

## CHAPTER 2021-10

### Committee Substitute for Committee Substitute for House Bill No. 419

An act relating to early learning and early grade success; amending s. 20.055, F.S.; conforming provisions to changes made by the act; amending s. 20.15, F.S.; deleting the Office of Early Learning from within the Office of Independent Education and Parental Choice of the Department of Education; establishing the Division of Early Learning within the department; amending s. 39.202, F.S.; conforming provisions to changes made by the act; amending s. 39.604, F.S.; revising approved child care or early education settings for the placement of certain children; conforming a cross-reference to changes made by the act; amending ss. 212.08, 216.136, 383.14, 391.308, and 402.26, F.S.; conforming provisions and cross-references to changes made by the act; transferring, renumbering, and amending s. 402.281, F.S.; revising the requirements of the Gold Seal Quality Care program; requiring the State Board of Education to adopt specified rules; revising accrediting association requirements; providing requirements for accrediting associations; requiring the department to adopt a specified process; providing requirements for such process; deleting a requirement for the department to consult certain entities for specified purposes; providing requirements for certain providers to maintain Gold Seal Quality Care status; providing exemptions to certain ad valorem taxes; providing rate differentials to certain providers; providing for a type two transfer of the Gold Seal Quality Care program in the Department of Children and Families to the Department of Education; providing for the continuation of certain contracts and interagency agreements; amending s. 402.315, F.S.; conforming a cross-reference to changes made by the act; amending s. 402.56, F.S.; revising the membership of the Children and Youth Cabinet; amending ss. 411.227, 414.295, 1000.01, 1000.02, 1000.03, 1000.04, 1000.21, 1001.02, 1001.03, 1001.10, and 1001.11, F.S.; conforming provisions and cross-references to changes made by the act; repealing s. 1001.213, F.S., relating to the Office of Early Learning; amending ss. 1001.215, 1001.23, 1001.70, 1001.706, 1002.22, 1002.32, 1002.34, and 1002.36 F.S.; conforming provisions and cross-references to changes made by the act; amending s. 1002.53, F.S.; revising the requirements for certain program provider profiles; requiring students enrolled in the Voluntary Prekindergarten Education Program to participate in a specified screening and progress monitoring program; amending s. 1002.55, F.S.; authorizing certain child development programs operating on a military installment to be private prekindergarten providers within the Voluntary Prekindergarten Education Program; providing that a private prekindergarten provider is ineligible for participation in the program under certain circumstances; revising requirements a prekindergarten instructor must meet; revising requirements for specified courses for prekindergarten instructors; providing that a private school administrator who holds a specified

certificate meets certain credential requirements; providing liability insurance requirements for child development programs operating on a military installment participating in the program; requiring early learning coalitions to verify private prekindergarten provider compliance with specified provisions; requiring such coalitions to remove a providers eligibility under specified circumstances; amending s. 1002.57, F.S.; revising the minimum standards for a credential for certain prekindergarten directors; amending s. 1002.59, F.S.; revising requirements for emergent literacy and performance standards training courses for prekindergarten instructors; requiring the department to make certain courses available; amending s. 1002.61, F.S.; authorizing certain child development programs operating on a military installment to be private prekindergarten providers within the summer Voluntary Prekindergarten Education Program; revising the criteria for a teacher to receive priority for the summer program in school district; requiring a child development program operating on a military installment to comply with specified criteria; requiring early learning coalitions to verify specified information; providing for the removal of a program provider or school from eligibility under certain circumstances; amending s. 1002.63, F.S.; requiring early learning coalitions to verify specified information; providing for the removal of public school program providers from the program under certain circumstances; amending s. 1002.67, F.S.; revising the performance standards for the Voluntary Prekindergarten Education Program; requiring the department to review and revise performance standards on a specified schedule; revising curriculum requirements for the program; requiring the department to adopt procedures for the review and approval of curricula for the program; deleting a required preassessment and postassessment for the program; creating s. 1002.68, F.S.; requiring providers of the Voluntary Prekindergarten Education Program to participate in a specified screening and progress monitoring program; providing specified uses for the results of such program; requiring certain portions of the screening and progress monitoring program to be administered by individuals who meet specified criteria; requiring the results of specified assessments to be reported to the parents of participating students; providing requirements for such assessments; providing department duties and responsibilities relating to such assessments; providing requirements for a specified methodology used to calculate the results of such assessments; providing that certain providers cannot be placed on probation during a certain program year; requiring a provider on probationary status to meet certain requirements before being removed from such status; requiring the department to establish a designation system for program providers; providing for the adoption of a minimum performance metric or designation for program participation; providing procedures for a provider whose score or designation falls below the minimum requirement; providing for the revocation of program eligibility for a provider; providing procedures for requalification; authorizing the department to grant good cause exemptions to providers under certain circumstances; providing department and provider requirements for such exemptions; requiring annual meeting of representatives from

specified entities; repealing s. 1002.69, F.S., relating to Statewide kindergarten screening and readiness rates; amending ss. 1002.71 and 1002.72, F.S.; conforming provisions to changes made by the act; amending s. 1002.73, F.S.; requiring the department to adopt a statewide provider contract; requiring such contract to be published on the department's website; providing requirements for such contract; prohibiting providers from offering services during an appeal of termination from the program; providing applicability; requiring the department to adopt specified procedures relating to the Voluntary Prekindergarten Education Program; providing duties of the department relating to such program; repealing s. 1002.75, F.S., relating to the powers and duties of the Office of Early Learning; amending s. 1002.79, F.S.; conforming provisions and cross-references to changes made by the act; amending s. 1002.81, F.S.; revising definitions; amending s. 1002.82, F.S.; providing duties of the department relating to early learning; authorizing an alternative model for the calculation of prevailing market rate; exempting certain child development programs operating on a military installment from specified inspection requirements; requiring the department to monitor specified standards and benchmarks for certain purposes; revising the age range used for specified standards; requiring the department to provide specified technical support; revising requirements for a specified assessment program; requiring the department to adopt requirements to make certain contracted slots available to serve specified populations; requiring the department adopt certain standards and outcome measures including specified surveys; requiring the department to adopt procedures for the merging of early learning coalitions; revising the requirements for a specified report; amending s. 1002.83, F.S.; revising the number of authorized early learning coalitions; revising the number of and requirements for members of an early learning coalition; revising requirements for such coalitions; amending s. 1002.84, F.S.; revising early learning coalition responsibilities and duties; revising requirements for the waiver of specified copayments; authorizing the adoption of a certain alternative payment schedule; amending s. 1002.85, F.S.; revising the requirements for school readiness program plans; amending s. 1002.88, F.S.; authorizing certain child development programs operating on military installations to participate in the school readiness program; revising requirements to deliver such program; providing that a specified annual inspection for a child development program participating in the school readiness program meets certain provider requirements; providing requirements for a child development program to meet certain liability requirements; amending s. 1002.89, F.S.; conforming provisions to changes made by the act; amending s. 1002.895, F.S.; requiring the department to adopt certain procedures until a specified event; amending s. 1002.91, F.S.; conforming provisions to changes made by the act; amending s. 1002.92, F.S.; revising the requirements for specified services child care resources and referral agencies must provide; amending s. 1002.93, F.S.; conforming provisions to changes made by the act; repealing s. 1002.94, F.S., relating to the Child Care Executive Partnership Program; amending ss. 1002.95, 1002.96, 1002.97, 1002.995, and 1007.01, F.S.; conforming provisions and cross-

references to changes made by the act; creating s. 1008.2125, F.S.; creating the coordinated screening and progress monitoring program within the department for specified purposes; requiring the Commissioner of Education to design such program; providing requirements for the administration of such program and the use of results from the program; providing requirements for the commissioner; creating the Council for Early Grade Success; providing duties of the council; providing membership of the council; requiring the council to elect a chair and a vice chair; providing requirements for such appointments; providing for per diem for members of the council; providing meeting requirements for the council; providing for a quorum of the council; amending s. 1008.25, F.S.; authorizing certain students who enrolled in the Voluntary Prekindergarten Education Program to receive intensive reading interventions using specified funds; amending ss. 1008.31, 1008.32, and 1008.33, F.S.; conforming provisions to changes made by the act; amending s. 1011.62, F.S.; revising the research-based reading instruction allocation to authorize the use of such funds for certain intensive reading interventions for certain students; revising the requirements for specified reading instruction and interventions; defining the term “evidence-based”; providing an effective date.

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

Section 1. Paragraphs (a) and (d) of subsection (1) of section 20.055, Florida Statutes, are amended to read:

20.055 Agency inspectors general.—

(1) As used in this section, the term:

(a) “Agency head” means the Governor, a Cabinet officer, or a secretary or executive director as those terms are defined in s. 20.03, the chair of the Public Service Commission, the Director of the Office of Insurance Regulation of the Financial Services Commission, the Director of the Office of Financial Regulation of the Financial Services Commission, the board of directors of the Florida Housing Finance Corporation, ~~the executive director of the Office of Early Learning,~~ and the Chief Justice of the State Supreme Court.

(d) “State agency” means each department created pursuant to this chapter and the Executive Office of the Governor, the Department of Military Affairs, the Fish and Wildlife Conservation Commission, the Office of Insurance Regulation of the Financial Services Commission, the Office of Financial Regulation of the Financial Services Commission, the Public Service Commission, the Board of Governors of the State University System, the Florida Housing Finance Corporation, ~~the Office of Early Learning,~~ and the state courts system.

Section 2. Paragraphs (c) through (j) of subsection (3) of section 20.15, Florida Statutes, are redesignated as paragraphs (d) through (k),

respectively, present paragraph (i) of subsection (3) and subsection (5) are amended, and a new paragraph (c) is added to subsection (3) of that section, to read:

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

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

(c) Division of Early Learning.

~~(j)(i)~~ The Office of Independent Education and Parental Choice, which must include the following offices:

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

~~2. the Office of K-12 School Choice, which shall be administered by an executive director who is fully accountable to the Commissioner of Education.~~

(5) POWERS AND DUTIES.—The State Board of Education and the Commissioner of Education shall assign to the divisions such powers, duties, responsibilities, and functions as are necessary to ensure the greatest possible coordination, efficiency, and effectiveness of education for students in Early Learning-20 ~~K-20~~ education under the jurisdiction of the State Board of Education.

Section 3. Paragraph (a) of subsection (2) of section 39.202, Florida Statutes, is amended to read:

39.202 Confidentiality of reports and records in cases of child abuse or neglect.—

(2) Except as provided in subsection (4), access to such records, excluding the name of, or other identifying information with respect to, the reporter which shall be released only as provided in subsection (5), shall be granted only to the following persons, officials, and agencies:

(a) Employees, authorized agents, or contract providers of the department, the Department of Health, the Agency for Persons with Disabilities, the Department of Education ~~Office of Early Learning~~, or county agencies responsible for carrying out:

1. Child or adult protective investigations;
2. Ongoing child or adult protective services;

3. Early intervention and prevention services;
4. Healthy Start services;
5. Licensure or approval of adoptive homes, foster homes, child care facilities, facilities licensed under chapter 393, family day care homes, providers who receive school readiness funding under part VI of chapter 1002, or other homes used to provide for the care and welfare of children;
6. Employment screening for caregivers in residential group homes; or
7. Services for victims of domestic violence when provided by certified domestic violence centers working at the department's request as case consultants or with shared clients.

Also, employees or agents of the Department of Juvenile Justice responsible for the provision of services to children, pursuant to chapters 984 and 985.

Section 4. Paragraph (b) of subsection (5) of section 39.604, Florida Statutes, is amended to read:

39.604 Rilya Wilson Act; short title; legislative intent; child care; early education; preschool.—

(5) **EDUCATIONAL STABILITY.**—Just as educational stability is important for school-age children, it is also important to minimize disruptions to secure attachments and stable relationships with supportive caregivers of children from birth to school age and to ensure that these attachments are not disrupted due to placement in out-of-home care or subsequent changes in out-of-home placement.

(b) If it is not in the best interest of the child for him or her to remain in his or her child care or early education setting upon entry into out-of-home care, the caregiver must work with the case manager, guardian ad litem, child care and educational staff, and educational surrogate, if one has been appointed, to determine the best setting for the child. Such setting may be a child care provider that receives a Gold Seal Quality Care designation pursuant to s. 1002.945 ~~s. 402.281~~, a ~~provider participating in a quality rating system~~, a licensed child care provider, a public school provider, or a license-exempt child care provider, including religious-exempt and registered providers, and nonpublic schools.

Section 5. Paragraph (m) of subsection (5) of section 212.08, Florida Statutes, is amended to read:

212.08 Sales, rental, use, consumption, distribution, and storage tax; specified exemptions.—The sale at retail, the rental, the use, the consumption, the distribution, and the storage to be used or consumed in this state of the following are hereby specifically exempt from the tax imposed by this chapter.

## (5) EXEMPTIONS; ACCOUNT OF USE.—

(m) Educational materials purchased by certain child care facilities.— Educational materials, such as glue, paper, paints, crayons, unique craft items, scissors, books, ~~and~~ educational toys, purchased by a child care facility that meets the standards delineated in s. 402.305, is licensed under s. 402.308, holds a current Gold Seal Quality Care designation pursuant to s. 1002.945 ~~s. 402.281~~, and provides basic health insurance to all employees are exempt from the taxes imposed by this chapter. For purposes of this paragraph, the term “basic health insurance” shall be defined and promulgated in rules developed jointly by the Department of Education Children and Families, the Agency for Health Care Administration, and the Financial Services Commission.

Section 6. Paragraph (b) of subsection (8) of section 216.136, Florida Statutes, is amended to read:

216.136 Consensus estimating conferences; duties and principals.—

## (8) EARLY LEARNING PROGRAMS ESTIMATING CONFERENCE.

(b) The Division Office of Early Learning shall provide information on needs and waiting lists for school readiness programs, and information on the needs for the Voluntary Prekindergarten Education Program, as requested by the Early Learning Programs Estimating Conference or individual conference principals in a timely manner.

Section 7. Paragraph (b) of subsection (1) and paragraph (b) of subsection (2) of section 383.14, Florida Statutes, are amended to read:

383.14 Screening for metabolic disorders, other hereditary and congenital disorders, and environmental risk factors.—

(1) SCREENING REQUIREMENTS.—To help ensure access to the maternal and child health care system, the Department of Health shall promote the screening of all newborns born in Florida for metabolic, hereditary, and congenital disorders known to result in significant impairment of health or intellect, as screening programs accepted by current medical practice become available and practical in the judgment of the department. The department shall also promote the identification and screening of all newborns in this state and their families for environmental risk factors such as low income, poor education, maternal and family stress, emotional instability, substance abuse, and other high-risk conditions associated with increased risk of infant mortality and morbidity to provide early intervention, remediation, and prevention services, including, but not limited to, parent support and training programs, home visitation, and case management. Identification, perinatal screening, and intervention efforts shall begin prior to and immediately following the birth of the child by the attending health care provider. Such efforts shall be conducted in hospitals, perinatal centers, county health departments, school health programs that

provide prenatal care, and birthing centers, and reported to the Office of Vital Statistics.

(b) Postnatal screening.—A risk factor analysis using the department’s designated risk assessment instrument shall also be conducted as part of the medical screening process upon the birth of a child and submitted to the department’s Office of Vital Statistics for recording and other purposes provided for in this chapter. The department’s screening process for risk assessment shall include a scoring mechanism and procedures that establish thresholds for notification, further assessment, referral, and eligibility for services by professionals or paraprofessionals consistent with the level of risk. Procedures for developing and using the screening instrument, notification, referral, and care coordination services, reporting requirements, management information, and maintenance of a computer-driven registry in the Office of Vital Statistics which ensures privacy safeguards must be consistent with the provisions and plans established under chapter 411, Pub. L. No. 99-457, and this chapter. Procedures established for reporting information and maintaining a confidential registry must include a mechanism for a centralized information depository at the state and county levels. The department shall coordinate with existing risk assessment systems and information registries. The department must ensure, to the maximum extent possible, that the screening information registry is integrated with the department’s automated data systems, including the Florida On-line Recipient Integrated Data Access (FLORIDA) system. Tests and screenings must be performed by the State Public Health Laboratory, in coordination with Children’s Medical Services, at such times and in such manner as is prescribed by the department after consultation with the Genetics and Newborn Screening Advisory Council and the Department of Education ~~Office of Early Learning~~.

(2) RULES.—

(b) After consultation with the Department of Education ~~Office of Early Learning~~, the department shall adopt and enforce rules requiring every newborn in this state to be screened for environmental risk factors that place children and their families at risk for increased morbidity, mortality, and other negative outcomes.

Section 8. Paragraph (h) of subsection (2) of section 391.308, Florida Statutes, is amended to read:

391.308 Early Steps Program.—The department shall implement and administer part C of the federal Individuals with Disabilities Education Act (IDEA), which shall be known as the “Early Steps Program.”

(2) DUTIES OF THE DEPARTMENT.—The department shall:

(h) Promote interagency cooperation and coordination, with the Medicaid program, the Department of Education program pursuant to part B of the federal Individuals with Disabilities Education Act, and programs



providing child screening such as the Florida Diagnostic and Learning Resources System, the Office of Early Learning, Healthy Start, and the Help Me Grow program.

1. Coordination with the Medicaid program shall be developed and maintained through written agreements with the Agency for Health Care Administration and Medicaid managed care organizations as well as through active and ongoing communication with these organizations. The department shall assist local program offices to negotiate agreements with Medicaid managed care organizations in the service areas of the local program offices. Such agreements may be formal or informal.

2. Coordination with education programs pursuant to part B of the federal Individuals with Disabilities Education Act shall be developed and maintained through written agreements with the Department of Education. The department shall assist local program offices to negotiate agreements with school districts in the service areas of the local program offices.

Section 9. Subsection (6) of section 402.26, Florida Statutes, is amended to read:

402.26 Child care; legislative intent.—

~~(6) It is the intent of the Legislature that a child care facility licensed pursuant to s. 402.305 or a child care facility exempt from licensing pursuant to s. 402.316, that achieves Gold Seal Quality status pursuant to s. 402.281, be considered an educational institution for the purpose of qualifying for exemption from ad valorem tax pursuant to s. 196.198.~~

Section 10. Section 402.281, Florida Statutes, is transferred, renumbered as section 1002.945, Florida Statutes, and amended to read:

1002.945 ~~402.281~~ Gold Seal Quality Care program.—

(1)(a) There is established within the Department of Education the Gold Seal Quality Care Program.

