

House Bill No. 1-A

An act relating to early learning; creating part V of ch. 1002, F.S.; creating the Voluntary Prekindergarten Education Program; implementing s. 1(b) and (c), Art. IX of the State Constitution; providing definitions for purposes of the program; providing eligibility and enrollment requirements; authorizing parents to enroll their children in a school-year program delivered by a private prekindergarten provider, a summer program delivered by a public school or private prekindergarten provider, or a school-year program delivered by a public school; requiring school districts to admit all eligible children in the summer program; prohibiting specified acts of discrimination and certain limits on enrollment; specifying eligibility requirements for private prekindergarten providers and public schools that deliver the program; requiring minimum hours for the program; providing minimum requirements for prekindergarten instructors; providing for the adoption of rules; providing minimum and maximum class sizes; requiring appropriate adult supervision for prekindergarten classes; requiring the Department of Education to establish minimum standards for a credential for prekindergarten directors and for emergent literacy training courses for prekindergarten instructors; requiring the credential and course to provide training and resources containing strategies that maximize the program's benefits for students with disabilities and other special needs; providing that the credential and course satisfy certain credentialing and training requirements; providing limits on when a provider or school may deliver the summer prekindergarten program; specifying eligibility requirements for school districts that deliver the school-year prekindergarten program; providing legislative intent; authorizing providers and schools to select or design curricula used for the program; directing the Department of Education to adopt performance standards and approve curricula under specified conditions; requiring providers and schools to be placed on probation and use the approved curricula under certain circumstances; requiring improvement plans and corrective actions from providers and schools under certain circumstances; providing for the removal of providers or schools that remain on probation beyond specified time limits; requiring early learning coalitions and school districts to verify the compliance of private prekindergarten providers and public schools; authorizing the removal of providers and schools for noncompliance or misconduct; requiring interagency coordination for monitoring providers; requiring the Department of Education to adopt a statewide kindergarten screening; requiring certain students to take the statewide screening; specifying requirements for screening instruments and kindergarten readiness rates; directing the State Board of Education to establish minimum rates; providing funding and reporting requirements; specifying the calculation of per-student allocations; authorizing students to withdraw, reenroll, and receive additional per-student allocations under specified conditions; providing for advance payments to private pre-

kindergarten providers and public schools based upon student enrollment; providing for the documentation and certification of student attendance; requiring parents to verify student attendance and certify the choice of provider or school; providing for the reconciliation of advance payments based upon attendance; requiring students to comply with attendance policies and authorizing the dismissal of students for noncompliance; requiring the Agency for Workforce Innovation to adopt a uniform attendance policy for funding purposes; providing for administrative funds to be used by early learning coalitions; prohibiting certain fees or charges; limiting the use of state funds; providing powers and duties of the Department of Education and the Agency for Workforce Innovation; requiring the department and the agency to adopt procedures for the Voluntary Prekindergarten Education Program; creating the Florida Early Learning Advisory Council; providing for the appointment and membership of the advisory council; providing membership and meeting requirements; authorizing council members to receive per diem and travel expenses; requiring the Agency for Workforce Innovation to provide staff for the advisory council; providing for the adoption of rules; amending s. 411.01, F.S.; conforming provisions to the transfer of the Florida Partnership for School Readiness to the Agency for Workforce Innovation; deleting provisions for the appointment and membership of the partnership; redesignating school readiness coalitions as early learning coalitions; deleting obsolete references to repealed programs; deleting obsolete provisions governing the phase in of school readiness programs; deleting provisions governing the measurement of school readiness, the school readiness uniform screening, and performance-based budgeting in school readiness programs; specifying requirements for school readiness performance standards; clarifying rulemaking requirements; revising requirements for school readiness programs; specifying that school readiness programs must enhance the progress of children in certain skills; requiring early learning coalitions to obtain certain health information before enrolling a child in the school readiness program; requiring the Agency for Workforce Innovation to monitor and evaluate the performance of early learning coalitions and to identify best practices for the coalitions; requiring a reduction in the number of coalitions in accordance with specified standards; directing the Agency for Workforce Innovation to adopt procedures for the merger of coalitions; providing exceptions; authorizing the Agency for Workforce Innovation to dissolve a coalition under specified conditions; revising appointment and membership requirements for the coalitions; specifying that certain members are nonvoting; directing the Agency for Workforce Innovation to adopt criteria for the appointment of certain members; requiring each coalition to specify terms of coalition members; requiring a quorum of coalition members; prohibiting coalition members from voting under certain circumstances; providing a definition for purposes of the single point of entry; requiring early learning coalitions to use a statewide information system; requiring the Agency for Workforce Innovation to approve payment rates and consider the access of eligible children

before approving proposals to increase rates; prioritizing the use of school readiness funds under certain circumstances; deleting requirements for the minimum number of children served; providing requirements for developmentally appropriate curriculum used for school readiness programs; authorizing contracts for the continuation of school readiness services under certain circumstances; requiring the Agency for Workforce Innovation to adopt criteria for the approval of school readiness plans; revising requirements for school readiness plans; providing requirements for the approval and implementation of plan revisions; revising competitive procurement requirements for early learning coalitions; authorizing the coalitions to designate certified public accountants as fiscal agents; clarifying age and income eligibility requirements for school readiness programs; revising eligibility requirements for certain at-risk children; deleting a requirement for consultation on performance standards and outcome measures; revising funding requirements; revising requirements for the adoption of a formula for the allocation of certain funds among the early learning coalitions; specifying allocations for fiscal year 2004-2005; deleting an obsolete provision requiring a report; deleting the expiration of eligibility requirements for certain children from families receiving temporary cash assistance; amending s. 11.45, F.S.; authorizing the Auditor General to conduct audits of the school readiness system; amending s. 20.50, F.S.; creating the Office of Early Learning within the Agency for Workforce Innovation; requiring the office to administer the school readiness system and operational requirements of the Voluntary Prekindergarten Education Program; amending s. 125.901, F.S.; conforming provisions to changes made by the act; amending ss. 216.133 and 216.136, F.S.; redesignating the School Readiness Program Estimating Conference as the Early Learning Programs Estimating Conference; requiring the estimating conference to develop certain estimates and forecasts for the Voluntary Prekindergarten Education Program; directing the Agency for Workforce Innovation to provide certain information to the estimating conference; amending ss. 402.3016, 411.011, 411.226, 411.227, 1001.23, 1002.22, and 1003.54, F.S.; conforming provisions to the transfer of the Florida Partnership for School Readiness to the Agency for Workforce Innovation and to the redesignation of the school readiness coalitions as early learning coalitions; authorizing the agency to adopt rules; amending s. 1007.23, F.S.; requiring the articulation of certain programs into credit toward a postsecondary degree; abolishing the Florida Partnership for School Readiness; transferring all powers, rules, personnel, and property of the partnership to the Agency for Workforce Innovation; repealing ss. 411.012 and 1008.21, F.S., relating to the voluntary universal prekindergarten education program and the school readiness uniform screening; providing appropriations and authorizing additional positions; requiring that the Executive Office of the Governor provide prior notice to the Legislative Budget Commission of allocations from the lump-sum appropriations to appropriation categories; providing an effective date.

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

Section 1. Part V of chapter 1002, Florida Statutes, consisting of sections 1002.51, 1002.53, 1002.55, 1002.57, 1002.59, 1002.61, 1002.63, 1002.65, 1002.67, 1002.69, 1002.71, 1002.73, 1002.75, 1002.77, and 1002.79, Florida Statutes, is created to read:

PART V
VOLUNTARY PREKINDERGARTEN EDUCATION PROGRAM

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

- (1) “Department” means the Department of Education.
- (2) “Early learning coalition” or “coalition” means an early learning coalition created under s. 411.01.
- (3) “Prekindergarten director” means an onsite person ultimately responsible for the overall operation of a private prekindergarten provider or, alternatively, of the provider’s prekindergarten program, regardless of whether the person is the owner of the provider.
- (4) “Prekindergarten instructor” means a teacher or child care personnel as defined in s. 402.302 who provide instruction to students in the Voluntary Prekindergarten Education Program.
- (5) “Private prekindergarten provider” means a provider other than a public school which is eligible to deliver the school-year prekindergarten program under s. 1002.55 or the summer prekindergarten program under s. 1002.61.

1002.53 Voluntary Prekindergarten Education Program; eligibility and enrollment.—

(1) There is created the Voluntary Prekindergarten Education Program. The program shall take effect in each county at the beginning of the 2005-2006 school year and shall be organized, designed, and delivered in accordance with s. 1(b) and (c), Art. IX of the State Constitution.

(2) Each child who resides in this state who will have attained the age of 4 years on or before September 1 of the school year is eligible for the Voluntary Prekindergarten Education Program during that school year. The child remains eligible until the beginning of the school year for which the child is eligible for admission to kindergarten in a public school under s. 1003.21(1)(a)2. or until the child is admitted to kindergarten, whichever occurs first.

(3) The parent of each child eligible under subsection (2) may enroll the child in one of the following programs:

(a) A school-year prekindergarten program delivered by a private prekindergarten provider under s. 1002.55;

(b) A summer prekindergarten program delivered by a public school or private prekindergarten provider under s. 1002.61; or

(c) A school-year prekindergarten program delivered by a public school, if offered by a school district that is eligible under s. 1002.63.

Except as provided in s. 1002.71(4), a child may not enroll in more than one of these programs.

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

(b) The application must be submitted on forms prescribed by the Agency for Workforce Innovation and must be accompanied by a certified copy of the child's birth certificate. The forms must include a certification, in substantially the form provided in s. 1002.71(6)(b)2., that the parent chooses the private prekindergarten provider or public school in accordance with this section and directs that payments for the program be made to the provider or school. The Agency for Workforce Innovation may authorize alternative methods for submitting proof of the child's age in lieu of a certified copy of the child's birth certificate.

(c) Each early learning coalition shall coordinate with each of the school districts within the coalition's county or multicounty region in the development of procedures for enrolling children in prekindergarten programs delivered by public schools.

(5) The early learning coalition shall provide each parent enrolling a child in the Voluntary Prekindergarten Education Program with a profile of every private prekindergarten provider and public school delivering the program within the coalition's county or multicounty region. The profiles shall be provided to parents in a format prescribed by the Agency for Workforce Innovation. The profiles must include, at a minimum, the following information about each provider and school:

(a) The provider's or school's services, curriculum, instructor credentials, and instructor-to-student ratio; and

(b) The provider's or school's kindergarten readiness rate calculated in accordance with s. 1002.69, based upon the most recent available results of the statewide kindergarten screening.

(6)(a) A parent may enroll his or her child with any private prekindergarten provider that is eligible to deliver the Voluntary Prekindergarten Education Program under this part; however, the provider may determine whether to admit any child. An early learning coalition may not limit the number of students admitted by any private prekindergarten provider for enrollment in the program. However, this paragraph does not authorize an early learning coalition to allow a provider to exceed any staff-to-children ratio, square footage per child, or other requirement imposed under ss. 402.301-402.319 as a result of admissions in the prekindergarten program.

(b) A parent may enroll his or her child with any public school within the school district which is eligible to deliver the Voluntary Prekindergarten

Education Program under this part, subject to available space. Each school district may limit the number of students admitted by any public school for enrollment in the program; however, the school district must provide for the admission of every eligible child within the district whose parent enrolls the child in a summer prekindergarten program delivered by a public school under s. 1002.61.

(c) Each private prekindergarten provider and public school must comply with the antidiscrimination requirements of 42 U.S.C. s. 2000d, regardless of whether the provider or school receives federal financial assistance. A private prekindergarten provider or public school may not discriminate against a parent or child, including the refusal to admit a child for enrollment in the Voluntary Prekindergarten Education Program, in violation of these antidiscrimination requirements.

1002.55 School-year prekindergarten program delivered by private pre-kindergarten providers.—

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

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

(3) To be eligible to deliver the prekindergarten program, a private pre-kindergarten provider must meet each of the following requirements:

(a) The private prekindergarten provider must be a child care facility licensed under s. 402.305, family day care home licensed under s. 402.313, large family child care home licensed under s. 402.3131, nonpublic school exempt from licensure under s. 402.3025(2), or faith-based child care provider exempt from licensure under s. 402.316.

