



PreK-12 Appropriations Subcommittee

**Tuesday, February 13, 2024
11:30AM – 2:30PM
Morris Hall (17HOB)**

MEETING PACKET

Committee Meeting Notice

HOUSE OF REPRESENTATIVES

PreK-12 Appropriations Subcommittee

Start Date and Time: Tuesday, February 13, 2024 11:30 am

End Date and Time: Tuesday, February 13, 2024 02:30 pm

Location: Morris Hall (17 HOB)

Duration: 3.00 hrs

Consideration of the following bill(s):

HB 1349 Required Instruction in History of Communism by Brannan, Buchanan

HB 1353 Early Learning by Snyder, Trabulsy

To submit an electronic appearance form, and for information about attending or testifying at a committee meeting, please see the "Visiting the House" tab at www.myfloridahouse.gov.

NOTICE FINALIZED on 02/09/2024 4:15PM by DAD

HOUSE OF REPRESENTATIVES STAFF ANALYSIS

BILL #: HB 1349 Required Instruction in History of Communism

SPONSOR(S): Brannan and others

TIED BILLS: None. **IDEN./SIM. BILLS:** SB 1264

REFERENCE	ACTION	ANALYST	STAFF DIRECTOR or BUDGET/POLICY CHIEF
1) Choice & Innovation Subcommittee	11 Y, 4 N	Collins	Sleap
2) PreK-12 Appropriations Subcommittee		Bailey	Potvin
3) Education & Employment Committee			

SUMMARY ANALYSIS

The bill requires, beginning in the 2026-2027 school year, that the History of Communism be included in required instruction to public school students in grades K-12. The bill requires such instruction to be age- and developmentally-appropriate and include:

- The history of Communism in the United States and domestic Communist movements, including their histories and tactics.
- Atrocities committed in foreign countries under the guidance of Communism.
- The philosophy and lineages of Communist thought, including cultural Marxism.
- The increasing threat of Communism in the 20th century to the United States and our allies, including the events of the Cultural Revolution in the People's Republic of China and other mass killings from Communist regimes.
- The economic, industrial, and political events that preceded and anticipated Communist revolutions.
- The Communist policies of Cuba and spread of Communist ideologies throughout Latin America, including the roots of the Communist Party of Cuba and guerilla forces throughout Latin America.

The bill requires each school district to annually certify and provide evidence to the Department of Education (DOE) that the required instruction has been met.

The bill also creates the Communism Education Task Force (task force) adjunct to the DOE. The task force is established to create a curriculum and academic standards for required instruction in the History of Communism and provide recommendations and instructional materials for such instruction.

The task force members are to be appointed by the Governor, by August 1, 2024, and report its findings to the Governor, Legislature, and the DOE no later than July 1, 2025. The task force must also make recommendations to the Legislature regarding the creation of a Florida Museum of Communist History.

The bill requires the DOE to prepare and offer standards and curriculum for the instruction of Communism based upon the recommendations of the task force.

The bill may have a fiscal impact to the DOE. See Fiscal Comments.

The bill has an effective date of July 1, 2024.

FULL ANALYSIS

I. SUBSTANTIVE ANALYSIS

A. EFFECT OF PROPOSED CHANGES:

Present Situation

Required Instruction Topics

Florida law requires that public school students in grades K-12 receive instruction on specific subjects including, among other items, historical time periods, comprehensive health education, and government.¹ Instructional personnel are required to teach these subjects efficiently and faithfully, using historically accurate books and materials, following prescribed courses and approved methods of instruction.² Unless otherwise specified, the law generally does not prescribe grade level, instructional hours, or instructional materials requirements for these topics.

School districts are required to report, annually each summer, to the Department of Education (DOE) on how instruction was provided during the previous school year for certain required subjects defined in s. 1003.42, F.S., including the history of the United States, the history of Asian American and Pacific Islanders, the history of African Americans, and the history of the Holocaust.³ The report must include specific courses offered for each grade level and what materials and resources were used.⁴

Guiding Principles for Teaching Required Instruction Topics

In 2022, the Legislature required that instruction on required topics be consistent with the following principles of individual freedom:⁵

- No person is inherently racist, sexist, or oppressive, whether consciously or unconsciously, solely by virtue of his or her race or sex.
- No race is inherently superior to another race.
- No person should be discriminated against or receive adverse treatment solely or partly on the basis of race, color, national origin, religion, disability, or sex.
- Meritocracy or traits such as a hard work ethic are not racist but fundamental to the right to pursue happiness and be rewarded for industry.
- A person, by virtue of his or her race or sex, does not bear responsibility for actions committed in the past by other members of the same race or sex.
- A person should not be instructed that he or she must feel guilt, anguish, or other forms of psychological distress for actions, in which he or she played no part, committed in the past by other members of the same race or sex.