(b) A child care facility, large family child care home, or family day care home that is accredited by an accrediting association approved by the Department of Education under subsection (3) and meets all other requirements shall, upon application to the department, receive a separate “Gold Seal Quality Care” designation.

(2) The State Board of Education ~~department~~ shall adopt rules establishing Gold Seal Quality Care accreditation standards using nationally recognized accrediting standards and input from accrediting associations ~~based on the applicable accrediting standards of the National Association for the Education of Young Children (NAEYC), the National Association of Family Child Care, and the National Early Childhood Program Accreditation Commission.~~

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

1. Is a recognized accrediting association.
2. Has accrediting standards that substantially meet or exceed the Gold Seal Quality Care standards adopted by the state board department under subsection (2).
3. Is a registered corporation with the Department of State.
4. Can provide evidence that the process for accreditation has, at a minimum, all of the following components:
  - a. Clearly defined prerequisites that a child care provider must meet before beginning the accreditation process. However, accreditation may not be granted to a child care facility, large family child care home, or family day care home before the site is operational and is attended by children.
  - b. Procedures for completion of a self-study and comprehensive onsite verification process for each classroom that documents compliance with accrediting standards.
  - c. A training process for accreditation verifiers to ensure inter-rater reliability.
  - d. Ongoing compliance procedures that include requiring each accredited child care facility, large family child care home, and family day care home to file an annual report with the accrediting association and risk-based, onsite auditing protocols for accredited child care facilities, large family child care homes, and family day care homes.
  - e. Procedures for the revocation of accreditation due to failure to maintain accrediting standards as evidenced by sub-subparagraph d. or any other relevant information received by the accrediting association.
  - f. Accreditation renewal procedures that include an onsite verification occurring at least every 5 years.
  - g. A process for verifying continued accreditation compliance in the event of a transfer of ownership of facilities.
  - h. A process to communicate issues that arise during the accreditation period with governmental entities that have a vested interest in the Gold Seal Quality Care Program, including the Department of Education, the Department of Children and Families, the Department of Health, local licensing entities if applicable, and the early learning coalition.

(b) The Department of Education shall establish a process that verifies that the accrediting association meets the provisions of paragraph (a), which

must include an auditing program and any other procedures that may reasonably determine an accrediting association's compliance with this section. If an accrediting association is not in compliance and fails to cure its deficiencies within 30 days, the department shall recommend to the state board termination of the accrediting association's participation as an accrediting association in the program for a period of at least 2 years but no more than 5 years. If an accrediting association is removed from being an approved accrediting association, each child care provider accredited by that association shall have up to 1 year to obtain a new accreditation from a department approved accreditation association.

(c) If an accrediting association has granted accreditation to a child care facility, large family child care home, or family day care under fraudulent terms or failed to conduct onsite verifications, the accrediting association shall be liable for the repayment of any rate differentials paid under subsection (6).

~~(b) In approving accrediting associations, the department shall consult with the Department of Education, the Florida Head Start Directors Association, the Florida Association of Child Care Management, the Florida Family Child Care Home Association, the Florida Children's Forum, the Florida Association for the Education of the Young, the Child Development Education Alliance, the Florida Association of Academic Nonpublic Schools, the Association of Early Learning Coalitions, providers receiving exemptions under s. 402.316, and parents.~~

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

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

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

(c) The child care provider must not have been cited for the same class III violation, as defined by rule of the Department of Children and Families, three or more times and failed to correct the violation within 1 year after the date of each citation, within the 2 years preceding its application for designation as a Gold Seal Quality Care provider. Commission of the same

class III violation three or more times and failure to correct within the required time during a 2-year period may be grounds for termination of the designation as a Gold Seal Quality Care provider until the provider has no class III violations for a period of 1 year.

(d) Notwithstanding paragraph (a), if the Department of Education determines through a formal process that a provider has been in business for at least 5 years and has no other class I violations recorded, the department may recommend to the state board that the provider maintain its Gold Seal Quality Care status. The state board's determination regarding such provider's status is final.

(5) A child care facility licensed under s. 402.305 or a child care facility exempt from licensing under s. 402.316 which achieves Gold Seal Quality status under this section shall be considered an educational institution for the purpose of qualifying for exemption from ad valorem tax under s. 196.198.

(6) A child care facility licensed under s. 402.305 or a child care facility exempt from licensing pursuant to s. 402.316 which achieves Gold Seal Quality status under this section and which participates in the school readiness program shall receive a minimum of a 20 percent rate differential for each enrolled school readiness child by care level and unit of child care.

(7)(5) The ~~state board~~ Department of Children and Families shall adopt rules under ss. 120.536(1) and 120.54 which provide criteria and procedures for reviewing and approving accrediting associations for participation in the Gold Seal Quality Care program and, conferring and revoking designations of Gold Seal Quality Care providers, and classifying violations.

Section 11. Type two transfer from the Department of Children and Families.—

(1) All powers, duties, functions, records, offices, personnel, associated administrative support positions, property, pending issues, existing contracts, administrative authority, administrative rules, and unexpended balances of appropriations, allocations, and other funds relating to the Gold Seal Quality Care program within the Department of Children and Families are transferred by a type two transfer, as defined in s. 20.06(2), Florida Statutes, to the Department of Education.

(2) Any binding contract or interagency agreement existing before July 1, 2021, between the Department of Children and Families, or an entity or agent of the department, and any other agency, entity, or person relating to the Gold Seal Quality Care program shall continue as a binding contract or agreement for the remainder of the term of such contract or agreement on the successor entity responsible for the program, activity, or functions relative to the contract or agreement.

Section 12. Subsection (5) of section 402.315, Florida Statutes, is amended to read:

402.315 Funding; license fees.—

(5) All moneys collected by the department for child care licensing shall be held in a trust fund of the department to be reallocated to the department during the following fiscal year to fund child care licensing activities, including the Gold Seal Quality Care program created pursuant to s. 1002.945 ~~s. 402.281~~.

Section 13. Paragraph (a) of subsection (4) of section 402.56, Florida Statutes, is amended to read:

402.56 Children's cabinet; organization; responsibilities; annual report.

(4) MEMBERS.—The cabinet shall consist of 16 members including the Governor and the following persons:

- (a)1. The Secretary of Children and Families;
2. The Secretary of Juvenile Justice;
3. The director of the Agency for Persons with Disabilities;
4. A representative from the Division ~~The director of the Office of Early Learning;~~
5. The State Surgeon General;
6. The Secretary of Health Care Administration;
7. The Commissioner of Education;
8. The director of the Statewide Guardian Ad Litem Office;
9. A representative of the Office of Adoption and Child Protection;
10. A superintendent of schools, appointed by the Governor; and
11. Five members who represent children and youth advocacy organizations and who are not service providers, appointed by the Governor.

Section 14. 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 providers, pediatricians, parents, and local businesses and organizations. These strategies should include information on the school readiness performance standards adopted by the Department of Education ~~Office of Early Learning~~.

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 Office of Early Learning~~, 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 Families and, the Department of Education, ~~and the Office of Early Learning~~, shall identify the elements of an effective research-based curriculum for early care and education programs.

Section 15. Subsection (1) of section 414.295, Florida Statutes, is amended to read:

## 414.295 Temporary cash assistance programs; public records exemption.

(1) Personal identifying information of a temporary cash assistance program participant, a participant's family, or a participant's family or household member, except for information identifying a parent who does not live in the same home as the child, which is held by the department, the ~~Office of Early Learning~~, CareerSource Florida, Inc., the Department of Health, the Department of Revenue, the Department of Education, or a local workforce development board or local committee created pursuant to s. 445.007 is confidential and exempt from s. 119.07(1) and s. 24(a), Art. I of the State Constitution. Such confidential and exempt information may be released for purposes directly connected with:

(a) The administration of the temporary assistance for needy families plan under Title IV-A of the Social Security Act, as amended, by the department, ~~the Office of Early Learning~~, CareerSource Florida, Inc., the Department of Military Affairs, the Department of Health, the Department of Revenue, the Department of Education, a local workforce development board or local committee created pursuant to s. 445.007, or a school district.

(b) The administration of the state's plan or program approved under Title IV-B, Title IV-D, or Title IV-E of the Social Security Act, as amended, or under Title I, Title X, Title XIV, Title XVI, Title XIX, Title XX, or Title XXI of the Social Security Act, as amended.

(c) An investigation, prosecution, or criminal, civil, or administrative proceeding conducted in connection with the administration of any of the plans or programs specified in paragraph (a) or paragraph (b) by a federal, state, or local governmental entity, upon request by that entity, if such request is made pursuant to the proper exercise of that entity's duties and responsibilities.

(d) The administration of any other state, federal, or federally assisted program that provides assistance or services on the basis of need, in cash or in kind, directly to a participant.

(e) An audit or similar activity, such as a review of expenditure reports or financial review, conducted in connection with the administration of plans or programs specified in paragraph (a) or paragraph (b) by a governmental entity authorized by law to conduct such audit or activity.

(f) The administration of the reemployment assistance program.

(g) The reporting to the appropriate agency or official of information about known or suspected instances of physical or mental injury, sexual abuse or exploitation, or negligent treatment or maltreatment of a child or elderly person receiving assistance, if circumstances indicate that the health or welfare of the child or elderly person is threatened.

(h) The administration of services to elderly persons under ss. 430.601-430.606.

Section 16. Section 1000.01, Florida Statutes, is amended to read:

1000.01 The Florida Early Learning-20 K-20 education system; technical provisions.—

(1) NAME.—Chapters 1000 through 1013 shall be known and cited as the “Florida Early Learning-20 K-20 Education Code.”

(2) LIBERAL CONSTRUCTION.—The provisions of the Florida Early Learning-20 K-20 Education Code shall be liberally construed to the end that its objectives may be effected. It is the legislative intent that if any section, subsection, sentence, clause, or provision of the Florida Early Learning-20 K-20 Education Code is held invalid, the remainder of the code shall not be affected.

(3) PURPOSE.—The purpose of the Florida Early Learning-20 K-20 Education Code is to provide by law for a state system of schools, courses, classes, and educational institutions and services adequate to allow, for all Florida’s students, the opportunity to obtain a high quality education. The Florida Early Learning-20 K-20 education system is established to accomplish this purpose; however, nothing in this code shall be construed to require the provision of free public education beyond grade 12.

(4) UNIFORM SYSTEM OF PUBLIC K-12 SCHOOLS INCLUDED.—As required by s. 1, Art. IX of the State Constitution, the Florida Early Learning-20 K-20 education system shall include the uniform system of free public K-12 schools. These public K-12 schools shall provide 13 consecutive years of instruction, beginning with kindergarten, and shall also provide such instruction for students with disabilities, gifted students, limited English proficient students, and students in Department of Juvenile Justice programs as may be required by law. The funds for support and maintenance of the uniform system of free public K-12 schools shall be derived from state, district, federal, and other lawful sources or combinations of sources, including any fees charged nonresidents as provided by law.

Section 17. Paragraph (a) of Subsection (1) and subsection (2) of section 1000.02, Florida Statutes, are amended to read:

1000.02 Policy and guiding principles for the Florida Early Learning-20 K-20 education system.—

(1) It is the policy of the Legislature:

(a) To achieve within existing resources a seamless academic educational system that fosters an integrated continuum of early learning kindergarten through graduate school education for Florida’s students.

(2) The guiding principles for Florida’s Early Learning-20 K-20 education system are:



- (a) A coordinated, seamless system for early learning ~~kindergarten~~ through graduate school education.
- (b) A system that is student-centered in every facet.
- (c) A system that maximizes education access and allows the opportunity for a high quality education for all Floridians.
- (d) A system that safeguards equity and supports academic excellence.
- (e) A system that provides for local operational flexibility while promoting accountability for student achievement and improvement.

Section 18. Section 1000.03, Florida Statutes, is amended to read:

1000.03 Function, mission, and goals of the Florida Early Learning-20 ~~K-20~~ education system.—

(1) Florida's Early Learning-20 ~~K-20~~ education system shall be a decentralized system without excess layers of bureaucracy. Florida's Early Learning-20 ~~K-20~~ education system shall maintain a systemwide technology plan based on a common set of data definitions.

(2)(a) The Legislature shall establish education policy, enact education laws, and appropriate and allocate education resources.

(b) With the exception of matters relating to the State University System, the State Board of Education shall oversee the enforcement of all laws and rules, and the timely provision of direction, resources, assistance, intervention when needed, and strong incentives and disincentives to force accountability for results.

(c) The Board of Governors shall oversee the enforcement of all state university laws and rules and regulations and the timely provision of direction, resources, assistance, intervention when needed, and strong incentives and disincentives to force accountability for results.

(3) Public education is a cooperative function of the state and local educational authorities. The state retains responsibility for establishing a system of public education through laws, standards, and rules to assure efficient operation of an Early Learning-20 ~~a K-20~~ system of public education and adequate educational opportunities for all individuals. Local educational authorities have a duty to fully and faithfully comply with state laws, standards, and rules and to efficiently use the resources available to them to assist the state in allowing adequate educational opportunities.

(4) The mission of Florida's Early Learning-20 ~~K-20~~ education system is to allow its students to increase their proficiency by allowing them the opportunity to expand their knowledge and skills through rigorous and relevant learning opportunities, in accordance with the mission statement and accountability requirements of s. 1008.31.

(5) The priorities of Florida's Early Learning-20 K-20 education system include:

(a) Learning and completion at all levels, including increased high school graduation rate and readiness for postsecondary education without remediation.—All students demonstrate increased learning and completion at all levels, graduate from high school, and are prepared to enter postsecondary education without remediation.

(b) Student performance.—Students demonstrate that they meet the expected academic standards consistently at all levels of their education.

(c) Civic literacy.—Students are prepared to become civically engaged and knowledgeable adults who make positive contributions to their communities.

(d) Alignment of standards and resources.—Academic standards for every level of the Early Learning-20 K-20 education system are aligned, and education financial resources are aligned with student performance expectations at each level of the Early Learning-20 K-20 education system.

(e) Educational leadership.—The quality of educational leadership at all levels of Early Learning-20 K-20 education is improved.

(f) Workforce education.—Workforce education is appropriately aligned with the skills required by the new global economy.

(g) Parental, student, family, educational institution, and community involvement.—Parents, students, families, educational institutions, and communities are collaborative partners in education, and each plays an important role in the success of individual students. Therefore, the State of Florida cannot be the guarantor of each individual student's success. The goals of Florida's Early Learning-20 K-20 education system are not guarantees that each individual student will succeed or that each individual school will perform at the level indicated in the goals.

(h) Comprehensive Early Learning-20 K-20 career and education planning.—It is essential that Florida's Early Learning-20 K-20 education system better prepare all students at every level for the transition from school to postsecondary education or work by providing information regarding:

1. Career opportunities, educational requirements associated with each career, educational institutions that prepare students to enter each career, and student financial aid available to pursue postsecondary instruction required to enter each career.

2. How to make informed decisions about the program of study that best addresses the students' interests and abilities while preparing them to enter postsecondary education or the workforce.

3. Recommended coursework and programs that prepare students for success in their areas of interest and ability.

This information shall be provided to students and parents through websites, handbooks, manuals, or other regularly provided communications.

Section 19. Section 1000.04, Florida Statutes, is amended to read:

1000.04 Components for the delivery of public education within the Florida Early Learning-20 K-20 education system.—Florida’s Early Learning-20 K-20 education system provides for the delivery of early learning and public education through publicly supported and controlled K-12 schools, Florida College System institutions, state universities and other postsecondary educational institutions, other educational institutions, and other educational services as provided or authorized by the Constitution and laws of the state.

(1) EARLY LEARNING.—Early learning includes the Voluntary Pre-kindergarten Education Program and the school readiness program.

(2)(1) PUBLIC K-12 SCHOOLS.—The public K-12 schools include charter schools and consist of kindergarten classes; elementary, middle, and high school grades and special classes; virtual instruction programs; workforce education; career centers; adult, part-time, and evening schools, courses, or classes, as authorized by law to be operated under the control of district school boards; and lab schools operated under the control of state universities.

(3)(2) PUBLIC POSTSECONDARY EDUCATIONAL INSTITUTIONS. Public postsecondary educational institutions include workforce education; Florida College System institutions; state universities; and all other state-supported postsecondary educational institutions that are authorized and established by law.

(4)(3) FLORIDA SCHOOL FOR THE DEAF AND THE BLIND.—The Florida School for the Deaf and the Blind is a component of the delivery of public education within Florida’s Early Learning-20 K-20 education system.

(5)(4) THE FLORIDA VIRTUAL SCHOOL.—The Florida Virtual School is a component of the delivery of public education within Florida’s Early Learning-20 K-20 education system.

Section 20. Section 1000.21, Florida Statutes, is amended to read:

1000.21 Systemwide definitions.—As used in the Florida Early Learning-20 K-20 Education Code:

(1) “Articulation” is the systematic coordination that provides the means by which students proceed toward their educational objectives in as rapid and student-friendly manner as their circumstances permit, from grade level to grade level, from elementary to middle to high school, to and through

postsecondary education, and when transferring from one educational institution or program to another.

(2) “Commissioner” is the Commissioner of Education.

(3) “Florida College System institution” except as otherwise specifically provided, includes all of the following public postsecondary educational institutions in the Florida College System and any branch campuses, centers, or other affiliates of the institution:

(a) Eastern Florida State College, which serves Brevard County.

(b) Broward College, which serves Broward County.

(c) College of Central Florida, which serves Citrus, Levy, and Marion Counties.

(d) Chipola College, which serves Calhoun, Holmes, Jackson, Liberty, and Washington Counties.

(e) Daytona State College, which serves Flagler and Volusia Counties.

(f) Florida SouthWestern State College, which serves Charlotte, Collier, Glades, Hendry, and Lee Counties.

(g) Florida State College at Jacksonville, which serves Duval and Nassau Counties.

(h) The College of the Florida Keys, which serves Monroe County.

(i) Gulf Coast State College, which serves Bay, Franklin, and Gulf Counties.

(j) Hillsborough Community College, which serves Hillsborough County.

(k) Indian River State College, which serves Indian River, Martin, Okeechobee, and St. Lucie Counties.

(l) Florida Gateway College, which serves Baker, Columbia, Dixie, Gilchrist, and Union Counties.

(m) Lake-Sumter State College, which serves Lake and Sumter Counties.

(n) State College of Florida, Manatee-Sarasota, which serves Manatee and Sarasota Counties.

(o) Miami Dade College, which serves Miami-Dade County.

(p) North Florida College, which serves Hamilton, Jefferson, Lafayette, Madison, Suwannee, and Taylor Counties.