(b) The private prekindergarten provider must:

1. Be accredited by an accrediting association that is a member of the National Council for Private School Accreditation, the Commission on International and Trans-Regional Accreditation, or the Florida Association of Academic Nonpublic Schools;

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

3. Be licensed under s. 402.305, s. 402.313, or s. 402.3131 and demonstrate, before delivering the Voluntary Prekindergarten Education Program, as verified by the early learning coalition, that the provider meets each of the requirements of the program under this part, including, but not limited to, the requirements for credentials and background screenings of prekindergarten instructors under paragraphs (c) and (d), minimum and maximum class sizes under paragraph (e), prekindergarten director credentials under paragraph (f), and a developmentally appropriate curriculum under s. 1002.67(2)(b).

(c) The private prekindergarten provider must have, for each prekindergarten class, at least one prekindergarten instructor who meets each of the following requirements:

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

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

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

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

2. The prekindergarten instructor must successfully complete an emergent literacy training course approved by the department as meeting or exceeding the minimum standards adopted under s. 1002.59. This subparagraph does not apply to a prekindergarten instructor who successfully completes approved training in early literacy and language development under s. 402.305(2)(d)5., s. 402.313(6), or s. 402.3131(5) before the establishment of one or more emergent literacy training courses under s. 1002.59 or April 1, 2005, whichever occurs later.

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

(e) Each of the private prekindergarten provider's prekindergarten classes must be composed of at least 4 students but may not exceed 18 students. In order to protect the health and safety of students, each private prekindergarten provider must also provide appropriate adult supervision for students at all times and, for each prekindergarten class composed of 11 or more students, must have, in addition to a prekindergarten instructor who meets the requirements of paragraph (c), at least one adult prekindergarten instructor who is not required to meet those requirements but who must meet each requirement of paragraph (d). This paragraph does not supersede any requirement imposed on a provider under ss. 402.301-402.319.

(f) Before the beginning of the 2006-2007 school year, the private prekindergarten provider must have a prekindergarten director who has a prekindergarten director credential that is approved by the department as meeting or exceeding the minimum standards adopted under s. 1002.57. Successful completion of a child care facility director credential under s. 402.305(2)(f) before the establishment of the prekindergarten director cre-

dential under s. 1002.57 or July 1, 2006, whichever occurs later, satisfies the requirement for a prekindergarten director credential under this paragraph.

(g) The private prekindergarten provider must register with the early learning coalition on forms prescribed by the Agency for Workforce Innovation.

(h) The private prekindergarten provider must deliver the Voluntary Prekindergarten Education Program in accordance with this part.

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

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

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

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

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

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

1002.57 Prekindergarten director credential.—

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

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

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

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

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

(3) The prekindergarten director credential must meet or exceed the requirements of the Department of Children and Family Services for the child care facility director credential under s. 402.305(2)(f), and successful completion of the prekindergarten director credential satisfies these requirements for the child care facility director credential.

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

1002.59 Emergent literacy training courses.—By April 1, 2005, the department shall adopt minimum standards for one or more training courses in emergent literacy for prekindergarten instructors. Each course must comprise 5 clock hours and provide instruction in strategies and techniques to address the age-appropriate progress of prekindergarten students in developing emergent literacy skills, including oral communication, knowledge of print and letters, phonemic and phonological awareness, and vocabulary and comprehension development. Each course must also provide resources containing strategies that allow students with disabilities and other special needs to derive maximum benefit from the Voluntary Prekindergarten Education Program. Successful completion of an emergent literacy training course approved under this section satisfies requirements for approved training in early literacy and language development under ss. 402.305(2)(d)5., 402.313(6), and 402.3131(5).

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

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

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

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

(a) Comprise at least 300 instructional hours;

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

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

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

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

(4) Notwithstanding ss. 1002.55(3)(c)1. and 1002.63(5), each public school and private prekindergarten provider must have, for each prekindergarten class, at least one prekindergarten instructor who:

(a) Is a certified teacher; or

(b) Holds one of the educational credentials specified in s. 1002.55(4)(a) or (b).

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

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

(6) Notwithstanding ss. 1002.55(3)(e) and 1002.63(7), each prekindergarten class in the summer prekindergarten program, regardless of whether the class is a public school's or private prekindergarten provider's class, must be composed of at least 4 students but may not exceed 10 students. In order to protect the health and safety of students, each public school or private prekindergarten provider must also provide appropriate adult supervision for students at all times. This subsection does not supersede any requirement imposed on a provider under ss. 402.301-402.319.

(7) Each public school delivering the summer prekindergarten program must also:

(a) Register with the early learning coalition on forms prescribed by the Agency for Workforce Innovation; and

(b) Deliver the Voluntary Prekindergarten Education Program in accordance with this part.

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

(1) Each school district eligible under subsection (4) may administer the Voluntary Prekindergarten Education Program at the district level for students enrolled under s. 1002.53(3)(c) in a school-year prekindergarten program delivered by a public school.

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

(3) The district school board of each school district eligible under subsection (4) shall determine which public schools in the district are eligible to deliver the prekindergarten program during the school year.

(4) To be eligible to deliver the prekindergarten program during the school year, each school district must meet both of the following requirements:

(a) The district school board must certify to the State Board of Education that the school district:

1. Has reduced the average class size in each classroom in accordance with s. 1003.03 and the schedule in s. 1(a), Art. IX of the State Constitution; and

2. Has sufficient satisfactory educational facilities and capital outlay funds to continue reducing the average class size in each classroom in the district's elementary schools for each year in accordance with the schedule for class-size reduction and to achieve full compliance with the maximum class sizes in s. 1(a), Art. IX of the State Constitution by the beginning of the 2010-2011 school year.

(b) The Commissioner of Education must certify to the State Board of Education that the department has reviewed the school district's educational facilities, capital outlay funds, and projected student enrollment and concurs with the district school board's certification under paragraph (a).

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

(6) Each prekindergarten instructor employed by a public school delivering the school-year prekindergarten program must be of good moral character, must be screened using the level 2 screening standards in s. 435.04 before employment and rescreened at least once every 5 years, must be denied employment or terminated if required under s. 435.06, and must not be ineligible to teach in a public school because his or her educator certificate is suspended or revoked. This subsection does not supersede employment

requirements for instructional personnel in public schools which are more stringent than the requirements of this subsection.

(7) Each prekindergarten class in a public school delivering the school-year prekindergarten program must be composed of at least 4 students but may not exceed 18 students. In order to protect the health and safety of students, each school must also provide appropriate adult supervision for students at all times and, for each prekindergarten class composed of 11 or more students, must have, in addition to a prekindergarten instructor who meets the requirements of s. 1002.55(3)(c), at least one adult prekindergarten instructor who is not required to meet those requirements but who must meet each requirement of subsection (6).

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

(a) Register with the early learning coalition on forms prescribed by the Agency for Workforce Innovation; and

(b) Deliver the Voluntary Prekindergarten Education Program in accordance with this part.

1002.65 Professional credentials of prekindergarten instructors; aspirational goals; legislative intent.—

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

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

(a) By the 2010-2011 school year:

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

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

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

1002.67 Performance standards; curricula and accountability.—

(1) By April 1, 2005, the department shall develop and adopt performance standards for students in the Voluntary Prekindergarten Education

Program. The performance standards must address the age-appropriate progress of students in the development of:

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

(b) Emergent literacy skills, including oral communication, knowledge of print and letters, phonemic and phonological awareness, and vocabulary and comprehension development.

(2)(a) Each private prekindergarten provider and public school may select or design the curriculum that the provider or school uses to implement the Voluntary Prekindergarten Education Program, except as otherwise required for a provider or school that is placed on probation under paragraph (3)(c).

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

1. Be designed to prepare a student for early literacy;

2. Enhance the age-appropriate progress of students in attaining the performance standards adopted by the department under subsection (1); and

3. Prepare students to be ready for kindergarten based upon the state-wide kindergarten screening administered under s. 1002.69.

(c) The department shall review and approve curricula for use by private prekindergarten providers and public schools that are placed on probation under paragraph (3)(c). The department shall maintain a list of the curricula approved under this paragraph. Each approved curriculum must meet the requirements of paragraph (b).

(3)(a) Each early learning coalition shall verify that each private pre-kindergarten provider delivering the Voluntary Prekindergarten Education Program within the coalition's county or multicounty region complies with this part. Each district school board shall verify that each public school delivering the program within the school district complies with this part.

(b) If a private prekindergarten provider or public school fails or refuses to comply with this part, or if a provider or school engages in misconduct, the Agency for Workforce Innovation shall require the early learning coalition to remove the provider, and the Department of Education shall require the school district to remove the school, from eligibility to deliver the Voluntary Prekindergarten Education Program and receive state funds under this part.

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

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

3. A private prekindergarten provider or public school that is placed on probation must continue the corrective actions required under subparagraph 2., including the use of a curriculum approved by the department, until the provider or school meets the minimum rate adopted by the State Board of Education as satisfactory under s. 1002.69(6).

4. If a private prekindergarten provider or public school remains on probation for 2 consecutive years and fails to meet the minimum rate adopted by the State Board of Education as satisfactory under s. 1002.69(6), the Agency for Workforce Innovation shall require the early learning coalition or the Department of Education shall require the school district, as applicable, to remove the provider or school from eligibility to deliver the Voluntary Prekindergarten Education Program and receive state funds for the program.

(d) Each early learning coalition, the Agency for Workforce Innovation, and the department shall coordinate with the Child Care Services Program Office of the Department of Children and Family Services to minimize interagency duplication of activities for monitoring private prekindergarten providers for compliance with requirements of the Voluntary Prekindergarten Education Program under this part, the school readiness programs under s. 411.01, and the licensing of providers under ss. 402.301-402.319.

1002.69 Statewide kindergarten screening; kindergarten readiness rates.—

(1) The department shall adopt a statewide kindergarten screening that assesses the readiness of each student for kindergarten based upon the performance standards adopted by the department under s. 1002.67(1) for the Voluntary Prekindergarten Education Program. The department shall require that each school district administer the statewide kindergarten screening to each kindergarten student in the school district within the first 30 school days of each school year.

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

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

(4) Each parent who enrolls his or her child in the Voluntary Prekindergarten Education Program must submit the child for the statewide kinder-

garten screening, regardless of whether the child is admitted to kindergarten in a public school or nonpublic school. Each school district shall designate sites to administer the statewide kindergarten screening for children admitted to kindergarten in a nonpublic school.

(5) The State Board of Education shall adopt procedures for the department to annually calculate each private prekindergarten provider's and public school's kindergarten readiness rate, which must be expressed as the percentage of the provider's or school's students who are assessed as ready for kindergarten. The kindergarten readiness rates must be based exclusively upon the results of the statewide kindergarten screening for students completing the Voluntary Prekindergarten Education Program, beginning with students completing the program during the 2005-2006 school year who are administered the statewide kindergarten screening during the 2006-2007 school year. The rates must not include students who are not administered the statewide kindergarten screening.

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

(b) The minimum rate must not exceed the rate at which more than 15 percent of the kindergarten readiness rates of all private prekindergarten providers and public schools delivering the Voluntary Prekindergarten Education Program in the state would fall below the minimum rate.

1002.71 Funding; financial and attendance reporting.—

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

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

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

(b) For a student in a summer prekindergarten program delivered by a public school or private prekindergarten provider: 300 instructional hours.

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

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

(3)(a) The base student allocation per full-time equivalent student in the Voluntary Prekindergarten Education Program shall be provided in the

General Appropriations Act and shall be equal for each student, regardless of whether the student is enrolled in a school-year prekindergarten program delivered by a private prekindergarten provider, a summer prekindergarten program delivered by a public school or private prekindergarten provider, or a school-year prekindergarten program delivered by a public school.

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

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

(a) A child who, for any of the prekindergarten programs listed in s. 1002.53(3), has not completed more than 10 percent of the hours authorized to be reported for funding under subsection (2) may withdraw from the program for good cause, reenroll in one of the programs, and be reported for funding purposes as a full-time equivalent student in the program for which the child is reenrolled.

