

Amendment No. 1

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED \_\_\_\_\_ (Y/N)  
ADOPTED AS AMENDED \_\_\_\_\_ (Y/N)  
ADOPTED W/O OBJECTION \_\_\_\_\_ (Y/N)  
FAILED TO ADOPT \_\_\_\_\_ (Y/N)  
WITHDRAWN \_\_\_\_\_ (Y/N)  
OTHER \_\_\_\_\_

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1 Committee/Subcommittee hearing PCB: Education Committee  
2 Education Committee offered the following:

**Amendment (with title amendment)**

Remove everything after the enacting clause and insert:

Section 1. Section 1001.213, Florida Statutes, is created to read:

1001.213 Office of Early Learning.—There is created in the Department of Education the Office of Early Learning which shall be administered by an executive director. The office shall be fully accountable to the Commissioner of Education and shall:

(1) Exercise independently all powers, duties, and functions prescribed by law and shall not be construed as part of the K-20 education system.

(2) Adopt rules for the establishment and operation of the school readiness program and the Voluntary Prekindergarten Education Program. The office shall submit the rules to the State Board of Education for approval or disapproval. If the state board does not act on a rule within 60 days after

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20 receiving it, the rule shall be filed immediately with the  
21 Department of State.

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

27 (4) In compliance with parts V and VI of chapter 1002 and  
28 its powers and duties under s. 1002.75, administer the  
29 requirements of the Voluntary Prekindergarten Education Program  
30 at the state level.

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

33 (6) Keep administrative staff to the minimum necessary to  
34 administer the duties of the office.

35 Section 2. Subsection (4) of section 1002.51, Florida  
36 Statutes, is amended to read:

37 1002.51 Definitions.—As used in this part, the term:

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

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

43 1002.53 Voluntary Prekindergarten Education Program;  
44 eligibility and enrollment.—

45 (4) (a) Each parent enrolling a child in the Voluntary  
46 Prekindergarten Education Program must complete and submit an  
47 application to the early learning coalition through the single

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48 point of entry established under s. 1002.82 ~~411.01~~.

49 (6)(b) A parent may enroll his or her child with any  
50 public school within the school district which is eligible to  
51 deliver the Voluntary Prekindergarten Education Program under  
52 this part, subject to available space. Each school district may  
53 limit the number of students admitted by any public school for  
54 enrollment in the school-year program; however, the school  
55 district must provide for the admission of every eligible child  
56 within the district whose parent enrolls the child in a summer  
57 prekindergarten program delivered by a public school under s.  
58 1002.61.

59 Section 4. Paragraphs (c) and (g) of subsection (3) of  
60 section 1002.55, Florida Statutes, are amended, paragraph (i) is  
61 redesignated as paragraph (k), and new paragraphs (i) and (j)  
62 are added to that subsection, to read:

63 1002.55 School-year prekindergarten program delivered by  
64 private prekindergarten providers.—

65 (3) To be eligible to deliver the prekindergarten program,  
66 a private prekindergarten provider must meet each of the  
67 following requirements:

68 (c) The private prekindergarten provider must have, for  
69 each prekindergarten class of 11 children or fewer, at least one  
70 prekindergarten instructor who meets each of the following  
71 requirements:

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

74 a. A child development associate credential issued by the  
75 National Credentialing Program of the Council for Professional

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76 Recognition; or

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

80  
81 The Department of Children and Families ~~Family Services~~ may  
82 adopt rules under ss. 120.536(1) and 120.54 which provide  
83 criteria and procedures for approving equivalent credentials  
84 under sub-subparagraph b.

85 2. The prekindergarten instructor must successfully  
86 complete an emergent literacy training course and a training  
87 course on the student performance standards approved by the  
88 office ~~department~~ as meeting or exceeding the minimum standards  
89 adopted under s. 1002.59. The requirement for completion of the  
90 standards course shall take effect July 1, 2014, and the course  
91 shall be available online. This subparagraph does not apply to a  
92 prekindergarten instructor who successfully completes approved  
93 training in early literacy and language development under s.  
94 402.305(2)(d)5., s. 402.313(6), or s. 402.3131(5) before the  
95 establishment of one or more emergent literacy training courses  
96 under s. 1002.59 or April 1, 2005, whichever occurs later.

97 (g) ~~Before the beginning of the 2006-2007 school year,~~ The  
98 private prekindergarten provider must have a prekindergarten  
99 director who has a prekindergarten director credential that is  
100 approved by the office ~~department~~ as meeting or exceeding the  
101 minimum standards adopted under s. 1002.57. Successful  
102 completion of a child care facility director credential under s.  
103 402.305(2)(f) before the establishment of the prekindergarten

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

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

113 (j) The private prekindergarten provider must maintain  
114 liability insurance coverage and the necessary business  
115 requirements to legally operate a business in the state,  
116 including any required worker's compensation insurance under  
117 chapter 440 and unemployment compensation insurance under  
118 chapter 443.

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

121 1002.57 Prekindergarten director credential.—

122 (1) ~~By July 1, 2006,~~ The office, in consultation with the  
123 Department of Children and Families, ~~department~~ shall adopt  
124 minimum standards for a credential for prekindergarten directors  
125 of private prekindergarten providers delivering the Voluntary  
126 Prekindergarten Education Program. The credential must encompass  
127 requirements for education and onsite experience.

128 Section 6. Section 1002.59, Florida Statutes, is amended  
129 to read:

130 1002.59 Emergent literacy and performance standards  
131 training courses.—

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132       (1) ~~By April 1, 2005,~~ The office department shall adopt  
133 minimum standards for one or more training courses in emergent  
134 literacy for prekindergarten instructors. Each course must  
135 comprise 5 clock hours and provide instruction in strategies and  
136 techniques to address the age-appropriate progress of  
137 prekindergarten students in developing emergent literacy skills,  
138 including oral communication, knowledge of print and letters,  
139 phonemic and phonological awareness, and vocabulary and  
140 comprehension development. Each course must also provide  
141 resources containing strategies that allow students with  
142 disabilities and other special needs to derive maximum benefit  
143 from the Voluntary Prekindergarten Education Program. Successful  
144 completion of an emergent literacy training course approved  
145 under this section satisfies requirements for approved training  
146 in early literacy and language development under ss.  
147 402.305(2)(d)5., 402.313(6), and 402.3131(5).

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

154       Section 7. Subsections (3), (4), and (8) of section  
155 1002.61, Florida Statutes, are amended to read:

156       1002.61 Summer prekindergarten program delivered by public  
157 schools and private prekindergarten providers.-

158       (3)(a) Each district school board shall determine which  
159 public schools in the school district are eligible to deliver

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160 the summer prekindergarten program. The school district shall  
161 use educational facilities available in the public schools  
162 during the summer term for the summer prekindergarten program.

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

168 (c) ~~(b)~~ Except as provided in this section, to be eligible  
169 to deliver the summer prekindergarten program, a private  
170 prekindergarten provider must meet each requirement in s.  
171 1002.55.

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

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

177 ~~(b)~~ holds one of the educational credentials specified in  
178 s. 1002.55(4)(a) or (b). As used in this subsection, the term  
179 "certified teacher" means a teacher holding a valid Florida  
180 educator certificate under s. 1012.56 who has the qualifications  
181 required by the district school board to instruct students in  
182 the summer prekindergarten program. In selecting instructional  
183 staff for the summer prekindergarten program, each school  
184 district shall give priority to teachers who have experience or  
185 coursework in early childhood education.

186 (8) Each public school delivering the summer  
187 prekindergarten program must also:

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188       ~~(a)~~ register with the early learning coalition on forms  
189 prescribed by the Office of Early Learning~~r~~ and

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

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

194       1002.63 School-year prekindergarten program delivered by  
195 public schools.—

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

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

204       (8) Each public school delivering the school-year  
205 prekindergarten program must~~r~~

206       ~~(a)~~ register with the early learning coalition on forms  
207 prescribed by the Office of Early Learning~~r~~ and

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

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

212       1002.66 Specialized instructional services for children  
213 with disabilities.—

214       (1) ~~Beginning with the 2012-2013 school year,~~ A child who  
215 has a disability and enrolls with the early learning coalition

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216 under s. 1002.53(3)(d) is eligible for specialized instructional  
217 services if:

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

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

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

226 1002.67 Performance standards; curricula and  
227 accountability.—

228 (1)(a) The office ~~department~~ shall develop and adopt  
229 performance standards for students in the Voluntary  
230 Prekindergarten Education Program. The performance standards  
231 must address the age-appropriate progress of students in the  
232 development of:

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

235 2. Emergent literacy skills, including oral communication,  
236 knowledge of print and letters, phonemic and phonological  
237 awareness, and vocabulary and comprehension development.

238

239 By October 1, 2013, the office shall examine the existing  
240 student performance standards in the area of mathematical  
241 thinking and develop a plan to make appropriate professional  
242 development and training courses available to Voluntary  
243 Prekindergarten Education Program instructors.

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244 (b) The office ~~State Board of Education~~ shall periodically  
245 review and revise the performance standards for the statewide  
246 kindergarten screening administered under s. 1002.69 and align  
247 the standards to the standards established by the state board  
248 for student performance on the statewide assessments  
249 administered pursuant to s. 1008.22.

250 (2)

251 (c) The office ~~department~~ shall review and approve  
252 curricula for use by private prekindergarten providers and  
253 public schools that are placed on probation under paragraph  
254 (4) (c). The office ~~department~~ shall maintain a list of the  
255 curricula approved under this paragraph. Each approved  
256 curriculum must meet the requirements of paragraph (b).

257 (4) (a) Each early learning coalition shall verify that  
258 each private prekindergarten provider delivering the Voluntary  
259 Prekindergarten Education Program within the coalition's county  
260 or multicounty region complies with this part. Each district  
261 school board shall verify that each public school delivering the  
262 program within the school district complies with this part.

263 (b) If a private prekindergarten provider or public school  
264 fails or refuses to comply with this part, or if a provider or  
265 school engages in misconduct, the office ~~of Early Learning~~ shall  
266 require the early learning coalition to remove the provider, and  
267 ~~the Department of Education shall~~ require the school district to  
268 remove the school from eligibility to deliver the Voluntary  
269 Prekindergarten Education Program and receive state funds under  
270 this part for a period of 5 years.

271 (c)1. If the kindergarten readiness rate of a private

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272 prekindergarten provider or public school falls below the  
273 minimum rate adopted by the office ~~State Board of Education~~ as  
274 satisfactory under s. 1002.69(6), the early learning coalition  
275 or school district, as applicable, shall require the provider or  
276 school to submit an improvement plan for approval by the  
277 coalition or school district, as applicable, and to implement  
278 the plan;:-

279 ~~2. If a private prekindergarten provider or public school~~  
280 ~~fails to meet the minimum rate adopted by the State Board of~~  
281 ~~Education as satisfactory under s. 1002.69(6), the early~~  
282 ~~learning coalition or school district, as applicable, shall~~  
283 ~~place the provider or school on probation; and shall must~~  
284 ~~require the provider or school to take certain corrective~~  
285 ~~actions, including the use of a curriculum approved by the~~  
286 ~~office department~~ under paragraph (2)(c) or a staff development  
287 plan to strengthen instruction in language development and  
288 phonological awareness approved by the office ~~department~~.

289 ~~2.3-~~ A private prekindergarten provider or public school  
290 that is placed on probation must continue the corrective actions  
291 required under subparagraph 1. 2-, including the use of a  
292 curriculum or a staff development plan to strengthen instruction  
293 in language development and phonological awareness approved by  
294 the office ~~department~~, until the provider or school meets the  
295 minimum rate adopted by the office ~~State Board of Education~~ as  
296 satisfactory under s. 1002.69(6). Failure to implement an  
297 approved improvement plan or staff development plan shall result  
298 in the termination of the provider's contract to deliver the  
299 Voluntary Prekindergarten Education Program for a period of 5

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300 years.

301 ~~3.4.~~ If a private prekindergarten provider or public  
302 school remains on probation for 2 consecutive years and fails to  
303 meet the minimum rate adopted by the office ~~State Board of~~  
304 ~~Education~~ as satisfactory under s. 1002.69(6) and is not granted  
305 a good cause exemption by the office ~~department~~ pursuant to s.  
306 1002.69(7), the office ~~of Early Learning~~ shall require the early  
307 learning coalition or ~~the Department of Education~~ shall require  
308 the school district to remove, as applicable, the provider or  
309 school from eligibility to deliver the Voluntary Prekindergarten  
310 Education Program and receive state funds for the program for a  
311 period of 5 years.

312 (d) Each early learning coalition and, ~~the office of Early~~  
313 ~~Learning, and the department~~ shall coordinate with the Child  
314 Care Regulation Services Program Office of the Department of  
315 Children and Families ~~Family Services~~ to minimize interagency  
316 duplication of activities for monitoring private prekindergarten  
317 providers for compliance with requirements of the Voluntary  
318 Prekindergarten Education Program under this part, the school  
319 readiness program ~~programs~~ under part VI of this chapter s.  
320 ~~411.01~~, and the licensing of providers under ss. 402.301-  
321 402.319.

322 Section 11. Subsections (2), (5), (6), and (7) of section  
323 1002.69, Florida Statutes, are amended to read:

324 1002.69 Statewide kindergarten screening; kindergarten  
325 readiness rates; state-approved prekindergarten enrollment  
326 screening; good cause exemption.-

327 (2) The statewide kindergarten screening shall provide

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328 objective data concerning each student's readiness for  
329 kindergarten and progress in attaining the performance standards  
330 adopted by the office ~~department~~ under s. 1002.67(1).

