



PreK-12 Quality Subcommittee

January 23, 2018

1:00 PM

Reed Hall (102 HOB)

Meeting Packet

**Richard Corcoran
Speaker**

**Jake Raburn
Chair**

Committee Meeting Notice

HOUSE OF REPRESENTATIVES

PreK-12 Quality Subcommittee

Start Date and Time: Tuesday, January 23, 2018 01:00 pm

End Date and Time: Tuesday, January 23, 2018 03:00 pm

Location: Reed Hall (102 HOB)

Duration: 2.00 hrs

Consideration of the following bill(s):

HB 951 Education by Fischer

HB 1091 Early Learning by Grall

Consideration of the following proposed committee substitute(s):

PCS for HB 323 -- High School Graduation Requirements

NOTICE FINALIZED on 01/19/2018 4:20PM by Jones.Missy

HOUSE OF REPRESENTATIVES STAFF ANALYSIS

BILL #: PCS for HB 323 High School Graduation Requirements
SPONSOR(S): PreK-12 Quality Subcommittee
TIED BILLS: None **IDEN./SIM. BILLS:** None

REFERENCE	ACTION	ANALYST	STAFF DIRECTOR or BUDGET/POLICY CHIEF
Orig. Comm.: PreK-12 Quality Subcommittee		Brink	DavisGreene

SUMMARY ANALYSIS

To earn a standard high school diploma in Florida, a student must, among other things, earn one-half credit in economics, which must include financial literacy. The bill eliminates financial literacy instruction from the one-half credit economics requirement and establishes a one-half credit financial literacy course as an additional elective.

The bill requires students to be provided an opportunity to learn personal financial literacy, which must include topics such as opening and managing a bank account; balancing a checkbook; completing a loan application; computing federal income taxes; simple contracts; types of savings and investments; and state and federal finance laws.

School districts may incur costs associated with procuring additional instructional materials aligned to the new personal financial literacy course, providing professional development to classroom teachers who will teach the course, and hiring additional classroom teachers to teach the course. These costs are indeterminate.

The bill takes effect July 1, 2018.

FULL ANALYSIS

I. SUBSTANTIVE ANALYSIS

A. EFFECT OF PROPOSED CHANGES:

Present Situation

Florida High School Graduation Requirements

Florida law establishes the courses and credits required for a student to receive a standard high school diploma. A student must successfully complete 24 credits in core-curricula and extracurricular courses with a 2.0 or higher cumulative GPA, with limited exceptions.¹

For grades 9 through 12, core curricula courses are those subjects that are measured by state assessment at any grade level and courses that are specifically identified by name in state law as required for high school graduation and that are not measured by state assessment.² Core courses are: English language arts, mathematics, science, and social studies.³ With respect to social studies, students are required to earn 3 credits: one credit in United States History; one credit in World History; one-half credit in U.S. Government, and one-half credit in economics, which must include financial literacy.⁴

The remaining required courses are extracurricular courses, which include but are not limited to, physical education, fine arts, performing fine arts, career education, and courses that may result in college credit.⁵ Students are also required to earn 8 credits in electives courses. School districts must develop and offer coordinated electives so that a student may develop knowledge and skills in his or her area of interest. Electives must include opportunities for students to earn college credit, including industry-certified career programs or courses that lead to college credit.⁶

Financial Literacy Instruction

The Next Generation Sunshine State Standards (NGSSS), adopted by the State Board of Education pursuant to state law, includes financial literacy standards for kindergarten through grade 12.⁷ In 2014, after a committee of six experts in economics and finance reviewed the Council for Economic Education's (CEE) National Standards for Financial Literacy and after a series of public workshops, the state board incorporated the national standards into the NGSSS for Social Studies.⁸

Current law requires financial literacy standards to include information regarding:

- earning income;
- buying goods and services;
- saving and financial investing;
- taxes;
- the use of credit and credit cards;

¹ See s. 1008.4282(3)(a)-(g), F.S. A student may graduate with a minimum of 18 credit hours if he or she meets the core course credit (excluding physical education), assessment, and GPA requirements and completes three electives. See ss. 1002.3105(5) and 1003.4282(6)(a), F.S. One of the courses within the 24 credits must be completed through online learning. See s. 1003.4282(4), F.S.

² Section 1003.01(14), F.S.

³ See s. 1008.4282(3)(a)-(d), F.S.

⁴ Section 1003.4282(3)(d), F.S.

⁵ Section 1003.01(15), F.S.

⁶ Section 1003.4282(3)(g), F.S.

⁷ See rule 6A-1.09401(1)(c), F.A.C. (incorporating by reference Florida Department of Education, *Next Generation Sunshine State Standards—Social Studies, Revised June 2014*).

⁸ See Florida Department of Education, *Next Generation Sunshine State Standards—Social Studies, Revised June 2014*, at 1 (incorporated by reference in rule 6A-1.09401(1)(c), F.A.C.)

- budgeting and debt management, including student loans and secured loans;
- banking and financial services;
- planning for one's financial future, including higher education and career planning; credit reports and scores; and
- fraud and identity theft prevention.⁹

Florida's 2017-2018 Course Code Directory includes courses in economics with financial literacy, incorporating 56 financial literacy standards, which students may use to satisfy the one-half course credit requirement for graduation. The directory also includes a semester-long course in personal financial literacy that school districts may offer to students.¹⁰

On a nationwide basis, efforts are being made to improve the general quality of financial literacy instruction. The CEE and the Champlain College Center for Financial Literacy have issued reports establishing goals for states to meet in order to generally improve financial literacy instructional standards.¹¹ The CEE report identifies five metrics for evaluating the quality of financial literacy instruction in a given state:

- inclusion of financial literacy in the state's academic standards;
- the requirement that the standards be implemented by each school district;
- the requirement that the standards are included in a high school course;
- the requirement that the high school course be completed by all high school students; and
- implementation of a standardized financial literacy assessment.¹²

Florida meets four of the five metrics. The state does not, however, administer a statewide, standardized financial literacy assessment.¹³

The Champlain College's Center for Financial Literacy has established an A-F scale for assessing a state's financial literacy instruction policy. The center currently rates Florida a "B," and it notes that the 56 financial literacy standards that are included in the economics course amounts to approximately 37 hours of financial literacy instruction.¹⁴ The center advocates the development and implementation of a national financial literacy assessment in lieu of including implementation of a state assessment as one of its metrics. No such national assessment has been developed or implemented.¹⁵

Research shows that the effect of financial literacy instruction is limited regardless of the length of instruction. Instead, proximity of the instruction to a financial decision bears more impact on financial behavior. "Like other education, financial education decays over time; even large interventions with many hours of instruction have negligible effects on behavior or more from the time of intervention."¹⁶

⁹ Section 1003.41(2)(d), F.S.

¹⁰ See Florida Department of Education, *2017-2018 Course Directory*, <http://www.fldoe.org/policy/articulation/ccd/2017-2018-course-directory.stml> (last visited Jan. 18, 2018). See also CPALMS, *Browse and Search Courses*, <http://www.cpalms.org/Public/search/Course> (last visited Jan. 18, 2018) (providing the list of standards associated with course #2102335, Economics with Financial Literacy).

¹¹ See Council for Economic Education, *Survey of the States: Economic and Personal Finance Education in our Nation's Schools 2016*, available at <http://councilforeconed.org/wp/wp-content/uploads/2016/02/sos-16-final.pdf> [hereinafter referred to as "Council for Economic Education"]. See also Champlain College Center for Financial Literacy, *Is Your State Making the Grade? 2015 National Report Card on State Efforts to Improve Financial Literacy in High Schools* (2015), available at <https://www.champlain.edu/centers-of-excellence/center-for-financial-literacy/report-national-high-school-financial-literacy/2015-national-report-card> [hereinafter referred to as *Champlain College*].

¹² See *Council for Economic Education*, *supra* at note 11.

¹³ See *id* at 6.

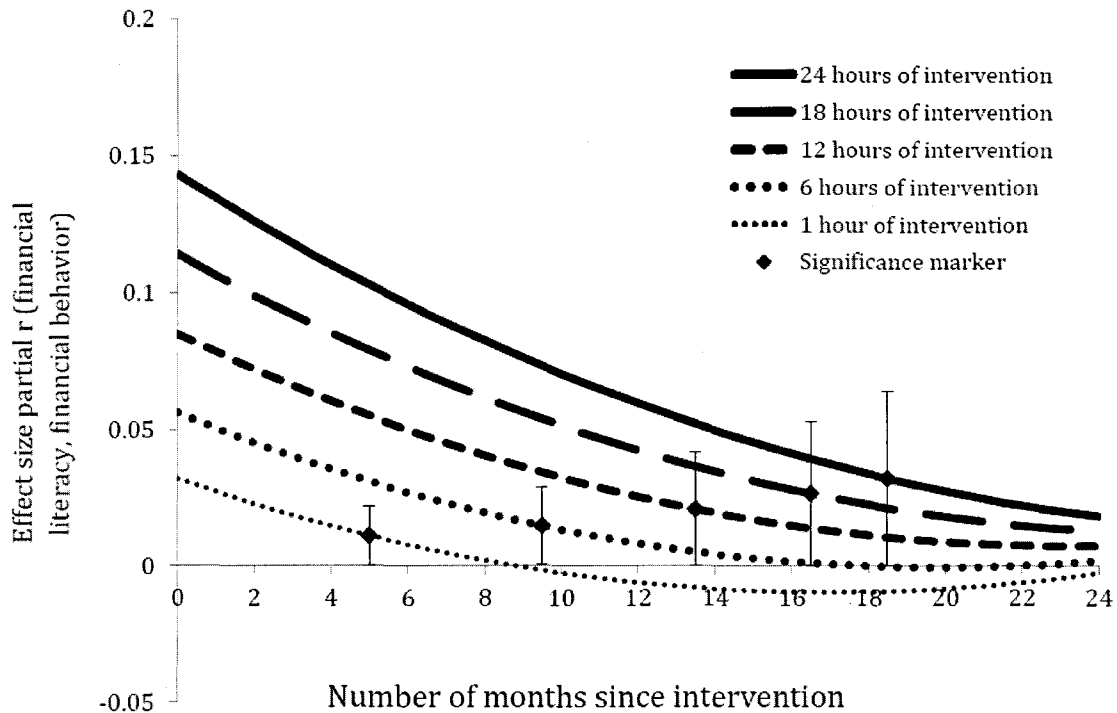
¹⁴ See *Champlain College* at 35, *supra* at note 11.