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

A child may reenroll only once in a prekindergarten program under this section. A child who reenrolls in a prekindergarten program under this subsection may not subsequently withdraw from the program and reenroll. The Agency for Workforce Innovation shall establish criteria specifying whether a good cause exists for a child to withdraw from a program under paragraph (a), whether a child has substantially completed a program under paragraph (b), and whether an extreme hardship exists which is beyond the child's or parent's control under paragraph (b).

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

(b) The Agency for Workforce Innovation shall adopt procedures for the payment of private prekindergarten providers and public schools delivering the Voluntary Prekindergarten Education Program. The procedures shall provide for the advance payment of providers and schools based upon student enrollment in the program, the certification of student attendance, and the reconciliation of advance payments in accordance with the uniform attendance policy adopted under paragraph (6)(d). The procedures shall provide for the monthly distribution of funds by the Agency for Workforce Innovation to the early learning coalitions for payment by the coalitions to private prekindergarten providers and public schools. The department shall

transfer to the Agency for Workforce Innovation at least once each quarter the funds available for payment to private prekindergarten providers and public schools in accordance with this paragraph from the funds appropriated for that purpose.

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

(b)1. Each private prekindergarten provider's and district school board's attendance policy must require the parent of each student in the Voluntary Prekindergarten Education Program to verify, each month, the student's attendance on the prior month's certified student attendance.

2. The parent must submit the verification of the student's attendance to the private prekindergarten provider or public school on forms prescribed by the Agency for Workforce Innovation. The forms must include, in addition to the verification of the student's attendance, a certification, in substantially the following form, that the parent continues to choose the private prekindergarten provider or public school in accordance with s. 1002.53 and directs that payments for the program be made to the provider or school:

VERIFICATION OF STUDENT'S ATTENDANCE
AND CERTIFICATION OF PARENTAL CHOICE

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

...(Signature of Parent)...

...(Date)...

3. The private prekindergarten provider or public school must keep each original signed form for at least 2 years. Each private prekindergarten provider must permit the early learning coalition, and each public school must permit the school district, to inspect the original signed forms during normal business hours. The Agency for Workforce Innovation shall adopt procedures for early learning coalitions and school districts to review the original signed forms against the certified student attendance. The review procedures shall provide for the use of selective inspection techniques, including, but not limited to, random sampling. Each early learning coalition and school district must comply with the review procedures.

(c) A private prekindergarten provider or school district, as applicable, may dismiss a student who does not comply with the provider's or district's attendance policy. A student dismissed under this paragraph is not removed from the Voluntary Prekindergarten Education Program and may continue in the program through reenrollment with another private prekindergarten

provider or public school. Notwithstanding s. 1002.53(6)(b), a school district is not required to provide for the admission of a student dismissed under this paragraph.

(d) The Agency for Workforce Innovation shall adopt, for funding purposes, a uniform attendance policy for the Voluntary Prekindergarten Education Program. The attendance policy must apply statewide and apply equally to all private prekindergarten providers and public schools. The attendance policy must establish a minimum requirement for student attendance and include the following provisions:

1. A student who meets the minimum requirement may be reported as a full-time equivalent student for funding purposes.

2. A student who does not meet the minimum requirement may be reported only as a fractional part of a full-time equivalent student, reduced pro rata based on the student's attendance.

3. A student who does not meet the minimum requirement may be reported as a full-time equivalent student if the student is absent for good cause in accordance with exceptions specified in the uniform attendance policy.

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

(7) The Agency for Workforce Innovation shall require that administrative expenditures be kept to the minimum necessary for efficient and effective administration of the Voluntary Prekindergarten Education Program. Each early learning coalition may retain and expend no more than 5 percent of the funds paid by the coalition to private prekindergarten providers and public schools under paragraph (5)(b). Funds retained by an early learning coalition under this subsection may be used only for administering the Voluntary Prekindergarten Education Program and may not be used for the school readiness program or other programs.

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

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

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

(9) A parent is responsible for the transportation of his or her child to and from the Voluntary Prekindergarten Education Program, regardless of whether the program is delivered by a private prekindergarten provider or a public school. However, a provider or school may use part of the funds it is paid under paragraph (5)(b) for transporting students to and from the

program. A student enrolled in the Voluntary Prekindergarten Education Program may not be reported under s. 1011.68 for student transportation funds.

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

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

(2) The department shall adopt procedures for the department's:

(a) Approval of prekindergarten director credentials under ss. 1002.55 and 1002.57.

(b) Approval of emergent literacy training courses under ss. 1002.55 and 1002.59.

(c) Certification of school districts that are eligible to deliver the school-year prekindergarten program under s. 1002.63.

(d) Administration of the statewide kindergarten screening and calculation of kindergarten readiness rates under s. 1002.69.

(3) Except as provided by law, the department may not impose requirements on a private prekindergarten provider that does not deliver the Voluntary Prekindergarten Education Program or receive state funds under this part.

1002.75 Agency for Workforce Innovation; powers and duties; operational requirements.—

(1) The Agency for Workforce Innovation shall administer the operational requirements of the Voluntary Prekindergarten Education Program at the state level.

(2) The Agency for Workforce Innovation shall adopt procedures governing the administration of the Voluntary Prekindergarten Education Program by the early learning coalitions and school districts for:

(a) Enrolling children in and determining the eligibility of children for the Voluntary Prekindergarten Education Program under s. 1002.53.

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

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

(d) Determining the eligibility of private prekindergarten providers to deliver the program under ss. 1002.55 and 1002.61.

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

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

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

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

(i) Reenrolling students dismissed by a private prekindergarten provider or public school for noncompliance with the provider's or school district's attendance policy under s. 1002.71.

(3) The Agency for Workforce Innovation shall adopt, in consultation with and subject to approval by the department, procedures governing the administration of the Voluntary Prekindergarten Education Program by the early learning coalitions and school districts for:

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

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

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

(4) The Agency for Workforce Innovation shall also adopt procedures for the agency's distribution of funds to early learning coalitions under s. 1002.71.

(5) Except as provided by law, the Agency for Workforce Innovation may not impose requirements on a private prekindergarten provider or public school that does not deliver the Voluntary Prekindergarten Education Program or receive state funds under this part.

1002.77 Florida Early Learning Advisory Council.—

(1) There is created the Florida Early Learning Advisory Council within the Agency for Workforce Innovation. The purpose of the advisory council is to submit recommendations to the department and the Agency for Workforce Innovation on the early learning policy of this state, including recommendations relating to administration of the Voluntary Prekindergarten Education Program under this part and the school readiness programs under s. 411.01.

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

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

(b) The chair of each early learning coalition.

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

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

The chair of the advisory council appointed by the Governor and the members appointed by the presiding officers of the Legislature must each have a background in early learning.

(3) The advisory council shall meet at least quarterly but may meet as often as necessary to carry out its duties and responsibilities.

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

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

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

(5) The Agency for Workforce Innovation shall provide staff and administrative support for the advisory council.

1002.79 Rulemaking authority.—

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

(2) The Agency for Workforce Innovation shall adopt rules under ss. 120.536(1) and 120.54 to administer the provisions of this part conferring duties upon the agency.

Section 2. Section 411.01, Florida Statutes, is amended to read:

411.01 Florida Partnership for School readiness programs; early learning school readiness coalitions.—

(1) SHORT TITLE.—This section may be cited as the “School Readiness Act.”

(2) LEGISLATIVE INTENT.—

(a) The Legislature recognizes that school readiness programs increase children’s chances of achieving future educational success and becoming productive members of society. It is the intent of the Legislature that the ~~such~~ programs be developmentally appropriate, research-based, involve parents as their child’s first teacher, serve as preventive measures for children at risk of future school failure, enhance the educational readiness of eligible children, and support family education. Each school readiness program shall provide the elements necessary to prepare at-risk children for

school, including health screening and referral and an appropriate educational program.

(b) It is the intent of the Legislature that school readiness programs be operated on a full-day, year-round basis to the maximum extent possible to enable parents to work and become financially self-sufficient.

(c) It is the intent of the Legislature that school readiness programs not exist as isolated programs, but build upon existing services and work in cooperation with other programs for young children, and that school readiness programs be coordinated ~~and funding integrated~~ to achieve full effectiveness.

(d) It is the intent of the Legislature that the administrative staff at the state level for school readiness programs be kept to the minimum necessary to ~~administer~~ carry out the duties of the Agency for Workforce Innovation Florida Partnership for School Readiness, as the school readiness programs are to be regionally ~~locally~~ designed, operated, and managed, with the Agency for Workforce Innovation Florida Partnership for School Readiness ~~adopting a system for measuring school readiness~~; developing school readiness program performance standards ~~and~~, outcome measures ~~measurements, and data design and review~~; and approving and reviewing early learning coalitions and ~~local school readiness coalitions and~~ plans.

(e) It is the intent of the Legislature that appropriations for combined school readiness programs shall not be less than the programs would receive in any fiscal year on an uncombined basis.

(f) It is the intent of the Legislature that the school readiness program coordinate and operate in conjunction with the district school systems. However, it is also the intent of the Legislature that the school readiness program not be construed as part of the system of free public schools but rather as a separate program for children under the age of kindergarten eligibility, funded separately from the system of free public schools, utilizing a mandatory sliding fee scale, and providing an integrated and seamless system of school readiness services for the state's birth-to-kindergarten population.

(g) It is the intent of the Legislature that the federal child care income tax credit be preserved for school readiness programs.

(h) It is the intent of the Legislature that school readiness services shall be an integrated and seamless system of services with a developmentally appropriate education component for the state's eligible birth-to-kindergarten population described in subsection (6) and shall not be construed as part of the seamless K-20 education system ~~except for the administration of the uniform screening system upon entry into kindergarten.~~

(3) PARENTAL PARTICIPATION IN SCHOOL READINESS PROGRAMS PROGRAM.—

~~(a) The school readiness program shall be phased in on a coalition-by-coalition basis. Each coalition's school readiness program shall have available to it funding from all the coalition's early education and child care~~

~~programs that are funded with state, federal, lottery, or local funds, including but not limited to Florida First Start programs, Even Start literacy programs, prekindergarten early intervention programs, Head Start programs, programs offered by public and private providers of child care, migrant prekindergarten programs, Title I programs, subsidized child care programs, and teen parent programs, together with any additional funds appropriated or obtained for purposes of this section. These programs and their funding streams shall be components of the coalition's integrated school readiness program, with the goal of preparing children for success in school.~~

~~(b) Nothing contained in This section does not act is intended to:~~

~~(a)1. Relieve parents and guardians of their own obligations to prepare ready their children for school; or~~

~~(b)2. Create any obligation to provide publicly funded school readiness programs or services beyond those authorized by the Legislature.~~

~~(4) AGENCY FOR WORKFORCE INNOVATION FLORIDA PARTNERSHIP FOR SCHOOL READINESS.—~~

~~(a) The Agency for Workforce Innovation shall Florida Partnership for School Readiness was created to fulfill three major purposes: to administer school readiness programs at the state level and shall program services that help parents prepare eligible children for school; to coordinate the early learning coalitions in providing provision of school readiness services on a full-day, full-year, full-choice basis to the extent possible in order to enable parents to work and be financially self-sufficient; and to establish a uniform screening instrument to be implemented by the Department of Education and administered by the school districts upon entry into kindergarten to assess the readiness for school of all children. Readiness for kindergarten is the outcome measure of the success of each school readiness program that receives state or federal funds. The partnership is assigned to the Agency for Workforce Innovation for administrative purposes.~~

~~(b) The Agency for Workforce Innovation Florida Partnership for School Readiness shall:~~

~~1. Coordinate the birth-to-kindergarten services for children who are eligible under pursuant to subsection (6) and the programmatic, administrative, and fiscal standards under pursuant to this section for all public providers of school readiness programs.~~

~~2. Continue to provide unified leadership for school readiness through early learning local school readiness coalitions.~~

~~3. Focus on improving the educational quality of all publicly funded school readiness programs.~~