331 (5) The office ~~State Board of Education~~ shall adopt  
332 procedures ~~for the department~~ to annually calculate each private  
333 prekindergarten provider's and public school's kindergarten  
334 readiness rate, which must be expressed as the percentage of the  
335 provider's or school's students who are assessed as ready for  
336 kindergarten. The methodology for calculating each provider's  
337 kindergarten readiness rate must include student learning gains  
338 when available and the percentage of students who meet all state  
339 readiness measures. The rates must not include students who are  
340 not administered the statewide kindergarten screening. The  
341 office ~~state board~~ shall determine learning gains using a value-  
342 added measure based on growth demonstrated by the results of the  
343 pre- and post-assessment from at least 2 successive years of  
344 administration of the pre- and post-assessment.

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

350 (7) (a) Notwithstanding s. 1002.67(4)(c)3. ~~1002.67(4)(c)4.~~,  
351 the office ~~State Board of Education~~, upon the request of a  
352 private prekindergarten provider or public school that remains  
353 on probation for 2 consecutive years or more and subsequently  
354 fails to meet the minimum rate adopted under subsection (6) and  
355 for good cause shown, may grant to the provider or school an

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356 exemption from being determined ineligible to deliver the  
357 Voluntary Prekindergarten Education Program and receive state  
358 funds for the program. Such exemption is valid for 1 year and,  
359 upon the request of the private prekindergarten provider or  
360 public school and for good cause shown, may be renewed.

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

366 1. Submission of data by the private prekindergarten  
367 provider or public school which documents the achievement and  
368 progress of the children served as measured by the state-  
369 approved prekindergarten enrollment screening and the  
370 standardized postassessment approved by the office ~~department~~  
371 pursuant to subparagraph (c)1.

372 2. Submission and review of data available from the  
373 respective early learning coalition or district school board,  
374 the Department of Children and Families ~~Family Services~~, local  
375 licensing authority, or an accrediting association, as  
376 applicable, relating to the private prekindergarten provider's  
377 or public school's compliance with state and local health and  
378 safety standards.

379 3. Submission and review of data available to the office  
380 ~~department~~ on the performance of the children served and the  
381 calculation of the private prekindergarten provider's or public  
382 school's kindergarten readiness rate.

383 (c) The office ~~State Board of Education~~ shall adopt

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384 criteria for granting good cause exemptions. Such criteria shall  
385 include, but are not limited to:

386 1. Learning gains of children served in the Voluntary  
387 Prekindergarten Education Program by the private prekindergarten  
388 provider or public school.

389 2. Verification that local and state health and safety  
390 requirements are met.

391 (d) A good cause exemption may not be granted to any  
392 private prekindergarten provider that has any class I violations  
393 or two or more class II violations within the 2 years preceding  
394 the provider's or school's request for the exemption. For  
395 purposes of this paragraph, class I and class II violations have  
396 the same meaning as provided in s. 402.281(4).

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

403 (f) ~~The State Board of Education shall notify the Office~~  
404 ~~of Early Learning of any good cause exemption granted to a~~  
405 ~~private prekindergarten provider under this subsection.~~ If a  
406 good cause exemption is granted to a private prekindergarten  
407 provider who remains on probation for 2 consecutive years, the  
408 ~~office of Early Learning~~ shall notify the early learning  
409 coalition of the good cause exemption and direct that the  
410 coalition, notwithstanding s. 1002.67(4)(c)3. ~~1002.67(4)(e)4.~~,  
411 not remove the provider from eligibility to deliver the

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PCB Name: PCB EDC 13-02 (2013)

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412 Voluntary Prekindergarten Education Program or to receive state  
413 funds for the program, if the provider meets all other  
414 applicable requirements of this part.

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

418 1002.71 Funding; financial and attendance reporting.-

419 (3)

420 (d) For programs offered by school districts pursuant to  
421 s. 1002.61 ~~and beginning with the 2009 summer program~~, each  
422 district's funding shall be based on a student enrollment that  
423 is evenly divisible by 12. If the result of dividing a  
424 district's student enrollment by 12 is not a whole number, the  
425 district's enrollment calculation shall be adjusted by adding  
426 the minimum number of students to produce a student enrollment  
427 calculation that is evenly divisible by 12.

428 (5) (a) Each early learning coalition shall maintain  
429 through the single point of entry established under s. 1002.82  
430 ~~411.01~~ a current database of the students enrolled in the  
431 Voluntary Prekindergarten Education Program for each county  
432 within the coalition's region.

433 (b) The Office of Early Learning shall adopt procedures  
434 for the payment of private prekindergarten providers and public  
435 schools delivering the Voluntary Prekindergarten Education  
436 Program. The procedures shall provide for the advance payment of  
437 providers and schools based upon student enrollment in the  
438 program, the certification of student attendance, and the  
439 reconciliation of advance payments in accordance with the

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440 uniform attendance policy adopted under paragraph (6) (d). The  
441 procedures shall provide for the monthly distribution of funds  
442 by the Office of Early Learning to the early learning coalitions  
443 for payment by the coalitions to private prekindergarten  
444 providers and public schools. ~~The department shall transfer to~~  
445 ~~the Office of Early Learning at least once each quarter the~~  
446 ~~funds available for payment to private prekindergarten providers~~  
447 ~~and public schools in accordance with this paragraph from the~~  
448 ~~funds appropriated for that purpose.~~

449 (7) The Office of Early Learning shall require that  
450 administrative expenditures be kept to the minimum necessary for  
451 efficient and effective administration of the Voluntary  
452 Prekindergarten Education Program. Administrative policies and  
453 procedures shall be revised, to the maximum extent practicable,  
454 to incorporate the use of automation and electronic submission  
455 of forms, including those required for child eligibility and  
456 enrollment, provider and class registration, and monthly  
457 certification of attendance for payment. A school district may  
458 use its automated daily attendance reporting system for the  
459 purpose of transmitting attendance records to the early learning  
460 coalition in a mutually agreed-upon format. In addition, actions  
461 shall be taken to reduce paperwork, eliminate the duplication of  
462 reports, and eliminate other duplicative activities. ~~Beginning~~  
463 ~~with the 2011-2012 fiscal year,~~ Each early learning coalition  
464 may retain and expend no more than 4.0 percent of the funds paid  
465 by the coalition to private prekindergarten providers and public  
466 schools under paragraph (5) (b). Funds retained by an early  
467 learning coalition under this subsection may be used only for

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468 administering the Voluntary Prekindergarten Education Program  
469 and may not be used for the school readiness program or other  
470 programs.

471 Section 13. Paragraph (a) of subsection (3) of section  
472 1002.72, Florida Statutes, is amended to read:

473 1002.72 Records of children in the Voluntary  
474 Prekindergarten Education Program.—

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

477 1. The United States Secretary of Education, the United  
478 States Secretary of Health and Human Services, and the  
479 Comptroller General of the United States for the purpose of  
480 federal audits or investigations.

481 2. Individuals or organizations conducting studies for  
482 institutions to develop, validate, or administer assessments or  
483 improve instruction.

484 3. Accrediting organizations in order to carry out their  
485 accrediting functions.

486 4. Appropriate parties in connection with an emergency if  
487 the information is necessary to protect the health or safety of  
488 the child or other individuals.

489 5. The Auditor General in connection with his or her  
490 official functions.

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

493 7. Parties to an interagency agreement among early  
494 learning coalitions, local governmental agencies, Voluntary  
495 Prekindergarten Education Program providers, or state agencies

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496 for the purpose of implementing the Voluntary Prekindergarten  
497 Education Program.

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

501 1002.75 Office of Early Learning; powers and duties;  
502 ~~operational requirements.~~

503 (1) The Office of Early Learning shall adopt by rule a  
504 standard statewide provider contract to be used with each  
505 Voluntary Prekindergarten Education Program provider, with  
506 standardized attachments by provider type. The office shall  
507 publish a copy of the standard statewide provider contract on  
508 its website. The standard statewide contract shall include, at a  
509 minimum, provisions for provider probation, termination for  
510 cause, and emergency termination for those actions or inactions  
511 of a provider that pose an immediate and serious danger to the  
512 health, safety, or welfare of the children. The standard  
513 statewide contract shall also include appropriate due process  
514 procedures. During the pendency of an appeal of a termination,  
515 the provider may not continue to offer its services. Any  
516 provision imposed upon a provider that is inconsistent with, or  
517 prohibited by, law is void and unenforceable. ~~The Office of~~  
518 ~~Early Learning shall administer the operational requirements of~~  
519 ~~the Voluntary Prekindergarten Education Program at the state~~  
520 ~~level.~~

521 (2) The Office of Early Learning shall adopt procedures  
522 governing the administration of the Voluntary Prekindergarten  
523 Education Program by the early learning coalitions and school

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524 districts for:

525 (a) Enrolling children in and determining the eligibility  
526 of children for the Voluntary Prekindergarten Education Program  
527 under s. 1002.53, which shall include the enrollment of children  
528 by public schools and private providers that meet specified  
529 requirements.

530 (d) Determining the eligibility of private prekindergarten  
531 providers to deliver the program under ss. 1002.55 and 1002.61  
532 and streamlining the process of provider eligibility whenever  
533 possible.

534 Section 15. Subsections (1), (2), and (3) of section  
535 1002.77, Florida Statutes, are amended to read:

536 1002.77 Florida Early Learning Advisory Council.—

537 (1) There is created the Florida Early Learning Advisory  
538 Council within the Office of Early Learning. The purpose of the  
539 advisory council is to submit recommendations to the office  
540 ~~department~~ on the early learning policy of this state, including  
541 recommendations relating to administration of the Voluntary  
542 Prekindergarten Education Program under this part and the school  
543 readiness program ~~programs~~ under part VI of this chapter ~~s.~~  
544 ~~411.01.~~ The advisory council shall periodically analyze and  
545 provide recommendations to the office on the effective and  
546 efficient use of local, state, and federal funds; the content of  
547 instructor training programs; and best practices for the  
548 development and implementation of coalition plans pursuant to s.  
549 1002.85.

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

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

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

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

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

559

560 The chair of the advisory council appointed by the Governor and  
561 the members appointed by the presiding officers of the  
562 Legislature must each have a background in early learning or be  
563 from the business community.

564 (3) The advisory council shall meet at least quarterly but  
565 may meet as often as necessary to carry out its duties and  
566 responsibilities. The advisory council may use any method of  
567 telecommunication to conduct meetings, including establishing a  
568 quorum through telecommunications, only if the public is given  
569 proper notice of a telecommunications meeting and reasonable  
570 access to observe and, when appropriate, participate.

571 Section 16. Section 1002.79, Florida Statutes, is amended  
572 to read:

573 1002.79 Rulemaking authority.—

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

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

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580 Section 17. Part VI of chapter 1002, Florida Statutes,  
581 consisting of sections 1002.81 through 1002.98, is created to  
582 read:

583 PART VI

584 SCHOOL READINESS PROGRAM

585 1002.81 Definitions.—Consistent with the requirements of  
586 45 C.F.R. parts 98 and 99 and as used in this part, the term:

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

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

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

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

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

603 (e) A child in the custody of a parent who is a victim of  
604 domestic violence residing in a certified domestic violence  
605 center.

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

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

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

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

625 (5) "Disenrollment" means the removal either temporary or  
626 permanent, of a child from participation in the school readiness  
627 program. Removal of a child from the school readiness program  
628 may be based on the following events: a reduction in available  
629 school readiness program funding, participant's failure to meet  
630 eligibility or program participation requirements, fraud, or a  
631 change in local service priorities.

632 (6) "Earned income" means gross remuneration derived from  
633 work, professional service, or self-employment. The term

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634 includes commissions, bonuses, back pay awards, and the cash  
635 value of all remuneration paid in a medium other than cash.

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

643 (8) "Family income" means the combined gross income,  
644 whether earned or unearned, that is derived from any source by  
645 all family or household members who are 18 years of age or older  
646 who are currently residing together in the same dwelling unit.  
647 The term does not include income earned by a currently enrolled  
648 high school student who, since attaining the age of 18 years, or  
649 a student with a disability who, since attaining the age of 22  
650 years, has not terminated school enrollment or received a high  
651 school diploma, high school equivalency diploma, special  
652 diploma, or certificate of high school completion. The term also  
653 does not include food stamp benefits or federal housing  
654 assistance payments issued directly to a landlord or the  
655 associated utilities expenses.

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

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

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

668 (12) "Office" means the Office of Early Learning of the  
669 Department of Education.

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

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

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

683 (a) Documented alimony and child support received.

684 (b) Social security benefits.

685 (c) Supplemental security income benefits.

686 (d) Workers' compensation benefits.

687 (e) Unemployment compensation benefits.

688 (f) Veterans' benefits.

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689 (g) Retirement benefits.

690 (h) Temporary cash assistance under chapter 414.

691 (16) "Working family" means:

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

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

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

705 1002.82 Office of Early Learning; powers and duties.-

706 (1) For purposes of administration of the Child Care and  
707 Development Block Grant Trust Fund, pursuant to 45 C.F.R. parts  
708 98 and 99, the Office of Early Learning is designated as the  
709 lead agency and must comply with lead agency responsibilities  
710 pursuant to federal law. The office may apply to the Governor  
711 and Cabinet for a waiver of, and the Governor and Cabinet may  
712 waive, any provision of ss. 411.223 and 1003.54 if the waiver is  
713 necessary for implementation of the school readiness program.  
714 Section 125.901(2)(a)3. does not apply to the school readiness  
715 program.

716 (2) The office shall:

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

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

727 (c) Be responsible for the prudent use of all public and  
728 private funds in accordance with all legal and contractual  
729 requirements, safeguarding the effective use of federal, state,  
730 and local resources to achieve the highest practicable level of  
731 school readiness for the children described in s. 1002.87,  
732 including:

733 1. The adoption of a uniform chart of accounts for  
734 budgeting and financial reporting purposes that provides  
735 standardized definitions for expenditures and reporting,  
736 consistent with the requirements of 45 C.F.R. part 98 and s.  
737 1002.89 for each of the following categories of expenditure:

738 a. Direct services to children.

739 b. Administrative costs.

740 c. Quality activities.

741 d. Nondirect services.