¹⁵ See *id* at 25.

¹⁶ Daniel Fernandes, John Lynch, and Richard Netemeyer, *Financial Literacy, Financial Education, and Downstream Financial Behaviors*, 60 MANAGEMENT SCIENCE 1861, 1867 (2014) (suggesting that a "just-in-time" approach to financial education tied to specific behaviors may constitute a more effective intervention).

Although the NGSSS financial literacy standards currently cover a number of these topics, the Florida Department of Education indicates that additional NGSSS would need to be developed and approved by the State Board of Education to include content on balancing a checkbook and receiving an inheritance.¹⁷

Figure 4: Partial Correlation of Financial Education Interventions with Financial Behavior as a Function of Number of Hours of Intervention and Number of Months since Intervention



Effect of Proposed Changes

The bill eliminates financial literacy instruction from the one-half credit economics requirement and establishes a one-half credit financial literacy course as an additional elective.

The bill requires students to be provided an opportunity to learn personal financial literacy and specifies that financial literacy includes instruction on:

- types of bank accounts offered, opening and managing a bank account, and assessing the quality of a depository institution's services;
- balancing a checkbook;
- basic principles of money management, such as spending, credit, credit scores, and managing debt, including retail and credit card debt;
- completing a loan application;
- receiving an inheritance and related implications;
- basic principles of personal insurance policies;
- computing federal income taxes;
- local tax assessments;
- computing interest rates by various mechanisms;
- simple contracts;

¹⁷ See Florida Department of Education, Agency Analysis of 2018 Senate Bill 88, p. 3 (Jan. 19, 2018).

- contesting an incorrect billing statement;
- types of savings and investments; and
- state and federal laws concerning finance.

The Department of Education must identify freely available assessments or certificates that enable a student to demonstrate proficiency in personal finance literacy without taking the course.

B. SECTION DIRECTORY:

Section 1. Amends s.1003.4282, F.S., eliminating the financial literacy instruction from the one-half credit economics requirement; and includes a financial literacy course as an elective.

Section 2. Provides an effective date.

II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT

A. FISCAL IMPACT ON STATE GOVERNMENT:

1. Revenues:

None.

2. Expenditures:

None.

B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

1. Revenues:

None.

2. Expenditures:

None.

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

None.

D. FISCAL COMMENTS:

School districts may incur costs associated with procuring additional instructional materials aligned to the new personal financial literacy course, providing professional development to classroom teachers who will teach the course, and hiring additional classroom teachers to teach the course. These costs are indeterminate.

III. COMMENTS

A. CONSTITUTIONAL ISSUES:

1. Applicability of Municipality/County Mandates Provision:

Not applicable.

2. Other:

None.

B. RULE-MAKING AUTHORITY:

None.

C. DRAFTING ISSUES OR OTHER COMMENTS:

None.

IV. AMENDMENTS/ COMMITTEE SUBSTITUTE CHANGES

Not applicable.

1 A bill to be entitled
 2 An act relating to high school graduation
 3 requirements; amending s. 1003.4282, F.S.; revising
 4 the courses required for a standard diploma; requiring
 5 school districts to provide a financial literacy
 6 course as an elective; providing an effective date.

7
 8 Be It Enacted by the Legislature of the State of Florida:

9
 10 Section 1. Paragraphs (d) and (g) of subsection (3) of
 11 section 1003.4282, Florida Statutes, are amended to read:

12 1003.4282 Requirements for a standard high school
 13 diploma.—

14 (3) STANDARD HIGH SCHOOL DIPLOMA; COURSE AND ASSESSMENT
 15 REQUIREMENTS.—

16 (d) Three credits in social studies.—A student must earn
 17 one credit in United States History, + one credit in World
 18 History, + one-half credit in economics, ~~which must include~~
 19 ~~financial literacy,~~ and one-half credit in United States
 20 Government. The United States History EOC assessment constitutes
 21 30 percent of the student's final course grade.

22 (g) Eight credits in electives.—

23 1. School districts must develop and offer coordinated
 24 electives so that a student may develop knowledge and skills in
 25 his or her area of interest, such as electives with a STEM or

26 liberal arts focus. Such electives must include opportunities
 27 for students to earn college credit, including industry-
 28 certified career education programs or series of career-themed
 29 courses that result in industry certification or articulate into
 30 the award of college credit, or career education courses for
 31 which there is a statewide or local articulation agreement and
 32 which lead to college credit.

33 2. Students must be provided the opportunity to learn
 34 personal financial literacy through a one-half credit financial
 35 literacy course. Instruction for personal financial literacy
 36 must include the following:

37 a. Types of bank accounts offered, opening and managing a
 38 bank account, and assessing the quality of a depository
 39 institution's services.

40 b. Balancing a checkbook.

41 c. Basic principles of money management, such as spending,
 42 credit, credit scores, and managing debt, including retail and
 43 credit card debt.

44 d. Completing a loan application.

45 e. Receiving an inheritance and related implications.

46 f. Basic principles of personal insurance policies.

47 g. Computing federal income taxes.

48 h. Local tax assessments.

49 i. Computing interest rates by various mechanisms.

50 j. Simple contracts.

51 k. Contesting an incorrect billing statement.

52 l. Types of savings and investments.

53 m. State and federal laws concerning finance.

54

55 The department shall identify freely available assessments or
56 certificates that enable students to demonstrate proficiency in
57 personal financial literacy without taking the course.

58 Section 2. This act shall take effect July 1, 2018.

HOUSE OF REPRESENTATIVES STAFF ANALYSIS

BILL #: HB 951 Education
SPONSOR(S): Fischer
TIED BILLS: None **IDEN./SIM. BILLS:** SB 1192

REFERENCE	ACTION	ANALYST	STAFF DIRECTOR or BUDGET/POLICY CHIEF
1) PreK-12 Quality Subcommittee		Dehmer	DavisGreene
2) PreK-12 Appropriations Subcommittee			
3) Education Committee			

SUMMARY ANALYSIS

The Voluntary Prekindergarten Education Program (VPK program) is a voluntary program offered to eligible four-year-old children in the year before admission to kindergarten. A child must be a Florida resident and attain four years of age to be eligible. The child is eligible for the program during that program year or the subsequent year and remains eligible until enrollment in kindergarten or attaining six years of age.

Local oversight of the VPK program is provided by early learning coalitions (ELCs) and school districts. Each ELC is the single point of entry for program registration and enrollment in the coalition's county or multi-county service area. Florida's Office of Early Learning (OEL), and the Department of Children and Family Services each play a role in the state-level oversight of the program.

Each VPK provider may select or design its own curriculum, which must adhere to certain educational standards. Providers are required to implement evidence-based pre- and post-assessments that are valid, reliable, developmentally appropriate and designed to measure student progress.

The bill requires each provider to give parents the results of the pre- and post-assessments, including any resources that might be helpful to their students within 10 days after the assessments are administered. The results must be reported at the aggregate level, distributed to the respective ELC and district and displayed on the OEL's webpage 30 days after the assessments are administered.

The bill also authorizes a child who has completed a VPK program, but is determined to be at risk of not attaining the adopted performance standards, to reenroll in a school-year VPK program offered by a provider that has met the minimum readiness standards.

The bill also establishes OEL requirements to ensure the implementation of student reenrollment.

The effect of the proposed change of authorizing a child who has completed a VPK program, but is determined to be at risk of not attaining the adopted performance standards, to reenroll in a school-year VPK program will likely have an indeterminate negative fiscal impact to the state.

The bill takes effect July 1, 2018.

FULL ANALYSIS

I. SUBSTANTIVE ANALYSIS

A. EFFECT OF PROPOSED CHANGES:

Present Situation

In 2004, the Legislature established the Voluntary Prekindergarten Education Program (VPK program), a voluntary, free prekindergarten program offered to eligible four-year-old children in the year before admission to kindergarten.¹ A child must be a Florida resident and attain four years of age on or before September 1 of the program year to be eligible for the VPK program.² The child is eligible for the VPK program during that program year or the subsequent year and remains eligible until enrollment in kindergarten or attaining six years of age by February 1, of any school year.³ Parents may choose either a school year or summer program offered by either a public or private prekindergarten provider.⁴

Local oversight of the VPK program is provided by early learning coalitions (ELCs) and school districts. Each ELC is the single point of entry for VPK program registration and enrollment in the ELC's county or multi-county service area.⁵ Each ELC must coordinate with each school district in the ELC's service area to develop procedures for enrolling children in public school VPK programs.⁶ Local oversight of individual VPK program providers is split, with ELCs providing administration over programs delivered by private prekindergarten providers and school districts administering public school VPK programs.⁷

Florida's Office of Early Learning (OEL),⁸ and the Department of Children and Family Services each play a role in the state-level oversight of the VPK program. As lead agency for Florida's school readiness system, Florida's OEL governs the day-to-day operations of the VPK program.⁹ OEL oversees ELCs regarding child enrollment, attendance reporting and reimbursement of VPK program

¹Section 1, ch. 2004-484, L.O.F.; part V, ch. 1002, F.S.; *see also* Art. IX, s. 1(b)-(c), Fla. Const. The VPK program originated from a ballot initiative proposing an amendment to the Florida Constitution in the November 2002 general election. The amendment required the Legislature to establish a free prekindergarten education program for every four-year old child residing in Florida by the 2005 academic year. Voters approved the amendment by a total of 59 percent. Art. IX, s. 1(b)-(c), Fla. Const.; *see also* Florida Department of State, Division of Elections, *Voluntary Universal Prekindergarten Education*, <http://election.dos.state.fl.us/initiatives/initdetail.asp?account=34708&seqnum=1> (last visited January 18, 2018).

²Section 1002.53(2), F.S.

³Section 1002.53(2), F.S. Children who attain five years of age on or before September 1, of the academic year are eligible for admission to public kindergarten. Section 1003.21(1)(a)2., F.S.