- (q) Northwest Florida State College, which serves Okaloosa and Walton Counties.
- (r) Palm Beach State College, which serves Palm Beach County.
- (s) Pasco-Hernando State College, which serves Hernando and Pasco Counties.
- (t) Pensacola State College, which serves Escambia and Santa Rosa Counties.
- (u) Polk State College, which serves Polk County.
- (v) St. Johns River State College, which serves Clay, Putnam, and St. Johns Counties.
- (w) St. Petersburg College, which serves Pinellas County.
- (x) Santa Fe College, which serves Alachua and Bradford Counties.
- (y) Seminole State College of Florida, which serves Seminole County.
- (z) South Florida State College, which serves DeSoto, Hardee, and Highlands Counties.
- (aa) Tallahassee Community College, which serves Gadsden, Leon, and Wakulla Counties.
- (bb) Valencia College, which serves Orange and Osceola Counties.
- (4) “Department” is the Department of Education.
- (5) “Parent” is either or both parents of a student, any guardian of a student, any person in a parental relationship to a student, or any person exercising supervisory authority over a student in place of the parent.
- (6) “State university,” except as otherwise specifically provided, includes the following institutions and any branch campuses, centers, or other affiliates of the institution:
- (a) The University of Florida.
- (b) The Florida State University.
- (c) The Florida Agricultural and Mechanical University.
- (d) The University of South Florida.
- (e) The Florida Atlantic University.
- (f) The University of West Florida.
- (g) The University of Central Florida.

- (h) The University of North Florida.
- (i) The Florida International University.
- (j) The Florida Gulf Coast University.
- (k) New College of Florida.
- (l) The Florida Polytechnic University.

(7) “Next Generation Sunshine State Standards” means the state’s public K-12 curricular standards adopted under s. 1003.41.

(8) “Board of Governors” is the Board of Governors of the State University System.

Section 21. Subsection (1) and paragraphs (e) and (s) of subsection (2) of section 1001.02, Florida Statutes, are amended to read:

1001.02 General powers of State Board of Education.—

(1) The State Board of Education is the chief implementing and coordinating body of public education in Florida except for the State University System, and it shall focus on high-level policy decisions. It has authority to adopt rules pursuant to ss. 120.536(1) and 120.54 to implement the provisions of law conferring duties upon it for the improvement of the state system of Early Learning-20 ~~K-20~~ public education except for the State University System. Except as otherwise provided herein, it may, as it finds appropriate, delegate its general powers to the Commissioner of Education or the directors of the divisions of the department.

(2) The State Board of Education has the following duties:

(e) To adopt and submit to the Governor and Legislature, as provided in s. 216.023, a coordinated Early Learning-20 ~~K-20~~ education budget that estimates the expenditure requirements for the Board of Governors, as provided in s. 1001.706, the State Board of Education, including the Department of Education and the Commissioner of Education, and all of the boards, institutions, agencies, and services under the general supervision of the Board of Governors, as provided in s. 1001.706, or the State Board of Education for the ensuing fiscal year. The State Board of Education may not amend the budget request submitted by the Board of Governors. Any program recommended by the Board of Governors or the State Board of Education which will require increases in state funding for more than 1 year must be presented in a multiyear budget plan.

(s) To establish a detailed procedure for the implementation and operation of a systemwide ~~K-20~~ technology plan that is based on a common set of data definitions.

Section 22. Subsections (8) and (9) of section 1001.03, Florida Statutes, are amended to read:

1001.03 Specific powers of State Board of Education.—

(8) **SYSTEMWIDE ENFORCEMENT.**—The State Board of Education shall enforce compliance with law and state board rule by all school districts, early learning coalitions, and public postsecondary educational institutions, except for the State University System, in accordance with the provisions of s. 1008.32.

(9) **MANAGEMENT INFORMATION DATABASES.**—The State Board of Education, in conjunction with the Board of Governors regarding the State University System, shall continue to collect and maintain, at a minimum, the management information databases for state universities, and all other components of the public Early Learning-20 K-20 education system as such databases existed on June 30, 2002.

Section 23. Subsection (1), paragraphs (g), (k), and (l) of subsection (6), and subsection (8) of section 1001.10, Florida Statutes, are amended to read:

1001.10 Commissioner of Education; general powers and duties.—

(1) The Commissioner of Education is the chief educational officer of the state and the sole custodian of the educational ~~K-20~~ data warehouse, and is responsible for giving full assistance to the State Board of Education in enforcing compliance with the mission and goals of the Early Learning K-20 education system, except for the State University System.

(6) Additionally, the commissioner has the following general powers and duties:

(g) To submit to the State Board of Education, on or before October 1 of each year, recommendations for a coordinated Early Learning-20 K-20 education budget that estimates the expenditures for the Board of Governors, the State Board of Education, including the Department of Education and the Commissioner of Education, and all of the boards, institutions, agencies, and services under the general supervision of the Board of Governors or the State Board of Education for the ensuing fiscal year. Any program recommended to the State Board of Education that will require increases in state funding for more than 1 year must be presented in a multiyear budget plan.

(k) To prepare, publish, and disseminate user-friendly materials relating to the state's education system, including the state's K-12 scholarship programs, the school readiness program, and the Voluntary Prekindergarten Education Program.

(l) To prepare and publish annually reports giving statistics and other useful information pertaining to the state's K-12 scholarship programs, the

school readiness program, and the Voluntary Prekindergarten Education Program.

(8) In the event of an emergency situation, the commissioner may coordinate through the most appropriate means of communication with early learning coalitions, local school districts, Florida College System institutions, and satellite offices of the Division of Blind Services and the Division of Vocational Rehabilitation to assess the need for resources and assistance to enable each school, institution, or satellite office the ability to reopen as soon as possible after considering the health, safety, and welfare of students and clients.

Section 24. Paragraph (b) of subsection (1) and subsection (4) of section 1001.11, Florida Statutes, are amended to read:

1001.11 Commissioner of Education; other duties.—

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

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

(4) The commissioner shall develop and implement an integrated Early Learning-20 ~~K-20~~ information system for educational management in accordance with the requirements of chapter 1008.

Section 25. Section 1001.213, Florida Statutes, is repealed.

Section 26. Subsection (7) of section 1001.215, Florida Statutes, is amended to read:

1001.215 Just Read, Florida! Office.—There is created in the Department of Education the Just Read, Florida! Office. The office is fully accountable to the Commissioner of Education and shall:

(7) Review, evaluate, and provide technical assistance to school districts' implementation of the ~~K-12~~ comprehensive reading plan required in s. 1011.62(9).

Section 27. 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 screening in accordance with s. 1002.69.~~



Section 28. Subsection (3) of section 1001.70, Florida Statutes, is amended to read:

1001.70 Board of Governors of the State University System.—

(3) The Board of Governors, in exercising its authority under the State Constitution and statutes, shall exercise its authority in a manner that supports, promotes, and enhances an Early Learning-20 ~~a K-20~~ education system that provides affordable access to postsecondary educational opportunities for residents of the state to the extent authorized by the State Constitution and state law.

Section 29. Paragraph (b) of subsection (4) of section 1001.706, Florida Statutes, is amended to read:

1001.706 Powers and duties of the Board of Governors.—

(4) POWERS AND DUTIES RELATING TO FINANCE.—

(b) The Board of Governors shall prepare the legislative budget requests for the State University System, including a request for fixed capital outlay, and submit them to the State Board of Education for inclusion in the Early Learning-20 ~~K-20~~ legislative budget request. The Board of Governors shall provide the state universities with fiscal policy guidelines, formats, and instruction for the development of individual university budget requests.

Section 30. Paragraph (b) of subsection (1) of section 1002.22, Florida Statutes, is amended to read:

1002.22 Education records and reports of K-12 students; rights of parents and students; notification; penalty.—

(1) DEFINITIONS.—As used in this section, the term:

(b) “Institution” means any public school, center, institution, or other entity that is part of Florida’s education system under s. 1000.04(2), (4), and (5) ~~s. 1000.04(1), (3), and (4)~~.

Section 31. Subsections (3) and (10) of section 1002.32, Florida Statutes, are amended to read:

1002.32 Developmental research (laboratory) schools.—

(3) MISSION.—The mission of a lab school shall be the provision of a vehicle for the conduct of research, demonstration, and evaluation regarding management, teaching, and learning. Programs to achieve the mission of a lab school shall embody the goals and standards established pursuant to ss. 1000.03(5) and 1001.23(1) ~~1001.23(2)~~ and shall ensure an appropriate education for its students.

(a) Each lab school shall emphasize mathematics, science, computer science, and foreign languages. The primary goal of a lab school is to enhance

instruction and research in such specialized subjects by using the resources available on a state university campus, while also providing an education in nonspecialized subjects. Each lab school shall provide sequential elementary and secondary instruction where appropriate. A lab school may not provide instruction at grade levels higher than grade 12 without authorization from the State Board of Education. Each lab school shall develop and implement a school improvement plan pursuant to s. 1003.02(3).

(b) Research, demonstration, and evaluation conducted at a lab school may be generated by the college of education and other colleges within the university with which the school is affiliated.

(c) Research, demonstration, and evaluation conducted at a lab school may be generated by the State Board of Education. Such research shall respond to the needs of the education community at large, rather than the specific needs of the affiliated college.

(d) Research, demonstration, and evaluation conducted at a lab school may consist of pilot projects to be generated by the affiliated college, the State Board of Education, or the Legislature.

(e) The exceptional education programs offered at a lab school shall be determined by the research and evaluation goals and the availability of students for efficiently sized programs. The fact that a lab school offers an exceptional education program in no way lessens the general responsibility of the local school district to provide exceptional education programs.

(10) EXCEPTIONS TO LAW.—To encourage innovative practices and facilitate the mission of the lab schools, in addition to the exceptions to law specified in s. 1001.23(1) ~~s. 1001.23(2)~~, the following exceptions shall be permitted for lab schools:

(a) The methods and requirements of the following statutes shall be held in abeyance: ss. 316.75; 1001.30; 1001.31; 1001.32; 1001.33; 1001.34; 1001.35; 1001.36; 1001.361; 1001.362; 1001.363; 1001.37; 1001.371; 1001.372; 1001.38; 1001.39; 1001.395; 1001.40; 1001.41; 1001.44; 1001.453; 1001.46; 1001.461; 1001.462; 1001.463; 1001.464; 1001.47; 1001.48; 1001.49; 1001.50; 1001.51; 1006.12(2); 1006.21(3), (4); 1006.23; 1010.07(2); 1010.40; 1010.41; 1010.42; 1010.43; 1010.44; 1010.45; 1010.46; 1010.47; 1010.48; 1010.49; 1010.50; 1010.51; 1010.52; 1010.53; 1010.54; 1010.55; 1011.02(1)-(3), (5); 1011.04; 1011.20; 1011.21; 1011.22; 1011.23; 1011.71; 1011.72; 1011.73; and 1011.74.

(b) With the exception of s. 1001.42(18), s. 1001.42 shall be held in abeyance. Reference to district school boards in s. 1001.42(18) shall mean the president of the university or the president's designee.

Section 32. Paragraph (b) of subsection (10) of section 1002.34, Florida Statutes, is amended to read:

1002.34 Charter technical career centers.—

## (10) EXEMPTION FROM STATUTES.—

(b) A center must comply with the Florida Early Learning-20 ~~K-20~~ Education Code with respect to providing services to students with disabilities.

Section 33. Subsection (1) of section 1002.36, Florida Statutes, is amended to read:

## 1002.36 Florida School for the Deaf and the Blind.—

(1) RESPONSIBILITIES.—The Florida School for the Deaf and the Blind, located in St. Johns County, is a state-supported residential public school for hearing-impaired and visually impaired students in preschool through 12th grade. The school is a component of the delivery of public education within Florida's Early Learning-20 ~~K-20~~ education system and shall be funded through the Department of Education. The school shall provide educational programs and support services appropriate to meet the education and related evaluation and counseling needs of hearing-impaired and visually impaired students in the state who meet enrollment criteria. Unless otherwise provided by law, the school shall comply with all laws and rules applicable to state agencies. Education services may be provided on an outreach basis for sensory-impaired children ages 0 through 5 years and to district school boards upon request. Graduates of the Florida School for the Deaf and the Blind shall be eligible for the William L. Boyd, IV, Effective Access to Student Education Grant Program as provided in s. 1009.89.

Section 34. Paragraph (b) of subsection (4) and subsection (5) of section 1002.53, Florida Statutes, are amended, and paragraph (d) is added to subsection (6) of that section, to read:

1002.53 Voluntary Prekindergarten Education Program; eligibility and enrollment.—

## (4)

(b) The application must be submitted on forms prescribed by the department ~~Office of Early Learning~~ 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 department ~~Office of Early Learning~~ may authorize alternative methods for submitting proof of the child's age in lieu of a certified copy of the child's birth certificate.

(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 county where the child is being enrolled. The profiles shall be provided to parents in a format prescribed by the department in

~~accordance with s. 1002.92(3) Office of Early Learning. 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)

(d) Each parent who enrolls his or her child in the Voluntary Pre-kindergarten Education Program must allow his or her child to participate in the coordinated screening and progress monitoring program under s. 1008.2125.

Section 35. Paragraphs (a), (b), (c), (e), (g), (h), (i), (j), and (l) of subsection (3), subsection (4), and paragraph (b) of subsection (5) of section 1002.55, Florida Statutes, are amended, and subsection (6) is added to that section, to read:

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

(3) To be eligible to deliver the prekindergarten program, a private prekindergarten 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,~~ child development program that is accredited by a national accrediting body and operates on a military installation that is certified by the United States Department of Defense, or private prekindergarten provider that has been issued a provisional license under s. 402.309. A private prekindergarten provider may not deliver the program while holding a probation-status license under s. 402.310.

(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, or the Florida Association of Academic Nonpublic Schools, or be accredited by the Southern Association of Colleges and Schools, or Western Association of Colleges and Schools, or North Central Association of Colleges and Schools, or Middle States Association of Colleges and Schools, or New England Association of Colleges and Schools; and have written accreditation standards that meet or exceed the state's licensing requirements under s. 402.305, s. 402.313, or s.

402.3131 and require at least one onsite visit to the provider or school before accreditation is granted;

2. Hold a current Gold Seal Quality Care designation under s. 1002.945 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 (f), prekindergarten director credentials under paragraph (g), and a developmentally appropriate curriculum under s. 1002.67(2)(b).

(c) The private prekindergarten provider must have, for each prekindergarten class of 11 children or fewer, 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 Families as being equivalent to or greater than the credential described in sub-subparagraph a.

The Department of Children and Families 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 three ~~an~~ emergent literacy training courses that include developmentally appropriate and experiential learning practices for children ~~course~~ and a student performance standards training course approved by the ~~department~~ office as meeting or exceeding the minimum standards adopted under s. 1002.59. The prekindergarten instructor must complete an emergent literacy training course at least once every 5 years after initially completing the three emergent literacy training courses. The courses in this subparagraph must be recognized as part of the informal early learning and career pathway identified by the department under s. 1002.995(1)(b). The requirement for completion of the standards training course shall take effect July 1, 2022. 2014; The courses must and the course shall be available online or in person.

(e) A private prekindergarten provider may assign a substitute instructor to temporarily replace a credentialed instructor if the credentialed instructor assigned to a prekindergarten class is absent, as long as the substitute instructor is of good moral character and has been screened before

employment in accordance with level 2 background screening requirements in chapter 435. The ~~department~~ Office of Early Learning shall adopt rules to implement this paragraph which shall include required qualifications of substitute instructors and the circumstances and time limits for which a private prekindergarten provider may assign a substitute instructor.

(g) The private prekindergarten provider must have a prekindergarten director who has a prekindergarten director credential that is approved by the ~~department~~ office as meeting or exceeding the minimum standards adopted under s. 1002.57. A private school administrator who holds a valid certificate in educational leadership issued by the department satisfies the requirement for a prekindergarten director credential under s. 1002.57. ~~Successful completion of a child care facility director credential under s. 402.305(2)(g) before the establishment of the prekindergarten director credential under s. 1002.57 or July 1, 2006, whichever occurs later, satisfies the requirement for a prekindergarten director credential under this paragraph.~~

(h) The private prekindergarten provider must register with the early learning coalition on forms prescribed by the ~~department~~ Office of Early Learning.

(i) The private prekindergarten provider must execute the statewide provider contract prescribed under s. 1002.73 ~~s. 1002.75~~, except that an individual who owns or operates multiple private prekindergarten sites ~~providers~~ within a coalition's service area may execute a single agreement with the coalition on behalf of each site provider.

(j) The private prekindergarten provider must maintain general liability insurance and provide the coalition with written evidence of general liability insurance coverage, including coverage for transportation of children if prekindergarten students are transported by the provider. A provider must obtain and retain an insurance policy that provides a minimum of \$100,000 of coverage per occurrence and a minimum of \$300,000 general aggregate coverage. ~~The department office~~ may authorize lower limits upon request, as appropriate. A provider must add the coalition as a named certificateholder and as an additional insured. A provider must provide the coalition with a minimum of 10 calendar days' advance written notice of cancellation of or changes to coverage. The general liability insurance required by this paragraph must remain in full force and effect for the entire period of the provider contract with the coalition.

(l) Notwithstanding paragraph (j), for a private prekindergarten provider that is a state agency or a subdivision thereof, as defined in s. 768.28(2), the provider must agree to notify the coalition of any additional liability coverage maintained by the provider in addition to that otherwise established under s. 768.28. The provider shall indemnify the coalition to the extent permitted by s. 768.28. Notwithstanding paragraph (j), for a child development program that is accredited by a national accrediting body and operates on a military installation that is certified by the United States

Department of Defense, the provider may demonstrate liability coverage by affirming that it is subject to the Federal Tort Claims Act, 28 U.S.C. s. 2671 et seq.

(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, pre-kindergarten 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.

(5)

(b) Notwithstanding any other provision of law, if a private prekindergarten provider has been cited for a class I violation, as defined by rule of the Child Care Services Program Office of the Department of Children and Families, the coalition may refuse to contract with the provider.

(6) Each early learning coalition must 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. If a private prekindergarten provider fails or refuses to comply with this part or engages in misconduct, the department shall require the early learning coalition to remove the provider from eligibility to deliver the program and receive state funds under this part for a period of at least 2 years but no more than 5 years.