~~(e)1. The Florida Partnership for School Readiness shall include the Lieutenant Governor, 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 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 14 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 have a direct contract with any local coalition to provide school readiness services. The members must be geographically and demographically representative of the state. Each member shall be appointed by the Governor from a list of nominees submitted by the President of the Senate and the Speaker of the House of Representatives. By July 1, 2001, four members shall be appointed as follows: two members shall be from the child care industry, one representing the private for-profit sector appointed by the Governor from a list of two nominees submitted by the President of the Senate and one representing faith-based providers appointed by the Governor from a list of two nominees submitted by the Speaker of the House of Representatives; and two members shall be from the business community, one appointed by the Governor from a list of two nominees submitted by the President of the Senate and one appointed by the Governor from a list of two nominees submitted by the Speaker of the House of Representatives. Members shall be appointed to 4-year terms of office. 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.~~

(d) ~~The partnership shall meet at least quarterly but may meet as often as it deems necessary to carry out its duties and responsibilities. Members of the partnership shall participate without proxy at the quarterly meetings. The partnership may take official action by a majority vote of the members present at any meeting at which a quorum is present.~~

(e) ~~Members of the partnership are subject to the ethics provisions in part III of chapter 112, and no member may derive any financial benefit from the funds administered by the Florida Partnership for School Readiness.~~

(f) ~~Members of the partnership shall serve without compensation but are entitled to reimbursement for per diem and travel expenses incurred in the performance of their duties as provided in s. 112.061, and reimbursement for other reasonable, necessary, and actual expenses.~~

(g) ~~For the purposes of tort liability, the members of the partnership and its employees shall be governed by s. 768.28.~~

(h) ~~The partnership shall appoint an executive director who shall serve at the pleasure of the Governor. The executive director shall perform the duties assigned to him or her by the partnership. The executive director shall be responsible for hiring, subject to the approval of the partnership, all employees and staff members, who shall serve under his or her direction and control.~~

(c)(i) For purposes of administration of the federal Child Care and Development Fund, 45 C.F.R. parts 98 and 99, the Agency for Workforce Innovation partnership may be designated by the Governor as the lead agency, and, if so designated, shall comply with the lead agency responsibilities under pursuant to federal law.

(d)(j) ~~The Agency for Workforce Innovation Florida Partnership for School Readiness is the principal organization responsible for the enhancement of school readiness for the state's children, and shall:~~

1. Be responsible for the prudent use of all public and private funds in accordance with all legal and contractual requirements.

2. Provide final approval and periodic review of early learning coalitions and school readiness plans.

3. Provide leadership for the enhancement of school readiness in this state by aggressively establishing a unified approach to the state's efforts toward enhancement of school readiness. In support of this effort, the Agency for Workforce Innovation partnership may develop and implement specific strategies that address the state's school readiness programs.

4. Safeguard the effective use of federal, state, local, and private resources to achieve the highest possible level of school readiness for the state's children in this state.

5. Provide technical assistance to early learning coalitions.

6. Assess gaps in service.

7. Provide technical assistance to counties that form a multicounty region served by an early learning coalition.

~~8.a.— Adopt a system for measuring school readiness that provides objective data regarding the expectations for school readiness, and establish a method for collecting the data and guidelines for using the data. The measurement, the data collection, and the use of the data must serve the state-wide school readiness goal. The criteria for determining which data to collect should be the usefulness of the data to state policymakers and local program administrators in administering programs and allocating state funds, and must include the tracking of school readiness system information back to individual school readiness programs to assist in determining program effectiveness.~~

~~b.— Adopt a system for evaluating the performance of students through the third grade to compare the performance of those who participated in school readiness programs with the performance of students who did not participate in school readiness programs in order to identify strategies for continued successful student performance.~~

8.9. Develop and adopt performance standards and outcome measures for school readiness programs. The performance standards must address the age-appropriate progress of children in the development of the school readiness skills required under paragraph (j). The performance standards for

children from birth to 3 years of age in school readiness programs must be integrated with the performance standards adopted by the Department of Education for children in the Voluntary Prekindergarten Education Program under s. 1002.67.

~~(e)(k)~~ The Agency for Workforce Innovation partnership may adopt rules under ss. 120.536(1) and 120.54 necessary to administer the provisions of law conferring duties upon the agency, including, but not limited to, rules governing the preparation preparing and implementation of implementing the system for school readiness system, the collection of collecting data, the approval of early learning approving local school readiness coalitions and school readiness plans, the provision of providing a method whereby an early learning a coalition may can serve two or more counties, the award of awarding incentives to early learning coalitions, and the issuance of issuing waivers.

~~(f)(l)~~ The Agency for Workforce Innovation Florida Partnership for School Readiness shall have all powers necessary to administer carry out the purposes of this section, including, but not limited to, the power to receive and accept grants, loans, or advances of funds from any public or private agency and to receive and accept from any source contributions of money, property, labor, or any other thing of value, to be held, used, and applied for the purposes of this section.

(g) Except as provided by law, the Agency for Workforce Innovation may not impose requirements on a child care or early childhood education provider that does not deliver services under a school readiness program or receive state or federal funds under this section.

~~(h)(m)~~ The Agency for Workforce Innovation Florida Partnership for School Readiness shall have a budget for the school readiness system, which and shall be financed through an annual appropriation made for purposes of this section purpose in the General Appropriations Act.

~~(i)(n)~~ The Agency for Workforce Innovation partnership shall coordinate the efforts toward school readiness in this state and provide independent policy analyses and recommendations to the Governor, the State Board of Education, and the Legislature.

~~(j)(o)~~ The Agency for Workforce Innovation shall require that each early learning coalition's The partnership shall prepare and submit to the State Board of Education a system for measuring school readiness program. The system must, at a minimum, enhance the age-appropriate progress of each child in the development of include a uniform screening, which shall provide objective data regarding the following expectations for school readiness skills which shall include, at a minimum:

~~1. The child's immunizations and other health requirements as necessary, including appropriate vision and hearing screening and examinations.~~

~~2. The child's physical development.~~

~~1.3. The child's Compliance with rules, limitations, and routines.~~

- ~~2.4.~~ The child's Ability to perform tasks.
- ~~3.5.~~ The child's Interactions with adults.
- ~~4.6.~~ The child's Interactions with peers.
- ~~5.7.~~ The child's Ability to cope with challenges.
- ~~6.8.~~ The child's Self-help skills.
- ~~7.9.~~ The child's Ability to express the child's his or her needs.
- ~~8.10.~~ The child's Verbal communication skills.
- ~~9.11.~~ The child's Problem-solving skills.
- ~~10.12.~~ The child's Following of verbal directions.
- ~~11.13.~~ The child's Demonstration of curiosity, persistence, and exploratory behavior.
- ~~12.14.~~ The child's Interest in books and other printed materials.
- ~~13.15.~~ The child's Paying attention to stories.
- ~~14.16.~~ The child's Participation in art and music activities.
- ~~15.17.~~ The child's Ability to identify colors, geometric shapes, letters of the alphabet, numbers, and spatial and temporal relationships.

The Agency for Workforce Innovation shall also require that, before a child is enrolled in an early learning coalition's school readiness program, the coalition must ensure that information is obtained by the coalition or the school readiness provider regarding the child's immunizations, physical development, and other health requirements as necessary, including appropriate vision and hearing screening and examinations.

~~(p) The partnership shall prepare a plan for implementing the system for measuring school readiness in such a way that all children in this state will undergo the uniform screening established by the partnership when they enter kindergarten. Children who enter public school for the first time in first grade must undergo a uniform screening approved by the partnership for use in first grade. Because children with disabilities may not be able to meet all of the identified expectations for school readiness, the plan for measuring school readiness shall incorporate mechanisms for recognizing the potential variations in expectations for school readiness when serving children with disabilities and shall provide for communities to serve children with disabilities.~~

~~(k)(q) The Agency for Workforce Innovation partnership shall conduct studies and planning activities related to the overall improvement and effectiveness of the outcome school readiness measures adopted by the agency for school readiness programs.~~

(l) The Agency for Workforce Innovation shall monitor and evaluate the performance of each early learning coalition in administering the school readiness program, implementing the coalition's school readiness plan, and administering the Voluntary Prekindergarten Education Program. These monitoring and performance evaluations must include, at a minimum, on-site monitoring of each coalition's finances, management, operations, and programs.

(m) The Agency for Workforce Innovation shall identify best practices of early learning coalitions in order to improve the outcomes of school readiness programs.

~~(r) The partnership shall establish procedures for performance-based budgeting in school readiness programs.~~

~~(n)(s) The Agency for Workforce Innovation partnership shall submit an annual report of its activities conducted under this section to the Governor, the executive director of the Florida Healthy Kids Corporation, the President of the Senate, the Speaker of the House of Representatives, and the minority leaders of both houses of the Legislature. In addition, the Agency for Workforce Innovation's partnership's reports and recommendations shall be made available to the State Board of Education, the Florida Early Learning Advisory Council, other appropriate state agencies and entities, district school boards, central agencies for child care, and county health departments. The annual report must provide an analysis of school readiness activities across the state, including the number of children who were served in the programs and the number of children who were ready for school.~~

~~(o)(t) The Agency for Workforce Innovation partnership shall work with the early learning school readiness coalitions to increase parents' training for and involvement in their children's preschool education and to provide family literacy activities and programs.~~

~~To ensure that the system for measuring school readiness is comprehensive and appropriate statewide, as the system is developed and implemented, the partnership must consult with representatives of district school systems, providers of public and private child care, health care providers, large and small employers, experts in education for children with disabilities, and experts in child development.~~

(5) CREATION OF EARLY LEARNING SCHOOL READINESS COALITIONS.—

(a) Early learning School readiness coalitions.—

1. The Agency for Workforce Innovation shall establish the minimum number of children to be served by each early learning coalition through the coalition's school readiness program. The Agency for Workforce Innovation may only approve school readiness plans in accordance with this minimum number. The minimum number must be uniform for every early learning coalition and must:

- a. Permit 30 or fewer coalitions to be established; and
- b. Require each coalition to serve at least 2,000 children based upon the average number of all children served per month through the coalition's school readiness program during the previous 12 months.

The Agency for Workforce Innovation shall adopt procedures for merging early learning coalitions, including procedures for the consolidation of merging coalitions, and for the early termination of the terms of coalition members which are necessary to accomplish the mergers. Each early learning coalition must comply with the merger procedures and shall be organized in accordance with this subparagraph by April 1, 2005. By June 30, 2005, each coalition must complete the transfer of powers, duties, functions, rules, records, personnel, property, and unexpended balances of appropriations, allocations, and other funds to the successor coalition, if applicable.

2.1. If an early learning coalition a coalition's plan would serve fewer less than 400 birth-to-kindergarten age children than the minimum number established under subparagraph 1., the coalition must merge either join with another county to form a multicounty coalition. However, the Agency for Workforce Innovation may authorize an early learning coalition to serve fewer children than the minimum number established under subparagraph 1., if:

- a. The coalition demonstrates to the Agency for Workforce Innovation that merging with another county or multicounty region contiguous to the coalition would cause an extreme hardship on the coalition;
- b. The Agency for Workforce Innovation has determined during the most recent annual review of the coalition's school readiness plan, or through monitoring and performance evaluations conducted under paragraph (4)(l), that the coalition has substantially implemented its plan and substantially met the performance standards and outcome measures adopted by the agency; and
- c. The coalition demonstrates to the Agency for Workforce Innovation the coalition's, 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 the Voluntary Prekindergarten Education Program its plan as a single-county coalition and meet all required performance standards and outcome measures.

If an early learning coalition fails or refuses to merge as required by this subparagraph, the Agency for Workforce Innovation may dissolve the coalition and temporarily contract with a qualified entity to continue school readiness and prekindergarten services in the coalition's county or multicounty region until the coalition is reestablished through resubmission of a school readiness plan and approval by the agency.

3. Each early learning coalition shall be composed of at least 18 members but not more than 35 members. The Agency for Workforce Innovation shall adopt standards establishing within this range the minimum and maximum

number of members that may be appointed to an early learning coalition. These standards must include variations for a coalition serving a multi-county region. Each early learning coalition must comply with these standards.

4. The Governor shall appoint the chair and two other members of each early learning coalition, who must each meet the same qualifications as private-sector business members appointed by the coalition under subparagraph 6.