⁴Section 1002.53(3), (7) and (8), F.S. In 2010, the Legislature established a specialized instructional services program for children with disabilities as an option under the VPK program. Section 3, ch. 2010-227, *codified at* s. 1002.53(3)(d), F.S. A child who has a disability is eligible for specialized instructional services if the child is eligible for the VPK program and has a current Individual Education Plan (IEP) developed by the district school board. Specialized instructional services include applied behavior analysis, speech-language pathology, occupational therapy and physical therapy. The Department of Education (DOE) is responsible for approving SIS providers. Section 1002.66, F.S. Children who participate in the program are eligible to receive a McKay Scholarship to enroll in and attend a private school. *See* s. 1002.39(2)(a)1., F.S.

⁵Section 1002.53(4)(a)-(b), F.S. There are currently 30 ELCs. Florida's Office of Early Learning, *Early Learning Coalitions*, available at

http://www.floridaearlylearning.com/parents/find_quality_child_care/locate_a_child_care_resource_referral_program/countys_early_learning_coalition.aspx (last visited January 18, 2018).

⁶Section 1002.53(4)(c), F.S.

⁷Sections 1002.55(1), 1002.61(1)(a)-(b), and 1002.63(1), F.S.

⁸In 2013, the Legislature established the Office of Early Learning in the Office of Independent Education and Parental Choice within the DOE. The office is administered by an executive director and is fully accountable to the Commissioner of Education but shall independently exercise all powers, duties and functions prescribed by law, as well as adopt rules for the establishment and operation of the school readiness program and the VPK Education Program. s. 1, ch. 2013-252, *codified at* 1001.213, F.S.

⁹Sections 1001.213 and 1002.75(1)-(2), F.S.

providers and monitors VPK program providers for compliance with program requirements.¹⁰ Florida's OEL administers the accountability requirements of the VPK program at the state level.

Each VPK program provider may select or design its own curriculum,¹¹ which must:

- be developmentally appropriate;
- be designed to prepare students for early literacy;
- enhance the age-appropriate progress of students in attaining VPK program performance standards adopted by the OEL; and
- prepare students to be ready for kindergarten based on the statewide kindergarten screening.¹²

However, a public school or private prekindergarten provider that is placed on probation for failing to meet the minimum kindergarten readiness rate adopted by the OEL must take certain corrective actions, including the use of an OEL-approved curriculum or a staff development plan to strengthen instruction in language development and phonological awareness.¹³

Contingent upon legislative appropriation, public and private schools in the VPK program must implement evidence-based pre- and post-assessments that are valid, reliable, developmentally appropriate and designed to measure student progress.¹⁴

Effect of Proposed Changes

The bill requires private VPK program providers and public schools to provide parents with the results of the pre- and post-assessments, including any resources that might be helpful to their students, within 10 days after administration of the assessment. The results must be reported at the aggregate level, distributed to the respective ELCs and districts and displayed on the OEL's webpage 30 days after administering the assessment.

Beginning in the 2019-20 school year, the bill authorizes a child who has completed a VPK program, but is determined to be at risk of not attaining the adopted performance standards,¹⁵ to reenroll in a school-year VPK program. The VPK program must be offered by a provider that has met the minimum readiness rate, for the subsequent year and the request to reenroll must be made by the child's parent.

To implement the option of reenrollment for eligible students, by December 1, 2018, the OEL must:

- establish eligibility criteria for determining if a student is at risk of not attaining the adopted performance standards;
- estimate the potential number of students participating in the program in the 2018-19 school year by county and by the ELC whom may be eligible to reenroll in the program;
- establish reenrollment procedures; and
- inform parents of the reenrollment option.

B. SECTION DIRECTORY:

Section 1. Amends s. 1002.67, F.S., relating to performance standards, curricula and accountability.

Section 2. Amends s. 1002.71, F.S., relating to funding, financial and attendance reporting.

¹⁰ Section 1002.75(2), F.S.

¹¹ Section 1002.67(2)(a), F.S.

¹² Section 1002.67(2)(b), F.S.

¹³ Section 1002.67(4), F.S.

¹⁴ Section 1002.67(3)(a) and (b), F.S.

¹⁵ Section 1002.67(1), F.S.

II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT

A. FISCAL IMPACT ON STATE GOVERNMENT:

1. Revenues:

None.

2. Expenditures:

None.

B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

1. Revenues:

None.

2. Expenditures:

None.

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

None.

D. FISCAL COMMENTS:

The effect of the proposed change of authorizing a child who has completed a VPK program, but is determined to be at risk of not attaining the adopted performance standards, to reenroll in a school-year VPK program will likely have an indeterminate negative fiscal impact to the state.

III. COMMENTS

A. CONSTITUTIONAL ISSUES:

1. Applicability of Municipality/County Mandates Provision:

None.

2. Other:

None.

B. RULE-MAKING AUTHORITY:

None.

C. DRAFTING ISSUES OR OTHER COMMENTS:

The bill requires all public schools to notify parents of the VPK program pre- and post-assessment results. However, the term *public school prekindergarten provider* includes traditional public schools or charter schools that are eligible to deliver school-year or summer VPK programs.

IV. AMENDMENTS/ COMMITTEE SUBSTITUTE CHANGES

Not Applicable.

1 A bill to be entitled
 2 An act relating to education; amending s. 1002.67,
 3 F.S.; requiring certain assessment results be provided
 4 to parents within a specified timeframe; requiring the
 5 Office of Early Learning to aggregate specified
 6 assessment results to be distributed to certain
 7 entities and posted on the office's website within a
 8 specified timeframe; amending s. 1002.71, F.S.;
 9 authorizing certain students to reenroll in the
 10 Voluntary Prekindergarten Education Program; requiring
 11 that such students reenroll in a program offered by a
 12 provider that meets certain criteria; providing for
 13 funding for such students; requiring the office to
 14 establish criteria and procedures for the reenrollment
 15 of such students; providing an effective date.
 16
 17 Be It Enacted by the Legislature of the State of Florida:
 18
 19 Section 1. Paragraphs (d) and (e) are added to subsection
 20 (3) of section 1002.67, Florida Statutes, to read:
 21 1002.67 Performance standards; curricula and
 22 accountability.—
 23 (3)
 24 (d) Each private prekindergarten provider and public
 25 school shall provide the results of the pre- and post-assessment

26 to parents within 10 days after the administration of the
 27 assessment, including any resources that might be helpful for
 28 students.

29 (e) The office shall, within 30 days after the
 30 administration of the pre- and post-assessment:

31 1. Report the results of the pre- and post-assessment at
 32 the aggregate level.

33 2. Distribute the aggregated pre- and post-assessment
 34 results to the respective early learning coalitions and school
 35 districts.

36 3. Display the aggregated pre- and post-assessment results
 37 on the office's website.

38 Section 2. Paragraph (c) is added to subsection (4) of
 39 section 1002.71, Florida Statutes, to read:

40 1002.71 Funding; financial and attendance reporting.—

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

42 (c)1. Beginning in the 2019-2020 school year, a child who
 43 has completed a school-year prekindergarten program or summer
 44 prekindergarten program but is determined by the office to be at
 45 risk of not attaining the performance standards established
 46 pursuant to s. 1002.67(1) may reenroll in a school-year program
 47 during the subsequent school year at the request of the child's
 48 parent. The school-year program must be offered by a provider
 49 that has met the adopted minimum readiness rate adopted pursuant
 50 to 1002.69(6). The child shall be reported for funding purposes

51 as a full-time equivalent student in the school-year program for
 52 which he or she is enrolled.

53 2. By December 1, 2018, to implement the reenrollment of
 54 eligible students pursuant to subparagraph 1., the office shall:

55 a. Establish the eligibility criteria for determining if a
 56 student is at risk of not attaining the performance standards
 57 listed in s. 1002.67(1).

58 b. Prepare an estimate of the potential number of students
 59 participating in the program in 2018-2019 school year by county
 60 and by early learning coalition whom may be eligible to reenroll
 61 in the program.

62 c. Establish the procedures for the reenrollment of
 63 eligible students in the prekindergarten program and inform
 64 parents of this option.

65
 66 A child may reenroll only once in a prekindergarten program
 67 under this section. A child who reenrolls in a prekindergarten
 68 program under this subsection may not subsequently withdraw from
 69 the program and reenroll, unless the child is granted a good
 70 cause exemption under this subsection. The Office of Early
 71 Learning shall establish criteria specifying whether a good
 72 cause exists for a child to withdraw from a program under
 73 paragraph (a), whether a child has substantially completed a
 74 program under paragraph (b), and whether an extreme hardship
 75 exists which is beyond the child's or parent's control under

HB 951

2018

76 paragraph (b).

77 Section 3. This act shall take effect July 1, 2018.

HOUSE OF REPRESENTATIVES STAFF ANALYSIS

BILL #: HB 1091 Early Learning
SPONSOR(S): Grall
TIED BILLS: None **IDEN./SIM. BILLS:** SB 1254

REFERENCE	ACTION	ANALYST	STAFF DIRECTOR or BUDGET/POLICY CHIEF
1) PreK-12 Quality Subcommittee		Brink	DavisGreene
2) PreK-12 Appropriations Subcommittee			
3) Education Committee			

SUMMARY ANALYSIS

The School Readiness program is a state-federal partnership between Florida's Office of Early Learning (OEL) and the Office of Child Care of the United States Department of Health and Human Services. It is administered by early learning coalitions (ELC) at the county or regional level. Florida's OEL administers the program at the state level, including statewide coordination of the ELCs. The program subsidizes child care services and early childhood education for children of low-income families; children in protective services who are at risk of abuse, neglect, or abandonment; and children with disabilities.

