

Committee Substitute for Senate Bill No. 2088

An act relating to school readiness; amending s. 411.01, F.S.; revising the composition of the Florida Partnership for School Readiness; revising the membership of school readiness coalitions; providing sovereign immunity for school readiness coalitions; changing terminology relating to payment; amending s. 230.2305, F.S.; revising funding for prekindergarten early intervention programs; authorizing the Governor at the request of the Florida Partnership for School Readiness to request approval of the Administration Commission for transfer of funds by the Department of Children and Family Services and the Department of Education to the partnership for school readiness programs; providing a qualification for school readiness coalitions to receive an increase in such funds; providing that specified positions be co-located within the office of the Florida Partnership for School Readiness not later than July 1, 2000; requiring an interagency agreement to guide implementation; providing for discontinuation of state funding for the State Coordinating Council for School Readiness Services; repealing s. 402.3015(6)(a), F.S., which requires competitive bids for community child care coordinating agencies; providing an effective date.

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

Section 1. Paragraph (b) of subsection (4) and paragraphs (a) and (e) of subsection (5) of section 411.01, Florida Statutes, are amended to read:

411.01 Florida Partnership for School Readiness; school readiness coalitions.—

(4) FLORIDA PARTNERSHIP FOR SCHOOL READINESS.—

(b)1. The Florida Partnership for School Readiness shall include the Lieutenant Governor ~~or his or her designee~~, the Commissioner of Education, the Secretary of Children and Family Services, and the Secretary of Health, or their designees, and the chair of the Child Care Executive Partnership Board, and the chairperson of the WAGES Program State Board of Directors of Workforce Florida, Inc. When the Lieutenant Governor or an agency head appoints a designee, the designee must be an individual who attends consistently, and, in the event that the Lieutenant Governor or agency head and his or her designee both attend a meeting, only one of them may vote.

2. The partnership shall also include 10 members of the public who shall be business, community, and civic leaders in the state who are not elected to public office. These members and their families must not be providers in the early education and child care industry. The members must be geographically and demographically representative of the state. Each member shall be appointed by the Governor. Eight of the members shall be appointed from a list of 10 nominees, of which five must be submitted by the President of the Senate and five must be submitted by the Speaker of the House of

Representatives. Members shall be appointed to 4-year terms of office. However, of the initial appointees, two shall be appointed to 1-year terms, two shall be appointed to 2-year terms, three shall be appointed to 3-year terms, and three shall be appointed to 4-year terms. The members of the partnership shall elect a chairperson annually from the nongovernmental members of the partnership. Any vacancy on the partnership shall be filled in the same manner as the original appointment.

(5) CREATION OF SCHOOL READINESS COALITIONS.—

(a) School readiness coalitions.—

1. If a coalition's plan would serve less than 400 birth-to-kindergarten age children, the coalition must either join with another county to form a multicounty coalition, enter an agreement with a fiscal agent to serve more than one coalition, or demonstrate to the partnership its ability to effectively and efficiently implement its plan as a single-county coalition and meet all required performance standards and outcome measures.

2. Each coalition shall have at least 18 but not more than 25 members and such members must include the following:

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

b. A district superintendent of schools or his or her designee who is authorized to make decisions on behalf of the district.

c. A regional workforce development board chair or director, where applicable.

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

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

f. A child care licensing agency head.

g. One member appointed by a Department of Children and Family Services district administrator.

h. One member appointed by a board of county commissioners.

i. One member appointed by a district school board.

j. A central child care agency administrator.

k. A Head Start director.

l. A representative of private child care providers.

m. A representative of faith-based child care providers.

More than one-third of the coalition members must be from the private sector, and neither they nor their families may earn an income from the early education and child care industry. To meet this requirement a coalition must appoint additional members from a list of nominees presented to the coalition by a chamber of commerce or economic development council within the geographic area of the coalition.

3. No member of a coalition may appoint a designee to act in his or her place. A member may send a representative to coalition meetings, but that representative will have no voting privileges. When a district superintendent of schools or a district administrator for the Department of Children and Family Services appoints a designee to a school readiness coalition, the designee will be the voting member of the coalition, and any individual attending in his or her place, including the district administrator or superintendent, will have no voting privileges.

4. The school readiness coalition shall replace the district interagency coordinating council required under s. 230.2305.

5. Members of the coalition are subject to the ethics provisions in part III of chapter 112.

6. For the purposes of tort liability, the members of the school readiness coalition and its employees shall be governed by s. 768.28.

7.6. Multicounty coalitions shall include representation from each county.

8.7. The terms of all appointed members of the coalition must be staggered. Appointed members may serve a maximum of two terms. When a vacancy occurs in an appointed position, the coalition must advertise the vacancy.