The Legislature specified that instructional personnel may facilitate discussions and use curricula to address, in an age-appropriate manner, how the freedoms of persons have been infringed by sexism, slavery, racial oppression, racial segregation, and racial discrimination. However, classroom instruction and curriculum may not be used to indoctrinate or persuade students to a particular point of view inconsistent with the above principles.⁶

To enable students to better understand and appreciate the principles of individual freedom, the State Board of Education (SBE) is required to develop a “Stories of Inspiration” curriculum to inspire future

¹ Section 1003.42, F.S.

² Section 1003.42(2), F.S.

³ Rule 6A-1.094124, F.A.C.

⁴ *Id.*

⁵ Section 1003.42(3), F.S.

⁶ Section 1003.42(3), F.S. (flush left provisions at the end of the subsection).

generations through motivating stories of American history that demonstrate important life skills and the principles of individual freedom that enabled persons to prosper even in the most difficult circumstances.⁷

Social Studies Educational Standards

In 2023, the SBE adopted Florida’s State Academic Standards for Social Studies.⁸ These current standards incorporate lessons on Communism, including a grade 7 standard requiring students to analyze the advantages of capitalism and the free market in the United States over government-controlled economic systems.

For grades K-6, the DOE has not promulgated standards for the history of Communism. But for grades 7 and 9-12, there are numerous American History standards that include the history of Communism, including, but not limited to:⁹

- identify the factors that led to the decline and fall of Communism in the Soviet Union and Eastern Europe;
- compare the philosophies of Capitalism, Socialism, and Communism as described by Adam Smith, Robert Owen, and Karl Marx;
- Analyze the advantages of Capitalism and the free market in the United States over government-controlled economic systems (e.g., Socialism and Communism) in regard to economic freedom and raising the standard of living for citizens.

Victims of Communism Day

On May 9, 2022, Governor Ron DeSantis signed into law HB 395, creating Victims of Communism Day to annually be observed in public schools on November 7.¹⁰ The law also required, beginning with the 2022-2023 school year, high school students enrolled in the required United States Government class, to receive at least 45 minutes of instruction on “Victims of Communism Day” to include topics such as Mao Zedong and the Cultural Revolution, Joseph Stalin and the Soviet System, Fidel Castro and the Cuban Revolution, Vladimir Lenin and the Russian Revolution, Pol Pot and the Khmer Rouge, and Nicolás Maduro and the Chavismo movement, and how victims suffered under these regimes through poverty, starvation, migration, systemic lethal violence, and suppression of speech.¹¹

Effect of Proposed Changes

The bill requires, beginning in the 2026-2027 school year, that the History of Communism be included in required instruction to public school students in grades K-12. The bill requires such required instruction to be age- and developmentally-appropriate and include:

- The history of Communism in the United States and domestic Communist movements, including their histories and tactics.
- Atrocities committed in foreign countries under the guidance of Communism.
- The philosophy and lineages of Communist thought, including cultural Marxism.

⁷ Section 1003.42(4), F.S.

⁸ See Florida’s State Academic Standards, *Social Studies* (2023), available at <https://www.fl DOE.org/core/fileparse.php/20653/urlt/6-4.pdf>.

⁹ CPALMS, Standards, Social Studies, *American History*, <https://www.cpalms.org/PreviewIdea/Preview/3667> (last visited Jan 25, 2024). See SS.7.CG.3.15, SS.9.12.CG.3.1, SS.9.12.CG.4, SS.9.12.W.6.3, and SS.9.12.W.8.5 CPALMS is the State of Florida’s official source for standards information and course descriptions. It provides access to thousands of standards-aligned, free, and high-quality instructional/educational resources that have been developed specifically for the standards and vetted through a rigorous review process.

¹⁰ Ch. 2022-98, Laws of Fla., *codified at* s. 683.334, F.S.

¹¹ Section 683.334 (3)(a), F.S.

- The increasing threat of Communism in the 20th century to the United States and our allies, including the events of the Cultural Revolution in the People’s Republic of China and other mass killings from Communist regimes.
- The economic, industrial, and political events that preceded and anticipated Communist revolutions.
- The Communist policies of Cuba and spread of Communist ideologies throughout Latin America, including the roots of the Communist Party of Cuba and guerilla forces throughout Latin America.

The bill requires each school district to annually certify and provide evidence to the DOE that required instruction has been met.

Further, the bill creates the Communism Education Task Force (task force) adjunct to the DOE. The task force is established to create a curriculum and academic standards for required instruction in the History of Communism and provide recommendations and instructional materials for such instruction. The task force must also recommend partnerships with other organizations for such instruction.

The task force members are to be appointed by the Governor, by August 1, 2024, and report its findings to the Governor, Legislature, and the DOE no later than July 1, 2025. The task force must also make recommendations to the Legislature regarding the creation of a Florida Museum of Communist History.

The bill requires the DOE to prepare and offer standards and curriculum for the instruction of Communism based upon the recommendations of the task force.