The bill revises provisions related to the School Readiness program by:

- expanding the definition of "at-risk" for eligibility purposes;
- requiring OEL to adopt program assessment requirements that measure teacher-child interactions;
- requiring OEL to revise the statewide provider contract to include contracted slots and quality improvement strategies, if applicable, and program assessment requirements;
- requiring OEL to coordinate with the Department of Children and Families to triennially evaluate accrediting agencies under the Gold Seal Quality Care program and provide a 20 percent payment differential for accredited School Readiness providers who meet certain criteria;
- requiring OEL's annual report to include certain program assessment information;
- requiring ELCs to establish local eligibility priorities and include them in their biennial School Readiness plans;
- requiring an ELC's biennial plan to include procedures for the use of contracted slots, a description of quality improvement strategies, and the results of a community needs assessment;
- requiring School Readiness providers to participate in a program assessment and quality improvement strategies, as required; and
- allows for the awarding of grants and financial supports to providers and instructors to meet program assessment requirements.

The bill provides an appropriation of \$6 million for FY 2018-2019 from the Child Care and Development Block Grant Trust Fund to OEL to implement the program assessment and evaluate accrediting associations for purposes of the Gold Seal Quality Care program.

The bill takes effect on July 1, 2018.

FULL ANALYSIS

I. SUBSTANTIVE ANALYSIS

A. EFFECT OF PROPOSED CHANGES:

Present Situation

School Readiness Program

Established in 1999,¹ the School Readiness program provides subsidies for child care services and early childhood education for children of low-income families; children in protective services who are at risk of abuse, neglect, or abandonment; and children with disabilities.² The School Readiness program offers financial assistance for child care to support working families and children to develop skills for success in school and provides developmental screening and referrals to health and education specialists where needed. These services are provided in conjunction with other programs for young children such as Head Start, Early Head Start, and the Voluntary Prekindergarten Education (VPK) Program.³

The School Readiness program is a state-federal partnership between Florida's Office of Early Learning (OEL)⁴ and the Office of Child Care of the United States Department of Health and Human Services.⁵ It is administered by early learning coalitions (ELC) at the county or regional level.⁶ Florida's OEL administers the program at the state level, including statewide coordination of the ELCs.⁷

The Florida Department of Children and Families' Office of Child Care Regulation (DCF), as the agency responsible for the state's child care provider licensing program, inspects licensed and license exempt child care providers that provide the School Readiness program for specified health and safety standards.⁸ The law authorizes a county to designate a local licensing agency to license providers if its licensing standards meet or exceed DCF's standards. Five counties have done this – Broward, Hillsborough, Palm Beach, Pinellas, and Sarasota. Thus, in these five counties the local licensing agency, not DCF, inspects child care providers that provide the School Readiness program⁹ for health and safety standards.

Responsibilities of the Office of Early Learning

Present Situation

Florida's OEL is the lead agency in Florida for administering the federal CCDF from which funds are used to implement the School Readiness program. Florida law requires OEL to focus on improving the

¹Section 1, ch. 99-357, L.O.F.

² Section 1002.87, F.S.

³ Florida Office of Early Learning,

Parents, http://www.floridaearlylearning.com/parents/early_learning_programs_and_services/school_readiness.aspx (last visited Jan. 17, 2018).

⁴ In 2013, the Legislature established the Office of Early Learning in the Office of Independent Education and Parental Choice within the Department of Education (DOE). The office is administered by an executive director and is fully accountable to the Commissioner of Education but shall independently exercise all powers, duties, and functions prescribed by law, as well as adopt rules for the establishment and operation of the School Readiness program and the VPK Program. Section 1, ch. 2013-252, L.O.F., *codified as s. 1002.213*, F.S.

⁵ See U.S. Department of Health and Human Services, *Child Care and Development Fund Fact Sheet*, <http://www.acf.hhs.gov/programs/occ/fact-sheet-occ> (last visited Jan. 17, 2018).

⁶ Section 1002.83, F.S.

⁷ Section 1001.213(3), F.S.

⁸ See ss. 402.301-319, F.S., and Parts V and VI, ch. 1002, F.S.

⁹ Section 402.306(1), F.S.; Department of Children and Families, *Licensing Information*, <http://www.myflfamilies.com/service-programs/child-care/licensing-information> (last visited Jan. 19, 2018).

educational quality of all program providers participating in the School Readiness program while preserving parental choice by permitting parents to choose from a variety of child care categories.¹⁰

OEL must adopt, in rule, a statewide provider contract to be used by each School Readiness program provider, review and approve each ELC's School Readiness plan every 2 years, and monitor and evaluate the performance of each ELC in administering the School Readiness program and the VPK program.¹¹ OEL must also adopt specific system support services for the state's School Readiness program including statewide data information program requirements that include:

- Eligibility requirements.
- Financial reports.
- Program accountability measures.
- Child progress reports.¹²

Additional support services include child care resource and referral services and a single point of entry and uniform waiting list.¹³ To promote informed child care choices OEL may provide technical assistance and guidance on additional support services to complement the School Readiness program, including:

- Rating and improvement systems.
- Warm-line services.¹⁴
- Anti-fraud plans.
- School Readiness program standards.
- Child screening and assessments.
- Training and support for parental involvement in children's early education, including research on child development and best practices.
- Family literacy activities and services.¹⁵

OEL must develop and adopt performance standards and benchmarks to address the age-appropriate progress of children in the development of School Readiness skills. The performance standards must be aligned with the standards for children in the VPK program.¹⁶ OEL must enter into a memorandum of understanding with local licensing agencies and the Department of Children and Families, Office of Child Care Regulation for inspection of School Readiness program providers.¹⁷

In 2014, the Legislature created the Early Learning Performance Funding Pilot in the General Appropriations Act.¹⁸ The Legislature directed OEL to organize a workgroup of early learning stakeholders to provide input to help develop the program and select ELCs to participate.¹⁹ Under the program, which is no longer a pilot and has been funded each year since 2014, ELCs are eligible for

¹⁰ Section 1002.82(1) and (2)(a)-(b), F.S. Care and curriculum by a faith-based provider must not be limited or excluded in any of these categories. *Id.*

¹¹ Section 1002.82(2)(e), (m), and (p), F.S.

¹² Section 1002.82(2)(f)1.a., F.S.

¹³ Section 1002.82(2)(f)1.b., F.S., and Florida's Office of Early Learning, *Welcome to Florida's Early Learning Family Portal*, <https://spe.schoolreadiness.org/pe/> (last visited Jan. 19, 2018).

¹⁴ Florida's OEL must "administer a statewide toll-free Warm-Line for the purpose of providing assistance and consultation to child care facilities and FDCHs regarding health, developmental, disability, and other special needs." Section 1002.82(2)(r), F.S.

¹⁵ Section 1002.82(2)(f)2., F.S.

¹⁶ Section 1002.82(2)(j), F.S.; rule 6M-4.700, F.A.C.; Florida's Office of Early Learning, *Early Learning and Developmental Standards*,

http://www.floridaearlylearning.com/parents/parent_resources/floridas_early_learning_and_development_standards_birth_to_five.aspx (last visited Jan. 19, 2018).

¹⁷ Section 1002.82(2)(i), F.S.

¹⁸ Specific Appropriation 87, s. 2, ch. 2014-51, L.O.F.

¹⁹ *See id.*

funding to award child care providers and instructors for improving School Readiness program outcomes. The method for allocating funds to ELCs must include:²⁰

- A funding differential incentive for high-need populations
- A professional development system to significantly improve instructor quality
- A research-based observational system to significantly improve instructor interactions with children

Under the program, providers are assigned to one of five tiers using the OEL-adopted Class Assessment and Scoring System (CLASS) composite score, which is determined by averaging the CLASS observation dimension scores together from each classroom. Once assigned to a tier, providers must choose one continuous quality improvement strategy from a list compiled by OEL.²¹ Approximately 1,000 providers and their instructors participate in the program, which, among other things, requires participation in CLASS training and agreeing to have an evaluator conduct assessments.²²

The 2017 Legislature appropriated \$15.5 million, of which \$12,000,000 is from nonrecurring funds, to implement the program for the 2017-2018 fiscal year.²³ The funds must be administered by OEL in coordination with ELCs to provide consistent standards and leverage community efforts to support a coordinated statewide system of quality.²⁴

Effect of Proposed Changes

The bill requires that the program accountability measures adopted by OEL include a program assessment for School Readiness providers. The program assessment must measure the quality of teacher-child interactions using a research-based observation tool. The bill establishes additional minimum requirements for the program assessment to include quality measures, including a minimum threshold for contracting purposes; a process for program participation; exemptions; and improvement through the completion of an improvement plan.

The bill requires OEL to revise the statewide provider contract to include program assessment requirements and contracted slots and quality improvement strategies, if applicable. The provisions for termination for cause in the statewide provider contract must include a provider's failure to meet minimum quality measures for a period of up to 5 years.

The bill also requires OEL to revise its annual report to include the number of providers that have completed the program assessment requirement and the number of providers that have not met minimum quality measures to be eligible for a contract, have been granted an exemption, or have an active improvement plan.

Child Eligibility and Responsibilities of Early Learning Coalitions

Present Situation

Federal regulations governing the Child Care and Development Fund (CCDF) block grant,²⁵ the primary funding source for the School Readiness program, authorize states to use grant funds for child care services, if:

²⁰ See *id.*

²¹ See Florida Office of Early Learning, *Early Learning Performance Funding Project 2017-18 Overview* (July 10, 2017), available at http://www.floridaearlylearning.com/school_readiness/early_learning_performance_funding_project.aspx.

²² See *id.*

²³ Specific Appropriation 83, s. 2, ch. 2017-70, L.O.F.

²⁴ See *id.*

²⁵ 45 C.F.R. parts 98 and 99.