Section 36. Paragraphs (b) and (c) of subsection (2) of section 1002.57, Florida Statutes, are redesignated as paragraphs (c) and (d), respectively, subsection (1) is amended, and a new paragraph (b) is added to subsection (2) of that section, to read:

1002.57 Prekindergarten director credential.—

(1) The ~~department office~~, in consultation with the Department of Children and Families, 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:

(b) Implementation of curriculum and usage of student-level data to inform the delivery of instruction;

Section 37. Section 1002.59, Florida Statutes, is amended to read:

1002.59 Emergent literacy and performance standards training courses.

(1) The ~~department office~~ 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)(e)5., 402.313(6), and 402.3131(5).

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

(3) The department shall make available online professional development and training courses comprised of at least 8 clock hours that support prekindergarten instructors in increasing the competency of teacher-child interactions.

Section 38. Subsections (6) through (8) of section 1002.61, Florida Statutes, are renumbered as subsections (7) through (9), respectively, paragraph (b) of subsection (1), paragraph (b) of subsection (3), subsection (4), and present subsections (6) and (8) are amended, and new subsections (6) and (10) are added to that section, to read:

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



(1)

(b) 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)(b) in a summer prekindergarten program delivered by a private prekindergarten provider. A child development program that is accredited by a national accrediting body and operates on a military installation that is certified by the United States Department of Defense may administer the summer prekindergarten program as a private prekindergarten provider.

(3)

(b) Each public school delivering the summer prekindergarten program must execute the statewide provider contract prescribed under ~~s. 1002.73 s. 1002.75~~, except that the school district may execute a single agreement with the early learning coalition on behalf of all district schools.

(4) Notwithstanding ss. 1002.55(3)(c)1. and 1002.63(4), each public school and private prekindergarten provider must have, for each prekindergarten class, at least one prekindergarten instructor who is a certified teacher or 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 and have completed emergent literacy and performance standards courses, as provided for in s. 1002.55(3)(c)2.

(6) A child development program that is accredited by a national accrediting body and operates on a military installation that is certified by the United States Department of Defense shall comply with the requirements of a private prekindergarten provider in this section.

~~(7)(6)~~ A public school or private prekindergarten provider may assign a substitute instructor to temporarily replace a credentialed instructor if the credentialed instructor assigned to a prekindergarten class is absent, as long as the substitute instructor is of good moral character and has been screened before employment in accordance with level 2 background screening requirements in chapter 435. This subsection does not supersede employment requirements for instructional personnel in public schools which are more stringent than the requirements of this subsection. The department Office of Early Learning shall adopt rules to implement this subsection which shall include required qualifications of substitute instructors and the circumstances and time limits for which a public school or private prekindergarten provider may assign a substitute instructor.

~~(9)~~(8) Each public school delivering the summer prekindergarten program must also register with the early learning coalition on forms prescribed by the department Office of Early Learning and deliver the Voluntary Prekindergarten Education Program in accordance with this part.

(10)(a) Each early learning coalition shall verify that each private prekindergarten provider and public school delivering the Voluntary Prekindergarten Education Program within the coalition's county or multi-county region complies with this part.

(b) If a private prekindergarten provider or public school fails or refuses to comply with this part or engages in misconduct, the department shall require the early learning coalition to remove the provider and require the school district to remove the school from eligibility to deliver the Voluntary Prekindergarten Education Program and receive state funds under this part for a period of at least 2 years but no more than 5 years.

Section 39. Paragraph (b) of subsection (3) and subsections (6) and (8) of section 1002.63, Florida Statutes, are amended, and subsection (9) is added to that section, to read:

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

(3)

(b) Each public school delivering the school-year prekindergarten program must execute the statewide provider contract prescribed under s. 1002.73 ~~s. 1002.75~~, except that the school district may execute a single agreement with the early learning coalition on behalf of all district schools.

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

(8) Each public school delivering the school-year prekindergarten program must register with the early learning coalition on forms prescribed by the department Office of Early Learning and deliver the Voluntary Prekindergarten Education Program in accordance with this part.

(9)(a) Each early learning coalition shall verify that each public school delivering the Voluntary Prekindergarten Education Program within the coalition's service area complies with this part.

(b) If a public school fails or refuses to comply with this part or engages in misconduct, the department 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 for a period of at least 2 years but no more than 5 years.

Section 40. Section 1002.67, Florida Statutes, is amended to read:

1002.67 Performance standards and; ~~curricula and accountability.~~—

(1)(a) The department office 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:

1. The capabilities, capacities, and skills required under s. 1(b), Art. IX of the State Constitution; and
2. Emergent literacy skills, including oral communication, knowledge of print and letters, phonemic and phonological awareness, and vocabulary and comprehension development; and
3. Mathematical thinking and early math skills.

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

(b) At least every 3 years, the department office shall periodically review and, if necessary, revise the performance standards established under s. 1002.67 for the statewide kindergarten screening administered under s. 1002.69 and align the standards to the standards established by the state board for student performance on the statewide assessments administered pursuant to s. 1008.22.

(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 s. 1002.68 paragraph (4)(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 and provide for instruction in early math skills;

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

3. Support student learning gains through differentiated instruction that shall be measured by the coordinated screening and progress monitoring program under s. 1008.2125 ~~Prepare students to be ready for kindergarten based upon the statewide kindergarten screening administered under s. 1002.69.~~

(c) The department office shall adopt procedures for the review and approval of ~~approve~~ curricula for use by private prekindergarten providers and public schools that are placed on probation under s. 1002.68 paragraph (4)(e). The department office shall administer the review and approval process and ~~maintain~~ a list of the curricula approved under this paragraph. Each approved curriculum must meet the requirements of paragraph (b).

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

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

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

~~(4)(a) Each early learning coalition shall verify that each private prekindergarten 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 office shall require the early learning coalition to remove the provider and require the school district to remove the school from eligibility to deliver the Voluntary Prekindergarten Education Program and receive state funds under this part for a period of 5 years.~~

~~(c)1. If the kindergarten readiness rate of a private prekindergarten provider or public school falls below the minimum rate adopted by the office 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; shall place the provider or school on probation; and shall require the provider or school to take certain corrective actions, including the use of a curriculum approved by the office~~

under paragraph (2)(c) or a staff development plan to strengthen instruction in language development and phonological awareness approved by the office.

~~2.— A private prekindergarten provider or public school that is placed on probation must continue the corrective actions required under subparagraph 1., including the use of a curriculum or a staff development plan to strengthen instruction in language development and phonological awareness approved by the office, until the provider or school meets the minimum rate adopted by the office as satisfactory under s. 1002.69(6). Failure to implement an approved improvement plan or staff development plan shall result in the termination of the provider’s contract to deliver the Voluntary Prekindergarten Education Program for a period of 5 years.~~

~~3.— 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 office as satisfactory under s. 1002.69(6) and is not granted a good cause exemption by the office pursuant to s. 1002.69(7), the office shall require the early learning coalition or the school district to remove, as applicable, the provider or school from eligibility to deliver the Voluntary Prekindergarten Education Program and receive state funds for the program for a period of 5 years.~~

~~(d) Each early learning coalition and the office shall coordinate with the Child Care Services Program Office of the Department of Children and Families 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 program under part VI of this chapter, and the licensing of providers under ss. 402.301-402.319.~~

Section 41. Section 1002.68, Florida Statutes, is created to read:

1002.68 Voluntary Prekindergarten Education Program accountability.

(1)(a) Beginning with the 2022-2023 program year, each private pre-kindergarten provider and public school participating in the Voluntary Prekindergarten Education Program must participate in the coordinated screening and progress monitoring program in accordance with s. 1008.2125. The coordinated screening and progress monitoring program results shall be used by the department to identify student learning gains, index development learning outcomes upon program completion relative to the performance standards established under s. 1002.67 and representative norms, and inform a private prekindergarten provider’s and public school’s performance metric.

(b) At a minimum, the initial and final progress monitoring or screening must be administered by individuals meeting requirements adopted by the department under s. 1008.2125.

(c) Each private prekindergarten provider and public school must provide a student's performance results from the coordinated screening and progress monitoring to the student's parents within 7 days after the administration of such coordinated screening and progress monitoring.

(2) Beginning with the 2022-2023 program year, each private prekindergarten provider and public school in the Voluntary Prekindergarten Education Program must participate in a program assessment of each voluntary prekindergarten education classroom. The program assessment shall measure the quality of teacher-child interactions, including emotional support, classroom organization, and instructional support for children ages 3 to 5 years. Each private prekindergarten provider and public school in the Voluntary Prekindergarten Education Program shall receive from the department the results of the program assessment for each classroom within 14 days after the observation. Each early learning coalition shall be responsible for the administration of the program assessments which must be conducted by individuals qualified to conduct program assessments under s. 1002.82(2)(n).

(3)(a) For the 2020-2021 program year, the department shall calculate a kindergarten readiness rate for each private prekindergarten provider and public school participating in the Voluntary Prekindergarten Education Program based upon learning gains and the percentage of students assessed as ready for kindergarten. The department shall require that each school district administer the statewide kindergarten screening in use before the 2021-2022 school year to each kindergarten student in the school district within the first 30 school days of the 2021-2022 school year. Private schools may administer the statewide kindergarten screening to each kindergarten student in a private school who was enrolled in the Voluntary Prekindergarten Education Program. Learning gains shall be determined using a value-added measure based on growth demonstrated by the results of the preassessment and postassessment in use before the 2021-2022 program year. However, a provider may not be newly placed on probationary status under this paragraph. A provider currently on probationary status may only be removed from such status if the provider earns the minimum rate, determined pursuant to subsection (5). The methodology for calculating a provider's readiness rate may not include students who are not administered the statewide kindergarten screening.

(b) For the 2021-2022 program year, kindergarten screening results may not be used in the calculation of readiness rates. Any private prekindergarten provider or public school participating in the Voluntary Prekindergarten Education Program which fails to meet the minimum kindergarten readiness rate for the 2021-2022 program year is subject to the probation requirements of subsection (5).

(4)(a) Beginning with the 2022-2023 program year, the department shall adopt a methodology for calculating each private prekindergarten provider's and public school provider's performance metric, which must be based on a combination of the following:

1. Program assessment composite scores under subsection (2), which must be weighted at no less than 50 percent.

2. Learning gains operationalized as change-in-ability scores from the initial and final progress monitoring results described in subsection (1).

3. Norm-referenced developmental learning outcomes described in subsection (1).

(b) The methodology for calculating a provider's performance metric may not include students who are not administered the coordinated screening and progress monitoring program under s. 1008.2125.

(c) The program assessment composite score and performance metric must be calculated for each private prekindergarten or public school site.

(d) The methodology shall include a statistical latent profile analysis developed by the department that shall produce a limited number of performance metric profiles which summarize the profiles of all sites that must be used to inform the following designations: "unsatisfactory," "emerging proficiency," "proficient," "highly proficient," and "excellent" or comparable terminology determined by the office which may not include letter grades.

(e) Subject to an appropriation, the department shall provide for a differential payment to a private prekindergarten provider and public school based on the provider's designation. The maximum differential payment may not exceed a total of 15 percent of the base student allocation per full-time equivalent student under s. 1002.71 attending in the consecutive program year for that program. A private prekindergarten provider or public school may not receive a differential payment if it receives a designation of "proficient" or lower. Before the adoption of the methodology, the department shall confer with the Council for Early Grade Success under s. 1008.2125 before receiving approval from the State Board of Education for the final recommendations on the designation system and differential payments.

(f) The department shall adopt procedures to annually calculate each private prekindergarten provider's and public school's performance metric, based on the methodology adopted in paragraphs (a) and (b), and assign a designation under paragraph (d). Beginning with the 2023-2024 program year, each private prekindergarten provider or public school shall be assigned a designation within 45 days after the conclusion of the school-year Voluntary Prekindergarten Education Program delivered by all participating private prekindergarten providers or public schools and within 45 days after the conclusion of the summer Voluntary Prekindergarten Education Program delivered by all participating private prekindergarten providers or public schools.

(g) A private prekindergarten provider or public school designated “proficient,” “highly proficient,” or “excellent” demonstrates the provider’s or school’s satisfactory delivery of the Voluntary Prekindergarten Education Program.

(h) The designations shall be displayed in the early learning provider performance profiles required under s. 1002.92(3).

(5)(a) If a public school’s or private prekindergarten provider’s program assessment composite score for its prekindergarten classrooms fails to meet the minimum program assessment composite score for contracting adopted in rule by the department, the private prekindergarten provider or public school may not participate in the Voluntary Prekindergarten Education Program beginning in the consecutive program year and thereafter until the public school or private prekindergarten provider meets the minimum composite score for contracting. A public school or private prekindergarten provider may request one program assessment per program year in order to requalify for participation in the Voluntary Prekindergarten Education Program, provided that the public school or private prekindergarten provider is not excluded from participation under ss. 1002.55(6), 1002.61(10)(b), 1002.63(9)(b), or paragraph (5)(b) of this section. If a public school or private prekindergarten provider would like an additional program assessment completed within the same program year, the public school or private prekindergarten provider shall be responsible for the cost of the program assessment.

(b) If a private prekindergarten provider’s or public school’s performance metric or designation falls below the minimum performance metric or designation, the early learning coalition shall:

1. Require the provider or school to submit for approval to the early learning coalition an improvement plan and implement the plan.

2. Place the provider or school on probation.

3. Require the provider or school to take certain corrective actions, including the use of a curriculum approved by the department under s. 1002.67(2)(c) and a staff development plan approved by the department to strengthen instructional practices in emotional support, classroom organization, instructional support, language development, phonological awareness, alphabet knowledge, and mathematical thinking.

(c) A private prekindergarten provider or public school that is placed on probation must continue the corrective actions required under paragraph (b) until the provider or school meets the minimum performance metric or designation adopted by the department. Failure to meet the requirements of subparagraphs (b)1. and 3. shall result in the termination of the provider’s or school’s contract to deliver the Voluntary Prekindergarten Education Program for a period of at least 2 years but no more than 5 years.



(d) If a private prekindergarten provider or public school remains on probation for 2 consecutive years and fails to meet the minimum performance metric or designation, or is not granted a good cause exemption by the department, the department shall require the early learning coalition to revoke the provider's eligibility and the school district to revoke the school's eligibility to deliver the Voluntary Prekindergarten Education Program and receive state funds for the program for a period of at least 2 years but no more than 5 years.

(6)(a) The department, upon the request of a private prekindergarten provider or public school that remains on probation for at least 2 consecutive years and subsequently fails to meet the minimum performance metric or designation, and for good cause shown, may grant to the provider or school an exemption from being determined ineligible to deliver the Voluntary Prekindergarten Education Program and receive state funds for the program. Such exemption is valid for 1 year and, upon the request of the private prekindergarten provider or public school and for good cause shown, may be renewed.

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

1. Data from the private prekindergarten provider or public school which documents the achievement and progress of the children served, as measured by any required screenings or assessments.

2. Data from the program assessment required under subsection (2) which demonstrates effective teaching practices as recognized by the tool developer.

3. Data from the early learning coalition or district school board, as applicable, the Department of Children and Families, the local licensing authority, or an accrediting association, as applicable, relating to the private prekindergarten provider's or public school's compliance with state and local health and safety standards.

(c) The department shall adopt criteria for granting good cause exemptions. Such criteria must include, but are not limited to, all of the following:

1. Child demographic data that evidences a private prekindergarten provider or public school serves a statistically significant population of children with special needs who have individual education plans and can demonstrate progress toward meeting the goals outlined in the students' individual education plans.

2. Learning gains of children served in the Voluntary Prekindergarten Education Program by the private prekindergarten provider or public school on an alternative measure that has comparable validity and reliability of the

coordinated screening and progress monitoring program in accordance with s. 1008.2125.

3. Program assessment data under subsection (2) which demonstrates effective teaching practices as recognized by the tool developer.

4. Verification that local and state health and safety requirements are met.

(d) A good cause exemption may not be granted to any private prekindergarten provider or public school that has any class I violations or two or more class II violations, as defined by rule of the Department of Children and Families, within the 2 years preceding the provider's or school's request for the exemption.

(e) A private prekindergarten provider or public school granted a good cause exemption shall continue to implement its improvement plan and continue the corrective actions required under subsection (5)(b) until the provider or school meets the minimum performance metric.

(f) If a good cause exemption is granted to a private prekindergarten provider or public school that remains on probation for 2 consecutive years and if the provider meets all other applicable requirements of this part, the department shall notify the early learning coalition of the good cause exemption and direct that the early learning coalition not remove the provider from eligibility to deliver the Voluntary Prekindergarten Education Program or to receive state funds for the program.

(g) The department shall report the number of private prekindergarten providers or public schools that have received a good cause exemption and the reasons for the exemptions as part of its annual reporting requirements under s. 1002.82(7).

(7) Representatives from each school district and corresponding early learning coalitions must meet annually to develop strategies to transition students from the Voluntary Prekindergarten Education Program to kindergarten.

Section 42. Section 1002.69, Florida Statutes, is repealed.

Section 43. Paragraph (c) of subsection (3), subsection (4), paragraph (b) of subsection (5), paragraphs (b) and (d) of subsection (6), and subsection (7) of section 1002.71, Florida Statutes, are amended to read:

1002.71 Funding; financial and attendance reporting.—

(3)

(c) The initial allocation shall be based on estimated student enrollment in each coalition service area. The ~~department~~ Office of Early Learning shall reallocate funds among the coalitions based on actual full-time equivalent

student enrollment in each coalition service area. Each coalition shall report student enrollment pursuant to subsection (2) on a monthly basis. A student enrollment count for the prior fiscal year may not be amended after September 30 of the subsequent fiscal year.

(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 70 percent of the hours authorized to be reported for funding under subsection (2), or has not expended more than 70 percent of the funds authorized for the child under s. 1002.66, may withdraw from the program for good cause and reenroll in one of the programs. The total funding for a child who reenrolls in one of the programs for good cause may not exceed one full-time equivalent student. Funding for a child who withdraws and reenrolls in one of the programs for good cause shall be issued in accordance with the ~~department's~~ Office of Early Learning's uniform attendance policy adopted pursuant to paragraph (6)(d).

(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 summer programs, and be reported for funding purposes as a full-time equivalent student in the summer 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, unless the child is granted a good cause exemption under this subsection. ~~The department~~ Office of Early Learning 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)

(b) ~~The department~~ Office of Early Learning 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 ~~department~~ Office of Early Learning to the early learning coalitions for payment by the coalitions to private prekindergarten providers and public schools.

(6)

(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 ~~department Office of Early Learning~~. 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 ~~department Office of Early Learning~~ 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 the school districts must comply with the review procedures.