B. SECTION DIRECTORY:

- Section 1:** Amends s. 1003.42, F.S., beginning in a specified school year, requiring students to receive instruction on the history of Communism; providing requirements for each instruction; requiring school districts to annually certify and provide evidence to the DOE that certain requirements are met; requiring the DOE to prepare and offer standards and curriculum for such instruction; providing requirements for the standards and curriculum;
- Section 2:** Creates the Communism Education Task force adjunct to the DOE; providing the purpose of task force; providing for membership of the task force; providing duties of the task force; requiring the task force to submit a report to the Governor, Legislature, and department by a specified date; providing for the future expiration of the task force.
- Section 3:** Provides an effective date.

II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT

A. FISCAL IMPACT ON STATE GOVERNMENT:

1. Revenues:
None.
2. Expenditures:
See Fiscal Comments.

B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

1. Revenues:
None.

2. Expenditures:

None.

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

None.

D. FISCAL COMMENTS:

The DOE may incur costs associated with supporting the Communism Education Task Force and preparing curriculum and academic standards for the required History of Communism instruction. The workload associated with can be absorbed within existing DOE resources.

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:

None.

IV. AMENDMENTS/COMMITTEE SUBSTITUTE CHANGES

None.

26 (2) Members of the instructional staff of the public
27 schools, subject to the rules of the State Board of Education
28 and the district school board, shall teach efficiently and
29 faithfully, using the books and materials required that meet the
30 highest standards for professionalism and historical accuracy,
31 following the prescribed courses of study, and employing
32 approved methods of instruction, the following:

33 (v)1. Beginning in the 2026-2027 school year, the History
34 of Communism. Such instruction must be age appropriate and
35 developmentally appropriate and include:

36 a. The history of Communism in the United States and
37 domestic Communist movements, including their histories and
38 tactics.

39 b. Atrocities committed in foreign countries under the
40 guidance of Communism.

41 c. The philosophy and lineages of Communist thought,
42 including cultural Marxism.

43 d. The increasing threat of Communism in the United States
44 and our allies through the 20th Century, including the events of
45 the Cultural Revolution in the People's Republic of China and
46 other mass killings from Communist regimes.

47 e. The economic, industrial, and political events that
48 have preceded and anticipated Communist revolutions.

49 f. The Communist policies of Cuba and the spread of
50 Communist ideologies throughout Latin America, including the

51 roots of the Communist Party of Cuba and guerilla forces
52 throughout Latin America.

53 2. Each school district must annually certify and provide
54 evidence to the department, in a manner prescribed by the
55 department, that the requirements of this paragraph are met.

56 3. The department shall prepare and offer standards and
57 curriculum for the instruction required by this paragraph, based
58 upon the curriculum and standards recommended from the Communism
59 Education Task Force.

60
61 The State Board of Education is encouraged to adopt standards
62 and pursue assessment of the requirements of this subsection.
63 Instructional programming that incorporates the values of the
64 recipients of the Congressional Medal of Honor and that is
65 offered as part of a social studies, English Language Arts, or
66 other schoolwide character building and veteran awareness
67 initiative meets the requirements of paragraph (u).

68 Section 2. (1) The Communism Education Task Force, a task
69 force as defined in s. 20.03(5), Florida Statutes, is created
70 adjunct to the Department of Education to create a curriculum
71 and academic standards for required instruction in the history
72 of Communism under s. 1003.42(2)(v), Florida Statutes, and
73 provide recommendations and instructional materials for such
74 instruction. Except as otherwise provided in this section, the
75 task force shall operate in a manner consistent with s. 20.052,

76 Florida Statutes.

77 (2) The Governor shall appoint members to the task force
 78 by August 1, 2024. The Governor shall appoint a chair to the
 79 task force.

80 (3) The task force shall:

81 (a) Recommend to the department curriculum and academic
 82 standards for instruction in the history of Communism required
 83 under s. 1003.42(2)(v).

84 (b) Recommend instructional materials for instruction in
 85 the history of Communism required under s. 1003.42(2)(v).

86 (c) Recommend partnerships with other organizations for
 87 instruction in the history of Communism.

88 (d) Recommend if the Legislature should create a Florida
 89 Museum of Communist History.

90 (4) No later than July 1, 2025, the task force shall
 91 submit a report of its findings and recommendations to the
 92 Governor, the President of the Senate, the Speaker of the House
 93 of Representatives, and the Department of Education. Upon
 94 submission of the report, the task force shall expire.

95 Section 3. This act shall take effect July 1, 2024.

Amendment No. 1

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	<u> </u>	(Y/N)
ADOPTED AS AMENDED	<u> </u>	(Y/N)
ADOPTED W/O OBJECTION	<u> </u>	(Y/N)
FAILED TO ADOPT	<u> </u>	(Y/N)
WITHDRAWN	<u> </u>	(Y/N)
OTHER	<u> </u>	

1 Committee/Subcommittee hearing bill: PreK-12 Appropriations
2 Subcommittee

3 Representative Brannan offered the following:

4

5 **Amendment**

6 Remove lines 41-42 and insert:

7 c. The philosophy and lineages of Communist thought.