- the child is under 13 years of age, or at the state's option, under age 19 if the child is physically or mentally incapable of caring for himself or herself or under court supervision;
- the child's family income does not exceed 85 percent of the state's median income for a family of the same size; and
- the child:
 - resides with a parent or parents who work or attend job training or educational programs; or
 - receives, or needs to receive, protective services.²⁶

Within these broad federal eligibility categories, Florida law specifies that ELCs must admit children into the School Readiness program according to the following priorities:

- **First priority** is a child under 13 years of age from families in which an adult is receiving temporary cash assistance and subject to federal work requirements²⁷
- **Second priority** is a child under the age of 9 who is at-risk
- **Third priority** is a child, birth to beginning of the school year for which the child is eligible for kindergarten, from a working family that is economically disadvantaged²⁸ and may include such a child's eligible siblings who are eligible to enter kindergarten through the summer before sixth grade, provided that the ELC uses local revenues first
- **Fourth priority** is a child of a parent who transitions from the work program into employment from birth through the summer before kindergarten
- **Fifth priority** is an at-risk child, ages 9 through 13. Such a child is given priority over other children if his or her sibling is enrolled in the School Readiness program under eligibility priorities 1, 2, or 3
- **Sixth priority** is a child younger than 13 years of age from a working family that is economically disadvantaged. Such a child is given priority over other children if his or her sibling is enrolled in the School Readiness program under eligibility priority 3
- **Seventh priority** is a child under age 13 whose parent transitions from the work program into employment
- **Eighth priority** is a child ages 3-5 years of age who has a current individual education plan with a Florida school district. Such a child is eligible until he or she is old enough for kindergarten admission
- **Last priority** is a child who is also concurrently enrolled in the Head Start program and the VPK Program²⁹

A child is considered to be "at risk" if, among other things, the child is in the custody of a parent who is a victim of domestic violence residing in a certified domestic violence center.³⁰

²⁶ 45 C.F.R. s. 98.20(a). Florida does not provide school readiness funding for children 13-18 years of age who are physically or mentally incapable of self-care or under court supervision. *See See Florida Office of Early Learning, Child Care and Development Fund (CCDF) Plan FFY 2016-2018 (2016) at 57, available at http://www.floridaearlylearning.com/sites/www/Uploads/14-Draft-FY2016-2018%20CCDF%20Plan%20Preprint%20%2012-17-15_final_markup_SC_Comments_CLEAN_PDF_ADA.pdf; see also rule 6M-4.200(1), F.A.C.*

²⁷Recipients of assistance under a state's Temporary Assistance for Needy Families Block Grant must meet Federal work requirements. These work requirements require a state to meet or exceed minimum rates of recipients participating in "work activities," e.g., employment, education, job search, community service, and vocational training. 42 U.S.C. s. 607(a)-(d). Under Florida law, the maximum number of hours a recipient of subsidized child care, who is not otherwise exempt from work activity, may be required to work is 40 hours per week. Section 445.024(2), F.S.

²⁸ "Economically disadvantaged" means having a family income that does not exceed 150 percent of the federal poverty level. Section 1002.81(7), F.S.

²⁹ Section 1002.87(1), F.S.

³⁰At-risk children can also include children who are homeless or who may be experiencing abuse, neglect, abandonment or exploitation. *See s. 1002.81(1), F.S. (definition of "at-risk child").*

A child who is ineligible due to a parent's job loss or cessation of education or job training will continue to receive School Readiness program services for at least three months to enable the parent to obtain employment.³¹

Each ELC administers the School Readiness program,³² the VPK Program,³³ and the state's child care resource and referral network in its county or multicounty region.³⁴ There are currently 30 ELCs.³⁵ Each ELC is governed by a board of directors comprised of various stakeholders and community representatives. Three board members, including the chair, are appointed by the Governor.³⁶

In order to participate in the School Readiness program, each ELC must submit a School Readiness plan to OEL for approval.³⁷ The plan must include, but is not limited to:

- The ELC's operations, including its membership and articles of incorporation and bylaws, if applicable
- The minimum number of children to be served by care level
- The procedures for implementing program requirements such as single point of entry, uniform waiting list, eligibility and enrollment, sliding fee scale, and payment rate
- A detailed description of the ELC's quality activities and services
- A detailed budget outlining the estimated expenditures for state, federal, and local matching funds
- A detailed accounting of all revenues and expenditures during the previous state fiscal year³⁸
- Policies and procedures governing procurement, maintenance of tangible personal property, maintenance of records, information technology security, and disbursement controls
- A description of the procedures for monitoring School Readiness program providers, including the process for responding to a parental complaint
- Documentation that the coalition has solicited and considered comments regarding the proposed School Readiness plan from the local community

An ELC with an approved School Readiness plan must implement a comprehensive system of School Readiness services which enhances the cognitive, social, and physical development of children to achieve the children's performance standards.³⁹ Specific ELC requirements include, but are not limited, to:

- Establishing a uniform waiting list to track eligible children
- Administering a child care resource and referral network for its service area
- Establishing a regional Warm-Line
- Establishing age-appropriate screening for children birth to 5 years
- Implementing age appropriate preassessment and postassessment of children, if specified in the coalition's plan
- Determining child eligibility
- Establishing a parent sliding fee scale
- Complying with federal and state procurement requirements
- Establishing proper information technology security controls

³¹ Section 1002.87(6), F.S.

³²Part VI, ch. 1002, F.S.

³³Part V, ch. 1002, F.S.

³⁴ Section 1002.84, F.S.

³⁵Florida's Office of Early Learning, *Early Learning Coalition Directory* (Revised May 7, 2013), available at <http://www.floridaearlylearning.com/sites/www/Uploads/files/Parents/CoalitionDirectory.pdf>. Florida law permits the establishment of 31 or fewer ELCs. Section 1002.83(1), F.S.

³⁶ Section 1002.83(3), F.S.

³⁷ Section 1002.85(2), F.S.

³⁸ Section 1002.85(2)(a)-(i), F.S.

³⁹ Section 1002.84(1), F.S.

- Monitoring School Readiness program providers⁴⁰

ELCs are required to submit an annual report to OEL by October 1 of each year. The report must include information such as the total number of children served, details of expenditures by fund source, and an evaluation of its direct enhancement services.⁴¹

Effect of Proposed Changes

The bill revises the definition of an “at-risk child” to specify that a child is considered at risk if a certified domestic violence center verifies that the child’s custodial parent is a victim of domestic violence, rather than requiring the parent to reside in such a center.

The bill revises child eligibility priorities by requiring ELCs, after serving children in the first two priority categories, to prioritize services for children in subsequent categories based on their community needs assessments. Each ELC must include its identified priorities in its biennial School Readiness plan as part of its eligibility and enrollment processes.

The bill requires each ELC to conduct a community needs assessment and include the results in its plan. Each plan must also include a detailed description of quality improvement strategies used by the coalition to strengthen teaching practices and improve child outcomes and its procedures for the use of contracted slots, as applicable, based on the needs assessment.

Child Care Provider Eligibility and Responsibilities

Present Situation

In order to be eligible to deliver the School Readiness program, a provider must be:

- a licensed child care facility;
- a licensed or registered family day care home (FDCH);
- a licensed large family child care home (LFCCH);
- a public school or nonpublic school;
- a license-exempt faith-based child care provider;
- a before-school or after-school program; or
- an informal child care provider authorized in the state’s CCDF plan.⁴²

All School Readiness providers must meet basic health and safety for its premises and comply with the age-appropriate immunizations of children enrolled in the school readiness program. For licensed providers, compliance with the requirements for licensure meets these requirements. DCF or the local licensing agency verify compliance with the specified health and safety requirements. School Readiness registered family day care homes and providers not subject to licensure by the DCF must also meet these requirements as verified by inspection by DCF or the local licensing agency.⁴³In addition, each child care facility, family day care home, and large family day care home must annually submit an affidavit of compliance with the requirement to report instances of child abuse, abandonment, or neglect.⁴⁴

⁴⁰ Section 1002.84, F.S.

⁴¹ Section 1002.84(18), F.S.

⁴² Section 1002.88(1)(a), F.S. Generally speaking, informal child care is care provided by a relative. See Florida Office of Early Learning, *Child Care and Development Fund (CCDF) Plan FFY 2016-2018* (2016) at 99, available at http://www.floridaearlylearning.com/sites/www/Uploads/14-Draft-FY2016-2018%20CCDF%20Plan%20Preprint%20%2012-17-15_final_markup_SC_Comments_CLEAN_PDF_ADA.pdf.

⁴³ Section 1002.88(1)(c), F.S.

⁴⁴Section 402.319(3), F.S.

Provider responsibilities include, but are not limited, to:

- Employing child care personnel who have satisfied background screening and training requirements.
- Providing instruction and activities to enhance the age-appropriate progress of each child to attain the child development standards adopted by OEL.
- Providing activities to foster brain development in infants and toddlers in an environment rich in language and music and visual, tactile, auditory, and linguistic stimulation and including 30 minutes of reading to children each day.
- Executing the standard statewide provider contract adopted by OEL.
- Implementing a character development program.
- Maintaining minimum general liability insurance coverage.
- Maintaining any required worker's compensation insurance and any required unemployment compensation insurance.
- Administering preassessments and postassessments that have been approved by the OEL, but only if the provider chooses to administer such assessments.⁴⁵

Effect of Proposed Changes

The bill requires School Readiness program providers, subject to appropriation, to participate in the program assessment adopted by OEL and implement quality improvement strategies identified in the ELC plan.

Gold Seal Quality Care Program

Present Situation

School Readiness Program providers are annually inspected by the Department of Children and Families Office of Child Care Regulation or the local licensing agency pursuant to a memorandum of understanding with OEL. The local licensing agency or the DCF, as applicable, must monitor and verify provider compliance with program requirements. If a provider refuses permission for entry or inspection, the provider's contract must be terminated.⁴⁶

Child care facilities, large family child care homes, and family day care homes that are accredited by a DCF-approved accrediting association and meet other requirements must receive a "Gold Seal Quality Care" designation by DCF.⁴⁷ DCF must adopt accreditation standards in rule based on specified national accrediting standards.⁴⁸ In order for an accrediting association to be approved by DCF, it must demonstrate that it:

- is a recognized accrediting association; and
- has accrediting standards that substantially meet or exceed the accrediting standards adopted by DCF.

In approving accrediting associations, DCF must consult with the Department of Education, the Florida Head Start Directors Association, the Florida Association of Child Care Management, the Florida Family Child Care Home Association, the Florida Children's Forum, the Florida Association for the Education of the Young, the Child Development Education Alliance, the Florida Association of Academic Nonpublic Schools, the Association of Early Learning Coalitions, certain church-based or parochial providers, and parents.⁴⁹

⁴⁵ Section 1002.88(1), F.S.

⁴⁶ Section 1002.82(2)(i), F.S.

⁴⁷ See s. 402.281(1)(b), F.S.

⁴⁸ Section 402.281(2), F.S. See rule 65C-20.014(4), F.A.C.