(d) The ~~department Office of Early Learning~~ 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 include at least the following provisions:

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

2. At a maximum, 20 percent of the total payment made on behalf of a student to a private prekindergarten provider or a public school may be for hours a student is absent.

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

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 department ~~Office of Early Learning~~ shall require that administrative expenditures be kept to the minimum necessary for efficient and effective administration of the Voluntary Prekindergarten Education Program. Administrative policies and procedures shall be revised, to the maximum extent practicable, to incorporate the use of automation and electronic submission of forms, including those required for child eligibility and enrollment, provider and class registration, and monthly certification of attendance for payment. A school district may use its automated daily attendance reporting system for the purpose of transmitting attendance records to the early learning coalition in a mutually agreed-upon format. In addition, actions shall be taken to reduce paperwork, eliminate the duplication of reports, and eliminate other duplicative activities. Each early learning coalition may retain and expend no more than 4.0 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.

Section 44. Subsection (1) of section 1002.72, Florida Statutes, is amended to read:

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

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

(b) This exemption applies to the records of a child enrolled in the Voluntary Prekindergarten Education Program held by an early learning coalition, the department ~~Office of Early Learning~~, or a Voluntary

Prekindergarten Education Program provider before, on, or after the effective date of this exemption.

Section 45. Section 1002.73, Florida Statutes, is amended to read:

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

(1) The department shall adopt by rule a standard statewide provider contract to be used with each Voluntary Prekindergarten Education Program provider, with standardized attachments by provider type. The department shall publish a copy of the standard statewide provider contract on its website. The standard statewide provider contract shall include, at a minimum, provisions for provider probation, termination for cause, and emergency termination for actions or inactions of a provider that pose an immediate and serious danger to the health, safety, or welfare of children. The standard statewide provider contract shall also include appropriate due process procedures. During the pendency of an appeal of a termination, the provider may not continue to offer its services. Any provision imposed upon a provider that is inconsistent with, or prohibited by, law is void and unenforceable administer the accountability requirements of the Voluntary Prekindergarten Education Program at the state level.

(2) The department shall adopt procedures for its:

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

(b) The approval of emergent literacy and early mathematics skills training courses under ss. 1002.55 and 1002.59.

(c) Annually notifying private prekindergarten providers and public schools placed on probation for not meeting the minimum performance metric or designation as required by s. 1002.68 of the high-quality professional development opportunities developed or supported by the department.

(d) The administration of the Voluntary Prekindergarten Education Program by the early learning coalitions, including, but not limited to, procedures for:

1. Enrolling students in and determining the eligibility of children for the Voluntary Prekindergarten Education Program under s. 1002.53, which shall include the enrollment of children by public schools and private providers that meet specified requirements.

2. Providing parents with profiles of private prekindergarten providers and public schools under s. 1002.53.

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

4. Determining the eligibility of private prekindergarten providers to deliver the program under ss. 1002.55 and 1002.61 and streamlining the process of determining provider eligibility whenever possible.

5. 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.

6. Paying private prekindergarten providers and public schools under s. 1002.71.

7. Documenting and certifying student enrollment and student attendance under s. 1002.71.

8. Reconciling advance payments in accordance with the uniform attendance policy under s. 1002.71.

9. 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 department shall administer the accountability requirements of the Voluntary Prekindergarten Education Program at the state level.

(4) The department shall adopt procedures governing the administration of the Voluntary Prekindergarten Education Program by the early learning coalitions for:

(a) Approving improvement plans of private prekindergarten providers and public schools under s. 1002.68.

(b) Placing private prekindergarten providers and public schools on probation and requiring corrective actions under s. 1002.68.

(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. 1002.68. Notwithstanding any other law, if a private prekindergarten provider has been cited for a class I violation, as defined by rule of the Child Care Services Program Office of the Department of Children and Families, the coalition may refuse to contract with the provider or revoke the provider's eligibility to deliver the Voluntary Prekindergarten Education Program.

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

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

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

~~(d) Implementation of, and determination of costs associated with, the state-approved prekindergarten enrollment screening and the standardized postassessment approved by the department, and determination of the learning gains of students who complete the state-approved prekindergarten enrollment screening and the standardized postassessment approved by the department.~~

~~(f)(e)~~ Approving Approval of specialized instructional services providers under s. 1002.66.

~~(f) Annual reporting of the percentage of kindergarten students who meet all state readiness measures.~~

(g) Granting of a private prekindergarten provider's or public school's request for a good cause exemption under s. 1002.68 ~~s. 1002.69(7)~~.

(5) The department shall adopt procedures for the distribution of funds to early learning coalitions under s. 1002.71.

~~(6)(3)~~ Except as provided by law, the department 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.

Section 46. Sections 1002.75, Florida Statutes, is repealed.

Section 47. Section 1002.79, Florida Statutes, is amended to read:

1002.79 Rulemaking authority.—~~The State Board of Education Office of Early Learning~~ shall adopt rules under ss. 120.536(1) and 120.54 to administer the provisions of this part conferring duties upon the department office.

Section 48. Section 1002.81, Florida Statutes, is amended to read:

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

(1) "At-risk child" means:

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

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

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



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

(e) A child in the custody of a parent who is considered a victim of domestic violence and is receiving services through a certified domestic violence center.

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

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

(3) “Department” means the Department of Education.

(4) “Direct enhancement services” means services for families and children that are in addition to payments for the placement of children in the school readiness program. Direct enhancement services for families and children may include supports for providers, parent training and involvement activities, and strategies to meet the needs of unique populations and local eligibility priorities. Direct enhancement services offered by an early learning coalition shall be consistent with the activities prescribed in s. 1002.89(5)(b) ~~s. 1002.89(6)(b)~~.

(5) “Disenrollment” means the removal, either temporary or permanent, of a child from participation in the school readiness program. Removal of a child from the school readiness program may be based on the following events: a reduction in available school readiness program funding, participant’s failure to meet eligibility or program participation requirements, fraud, or a change in local service priorities.

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

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

(8) “Family income” means the combined gross income, whether earned or unearned, that is derived from any source by all family or household members who are 18 years of age or older who are currently residing together in the same dwelling unit. The term does not include income earned by a currently enrolled high school student who, since attaining the age of 18

years, or a student with a disability who, since attaining the age of 22 years, has not terminated school enrollment or received a high school diploma, high school equivalency diploma, special diploma, or certificate of high school completion. The term also does not include food stamp benefits or federal housing assistance payments issued directly to a landlord or the associated utilities expenses.

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

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

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

~~(12) “Office” means the Office of Early Learning of the Department of Education.~~

~~(12)~~(13) “Part-time care” means less than 6 hours of child care or early childhood education services within a 24-hour period.

~~(13)~~(3) “Prevailing Average market rate” means the biennially determined 75th percentile of a reasonable frequency distribution average of the market rate by program care level and provider type in a predetermined geographic market at which child care providers charge a person for child care services.

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

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

- (a) Documented alimony and child support received.
- (b) Social security benefits.
- (c) Supplemental security income benefits.
- (d) Workers’ compensation benefits.
- (e) Reemployment assistance or unemployment compensation benefits.
- (f) Veterans’ benefits.

- (g) Retirement benefits.
- (h) Temporary cash assistance under chapter 414.
- (16) “Working family” means:

(a) A single-parent family in which the parent with whom the child resides is employed or engaged in eligible work or education activities for at least 20 hours per week;

(b) A two-parent family in which both parents with whom the child resides are employed or engaged in eligible work or education activities for a combined total of at least 40 hours per week; or

(c) A two-parent family in which one of the parents with whom the child resides is exempt from work requirements due to age or disability, as determined and documented by a physician licensed under chapter 458 or chapter 459, and one parent is employed or engaged in eligible work or education activities at least 20 hours per week.

Section 49. Section 1002.82, Florida Statutes, is amended to read:

1002.82 Department of Education Office of Early Learning; powers and duties.—

(1) For purposes of administration of the Child Care and Development Block Grant Trust Fund, pursuant to 45 C.F.R. parts 98 and 99, the department Office of Early Learning is designated as the lead agency and must comply with lead agency responsibilities pursuant to federal law. The department office may apply to the Governor and Cabinet for a waiver of, and the Governor and Cabinet may waive, any provision of ss. 411.223 and 1003.54 if the waiver is necessary for implementation of the school readiness program. Section 125.901(2)(a)3. does not apply to the school readiness program.

(2) The department office shall:

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

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

(c) Be responsible for the prudent use of all public and private funds in accordance with all legal and contractual requirements, safeguarding the effective use of federal, state, and local resources to achieve the highest

practicable level of school readiness for the children described in s. 1002.87, including:

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

- a. Direct services to children.
- b. Administrative costs.
- c. Quality activities.
- d. Nondirect services.

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

(d) Establish procedures for the biennial calculation of the prevailing average market rate or an alternative model that has been approved by the Administration for Children and Families pursuant to 45 C.F.R. s. 98.45(c).

(e) Review each early learning coalition's school readiness program plan every 2 years and provide final approval of the plan and any amendments submitted.

(f) Establish a unified approach to the state's efforts to coordinate a comprehensive early learning program. In support of this effort, the department office:

1. Shall adopt specific program support services that address the state's school readiness program, including:

a. Statewide data information program requirements that include:

- (I) Eligibility requirements.
- (II) Financial reports.
- (III) Program accountability measures.
- (IV) Child progress reports.

b. Child care resource and referral services.

c. A single point of entry and uniform waiting list.

2. May provide technical assistance and guidance on additional support services to complement the school readiness program, including:

~~a. Rating and improvement systems.~~

- ~~a.b.~~ Warm-Line services.
- ~~b.e.~~ Anti-fraud plans.
- ~~d.~~ School readiness program standards.
- ~~e.~~ Child screening and assessments.
- ~~c.f.~~ Training and support for parental involvement in children's early education.
- ~~d.g.~~ Family literacy activities and services.
- (g) Provide technical assistance to early learning coalitions.
- (h) In cooperation with the early learning coalitions, coordinate with the Child Care Services Program Office of the Department of Children and Families to reduce paperwork and to avoid duplicating interagency activities, health and safety monitoring, and acquiring and composing data pertaining to child care training and credentialing.
- (i) Enter into a memorandum of understanding with local licensing agencies and the Child Care Services Program Office of the Department of Children and Families for inspections of school readiness program providers to monitor and verify compliance with s. 1002.88 and the health and safety checklist adopted by the ~~department~~ office. The provider contract of a school readiness program provider that refuses permission for entry or inspection shall be terminated. The health and safety checklist may not exceed the requirements of s. 402.305 and the Child Care and Development Fund pursuant to 45 C.F.R. part 98. A child development program that is accredited by a national accrediting body and operates on a military installation that is certified by the United States Department of Defense is exempted from the inspection requirements under s. 1002.88.
- (j) Monitor the alignment and consistency of the Develop and adopt standards and benchmarks developed and adopted by the department that address the age-appropriate progress of children in the development of school readiness skills. The standards for children from birth to kindergarten entry 5 years of age in the school readiness program must be aligned with the performance standards adopted for children in the Voluntary Prekindergarten Education Program and must address the following domains:
1. Approaches to learning.
  2. Cognitive development and general knowledge.
  3. Numeracy, language, and communication.
  4. Physical development.
  5. Self-regulation.

(k) Identify observation-based child assessments that are valid, reliable, and developmentally appropriate for use at least three times a year. The assessments must:

1. Provide interval level and norm-referenced ~~critereon-refereneed~~ data that measures equivalent levels of growth across the core domains of early childhood development and that can be used for determining developmentally appropriate learning gains.

2. Measure progress in the performance standards adopted pursuant to paragraph (j).

3. Provide for appropriate accommodations for children with disabilities and English language learners and be administered by qualified individuals, consistent with the developer's instructions.

4. Coordinate with the performance standards adopted by the department under s. 1002.67(1) for the Voluntary Prekindergarten Education Program.

5. Provide data in a format for use in the single statewide information system to meet the requirements of paragraph (q) ~~(p)~~.

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

(m) Provide technical support to an early learning coalition to facilitate the use of ~~Adopt by rule~~ a standard statewide provider contract adopted by the department to be used with each school readiness program provider, with standardized attachments by provider type. The department ~~office~~ shall publish a copy of the standard statewide provider contract on its website. The standard statewide contract shall include, at a minimum, contracted slots, if applicable, in accordance with the Child Care and Development Block Grant Act of 2014, 45 C.F.R. parts 98 and 99; quality improvement strategies, if applicable; program assessment requirements; and provisions for provider probation, termination for cause, and emergency termination for those actions or inactions of a provider that pose an immediate and serious danger to the health, safety, or welfare of the children. The standard statewide provider contract shall also include appropriate due process procedures. During the pendency of an appeal of a termination, the provider may not continue to offer its services. Any provision imposed upon a provider that is inconsistent with, or prohibited by, law is void and unenforceable. Provisions for termination for cause must also include failure to meet the minimum quality measures established under paragraph (n) for a period of up to 5 years, unless the coalition determines that the provider is essential to meeting capacity needs based on the assessment under s. 1002.85(2)(j) and the provider has an active improvement plan pursuant to paragraph (n).

(n) Adopt a program assessment for school readiness program providers that measures the quality of teacher-child interactions, including emotional and behavioral support, engaged support for learning, classroom organization, and instructional support for children ages birth to 5 years. The implementation of the program assessment must also include the following components adopted by rule of the State Board of Education:

1. Quality measures, including a minimum program assessment composite score threshold for contracting purposes and program improvement through an improvement plan.

2. Requirements for program participation, frequency of program assessment, and exemptions.

(o) No later than July 1, 2019, develop a differential payment program based on the quality measures adopted by the department office under paragraph (n). The differential payment may not exceed a total of 15 percent for each care level and unit of child care for a child care provider. No more than 5 percent of the 15 percent total differential may be provided to providers who submit valid and reliable data to the statewide information system in the domains of language and executive functioning using a child assessment identified pursuant to paragraph (k). Providers below the minimum program assessment score adopted threshold for contracting purposes are ineligible for such payment.

(p) No later than July 1, 2022, develop and adopt requirements for the implementation of a program designed to make available contracted slots to serve children at the greatest risk of school failure as determined by such children being located in an area that has been designated as a poverty area tract according to the latest census data. The contracted slot program may also be used to increase the availability of child care capacity based on the assessment under s. 1002.85(2)(j).

(q)(p) Establish a single statewide information system that each coalition must use for the purposes of managing the single point of entry, tracking children's progress, coordinating services among stakeholders, determining eligibility of children, tracking child attendance, and streamlining administrative processes for providers and early learning coalitions. By July 1, 2019, the system, subject to ss. 1002.72 and 1002.97, shall:

1. Allow a parent to monitor the development of his or her child as the child moves among programs within the state.

2. Enable analysis at the state, regional, and local level to measure child growth over time, program impact, and quality improvement and investment decisions.

(r)(q) Provide technical support to coalitions to facilitate the use of ~~Adopt by rule~~ standardized procedures adopted in state board rule for early learning coalitions to use when monitoring the compliance of school

readiness program providers with the terms of the standard statewide provider contract.

~~(s)~~(r) At least biennially provide fiscal and programmatic monitoring to Monitor and evaluate the performance of each early learning coalition in administering the school readiness program, ensuring proper payments for school readiness program services, implementing the coalition's school readiness program plan, and administering the Voluntary Prekindergarten Education Program. These monitoring and performance evaluations must include, at a minimum, onsite monitoring of each coalition's finances, management, operations, and programs.

~~(t)~~(s) Work in conjunction with the Bureau of Federal Education Programs within the department of ~~Education~~ to coordinate readiness and voluntary prekindergarten services to the populations served by the bureau.

~~(u)~~(t) Administer a statewide toll-free Warm-Line to provide assistance and consultation to child care facilities and family day care homes regarding health, developmental, disability, and special needs issues of the children they are serving, particularly children with disabilities and other special needs. The department office shall:

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

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

~~(v)~~(u) Develop and implement strategies to increase the supply and improve the quality of child care services for infants and toddlers, children with disabilities, children who receive care during nontraditional hours, children in underserved areas, and children in areas that have significant concentrations of poverty and unemployment.

~~(w)~~(v) Establish preservice and inservice training requirements that address, at a minimum, school readiness child development standards, health and safety requirements, and social-emotional behavior intervention models, which may include positive behavior intervention and support models, including the integration of early learning professional development pathways established in s. 1002.995.

~~(x)~~(w) Establish standards for emergency preparedness plans for school readiness program providers.

~~(y)~~(x) Establish group sizes.

~~(z)~~(y) Establish staff-to-children ratios that do not exceed the requirements of s. 402.302(8) or (11) or s. 402.305(4), as applicable, for school readiness program providers.



(aa)(z) Establish eligibility criteria, including limitations based on income and family assets, in accordance with s. 1002.87 and federal law.

(3)(a) The department shall adopt performance standards and outcome measures for early learning coalitions that, at a minimum, include the development of objective and statistically valid customer service surveys by a state university of other independent researcher with specific expertise in customer service survey development. The survey shall be deployed beginning in fiscal year 2022-2023 and be distributed to:

1. Customers who use the services in s. 1002.92 upon the completion of a referral inquiry.

2. Parents, annually, at the time of eligibility determination.

3. Child care providers that participate in the school readiness program or the Voluntary Prekindergarten Education Program at the time of execution of the statewide provider contract.

4. Board members required under s. 1002.83.

(b) Results of the survey shall be based on a statistically significant sample size of completed surveys and calculated annually for each early learning coalition and included in the department's annual report under subsection (7). If an early learning coalition's customer satisfaction survey results are below 60 percent, the coalition shall be placed on a 1-year corrective action plan that outlines the specific steps the coalition shall take to improve the results of the customer service surveys, including, but not limited to, technical assistance, staff professional development, or coaching. If, after being placed on corrective action, an early learning coalition's customer satisfaction survey results do not improve above the 60 percent threshold, the department may contract out or merge the coalition.

(4)(3) If the department office determines during the review of school readiness program plans, or through monitoring and performance evaluations conducted under s. 1002.85, that an early learning coalition has not substantially implemented its plan, has not substantially met the performance standards and outcome measures adopted by the department or the terms of a customer service corrective action plan office, or has not effectively administered the school readiness program or Voluntary Prekindergarten Education Program, the department office may remove the coalition from eligibility to administer early learning programs and temporarily contract with a qualified entity to continue school readiness program and pre-kindergarten services in the coalition's county or multicounty region until the department office reestablishes or merges the coalition and a new school readiness program plan is approved in accordance with the rules adopted by the state board office.