HOUSE OF REPRESENTATIVES STAFF ANALYSIS

BILL #: HB 1353 Early Learning
SPONSOR(S): Snyder and others
TIED BILLS: None. **IDEN./SIM. BILLS:** CS/SB 1026

REFERENCE	ACTION	ANALYST	STAFF DIRECTOR or BUDGET/POLICY CHIEF
1) Choice & Innovation Subcommittee	15 Y, 0 N	Blalock	Sleap
2) PreK-12 Appropriations Subcommittee		Bailey	Potvin
3) Education & Employment Committee			

SUMMARY ANALYSIS

The bill provides programmatic and administrative changes to support the Voluntary Prekindergarten (VPK) and School Readiness (SR) programs as well as providing additional literacy support to identified VPK students the summer prior to entering kindergarten.

The bill allows a credentialed VPK instructor to be a lead instructor in the summer VPK program if the instructor has completed the early learning micro-credential program or has received an instructional support score of 3 or higher.

The bill prohibits a VPK provider from using the coordinated screening and progress monitoring program, or other progress monitoring programs, or an instructional program which requires the use of a one-to-one electronic device for direct instruction in the VPK curriculum.

The bill extends the date by which the Department of Education must adopt VPK performance metrics from Fiscal Year 2023-2024 to Fiscal Year 2024-2025.

The bill allows for an alternate calculation to be used to measure the quality of teacher-child interactions in a VPK classroom. The bill also requires a VPK provider or school that does not maintain the minimum performance metric or designation to notify each student's parent.

The bill increases the amount of funding that an early learning coalition (ELC) may retain and expend for administering the VPK program from 4.0 percent to 5.0 percent. The bill also modifies the allowable uses of SR funding by ELCs to SR providers and staff, to include providing professional development through the Teacher Education and Compensation Helps (TEACH) scholarship program, training aligned to early learning professional standards, reimbursement for background screening, and training on curriculum.

The bill revises the early learning standards domains to replace "self-regulation" with "executive functioning."

The bill allows ELCs to add law enforcement representation to coalition boards.

Finally, the bill creates a summer bridge program for VPK students with identified early literacy deficiencies prior to entering kindergarten.

The bill has a fiscal impact to the state. See Fiscal Comments.

The bill takes effect on July 1, 2024.

FULL ANALYSIS

I. SUBSTANTIVE ANALYSIS

A. EFFECT OF PROPOSED CHANGES:

Present Situation

Florida's Voluntary Prekindergarten Program

The Voluntary Prekindergarten (VPK) program prepares children for success in school and in life.¹ Implemented in 2005, VPK is a free, high-quality, education program available to all 4-year-old children residing in the state.² A child remains eligible until the child is admitted to kindergarten, or unless he or she will have attained the age of 6 years by February 1 of any school year.³ Parents of 4-year-olds with birthdays from February 2 through September 1 may wait to enroll their child the following year when they are 5.⁴

The Division of Early Learning in the Department of Education (DOE) administers the VPK program at the state level. Data collected by the DOE shows that children who participate in VPK are better prepared to enter kindergarten ready to learn. Parents can select from one of several VPK program options available from private and public providers. Providers have flexibility to structure daily hours per week to meet the required number of instructional hours: the School-Year Program is 540 instructional hours; the Summer Program is 300 instructional hours.⁵

VPK Specialized Instructional Services is a program option available for VPK-age children with current individual educational plans (IEPs). This option allows parents of a VPK-age child to choose additional therapy services consistent with the child's IEP in lieu of attending VPK in a traditional classroom setting.⁶

In fiscal year 2022-2023, there were 158,408 children enrolled with 6,237 providers in Florida's VPK Program, with 97 percent of children enrolled in a school year program and 3 percent enrolled in a summer program.⁷

Summer VPK Instructor Requirements

Since the inception of the VPK program, parents have had the option of choosing to enroll his or her child in either a school year or a summer VPK program. Since the 2016-17 VPK program year, the summer program has seen declining enrollment. The summer program served over 5,000 students in the 2016-17 program year but has declined, that was accelerated by the impact of the national health crisis (COVID-19) that began in 2020, and has yet to recover. For the 2022-2023 summer program, less than 2,500 children were enrolled.⁸

For the summer VPK program, each VPK provider must have, for each VPK class, at least one instructor who is a certified teacher or holds a specified bachelor's or higher degree in an early

¹ Florida Department of Education (DOE), *Division of Early Learning, Annual Report 2022-2023* (2023), at 13, available at <https://www.fldoe.org/core/fileparse.php/20628/urlt/2223-DEL-AnnualReport.pdf>.

² Art. IX, s. 1, Fla. Const.

³ Section 1002.53(2), F.S.

⁴ Florida Department of Education (DOE), *Division of Early Learning, Annual Report 2022-2023* (2023), at 13, available at <https://www.fldoe.org/core/fileparse.php/20628/urlt/2223-DEL-AnnualReport.pdf>.