742 2. Coordination with other state and federal agencies to  
743 perform data matches on children participating in the school  
744 readiness program and their families in order to verify the

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745 children's eligibility pursuant to s. 1002.87.

746 (d) Establish procedures for the biennial calculation of  
747 the average market rate.

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

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

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

756 a. Statewide data information program requirements that  
757 include:

758 (I) Eligibility requirements.

759 (II) Financial reports.

760 (III) Program accountability measures.

761 (IV) Child progress reports.

762 b. Child care resource and referral services.

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

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

767 a. Rating and improvement systems.

768 b. Warm-Line services.

769 c. Anti-fraud plans.

770 d. School readiness program standards.

771 e. Child screening and assessments.

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772 f. Training and support for parental involvement in  
773 children's early education.

774 g. Family literacy activities and services.

775 (g) Provide technical assistance to early learning  
776 coalitions.

777 (h) In cooperation with the early learning coalitions,  
778 coordinate with the Child Care Services Program Office of the  
779 Department of Children and Families to reduce paperwork and to  
780 avoid duplicating interagency activities, health and safety  
781 monitoring, and acquiring and composing data pertaining to child  
782 care training and credentialing.

783 (i) Develop, in coordination with the Child Care  
784 Regulation Office of the Department of Children and Families,  
785 and adopt a health and safety checklist to be completed by  
786 license-exempt providers that does not exceed the requirements  
787 s. 402.305.

788 (j) Develop and adopt standards and benchmarks that  
789 address the age-appropriate progress of children in the  
790 development of school readiness skills. The standards for  
791 children from birth to 5 years of age in the school readiness  
792 program must be aligned with the performance standards adopted  
793 for children in the Voluntary Prekindergarten Education Program  
794 and must address the following domains:

- 795 1. Approaches to learning.  
796 2. Cognitive development and general knowledge.  
797 3. Numeracy, language, and communication.  
798 4. Physical development.  
799 5. Self-regulation.

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800       (k) Select assessments that are valid, reliable, and  
801 developmentally appropriate for use as preassessment and  
802 postassessment for the age ranges specified in the coalition  
803 plans. The assessments must be designed to measure progress in  
804 the domains of the performance standards adopted pursuant to  
805 paragraph (j), provide appropriate accommodations for children  
806 with disabilities and English language learners, and be  
807 administered by qualified individuals, consistent with the  
808 publisher's instructions.

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

813       (m) Adopt by rule a standard statewide provider contract  
814 to be used with each school readiness program provider, with  
815 standardized attachments by provider type. The office shall  
816 publish a copy of the standard statewide provider contract on  
817 its website. The standard statewide contract shall include, at a  
818 minimum, provisions for provider probation, termination for  
819 cause, and emergency termination for those actions or inactions  
820 of a provider that pose an immediate and serious danger to the  
821 health, safety, or welfare of the children. The standard  
822 statewide provider contract shall also include appropriate due  
823 process procedures. During the pendency of an appeal of a  
824 termination, the provider may not continue to offer its  
825 services. Any provision imposed upon a provider that is  
826 inconsistent with, or prohibited by, law is void and  
827 unenforceable.

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828 (n) Establish a single statewide information system that  
829 each coalition must use for the purposes of managing the single  
830 point of entry, tracking children's progress, coordinating  
831 services among stakeholders, determining eligibility of  
832 children, tracking child attendance, and streamlining  
833 administrative processes for providers and early learning  
834 coalitions.

835 (o) Adopt by rule standardized procedures for coalitions  
836 to use when monitoring the compliance of school readiness  
837 program providers with the terms of the standard statewide  
838 provider contract.

839 (p) Monitor and evaluate the performance of each early  
840 learning coalition in administering the school readiness  
841 program, ensuring proper payments for school readiness program  
842 services, implementing the coalition's school readiness program  
843 plan, and administering the Voluntary Prekindergarten Education  
844 Program. These monitoring and performance evaluations must  
845 include, at a minimum, onsite monitoring of each coalition's  
846 finances, management, operations, and programs.

847 (q) Work in conjunction with the Bureau of Federal  
848 Education Programs within the Department of Education to  
849 coordinate readiness and voluntary prekindergarten services to  
850 the populations served by the bureau.

851 (r) Administer a statewide toll-free Warm-Line to provide  
852 assistance and consultation to child care centers and family day  
853 care homes regarding health, developmental, disability, and  
854 special needs issues of the children they are serving,

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855 particularly children with disabilities and other special needs.

856 The office shall:

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

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

863 (3) If the office determines during the review of school  
864 readiness program plans, or through monitoring and performance  
865 evaluations conducted under s. 1002.85, that an early learning  
866 coalition has not substantially implemented its plan, has not  
867 substantially met the performance standards and outcome measures  
868 adopted by the office, or has not effectively administered the  
869 school readiness program or Voluntary Prekindergarten Education  
870 Program, the office may temporarily contract with a qualified  
871 entity to continue school readiness program and prekindergarten  
872 services in the coalition's county or multicounty region until  
873 the office reestablishes the coalition and a new school  
874 readiness program plan is approved in accordance with the rules  
875 adopted by the office.

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

879 (5) By January 1 of each year, the office shall annually  
880 publish on its website a report of its activities conducted  
881 under this section. The report must include a summary of the

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882 coalitions' annual reports, a statewide summary, and the  
883 following:

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

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

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

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

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

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

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

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

906 8. The total number of provider contracts revoked and the  
907 reasons for revocation.

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

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910 (6) (a) Parental choice of child care providers, including  
911 private and faith-based providers, shall be established to the  
912 maximum extent practicable in accordance with 45 C.F.R. s.  
913 98.30.

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

917 (c) The school readiness program shall, in accordance with  
918 45 C.F.R. s. 98.30, provide parental choice through a payment  
919 certificate that provides, to the maximum extent possible,  
920 flexibility in the school readiness program and payment  
921 arrangements. The payment certificate must bear the names of the  
922 beneficiary and the program provider and, when redeemed, must  
923 bear the signatures of both the beneficiary and an authorized  
924 representative of the provider.

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

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

935 1002.83 Early learning coalitions.-

936 (1) Thirty-one or fewer early learning coalitions are  
937 established and shall maintain direct enhancement services at

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938 the local level and provide access to such services in all 67  
939 counties. Two or more early learning coalitions may join for  
940 purposes of planning and implementing a school readiness program  
941 and the Voluntary Prekindergarten Education Program.

942 (2) Each early learning coalition shall be composed of at  
943 least 15 members but not more than 30 members.

944 (3) The Governor shall appoint the chair and two other  
945 members of each early learning coalition, who must each meet the  
946 same qualifications as private sector business members appointed  
947 by the coalition under subsection (5).

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

955 (a) A Department of Children and Families regional  
956 administrator or his or her permanent designee who is authorized  
957 to make decisions on behalf of the department.

958 (b) A district superintendent of schools or his or her  
959 permanent designee who is authorized to make decisions on behalf  
960 of the district.

961 (c) A regional workforce board executive director or his  
962 or her permanent designee.

963 (d) A county health department director or his or her  
964 designee.

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

967 (f) An agency head of a local licensing agency as defined  
968 in s. 402.302, where applicable.

969 (g) A president of a Florida College System institution or  
970 his or her permanent designee.

971 (h) One member appointed by a board of county  
972 commissioners or the governing board of a municipality.

973 (i) A Head Start director.

974 (j) A representative of private for-profit child care  
975 providers, including private for-profit family day care homes.

976 (k) A representative of faith-based child care providers.

977 (l) A representative of programs for children with  
978 disabilities under the federal Individuals with Disabilities  
979 Education Act.

980 (5) Including the members appointed by the Governor under  
981 subsection (3), more than one-third of the members of each early  
982 learning coalition must be private sector business members,  
983 either for-profit or nonprofit, who do not have, and none of  
984 whose relatives as defined in s. 112.3143 has, a substantial  
985 financial interest in the design or delivery of the Voluntary  
986 Prekindergarten Education Program created under part V of this  
987 chapter or the coalition's school readiness program. To meet  
988 this requirement an early learning coalition must appoint  
989 additional members. The office shall establish criteria for  
990 appointing private sector business members. These criteria must  
991 include standards for determining whether a member or relative  
992 has a substantial financial interest in the design or delivery

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993 of the Voluntary Prekindergarten Education Program or the  
994 coalition's school readiness program.

995 (6) A majority of the voting membership of an early  
996 learning coalition constitutes a quorum required to conduct the  
997 business of the coalition. An early learning coalition may use  
998 any method of telecommunications to conduct meetings, including  
999 establishing a quorum through telecommunications, provided that  
1000 the public is given proper notice of a telecommunications  
1001 meeting and reasonable access to observe and, when appropriate,  
1002 participate.

1003 (7) A voting member of an early learning coalition may not  
1004 appoint a designee to act in his or her place, except as  
1005 otherwise provided in this subsection. A voting member may send  
1006 a representative to coalition meetings but that representative  
1007 does not have voting privileges. When a regional administrator  
1008 for the Department of Children and Families appoints a designee  
1009 to an early learning coalition, the designee is the voting  
1010 member of the coalition, and any individual attending in the  
1011 designee's place, including the district administrator, does not  
1012 have voting privileges.

1013 (8) Each member of an early learning coalition is subject  
1014 to ss. 112.313, 112.3135, and 112.3143. For purposes of s.  
1015 112.3143(3)(a), each voting member is a local public officer who  
1016 must abstain from voting when a voting conflict exists.

1017 (9) For purposes of tort liability, each member or  
1018 employee of an early learning coalition shall be governed by s.  
1019 768.28.

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1020 (10) An early learning coalition serving a multicounty  
1021 region must include representation from each county.

1022 (11) Each early learning coalition shall establish terms  
1023 for all appointed members of the coalition. The terms must be  
1024 staggered and must be a uniform length that does not exceed 4  
1025 years per term. Coalition chairs shall be appointed for 4 years  
1026 in conjunction with their membership on the Early Learning  
1027 Advisory Council pursuant to s. 20.052. Appointed members may  
1028 serve a maximum of two consecutive terms. When a vacancy occurs  
1029 in an appointed position, the coalition must advertise the  
1030 vacancy.

1031 (12) State, federal, and local matching funds provided to  
1032 the early learning coalitions may not be used directly or  
1033 indirectly to pay for meals, food, or beverages for coalition  
1034 members, coalition employees, or for subcontractor employees.  
1035 Preapproved, reasonable, and necessary per diem allowances and  
1036 travel expenses may be reimbursed. Such reimbursement shall be  
1037 at the standard travel reimbursement rates established in s.  
1038 112.061 and must comply with applicable federal and state  
1039 requirements.

1040 (13) Each early learning coalition shall use a coordinated  
1041 professional development system that supports the achievement  
1042 and maintenance of core competencies by school readiness program  
1043 teachers in helping children attain the performance standards  
1044 adopted by the office.

1045 (14) Each school district shall, upon request of the  
1046 coalition, make a list of all individuals currently eligible to  
1047 act as a substitute teacher within the school district, pursuant

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1048 to rules adopted by the school district pursuant to s. 1012.35,  
1049 available to an early learning coalition serving students within  
1050 the school district. Child care facilities as defined in s.  
1051 402.302 may employ individuals listed as substitute instructors  
1052 for the purpose of offering the school readiness program, the  
1053 Voluntary Prekindergarten Education Program, and all other  
1054 legally operating child care programs.

1055 1002.84 Early learning coalitions; school readiness powers  
1056 and duties.—Each early learning coalition shall:

1057 (1) Administer and implement a local comprehensive program  
1058 of school readiness program services in accordance with this  
1059 part and the rules adopted by the office, which enhances the  
1060 cognitive, social, and physical development of children to  
1061 achieve the performance standards.

1062 (2) Establish a uniform waiting list to track eligible  
1063 children waiting for enrollment in the school readiness program  
1064 in accordance with rules adopted by the office.

1065 (3) Establish a resource and referral network operating  
1066 under 1002.92 to assist parents in making an informed choice and  
1067 provide maximum parental choice of providers, and to provide  
1068 information on available community resources.

1069 (4) Establish a regional Warm-Line as directed by the  
1070 office pursuant to s. 1002.82(2)(r). Regional Warm-Line staff  
1071 shall provide onsite technical assistance, when requested, to  
1072 assist child care centers and family day care homes with  
1073 inquiries relating to the strategies, curriculum, and  
1074 environmental adaptations the child care centers and family day  
1075 care homes may need as they serve children with disabilities and

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1076 other special needs.

1077 (5) Establish an age-appropriate screening, for children  
1078 ages birth to 5 years, of each child's development and an  
1079 appropriate referral process for children with identified  
1080 delays. Such screening shall not be a requirement of entry into  
1081 the school readiness program and shall be only given with  
1082 parental consent.

1083 (6) Implement an age-appropriate preassessment and  
1084 postassessment of children if specified in the coalition's  
1085 approved plan.

1086 (7) Determine child eligibility pursuant to s. 1002.87 and  
1087 provider eligibility pursuant to s. 1002.88. At a minimum, child  
1088 eligibility must be redetermined annually. Redetermination must  
1089 also be conducted biannually for an additional 50 percent of a  
1090 coalition's enrollment through a statistically valid random  
1091 sampling. A coalition must document the reason why a child is no  
1092 longer eligible for the school readiness program according to  
1093 the standard codes prescribed by the office.

1094 (8) Establish a parent sliding fee scale that requires a  
1095 parent copayment to participate in the school readiness program.  
1096 Providers are required to collect the parent's copayment. A  
1097 coalition may, on a case-by-case basis, waive the copayment for  
1098 an at-risk child or temporarily waive the copayment for a child  
1099 whose family experiences a natural disaster or an event that  
1100 limits the parent's ability to pay, such as incarceration,  
1101 placement in residential treatment, or becoming homeless, or an  
1102 emergency situation such as a household fire or burglary, or  
1103 while the parent is participating in parenting classes. A parent

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1104 may not transfer school readiness program services to another  
1105 school readiness program provider until the parent has submitted  
1106 documentation from the current school readiness program provider  
1107 to the early learning coalition stating that the parent has  
1108 satisfactorily fulfilled the copayment obligation.

