for  
2366 families with children with special needs. This program is  
2367 intended to provide assistance to families with children who  
2368 meet the following requirements:

2369 (c) The family meets the income guidelines established  
2370 under s. 1002.87 ~~411.01(6)~~, notwithstanding any financial  
2371 eligibility criteria to the contrary in s. 414.075, s. 414.085,  
2372 or s. 414.095.

2373 (4) In addition to school readiness program services  
2374 provided under part VI of chapter 1002 ~~s. 411.01~~, dependent care



2375 | may be provided for children age 13 years and older who are in  
 2376 | need of care due to disability and where such care is needed for  
 2377 | the parent to accept or continue employment or otherwise  
 2378 | participate in work activities. The amount of subsidy shall be  
 2379 | consistent with the rates for special needs child care  
 2380 | established by the department. Dependent care needed for  
 2381 | employment may be provided as transitional services for up to 2  
 2382 | years after eligibility for temporary cash assistance ends.

2383 |       Section 26. Paragraph (a) of subsection (2) of section  
 2384 | 490.014, Florida Statutes, is amended to read:

2385 |           490.014 Exemptions.—

2386 |           (2) No person shall be required to be licensed or  
 2387 | provisionally licensed under this chapter who:

2388 |           (a) Is a salaried employee of a government agency; a  
 2389 | developmental disability facility or program; a mental health,  
 2390 | alcohol, or drug abuse facility operating under chapter 393,  
 2391 | chapter 394, or chapter 397; the statewide child care resource  
 2392 | and referral network operating under s. 1002.92 ~~411.0101~~; a  
 2393 | child-placing or child-caring agency licensed pursuant to  
 2394 | chapter 409; a domestic violence center certified pursuant to  
 2395 | chapter 39; an accredited academic institution; or a research  
 2396 | institution, if such employee is performing duties for which he  
 2397 | or she was trained and hired solely within the confines of such  
 2398 | agency, facility, or institution, so long as the employee is not  
 2399 | held out to the public as a psychologist pursuant to s.  
 2400 | 490.012(1)(a).

2401 |       Section 27. Paragraph (a) of subsection (4) of section  
 2402 | 491.014, Florida Statutes, is amended to read:



2403 491.014 Exemptions.—

2404 (4) No person shall be required to be licensed,  
 2405 provisionally licensed, registered, or certified under this  
 2406 chapter who:

2407 (a) Is a salaried employee of a government agency; a  
 2408 developmental disability facility or program; a mental health,  
 2409 alcohol, or drug abuse facility operating under chapter 393,  
 2410 chapter 394, or chapter 397; the statewide child care resource  
 2411 and referral network operating under s. 1002.92 ~~411.0101~~; a  
 2412 child-placing or child-caring agency licensed pursuant to  
 2413 chapter 409; a domestic violence center certified pursuant to  
 2414 chapter 39; an accredited academic institution; or a research  
 2415 institution, if such employee is performing duties for which he  
 2416 or she was trained and hired solely within the confines of such  
 2417 agency, facility, or institution, so long as the employee is not  
 2418 held out to the public as a clinical social worker, mental  
 2419 health counselor, or marriage and family therapist.

2420 Section 28. Paragraph (b) of subsection (1) of section  
 2421 1001.11, Florida Statutes, is amended to read:

2422 1001.11 Commissioner of Education; other duties.—

2423 (1) The Commissioner of Education must independently  
 2424 perform the following duties:

2425 (b) Serve as the primary source of information to the  
 2426 Legislature, including the President of the Senate and the  
 2427 Speaker of the House of Representatives, concerning the State  
 2428 Board of Education, ~~and~~ the K-20 education system, and early  
 2429 learning programs.

2430 Section 29. Sections 411.01, 411.0101, 411.01013,



2431 411.01014, 411.01015, 411.0102, 411.0103, 411.0104, 411.0105,  
 2432 and 411.0106, Florida Statutes, are repealed.

2433 Section 30. Within existing Senior Management Service and  
 2434 Selected Exempt Service positions authorized for the Office of  
 2435 Early Learning, a Senior Management Service position for a  
 2436 general counsel and a Selected Exempt Service position for an  
 2437 inspector general are authorized for the office.

2438 Section 31. By October 1, 2013, the Office of Early  
 2439 Learning, in collaboration with the Commissioner of Education,  
 2440 shall develop a reorganization plan for the office. The plan  
 2441 shall include any changes made prior to July 1, 2013; personnel,  
 2442 purchasing, and budgetary matters and their alignment with the  
 2443 duties and responsibilities of the office; a report of all  
 2444 outstanding contractual obligations; and recommendations for  
 2445 statutory and budgetary changes. The plan shall be provided to  
 2446 the Governor, the President of the Senate, and the Speaker of  
 2447 the House of Representatives.

2448 Section 32. This act shall take effect July 1, 2013.