⁵ *Id.*

⁶ *Id.*

⁷ *Id.* at 14.

⁸ Office of Economic and Demographic Research (EDR), *Early Learning Programs Estimating Conference, Voluntary Prekindergarten Education Program*, <http://edr.state.fl.us/Content/conferences/vpk/index.cfm> (last visited Jan. 27, 2024).

education-related field.⁹ For the VPK program, the term “certified teacher” means a teacher holding a valid Florida educator certificate who has the qualifications required by the district school board to instruct students in the summer VPK program.¹⁰

VPK Performance Standards

The DOE is required to develop and adopt performance standards for students in the VPK Program.¹¹ The performance standards must address the age-appropriate progress of students in the development of required capabilities, capacities, and skills;¹² emergent literacy skills grounded in the science of reading, including oral communication, knowledge of print and letters, phonemic and phonological awareness, vocabulary and comprehension development, and foundational background knowledge designed to correlate with the content that students will encounter in grades K-12; and mathematical thinking and early math skills. The DOE is required to review standards at least every three years.¹³

Each VPK provider is allowed to select or design the curriculum that the provider or school uses to implement the program, except for a provider that fails to meet the minimum performance metric included in the state’s accountability measures.¹⁴ Each VPK provider’s curriculum must be:

- Developmentally appropriate.
- Designed to prepare a student for early literacy and provide for instruction in early math skills.
- Develop students’ background knowledge through a content-rich and sequential knowledge building early literacy curriculum.
- Enhance the age-appropriate progress of students in attaining the performance standards adopted by the DOE.
- Support student learning gains through differentiated instruction that is measured by the coordinated screening and progress monitoring (CSPM) program.¹⁵

The DOE is required to adopt procedures for the review and approval of curricula for use by the VPK providers that fail to meet performance standards.¹⁶

VPK Program Accountability

VPK program accountability is in a transition period from historical VPK provider kindergarten readiness rates of which the last rates were released for the 2020-2021 program year. Beginning with the 2023-2024 program year, the DOE must adopt a methodology for calculating a VPK provider performance metric using child learning gains and outcomes based on the CSPM and provider program assessment composite scores that measure teacher-child interactions. The new calculation and designations for VPK Accountability will be applied at the end of the 2024-25 program year.¹⁷

Each VPK provider participating in the program is required to participate in the CSPM program.¹⁸ The CSPM program results shall be used by the DOE to identify student learning gains, index development learning outcomes upon program completion, and inform a private prekindergarten provider’s and public school’s performance metric.¹⁹ The DOE is required to adopt minimum requirements for those

⁹ Sections 1002.55(4)(a)-(b) and 1002.61(4), F.S.

¹⁰ Section 1002.61(4), F.S.

¹¹ Section 1002.67, F.S.

¹² Art. IX, s. (1)(b), Fla. Const.

¹³ Section 1002.67(1), F.S.

¹⁴ Section 1002.67(2)(a), F.S.

¹⁵ Section 1002.67(2)(b), F.S.

¹⁶ Section 1002.67(2)(c), F.S.

¹⁷ DOE, Division of Early Learning (DEL), *Division of Early Learning, Annual Report 2021-2022* (2022), at 19-20, available at <https://www.fldoe.org/core/fileparse.php/20628/urlt/2122-DEL-AnnualReport.pdf>.

¹⁸ Section 1002.68(1), F.S.

¹⁹ Section 1002.68(1)(a), F.S.

administering the initial and final CSPM.²⁰ The VPK providers are required to provide a student's performance results to the student's parents within 7 days after the administration of the CSPM.²¹

Each VPK provider is also required to participate in a program assessment of each VPK classroom. The program assessment measures the quality of teacher-child interactions, including emotional support, classroom organization, and instructional support for children ages 3 to 5 years. The DOE is required to report the results of the program assessment for each classroom within 14 days after the observation. The early learning coalitions (ELCs) are responsible for the administration of the program assessments.²²

Beginning with the 2023-2024 program year,²³ the DOE is required to adopt a methodology for calculating each VPK provider's performance metric, which must be based on a combination of the following:

- Program assessment composite scores which must be weighted at no less than 50 percent.
- Learning gains from the initial and final administration of the CSPM.
- Norm-referenced developmental learning outcomes from the CSPM.²⁴

The program assessment composite score and performance metric are required to be calculated for each VPK provider site.²⁵ The scores of the performance metric are required to produce profiles which include the following designations: "unsatisfactory," "emerging proficiency," "proficient," "highly proficient," and "excellent" or comparable terminology. They may not include letter grades.²⁶

The DOE is required to annually calculate each VPK provider's performance metric.²⁷ Beginning with the 2024-2025 program year,²⁸ each VPK provider will be assigned a designation within 45 days after the conclusion of the school-year program or the summer program.²⁹ A VPK provider's designated "proficient," "highly proficient," or "excellent" demonstrates the provider's satisfactory delivery of the VPK program.³⁰ The designations are required to be displayed in the early learning provider performance profiles.³¹

If a VPK provider's performance metric or designation falls below the minimum performance metric or designation, the ELC is required to place the provider on probation. Each VPK provider placed on probation is required to submit to the ELC for approval an improvement plan that includes implementation of an approved curriculum and an approved staff development plan. A provider placed on probation remains in that status until the provider has earned a satisfactory performance metric or designation.³²

A VPK provider that remains on probation for two consecutive years and subsequently fails to meet the minimum performance metric or designation is subject to removal from eligibility to deliver the VPK program and receive state funds for the program for a period of at least two years but no more than five

²⁰ Section 1002.68(1)(b), F.S.