(5) The department shall adopt procedures for merging early learning coalitions for failure to meet the requirements of subsection (3) or subsection

(4), including procedures for the consolidation of merging coalitions that minimizes duplication of programs and services due to the merger, and for the early termination of the terms of the coalition members which are necessary to accomplish the mergers.

~~(6)~~(4) The department ~~office~~ may request the Governor to apply for a waiver to allow a coalition to administer the Head Start Program to accomplish the purposes of the school readiness program.

~~(7)~~(5) By January 1 of each year, the department ~~office~~ shall annually publish on its website a report of its activities conducted under this section. The report must include a summary of the coalitions' annual reports, a statewide summary, and the following:

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

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

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

3. A description of the department's ~~office's~~ and each coalition's expenditures by fund source for the quality and enhancement activities described in s. 1002.89(5)(b) ~~s. 1002.89(6)(b)~~.

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

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

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

7. The total number of providers by provider type.

8. The number of school readiness program providers who have completed the program assessment required under paragraph (2)(n); the number of providers who have not met the minimum program assessment composite score threshold for contracting established under paragraph (2)(n); and the number of providers that have an active improvement plan based on the results of the program assessment under paragraph (2)(n).

9. The total number of provider contracts revoked and the reasons for revocation.

(b) A detailed summary of the analysis compiled using the single statewide information system established in subsection (2) activities and detailed expenditures related to the Child Care Executive Partnership Program.

~~(8)(a)(6)(a)~~ Parental choice of child care providers, including private and faith-based providers, shall be established to the maximum extent practicable in accordance with 45 C.F.R. s. 98.30.

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

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

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

~~(9)(7)~~ Participation in the school readiness program does not expand the regulatory authority of the state, its officers, or an early learning coalition to impose any additional regulation on providers beyond those necessary to enforce the requirements set forth in this part and part V of this chapter.

Section 50. Subsections (5) through (14) of section 1002.83, Florida Statutes, are renumbered as subsections (6) through (15), respectively, subsections (1) and (3), paragraphs (e), (f), and (m) of subsection (4), and present subsections (5), (11), and (13) are amended, and a new subsection (5) is added to that section, to read:

1002.83 Early learning coalitions.—

(1) Thirty ~~Thirty-one~~ or fewer early learning coalitions are established and shall maintain direct enhancement services at the local level and provide access to such services in all 67 counties. Two or more early learning coalitions may join for purposes of planning and implementing a school readiness program and the Voluntary Prekindergarten Education Program.

(3) The Governor shall appoint the chair and two other members of each early learning coalition, who must each meet the same ~~same~~ qualifications of a ~~as~~ private sector business member ~~members appointed by the coalition~~ under subsection (6) ~~(5)~~. In the absence of a governor-appointed chair, the Commissioner of Education may appoint an interim chair from the current early learning coalition board membership.

(4) Each early learning coalition must include the following member positions; however, in a multicounty coalition, each ex officio member position may be filled by multiple nonvoting members but no more than one voting member shall be seated per member position. If an early learning coalition has more than one member representing the same entity, only one of such members may serve as a voting member:

(e) A children's services council or juvenile welfare board chair or executive director from each county, if applicable.

(f) A Department of Children and Families child care regulation representative or an agency head of a local licensing agency as defined in s. 402.302, where applicable.

~~(m) A central agency administrator, where applicable.~~

(5) If members of the board are found to be nonparticipating according to the early learning coalition bylaws, the early learning coalition may request an alternate designee who meets the same qualifications or membership requirements of the nonparticipating member.

~~(6)(5) The early learning coalition may appoint additional~~ Including the members who appointed by the Governor under subsection (3), more than one-third of the members of each early learning coalition must be private sector business members, either for-profit or nonprofit, 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 this chapter or the school readiness program. ~~To meet this requirement, an early learning coalition must appoint additional members.~~ The department office 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 school readiness program.

~~(12)(11)~~ Each early learning coalition shall establish terms for 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. ~~Coalition chairs shall be appointed for 4 years pursuant to s. 20.052.~~ Appointed members may serve a maximum of two consecutive terms. When a vacancy occurs in an appointed position, the coalition must advertise the vacancy.

~~(14)(13)~~ Each early learning coalition shall complete an annual evaluation of the early learning coalition's executive director or chief executive officer on forms adopted by the department. The annual evaluation must be submitted to the commissioner by August 30 of each year. ~~use a coordinated professional development system that supports the achievement and maintenance of core competencies by school readiness program teachers in helping children attain the performance standards adopted by the office.~~

Section 51. Subsections (7) through (20) of section 1002.84, Florida Statutes, are renumbered as subsections (8) through (21), respectively, subsections (1), (2), and (4) and present subsections (7), (8), (15), (16), (17), (18), and (20) of that section are amended, and a new subsection (7) is added to that section, to read:

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

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

(2) Establish a uniform waiting list to track eligible children waiting for enrollment in the school readiness program in accordance with rules adopted by the State Board of Education office.

(4) Establish a regional Warm-Line as directed by the department office pursuant to s. 1002.82(2)(u) ~~s. 1002.82(2)(t)~~. Regional Warm-Line staff shall provide onsite technical assistance, when requested, to assist child care facilities and family day care homes with inquiries relating to the strategies, curriculum, and environmental adaptations the child care facilities and family day care homes may need as they serve children with disabilities and other special needs.

(7) Use a coordinated professional development system that supports the achievement and maintenance of core competencies by school readiness program teachers in helping children attain the performance standards adopted by the department.

~~(8)~~(7) Determine child eligibility pursuant to s. 1002.87 and provider eligibility pursuant to s. 1002.88. Child eligibility must be redetermined annually. A coalition must document the reason a child is no longer eligible for the school readiness program according to the standard codes prescribed by the department office.

~~(9)~~(8) Establish a parent sliding fee scale that provides for a parent copayment that is not a barrier to families receiving school readiness program services. ~~Providers are required to collect the parent's copayment.~~ A coalition may, ~~on a case-by-case basis~~, waive the copayment for an at-risk child or temporarily waive the copayment for a child whose family's income is at or below the federal poverty level or ~~and~~ whose family experiences a natural disaster or an event that limits the parent's ability to pay, such as incarceration, placement in residential treatment, or becoming homeless, or an emergency situation such as a household fire or burglary, or while the parent is participating in parenting classes or participating in an Early Head Start program or Head Start Program. A parent may not transfer school readiness program services to another school readiness program provider until the parent has submitted documentation from the current

school readiness program provider to the early learning coalition stating that the parent has satisfactorily fulfilled the copayment obligation.

~~(16)~~(15) Monitor school readiness program providers in accordance with its plan, or in response to a parental complaint, to verify that the standards prescribed in ss. 1002.82 and 1002.88 are being met using a standard monitoring tool adopted by the department office. Providers determined to be high-risk by the coalition, as demonstrated by substantial findings of violations of federal law or the general or local laws of the state, shall be monitored more frequently. Providers with 3 consecutive years of compliance may be monitored biennially.

~~(17)~~(16) Adopt a payment schedule that encompasses all programs funded under this part and part V of this chapter. The payment schedule must take into consideration the prevailing average market rate or an alternative model that has been approved by the Administration for Children and Families pursuant to 45 C.F.R. 98.45(c), include the projected number of children to be served, and be submitted for approval by the department office. Informal child care arrangements shall be reimbursed at not more than 50 percent of the rate adopted for a family day care home.

~~(18)~~(17) Implement an anti-fraud plan addressing the detection, reporting, and prevention of overpayments, abuse, and fraud relating to the provision of and payment for school readiness program and Voluntary Prekindergarten Education Program services and submit the plan to the department office for approval, as required by s. 1002.91.

~~(19)~~(18) By October 1 of each year, submit an annual report to the department office. The report shall conform to the format adopted by the department office and must include:

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

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

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

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

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

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

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

(h) An evaluation of its direct enhancement services.

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

~~(21)(a)(20)~~ To increase transparency and accountability, comply with the requirements of this section before contracting with one or more of the following persons or business entities which employs, has a contractual relationship with, or is owned by the following persons:

1. A member of the coalition appointed pursuant to s. 1002.83(3);

2. A board member of any other early learning subrecipient entity;

3. A coalition employee; or

4. A relative, as defined in s. 112.3143(1)(c), of any person listed in subparagraphs 1.-3 a coalition member or of an employee of the coalition.

(b) Such contracts may not be executed without the approval of the ~~department office~~. Such contracts, as well as documentation demonstrating adherence to this section by the coalition, must be approved by a two-thirds vote of the coalition, a quorum having been established; all conflicts of interest must be disclosed before the vote; and any member who may benefit from the contract, or whose relative may benefit from the contract, must abstain from the vote. A contract under \$25,000 ~~between an early learning coalition and a member of that coalition or between a relative, as defined in s. 112.3143(1)(c), of a coalition member or of an employee of the coalition~~ is not required to have the prior approval of the ~~department office~~ but must be approved by a two-thirds vote of the coalition, a quorum having been established, and must be reported to the ~~department office~~ within 30 days after approval. If a contract cannot be approved by the ~~department office~~, a review of the decision to disapprove the contract may be requested by the early learning coalition or other parties to the disapproved contract.

Section 52. Section 1002.85, Florida Statutes, is amended to read:

1002.85 Early learning coalition plans.—

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

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

(a) The coalition's operations, including its membership and business organization, and 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 agent.

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

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

1. Single point of entry.
2. Uniform waiting list.
3. Eligibility and enrollment processes and local eligibility priorities for children pursuant to s. 1002.87.
4. Parent access and choice.
5. Sliding fee scale and policies on applying the waiver or reduction of fees in accordance with s. 1002.84(9) ~~s. 1002.84(8)~~.
6. Use of preassessments and postassessments, as applicable.
7. Payment rate schedule.
8. Use of contracted slots, as applicable, based on the results of the assessment required under paragraph (j).

(d) A detailed description of the coalition's quality activities and services, including, but not limited to:

1. Resource and referral and school-age child care.
2. Infant and toddler early learning.
3. Inclusive early learning programs.
4. Quality improvement strategies that strengthen teaching practices and increase child outcomes.



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

(f) A detailed accounting, in the format prescribed by the department office, of all revenues and expenditures during the previous state fiscal year. Revenue sources should be identifiable, and expenditures should be reported by ~~two~~ three categories: state and federal funds ~~and~~, local matching funds, and ~~Child Care Executive Partnership Program funds~~.

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

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

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

(j) An assessment of local priorities within the county or multicounty region based on the needs of families and provider capacity using available community data.

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

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

(5) The department office shall collect and report data on coalition delivery of early learning programs. Elements shall include, but are not limited to, measures related to progress towards reducing the number of children on the waiting list, the percentage of children served by the program as compared to the number of administrative staff and overhead, the percentage of children served compared to total number of children under the age of 5 years below 150 percent of the federal poverty level, provider payment processes, fraud intervention, child attendance and

stability, use of child care resource and referral, and kindergarten readiness outcomes for children in the Voluntary Prekindergarten Education Program or the school readiness program upon entry into kindergarten. The department office shall request input from the coalitions and school readiness program providers before finalizing the format and data to be used. The report shall be implemented beginning July 1, 2014, and results of the report must be included in the annual report under s. 1002.82.

Section 53. Paragraphs (a), (b), (c), (e), (f), (m), (n), (p), and (q) of subsection (1) and subsection (3) of section 1002.88, Florida Statutes, are amended, and paragraph (s) is added to subsection (1) of that section, to read:

1002.88 School readiness program provider standards; eligibility to deliver the school readiness program.—

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

(a) Be a child care facility licensed under s. 402.305, a family day care home licensed or registered under s. 402.313, a large family child care home licensed under s. 402.3131, a public school or nonpublic school exempt from licensure under s. 402.3025, a faith-based child care provider exempt from licensure under s. 402.316, a before-school or after-school program described in s. 402.305(1)(c), a child development program that is accredited by a national accrediting body and operates on a military installation that is certified by the United States Department of Defense, ~~or~~ an informal child care provider to the extent authorized in the state's Child Care and Development Fund Plan as approved by the United States Department of Health and Human Services pursuant to 45 C.F.R. s. 98.18, or a provider who has been issued a provisional license pursuant to s. 402.309. A provider may not deliver the program while holding a probation-status license under s. 402.310.

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

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

1. For a provider that is licensed, compliance with s. 402.305, s. 402.3131, or s. 402.313 and this subsection, as verified pursuant to s. 402.311, satisfies this requirement.

2. For a provider that is a registered family day care home or is not subject to licensure or registration by the Department of Children and Families, compliance with this subsection, as verified pursuant to s. 402.311, satisfies this requirement. Upon verification pursuant to s. 402.311, the provider shall annually post the health and safety checklist adopted by the department office prominently on its premises in plain sight for visitors and parents and shall annually submit the checklist to its local early learning coalition.

3. For a child development program that is accredited by a national accrediting body and operates on a military installation that is certified by the United States Department of Defense, the submission and verification of annual inspections pursuant to United States Department of Defense Instructions 6060.2 and 1402.05 satisfies this requirement.

(e) Employ child care personnel, as defined in s. 402.302(3), who have satisfied the screening requirements of chapter 402 and fulfilled the training requirements of the department office.

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

(m) For a provider that is not an informal provider, maintain general liability insurance and provide the coalition with written evidence of general liability insurance coverage, including coverage for transportation of children if school readiness program children are transported by the provider. A provider must obtain and retain an insurance policy that provides a minimum of \$100,000 of coverage per occurrence and a minimum of \$300,000 general aggregate coverage. The department office may authorize lower limits upon request, as appropriate. A provider must add the coalition as a named certificateholder and as an additional insured. A provider must provide the coalition with a minimum of 10 calendar days' advance written notice of cancellation of or changes to coverage. The general liability insurance required by this paragraph must remain in full force and effect for the entire period of the provider contract with the coalition.

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

(p) Notwithstanding paragraph (m), for a provider that is a state agency or a subdivision thereof, as defined in s. 768.28(2), agree to notify the coalition of any additional liability coverage maintained by the provider in addition to that otherwise established under s. 768.28. The provider shall indemnify the coalition to the extent permitted by s. 768.28. Notwithstanding paragraph (m), for a child development program that is accredited by a national accrediting body and operates on a military installation that is certified by the United States Department of Defense, the provider may demonstrate liability coverage by affirming that it is subject to the Federal Tort Claims Act, 28 U.S.C. ss. 2671 et seq.

(q) Execute the standard statewide provider contract adopted by the department office.

(s) Collect all parent copayment fees unless a waiver has been granted under s. 1002.84(9).

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

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

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

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

Section 54. Subsections (3) through (7) of section 1002.89, Florida Statutes, are renumbered as subsections (2) through (6), respectively, and subsection (2) and present subsections (3) and (6) of that section are amended, to read:

1002.89 School readiness program; funding.—

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

~~(2)(3)~~ All instructions to early learning coalitions for administering this section shall emanate from the department office in accordance with the policies of the Legislature.

~~(5)(6)~~ Costs shall be kept to the minimum necessary for the efficient and effective administration of the school readiness program with the highest priority of expenditure being direct services for eligible children. However, no more than 5 percent of the funds described in subsection (4) ~~subsection (5)~~ may be used for administrative costs and no more than 22 percent of the funds described in subsection (4) ~~subsection (5)~~ may be used in any fiscal

year for any combination of administrative costs, quality activities, and nondirect services as follows:

(a) Administrative costs as described in 45 C.F.R. s. 98.54 ~~45 C.F.R. s. 98.52~~, which shall include monitoring providers using the standard methodology adopted under s. 1002.82 to improve compliance with state and federal regulations and law pursuant to the requirements of the statewide provider contract adopted under s. 1002.82(2)(m).

(b) Activities to improve the quality of child care as described in 45 C.F.R. s. 98.53 ~~45 C.F.R. s. 98.51~~, which shall be limited to the following:

1. Developing, establishing, expanding, operating, and coordinating resource and referral programs specifically related to the provision of comprehensive consumer education to parents and the public to promote informed child care choices specified in 45 C.F.R. s. 98.33.

2. Awarding grants and providing financial support to school readiness program providers and their staff to assist them in meeting applicable state requirements for the program assessment required under s. 1002.82(2)(n), child care performance standards, implementing developmentally appropriate curricula and related classroom resources that support curricula, providing literacy supports, and providing continued professional development and training. Any grants awarded pursuant to this subparagraph shall comply with ss. 215.971 and 287.058.

3. Providing training, technical assistance, and financial support to school readiness program providers, staff, and parents on standards, child screenings, child assessments, child development research and best practices, developmentally appropriate curricula, character development, teacher-child interactions, age-appropriate discipline practices, health and safety, nutrition, first aid, cardiopulmonary resuscitation, the recognition of communicable diseases, and child abuse detection, prevention, and reporting.

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

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

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

(c) Nondirect services as described in applicable Office of Management and Budget instructions are those services not defined as administrative,

direct, or quality services that are required to administer the school readiness program. Such services include, but are not limited to:

1. Assisting families to complete the required application and eligibility documentation.
2. Determining child and family eligibility.
3. Recruiting eligible child care providers.
4. Processing and tracking attendance records.
5. Developing and maintaining a statewide child care information system.

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

Section 55. Subsection (1), paragraph (a) of subsection (2), and subsections (4), (5), and (6) of section 1002.895, Florida Statutes, are amended to read:

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

(1) The ~~department~~ office shall establish procedures for the adoption of a market rate schedule until an alternative model that has been approved by the Administration for Children and Families pursuant to 45 C.F.R. s. 98.45(c) is available for adoption. The schedule must include, at a minimum, county-by-county rates:

(a) The market rate, including the minimum and the maximum rates for child care providers that hold a Gold Seal Quality Care designation under s. 1002.945 and adhere to its accrediting association’s teacher-to-child ratios and group size requirements s. 402.281.

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

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

(a) Differentiate rates by type, including, but not limited to, a child care provider that holds a Gold Seal Quality Care designation under s. 1002.945 and adheres to its accrediting association’s teacher-to-child ratios and group size requirements s. 402.281, a child care facility licensed under s. 402.305, a public or nonpublic school exempt from licensure under s. 402.3025, a faith-based child care facility exempt from licensure under s. 402.316 that does not hold a Gold Seal Quality Care designation, a large family child care home

licensed under s. 402.3131, or a family day care home licensed or registered under s. 402.313.

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

(5) The department office may contract with one or more qualified entities to administer this section and provide support and technical assistance for child care providers.