(e) Requests for proposals; payment schedule. Reimbursement rate.—

1. At least once every 3 years, beginning July 1, 2001, each coalition must follow the competitive procurement requirements of s. 287.057 for school readiness programs.

2. Each coalition shall develop a ~~payment reimbursement rate~~ schedule that encompasses all programs funded by that coalition. The ~~payment reimbursement rate~~ schedule must take into consideration the relevant market rate, must include the projected number of children to be served, and must be submitted to the partnership for information. Informal child care arrangements shall be reimbursed at not more than 50 percent of the rate developed for family childcare.

Section 2. Subsection (6) of section 230.2305, Florida Statutes, is amended to read:

230.2305 Prekindergarten early intervention program.—

(6) FUNDING.—

(a) This section shall be implemented only to the extent that funding is available. State funds appropriated for the prekindergarten early intervention program may not be used for the construction of new facilities, the transportation of students, or the purchase of buses, but may be used for educational field trips which enhance the curriculum.

1. At least 70 percent of the total funds allocated to each school readiness coalition district under this section must be used for implementing and conducting a prekindergarten early intervention program or contracting with other public or nonpublic entities for programs to serve eligible children. The maximum amount to be spent per child for this purpose is to be designated annually by the Florida Partnership for School Readiness in the General Appropriations Act.

2. No more than 30 percent of the funds allocated to each school readiness coalition under district pursuant to this section may be used to enhance existing public and nonpublic programs for eligible children, to provide before-school and after-school care for children served under this section, to remodel or renovate existing facilities under chapter 235, to lease or lease-purchase facilities, to purchase classroom equipment to allow the implementation of the prekindergarten early intervention program, and to provide training for program teachers and administrative personnel employed by the school district and by agencies with which the school district contracts for the provision of prekindergarten services.

3. Funds may also be used pursuant to subparagraphs 1. and 2. to provide the prekindergarten early intervention program for more than 180 school days.

(b) A minimum grant for each school readiness coalition district is to be determined annually by the Florida Partnership for School Readiness in the General Appropriations Act. The funds remaining after allocating the minimum grants must be prorated based on an allocation factor for each coalition district and must be added to each coalition's district's minimum grant. The allocation factor is to be calculated as follows:

$$\begin{array}{l} \text{Coalition Dis-} \\ \text{trict percent-} \\ \text{age of state 3-} \\ \text{year-old and} \\ \text{4-year-old} \\ \text{children} \end{array} \times \frac{1}{4} + \begin{array}{l} \text{School district percentage} \\ \text{of state total free} \\ \text{lunches served} \end{array} \times \frac{3}{4}$$

The calculation of each coalition's district's allocation factor is to be based upon the official estimate of the total number of 3-year-old and 4-year-old children by the school district or districts in the coalition's service area and the official record of the Department of Education for K-12 student total free lunches served by the school district for the prior fiscal year. For the fiscal year beginning July 1, 2000, nothing in this section shall be construed to limit the Department of Education's authority to distribute funds under this program to local school districts if the local school district is authorized by the local school readiness coalition plan to be the provider.

Section 3. Notwithstanding section 411.01(5)(g)5. and (9)(d), Florida Statutes, for fiscal year 2000-2001, the Governor, at the request of the Florida Partnership for School Readiness and subject to notice and review procedures set forth in section 216.177, Florida Statutes, shall request approval of the Administration Commission for transfer of funds from the Department of Children and Family Services and the Department of Education to the partnership for school readiness programs. No school readiness coalition may receive any increase in such funds unless its plan has been conditionally approved by the partnership. For coalitions whose plans have been conditionally approved, any increase in funds shall be used only to increase the number of children served. School readiness coalitions whose plans have been fully approved by the partnership may use up to 5 percent of their total allocation for any purpose other than increasing the number of children served, as authorized by the partnership.

Section 4. Positions currently assigned to the subsidized child care program in the Department of Children and Family Services and to the Pre-kindergarten Early Intervention program in the Department of Education which are recommended by the Florida Partnership for School Readiness and approved by the Executive Office of the Governor shall be physically co-located within the office of the Florida Partnership for School Readiness not later than July 1, 2000. Prior to July 1, 2000, the Secretary of Children and Family Services, the Commissioner of Education, and the chairman of the Partnership for School Readiness shall sign an interagency agreement to guide implementation of the co-location required by this section.

Section 5. Effective July 1, 2000, no state funding shall be provided to support activities of the State Coordinating Council for School Readiness Services established pursuant to section 411.222(4), Florida Statutes.

Section 6. Paragraph (a) of subsection (6) of section 402.3015, Florida Statutes, is repealed.

Section 7. This act shall take effect upon becoming a law.

Approved by the Governor May 25, 2000.

Filed in Office Secretary of State May 25, 2000.