²¹ Section 1002.68(1)(c), F.S.

²² Section 1002.68(2), F.S.

²³ The program year was changed by s. 5, ch. 2023-240, Laws of Fla. and will revert to the 2022-2023 program year on June 30, 2023, unless acted upon by the Legislature.

²⁴ *Id.*

²⁵ Section 1002.68(4)(c), F.S.

²⁶ Section 1002.68(4)(d), F.S.

²⁷ Section 1002.68(4)(f), F.S.

²⁸ The program year was changed by s. 5, ch. 2023-240, Laws of Fla. and will revert to the 2023-2024 program year on June 30, 2023, unless acted upon by the Legislature.

²⁹ Section 1002.68(4)(f), F.S.

³⁰ Section 1002.68(4)(g), F.S.

³¹ Section 1002.68(4)(h), F.S.

³² Section 1002.68(5), F.S.

years.³³ A VPK provider may request and receive a good cause exemption in order to remain eligible for the VPK program based on certain criteria including health and safety standards. Exemptions are valid for one year but may be renewed.³⁴

Administrative Funding for the VPK Program

Administrative expenditures for the VPK program must be kept to the minimum necessary for efficient and effective administration of the program. Policies and procedures, to the maximum extent practicable, are required to incorporate the use of automation and electronic submission of forms, including those required for child eligibility and enrollment, provider and class registration, and monthly certification of attendance for payment. Florida's 30 ELCs are allowed to retain and expend no more than 4 percent of the funds paid by the ELC to the VPK providers for the VPK program. The funds retained by an ELC can only be used for administering the VPK program and cannot be used for the school readiness (SR) program or other programs.³⁵

In 2022-2023, Florida's 30 ELCs administered the VPK program to 158,408 children enrolled in 6,237 private and public VPK providers.³⁶ For the same year, direct expenditures totaled \$396,563,661 and ELCs collectively withheld \$13,907,380 in total administrative expenditures, or 3.51 percent of expenditures. The ELC of Northwest Florida withheld the lowest percentage at 2.3 percent while the ELC of Marion County withheld the highest percentage at 4.51 percent.³⁷ All but seven ELCs withheld less than the four percent allowed in statute.

At the inception of the VPK program, ELCs were allowed to retain 5 percent in administrative expenses for the 2005-2006 program year.³⁸ In 2009 the percentage was dropped to 4.85 percent effective for the 2008-2009 program year.³⁹ For the 2020-2011 program year the percentage was reduced again to 4.5 percent.⁴⁰ Finally, in 2011 the percentage was further reduced to 4 percent for the 2011-2012 program year where it has remained until present.⁴¹

Florida Early Learning and Developmental Standards

The DOE is required to monitor the alignment and consistency of the standards and benchmarks developed and adopted that address the age-appropriate progress of children in the development of the skills needed to be successful in school. The standards for children from birth to kindergarten entry in the SR program are required to be aligned with the performance standards adopted for children in the VPK program.⁴² Statute requires the standards to address the following domains:⁴³

- Approaches to learning.
- Cognitive development and general knowledge.
- Numeracy, language, and communication.
- Physical development.
- Self-regulation.

³³ Section 1002.68(5)(c), F.S.

³⁴ Section 1002.68(6), F.S.

³⁵ Section 1002.71(7), F.S.

³⁶ DOE, Division of Early Learning (DEL), *Division of Early Learning, Annual Report 2022-2023* (2023), at 14, available at <https://www.fldoe.org/core/fileparse.php/20628/urlt/2223-DEL-AnnualReport.pdf>.

³⁷ *Id.* at 26.

³⁸ Section 1002.71(7), F.S. (2005)

³⁹ Section 7, ch. 2009-3, Laws of Fla.

⁴⁰ Section 10, ch. 2010-154, Laws of Fla.

⁴¹ Section 13, ch. 2011-55, Laws of Fla.

⁴² Section 1002.82(2)(j), F.S.