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

Section 56. Section 1002.91, Florida Statutes, is amended to read:

1002.91 Investigations of fraud or overpayment; penalties.—

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

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

(3) Based on the results of the investigation, the department office may, in its discretion, refer the investigation to the Department of Financial Services for criminal investigation or refer the matter to the applicable coalition. Any suspected criminal violation identified by the department

office must be referred to the Department of Financial Services for criminal investigation.

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

(5) If a school readiness program provider or a Voluntary Prekindergarten Education Program provider, or an owner, officer, or director thereof, is convicted of, found guilty of, or pleads guilty or nolo contendere to, regardless of adjudication, public assistance fraud pursuant to s. 414.39, or is acting as the beneficial owner for someone who has been convicted of, found guilty of, or pleads guilty or nolo contendere to, regardless of adjudication, public assistance fraud pursuant to s. 414.39, the early learning coalition shall refrain from contracting with, or using the services of, that provider for a period of 5 years. In addition, the coalition shall refrain from contracting with, or using the services of, any provider that shares an officer or director with a provider that is convicted of, found guilty of, or pleads guilty or nolo contendere to, regardless of adjudication, public assistance fraud pursuant to s. 414.39 for a period of 5 years.

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

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

(8) Each early learning coalition shall adopt an anti-fraud plan addressing the detection and prevention of overpayments, abuse, and fraud relating to the provision of and payment for school readiness program and Voluntary Prekindergarten Education Program services and submit the plan to the department office for approval. The department office shall adopt rules establishing criteria for the anti-fraud plan, including appropriate due process provisions. The anti-fraud plan must include, at a minimum:



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

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

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

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

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

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

Section 57. Subsections (1) and (2) and paragraphs (a), (c), and (d) of subsection (3) of section 1002.92, Florida Statutes, are amended to read:

1002.92 Child care and early childhood resource and referral.—

(1) As a part of the school readiness program, the department office shall establish a statewide child care resource and referral network that is unbiased and provides referrals to families for child care and information on available community resources. Preference shall be given to using early learning coalitions as the child care resource and referral agencies. If an early learning coalition cannot comply with the requirements to offer the resource information component or does not want to offer that service, the early learning coalition shall select the resource and referral agency for its county or multicounty region based upon the procurement requirements of s. 1002.84(13) ~~s. 1002.84(12)~~.

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

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

(a) Identification of existing public and private child care and early childhood education services, including child care services by public and private employers, and the development of an early learning provider performance profile a resource file of those services through the single statewide information system developed by the ~~department office~~ under ~~s. 1002.82(2)(q)~~ s. 1002.82(2)(p). These services may include family day care, public and private child care programs, the Voluntary Prekindergarten Education Program, Head Start, the school readiness program, special education programs for prekindergarten children with disabilities, services for children with developmental disabilities, full-time and part-time programs, before-school and after-school programs, and vacation care programs, ~~parent education, the temporary cash assistance program, and related family support services.~~ The early learning provider performance profile resource file shall include, but not be limited to:

1. Type of program.
2. Hours of service.
3. Ages of children served.
4. Number of children served.
5. Program information.
6. Fees and eligibility for services.
7. Availability of transportation.
8. Participation in the Child Care Food Program, if applicable.
9. A link to licensing inspection reports, if applicable.
10. The components of the Voluntary Prekindergarten Education Program performance metric calculated under s. 1002.68 which must consist of the program assessment composite score, learning gains score, achievement score, and its designations, if applicable.
11. The school readiness program assessment composite score and program assessment care level composite score results delineated by infant classrooms, toddler classrooms, and preschool classrooms results under s. 1002.82, if applicable.
12. Gold Seal Quality Care designation under s. 1002.945, if applicable.
13. Indication of whether the provider implements a curriculum approved by the department and the name of the curriculum, if applicable.
14. Participation in school readiness child assessment under s. 1002.82.

(c) Maintenance of ongoing documentation of requests for service tabulated through the internal referral process through the single statewide

information system. The following documentation of requests for service shall be maintained by the child care resource and referral network:

1. Number of calls and contacts to the child care resource information and referral network component by type of service requested.
2. Ages of children for whom service was requested.
3. Time category of child care requests for each child.
4. Special time category, such as nights, weekends, and swing shift.
5. Reason that the child care is needed.
6. Customer service survey data required under s. 1002.82(3) ~~Name of the employer and primary focus of the business for an employer-based child care program.~~

(d) Assistance to families that connects them to parent education opportunities, the temporary cash assistance program, or social services programs that support families with children, and related child development support services ~~Provision of technical assistance to existing and potential providers of child care services. This assistance may include:~~

- ~~1. Information on initiating new child care services, zoning, and program and budget development and assistance in finding such information from other sources.~~
- ~~2. Information and resources which help existing child care services providers to maximize their ability to serve children and parents in their community.~~
- ~~3. Information and incentives that may help existing or planned child care services offered by public or private employers seeking to maximize their ability to serve the children of their working parent employees in their community, through contractual or other funding arrangements with businesses.~~

Section 58. Subsection (1) of section 1002.93, Florida Statutes, is amended to read:

1002.93 School readiness program transportation services.—

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

Section 59. Section 1002.94, Florida Statutes, is repealed.

Section 60. Section 1002.95, Florida Statutes, is amended to read:

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

(1) The department ~~office~~ may contract for the administration of the Teacher Education and Compensation Helps (TEACH) scholarship program, which provides educational scholarships to caregivers and administrators of early childhood programs, family day care homes, and large family child care homes. The goal of the program is to increase the education and training for caregivers, increase the compensation for child caregivers who complete the program requirements, and reduce the rate of participant turnover in the field of early childhood education.

(2) The State Board of Education ~~office~~ shall adopt rules as necessary to administer this section.

Section 61. Subsections (1) and (3) of section 1002.96, Florida Statutes, are amended to read:

1002.96 Early Head Start collaboration grants.—

(1) Contingent upon specific appropriation, the department ~~office~~ 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.

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

Section 62. Subsection (1) and paragraph (g) of subsection (3) of section 1002.97, Florida Statutes, are amended to read:

1002.97 Records of children in the school readiness program.—

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

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

(g) Parties to an interagency agreement among early learning coalitions, local governmental agencies, providers of the school readiness program, state agencies, and the department ~~office~~ for the purpose of implementing the school readiness program.

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

Section 63. Subsections (1) and (3) of section 1002.995, Florida Statutes, are amended to read:

1002.995 Early learning professional development standards and career pathways.—

(1) The department ~~office~~ shall:

(a) Develop early learning professional development training and course standards to be utilized for school readiness program providers.

(b) Identify both formal and informal early learning career pathways with stackable credentials and certifications that allow early childhood teachers to access specialized professional development that:

1. Strengthens knowledge and teaching practices.
2. Aligns to established professional standards and core competencies.
3. Provides a progression of attainable, competency-based stackable credentials and certifications.
4. Improves outcomes for children to increase kindergarten readiness and early grade success.

(3) The State Board of Education ~~office~~ shall adopt rules to administer this section.

Section 64. Section 1007.01, Florida Statutes, is amended to read:

1007.01 Articulation; legislative intent; purpose; role of the State Board of Education and the Board of Governors; Articulation Coordinating Committee.—

(1) It is the intent of the Legislature to facilitate articulation and seamless integration of the Early Learning-20 K-20 education system by building, sustaining, and strengthening relationships among Early Learning-20 K-20 public organizations, between public and private organizations, and between the education system as a whole and Florida's communities. The purpose of building, sustaining, and strengthening these relationships is to provide for the efficient and effective progression and transfer of students within the education system and to allow students to proceed toward their educational objectives as rapidly as their circumstances permit. The Legislature further intends that articulation policies and budget actions be implemented consistently in the practices of the Department of Education

and postsecondary educational institutions and expressed in the collaborative policy efforts of the State Board of Education and the Board of Governors.

(2) To improve and facilitate articulation systemwide, the State Board of Education and the Board of Governors shall collaboratively establish and adopt policies with input from statewide K-20 advisory groups established by the Commissioner of Education and the Chancellor of the State University System and shall recommend the policies to the Legislature. The policies shall relate to:

(a) The alignment between the exit requirements of one education system and the admissions requirements of another education system into which students typically transfer.

(b) The identification of common courses, the level of courses, institutional participation in a statewide course numbering system, and the transferability of credits among such institutions.

(c) Identification of courses that meet general education or common degree program prerequisite requirements at public postsecondary educational institutions.

(d) Dual enrollment course equivalencies.

(e) Articulation agreements.

(3) The Commissioner of Education, in consultation with the Chancellor of the State University System, shall establish the Articulation Coordinating Committee, which shall make recommendations related to statewide articulation policies and issues regarding access, quality, and reporting of data maintained by the educational ~~K-20~~ data warehouse, established pursuant to ss. 1001.10 and 1008.31, to the Higher Education Coordination Council, the State Board of Education, and the Board of Governors. The committee shall consist of two members each representing the State University System, the Florida College System, public career and technical education, K-12 education, and nonpublic postsecondary education and one member representing students. The chair shall be elected from the membership. The Office of K-20 Articulation shall provide administrative support for the committee. The committee shall:

(a) Monitor the alignment between the exit requirements of one education system and the admissions requirements of another education system into which students typically transfer and make recommendations for improvement.

(b) Propose guidelines for interinstitutional agreements between and among public schools, career and technical education centers, Florida College System institutions, state universities, and nonpublic postsecondary institutions.

(c) Annually recommend dual enrollment course and high school subject area equivalencies for approval by the State Board of Education and the Board of Governors.

(d) Annually review the statewide articulation agreement pursuant to s. 1007.23 and make recommendations for revisions.

(e) Annually review the statewide course numbering system, the levels of courses, and the application of transfer credit requirements among public and nonpublic institutions participating in the statewide course numbering system and identify instances of student transfer and admissions difficulties.

(f) Annually publish a list of courses that meet common general education and common degree program prerequisite requirements at public postsecondary institutions identified pursuant to s. 1007.25.

(g) Foster timely collection and reporting of statewide education data to improve the Early Learning-20 K-20 education performance accountability system pursuant to ss. 1001.10 and 1008.31, including, but not limited to, data quality, accessibility, and protection of student records.

(h) Recommend roles and responsibilities of public education entities in interfacing with the single, statewide computer-assisted student advising system established pursuant to s. 1006.735.

Section 65. Section 1008.2125, Florida Statutes, is created to read:

1008.2125 Coordinated screening and progress monitoring program for students in the Voluntary Prekindergarten Education Program through grade 3.—

(1) The primary purpose of the coordinated screening and progress monitoring program for students in the Voluntary Prekindergarten Education Program through grade 3 is to provide information on students' progress in mastering the appropriate grade-level standards and to provide information on their progress to parents, teachers, and school and program administrators. Data shall be used by Voluntary Prekindergarten Education Program providers and school districts to improve instruction, by parents and teachers to guide learning objectives and provide timely and appropriate supports and interventions to students not meeting grade level expectations, and by the public to assess the cost benefit of the expenditure of taxpayer dollars. The coordinated screening and progress monitoring program must:

(a) Measure student progress in the Voluntary Prekindergarten Education Program through grade 3 in meeting the appropriate expectations in early literacy and math skills and in English Language Arts and mathematics, as required by ss. 1002.67(1)(a) and 1003.41.

(b) Provide data for accountability of the Voluntary Prekindergarten Education Program, as required by s. 1002.68.

(c) Provide baseline data to the department of each student's readiness for kindergarten, which must be based on each kindergarten students progress monitoring results that was administered no later than the first 30 instructional days in accordance with paragraph (2)(a). The methodology for determining a student's readiness for kindergarten shall be developed by the department and aligned to the methodology adopted pursuant to s. 1002.68(4).

(d) Identify the educational strengths and needs of students in the Voluntary Prekindergarten Education Program through grade 3.

(e) Provide teachers with progress monitoring data to provide timely interventions and supports pursuant to s. 1008.25(4).

(f) Assess how well educational goals and curricular standards are met at the provider, school, district, and state levels.

(g) Provide information to aid in the evaluation and development of educational programs and policies.

(2) The Commissioner of Education shall design a statewide, standardized coordinated screening and progress monitoring program to assess early literacy and mathematics skills and the English Language Arts and mathematics standards established in ss. 1002.67(1)(a) and 1003.41, respectively. The coordinated screening and progress monitoring program must provide interval level and norm-referenced data that measures equivalent levels of growth; be a developmentally appropriate, valid, and reliable direct assessment; be able to capture data on students who may be performing below grade or developmental level and which may enable the identification of early indicators of dyslexia or other developmental delays; accurately measure the core content in the applicable grade level standards; document learning gains for the achievement of these standards; and provide teachers with progress monitoring supports and materials that enhance differentiated instruction and parent communication. Participation in the coordinated screening and progress monitoring program is mandatory for all students in the Voluntary Prekindergarten Education Program and enrolled in a public school in kindergarten through grade 3. The coordinated screening and progress monitoring program shall be implemented beginning in the 2022-2023 school year for students in the Voluntary Prekindergarten Education Program and kindergarten students, as follows:

(a) The coordinated screening and progress monitoring program shall be administered within the first 30 days after enrollment, midyear, and within the last 30 days of the program or school year, in accordance with the rules adopted by the State Board of Education. The state board may adopt alternate timeframes to address nontraditional school year calendars or summer programs to ensure the coordinated screening and progress monitoring program is administered a minimum of 3 times within a year or program.



(b) The results of the coordinated screening and progress monitoring program shall be reported to the department, in accordance with the rules adopted by the state board, and maintained in the department’s educational data warehouse.

(3) The Commissioner of Education shall:

(a) Develop a plan, in coordination with the Council for Early Grade Success, for implementing the coordinated screening and progress monitoring program in consideration of timelines for implementing new early literacy and mathematics skills and the English Language Arts and mathematics standards established in ss. 1002.67(1)(a) and 1003.41, as appropriate.

(b) Provide data, reports, and information as requested to the Council for Early Grade Success.

(4) The Council for Early Grade Success, a council as defined in s. 20.03(7), is created within the Department of Education to oversee the coordinated screening and progress monitoring program and, except as otherwise provided in this section, shall operate consistent with s. 20.052.

(a) The council shall be responsible for reviewing the implementation of, training for, and outcomes from the coordinated screening and progress monitoring program to provide recommendations to the department that support grade 3 students reading at or above grade level. The council, at a minimum, shall:

1. Provide recommendations on the implementation of the coordinated screening and progress monitoring program, including reviewing any procurement solicitation documents and criteria before being published.

2. Develop training plans and timelines for such training.

3. Identify appropriate personnel, processes, and procedures required for the administration of the coordinated screening and progress monitoring program.

4. Provide input on the methodology for calculating a provider’s or school’s performance metric and designations under s. 1002.68(4).

5. Work with the department to review the methodology for determining a child’s kindergarten readiness.

6. Review data on age-appropriate learning gains by grade level that a student would need to attain in order to demonstrate proficiency in reading by grade 3.

7. Continually review anonymized data from the results of the coordinated screening and progress monitoring program for students in the Voluntary Prekindergarten Education Program through grade 3 to help

inform recommendations to the department that support practices that will enable grade 3 students to read at or above grade level.

(b) The council shall be composed of 17 members who are residents of the state and appointed as follows:

1. Three members appointed by the Governor, as follows:

a. One representative from the Department of Education.

b. One parent of a child who is 4 to 9 years of age.

c. One representative that is an elementary school administrator.

2. Seven members appointed by the President of the Senate, as follows:

a. One senator who serves at the pleasure of the President of the Senate.

b. One representative of an urban school district.

c. One representative of a rural early learning coalition.

d. One representative of a faith-based early learning provider who offers the Voluntary Prekindergarten Education Program.

e. One representative who is a second grade teacher who has at least 5 years of teaching experience.

f. Two representatives with subject matter expertise in early learning, early grade success, or child assessments.

3. Seven members appointed by the Speaker of the House of Representatives, as follows:

a. One member of the House of Representatives who serves at the pleasure of the Speaker of the House.

b. One representative of a rural school district.

c. One representative of an urban early learning coalition.

d. One representative of an early learning provider who offers the Voluntary Prekindergarten Education Program.

e. One member who is a kindergarten teacher who has at least 5 years of teaching experience.

f. Two representatives with subject matter expertise in early learning, early grade success, or child assessment.

4. The four representatives with subject matter expertise in sub-sub-paragraphs 2.f. and 3.f. may not be direct stakeholders within the early learning or public school systems.

(5) The council shall elect a chair and vice chair, one of whom must be a member who has subject matter expertise in early learning, early grade success, or child assessments. The vice chair must be a member appointed by the President of the Senate or the Speaker of the House of Representatives who is not one of the four members with subject matter expertise in early learning, early grade success, or child assessments appointed pursuant to sub-sub-paragraphs (4)(b)2.f. and (4)(b)3.f. Members of the council shall serve without compensation but are entitled to reimbursement for per diem and travel expenses pursuant to s. 112.061.

(6) The council must meet at least biannually and may meet by teleconference or other electronic means, if possible, to reduce costs.

(7) A majority of the members constitutes a quorum.

Section 66. Paragraphs (b) and (c) of subsection (5) of section 1008.25, Florida Statutes, are redesignated as paragraphs (c) and (d), respectively, paragraph (b) of subsection (6), subsection (7), and paragraph (a) of subsection (8) are amended, and a new paragraph (b) is added to subsection (5) of that section, to read:

1008.25 Public school student progression; student support; reporting requirements.—

(5) READING DEFICIENCY AND PARENTAL NOTIFICATION.—

(b) A Voluntary Prekindergarten Education Program student who exhibits a substantial deficiency in early literacy skills in accordance with the standards under s. 1002.67(1)(a) and based upon the results of the administration of the final coordinated screening and progress monitoring under s. 1008.2125 shall be referred to the local school district and may be eligible to receive intensive reading interventions before participating in kindergarten. Such intensive reading interventions shall be paid for using funds from the district's research-based reading instruction allocation in accordance with s. 1011.62(9).

(6) ELIMINATION OF SOCIAL PROMOTION.—

(b) The district school board may only exempt students from mandatory retention, as provided in paragraph ~~(5)(c)~~ ~~(5)(b)~~, for good cause. A student who is promoted to grade 4 with a good cause exemption shall be provided intensive reading instruction and intervention that include specialized diagnostic information and specific reading strategies to meet the needs of each student so promoted. The school district shall assist schools and teachers with the implementation of explicit, systematic, and multisensory reading instruction and intervention strategies for students promoted with a good cause exemption which research has shown to be successful in improving reading among students who have reading difficulties. Good cause exemptions are limited to the following:

1. Limited English proficient students who have had less than 2 years of instruction in an English for Speakers of Other Languages program based on the initial date of entry into a school in the United States.