~~5.2. Each early learning coalition shall have at least 18 but not more than 25 members and such members must include the following members:~~

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, who shall be a nonvoting member.

c. A regional workforce development board executive chair or director or his or her designee, 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, who shall be a nonvoting member if the council or board is the fiscal agent of the coalition or if the council or board contracts with and receives funds from the coalition.

f. An agency head of a local child care licensing agency as defined in s. 402.302, where applicable head.

g. A president of a community college or his or her designee.

~~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.~~

i.j. A central child care agency administrator, where applicable, who shall be a nonvoting member.

j.k. A Head Start director, who shall be a nonvoting member.

k.l. A representative of private child care providers, including family day care homes, who shall be a nonvoting member.

l.m. A representative of faith-based child care providers, who shall be a nonvoting member.

m. A representative of programs for children with disabilities under the federal Individuals with Disabilities Education Act, who shall be a nonvoting member.

6. Including the members appointed by the Governor under subparagraph 4., more than one-third of the coalition members of each early learning coalition must be private-sector business members who do not have, and none of whose relatives as defined in s. 112.3143 has, a substantial financial interest in the design or delivery of the Voluntary Prekindergarten Education Program created under part V of chapter 1002 or the coalition's school readiness program 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 an early learning a coalition must appoint additional members from a list of nominees submitted presented to the coalition by a chamber of commerce or economic development council within the geographic region served by area of the coalition. The Agency for Workforce Innovation shall establish criteria for appointing private-sector business members. These criteria must include standards for determining whether a member or relative has a substantial financial interest in the design or delivery of the Voluntary Prekindergarten Education Program or the coalition's school readiness program.

7. A majority of the voting membership of an early learning coalition constitutes a quorum required to conduct the business of the coalition.

8.3. A voting No member of an early learning a coalition may not appoint a designee to act in his or her place, except as otherwise provided in this paragraph. A voting member may send a representative to coalition meetings, but that representative does not 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 an early learning a school readiness coalition, the designee is will be the voting member of the coalition, and any individual attending in the designee's his or her place, including the district administrator or superintendent, does not will have no voting privileges.

9.4. Each member Members of an early learning the coalition is are subject to ss. 112.313, 112.3135, and 112.3143 the ethics provisions in part III of chapter 112. For purposes of s. 112.3143(3)(a), each voting member is a local public officer who must abstain from voting when a voting conflict exists.

10.5. For the purposes of tort liability, each member or employee of an early learning the members of the school readiness coalition and its employees shall be governed by s. 768.28.

11.6. An early learning coalition serving a multicounty region must coalitions shall include representation from each county.

12.7. Each early learning coalition shall establish The terms for of all appointed members of the coalition. The terms must be staggered and must be a uniform length that does not exceed 4 years per term. Appointed mem-

bers may serve a maximum of two consecutive terms. When a vacancy occurs in an appointed position, the coalition must advertise the vacancy.

(b) Program participation.—The school readiness program shall be established for children from birth to the beginning of the school year for which a child is eligible for admission to 5 years of age or until the child enters kindergarten in a public school under s. 1003.21(1)(a)2. The program shall be administered by the early learning school readiness coalition. Within funding limitations, the early learning school readiness coalition, along with all providers, shall make reasonable efforts to accommodate the needs of children for extended-day and extended-year services without compromising the quality of the program.

(c) Program expectations.—

1. The school readiness program must meet the following expectations:

a. The program must, at a minimum, enhance the age-appropriate progress of each child in the development of the school readiness skills required under paragraph (4)(j) prepare preschool children to enter kindergarten ready to learn, as measured by the performance standards and outcome measures adopted ~~criteria established by the~~ Agency for Workforce Innovation Florida Partnership for School Readiness.

b. The program must provide extended-day and extended-year services to the maximum extent possible to meet the needs of parents who work.

c. There must be coordinated staff development and teaching opportunities.

d. There must be expanded access to community services and resources for families to help achieve economic self-sufficiency.

e. There must be a single point of entry and unified waiting list. As used in this sub-subparagraph, the term “single point of entry” means an integrated information system that allows a parent to enroll his or her child in the school readiness program at various locations throughout the county or multicounty region served by an early learning coalition, that may allow a parent to enroll his or her child by telephone or through an Internet website, and that uses a unified waiting list to track eligible children waiting for enrollment in the school readiness program. The Agency for Workforce Innovation shall establish a single statewide information system that integrates each early learning coalition’s single point of entry, and each coalition must use the statewide system.

f. The Agency for Workforce Innovation must consider the access of eligible children to the school readiness program, as demonstrated in part by waiting lists, before approving a proposed increase in payment rates submitted by an early learning coalition. In addition, early learning coalitions shall use school readiness funds made available due to enrollment shifts from school readiness programs to the Voluntary Prekindergarten Education Program for increasing the number of children served in school readiness programs before increasing payment rates.

f. ~~As long as funding or eligible populations do not decrease, the program must serve at least as many children as were served prior to implementation of the program.~~

g. There must be a community plan to address the needs of all eligible children.

h. The program must meet all state licensing guidelines, where applicable.

2. ~~The early learning school readiness coalition must implement a comprehensive program of school readiness services that enhance the cognitive, social, and physical development of children to achieve the performance standards and outcome measures adopted specified by the Agency for Workforce Innovation partnership. At a minimum, these programs must contain the following elements:~~

a. ~~Developmentally appropriate curriculum designed to enhance the age-appropriate progress of children in attaining the performance standards adopted by the Agency for Workforce Innovation under subparagraph (4)(d)8.~~

b. A character development program to develop basic values.

c. An age-appropriate assessment of each child's development.

d. A pretest administered to children when they enter a program and a posttest administered to children when they leave the program.

e. An appropriate staff-to-children ~~staff-to-child~~ ratio.

f. A healthy ~~healthful~~ and safe environment.

g. A resource and referral network to assist parents in making an informed choice.

(d) Implementation.—

1. ~~An early learning coalition may not implement the school readiness program is to be phased in. until the coalition is authorized implements its plan, the county shall continue to receive the services identified in subsection (3) through the various agencies that would be responsible for delivering those services under current law. Plan implementation is subject to approval of the coalition's school readiness coalition and the plan by the Agency for Workforce Innovation Florida Partnership for School Readiness.~~

2. ~~Each early learning school readiness coalition shall develop a plan for implementing the school readiness program to meet the requirements of this section and the performance standards and outcome measures adopted established by the Agency for Workforce Innovation partnership. The plan must include a written description of the role of the program in the coalition's effort to meet the first state education goal, readiness to start school, including a description of the plan to involve the prekindergarten early intervention programs, Head Start Programs, programs offered by public or~~

private providers of child care, preschool programs for children with disabilities, programs for migrant children, Title I programs, subsidized child care programs, and teen parent programs. The plan must also demonstrate how the program will ensure that each 3-year-old and 4-year-old child in a publicly funded school readiness program receives scheduled activities and instruction designed to enhance the age-appropriate progress of the prepare children in attaining the performance standards adopted by the Agency for Workforce Innovation under subparagraph (4)(d)8. to enter kindergarten ready to learn. Before ~~implementing~~ Prior to implementation of the school readiness program, the early learning school readiness coalition must submit the plan to the Agency for Workforce Innovation partnership for approval. The Agency for Workforce Innovation partnership may approve the plan, reject the plan, or approve the plan with conditions. The Agency for Workforce Innovation Florida Partnership for School Readiness shall review school readiness coalition plans at least annually.

3. If the Agency for Workforce Innovation determines during the annual review of school readiness plans, or through monitoring and performance evaluations conducted under paragraph (4)(1), that an early learning coalition has not substantially implemented its plan, has not substantially met the performance standards and outcome measures adopted by the agency, or has not effectively administered the school readiness program or Voluntary Prekindergarten Education Program, the Agency for Workforce Innovation may dissolve the coalition and temporarily contract with a qualified entity to continue school readiness and prekindergarten services in the coalition's county or multicounty region until the coalition is reestablished through resubmission of a school readiness plan and approval by the agency.

4.3. The Agency for Workforce Innovation shall adopt criteria for the approval of school readiness plans. The criteria must be consistent with the performance standards and outcome measures adopted by the agency and must require each approved plan to for the school readiness program must include the following minimum standards and provisions:

a. A sliding fee scale establishing a copayment for parents based upon their ability to pay, which is the same for all program providers, to be implemented and reflected in each program's budget.

b. A choice of settings and locations in licensed, registered, religious-exempt, or school-based programs to be provided to parents.

c. Instructional staff who have completed the training course as required in s. 402.305(2)(d)1., as well as staff who have additional training or credentials as required by the Agency for Workforce Innovation partnership. The plan must provide a method for assuring the qualifications of all personnel in all program settings.

d. Specific eligibility priorities for children within the early learning coalition's county or multicounty region in accordance with pursuant to subsection (6).

e. Performance standards and outcome measures adopted ~~established~~ by the Agency for Workforce Innovation partnership ~~or alternatively, stand-~~

~~ards and outcome measures to be used until such time as the partnership adopts such standards and outcome measures.~~

f. ~~Payment Reimbursement rates adopted that have been developed by the early learning coalition and approved by the Agency for Workforce Innovation. Payment Reimbursement rates may shall~~ not have the effect of limiting parental choice or creating standards or levels of services that have not been authorized by the Legislature.

g. Systems support services, including a central agency, child care resource and referral, eligibility determinations, training of providers, and parent support and involvement.

h. Direct enhancement services to families and children. System support and direct enhancement services shall be in addition to payments for the placement of children in school readiness programs.

i. ~~The A business organization of the early learning coalition plan, which must include the coalition's articles of incorporation and bylaws if the coalition is organized as a corporation. If the coalition is not organized as a corporation or other business entity, the plan must include the contract with a fiscal school readiness agent if the coalition is not a legally established corporate entity. An early learning coalition Coalitions may contract with other coalitions to achieve efficiency in multicounty multiple-county services, and these such contracts may be part of the coalition's school readiness business plan.~~

j. Strategies to meet the needs of unique populations, such as migrant workers.

As part of the school readiness plan, the early learning coalition may request the Governor to apply for a waiver to allow the coalition to administer the Head Start Program to accomplish the purposes of the school readiness program. If ~~a any~~ school readiness plan demonstrates can demonstrate that specific statutory goals can be achieved more effectively by using procedures that require modification of existing rules, policies, or procedures, a request for a waiver to the Agency for Workforce Innovation partnership may be submitted made as part of the plan. Upon review, the Agency for Workforce Innovation partnership may grant the proposed modification.

5.4. Persons with an early childhood teaching certificate may provide support and supervision to other staff in the school readiness program.

6.5. An early learning ~~The coalition may not implement its school readiness plan until it submits the plan to and receives approval from the Agency for Workforce Innovation partnership. Once the plan is has been approved, the plan and the services provided under the plan shall be controlled by the early learning coalition rather than by the state agencies or departments. The plan shall be reviewed and revised as necessary, but at least biennially. An early learning coalition may not implement the revisions until the coalition submits the revised plan to and receives approval from the Agency for Workforce Innovation. If the Agency for Workforce Innovation rejects a~~

revised plan, the coalition must continue to operate under its prior approved plan.

~~7.6. Sections~~ The following statutes will not apply to local coalitions with approved plans: ss. 125.901(2)(a)3., 411.221, and 411.232 do not apply to an early learning coalition with an approved school readiness plan. To facilitate innovative practices and to allow the regional local establishment of school readiness programs, an early learning a school readiness coalition may apply to the Governor and Cabinet for a waiver of, and the Governor and Cabinet may waive, any of the provisions of ss. 411.223, 411.232, and 1003.54, if the waiver is necessary for implementation of the coalition's school readiness plan.

~~8.7. Two or more counties may join for purposes~~ the purpose of planning and implementing a school readiness program.

~~9.8. An early learning A coalition may, subject to approval by of the Agency for Workforce Innovation partnership as part of the coalition's school readiness plan, receive subsidized child care funds for all children eligible for any federal subsidized child care program and be the provider of the program services.~~

~~10.9. An early learning coalition may~~ Coalitions are authorized to enter into multiparty contracts with multicounty service providers in order to meet the needs of unique populations such as migrant workers.