⁴⁹ See s. 402.281(3)(b), F.S.

Effect of Proposed Changes

OEL must coordinate with DCF to conduct a triennial evaluation of accrediting agencies approved by DCF to participate in the Gold Seal Quality Care program and identify agencies that have requirements and processes that positively impact child outcomes. Based on the evaluation results, if an accrediting association is identified as positively impacting child outcomes, the OEL must set payment rate differential for providers accredited by the association that is 20 percent higher than the early learning coalition's base reimbursement rate for each care level and unit of care.

Funding for the School Readiness Program

Present Situation

The School Readiness program receives funding from a mixture of federal and state sources, including the federal CCDF block grant, the Federal Grants Trust Fund, the federal Temporary Assistance for Needy Families block grant,⁵⁰ and the state general revenue funds.⁵¹ The Child Care Executive Partnership Program allows funding from the School Readiness program to be used for payment of matching child care funding for low-income working parents who are eligible for subsidized child care. State and federal funds are used as incentives for generating matching local funds from local governments, employers, charitable foundations, and other sources.⁵²

For FY 2017-18, a total of \$564.1 million was appropriated for the School Readiness program from state and federal funds, including \$140.6 million from the state's General Revenue Fund, \$326.4 million from the CCDF block grant, \$500,000 from Federal Grants Trust Fund, and \$96.6 million from the Welfare Transition Trust Fund.⁵³

Effect of Proposed Changes

The bill includes implementation of the program assessment adopted by OEL as an allowable quality activity for purposes of awarding grants and providing financial support to providers.

B. SECTION DIRECTORY:

Section 1. Amends s. 1002.81, F.S.; revising the definition of "at-risk child."

Section 2. Amends s. 1002.82, F.S.; revising the duties of the Office of Early Learning; providing for the development of a program assessment for school readiness providers; providing program assessment requirements; revising the standard statewide contract for providers; providing that failing to meet certain measures for a specified period is cause for termination of a provider; requiring the office to coordinate with a specified office for an evaluation of certain accrediting associations; requiring the office to set a payment differential for certain providers; revising the requirement for an analysis of early learning activities throughout the state.

Section 3. Amends s. 1002.85, F.S.; revising the required contents of the school readiness program plan each early learning coalition must submit.

⁵⁰ In 2011, the Florida Legislature created the Welfare Transition Trust Fund within the Florida Department of Education for use as a depository for receiving federal funds under the Temporary Assistance for Needy Families (TANF) Program. Section 1001.283, F.S.

⁵¹ Specific Appropriation 84, s. 2, ch. 2017-70, L.O.F.

⁵² Section 1002.94, F.S.

⁵³ *Id.*

Section 4. Amends s. 1002.87, F.S.; revising the priority criteria for participation in the school readiness program.

Section 5. Amends s. 1002.88, F.S.; revising school readiness provider requirements for program participation; conforming cross-references.

Section 6. Amends s. 1002.89, F.S.; providing for the use of specified funds for a required assessment

Section 7. Providing an appropriation.

Section 8. Providing an effective date of July 1, 2018.

II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT

A. FISCAL IMPACT ON STATE GOVERNMENT:

1. Revenues:

None.

2. Expenditures:

The bill provides an appropriation of \$6 million for FY 2018-2019 from the Child Care and Development Block Grant Trust Fund to OEL to implement the program assessment and evaluate accrediting associations for purposes of the Gold Seal Quality Care program.

B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

1. Revenues:

None.

2. Expenditures:

None.

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

None.

D. FISCAL COMMENTS:

None.

III. COMMENTS

A. CONSTITUTIONAL ISSUES:

1. Applicability of Municipality/County Mandates Provision:

Not applicable.

2. Other:

None.

B. RULE-MAKING AUTHORITY:

None.

C. DRAFTING ISSUES OR OTHER COMMENTS:

None.

IV. AMENDMENTS/ COMMITTEE SUBSTITUTE CHANGES

Not applicable.

1 A bill to be entitled
2 An act relating to early learning; amending s.
3 1002.81, F.S.; revising the definition of "at-risk
4 child"; amending s. 1002.82, F.S.; revising the duties
5 of the Office of Early Learning; providing for the
6 development of a program assessment for school
7 readiness providers; providing program assessment
8 requirements; revising the standard statewide contract
9 for providers; providing that failing to meet certain
10 measures for a specified period is cause for
11 termination of a provider; requiring the office to
12 coordinate with a specified office for an evaluation
13 of certain accrediting associations; requiring the
14 office to set a payment differential for certain
15 providers; revising the requirement for an analysis of
16 early learning activities throughout the state;
17 amending s. 1002.85, F.S.; revising the required
18 contents of the school readiness program plan each
19 early learning coalition must submit; amending s.
20 1002.87, F.S.; revising the priority criteria for
21 participation in the school readiness program;
22 amending s. 1002.88, F.S.; revising school readiness
23 provider requirements for program participation;
24 conforming cross-references; amending s. 1002.89,
25 F.S.; providing for the use of specified funds for a

26 required assessment; providing an appropriation;
 27 providing an effective date.

28
 29 Be It Enacted by the Legislature of the State of Florida:

30
 31 Section 1. Paragraph (e) of subsection (1) of section
 32 1002.81, Florida Statutes, is amended to read:

33 1002.81 Definitions.—Consistent with the requirements of
 34 45 C.F.R. parts 98 and 99 and as used in this part, the term:

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

36 (e) A child in the custody of a parent who is considered a
 37 victim of domestic violence as verified by ~~residing in~~ a
 38 certified domestic violence center.

39 Section 2. Paragraphs (f) and (m) of subsection (2) and
 40 paragraph (a) of subsection (5) of section 1002.82, Florida
 41 Statutes, are amended, and paragraph (y) is added to subsection
 42 (2) of that section, to read:

43 1002.82 Office of Early Learning; powers and duties.—

44 (2) The office shall:

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

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

50 a. Statewide data information program requirements that

51 include:

52 (I) Eligibility requirements.

53 (II) Financial reports.

54 (III) Program accountability measures, including a program

55 assessment for school readiness program providers which measures

56 the quality of teacher-child interactions using a research-based

57 observation tool. The program assessment must include, at a

58 minimum, the adoption of quality measures, including a minimum

59 threshold for contracting purposes, a process for program

60 participation, exemptions, and improvement through the

61 completion of an improvement plan.

62 (IV) Child progress reports.

63 b. Child care resource and referral services.

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

65 2. May provide technical assistance and guidance on

66 additional support services to complement the school readiness

67 program, including:

68 a. Rating and improvement systems.

69 b. Warm-Line services.

70 c. Anti-fraud plans.

71 d. School readiness program standards.

72 e. Child screening and assessments.

73 f. Training and support for parental involvement in

74 children's early education.

75 g. Family literacy activities and services.

76 (m) Adopt by rule a standard statewide provider contract
 77 to be used with each school readiness program provider, with
 78 standardized attachments by provider type. The office shall
 79 publish a copy of the standard statewide provider contract on
 80 its website. The standard statewide contract shall include, at a
 81 minimum, contracted slots, if applicable, in accordance with the
 82 Child Care and Development Block Grant Act of 2014, 45 C.F.R.
 83 parts 98 and 99; quality improvement strategies, if applicable;
 84 program assessment requirements; and provisions for provider
 85 probation, termination for cause, and emergency termination for
 86 those actions or inactions of a provider that pose an immediate
 87 and serious danger to the health, safety, or welfare of the
 88 children. The standard statewide provider contract shall also
 89 include appropriate due process procedures. During the pendency
 90 of an appeal of a termination, the provider may not continue to
 91 offer its services. Any provision imposed upon a provider that
 92 is inconsistent with, or prohibited by, law is void and
 93 unenforceable. Provisions for termination for cause must include
 94 failure to meet the minimum quality measures established under
 95 paragraph (f) for a period of up to 5 years.

96 (y) Coordinate with the Child Care Services Program Office
 97 of the Department of Children and Families or its contracted
 98 provider for a triennial evaluation of accrediting associations
 99 approved under s. 402.281(3) to determine which accrediting
 100 associations' requirements and processes positively impact child

101 outcomes. Based on the findings of the evaluation, the Office of
 102 Early Learning shall set a payment differential for each child
 103 care provider that has an active Gold Seal Quality Care
 104 designation under s. 402.281 and has been accredited by an
 105 accrediting association identified as positively impacting child
 106 outcomes in the final report at a payment differential rate that
 107 is 20 percent higher than the base approved reimbursement rate
 108 for each care level and unit of care.

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

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

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

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

- 126 3. A description of the office's and each coalition's
 127 expenditures by fund source for the quality and enhancement
 128 activities described in s. 1002.89(6)(b).
- 129 4. A summary of annual findings and collections related to
 130 provider fraud and parent fraud.
- 131 5. Data regarding the coalitions' delivery of early
 132 learning programs.
- 133 6. The total number of children disenrolled statewide and
 134 the reason for disenrollment.
- 135 7. The total number of providers by provider type.
- 136 8. The number of school readiness program providers who
 137 have completed the program assessment required under paragraph
 138 (2)(f) and the number of providers who have not met the minimum
 139 threshold for contracting, have been granted an exemption, or
 140 have an active improvement plan based on the results of the
 141 program assessment under paragraph (2)(f).
- 142 ~~9.8.~~ The total number of provider contracts revoked and
 143 the reasons for revocation.
- 144 Section 3. Paragraphs (c) and (d) of subsection (2) of
 145 section 1002.85, Florida Statutes, are amended, and paragraph
 146 (j) is added to that subsection, to read:
- 147 1002.85 Early learning coalition plans.—
- 148 (2) Each early learning coalition must biennially submit a
 149 school readiness program plan to the office before the
 150 expenditure of funds. A coalition may not implement its school

151 readiness program plan until it receives approval from the
 152 office. A coalition may not implement any revision to its school
 153 readiness program plan until the coalition submits the revised
 154 plan to and receives approval from the office. If the office
 155 rejects a plan or revision, the coalition must continue to
 156 operate under its previously approved plan. The plan must
 157 include, but is not limited to:

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

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

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

- 174 1. Resource and referral and school-age child care.
- 175 2. Infant and toddler early learning.