1109 (9) Establish proper maintenance of records related to  
1110 eligibility and enrollment files, provider payments, coalition  
1111 staff background screenings, and other documents required for  
1112 the implementation of the school readiness program.

1113 (10) Establish a records retention requirement for sign-in  
1114 and sign-out records that is consistent with state and federal  
1115 law. Attendance records shall not be altered or amended after  
1116 December 31 of the subsequent year.

1117 (11) Follow the requirements established by the Chief  
1118 Financial Officer for the recording of property and for the  
1119 periodic review of property for inventory purposes.

1120 (12) Comply with federal procurement requirements and the  
1121 procurement requirements of ss. 215.971, 287.057, and 287.058,  
1122 except that an early learning coalition is not required to  
1123 competitively procure direct services for school readiness  
1124 program and Voluntary Prekindergarten Education Program  
1125 providers.

1126 (13) Establish proper information technology security  
1127 controls, including, but not limited to, periodically reviewing  
1128 the appropriateness of access privileges assigned to users of  
1129 certain systems; monitoring system hardware performance and  
1130 capacity-related issues; and ensuring appropriate backup  
1131 procedures and disaster recovery plans are in place.

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1132       (14) Develop written policies, procedures, and standards  
1133 for monitoring vendor contracts, including, but not limited to,  
1134 provisions specifying the particular procedures that may be used  
1135 to evaluate contractor performance and the documentation that is  
1136 to be maintained to serve as a record of contractor performance.  
1137 This subsection does not apply to contracts with school  
1138 readiness program providers or Voluntary Prekindergarten  
1139 Education Program providers.

1140       (15) Monitor school readiness program providers in  
1141 accordance with its plan, or in response to a parental  
1142 complaint, to verify that the standards prescribed in ss.  
1143 1002.82 and 1002.88 are being met using a standard monitoring  
1144 tool adopted by the office. Providers determined to be high-risk  
1145 by the coalition, as demonstrated by substantial findings of  
1146 violations of federal law or the general or local laws of the  
1147 state, shall be monitored more frequently. Providers with 3  
1148 consecutive years of compliance may be monitored biennially.

1149       (16) Adopt a payment schedule that encompasses all  
1150 programs funded under this part and part V of this chapter. The  
1151 payment schedule must take into consideration the average market  
1152 rate, include the projected number of children to be served, and  
1153 be submitted for approval by the office. Informal child care  
1154 arrangements shall be reimbursed at not more than 50 percent of  
1155 the rate adopted for a family day care home.

1156       (17) Implement an anti-fraud plan addressing the  
1157 detection, reporting, and prevention of overpayments, abuse, and  
1158 fraud relating to the provision of and payment for school  
1159 readiness program and Voluntary Prekindergarten Education

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1160 Program services and submit the plan to the office for approval,  
1161 as required by s. 1002.91.

1162 (18) By October 1 of each year, submit an annual report to  
1163 the office. The report shall conform to the format adopted by  
1164 the office and must include:

1165 (a) Segregation of school readiness program funds,  
1166 Voluntary Prekindergarten Education Program funds, Child Care  
1167 Executive Partnership Program funds, and other local revenues  
1168 available to the coalition.

1169 (b) Details of expenditures by fund source, including  
1170 total expenditures for administrative activities, quality  
1171 activities, nondirect services, and direct services for  
1172 children.

1173 (c) The total number of coalition staff and the related  
1174 expenditures for salaries and benefits. For any subcontracts,  
1175 the total number of contracted staff and the related  
1176 expenditures for salaries and benefits must be included.

1177 (d) The number of children served in the school readiness  
1178 program, by provider type, enumerated by age and eligibility  
1179 priority category, reported as the number of children served  
1180 during the month, the average participation throughout the  
1181 month, and the number of children served during the month.

1182 (e) The total number of children disenrolled during the  
1183 year and the reasons for disenrollment.

1184 (f) The total number of providers by provider type.

1185 (g) A listing of any school readiness program provider, by  
1186 type, whose eligibility to deliver the school readiness program  
1187 is revoked, including a brief description of the state or

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1188 federal violation that resulted in the revocation.  
1189 (h) An evaluation of its direct enhancement services.  
1190 (i) The total number of children served in each provider  
1191 facility.  
1192 (19) Maintain its administrative staff at the minimum  
1193 necessary to administer the duties of the early learning  
1194 coalition.  
1195 (20) To increase transparency and accountability, comply  
1196 with the requirements of this section before contracting with a  
1197 member of the coalition or a relative, as defined in s.  
1198 112.3143(1) (b), of a coalition member or of an employee of the  
1199 coalition. Such contracts may not be executed without the  
1200 approval of the office. Such contracts, as well as documentation  
1201 demonstrating adherence to this section by the coalition, must  
1202 be approved by a two-thirds vote of the coalition, a quorum  
1203 having been established; all conflicts of interest must be  
1204 disclosed before the vote; and any member who may benefit from  
1205 the contract, or whose relative may benefit from the contract,  
1206 must abstain from the vote. A contract under \$25,000 between an  
1207 early learning coalition and a member of that coalition or  
1208 between a relative, as defined in s. 112.3143(1) (b), of a  
1209 coalition member or of an employee of the coalition is not  
1210 required to have the prior approval of the office but must be  
1211 approved by a two-thirds vote of the coalition, a quorum having  
1212 been established, and must be reported to the office within 30  
1213 days after approval. If a contract cannot be approved by the  
1214 office, a review of the decision to disapprove the contract may  
1215 be requested by the early learning coalition or other parties to

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1216 the disapproved contract.

1217 1002.85 Early learning coalition plans.-

1218 (1) The office shall adopt rules prescribing the  
1219 standardized format and required content of school readiness  
1220 program plans as necessary for a coalition or other qualified  
1221 entity to administer the school readiness program as provided in  
1222 this part.

1223 (2) Each early learning coalition must biennially submit a  
1224 school readiness program plan to the office before the  
1225 expenditure of funds. A coalition may not implement its school  
1226 readiness program plan until it receives approval from the  
1227 office. A coalition may not implement any revision to its school  
1228 readiness program plan until the coalition submits the revised  
1229 plan to and receives approval from the office. If the office  
1230 rejects a plan or revision, the coalition must continue to  
1231 operate under its previously approved plan. The plan must  
1232 include, but is not limited to:

1233 (a) The coalition's operations, including its membership  
1234 and business organization, and the coalition's articles of  
1235 incorporation and bylaws if the coalition is organized as a  
1236 corporation. If the coalition is not organized as a corporation  
1237 or other business entity, the plan must include the contract  
1238 with a fiscal agent.

1239 (b) The minimum number of children to be served by care  
1240 level.

1241 (c) The coalition's procedures for implementing the  
1242 requirements of this part, including:

1243 1. Single point of entry.

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- 1244 2. Uniform waiting list.
- 1245 4. Eligibility and enrollment processes.
- 1246 5. Parent access and choice.
- 1247 6. Sliding fee scale and policies on applying the waiver or  
1248 reduction of fees in accordance with 1002.84(8).
- 1249 7. Use of preassessments and postassessments, as  
1250 applicable.
- 1251 8. Payment rate.
- 1252 (d) A detailed description of the coalition's quality  
1253 activities and services, including:
- 1254 1. Resource and referral and school-age child care.
- 1255 2. Infant and toddler early learning.
- 1256 3. Inclusive early learning programs.
- 1257 (e) A detailed budget that outlines estimated expenditures  
1258 for state, federal, and local matching funds at the lowest level  
1259 of detail available by other-cost-accumulator code number; all  
1260 estimated sources of revenue with identifiable descriptions; a  
1261 listing of full-time equivalent positions; contracted  
1262 subcontractor costs with related annual compensation amount or  
1263 hourly rate of compensation; and a capital improvements plan  
1264 outlining existing fixed capital outlay projects and proposed  
1265 capital outlay projects that will begin during the budget year.
- 1266 (f) A detailed accounting, in the format prescribed by the  
1267 office, of all revenues and expenditures during the previous  
1268 state fiscal year. Revenue sources should be identifiable and  
1269 expenditures should be reported by three categories: state and  
1270 federal funds, local matching funds, and Child Care Executive  
1271 Partnership Program funds.

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1272 (g) Updated policies and procedures, including those  
1273 governing procurement, maintenance of tangible personal  
1274 property, maintenance of records, information technology  
1275 security, and disbursement controls.

1276 (h) A description of the procedures for monitoring school  
1277 readiness program providers, including in response to a parental  
1278 complaint, to determine that the standards prescribed in ss.  
1279 1002.82 and 1002.88 are met using a standard monitoring tool  
1280 adopted by the office. Providers determined to be high risk by  
1281 the coalition as demonstrated by substantial findings of  
1282 violations of law shall be monitored more frequently.

1283 (i) Documentation that the coalition has solicited and  
1284 considered comments regarding the proposed school readiness  
1285 program plan from the local community.

1286 (3) The coalition may periodically amend its plan as  
1287 necessary. An amended plan must be submitted to and approved by  
1288 the office before any expenditures are incurred on the new  
1289 activities proposed in the amendment.

1290 (4) The office shall publish a copy of the standardized  
1291 format and required content of school readiness program plans on  
1292 its website.

1293 (5) The office shall collect and report data on coalition  
1294 delivery of early learning programs. Elements shall include, but  
1295 are not limited to, measures related to progress towards  
1296 reducing the number of children on the waitlist, the percentage  
1297 of children served by the program as compared to the number of  
1298 administrative staff and overhead, the percentage of children  
1299 served compared to total number of children under the age of 5

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1300 years below 150 percent of the federal poverty line, provider  
1301 payment processes, fraud intervention, child attendance and  
1302 stability, use of child care resource and referral, and  
1303 kindergarten readiness outcomes for children in the Voluntary  
1304 Prekindergarten Education Program or the school readiness  
1305 program upon entry into kindergarten. The office shall request  
1306 input from the coalitions and school readiness program providers  
1307 before finalizing the format and data to be used. The report  
1308 shall be implemented beginning July 1, 2014, and results of the  
1309 report must be included in the annual report under s. 1002.82.

1310 1002.86 School readiness program; education component.—The  
1311 education component of the school readiness program should be  
1312 developmentally appropriate and based on research, involve the  
1313 parent as the child's first teacher, serve as a preventive  
1314 measure for children at risk of future school failure, and  
1315 enhance the educational readiness of eligible children. The  
1316 school readiness program should be of assistance to parents in  
1317 preparing their at-risk children for educational success,  
1318 including, as appropriate, health screening and referral.

1319 1002.87 School readiness program; eligibility and  
1320 enrollment.—

1321 (1) Effective August 1, 2013, or upon reevaluation of  
1322 eligibility for children currently served, whichever is later,  
1323 each early learning coalition shall give priority for  
1324 participation in the school readiness program as follows:

1325 (a) Priority shall be given first to a child younger than  
1326 13 years of age from a family that includes a parent who is  
1327 receiving temporary cash assistance under chapter 414 and

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1328 subject to the federal work requirements or a parent who  
1329 transitions from the work program into employment as described  
1330 in s. 445.032.

1331 (b) Priority shall be given next to an at-risk child  
1332 younger than 9 years of age.

1333 (c) Priority shall be given next to a child from birth to  
1334 the beginning of the school year for which the child is eligible  
1335 for admission to kindergarten in a public school under s.  
1336 1003.21(1)(a)2., from a working family that is economically  
1337 disadvantaged. However, the child ceases to be eligible if his  
1338 or her family income exceeds 200 percent of the federal poverty  
1339 level.

1340 (d) Priority shall be given next to an at-risk child who  
1341 is at least 9 years of age but younger than 13 years of age. An  
1342 at-risk child whose sibling is enrolled in the school readiness  
1343 program within an eligibility priority category listed in  
1344 paragraphs (a)-(c) shall be given priority over other children  
1345 who are eligible under this paragraph.

1346 (e) Priority shall be given next to a child who has  
1347 special needs, has been determined eligible as a student with a  
1348 disability, has a current individual education plan with a  
1349 Florida school district, and is not younger than 3 years of age.  
1350 A special needs child eligible under this paragraph remains  
1351 eligible until the child is eligible for admission to  
1352 kindergarten in a public school under s. 1003.21(1)(a)2.

1353 (f) Priority shall be given next to a child who is younger  
1354 than 13 years of age from a working family that is economically  
1355 disadvantaged. A child who is eligible under this paragraph

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1356 whose sibling is enrolled in the school readiness program under  
1357 paragraph (c) shall be given priority over other children who  
1358 are eligible under this paragraph.

1359 (g) Notwithstanding paragraphs (a)-(d), priority shall be  
1360 given last to a child who otherwise meets one of the eligibility  
1361 criteria in paragraphs (a)-(d) but who is also enrolled  
1362 concurrently in the federal Head Start Program and the Voluntary  
1363 Prekindergarten Education Program.

1364 (2) A school readiness program provider may be paid only  
1365 for authorized hours of care provided for a child in the school  
1366 readiness program. A child enrolled in the Voluntary  
1367 Prekindergarten Education Program may receive care from the  
1368 school readiness program if the child is eligible according to  
1369 the eligibility priorities in this section.

1370 (3) Contingent upon the availability of funds, a coalition  
1371 shall enroll eligible children, including those from its waiting  
1372 list, according to the eligibility priorities in this section.

1373 (4) The parent of a child enrolled in the school readiness  
1374 program must notify the coalition or its designee within 10 days  
1375 after any change in employment, income, or family size. Upon  
1376 notification by the parent, the child's eligibility must be  
1377 reevaluated.

1378 (5) A child whose eligibility priority category requires  
1379 the child to be from a working family ceases to be eligible for  
1380 the school readiness program if a parent with whom the child  
1381 resides does not reestablish employment within 60 days after  
1382 becoming unemployed.