(e) Requests for proposals; payment schedule.—

~~1. At least once every 3 years, beginning July 1, 2001, Each early learning coalition must comply with follow the competitive procurement requirements of s. 287.057 for the procurement of commodities or contractual services from the funds described in paragraph (9)(d) school readiness programs. The period of a contract for purchase of these commodities or contractual services, together with any renewal of the original contract, may not exceed 3 years.~~

~~2. Each early learning coalition shall adopt develop a payment schedule that encompasses all programs funded by the that coalition under this section. The payment schedule must take into consideration the relevant market rate, must include the projected number of children to be served, and must be submitted for approval by to the Agency for Workforce Innovation partnership for information. Informal child care arrangements shall be reimbursed at not more than 50 percent of the rate developed for a family day care home child care.~~

~~(f) Requirements relating to fiscal agents.—If an early learning the local coalition is not a legally organized as a corporation or other business established corporate entity, the coalition must designate a fiscal agent, which may be a public entity, or a private nonprofit organization, or a certified public accountant who holds a license under chapter 473. The fiscal agent must shall be required to provide financial and administrative services under pursuant to a contract or agreement with the early learning school readiness coalition. The fiscal agent may not provide direct early childhood~~

education or child care services; however, a fiscal agent may provide those ~~such~~ services upon written request of the early learning coalition to the Agency for Workforce Innovation partnership and upon the approval of the ~~such~~ request by the agency partnership. The cost of the financial and administrative services shall be negotiated between the fiscal agent and the early learning school readiness coalition. If the fiscal agent is a provider of early childhood education and child care programs, the contract must specify that the fiscal agent shall ~~will~~ act on policy direction from the early learning coalition and must ~~will~~ not receive policy direction from its own corporate board regarding disbursement of the coalition's coalition funds. The fiscal agent shall disburse funds in accordance with the early learning coalition's approved ~~coalition~~ school readiness plan and based on billing and disbursement procedures approved by the Agency for Workforce Innovation partnership. The fiscal agent must conform to all data-reporting requirements established by the Agency for Workforce Innovation partnership.

(g) Evaluation and annual report.—Each early learning school readiness coalition shall conduct an evaluation of the effectiveness of the school readiness program, including performance standards and outcome measures, and shall provide an annual report and fiscal statement to the Agency for Workforce Innovation Florida Partnership for School Readiness. This report must conform to the content and format specifications set by the Agency for Workforce Innovation Florida Partnership for School Readiness. The Agency for Workforce Innovation partnership must include an analysis of the early learning coalitions' coalition reports in the agency's its annual report.

(6) PROGRAM ELIGIBILITY.—Each early learning coalition's ~~The~~ school readiness program shall be established for children from birth to the beginning of the school year for which a child is eligible for admission to under the age of kindergarten in a public school under s. 1003.21(1)(a)2. eligibility. Priority for participation in the school readiness program shall be given to children age 3 years to school entry who are served by the Family Safety Program Office of the Department of Children and Family Services or a community-based lead agency under pursuant to chapter 39 and for whom child care is needed to minimize risk of further abuse, neglect, or abandonment. Other eligible populations include children who meet one or more of the following criteria:

(a) Children under the age of kindergarten eligibility who are:

1. Children determined to be at risk of abuse, neglect, or exploitation who are currently clients of the Family Safety Program Office of the Department of Children and Family Services, but who are not otherwise given priority under this subsection.

2.1. Children at risk of welfare dependency, including economically disadvantaged children, children of participants in the welfare transition program, children of migrant farmworkers, and children of teen parents.

3.2. Children of working families whose family income does not exceed 150 percent of the federal poverty level.

4.3. Children for whom the state is paying a relative caregiver payment under s. 39.5085.

(b) Three-year-old children and 4-year-old children who may not be economically disadvantaged but who have disabilities, have been served in a specific part-time or combination of part-time exceptional education programs with required special services, aids, or equipment, and were previously reported for funding part time with the Florida Education Finance Program as exceptional students.

(c) Economically disadvantaged children, children with disabilities, and children at risk of future school failure, from birth to 4 years of age, who are served at home through home visitor programs and intensive parent education programs ~~such as the Florida First Start Program.~~

(d) Children who meet federal and state eligibility requirements ~~for eligibility~~ for the migrant preschool program but who do not meet the criteria of economically disadvantaged.

As used in this subsection, the term ~~An~~ “economically disadvantaged” child means a child whose family income does not exceed ~~is below~~ 150 percent of the federal poverty level. Notwithstanding any change in a family’s economic status, but subject to additional family contributions in accordance with the sliding fee scale, a child who meets the eligibility requirements upon initial registration for the program remains ~~shall be considered~~ eligible until the beginning of the school year for which ~~the child is eligible for admission to reaches~~ kindergarten in a public school under s. 1003.21(1)(a)2. age.

(7) PARENTAL CHOICE.—

(a) The school readiness program shall provide parental choice through ~~pursuant to~~ a purchase service order that ensures, to the maximum extent possible, flexibility in school readiness programs and payment arrangements. According to federal regulations requiring parental choice, a parent may choose an informal child care arrangement. The purchase order must bear the name of the beneficiary and the program provider and, when redeemed, must bear the signature of both the beneficiary and an authorized representative of the provider.

(b) If it is determined that a provider has provided any cash to the beneficiary in return for receiving the purchase order, the early learning coalition or its fiscal agent shall refer the matter to the Division of Public Assistance Fraud for investigation.

(c) The office of the Chief Financial Officer shall establish an electronic transfer system for the disbursement of funds in accordance with this subsection. Each early learning coalition ~~School readiness coalitions~~ shall fully implement the electronic funds transfer system within 2 years after plan ~~approval of the coalition’s school readiness plan,~~ unless a waiver is obtained from the Agency for Workforce Innovation ~~partnership.~~

(8) ~~STANDARDS; OUTCOME MEASURES.—All publicly funded school readiness programs must shall be required to meet the performance standards and outcome measures adopted developed and approved by the Agency for Workforce Innovation partnership. The Office of Program Policy Analysis and Government Accountability shall provide consultation to the partnership in the development of the measures and standards. These performance standards and outcome measures shall be applicable on a statewide basis.~~

(9) ~~FUNDING; SCHOOL READINESS PROGRAM.—~~

(a) It is the intent of this section to establish an integrated and quality seamless service delivery system for all publicly funded early childhood education and child care programs operating in this state.

(b) ~~Notwithstanding s. 20.50:~~

1. The Agency for Workforce Innovation shall administer school readiness funds, plans, and policies ~~pursuant to the contract with the Florida Partnership for School Readiness~~ and shall prepare and submit a unified budget request for the school readiness system program in accordance with chapter 216.

2. All instructions to early learning local school readiness coalitions for administering this section shall emanate from the Agency for Workforce Innovation in accordance with the ~~pursuant to~~ policies of the Legislature, ~~plans of the Florida Partnership for School Readiness, and the contract between the Florida Partnership for School Readiness and the agency.~~

(c) The Agency for Workforce Innovation shall adopt prepare a formula plan that provides for the allocation among the early learning coalitions distribution and expenditure of all state and federal school readiness funds for children participating in public or private school readiness programs based upon an equity and performance funding formula. The allocation formula must plan shall be submitted to the Governor and the Legislative Budget Commission. Upon approval, the Legislative Budget Commission shall authorize ~~the transfer of funds to the Agency for Workforce Innovation to distribute funds for distribution~~ in accordance with the allocation provisions of the formula. For fiscal year 2004-2005, the Agency for Workforce Innovation shall allocate funds to the early learning coalitions consistent with the fiscal year 2003-2004 funding allocations to the school readiness coalitions.

(d) All state funds budgeted for a county for the programs specified in subsection (3), along with the pro rata share of the state administrative costs of those programs in the amount as determined by the partnership, all federal, funds and required local maintenance-of-effort or matching funds provided to an early learning coalition for a county for programs specified in subsection (3), and any additional funds appropriated or obtained for purposes of this section, shall be used by transferred for the benefit of the coalition for implementation of its school readiness plan, including the hiring of staff to effectively operate the coalition's school readiness program. As part of plan approval and periodic plan review, the Agency for Workforce Innovation partnership shall require that administrative costs be kept to the

minimum necessary for efficient and effective administration of the school readiness plan, but total administrative expenditures ~~must~~ shall not exceed 5 percent unless specifically waived by the Agency for Workforce Innovation partnership. The Agency for Workforce Innovation partnership shall annually report to the Legislature any problems relating to administrative costs.

(e) ~~The Agency for Workforce Innovation partnership shall annually distribute, to a maximum extent practicable, all eligible funds provided under this section as block grants to the early learning assist coalitions in integrating services and funding to develop a quality service delivery system. Subject to appropriation, the partnership may also provide financial awards to coalitions demonstrating success in merging and integrating funding streams to serve children and school readiness programs.~~

(f) State funds appropriated for the school readiness program may not be used for the construction of new facilities or the purchase of buses. The Agency for Workforce Innovation partnership shall present to the Legislature recommendations for providing necessary transportation services for school readiness programs.

(g) All cost savings and all revenues received through a mandatory sliding fee scale shall be used to help fund each early learning coalition's the local school readiness program.

~~(10) SCHOOL READINESS UNIFORM SCREENING.—The Department of Education shall implement a school readiness uniform screening, including a pilot program during the 2001-2002 school year, to validate the system recommended by the Florida Partnership for School Readiness as part of a comprehensive evaluation design. Beginning with the 2002-2003 school year, the department shall require that all school districts administer the school readiness uniform screening to each kindergarten student in the district school system upon the student's entry into kindergarten. Children who enter public school for the first time in first grade must undergo a uniform screening adopted for use in first grade. The department shall incorporate school readiness data into the K-20 data warehouse for longitudinal tracking. Notwithstanding s. 1002.22, the department shall provide the partnership and the Agency for Workforce Innovation with complete and full access to kindergarten uniform screening data at the student, school, district, and state levels in a format that will enable the partnership and the agency to prepare reports needed by state policymakers and local school readiness coalitions to access progress toward school readiness goals and provide input for continuous improvement of local school readiness services and programs.~~

~~(11) REPORTS.—The Office of Program Policy Analysis and Government Accountability shall assess the implementation, efficiency, and outcomes of the school readiness program and report its findings to the President of the Senate and the Speaker of the House of Representatives by January 1, 2002. Subsequent reviews shall be conducted at the direction of the Joint Legislative Auditing Committee.~~

~~(10)(12) CONFLICTING PROVISIONS.—In the event of a conflict between the provisions of this section and federal requirements, the federal requirements shall control.~~

~~(11)(13)~~ **PLACEMENTS.**—Notwithstanding any other provision of this section to the contrary, ~~and for fiscal year 2004-2005 only~~, the first children to be placed in the school readiness program shall be those from families receiving temporary cash assistance and subject to federal work requirements. Subsequent placements shall be made in accordance with subsection (6) pursuant to the provisions of this section. ~~This subsection expires July 1, 2005.~~

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

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

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

(p) The school readiness system, including the early learning coalitions, Florida Partnership for School Readiness created under pursuant to s. 411.01.

Section 4. Subsection (2) of section 20.50, Florida Statutes, is amended to read:

20.50 Agency for Workforce Innovation.—There is created the Agency for Workforce Innovation within the Department of Management Services. The agency shall be a separate budget entity, and the director of the agency shall be the agency head for all purposes. The agency shall not be subject to control, supervision, or direction by the Department of Management Services in any manner, including, but not limited to, personnel, purchasing, transactions involving real or personal property, and budgetary matters.

(2) The Agency for Workforce Innovation ~~is~~ shall be the ~~designated~~ administrative agency designated for receipt of federal workforce development grants and other federal funds. ~~The agency, and shall administer carry out~~ the duties and responsibilities assigned by the Governor under each federal grant assigned to the agency. The agency shall be a separate budget entity and shall expend each revenue source as provided by federal and state law and as provided in plans developed by and agreements with Workforce Florida, Inc. The agency shall prepare and submit as a separate budget entity a unified budget request for workforce development, in accordance with chapter 216 for, and in conjunction with, Workforce Florida, Inc., and its board. The head of the agency is the director of Workforce Innovation, who shall be appointed by the Governor. The accountability and reporting functions of the agency shall be administered by the director or his or her designee. ~~Included in~~ These functions ~~shall include~~ are budget management, financial management, audit, performance management standards and controls, assessing outcomes of service delivery, and financial administration of workforce programs under pursuant to s. 445.004(5) and (9). ~~Within the agency's overall organizational structure,~~ The agency shall include the following offices within its organizational structure, which shall have the specified responsibilities:

(a) The Office of Workforce Services shall administer the unemployment compensation program, the Rapid Response program, the Work Opportunity Tax Credit program, the Alien Labor Certification program, and any other programs that are delivered directly by agency staff rather than through the one-stop delivery system. The office shall be directed by the Deputy Director for Workforce Services, who shall be appointed by and serve at the pleasure of the director.