176 3. Inclusive early learning programs.

177 4. Quality improvement strategies that strengthen teaching
 178 practices and increase child outcomes.

179 (j) An assessment based on available community data that
 180 identifies the needs of children and families and assesses
 181 provider capacity in order to inform local priorities within the
 182 coalition's county or multi-county region which most directly
 183 impact children's readiness for school.

184 Section 4. Subsections (1), (2), (3), and (7) of section
 185 1002.87, Florida Statutes, are amended to read:

186 1002.87 School readiness program; eligibility and
 187 enrollment.—

188 (1) Each early learning coalition shall give priority for
 189 participation in the school readiness program as follows:

190 (a) Priority shall be given first to a child younger than
 191 13 years of age from a family that includes a parent who is
 192 receiving temporary cash assistance under chapter 414 and
 193 subject to the federal work requirements.

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

196 (c) Subsequent priority shall be given, based on the early
 197 learning coalition's local priorities identified under s.

198 1002.85(2)(j), to children who meet the following criteria: next
 199 ~~to~~

200 1. A child from birth to the beginning of the school year

201 for which the child is eligible for admission to kindergarten in
 202 a public school under s. 1003.21(1)(a)2. who is from a working
 203 family that is economically disadvantaged, and may include such
 204 child's eligible siblings, beginning with the school year in
 205 which the sibling is eligible for admission to kindergarten in a
 206 public school under s. 1003.21(1)(a)2. until the beginning of
 207 the school year in which the sibling is eligible to begin 6th
 208 grade, provided that the first priority for funding an eligible
 209 sibling is local revenues available to the coalition for funding
 210 direct services.

211 ~~2.(d) Priority shall be given next to~~ A child of a parent
 212 who transitions from the work program into employment as
 213 described in s. 445.032 from birth to the beginning of the
 214 school year for which the child is eligible for admission to
 215 kindergarten in a public school under s. 1003.21(1)(a)2.

216 ~~3.(e) Priority shall be given next to~~ An at-risk child who
 217 is at least 9 years of age but younger than 13 years of age. An
 218 at-risk child whose sibling is enrolled in the school readiness
 219 program within an eligibility priority category listed in
 220 paragraphs (a) and (b) and subparagraph (c)1. ~~(e)~~ shall be given
 221 priority over other children who are eligible under this
 222 paragraph.

223 ~~4.(f) Priority shall be given next to~~ A child who is
 224 younger than 13 years of age from a working family that is
 225 economically disadvantaged. ~~A child who is eligible under this~~

226 ~~paragraph whose sibling is enrolled in the school readiness~~
 227 ~~program under paragraph (c) shall be given priority over other~~
 228 ~~children who are eligible under this paragraph.~~

229 ~~5.(g) Priority shall be given next to~~ A child of a parent
 230 who transitions from the work program into employment as
 231 described in s. 445.032 who is younger than 13 years of age.

232 ~~6.(h) Priority shall be given next to~~ A child who has
 233 special needs, has been determined eligible as a student with a
 234 disability, has a current individual education plan with a
 235 Florida school district, and is not younger than 3 years of age.
 236 A special needs child eligible under this paragraph remains
 237 eligible until the child is eligible for admission to
 238 kindergarten in a public school under s. 1003.21(1)(a)2.

239 ~~7.(i) Notwithstanding paragraphs (a) (d), priority shall~~
 240 ~~be given last to~~ A child who otherwise meets one of the
 241 eligibility criteria in paragraphs (a) and (b) and subparagraphs
 242 (c)1. and 2. ~~-(d)~~ but who is also enrolled concurrently in the
 243 federal Head Start Program and the Voluntary Prekindergarten
 244 Education Program.

245 (2) A school readiness program provider may be paid only
 246 for authorized hours of care provided for a child in the school
 247 readiness program. A child enrolled in the Voluntary
 248 Prekindergarten Education Program may receive care from the
 249 school readiness program if the child is eligible according to
 250 the eligibility priorities and criteria established in

251 subsection (1) ~~this section~~.

252 (3) Contingent upon the availability of funds, a coalition
 253 shall enroll eligible children, including those from its waiting
 254 list, according to the eligibility priorities and criteria
 255 established in subsection (1) ~~this section~~.

256 (7) If a coalition disenrolls children from the school
 257 readiness program, the coalition must disenroll the children in
 258 reverse order of the eligibility priorities and criteria listed
 259 in subsection (1) beginning with children from families with the
 260 highest family incomes. A notice of disenrollment must be sent
 261 to the parent and school readiness program provider at least 2
 262 weeks before disenrollment to provide adequate time for the
 263 parent to arrange alternative care for the child. However, an
 264 at-risk child may not be disenrolled from the program without
 265 the written approval of the Child Welfare Program Office of the
 266 Department of Children and Families or the community-based lead
 267 agency.

268 Section 5. Paragraphs (h) through (q) of subsection (1) of
 269 section 1002.88, Florida Statutes, are redesignated as
 270 paragraphs (j) through (s), respectively, present paragraphs (m)
 271 and (o) of subsection (1) are amended, and new paragraphs (h)
 272 and (i) are added to subsection (1) of that section, to read:

273 1002.88 School readiness program provider standards;
 274 eligibility to deliver the school readiness program.—

275 (1) To be eligible to deliver the school readiness

276 program, a school readiness program provider must:

277 (h) Subject to legislative appropriation, participate in
 278 the program assessment under s. 1002.82(2)(f).

279 (i) Subject to legislative appropriation, participate in
 280 quality improvement strategies.

281 (o)~~(m)~~ For a provider that is an informal provider, comply
 282 with the provisions of paragraph (n) ~~paragraph (l)~~ or maintain
 283 homeowner's liability insurance and, if applicable, a business
 284 rider. If an informal provider chooses to maintain a homeowner's
 285 policy, the provider must obtain and retain a homeowner's
 286 insurance policy that provides a minimum of \$100,000 of coverage
 287 per occurrence and a minimum of \$300,000 general aggregate
 288 coverage. The office may authorize lower limits upon request, as
 289 appropriate. An informal provider must add the coalition as a
 290 named certificateholder and as an additional insured. An
 291 informal provider must provide the coalition with a minimum of
 292 10 calendar days' advance written notice of cancellation of or
 293 changes to coverage. The general liability insurance required by
 294 this paragraph must remain in full force and effect for the
 295 entire period of the provider's contract with the coalition.

296 (g)~~(e)~~ Notwithstanding paragraph (n) ~~paragraph (l)~~, for a
 297 provider that is a state agency or a subdivision thereof, as
 298 defined in s. 768.28(2), agree to notify the coalition of any
 299 additional liability coverage maintained by the provider in
 300 addition to that otherwise established under s. 768.28. The

301 provider shall indemnify the coalition to the extent permitted
302 by s. 768.28.

303 Section 6. Paragraph (b) of subsection (6) of section
304 1002.89, Florida Statutes, is amended to read:

305 1002.89 School readiness program; funding.—

306 (6) Costs shall be kept to the minimum necessary for the
307 efficient and effective administration of the school readiness
308 program with the highest priority of expenditure being direct
309 services for eligible children. However, no more than 5 percent
310 of the funds described in subsection (5) may be used for
311 administrative costs and no more than 22 percent of the funds
312 described in subsection (5) may be used in any fiscal year for
313 any combination of administrative costs, quality activities, and
314 nondirect services as follows:

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

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

323 2. Awarding grants and providing financial support to
324 school readiness program providers and their staff to assist
325 them in meeting applicable state requirements for the program

326 assessment required under s. 1002.82(2)(f), child care
 327 performance standards, implementing developmentally appropriate
 328 curricula and related classroom resources that support
 329 curricula, providing literacy supports, and providing continued
 330 professional development and training. Any grants awarded
 331 pursuant to this subparagraph shall comply with ss. 215.971 and
 332 287.058.

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

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

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

350 6. Responding to Warm-Line requests by providers and

351 parents, including providing developmental and health screenings
 352 to school readiness program children.

353 Section 7. For the 2018-2019 fiscal year, the sum of \$6
 354 million from the Child Care and Development Block Grant Trust
 355 Fund is appropriated to the Office of Early Learning to
 356 implement the amendments to s. 1002.82(2)(f) and (y), Florida
 357 Statutes, by this act.

358 Section 8. This act shall take effect July 1, 2018.



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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	_____	

1 Committee/Subcommittee hearing bill: PreK-12 Quality
 2 Subcommittee
 3 Representative Grall offered the following:
 4

Amendment (with title amendment)

6 Remove everything after the enacting clause and insert:

7 Section 1. Paragraph (e) of subsection (1) of section
 8 1002.81, Florida Statutes, is amended to read:

9 1002.81 Definitions.—Consistent with the requirements of
 10 45 C.F.R. parts 98 and 99 and as used in this part, the term:

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

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

15 Section 2. Paragraphs (n), (o), (p), (q), (r), (s), (t),
 16 (u), (v), (w), and (x) of subsection (2) of section 1002.82,

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17 Florida Statutes, are redesignated as paragraphs (p), (q), (r),
18 (s), (t), (u), (v), (w), (x), (y), and (z), respectively,
19 paragraphs (n) and (o) are added to that subsection, and
20 paragraph (a) of subsection (5) is amended to read:

21 1002.82 Office of Early Learning; powers and duties.—

22 (2) The office shall:

23 (m) Adopt by rule a standard statewide provider contract
24 to be used with each school readiness program provider, with
25 standardized attachments by provider type. The office shall
26 publish a copy of the standard statewide provider contract on
27 its website. The standard statewide contract shall include, at a
28 minimum, contracted slots, if applicable, in accordance with the
29 Child Care and Development Block Grant Act of 2014, 45 C.F.R.
30 parts 98 and 99; quality improvement strategies, if applicable;
31 program assessment requirements; and provisions for provider
32 probation, termination for cause, and emergency termination for
33 those actions or inactions of a provider that pose an immediate
34 and serious danger to the health, safety, or welfare of the
35 children. The standard statewide provider contract shall also
36 include appropriate due process procedures. During the pendency
37 of an appeal of a termination, the provider may not continue to
38 offer its services. Any provision imposed upon a provider that
39 is inconsistent with, or prohibited by, law is void and
40 unenforceable. Provisions for termination for cause must include
41 failure to meet the minimum quality measures established under

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42 paragraph (n) for a period of up to 5 years, unless the
43 coalition determines that the provider is essential to meeting
44 capacity needs based on the assessment under s. 1002.85(2)(j)
45 and the provider has an active improvement plan pursuant to
46 paragraph (n).