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1383 (6) Eligibility for each child must be reevaluated  
1384 annually. Upon reevaluation, a child may not continue to receive  
1385 school readiness program services if he or she has ceased to be  
1386 eligible under this section.

1387 (7) If a coalition disenrolls children from the school  
1388 readiness program, the coalition must disenroll the children in  
1389 reverse order of the eligibility priorities listed in subsection  
1390 (1) beginning with children from families with the highest  
1391 family incomes. A notice of disenrollment must be sent to the  
1392 parent and school readiness program provider at least 2 weeks  
1393 before disenrollment to provide adequate time for the parent to  
1394 arrange alternative care for the child. However, an at-risk  
1395 child may not be disenrolled from the program without the  
1396 written approval of the Child Welfare Program Office of the  
1397 Department of Children and Families or the community-based lead  
1398 agency.

1399 (8) If a child is absent from the program for 5  
1400 consecutive days without parental notification to the program of  
1401 such absence, the school readiness program provider shall report  
1402 the absence to the early learning coalition for a determination  
1403 of the need for continued care.

1404 (9) Notwithstanding s. 39.604, a school readiness program  
1405 provider, regardless of whether the provider is licensed, shall  
1406 comply with the reporting requirements of the Rilya Wilson Act  
1407 for each at-risk child under the age of school entry who is  
1408 enrolled in the school readiness program.

1409 1002.88 School readiness program provider standards;  
1410 eligibility to deliver the school readiness program.-

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1411 (1) To be eligible to deliver the school readiness  
1412 program, a school readiness program provider must:

1413 (a) Be a child care facility licensed under s. 402.305, a  
1414 family day care home licensed or registered under s. 402.313, a  
1415 large family child care home licensed under s. 402.3131, a  
1416 public school or nonpublic school exempt from licensure under s.  
1417 402.3025, a faith-based child care provider exempt from  
1418 licensure under s. 402.316, a before-school or after-school  
1419 program described in s. 402.305(1)(c), or an informal child care  
1420 provider to the extent authorized in the state's Child Care and  
1421 Development Fund Plan as approved by the United States  
1422 Department of Health and Human Services pursuant to 45 C.F.R. s.  
1423 98.18.

1424 (b) Provide instruction and activities to enhance the age-  
1425 appropriate progress of each child in attaining the child  
1426 development standards adopted by the office.

1427 (c) Provide basic health and safety of its premises and  
1428 facilities and compliance with requirements for age-appropriate  
1429 immunizations of children enrolled in the school readiness  
1430 program. For a child care facility, a large family child care  
1431 home, or a licensed family day care home, compliance with s.  
1432 402.305, s. 402.3131, or s. 402.313 satisfies this requirement.  
1433 For a public or nonpublic school, compliance with s. 402.3025 or  
1434 s. 1003.22 satisfies this requirement. A faith-based child care  
1435 provider, an informal child care provider, or a nonpublic  
1436 school, exempt from licensure under ss. 402.316 or 402.3025,  
1437 shall annually complete the health and safety checklist adopted  
1438 by the office, post the checklist prominently on its premises in

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1439 plain site for visitors and parents, and submit it annually to  
1440 its local early learning coalition.

1441 (d) Provide an appropriate staff-to-children ratio,  
1442 pursuant to s. 402.305(4) or s. 402.302(8) or (11), as  
1443 applicable, and as verified pursuant to s. 402.311.

1444 (e) Provide a healthy and safe environment pursuant to s.  
1445 402.305(5), (6), and (7), as applicable, and as verified  
1446 pursuant to s. 402.311.

1447 (f) Implement one of the curricula approved by the office  
1448 that meets the child development standards.

1449 (g) Implement a character development program to develop  
1450 basic values.

1451 (h) Collaborate with the respective early learning  
1452 coalition to complete initial screening for each child, aged 6  
1453 weeks to kindergarten eligibility, within 45 days after the  
1454 child's first or subsequent enrollment, to identify a child who  
1455 may need individualized supports.

1456 (i) Implement minimum standards for child discipline  
1457 practices that are age-appropriate and consistent with the  
1458 requirements in s. 402.305(12). Such standards must provide that  
1459 children not be subjected to discipline that is severe,  
1460 humiliating, or frightening or discipline that is associated  
1461 with food, rest, or toileting. Spanking or any other form of  
1462 physical punishment is prohibited.

1463 (j) Obtain and keep on file record of the child's  
1464 immunizations, physical development, and other health  
1465 requirements as necessary, including appropriate vision and

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1466 hearing screening and examination, within 30 days after  
1467 enrollment.

1468 (k) Implement before-school or after-school programs that  
1469 meet or exceed the requirements of s. 402.305(5), (6), and (7).

1470 (l) For a provider that is not an informal provider,  
1471 maintain general liability insurance and provide the coalition  
1472 written evidence of general liability insurance coverage,  
1473 including coverage of transportation of children if school  
1474 readiness program children are transported by the provider. A  
1475 provider must obtain and retain an insurance policy that  
1476 provides a minimum of \$100,000 of coverage per occurrence and a  
1477 minimum of \$300,000 general aggregate coverage. The office may  
1478 authorize lower limits upon request, as appropriate. A provider  
1479 must add the coalition as a named certificateholder and as an  
1480 additional insured. A provider must provide the coalition with a  
1481 minimum of 10 calendar days' advance written notice of  
1482 cancellation of or changes to coverage. The general liability  
1483 insurance required by this paragraph must remain in full force  
1484 and effect for the entire period of the provider contract with  
1485 the coalition.

1486 (m) For a provider that is an informal provider, comply  
1487 with the provisions of paragraph (l) or maintain homeowner's  
1488 liability insurance and, if applicable, a business rider. If an  
1489 informal provider chooses to maintain a homeowner's policy, the  
1490 provider must obtain and retain a homeowner's insurance policy  
1491 that provides a minimum of \$100,000 of coverage per occurrence  
1492 and a minimum of \$300,000 general aggregate coverage. The office  
1493 may authorize lower limits upon request, as appropriate. An

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1494 informal provider must add the coalition as a named  
1495 certificateholder and as an additional insured. An informal  
1496 provider must provide the coalition with a minimum of 10  
1497 calendar days' advance written notice of cancellation of or  
1498 changes to coverage. The general liability insurance required by  
1499 this paragraph must remain in full force and effect for the  
1500 entire period of the provider's contract with the coalition.

1501 (n) Obtain and maintain any required workers' compensation  
1502 insurance under chapter 440 and any required unemployment  
1503 compensation insurance under chapter 443.

1504 (o) Notwithstanding paragraph (l), for a provider that is  
1505 a state agency or a subdivision thereof, as defined in s.  
1506 768.28(2), agree to notify the coalition of any additional  
1507 liability coverage maintained by the provider in addition to  
1508 that otherwise established under s. 768.28. The provider shall  
1509 indemnify the coalition to the extent permitted by s. 768.28.

1510 (p) Execute the standard statewide provider contract  
1511 adopted by the office.

1512 (q) Operate on a full-time and part-time basis and provide  
1513 extended-day and extended-year services to the maximum extent  
1514 possible without compromising the quality of the program to meet  
1515 the needs of parents who work.

1516 (2) If a school readiness program provider fails or  
1517 refuses to comply with this part or any contractual obligation  
1518 of the statewide provider contract under s. 1002.82(2)(m), the  
1519 coalition may revoke the provider's eligibility to deliver the  
1520 school readiness program or receive state or federal funds under  
1521 this chapter for a period of 5 years.

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- 1522       (3) The office and the coalitions may not:
- 1523       (a) Impose any requirement on a child care provider or
- 1524 early childhood education provider that does not deliver
- 1525 services under the school readiness program or receive state or
- 1526 federal funds under this part; or
- 1527       (b) Impose any requirement on a school readiness program
- 1528 provider that exceeds the authority provided under this part or
- 1529 part V of this chapter or rules adopted pursuant to this part or
- 1530 part V of this chapter.
- 1531       1002.89 School readiness program; funding.-
- 1532       (1) Funding for the school readiness program shall be
- 1533 allocated among the early learning coalitions in accordance with
- 1534 this section and the General Appropriations Act.
- 1535       (2) The office shall administer school readiness program
- 1536 funds and prepare and submit a unified budget request for the
- 1537 school readiness program in accordance with chapter 216.
- 1538       (3) All instructions to early learning coalitions for
- 1539 administering this section shall emanate from the office in
- 1540 accordance with the policies of the Legislature.
- 1541       (4) All cost savings and all revenues received through a
- 1542 mandatory sliding fee scale shall be used to increase the number
- 1543 of children served.
- 1544       (5) All state, federal, and local matching funds provided
- 1545 to an early learning coalition for purposes of this section
- 1546 shall be used for implementation of its approved school
- 1547 readiness program plan, including the hiring of staff to
- 1548 effectively operate the coalition's school readiness program.

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1549 (6) Costs shall be kept to the minimum necessary for the  
1550 efficient and effective administration of the school readiness  
1551 program with the highest priority of expenditure being direct  
1552 services for eligible children. However, no more than 5 percent  
1553 of the funds described in subsection (5) may be used for  
1554 administrative costs and, except as otherwise specified in the  
1555 General Appropriations Act, for the 2013-2014 fiscal year no  
1556 more than 20 percent, and for the 2014-2015 fiscal year and  
1557 thereafter no more than 18 percent, of the funds described in  
1558 subsection (5) may be used for any combination of administrative  
1559 costs, quality activities, and nondirect services as follows:

1560 (a) Administrative costs as described in 45 C.F.R. s.  
1561 98.52, which shall include monitoring providers using the  
1562 standard methodology adopted under s. 1002.82 to improve  
1563 compliance with state and federal regulations and law pursuant  
1564 to the requirements of the statewide provider contract adopted  
1565 under s. 1002.82(2)(m).

1566 (b) Activities to improve the quality of child care as  
1567 described in 45 C.F.R. s. 98.51, which shall be limited to the  
1568 following:

1569 1. Developing, establishing, expanding, operating, and  
1570 coordinating resource and referral programs specifically related  
1571 to the provision of comprehensive consumer education to parents  
1572 and the public regarding participation in the school readiness  
1573 program and parental choice.

1574 2. Awarding grants to school readiness program providers  
1575 to assist them in meeting applicable state requirements for  
1576 child care performance standards, implementing developmentally

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1577 appropriate curricula and related classroom resources that  
1578 support curricula, providing literacy supports, and providing  
1579 professional development. Any grants awarded pursuant to this  
1580 subparagraph shall comply with the requirements of ss. 215.971  
1581 and 287.058.

1582 3. Providing training and technical assistance for school  
1583 readiness program providers, staff, and parents on standards,  
1584 child screenings, child assessments, developmentally appropriate  
1585 curricula, character development, teacher-child interactions,  
1586 age-appropriate discipline practices, health and safety,  
1587 nutrition, first aid, the recognition of communicable diseases,  
1588 and child abuse detection and prevention.

1589 4. Providing from among the funds provided for the  
1590 activities described in subparagraphs 1.-3., adequate funding  
1591 for infants and toddlers as necessary to meet federal  
1592 requirements related to expenditures for quality activities for  
1593 infant and toddler care.

1594 5. Improving the monitoring of compliance with, and  
1595 enforcement of, applicable state and local requirements as  
1596 described in and limited by 45 CFR s. 98.40.

1597 6. Responding to Warm-Line requests by providers and  
1598 parents related to school readiness program children, including  
1599 providing developmental and health screenings to school  
1600 readiness program children.

1601 (c) Nondirect services as described in applicable Office  
1602 of Management and Budget instructions are those services not  
1603 defined as administrative, direct, or quality services that are

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1604 required to administer the school readiness program. Such  
1605 services include, but are not limited to:

1606 1. Assisting families to complete the required application  
1607 and eligibility documentation.

1608 2. Determining child and family eligibility.

1609 3. Recruiting eligible child care providers.

1610 4. Processing and tracking attendance records.

1611 5. Developing and maintaining a statewide child care  
1612 information system.

1613

1614 As used in this paragraph, the term "nondirect services" does  
1615 not include payments to school readiness program providers for  
1616 direct services provided to children who are eligible under s.  
1617 1002.87, administrative costs as described in paragraph (a), or  
1618 quality activities as described in paragraph (b).

1619 (7) Funds appropriated for the school readiness program  
1620 may not be expended for the purchase or improvement of land, for  
1621 the purchase, construction, or permanent improvement of any  
1622 building or facility, or for the purchase of buses. However,  
1623 funds may be expended for minor remodeling and upgrading child  
1624 care facilities to ensure that providers meet state and local  
1625 child care standards, including applicable health and safety  
1626 requirements.

1627 (8) Beginning in the 2014-2015 fiscal year, all state-  
1628 appropriated funding for the school readiness program shall be  
1629 allocated to early learning coalitions based on the average  
1630 prior year enrollment and the uniform waiting list as adopted by  
1631 the Early Learning Programs Estimating Conference pursuant to s.

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1632 216.136(8) and using the average market rate by program care  
1633 level and provider type pursuant to s. 1002.895.

1634 1002.895 Market rate schedule.—The school readiness  
1635 program market rate schedule shall be implemented as follows:

1636 (1) The office shall establish procedures for the adoption  
1637 of a market rate schedule. The schedule must include, at a  
1638 minimum, county-by-county rates:

1639 (a) The market rate, including the minimum and the maximum  
1640 rates for child care providers that hold a Gold Seal Quality  
1641 Care designation under s. 402.281.

1642 (b) The market rate for child care providers that do not  
1643 hold a Gold Seal Quality Care designation.