(b) The Office of Program Support and Accountability shall administer state merit system program staff within the workforce service delivery system, under the pursuant to policies of Workforce Florida, Inc. The office is ~~shall be~~ responsible for delivering services through the one-stop delivery system and for ensuring that participants in welfare transition programs receive case management services, diversion assistance, support services, including ~~subsidized~~ child care and transportation services, Medicaid services, and transition assistance to enable them to succeed in the workforce. The office is ~~shall~~ also be responsible for program quality assurance, grants and contract management, contracting, financial management, and reporting. The office shall be directed by the Deputy Director for Program Support and Accountability, who shall be appointed by and serve at the pleasure of the director. The office is ~~shall be~~ responsible for:

1. Establishing monitoring, quality assurance, and quality improvement systems that routinely assess the quality and effectiveness of contracted programs and services.

2. Annual review of each regional workforce board and administrative entity to ensure that adequate systems of reporting and control are in place; ~~that, and~~ monitoring, quality assurance, and quality improvement activities are conducted routinely;³ and that corrective action is taken to eliminate deficiencies.

(c) The Office of Early Learning shall administer the school readiness system in accordance with s. 411.01 and the operational requirements of the Voluntary Prekindergarten Education Program in accordance with part V of chapter 1002. The office shall be directed by the Deputy Director for Early Learning, who shall be appointed by and serve at the pleasure of the director.

~~(d)(e)~~ The Office of Agency Support Services is ~~shall be~~ responsible for procurement, human resource services, and information services including delivering information on labor markets, employment, occupations, and performance, and shall implement and maintain information systems that are required for the effective operation of the one-stop delivery system and the school readiness ~~services~~ system, including, but not limited to, those systems described in s. 445.009. The office shall will be directed by under the ~~direction of~~ the Deputy Director for Agency Support Services, who shall be appointed by and serve at the pleasure of the director. The office is ~~shall be~~ responsible for establishing:

1. Information systems and controls that report reliable, timely and accurate fiscal and performance data for assessing outcomes, service delivery,

and financial administration of workforce programs under pursuant to s. 445.004(5) and (9).

2. Information systems that support service integration and case management by providing for case tracking for participants in welfare transition programs.

3. Information systems that support the school readiness system services.

(e)(d) The Unemployment Appeals Commission, authorized by s. 443.012, ~~is shall~~ not be subject to the control, supervision, or direction by the Agency for Workforce Innovation in the performance of its powers and duties but shall receive any and all support and assistance from the agency that ~~is may~~ be required for the performance of its duties.

Section 5. Paragraph (b) of subsection (1) of section 125.901, Florida Statutes, is amended to read:

125.901 Children's services; independent special district; council; powers, duties, and functions.—

(1) Each county may by ordinance create an independent special district, as defined in ss. 189.403(3) and 200.001(8)(e), to provide funding for children's services throughout the county in accordance with this section. The boundaries of such district shall be coterminous with the boundaries of the county. The county governing body shall obtain approval, by a majority vote of those electors voting on the question, to annually levy ad valorem taxes which shall not exceed the maximum millage rate authorized by this section. Any district created pursuant to the provisions of this subsection shall be required to levy and fix millage subject to the provisions of s. 200.065. Once such millage is approved by the electorate, the district shall not be required to seek approval of the electorate in future years to levy the previously approved millage.

(b) However, any county as defined in s. 125.011(1) may instead have a governing board consisting of 33 members, including: the superintendent of schools; two representatives of public postsecondary education institutions located in the county; the county manager or the equivalent county officer; the district administrator from the appropriate district of the Department of Children and Family Services, or the administrator's designee who is a member of the Senior Management Service or the Selected Exempt Service; the director of the county health department or the director's designee; the state attorney for the county or the state attorney's designee; the chief judge assigned to juvenile cases, or another juvenile judge who is the chief judge's designee and who shall sit as a voting member of the board, except that the judge may not vote or participate in setting ad valorem taxes under this section; an individual who is selected by the board of the local United Way or its equivalent; a member of a locally recognized faith-based coalition, selected by that coalition; a member of the local chamber of commerce, selected by that chamber or, if more than one chamber exists within the county, a person selected by a coalition of the local chambers; a member of the early learning local school readiness coalition, selected by that coalition;

a representative of a labor organization or union active in the county; a member of a local alliance or coalition engaged in cross-system planning for health and social service delivery in the county, selected by that alliance or coalition; a member of the local Parent-Teachers Association/Parent-Teacher-Student Association, selected by that association; a youth representative selected by the local school system's student government; a local school board member appointed by the chair of the school board; the mayor of the county or the mayor's designee; one member of the county governing body, appointed by the chair of that body; a member of the state Legislature who represents residents of the county, selected by the chair of the local legislative delegation; an elected official representing the residents of a municipality in the county, selected by the county municipal league; and 4 members-at-large, appointed to the council by the majority of sitting council members. The remaining 7 members shall be appointed by the Governor in accordance with procedures set forth in paragraph (a), except that the Governor may remove a member for cause or upon the written petition of the council. Appointments by the Governor must, to the extent reasonably possible, represent the geographic and demographic diversity of the population of the county. Members who are appointed to the council by reason of their position are not subject to the length of terms and limits on consecutive terms as provided in this section. The remaining appointed members of the governing board shall be appointed to serve 2-year terms, except that those members appointed by the Governor shall be appointed to serve 4-year terms, and the youth representative and the legislative delegate shall be appointed to serve 1-year terms. A member may be reappointed; however, a member may not serve for more than three consecutive terms. A member is eligible to be appointed again after a 2-year hiatus from the council.

Section 6. Subsection (1) of section 216.133, Florida Statutes, is amended to read:

216.133 Definitions; ss. 216.133-216.137.—As used in ss. 216.133-216.137:

(1) “Consensus estimating conference” includes the Economic Estimating Conference, the Demographic Estimating Conference, the Revenue Estimating Conference, the Education Estimating Conference, the Criminal Justice Estimating Conference, the Juvenile Justice Estimating Conference, the Child Welfare System Estimating Conference, the Occupational Forecasting Conference, the Early Learning Programs School Readiness Program Estimating Conference, the Self-Insurance Estimating Conference, the Florida Retirement System Actuarial Assumption Conference, and the Social Services Estimating Conference.

Section 7. Subsection (10) of section 216.136, Florida Statutes, is amended to read:

216.136 Consensus estimating conferences; duties and principals.—

(10) EARLY LEARNING PROGRAMS SCHOOL READINESS PROGRAM ESTIMATING CONFERENCE.—

(a) Duties.—

1. The Early Learning Programs School Readiness Program Estimating Conference shall develop estimates and forecasts of the unduplicated count of children eligible for school readiness programs in accordance with the standards of eligibility established in s. 411.01(6), and of children eligible for the Voluntary Prekindergarten Education Program in accordance with s. 1002.53(2), as the conference determines are needed to support the state planning, budgeting, and appropriations processes.

2. The Agency for Workforce Innovation Florida Partnership for School Readiness shall provide information on needs and waiting lists for school readiness programs, and information on the needs for the Voluntary Prekindergarten Education Program, as program services requested by the Early Learning Programs School Readiness Program Estimating Conference or individual conference principals in a timely manner.

(b) Principals.—The Executive Office of the Governor, the Director of Economic and Demographic Research, and professional staff who have forecasting expertise from ~~the Florida Partnership for School Readiness~~, the Agency for Workforce Innovation, the Department of Children and Family Services, the Department of Education, the Senate, and the House of Representatives, or their designees, are the principals of the Early Learning Programs School Readiness Program Estimating Conference. The principal representing the Executive Office of the Governor shall preside over sessions of the conference.

Section 8. Section 402.3016, Florida Statutes, is amended to read:

402.3016 Early Head Start collaboration grants.—

(1) Contingent upon specific appropriations, the Agency for Workforce Innovation Florida Partnership for School Readiness shall establish a program to award collaboration grants to assist local agencies in securing Early Head Start programs through Early Head Start program federal grants. The collaboration grants shall provide the required matching funds for public and private nonprofit agencies that have been approved for Early Head Start program federal grants.

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

(a) Ensure quality performance by meeting the requirements in the Head Start program performance standards and other applicable rules and regulations;

(b) Ensure collaboration with other service providers at the local level; and

(c) Ensure that a comprehensive array of health, nutritional, and other services are provided to the program's pregnant women and very young children, and their families.

(3) The Agency for Workforce Innovation partnership shall report to the Legislature on an annual basis the number of agencies receiving Early Head Start collaboration grants and the number of children served.

(4) The Agency for Workforce Innovation partnership may adopt rules under ss. 120.536(1) and 120.54 as necessary for the award of collaboration grants to competing agencies and the administration of the collaboration grants program under this section.

Section 9. Section 411.011, Florida Statutes, is amended to read:

411.011 Records of children in school readiness programs.—The individual records of children enrolled in school readiness programs provided under s. 411.01, when held in the possession of the ~~early learning school readiness coalition~~ or the Agency for Workforce Innovation Florida Partnership for School Readiness, are confidential and exempt from the provisions of s. 119.07 and s. 24(a), Art. I of the State Constitution. For the purposes of this section, records include assessment data, health data, records of teacher observations, and identifying data, including the child's social security number. A parent, guardian, or individual acting as a parent in the absence of a parent or guardian has the right to inspect and review the individual school readiness program record of his or her child and to obtain a copy of the record. School readiness records may be released to the United States Secretary of Education, the United States Secretary of Health and Human Services, and the Comptroller General of the United States for the purpose of federal audits; to individuals or organizations conducting studies for institutions to develop, validate, or administer assessments or improve instruction; to accrediting organizations in order to carry out their accrediting functions; to appropriate parties in connection with an emergency if the information is necessary to protect the health or safety of the student or other individuals; to the Auditor General in connection with his or her official functions; to a court of competent jurisdiction in compliance with an order of that court in accordance with ~~pursuant to~~ a lawfully issued subpoena; and to parties to an interagency agreement among early learning school readiness ~~school readiness~~ coalitions, local governmental agencies, providers of school readiness programs, state agencies, and the Agency for Workforce Innovation Florida Partnership for School Readiness for the purpose of implementing the school readiness program. Agencies, organizations, or individuals that receive school readiness records in order to carry out their official functions must protect the data in a manner that does will not permit the personal identification of students and their parents by persons other than those authorized to receive the records. This section is subject to the Open Government Sunset Review Act of 1995 in accordance with s. 119.15 and shall stand repealed on October 2, 2005, unless reviewed and saved from repeal through reenactment by the Legislature.

Section 10. Paragraph (e) of subsection (2) of section 411.226, Florida Statutes, is amended to read:

411.226 Learning Gateway.—

(2) LEARNING GATEWAY STEERING COMMITTEE.—

(e) To support and facilitate system improvements, the steering committee must consult with representatives from the Department of Education, the Department of Health, the Agency for Workforce Innovation Florida Partnership for School Readiness, the Department of Children and Family Services, the Agency for Health Care Administration, the Department of Juvenile Justice, and the Department of Corrections and with the director of the Learning Development and Evaluation Center of Florida Agricultural and Mechanical University.

Section 11. Paragraph (d) of subsection (1), paragraph (a) of subsection (2), and paragraph (c) of subsection (3) of section 411.227, Florida Statutes, are amended to read:

411.227 Components of the Learning Gateway.—The Learning Gateway system consists of the following components:

(1) COMMUNITY EDUCATION STRATEGIES AND FAMILY-ORIENTED ACCESS.—

(d) In collaboration with other local resources, the demonstration projects shall develop public awareness strategies to disseminate information about developmental milestones, precursors of learning problems and other developmental delays, and the service system that is available. The information should target parents of children from birth through age 9 and should be distributed to parents, health care providers, and caregivers of children from birth through age 9. A variety of media should be used as appropriate, such as print, television, radio, and a community-based Internet website, as well as opportunities such as those presented by parent visits to physicians for well-child checkups. The Learning Gateway Steering Committee shall provide technical assistance to the local demonstration projects in developing and distributing educational materials and information.