47 (n) Adopt a program assessment for school readiness
48 program providers that measures the quality of teacher-child
49 interactions including emotional and behavioral support, engaged
50 support for learning, classroom organization, and instructional
51 support. The program assessment must also include the adoption
52 of quality measures, including a minimum threshold for
53 contracting purposes; a process for program participation;
54 exemptions; and improvement through the completion of an
55 improvement plan.

56 (o) Subject to appropriation, provide for a differential
57 payment, based on the quality measures adopted by the office
58 pursuant to paragraph (n), of up to 10 percent for each care
59 level and unit of child care for a child care provider that has
60 completed a program assessment and scored above the minimum
61 threshold for contracting purposes.

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

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

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

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

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

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

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

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

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

89 8. The number of school readiness program providers who
90 have completed the program assessment required under paragraph
91 (2)(n); the number of providers who have not met the minimum

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92 threshold for contracting; and the number of providers that have
93 an active improvement plan based on the results of the program
94 assessment under paragraph (2) (n).

95 9.8. The total number of provider contracts revoked and
96 the reasons for revocation.

97 Section 3. Paragraphs (c) and (d) of subsection (2) of
98 section 1002.85, Florida Statutes, are amended, and paragraph
99 (j) is added to that subsection, to read:

100 1002.85 Early learning coalition plans.—

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

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

- 113 1. Single point of entry.
- 114 2. Uniform waiting list.
- 115 3. Eligibility and enrollment processes and local
116 eligibility priorities for children pursuant to s. 1002.87.

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- 117 4. Parent access and choice.
- 118 5. Sliding fee scale and policies on applying the waiver
119 or reduction of fees in accordance with s. 1002.84(8).
- 120 6. Use of preassessments and postassessments, as
121 applicable.
- 122 7. Payment rate schedule.
- 123 8. Use of contracted slots, as applicable, based on the
124 results of the assessment required under paragraph (j).
- 125 (d) A detailed description of the coalition's quality
126 activities and services, including, but not limited to:
- 127 1. Resource and referral and school-age child care.
- 128 2. Infant and toddler early learning.
- 129 3. Inclusive early learning programs.
- 130 4. Quality improvement strategies that strengthen teaching
131 practices and increase child outcomes.
- 132 (j) An assessment of local priorities within the county or
133 multi-county region based on the needs of families and provider
134 capacity using available community data.
- 135 Section 4. Subsections (1), (2), (3), and (7) of section
136 1002.87, Florida Statutes, are amended to read:
- 137 1002.87 School readiness program; eligibility and
138 enrollment.—
- 139 (1) Each early learning coalition shall give priority for
140 participation in the school readiness program as follows:
- 141 (a) Priority shall be given first to a child younger than

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142 13 years of age from a family that includes a parent who is
143 receiving temporary cash assistance under chapter 414 and
144 subject to the federal work requirements.

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

147 (c) Subsequent priority shall be given, based on the early
148 learning coalition's local priorities identified under s.
149 1002.85(2)(j), to children who meet the following criteria: next
150 to

151 1. A child from birth to the beginning of the school year
152 for which the child is eligible for admission to kindergarten in
153 a public school under s. 1003.21(1)(a)2. who is from a working
154 family that is economically disadvantaged, and may include such
155 child's eligible siblings, beginning with the school year in
156 which the sibling is eligible for admission to kindergarten in a
157 public school under s. 1003.21(1)(a)2. until the beginning of
158 the school year in which the sibling is eligible to begin 6th
159 grade, provided that the first priority for funding an eligible
160 sibling is local revenues available to the coalition for funding
161 direct services.

162 ~~2.(d) Priority shall be given next to~~ A child of a parent
163 who transitions from the work program into employment as
164 described in s. 445.032 from birth to the beginning of the
165 school year for which the child is eligible for admission to
166 kindergarten in a public school under s. 1003.21(1)(a)2.

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167 ~~3.(e) Priority shall be given next to~~ An at-risk child who
168 is at least 9 years of age but younger than 13 years of age. An
169 at-risk child whose sibling is enrolled in the school readiness
170 program within an eligibility priority category listed in
171 paragraphs (a) and (b) and subparagraph (c)1. ~~(e)~~ shall be given
172 priority over other children who are eligible under this
173 paragraph.

174 ~~4.(f) Priority shall be given next to~~ A child who is
175 younger than 13 years of age from a working family that is
176 economically disadvantaged. ~~A child who is eligible under this~~
177 ~~paragraph whose sibling is enrolled in the school readiness~~
178 ~~program under paragraph (e) shall be given priority over other~~
179 ~~children who are eligible under this paragraph.~~

180 ~~5.(g) Priority shall be given next to~~ A child of a parent
181 who transitions from the work program into employment as
182 described in s. 445.032 who is younger than 13 years of age.

183 ~~6.(h) Priority shall be given next to~~ A child who has
184 special needs, has been determined eligible as a student with a
185 disability, has a current individual education plan with a
186 Florida school district, and is not younger than 3 years of age.
187 A special needs child eligible under this paragraph remains
188 eligible until the child is eligible for admission to
189 kindergarten in a public school under s. 1003.21(1)(a)2.

190 ~~7.(i) Notwithstanding paragraphs (a) (d), priority shall~~
191 ~~be given last to~~ A child who otherwise meets one of the



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192 eligibility criteria in paragraphs (a) and (b) and subparagraphs
193 (c)1. and 2.—~~(d)~~ but who is also enrolled concurrently in the
194 federal Head Start Program and the Voluntary Prekindergarten
195 Education Program.

196 (2) A school readiness program provider may be paid only
197 for authorized hours of care provided for a child in the school
198 readiness program. A child enrolled in the Voluntary
199 Prekindergarten Education Program may receive care from the
200 school readiness program if the child is eligible according to
201 the eligibility priorities and criteria established in
202 subsection (1) this section.

203 (3) Contingent upon the availability of funds, a coalition
204 shall enroll eligible children, including those from its waiting
205 list, according to the eligibility priorities and criteria
206 established in subsection (1) this section.

207 (7) If a coalition disenrolls children from the school
208 readiness program, the coalition must disenroll the children in
209 reverse order of the eligibility priorities and criteria listed
210 in subsection (1) beginning with children from families with the
211 highest family incomes. A notice of disenrollment must be sent
212 to the parent and school readiness program provider at least 2
213 weeks before disenrollment to provide adequate time for the
214 parent to arrange alternative care for the child. However, an
215 at-risk child may not be disenrolled from the program without
216 the written approval of the Child Welfare Program Office of the

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217 Department of Children and Families or the community-based lead
218 agency.

219 Section 5. Paragraphs (h) through (q) of subsection (1) of
220 section 1002.88, Florida Statutes, are redesignated as
221 paragraphs (i) through (r), respectively, present paragraphs (m)
222 and (o) of subsection (1) are amended, and new paragraph (h) is
223 added to subsection (1) of that section, to read:

224 1002.88 School readiness program provider standards;
225 eligibility to deliver the school readiness program.—

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

228 (h) Participate in the program assessment under s.
229 1002.82(2)(n).

230 (n)~~(m)~~ For a provider that is an informal provider, comply
231 with the provisions of paragraph (m) ~~paragraph (l)~~ or maintain
232 homeowner's liability insurance and, if applicable, a business
233 rider. If an informal provider chooses to maintain a homeowner's
234 policy, the provider must obtain and retain a homeowner's
235 insurance policy that provides a minimum of \$100,000 of coverage
236 per occurrence and a minimum of \$300,000 general aggregate
237 coverage. The office may authorize lower limits upon request, as
238 appropriate. An informal provider must add the coalition as a
239 named certificateholder and as an additional insured. An
240 informal provider must provide the coalition with a minimum of
241 10 calendar days' advance written notice of cancellation of or

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242 changes to coverage. The general liability insurance required by
243 this paragraph must remain in full force and effect for the
244 entire period of the provider's contract with the coalition.

245 ~~(p)(e)~~ Notwithstanding paragraph (m) ~~paragraph (l)~~, for a
246 provider that is a state agency or a subdivision thereof, as
247 defined in s. 768.28(2), agree to notify the coalition of any
248 additional liability coverage maintained by the provider in
249 addition to that otherwise established under s. 768.28. The
250 provider shall indemnify the coalition to the extent permitted
251 by s. 768.28.

252 Section 6. Paragraph (b) of subsection (6) of section
253 1002.89, Florida Statutes, is amended to read:

254 1002.89 School readiness program; funding.—

255 (6) Costs shall be kept to the minimum necessary for the
256 efficient and effective administration of the school readiness
257 program with the highest priority of expenditure being direct
258 services for eligible children. However, no more than 5 percent
259 of the funds described in subsection (5) may be used for
260 administrative costs and no more than 22 percent of the funds
261 described in subsection (5) may be used in any fiscal year for
262 any combination of administrative costs, quality activities, and
263 nondirect services as follows:

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

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

272 2. Awarding grants and providing financial support to
273 school readiness program providers and their staff to assist
274 them in meeting applicable state requirements for the program
275 assessment required under s. 1002.82(2)(n), child care
276 performance standards, implementing developmentally appropriate
277 curricula and related classroom resources that support
278 curricula, providing literacy supports, and providing continued
279 professional development and training. Any grants awarded
280 pursuant to this subparagraph shall comply with ss. 215.971 and
281 287.058.

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



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

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

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

302 Section 7. For the 2018-2019 fiscal year, the sum of \$6
 303 million from the Child Care and Development Block Grant Trust
 304 Fund is appropriated to the Office of Early Learning to
 305 implement the provisions of s. 1002.82(2)(n), Florida Statutes,
 306 established by this act.

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

311

Remove everything before the enacting clause and insert:

312

Enter Amending Text Here