⁴³ *Id.*

Early Learning Coalition Governance

Florida statute authorizes 30 or fewer ELCs which are established to maintain direct services for VPK and SR programs at the local level and provide services in all 67 counties.⁴⁴ Each ELC must have at least 15 members but not more than 30 members. The Governor appoints the chair and two other members of each ELC, who must each meet certain qualifications.⁴⁵

Each ELC must include the following member positions:

- Department of Children and Families (DCF) regional administrator.
- District superintendent of schools.
- Local workforce development board executive director.
- County health department director.
- Children's services council or juvenile welfare board chair or executive director from each county, if applicable.
- DCF child care regulation representative or an agency head of a local licensing agency.
- President of a Florida College System institution.
- One member appointed by a board of county commissioners or the governing board of a municipality.
- Head Start director.
- Representative of private for-profit child care providers, including private for-profit family day care homes.
- Representative of a faith-based child care provider.
- Representative of a program for children with disabilities.⁴⁶

An ELC may appoint additional members who must be private sector business members, either for-profit or nonprofit with certain criteria.⁴⁷

School Readiness Program Funding

Florida's SR program offers low-income families financial assistance to facilitate access to high-quality child care and early education for their children while parents work or participate in job training. The DOE administers the program at the state level while ELCs administer the SR program at the county and regional levels. In Fiscal Year 2022-2023, there were 209,986 children enrolled with 6,790 eligible providers in Florida's SR program.⁴⁸

Funding comes from four sources; the Child Care and Development Block Grant, the Temporary Assistance for Needy Families Block Grant, the Social Services Block Grant, and the State of Florida. The program's two main goals are to help families become financially self-sufficient and help each child from a qualifying family develop school readiness skills.⁴⁹

Costs for the SR program must be kept to the minimum necessary for the efficient and effective administration of the program, with the highest priority of expenditure being direct services for eligible children. No more than 5 percent of the funds allocated in the General Appropriations Act may be used for administrative costs and no more than 22 percent of the funds allocated may be used in any fiscal year for any combination of administrative costs, quality activities, and nondirect services.⁵⁰

⁴⁴ Section 1002.83(1), F.S.

⁴⁵ Section 1002.83(2)-(3), F.S.

⁴⁶ Section 1002.83(4), F.S.

⁴⁷ Section 1002.83(6), F.S.

⁴⁸ DOE, Division of Early Learning (DEL), *Division of Early Learning, Annual Report 2023-2023* (2023), at 4, available at <https://www.fldoe.org/core/fileparse.php/20628/urlt/2223-DEL-AnnualReport.pdf>.

⁴⁹ *Id.*

⁵⁰ Section 1002.89(4), F.S.

Non-direct services include:⁵¹

- Administrative costs, including monitoring providers to improve compliance with state and federal regulations and law pursuant to the requirements of the statewide provider contract.⁵²
- Activities to improve the quality of child care, limited to:⁵³
 1. Developing, establishing, expanding, operating, and coordinating resource and referral programs.
 2. Awarding grants and providing financial support to SR program providers and their staff to assist them in meeting applicable state requirements for the program assessment, child care performance standards, implementing developmentally appropriate curricula and related classroom resources that support curricula, providing literacy supports, and providing continued professional development and training.
 3. Providing training, technical assistance, and financial support to SR program providers, staff, and parents on standards, child screenings, child assessments, child development research and best practices, developmentally appropriate curricula, character development, teacher-child interactions, age-appropriate discipline practices, health and safety, nutrition, first aid, cardiopulmonary resuscitation, the recognition of communicable diseases, and child abuse detection, prevention, and reporting.
 4. Providing adequate funding for infants and toddlers as necessary to meet federal requirements related to expenditures for quality activities for infant and toddler care.
 5. Improving the monitoring of compliance with, and enforcement of, applicable state and local requirements.
 6. Responding to Warm-Line requests by providers and parents, including providing developmental and health screenings to SR program children.
- Other services required to administer the SR program include:
 1. Assisting families to complete the required application and eligibility documentation.
 2. Determining child and family eligibility.
 3. Recruiting eligible child care providers.
 4. Processing and tracking attendance records.
 5. Developing and maintaining a statewide child care information system.⁵⁴

Instructional Support for Early Literacy

Each school district must implement a system of comprehensive reading instruction for students enrolled in prekindergarten through grade 12 and certain students who exhibit a substantial deficiency in early literacy.⁵⁵ As part of this system, the district must develop, and submit to the district school board for approval, a detailed reading instruction plan that outlines the components of the district's comprehensive system of reading instruction.⁵⁶ The plan must also include the planned school year expenditures for each component,⁵⁷ which may include:

- Additional time per day of evidence-based intensive reading instruction for kindergarten through grade 12 students.
- Highly qualified reading coaches, who are endorsed in reading, to support classroom teachers.
- Professional development to assist with earning a certification, a credential, an endorsement, or an advanced degree in scientifically-researched and evidence-based reading instruction.
- Summer reading camps.

⁵¹ Section 1002.89(4)(a)-(b), F.S.

⁵² Section 1002.89(4)(a), F.S.; Administrative costs are described in 45 C.F.R. s. 98.54.

⁵³ Section 1002.89(4)(b), F.S. Activities to improve the quality of child care are described in 45 C.F.R. s. 98.53.