1644 (2) The market rate schedule, at a minimum, must:

1645 (a) Differentiate rates by type, including, but not  
1646 limited to, a child care provider that holds a Gold Seal Quality  
1647 Care designation under s. 402.281, a child care facility  
1648 licensed under s. 402.305, a public or nonpublic school exempt  
1649 from licensure under s. 402.3025, a faith-based child care  
1650 facility exempt from licensure under s. 402.316 that does not  
1651 hold a Gold Seal Quality Care designation, a large family child  
1652 care home licensed under s. 402.3131, or a family day care home  
1653 licensed or registered under s. 402.313.

1654 (b) Differentiate rates by the type of child care services  
1655 provided for children with special needs or risk categories,  
1656 infants, toddlers, preschool-age children, and school-age  
1657 children.

1658 (c) Differentiate rates between full-time and part-time  
1659 child care services.

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1660 (d) Consider discounted rates for child care services for  
1661 multiple children in a single family.

1662 (3) The market rate schedule must be based exclusively on  
1663 the prices charged for child care services.

1664 (4) The market rate schedule shall be considered by an  
1665 early learning coalition in the adoption of a payment schedule.  
1666 The payment schedule must take into consideration the average  
1667 market rate, include the projected number of children to be  
1668 served, and be submitted for approval by the office. Informal  
1669 child care arrangements shall be reimbursed at not more than 50  
1670 percent of the rate adopted for a family day care home.

1671 (5) The office may contract with one or more qualified  
1672 entities to administer this section and provide support and  
1673 technical assistance for child care providers.

1674 (6) The office may adopt rules for establishing procedures  
1675 for the collection of child care providers' market rate, the  
1676 calculation of the average market rate by program care level and  
1677 provider type in a predetermined geographic market, and the  
1678 publication of the market rate schedule.

1679 1002.91 Investigations of fraud or overpayment;  
1680 penalties.-

1681 (1) As used in this subsection, the term "fraud" means an  
1682 intentional deception, omission, or misrepresentation made by a  
1683 person with knowledge that the deception, omission, or  
1684 misrepresentation may result in unauthorized benefit to that  
1685 person or another person, or any aiding and abetting of the  
1686 commission of such an act. The term includes any act that  
1687 constitutes fraud under applicable federal or state law.

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1688       (2) To recover state, federal, and local matching funds,  
1689 the office shall investigate early learning coalitions,  
1690 recipients, and providers of the school readiness program and  
1691 the Voluntary Prekindergarten Education Program to determine  
1692 possible fraud or overpayment. If by its own inquiries, or as a  
1693 result of a complaint, the office has reason to believe that a  
1694 person, coalition, or provider has engaged in, or is engaging  
1695 in, a fraudulent act, it shall investigate and determine whether  
1696 any overpayment has occurred due to the fraudulent act. During  
1697 the investigation, the office may examine all records, including  
1698 electronic benefits transfer records, and make inquiry of all  
1699 persons who may have knowledge as to any irregularity incidental  
1700 to the disbursement of public moneys or other items or benefits  
1701 authorizations to recipients.

1702       (3) Based on the results of the investigation, the office  
1703 may, in its discretion, refer the investigation to the  
1704 Department of Financial Services for criminal investigation or  
1705 refer the matter to the applicable coalition. Any suspected  
1706 criminal violation identified by the office must be referred to  
1707 the Department of Financial Services for criminal investigation.

1708       (4) An early learning coalition may suspend or terminate a  
1709 provider from participation in the school readiness program or  
1710 the Voluntary Prekindergarten Education Program when it has  
1711 reasonable cause to believe that the provider has committed  
1712 fraud. The office shall adopt by rule appropriate due process  
1713 procedures that the early learning coalition shall apply in  
1714 suspending or terminating any provider, including the suspension  
1715 or termination of payment. If suspended, the provider shall

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1716 remain suspended until the completion of any investigation by  
1717 the office, the Department of Financial Services, or any other  
1718 state or federal agency, and any subsequent prosecution or other  
1719 legal proceeding.

1720 (5) If a school readiness program provider or a Voluntary  
1721 Prekindergarten Education Program provider, or an owner,  
1722 officer, or director thereof, is convicted of, found guilty of,  
1723 or pleads guilty or nolo contendere to, regardless of  
1724 adjudication, public assistance fraud pursuant to s. 414.39, or  
1725 is acting as the beneficial owner for someone who has been  
1726 convicted of, found guilty of, or pleads guilty or nolo  
1727 contendere to, regardless of adjudication, public assistance  
1728 fraud pursuant to s. 414.39, the early learning coalition shall  
1729 refrain from contracting with, or using the services of, that  
1730 provider for a period of 5 years. In addition, the coalition  
1731 shall refrain from contracting with, or using the services of,  
1732 any provider that shares an officer or director with a provider  
1733 that is convicted of, found guilty of, or pleads guilty or nolo  
1734 contendere to, regardless of adjudication, public assistance  
1735 fraud pursuant to s. 414.39 for a period of 5 years.

1736 (6) If the investigation is not confidential or otherwise  
1737 exempt from disclosure by law, the results of the investigation  
1738 may be reported by the office to the appropriate legislative  
1739 committees, the Department of Children and Families, and such  
1740 other persons as the office deems appropriate.

1741 (7) The early learning coalition may not contract with a  
1742 school readiness program provider or a Voluntary Prekindergarten  
1743 Education Program provider who is on the United States

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1744 Department of Agriculture National Disqualified List. In  
1745 addition, the coalition may not contract with any provider that  
1746 shares an officer or director with a provider that is on the  
1747 United States Department of Agriculture National Disqualified  
1748 List.

1749 (8) Each early learning coalition shall adopt an anti-  
1750 fraud plan addressing the detection and prevention of  
1751 overpayments, abuse, and fraud relating to the provision of and  
1752 payment for school readiness program and Voluntary  
1753 Prekindergarten Education Program services and submit the plan  
1754 to the office for approval. The office shall adopt rules  
1755 establishing criteria for the anti-fraud plan, including  
1756 appropriate due process provisions. The anti-fraud plan must  
1757 include, at a minimum:

1758 (a) A written description or chart outlining the  
1759 organizational structure of the plan's personnel who are  
1760 responsible for the investigation and reporting of possible  
1761 overpayment, abuse, or fraud.

1762 (b) A description of the plan's procedures for detecting  
1763 and investigating possible acts of fraud, abuse, or overpayment.

1764 (c) A description of the plan's procedures for the  
1765 mandatory reporting of possible overpayment, abuse, or fraud to  
1766 the Office of Inspector General within the office.

1767 (d) A description of the plan's program and procedures for  
1768 educating and training personnel on how to detect and prevent  
1769 fraud, abuse, and overpayment.

1770 (e) A description of the plan's procedures, including the  
1771 appropriate due process provisions adopted by the office for

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1772 suspending or terminating from the school readiness program or  
1773 the Voluntary Prekindergarten Education Program a recipient or  
1774 provider who the early learning coalition believes has committed  
1775 fraud.

1776 (9) A person who commits an act of fraud as defined in  
1777 this section is subject to the penalties provided in s.  
1778 414.39(5) (a) and (b).

1779 1002.92 Child care and early childhood resource and  
1780 referral.-

1781 (1) As a part of the school readiness program, the office  
1782 shall establish a statewide child care resource and referral  
1783 network that is unbiased and provides referrals to families for  
1784 child care and information on available community resources.  
1785 Preference shall be given to using early learning coalitions as  
1786 the child care resource and referral agencies. If an early  
1787 learning coalition cannot comply with the requirements to offer  
1788 the resource information component or does not want to offer  
1789 that service, the early learning coalition shall select the  
1790 resource and referral agency for its county or multicounty  
1791 region based upon the procurement requirements of s.

1792 1002.84(12).

1793 (2) At least one child care resource and referral agency  
1794 must be established in each early learning coalition's county or  
1795 multicounty region. The office shall adopt rules regarding  
1796 accessibility of child care resource and referral services  
1797 offered through child care resource and referral agencies in  
1798 each county or multicounty region which include, at a minimum,  
1799 required hours of operation, methods by which parents may

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1800 request services, and child care resource and referral staff  
1801 training requirements.

1802 (3) Child care resource and referral agencies shall  
1803 provide the following services:

1804 (a) Identification of existing public and private child  
1805 care and early childhood education services, including child  
1806 care services by public and private employers, and the  
1807 development of a resource file of those services through the  
1808 single statewide information system developed by the office  
1809 under s. 1002.82(2)(n). These services may include family day  
1810 care, public and private child care programs, the Voluntary  
1811 Prekindergarten Education Program, Head Start, the school  
1812 readiness program, special education programs for  
1813 prekindergarten children with disabilities, services for  
1814 children with developmental disabilities, full-time and part-  
1815 time programs, before-school and after-school programs, vacation  
1816 care programs, parent education, the temporary cash assistance  
1817 program, and related family support services. The resource file  
1818 shall include, but not be limited to:

- 1819 1. Type of program.
- 1820 2. Hours of service.
- 1821 3. Ages of children served.
- 1822 4. Number of children served.
- 1823 5. Program information.
- 1824 6. Fees and eligibility for services.
- 1825 7. Availability of transportation.

1826 (b) Establishment of a referral process that responds to  
1827 parental need for information and that is provided with full

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1828 recognition of the confidentiality rights of parents. The  
1829 resource and referral network shall make referrals to legally  
1830 operating child care facilities. Referrals may not be made to a  
1831 child care facility that is operating illegally.

1832 (c) Maintenance of ongoing documentation of requests for  
1833 service tabulated through the internal referral process through  
1834 the single statewide information system. The following  
1835 documentation of requests for service shall be maintained by the  
1836 child care resource and referral network:

1837 1. Number of calls and contacts to the child care resource  
1838 information and referral network component by type of service  
1839 requested.

1840 2. Ages of children for whom service was requested.

1841 3. Time category of child care requests for each child.

1842 4. Special time category, such as nights, weekends, and  
1843 swing shift.

1844 5. Reason that the child care is needed.

1845 6. Name of the employer and primary focus of the business  
1846 for an employer based child care program.

1847 (d) Provision of technical assistance to existing and  
1848 potential providers of child care services. This assistance may  
1849 include:

1850 1. Information on initiating new child care services,  
1851 zoning, and program and budget development and assistance in  
1852 finding such information from other sources.

1853 2. Information and resources which help existing child  
1854 care services providers to maximize their ability to serve  
1855 children and parents in their community.

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1856 3. Information and incentives that may help existing or  
1857 planned child care services offered by public or private  
1858 employers seeking to maximize their ability to serve the  
1859 children of their working parent employees in their community,  
1860 through contractual or other funding arrangements with  
1861 businesses.

1862 (e) Assistance to families and employers in applying for  
1863 various sources of subsidy, including, but not limited to, the  
1864 Voluntary Prekindergarten Education Program, the school  
1865 readiness program, Head Start, Project Independence, private  
1866 scholarships, and the federal child and dependent care tax  
1867 credit.

1868 (f) Assistance to families to negotiate discounts or other  
1869 special arrangements with child care providers.

1870 (g) Assistance to families in identifying summer  
1871 recreation camp and summer day camp programs to help families  
1872 make informed choice. Contingent upon specific appropriation, a  
1873 checklist of important health and safety qualities that parents  
1874 can use to choose their summer camp programs shall be developed  
1875 and distributed in a manner that will reach parents interested  
1876 in such programs for their children.

1877 (h) Assistance to families for accessing local community  
1878 resources.

1879 (4) A child care facility licensed under s. 402.305 and  
1880 licensed and registered family day care homes must provide the  
1881 statewide child care and resource and referral network with the  
1882 following information annually:

1883 (a) Type of program.

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- 1884 (b) Hours of service.
- 1885 (c) Ages of children served.
- 1886 (d) Fees and eligibility for services.
- 1887 1002.93 School readiness program transportation services.—
- 1888 (1) The office may authorize an early learning coalition
- 1889 to establish school readiness program transportation services
- 1890 for children at risk of abuse or neglect who are participating
- 1891 in the school readiness program, pursuant to chapter 427. The
- 1892 early learning coalitions may contract for the provision of
- 1893 transportation services as required by this section.
- 1894 (2) The transportation servicers may only provide
- 1895 transportation to each child participating in the school
- 1896 readiness program to the extent that such transportation is
- 1897 necessary to provide child care opportunities that otherwise
- 1898 would not be available to a child whose home is more than a
- 1899 reasonable walking distance from the nearest child care facility
- 1900 or family day care home.
- 1901 1002.94 Child Care Executive Partnership Program.—
- 1902 (1) There is created a body politic and corporate known as
- 1903 the Child Care Executive Partnership which shall establish and
- 1904 govern the Child Care Executive Partnership Program. The purpose
- 1905 of the Child Care Executive Partnership Program is to use state
- 1906 and federal funds as incentives for matching local funds derived
- 1907 from local governments, employers, charitable foundations, and
- 1908 other sources so that Florida communities may create local
- 1909 flexible partnerships with employers. The Child Care Executive
- 1910 Partnership Program funds shall be used at the discretion of
- 1911 local communities to meet the needs of working parents. A child

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1912 care purchasing pool shall be developed with the state, federal,  
1913 and local funds to provide subsidies to low-income working  
1914 parents whose family income does not exceed the allowable income  
1915 for any federally subsidized child care program with a dollar-  
1916 for-dollar match from employers, local government, and other  
1917 matching contributions. The funds used from the child care  
1918 purchasing pool must be used to supplement or extend the use of  
1919 existing public or private funds for direct services.

1920 (2) The Child Care Executive Partnership, staffed by the  
1921 office, shall consist of a representative of the Executive  
1922 Office of the Governor and nine members of the corporate or  
1923 child care community, appointed by the Governor.

1924 (a) Members shall serve for a period of 4 years, except  
1925 that the representative of the Executive Office of the Governor  
1926 shall serve at the pleasure of the Governor.

1927 (b) The Child Care Executive Partnership shall be chaired  
1928 by a member chosen by a majority vote and shall meet at least  
1929 quarterly and at other times upon the call of the chair. The  
1930 Child Care Executive Partnership may use any method of  
1931 telecommunications to conduct meetings, including establishing a  
1932 quorum through telecommunications, only if the public is given  
1933 proper notice of a telecommunications meeting and reasonable  
1934 access to observe and, when appropriate, participate.