1. Public awareness strategies targeting parents of children from birth through age 5 shall be designed to provide information to public and private preschool programs, child care ~~childcare~~ providers, pediatricians, parents, and local businesses and organizations. These strategies should include information on the school readiness performance standards ~~for kindergarten~~ adopted by the Agency for Workforce Innovation School Readiness Partnership Board.

2. Public awareness strategies targeting parents of children from ages 6 through 9 must be designed to disseminate training materials and brochures to parents and public and private school personnel, and must be coordinated with the local school board and the appropriate school advisory committees in the demonstration projects. The materials should contain information on state and district proficiency levels for grades K-3.

(2) SCREENING AND DEVELOPMENTAL MONITORING.—

(a) In coordination with the Agency for Workforce Innovation Partnership for School Readiness, the Department of Education, and the Florida Pediatric Society, and using information learned from the local demonstration projects, the Learning Gateway Steering Committee shall establish

guidelines for screening children from birth through age 9. The guidelines should incorporate recent research on the indicators most likely to predict early learning problems, mild developmental delays, child-specific precursors of school failure, and other related developmental indicators in the domains of cognition; communication; attention; perception; behavior; and social, emotional, sensory, and motor functioning.

(3) EARLY EDUCATION, SERVICES AND SUPPORTS.—

(c) The steering committee, in cooperation with the Department of Children and Family Services, the Department of Education, and the Agency for Workforce Innovation Florida Partnership for School Readiness, shall identify the elements of an effective research-based curriculum for early care and education programs.

Section 12. Subsection (1) of section 1001.23, Florida Statutes, is amended to read:

1001.23 Specific powers and duties of the Department of Education.—In addition to all other duties assigned to it by law or by rule of the State Board of Education, the department shall:

(1) Adopt the statewide kindergarten school-readiness uniform screening developed by the ~~Florida Partnership for School Readiness~~, in accordance with s. 1002.69 ~~the criteria itemized in chapter 1008~~.

Section 13. Paragraph (d) of subsection (3) of section 1002.22, Florida Statutes, is amended to read:

1002.22 Student records and reports; rights of parents and students; notification; penalty.—

(3) RIGHTS OF PARENT OR STUDENT.—The parent of any student who attends or has attended any public school, career center, or public postsecondary educational institution shall have the following rights with respect to any records or reports created, maintained, and used by any public educational institution in the state. However, whenever a student has attained 18 years of age, or is attending a postsecondary educational institution, the permission or consent required of, and the rights accorded to, the parents of the student shall thereafter be required of and accorded to the student only, unless the student is a dependent student of such parents as defined in 26 U.S.C. s. 152 (s. 152 of the Internal Revenue Code of 1954). The State Board of Education shall adopt rules whereby parents or students may exercise these rights:

(d) Right of privacy.—Every student has ~~shall have~~ a right of privacy with respect to the educational records kept on him or her. Personally identifiable records or reports of a student, and any personal information contained therein, are confidential and exempt from the ~~provisions of~~ s. 119.07(1). A state or local educational agency, board, public school, career center, or public postsecondary educational institution may not permit the release of such records, reports, or information without the written consent of the student's parent, or of the student himself or herself if he or she is

qualified as provided in this subsection, to any individual, agency, or organization. However, personally identifiable records or reports of a student may be released to the following persons or organizations without the consent of the student or the student's parent:

1. Officials of schools, school systems, career centers, or public postsecondary educational institutions in which the student seeks or intends to enroll; and a copy of such records or reports shall be furnished to the parent or student upon request.

2. Other school officials, including teachers within the educational institution or agency, who have legitimate educational interests in the information contained in the records.

3. The United States Secretary of Education, the Director of the National Institute of Education, the Assistant Secretary for Education, the Comptroller General of the United States, or state or local educational authorities who are authorized to receive such information subject to the conditions set forth in applicable federal statutes and regulations of the United States Department of Education, or in applicable state statutes and rules of the State Board of Education.

4. Other school officials, in connection with a student's application for or receipt of financial aid.

5. Individuals or organizations conducting studies for or on behalf of an institution or a board of education for the purpose of developing, validating, or administering predictive tests, administering student aid programs, or improving instruction, if the such studies are conducted in such a manner that does as will not permit the personal identification of students and their parents by persons other than representatives of such organizations and if the such information will be destroyed when no longer needed for the purpose of conducting such studies.

6. Accrediting organizations, in order to carry out their accrediting functions.

7. Early learning School readiness coalitions and the Agency for Work-force Innovation Florida Partnership for School Readiness in order to carry out their assigned duties.

8. For use as evidence in student expulsion hearings conducted by a district school board under ~~pursuant to the provisions of~~ chapter 120.

9. Appropriate parties in connection with an emergency, if knowledge of the information in the student's educational records is necessary to protect the health or safety of the student or other individuals.

10. The Auditor General and the Office of Program Policy Analysis and Government Accountability in connection with their official functions; however, except when the collection of personally identifiable information is specifically authorized by law, any data collected by the Auditor General and the Office of Program Policy Analysis and Government Accountability is

confidential and exempt from the provisions of s. 119.07(1) and shall be protected in ~~such a way that does as will~~ not permit the personal identification of students and their parents by other than the Auditor General, the Office of Program Policy Analysis and Government Accountability, and their staff, and ~~the such~~ personally identifiable data shall be destroyed when no longer needed for the Auditor General's and the Office of Program Policy Analysis and Government Accountability's official use.

11.a. A court of competent jurisdiction in compliance with an order of that court or the attorney of record in accordance with ~~pursuant to~~ a lawfully issued subpoena, upon the condition that the student and the student's parent are notified of the order or subpoena in advance of compliance therewith by the educational institution or agency.

b. A person or entity in accordance with ~~pursuant to~~ a court of competent jurisdiction in compliance with an order of that court or the attorney of record pursuant to a lawfully issued subpoena, upon the condition that the student, or his or her parent if the student is either a minor and not attending a postsecondary educational institution or a dependent of such parent as defined in 26 U.S.C. s. 152 (s. 152 of the Internal Revenue Code of 1954), is notified of the order or subpoena in advance of compliance therewith by the educational institution or agency.

12. Credit bureaus, in connection with an agreement for financial aid that the student has executed, ~~if the provided that such information is may~~ be disclosed only to the extent necessary to enforce the terms or conditions of the financial aid agreement. Credit bureaus shall not release any information obtained under ~~pursuant to~~ this paragraph to any person.

13. Parties to an interagency agreement among the Department of Juvenile Justice, school and law enforcement authorities, and other signatory agencies for the purpose of reducing juvenile crime and especially motor vehicle theft by promoting cooperation and collaboration, and the sharing of appropriate information in a joint effort to improve school safety, to reduce truancy and in-school and out-of-school suspensions, and to support alternatives to in-school and out-of-school suspensions and expulsions that provide structured and well-supervised educational programs supplemented by a coordinated overlay of other appropriate services designed to correct behaviors that lead to truancy, suspensions, and expulsions, and that support students in successfully completing their education. Information provided in furtherance of ~~the such~~ interagency agreements is intended solely for use in determining the appropriate programs and services for each juvenile or the juvenile's family, or for coordinating the delivery of the such programs and services, and as such is inadmissible in any court proceedings ~~before prior to~~ a dispositional hearing unless written consent is provided by a parent or other responsible adult on behalf of the juvenile.

14. Consistent with the Family Educational Rights and Privacy Act, the Department of Children and Family Services or a community-based care lead agency acting on behalf of the Department of Children and Family Services, as appropriate.

This paragraph does not prohibit any educational institution from publishing and releasing to the general public directory information relating to a student if the institution elects to do so. However, no educational institution shall release, to any individual, agency, or organization that is not listed in subparagraphs 1.-14., directory information relating to the student body in general or a portion thereof unless it is normally published for the purpose of release to the public in general. Any educational institution making directory information public shall give public notice of the categories of information that it has designated as directory information ~~for with respect to~~ all students attending the institution and shall allow a reasonable period of time after ~~the such~~ notice has been given for a parent or student to inform the institution in writing that any or all of the information designated should not be released.

Section 14. Paragraph (c) of subsection (3) of section 1003.54, Florida Statutes, is amended to read:

1003.54 Teenage parent programs.—

(3)

(c) Provision for necessary child care, health care, social services, parent education, and transportation shall be ancillary service components of teenage parent programs. Ancillary services may be provided through the coordination of existing programs and services and through joint agreements between district school boards and early learning local school readiness coalitions or other appropriate public and private providers.

Section 15. Subsection (5) is added to section 1007.23, Florida Statutes, to read:

1007.23 Statewide articulation agreement.—

(5) The articulation agreement must guarantee the articulation of 9 credit hours toward a postsecondary degree in early childhood education for programs approved by the State Board of Education which:

(a) Award a child development associate credential issued by the National Credentialing Program of the Council for Professional Recognition or award a credential approved under s. 1002.55(3)(c)1.b. or s. 402.305(3)(c) as being equivalent to the child development associate credential; and

(b) Include training in emergent literacy which meets or exceeds the minimum standards for training courses for prekindergarten instructors of the Voluntary Prekindergarten Education Program in s. 1002.59.

Section 16. (1) The Florida Partnership for School Readiness is abolished. All powers, duties, functions, rules, records, personnel, property, and unexpended balances of appropriations, allocations, and other funds of the Florida Partnership for School Readiness are transferred by a type two transfer, as defined in section 20.06(2), Florida Statutes, to the Agency for Workforce Innovation.

(2) This act does not abolish the school readiness coalitions but redesignates the coalitions as early learning coalitions and, effective April 1, 2005, requires a reduction in the number of coalitions. All powers, duties, functions, rules, records, personnel, property, and unexpended balances of appropriations, allocations, and other funds of each school readiness coalition are not transferred but shall be retained by the early learning coalition upon its redesignation from a school readiness coalition to an early learning coalition.

Section 17. Sections 411.012 and 1008.21, Florida Statutes, are repealed.

Section 18. (1) The sums of \$1,090,399 from recurring general revenue and \$975,000 from nonrecurring general revenue are appropriated in lump sum to, and 17 additional positions are authorized for, the Department of Education for purposes of administering the Voluntary Prekindergarten Education Program during the 2004-2005 fiscal year.

(2) The sums of \$4,218,010 from recurring general revenue and \$5,275,000 from nonrecurring general revenue are appropriated in lump sum to, and 20 additional positions are authorized for, the Agency for Workforce Innovation for purposes of administering the Voluntary Prekindergarten Education Program during the 2004-2005 fiscal year. From these nonrecurring funds, \$100,000 is provided for the Agency for Workforce Innovation to evaluate the potential of using electronic technology to administer and maintain attendance information and provider payment processes for the program. The Agency for Workforce Innovation shall submit a report of its recommendations to the Governor, the President of the Senate, and the Speaker of the House of Representatives by September 1, 2006. The recommendations must include the recurring annual operating costs associated with the use of any electronic technology that is recommended in the report.

(3) The sums of \$80,193 from recurring general revenue and \$140,037 from nonrecurring general revenue are appropriated in lump sum to, and 5.5 additional positions are authorized for, the Department of Children and Family Services for purposes of administering the Voluntary Prekindergarten Education Program during the 2004-2005 fiscal year.

Section 19. Notwithstanding the provisions of section 216.177, Florida Statutes, which require a 14-day notice for interim budget actions, and pursuant to section 216.351, Florida Statutes, the Executive Office of the Governor shall provide notice of the allocation of the lump-sum appropriations authorized by this act into traditional appropriation categories to the chair and vice chair of the Legislative Budget Commission at least 3 working days before the effective date of the allocation.

Section 20. This act shall take effect upon becoming a law.

Approved by the Governor January 2, 2005.

Filed in Office Secretary of State January 2, 2005.