2. Students with disabilities whose individual education plan indicates that participation in the statewide assessment program is not appropriate, consistent with the requirements of s. 1008.212.

3. Students who demonstrate an acceptable level of performance on an alternative standardized reading or English Language Arts assessment approved by the State Board of Education.

4. A student who demonstrates through a student portfolio that he or she is performing at least at Level 2 on the statewide, standardized English Language Arts assessment.

5. Students with disabilities who take the statewide, standardized English Language Arts assessment and who have an individual education plan or a Section 504 plan that reflects that the student has received intensive instruction in reading or English Language Arts for more than 2 years but still demonstrates a deficiency and was previously retained in kindergarten, grade 1, grade 2, or grade 3.

6. Students who have received intensive reading intervention for 2 or more years but still demonstrate a deficiency in reading and who were previously retained in kindergarten, grade 1, grade 2, or grade 3 for a total of 2 years. A student may not be retained more than once in grade 3.

(7) SUCCESSFUL PROGRESSION FOR RETAINED THIRD GRADE STUDENTS.—

(a) Students retained under paragraph ~~(5)(c)~~ (5)(b) must be provided intensive interventions in reading to ameliorate the student's specific reading deficiency and prepare the student for promotion to the next grade. These interventions must include:

1. Evidence-based, explicit, systematic, and multisensory reading instruction in phonemic awareness, phonics, fluency, vocabulary, and comprehension and other strategies prescribed by the school district.

2. Participation in the school district's summer reading camp, which must incorporate the instructional and intervention strategies under subparagraph 1.

3. A minimum of 90 minutes of daily, uninterrupted reading instruction incorporating the instructional and intervention strategies under subparagraph 1. This instruction may include:

a. Integration of content-rich texts in science and social studies within the 90-minute block.

- b. Small group instruction.
- c. Reduced teacher-student ratios.
- d. More frequent progress monitoring.
- e. Tutoring or mentoring.
- f. Transition classes containing 3rd and 4th grade students.
- g. Extended school day, week, or year.

(b) Each school district shall:

1. Provide written notification to the parent of a student who is retained under paragraph (5)(c) ~~(5)(b)~~ that his or her child has not met the proficiency level required for promotion and the reasons the child is not eligible for a good cause exemption as provided in paragraph (6)(b). The notification must comply with paragraph (5)(d) ~~(5)(e)~~ and must include a description of proposed interventions and supports that will be provided to the child to remediate the identified areas of reading deficiency.

2. Implement a policy for the midyear promotion of a student retained under paragraph (5)(c) ~~(5)(b)~~ who can demonstrate that he or she is a successful and independent reader and performing at or above grade level in reading or, upon implementation of English Language Arts assessments, performing at or above grade level in English Language Arts. Tools that school districts may use in reevaluating a student retained may include subsequent assessments, alternative assessments, and portfolio reviews, in accordance with rules of the State Board of Education. Students promoted during the school year after November 1 must demonstrate proficiency levels in reading equivalent to the level necessary for the beginning of grade 4. The rules adopted by the State Board of Education must include standards that provide a reasonable expectation that the student's progress is sufficient to master appropriate grade 4 level reading skills.

3. Provide students who are retained under paragraph (5)(c) ~~(5)(b)~~, including students participating in the school district's summer reading camp under subparagraph (a)2., with a highly effective teacher as determined by the teacher's performance evaluation under s. 1012.34, and, beginning July 1, 2020, the teacher must also be certified or endorsed in reading.

4. Establish at each school, when applicable, an intensive reading acceleration course for any student retained in grade 3 who was previously retained in kindergarten, grade 1, or grade 2. The intensive reading acceleration course must provide the following:

a. Uninterrupted reading instruction for the majority of student contact time each day and opportunities to master the grade 4 Next Generation

Sunshine State Standards in other core subject areas through content-rich texts.

- b. Small group instruction.
- c. Reduced teacher-student ratios.
- d. The use of explicit, systematic, and multisensory reading interventions, including intensive language, phonics, and vocabulary instruction, and use of a speech-language therapist if necessary, that have proven results in accelerating student reading achievement within the same school year.
- e. A read-at-home plan.

(8) ANNUAL REPORT.—

(a) In addition to the requirements in paragraph (5)(c) ~~(5)(b)~~, each district school board must annually report to the parent of each student the progress of the student toward achieving state and district expectations for proficiency in English Language Arts, science, social studies, and mathematics. The district school board must report to the parent the student's results on each statewide, standardized assessment. The evaluation of each student's progress must be based upon the student's classroom work, observations, tests, district and state assessments, response to intensive interventions provided under paragraph (5)(a), and other relevant information. Progress reporting must be provided to the parent in writing in a format adopted by the district school board.

Section 67. Section 1008.31, Florida Statutes, is amended to read:

1008.31 Florida's Early Learning-20 K-20 education performance accountability system; legislative intent; mission, goals, and systemwide measures; data quality improvements.—

(1) LEGISLATIVE INTENT.—It is the intent of the Legislature that:

(a) The performance accountability system implemented to assess the effectiveness of Florida's seamless Early Learning-20 K-20 education delivery system provide answers to the following questions in relation to its mission and goals:

1. What is the public receiving in return for funds it invests in education?
2. How effectively is Florida's Early Learning-20 K-20 education system educating its students?
3. How effectively are the major delivery sectors promoting student achievement?
4. How are individual schools and postsecondary education institutions performing their responsibility to educate their students as measured by how students are performing and how much they are learning?

(b) The Early Learning-20 K-20 education performance accountability system be established as a single, unified accountability system with multiple components, including, but not limited to, student performance in public schools and school and district grades.

(c) The K-20 education performance accountability system comply with the requirements of the “No Child Left Behind Act of 2001,” Pub. L. No. 107-110, and the Individuals with Disabilities Education Act (IDEA).

(d) The early learning accountability system comply with the requirements of part V and part VI of chapter 1002 and the requirements of the Child Care and Development Block Grant Trust Fund, pursuant to 45 C.F.R. parts 98 and 99.

~~(e)(d)~~ The State Board of Education and the Board of Governors of the State University System recommend to the Legislature systemwide performance standards; the Legislature establish systemwide performance measures and standards; and the systemwide measures and standards provide Floridians with information on what the public is receiving in return for the funds it invests in education and how well the Early Learning-20 K-20 system educates its students.

~~(f)1.(e)1.~~ The State Board of Education establish performance measures and set performance standards for individual public schools and Florida College System institutions, with measures and standards based primarily on student achievement.

2. The Board of Governors of the State University System establish performance measures and set performance standards for individual state universities, including actual completion rates.

(2) MISSION, GOALS, AND SYSTEMWIDE MEASURES.—

(a) The mission of Florida’s Early Learning-20 K-20 education system shall be to increase the proficiency of all students within one seamless, efficient system, by allowing them the opportunity to expand their knowledge and skills through learning opportunities and research valued by students, parents, and communities.

(b) The process for establishing state and sector-specific standards and measures must be:

1. Focused on student success.
2. Addressable through policy and program changes.
3. Efficient and of high quality.
4. Measurable over time.
5. Simple to explain and display to the public.

6. Aligned with other measures and other sectors to support a coordinated Early Learning-20 K-20 education system.

(c) The Department of Education shall maintain an accountability system that measures student progress toward the following goals:

1. Highest student achievement, as indicated by evidence of student learning gains at all levels.

2. Seamless articulation and maximum access, as measured by evidence of progression, readiness, and access by targeted groups of students identified by the Commissioner of Education.

3. Skilled workforce and economic development, as measured by evidence of employment and earnings.

4. Quality efficient services, as measured by evidence of return on investment.

5. Other goals as identified by law or rule.

(3) ~~K-20~~ EDUCATION DATA QUALITY IMPROVEMENTS.—To provide data required to implement education performance accountability measures in state and federal law, the Commissioner of Education shall initiate and maintain strategies to improve data quality and timeliness. The Board of Governors shall make available to the department all data within the State University Database System to be integrated into the educational K-20 data warehouse. The commissioner shall have unlimited access to such data for the purposes of conducting studies, reporting annual and longitudinal student outcomes, and improving college readiness and articulation. All public educational institutions shall annually provide data from the prior year to the educational K-20 data warehouse in a format based on data elements identified by the commissioner.

(a) School districts and public postsecondary educational institutions shall maintain information systems that will provide the State Board of Education, the Board of Governors of the State University System, and the Legislature with information and reports necessary to address the specifications of the accountability system. The level of comprehensiveness and quality must be no less than that which was available as of June 30, 2001.

(b) Colleges and universities eligible to participate in the William L. Boyd, IV, Effective Access to Student Education Grant Program shall annually report student-level data from the prior year for each student who receives state funds in a format prescribed by the Department of Education. At a minimum, data from the prior year must include retention rates, transfer rates, completion rates, graduation rates, employment and placement rates, and earnings of graduates. By October 1 of each year, the colleges and universities described in this paragraph shall report the data to the department.



(c) The Commissioner of Education shall determine the standards for the required data, monitor data quality, and measure improvements. The commissioner shall report annually to the State Board of Education, the Board of Governors of the State University System, the President of the Senate, and the Speaker of the House of Representatives data quality indicators and ratings for all school districts and public postsecondary educational institutions.

(d) Before establishing any new reporting or data collection requirements, the commissioner shall use existing data being collected to reduce duplication and minimize paperwork.

(4) RULES.—The State Board of Education shall adopt rules pursuant to ss. 120.536(1) and 120.54 to implement the provisions of this section relating to the educational K-20 data warehouse.

Section 68. Section 1008.32, Florida Statutes, is amended to read:

1008.32 State Board of Education oversight enforcement authority.—The State Board of Education shall oversee the performance of early learning coalitions, district school boards, and Florida College System institution boards of trustees in enforcement of all laws and rules. District school boards and Florida College System institution boards of trustees shall be primarily responsible for compliance with law and state board rule.

(1) In order to ensure compliance with law or state board rule, the State Board of Education shall have the authority to request and receive information, data, and reports from early learning coalitions, school districts, and Florida College System institutions. Early learning coalition chief executive officers or executive directors, district school superintendents, and Florida College System institution presidents are responsible for the accuracy of the information and data reported to the state board.

(2)(a) The Commissioner of Education may investigate allegations of noncompliance with law or state board rule and determine probable cause. The commissioner shall report determinations of probable cause to the State Board of Education which shall require the early learning coalition, district school board, or Florida College System institution board of trustees to document compliance with law or state board rule.

(b) The Commissioner of Education shall report to the State Board of Education any findings by the Auditor General that an early learning coalition, a district school board, or Florida College System institution is acting without statutory authority or contrary to general law. The State Board of Education shall require the early learning coalition, district school board, or Florida College System institution board of trustees to document compliance with such law.

(3) If the early learning coalition, district school board, or Florida College System institution board of trustees cannot satisfactorily document

compliance, the State Board of Education may order compliance within a specified timeframe.

(4) If the State Board of Education determines that an early learning coalition, a district school board, or Florida College System institution board of trustees is unwilling or unable to comply with law or state board rule within the specified time, the state board shall have the authority to initiate any of the following actions:

(a) Report to the Legislature that the early learning coalition, school district, or Florida College System institution is unwilling or unable to comply with law or state board rule and recommend action to be taken by the Legislature.

(b) Withhold the transfer of state funds, discretionary grant funds, discretionary lottery funds, or any other funds specified as eligible for this purpose by the Legislature until the early learning coalition, school district, or Florida College System institution complies with the law or state board rule.

(c) Declare the early learning coalition, school district, or Florida College System institution ineligible for competitive grants.

(d) Require monthly or periodic reporting on the situation related to noncompliance until it is remedied.

(5) Nothing in this section shall be construed to create a private cause of action or create any rights for individuals or entities in addition to those provided elsewhere in law or rule.

Section 69. Paragraph (a) of subsection (3) of section 1008.33, Florida Statutes, is amended to read:

1008.33 Authority to enforce public school improvement.—

(3)(a) The academic performance of all students has a significant effect on the state school system. Pursuant to Art. IX of the State Constitution, which prescribes the duty of the State Board of Education to supervise Florida's public school system, the state board shall equitably enforce the accountability requirements of the state school system and may impose state requirements on school districts in order to improve the academic performance of all districts, schools, and students based upon the provisions of the Florida Early Learning-20 K-20 Education Code, chapters 1000-1013; the federal ESEA and its implementing regulations; and the ESEA flexibility waiver approved for Florida by the United States Secretary of Education.

Section 70. Subsection (9) of section 1011.62, Florida Statutes, is amended to read:

1011.62 Funds for operation of schools.—If the annual allocation from the Florida Education Finance Program to each district for operation of

schools is not determined in the annual appropriations act or the substantive bill implementing the annual appropriations act, it shall be determined as follows:

(9) RESEARCH-BASED READING INSTRUCTION ALLOCATION.—

(a) The research-based reading instruction allocation is created to provide comprehensive reading instruction to students in kindergarten through grade 12, including certain students who exhibit a substantial deficiency in early literacy and completed the Voluntary Prekindergarten Education Program under s. 1008.25(5)(b). Each school district that has one or more of the 300 lowest-performing elementary schools based on a 3-year average of the state reading assessment data must use the school's portion of the allocation to provide an additional hour per day of intensive reading instruction for the students in each school. The additional hour may be provided within the school day. Students enrolled in these schools who earned a level 4 or level 5 score on the statewide, standardized English Language Arts assessment for the previous school year may participate in the additional hour of instruction. Exceptional student education centers may not be included in the 300 schools. The intensive reading instruction delivered in this additional hour shall include: research-based reading instruction that has been proven to accelerate progress of students exhibiting a reading deficiency; differentiated instruction based on screening, diagnostic, progress monitoring, or student assessment data to meet students' specific reading needs; explicit and systematic reading strategies to develop phonemic awareness, phonics, fluency, vocabulary, and comprehension, with more extensive opportunities for guided practice, error correction, and feedback; and the integration of social studies, science, and mathematics-text reading, text discussion, and writing in response to reading.

(b) Funds for comprehensive, research-based reading instruction shall be allocated annually to each school district in the amount provided in the General Appropriations Act. Each eligible school district shall receive the same minimum amount as specified in the General Appropriations Act, and any remaining funds shall be distributed to eligible school districts based on each school district's proportionate share of K-12 base funding.

(c) Funds allocated under this subsection must be used to provide a system of comprehensive reading instruction to students enrolled in the K-12 programs and certain students who exhibit a substantial deficiency in early literacy and completed the Voluntary Prekindergarten Education Program pursuant to s. 1008.25(5)(b), which may include the following:

1. An additional hour per day of evidence-based intensive reading instruction to students in the 300 lowest-performing elementary schools by teachers and reading specialists who have demonstrated effectiveness in teaching reading as required in paragraph (a).

2. Kindergarten through grade 5 evidence-based reading intervention ~~teachers to provide intensive reading interventions provided by reading intervention teachers~~ intervention during the school day and in the required extra hour for students identified as having a reading deficiency.

3. Highly qualified reading coaches to specifically support teachers in making instructional decisions based on student data, and improve teacher delivery of effective reading instruction, intervention, and reading in the content areas based on student need.

4. Professional development for school district teachers in scientifically based reading instruction, including strategies to teach reading in content areas and with an emphasis on technical and informational text, to help school district teachers earn a certification or an endorsement in reading.

5. Summer reading camps, using only teachers or other district personnel who are certified or endorsed in reading consistent with s. 1008.25(7)(b)3., for all students in kindergarten through grade 2 who demonstrate a reading deficiency as determined by district and state assessments, ~~and~~ students in grades 3 through 5 who score at Level 1 on the statewide, standardized English Language Arts assessment, and certain students who exhibit a substantial deficiency in early literacy and completed the Voluntary Prekindergarten Education Program under s. 1008.25(5)(b).

6. Scientifically researched and evidence-based supplemental instructional materials ~~that are grounded in scientifically based reading research~~ as identified by the Just Read, Florida! Office pursuant to s. 1001.215(8).

7. Evidence-based intensive interventions for students in kindergarten through grade 12 who have been identified as having a reading deficiency or who are reading below grade level as determined by the statewide, standardized English Language Arts assessment or for certain students who exhibit a substantial deficiency in early literacy and completed the Voluntary Prekindergarten Education Program under s. 1008.25(5)(b).

(d)1. Annually, by a date determined by the Department of Education but before May 1, school districts shall submit a K-12 comprehensive reading plan for the specific use of the research-based reading instruction allocation in the format prescribed by the department for review and approval by the Just Read, Florida! Office created pursuant to s. 1001.215. The plan annually submitted by school districts shall be deemed approved unless the department rejects the plan on or before June 1. If a school district and the Just Read, Florida! Office cannot reach agreement on the contents of the plan, the school district may appeal to the State Board of Education for resolution. School districts shall be allowed reasonable flexibility in designing their plans and shall be encouraged to offer reading intervention through innovative methods, including career academies. The plan format shall be developed with input from school district personnel, including teachers and principals, and shall provide for intensive reading interventions through integrated curricula, provided that, beginning with the 2020-

2021 school year, the interventions are delivered by a teacher who is certified or endorsed in reading. Such interventions must incorporate evidence-based strategies identified by the Just Read, Florida! Office pursuant to s. 1001.215(8). No later than July 1 annually, the department shall release the school district's allocation of appropriated funds to those districts having approved plans. A school district that spends 100 percent of this allocation on its approved plan shall be deemed to have been in compliance with the plan. The department may withhold funds upon a determination that reading instruction allocation funds are not being used to implement the approved plan. The department shall monitor and track the implementation of each district plan, including conducting site visits and collecting specific data on expenditures and reading improvement results. By February 1 of each year, the department shall report its findings to the Legislature.

2. Each school district that has a school designated as one of the 300 lowest-performing elementary schools as specified in paragraph (a) shall specifically delineate in the comprehensive reading plan, or in an addendum to the comprehensive reading plan, the implementation design and reading intervention strategies that will be used for the required additional hour of reading instruction. The term "reading intervention" includes evidence-based strategies frequently used to remediate reading deficiencies and also includes individual instruction, tutoring, mentoring, or the use of technology that targets specific reading skills and abilities.

For purposes of this subsection, the term "evidence-based" means demonstrating a statistically significant effect on improving student outcomes or other relevant outcomes.

Section 71. This act shall take effect July 1, 2021.

Approved by the Governor May 4, 2021.

Filed in Office Secretary of State May 4, 2021.