1935 (c) Members shall serve without compensation, but may be  
1936 reimbursed for per diem and travel expenses in accordance with  
1937 s. 112.061.

1938 (d) The Child Care Executive Partnership shall have all  
1939 the powers and authority, not explicitly prohibited by law,

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1940 necessary to carry out and effectuate the purposes of this  
1941 section, as well as the functions, duties, and responsibilities  
1942 of the partnership, including, but not limited to, the  
1943 following:

1944 1. Assisting in the formulation and coordination of the  
1945 state's child care policy.

1946 2. Adopting an official seal.

1947 3. Soliciting, accepting, receiving, investing, and  
1948 expending funds from public or private sources.

1949 4. Contracting with public or private entities as  
1950 necessary.

1951 5. Approving an annual budget.

1952 6. Providing a report to the Governor, the Speaker of the  
1953 House of Representatives, and the President of the Senate, on or  
1954 before December 1 of each year.

1955  
1956 Notwithstanding this subsection, the corporate body politic  
1957 previously established by prior law is the corporate body  
1958 politic for purposes of this section and shall continue in  
1959 existence. All member terms of the existing corporate body  
1960 politic expire as of June 30, 2013, and new members shall be  
1961 appointed beginning July 1, 2013, in accordance with this  
1962 subsection.

1963 (3) (a) The Legislature shall annually determine the amount  
1964 of state or federal low-income child care moneys which shall be  
1965 used to create Child Care Executive Partnership Program child  
1966 care purchasing pools in counties chosen by the Child Care  
1967 Executive Partnership provided that at least two of the counties

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1968 have populations of no more than 300,000. The Legislature shall  
1969 annually review the effectiveness of the child care purchasing  
1970 pool program and reevaluate the percentage of additional state  
1971 or federal funds, if any, which can be used for the program's  
1972 expansion.

1973 (b) To ensure a seamless service delivery and ease of  
1974 access for families, the office shall administer the child care  
1975 purchasing pool funds.

1976 (c) The office, in conjunction with the Child Care  
1977 Executive Partnership, shall develop procedures for disbursement  
1978 of funds through the child care purchasing pools. In order to be  
1979 considered for funding, an early learning coalition or the  
1980 office must commit to:

1981 1. Matching the state purchasing pool funds on a dollar-  
1982 for-dollar basis.

1983 2. Expending only those public funds that are matched by  
1984 employers, local government, and other matching contributors who  
1985 contribute to the purchasing pool. Parents shall also pay a fee,  
1986 which may not be less than the amount identified in the early  
1987 learning coalition's school readiness program sliding fee scale.

1988 (d) Each early learning coalition shall establish a  
1989 community child care task force for each child care purchasing  
1990 pool. The task force must be composed of employers, parents,  
1991 private child care providers, and one representative from the  
1992 local children's services council, if one exists in the area of  
1993 the purchasing pool. The early learning coalition is expected to  
1994 recruit the task force members from existing child care  
1995 councils, commissions, or task forces already operating in the

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1996 area of a purchasing pool. A majority of the task force shall  
1997 consist of employers.

1998 (e) Each participating early learning coalition shall  
1999 develop a plan for the use of child care purchasing pool funds.  
2000 The plan must show how many children will be served by the  
2001 purchasing pool, how many will be new to receiving child care  
2002 services, and how the early learning coalition intends to  
2003 attract new employers and their employees to the program.

2004 (4) The office may adopt any rules necessary for the  
2005 implementation and administration of this section.

2006 1002.95 Teacher Education and Compensation Helps (TEACH)  
2007 scholarship program.-

2008 (1) The office may contract for the administration of the  
2009 Teacher Education and Compensation Helps (TEACH) scholarship  
2010 program, which provides educational scholarships to caregivers  
2011 and administrators of early childhood programs, family day care  
2012 homes, and large family child care homes. The goal of the  
2013 program is to increase the education and training for  
2014 caregivers, increase the compensation for child caregivers who  
2015 complete the program requirements, and reduce the rate of  
2016 participant turnover in the field of early childhood education.

2017 (2) The office shall adopt rules as necessary to  
2018 administer this section.

2019 1002.96 Early Head Start collaboration grants.-

2020 (1) Contingent upon specific appropriation, the office  
2021 shall establish a program to award collaboration grants to  
2022 assist local agencies in securing Early Head Start programs  
2023 through Early Head Start program federal grants. The

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2024 collaboration grants shall provide the required matching funds  
2025 for public and private nonprofit agencies that have been  
2026 approved for Early Head Start program federal grants.

2027 (2) Public and private nonprofit agencies providing Early  
2028 Head Start programs applying for collaborative grants must:

2029 (a) Meet the requirements in the Head Start program  
2030 performance standards and other applicable rules and  
2031 regulations.

2032 (b) Collaborate with other service providers at the local  
2033 level.

2034 (c) Provide a comprehensive array of health, nutritional,  
2035 and other services to the program's pregnant women and very  
2036 young children, and their families.

2037 (3) The office may adopt rules as necessary for the award  
2038 of collaboration grants to competing agencies and the  
2039 administration of the collaboration grants program under this  
2040 section.

2041 1002.97 Infants and toddlers in state-funded education and  
2042 care programs; brain development activities.—Each state-funded  
2043 education and care program for children from birth to 5 years of  
2044 age must provide activities to foster brain development in  
2045 infants and toddlers. A program must provide an environment that  
2046 helps children attain the performance standards adopted by the  
2047 office under s. 1002.82(2)(j) and must be rich in language and  
2048 music and filled with objects of various colors, shapes,  
2049 textures, and sizes to stimulate visual, tactile, auditory, and  
2050 linguistic senses in the children and must include music and at  
2051 least 30 minutes of reading to the children each day. A program

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2052 may be offered through an existing early childhood program such  
2053 as Healthy Start, the Title I program, the school readiness  
2054 program, the Head Start program, or a private child care  
2055 program. A program must provide information to families to make  
2056 them aware of training for the infants' and toddlers' parents in  
2057 their area. Family day care centers are encouraged, but not  
2058 required, to comply with this section.

2059 1002.98 Records of children in the school readiness  
2060 program.—

2061 (1) The individual records of children enrolled in the  
2062 school readiness program provided under this part, held by an  
2063 early learning coalition or the office, are confidential and  
2064 exempt from s. 119.07(1) and s. 24(a), Art. I of the State  
2065 Constitution. For purposes of this section, records include  
2066 assessment data, health data, records of teacher observations,  
2067 and personal identifying information.

2068 (2) A parent has the right to inspect and review the  
2069 individual school readiness program record of his or her child  
2070 and to obtain a copy of the record.

2071 (3) School readiness program records may be released to:

2072 (a) The United States Secretary of Education, the United  
2073 States Secretary of Health and Human Services, and the  
2074 Comptroller General of the United States for the purpose of  
2075 federal audits and investigations.

2076 (b) Individuals or organizations conducting studies for  
2077 institutions to develop, validate, or administer assessments or  
2078 improve instruction.

2079 (c) Accrediting organizations in order to carry out their

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2080 accrediting functions.

2081 (d) Appropriate parties in connection with an emergency if  
2082 the information is necessary to protect the health or safety of  
2083 the child enrollee or other individuals.

2084 (e) The Office of Program Policy and Government  
2085 Accountability and the Auditor General in connection with their  
2086 official functions.

2087 (f) A court of competent jurisdiction in compliance with  
2088 an order of that court in accordance with a lawfully issued  
2089 subpoena.

2090 (g) Parties to an interagency agreement among early  
2091 learning coalitions, local governmental agencies, providers of  
2092 the school readiness program, state agencies, and the office for  
2093 the purpose of implementing the school readiness program.

2094  
2095 Agencies, organizations, or individuals that receive school  
2096 readiness program records in order to carry out their official  
2097 functions must protect the data in a manner that does not permit  
2098 the personal identification of a child enrolled in a school  
2099 readiness program and his or her parent by persons other than  
2100 those authorized to receive the records.

2101 Section 18. Paragraph (p) of subsection (3) of section  
2102 11.45, Florida Statutes, is amended to read:

2103 11.45 Definitions; duties; authorities; reports; rules.—

2104 (3) AUTHORITY FOR AUDITS AND OTHER ENGAGEMENTS.—The  
2105 Auditor General may, pursuant to his or her own authority, or at  
2106 the direction of the Legislative Auditing Committee, conduct  
2107 audits or other engagements as determined appropriate by the

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2108 Auditor General of:

2109 (p) The school readiness program system, including the  
2110 early learning coalitions, ~~created~~ under part VI of chapter 1002  
2111 ~~s. 411.01.~~

2112 Section 19. Paragraph (h) of subsection (3) of section  
2113 20.15, Florida Statutes, is amended to read:

2114 20.15 Department of Education.—There is created a  
2115 Department of Education.

2116 (3) DIVISIONS.—The following divisions of the Department  
2117 of Education are established:

2118 ~~(h) The Office of Early Learning, which shall administer~~  
2119 ~~the school readiness system in accordance with s. 411.01 and the~~  
2120 ~~operational requirements of the Voluntary Prekindergarten~~  
2121 ~~Education Program in accordance with part V of chapter 1002. The~~  
2122 ~~office is a separate budget entity and is not subject to~~  
2123 ~~control, supervision, or direction by the Department of~~  
2124 ~~Education or the State Board of Education in any manner~~  
2125 ~~including, but not limited to, personnel, purchasing,~~  
2126 ~~transactions involving personal property, and budgetary matters.~~  
2127 ~~The office director shall be appointed by the Governor and~~  
2128 ~~confirmed by the Senate, shall serve at the pleasure of the~~  
2129 ~~Governor, and shall be the agency head of the office for all~~  
2130 ~~purposes. The office shall enter into a service agreement with~~  
2131 ~~the department for professional, technological, and~~  
2132 ~~administrative support services. The office shall be subject to~~  
2133 ~~review and oversight by the Chief Inspector General or his or~~  
2134 ~~her designee.~~

2135 Section 20. Section 196.198, Florida Statutes, is amended

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to read:

196.198 Educational property exemption.—Educational institutions within this state and their property used by them or by any other exempt entity or educational institution exclusively for educational purposes shall be exempt from taxation. Sheltered workshops providing rehabilitation and retraining of disabled individuals and exempted by a certificate under s. (d) of the federal Fair Labor Standards Act of 1938, as amended, are declared wholly educational in purpose and shall be exempted from certification, accreditation, and membership requirements set forth in s. 196.012. Those portions of property of college fraternities and sororities certified by the president of the college or university to the appropriate property appraiser as being essential to the educational process shall be exempt from ad valorem taxation. The use of property by public fairs and expositions chartered by chapter 616 is presumed to be an educational use of such property and shall be exempt from ad valorem taxation to the extent of such use. Property used exclusively for educational purposes shall be deemed owned by an educational institution if the entity owning 100 percent of the educational institution is owned by the identical persons who own the property or if the entity owning 100 percent of the educational institution and the entity owning the property are owned by identical natural persons. Land, buildings, and other improvements to real property used exclusively for educational purposes shall be deemed owned by an educational institution if the entity owning 100 percent of the land is a nonprofit entity and the land is used, under a ground

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2164 lease or other contractual arrangement, by an educational  
2165 institution that owns the buildings and other improvements to  
2166 the real property, is a nonprofit entity under s. 501(c)(3) of  
2167 the Internal Revenue Code, and provides education limited to  
2168 students in prekindergarten through grade 8. If legal title to  
2169 property is held by a governmental agency that leases the  
2170 property to a lessee, the property shall be deemed to be owned  
2171 by the governmental agency and used exclusively for educational  
2172 purposes if the governmental agency continues to use such  
2173 property exclusively for educational purposes pursuant to a  
2174 sublease or other contractual agreement with that lessee. If the  
2175 title to land is held by the trustee of an irrevocable inter  
2176 vivos trust and if the trust grantor owns 100 percent of the  
2177 entity that owns an educational institution that is using the  
2178 land exclusively for educational purposes, the land is deemed to  
2179 be property owned by the educational institution for purposes of  
2180 this exemption. Property owned by an educational institution  
2181 shall be deemed to be used for an educational purpose if the  
2182 institution has taken affirmative steps to prepare the property  
2183 for educational use. Affirmative steps means environmental or  
2184 land use permitting activities, creation of architectural plans  
2185 or schematic drawings, land clearing or site preparation,  
2186 construction or renovation activities, or other similar  
2187 activities that demonstrate commitment of the property to an  
2188 educational use.

2189 Section 21. Paragraph (a) of subsection (8) of section  
2190 216.136, Florida Statutes, is amended to read:

2191 216.136 Consensus estimating conferences; duties and

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2192 principals.-

2193 (8) EARLY LEARNING PROGRAMS ESTIMATING CONFERENCE.-

2194 (a) The Early Learning Programs Estimating Conference  
2195 shall develop estimates and forecasts of the unduplicated count  
2196 of children eligible for the school readiness program ~~programs~~  
2197 in accordance with the standards of eligibility established in  
2198 s. 1002.87 ~~411.01(6)~~, and of children eligible for the Voluntary  
2199 Prekindergarten Education Program in accordance with s.  
2200 1002.53(2), as the conference determines are needed to support  
2201 the state planning, budgeting, and appropriations processes.

2202 Section 22. Paragraph (b) of subsection (1) and subsection  
2203 (3) of section 402.281, Florida Statutes, are amended to read:

2204 402.281 Gold Seal Quality Care program.-

2205 (1)

2206 (b) A child care facility, large family child care home,  
2207 or family day care home that is accredited by an ~~a nationally~~  
2208 ~~recognized~~ accrediting association approved by the department  
2209 under subsection (3) and meets all other requirements shall,  
2210 upon application to the department, receive a separate "Gold  
2211 Seal Quality Care" designation.

2212 (3)(a) In order to be approved by the department for  
2213 participation in the Gold Seal Quality Care program, an  
2214 accrediting association must apply to the department and  
2215 demonstrate that it:

2216 1. Is a ~~nationally~~ recognized accrediting association.

2217 2. Has accrediting standards that substantially meet or  
2218 exceed the Gold Seal Quality Care standards adopted by the  
2219 department under subsection (2).

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2220 (b) In approving accrediting associations, the department  
2221 shall consult with the Department of Education, the Florida Head  
2222 Start Directors Association, the Florida Association of Child  
2223 Care Management, the Florida Family Day Care Association, the  
2224 Florida Children's Forum, the Florida Association for the  
2225 Education of the Young ~~Early Childhood Association of Florida,~~  
2226 the Child Development Education Alliance, the Florida  
2227 Association of Academic Nonpublic Schools, the Association of  
2228 Early Learning Coalitions, providers receiving exemptions under  
2229 s. 402.316, and parents.

2230 Section 23. Subsection (9) of section 402.302, Florida  
2231 Statutes, is amended to read:

2232 402.302 Definitions.—As used in this chapter, the term:

2233 (9) "Household children" means children who are related by  
2234 blood, marriage, or legal adoption to, or who are the legal  
2235 wards of, the family day care home operator, the large family  
2236 child care home operator, or an adult household member who  
2237 permanently or temporarily resides in the home. Supervision of  
2238 the operator's household children shall be left to the  
2239 discretion of the operator unless those children receive  
2240 subsidized child care through the school readiness program  
2241 pursuant to s. 1002.92 ~~411.0101~~ to be in the home.

2242 Section 24. Paragraph (c) of subsection (1) of section  
2243 402.305, Florida Statutes, is amended to read:

2244 402.305 Licensing standards; child care facilities.—

2245 (1) LICENSING STANDARDS.—The department shall establish  
2246 licensing standards that each licensed child care facility must  
2247 meet regardless of the origin or source of the fees used to

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2248 operate the facility or the type of children served by the  
2249 facility.

2250 (c) The minimum standards for child care facilities shall  
2251 be adopted in the rules of the department and shall address the  
2252 areas delineated in this section. The department, in adopting  
2253 rules to establish minimum standards for child care facilities,  
2254 shall recognize that different age groups of children may  
2255 require different standards. The department may adopt different  
2256 minimum standards for facilities that serve children in  
2257 different age groups, including school-age children. The  
2258 department shall also adopt by rule a definition for child care  
2259 which distinguishes between child care programs that require  
2260 child care licensure and after-school programs that do not  
2261 require licensure. Notwithstanding any other provision of law to  
2262 the contrary, minimum child care licensing standards shall be  
2263 developed to provide for reasonable, affordable, and safe  
2264 before-school and after-school care. After-school programs that  
2265 otherwise meet the criteria for exclusion from licensure may  
2266 provide snacks and meals through the federal Afterschool Meal  
2267 Program (AMP) administered by the Department of Health in  
2268 accordance with federal regulations and standards. The  
2269 Department of Health shall consider meals to be provided through  
2270 the AMP only if the program is actively participating in the  
2271 AMP, is in good standing with the department, and the meals meet  
2272 AMP requirements. Standards, at a minimum, shall allow for a  
2273 credentialed director to supervise multiple before-school and  
2274 after-school sites.

2275 Section 25. Paragraph (c) of subsection (1) and subsection

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2276 (4) of section 445.023, Florida Statutes, are amended to read:

2277 445.023 Program for dependent care for families with  
2278 children with special needs.—

2279 (1) There is created the program for dependent care for  
2280 families with children with special needs. This program is  
2281 intended to provide assistance to families with children who  
2282 meet the following requirements:

2283 (c) The family meets the income guidelines established  
2284 under s. 1002.87 ~~411.01(6)~~, notwithstanding any financial  
2285 eligibility criteria to the contrary in s. 414.075, s. 414.085,  
2286 or s. 414.095.

2287 (4) In addition to school readiness program services  
2288 provided under part VI of chapter 1002 ~~s. 411.01~~, dependent care  
2289 may be provided for children age 13 years and older who are in  
2290 need of care due to disability and where such care is needed for  
2291 the parent to accept or continue employment or otherwise  
2292 participate in work activities. The amount of subsidy shall be  
2293 consistent with the rates for special needs child care  
2294 established by the department. Dependent care needed for  
2295 employment may be provided as transitional services for up to 2  
2296 years after eligibility for temporary cash assistance ends.

2297 Section 26. Paragraph (a) of subsection (2) of section  
2298 490.014, Florida Statutes, is amended to read:

2299 490.014 Exemptions.—

2300 (2) No person shall be required to be licensed or  
2301 provisionally licensed under this chapter who:

2302 (a) Is a salaried employee of a government agency; a  
2303 developmental disability facility or program; a mental health,

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2304 alcohol, or drug abuse facility operating under chapter 393,  
2305 chapter 394, or chapter 397; the statewide child care resource  
2306 and referral network operating under s. 1002.92 ~~411.0101~~; a  
2307 child-placing or child-caring agency licensed pursuant to  
2308 chapter 409; a domestic violence center certified pursuant to  
2309 chapter 39; an accredited academic institution; or a research  
2310 institution, if such employee is performing duties for which he  
2311 or she was trained and hired solely within the confines of such  
2312 agency, facility, or institution, so long as the employee is not  
2313 held out to the public as a psychologist pursuant to s.  
2314 490.012(1)(a).

2315 Section 27. Paragraph (a) of subsection (4) of section  
2316 491.014, Florida Statutes, is amended to read:

2317 491.014 Exemptions.—

2318 (4) No person shall be required to be licensed,  
2319 provisionally licensed, registered, or certified under this  
2320 chapter who:

2321 (a) Is a salaried employee of a government agency; a  
2322 developmental disability facility or program; a mental health,  
2323 alcohol, or drug abuse facility operating under chapter 393,  
2324 chapter 394, or chapter 397; the statewide child care resource  
2325 and referral network operating under s. 1002.92 ~~411.0101~~; a  
2326 child-placing or child-caring agency licensed pursuant to  
2327 chapter 409; a domestic violence center certified pursuant to  
2328 chapter 39; an accredited academic institution; or a research  
2329 institution, if such employee is performing duties for which he  
2330 or she was trained and hired solely within the confines of such  
2331 agency, facility, or institution, so long as the employee is not

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2332 held out to the public as a clinical social worker, mental  
2333 health counselor, or marriage and family therapist.

2334 Section 28. Paragraph (b) of subsection (1) of section  
2335 1001.11, Florida Statutes, is amended to read:

2336 1001.11 Commissioner of Education; other duties.—

2337 (1) The Commissioner of Education must independently  
2338 perform the following duties:

2339 (b) Serve as the primary source of information to the  
2340 Legislature, including the President of the Senate and the  
2341 Speaker of the House of Representatives, concerning the State  
2342 Board of Education, ~~and~~ the K-20 education system, and early  
2343 learning programs.

2344 Section 29. Sections 411.01, 411.0101, 411.01013,  
2345 411.01014, 411.01015, 411.0102, 411.0103, 411.0104, 411.0105,  
2346 411.0106, and 411.011, Florida Statutes, are repealed.

2347 Section 30. Within existing Senior Management Service and  
2348 Selected Exempt Service positions authorized for the Office of  
2349 Early Learning, a Senior Management Service position for a  
2350 general counsel and a Selected Exempt Service position for an  
2351 inspector general are authorized for the office.

2352 Section 31. By October 1, 2013, the Office of Early  
2353 Learning, in collaboration with the Commissioner of Education,  
2354 shall develop a reorganization plan for the office. The plan  
2355 shall include any changes made prior to July 1, 2013; personnel,  
2356 purchasing, and budgetary matters and their alignment with the  
2357 duties and responsibilities of the office; a report of all  
2358 outstanding contractual obligations; and recommendations for  
2359 statutory and budgetary changes. The plan shall be provided to

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2360 the Governor, the President of the Senate, and the Speaker of  
2361 the House of Representatives.

2362 Section 32. This act shall take effect July 1, 2013.

2363  
2364 -----

2365 **T I T L E A M E N D M E N T**

2366 Remove everything before the enacting clause and insert:

2367 A bill to be entitled

2368 An act relating to early learning; creating s.  
2369 1001.213, F.S.; creating the Office of Early Learning  
2370 in the Department of Education; providing duties  
2371 relating to the establishment and operation of the  
2372 school readiness program and the Voluntary  
2373 Prekindergarten Education Program; amending s.  
2374 1002.51, F.S.; conforming a cross-reference; amending  
2375 s. 1002.53, F.S.; clarifying Voluntary Prekindergarten  
2376 Education Program student enrollment provisions;  
2377 amending s. 1002.55, F.S.; revising requirements for  
2378 private prekindergarten providers and instructors;  
2379 providing duties of the office; amending s. 1002.57,  
2380 F.S.; requiring the office to adopt standards for a  
2381 prekindergarten director credential; amending s.  
2382 1002.59, F.S.; requiring the office to adopt standards  
2383 for training courses on child performance standards;  
2384 amending s. 1002.61, F.S.; providing a requirement for  
2385 a public school delivering the summer prekindergarten  
2386 program; amending s. 1002.63, F.S.; providing a  
2387 requirement for a public school delivering the school-

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2388 year prekindergarten program; amending s. 1002.66,  
2389 F.S.; deleting obsolete provisions; amending s.  
2390 1002.67, F.S.; requiring the office to adopt  
2391 performance standards for students in the Voluntary  
2392 Prekindergarten Education Program and approve  
2393 curricula; revising provisions relating to removal of  
2394 provider eligibility, submission of an improvement  
2395 plan, and required corrective actions; amending s.  
2396 1002.69, F.S.; providing duties of the office relating  
2397 to statewide kindergarten screening, kindergarten  
2398 readiness rates, and good cause exemptions for  
2399 providers; amending s. 1002.71, F.S.; revising  
2400 provisions relating to payment of funds to providers;  
2401 amending s. 1002.72, F.S.; providing for the release  
2402 of Voluntary Prekindergarten Education Program student  
2403 records for the purpose of investigations; amending s.  
2404 1002.75, F.S.; revising duties of the office for  
2405 administering the Voluntary Prekindergarten Education  
2406 Program; amending s. 1002.77, F.S.; revising  
2407 provisions relating to the Florida Early Learning  
2408 Advisory Council; amending s. 1002.79, F.S.; deleting  
2409 certain State Board of Education rulemaking authority  
2410 for the Voluntary Prekindergarten Education Program;  
2411 creating part VI of ch. 1002, F.S., consisting of ss.  
2412 1002.81-1002.98, relating to the school readiness  
2413 program; providing definitions; providing powers and  
2414 duties of the Office of Early Learning; providing for  
2415 early learning coalitions; providing early learning

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2416 coalition powers and duties for the school readiness  
2417 program; providing requirements for early learning  
2418 coalition plans; providing a school readiness program  
2419 education component; providing school readiness  
2420 program student eligibility and enrollment  
2421 requirements; providing school readiness program  
2422 provider standards and eligibility to deliver the  
2423 school readiness program; providing school readiness  
2424 program funding; providing a market rate schedule;  
2425 providing for investigation of fraud or overpayment  
2426 and penalties therefor; providing for child care and  
2427 early childhood resource and referral; providing for  
2428 school readiness program transportation services;  
2429 providing for the Child Care Executive Partnership  
2430 Program; providing for the Teacher Education and  
2431 Compensation Helps scholarship program; providing for  
2432 Early Head Start collaboration grants; providing  
2433 requirements relating to infants and toddlers in  
2434 state-funded education and care programs; providing  
2435 for the confidentiality of records of children in the  
2436 school readiness program; amending s. 11.45, F.S.;  
2437 conforming a cross-reference; amending s. 20.15, F.S.;  
2438 conforming provisions; amending s. 196.198, F.S.;  
2439 revising provisions relating to educational property  
2440 tax exemption; amending s. 216.136, F.S.; conforming a  
2441 cross-reference; amending s. 402.281, F.S.; revising  
2442 requirements relating to receipt of a Gold Seal  
2443 Quality Care designation; amending s. 402.302, F.S.;

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2444 conforming a cross-reference; amending s. 402.305,  
2445 F.S.; providing that certain child care after-school  
2446 programs may provide meals through a federal program;  
2447 amending ss. 445.023, 490.014, and 491.014, F.S.;  
2448 conforming cross-references; amending s. 1001.11,  
2449 F.S.; providing a duty of the Commissioner of  
2450 Education relating to early learning programs;  
2451 repealing s. 411.01, F.S., relating to the school  
2452 readiness program and early learning coalitions;  
2453 repealing s. 411.0101, F.S., relating to child care  
2454 and early childhood resource and referral; repealing  
2455 s. 411.01013, F.S., relating to the prevailing market  
2456 rate schedule; repealing s. 411.01014, F.S., relating  
2457 to school readiness transportation services; repealing  
2458 s. 411.01015, F.S., relating to consultation to child  
2459 care centers and family day care homes; repealing s.  
2460 411.0102, F.S., relating to the Child Care Executive  
2461 Partnership Act; repealing s. 411.0103, F.S., relating  
2462 to the Teacher Education and Compensation Helps  
2463 scholarship program; repealing s. 411.0104, relating  
2464 to Early Head Start collaboration grants; repealing s.  
2465 411.0105, F.S., relating to the Early Learning  
2466 Opportunities Act and Even Start Family Literacy  
2467 Programs; repealing s. 411.0106, F.S., relating to  
2468 infants and toddlers in state-funded education and  
2469 care programs; repealing s. 411.011, F.S., relating to  
2470 records of children in the school readiness program;  
2471 authorizing specified positions for the Office of

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2472 Early Learning; requiring the office to develop a  
2473 reorganization plan for the office and submit the plan  
2474 to the Governor and the Legislature; providing an  
2475 effective date.