⁵⁴ Section 1002.89(4)(c), F.S.

⁵⁵ Section 1003.4201, F.S.

⁵⁶ Section 1003.4201(1), F.S.

⁵⁷ Section 1003.4201(2)(b)

- Incentives for instructional personnel and certified prekindergarten teachers who possess a reading certification or endorsement or micro-credential and provide educational support to improve student literacy.
- Tutoring in reading.⁵⁸

A VPK program student who exhibits a substantial deficiency in early literacy skills based upon the results of the administration of the final CSPM must be referred to the local school district and may be eligible to receive instruction in early literacy skills before participating in kindergarten. A prekindergarten student with an IEP who has been retained and has demonstrated a substantial deficiency in early literacy skills is required to receive instruction in early literacy skills.⁵⁹

Effect of Proposed Changes

Summer VPK Instructor Requirements

The bill authorizes additional credentialed instructors to be the lead VPK instructor in a summer program. In order to be the lead instructor, the individual must have completed a child development associate credential issued by the National Credentialing Program of the Council for Professional Recognition or a credential approved by the DCF as being equivalent to or greater than that issued by the National program. Additionally, the individual must have completed the early literacy micro-credential program or have an instructional support score of three or higher on the required program assessment under the VPK or SR programs. This modification may increase the number of available candidates that can be the lead instructor in summer VPK classrooms.

VPK Performance Standards

The bill prohibits a VPK provider from using curriculum for the CSPM program, another progress monitoring program, or an instructional program that requires student use of a one-to-one electronic device for direct student instruction. The prohibition is intended to limit the use of electronic devices in VPK classrooms.

VPK Program Accountability

The bill codifies in permanent law the 2024-2025 program year that the DOE is required to adopt a methodology for calculation of the performance metric; this aligns with the same year the DOE is required to issue the performance metric.⁶⁰ The bill allows for an alternate calculation of the program assessment composite score based on the methodology adopted by the DOE, which is one factor required in the calculation of the performance metric, from the program assessment composite score that is issued to measure the quality of teacher-child interactions in VPK classrooms.

The bill adds a requirement to the duties of an ELC related to a VPK provider being placed on probation. Beginning with the 2024-2025 VPK program year, a VPK provider must notify each enrolled student's parent of the probationary status.

The bill modifies the health and safety standards under which a VPK provider cannot be granted a good cause exemption based on failing to meet the minimum performance metric score or designation for three consecutive years. The bill changes the standard from two or more Class II violations within the past two years to three or more of the same Class II violations.

⁵⁸ Section 1003.4201(2)(a), F.S.

⁵⁹ Section 1008.25(5)(b), F.S.

⁶⁰ The program year was changed by s. 5, ch. 2023-240, Laws of Fla. and will revert to the 2022-2023 program year on June 30, 2023, unless acted upon by the Legislature.

Administrative Funding for the VPK Program

The bill increases from 4 percent to 5 percent the amount of funds paid to VPK providers that each ELC may retain and expend. This represents a 25 percent increase in allowable administrative costs for the VPK program.

Florida Early Learning and Developmental Standards

The bill revises the “self-regulation” domain in the early learning standards (birth to kindergarten) to “executive functioning.”⁶¹

Early Learning Coalition Governance

The bill allows each ELC to appoint an additional public sector board member in order to include a representative of local law enforcement.

SR Program Funding

The bill revises the allowable activities to improve the quality of child care that each ELC can use SR program funds to support. Under the activity of awarding grants and providing financial support to SR program providers and their staff, the bill authorizes grants and financial support for:

- Resources that support parent engagement.
- Professional development through the Teacher Education and Compensation Helps (TEACH) scholarship program and training aligned to the early learning professional development standards and career pathways.
- Reimbursement for background screenings.

Additionally, the bill allows each ELC to use SR program funds to provide training aligned to the early learning professional development standards and career pathways, and to provide technical assistance, and financial support to SR program providers, staff, and parents on the revised early learning standard of “executive functioning” and the developmentally appropriate curriculum used by an SR provider, which must meet the performance standards for the SR program. The bill removes activities associated with child development research and best practices and character development.

Instructional Support for Early Literacy

The bill creates a summer bridge program for VPK students who have attended at least 80 percent of the school year program and have a substantial deficiency in early literacy as identified by the DOE adopted VPK performance standards and have scored below the 20th percentile on the final administration of the CSPM. Students identified are eligible to receive early literacy instructional support services through a summer bridge program that meets requirements established by the DOE and consists of four hours of instruction per day for a minimum of 100 total hours. The program must be paid for with funds from the district’s evidence-based reading instruction allocation in accordance with the district’s comprehensive system of reading instruction.

B. SECTION DIRECTORY:

Section 1: Amends s. 1002.61, F.S.; revising requirements for prekindergarten instructors.

⁶¹ Executive function skills are the attention-regulation skills that make it possible to sustain attention, keep goals and information in mind, refrain from responding immediately, resist distraction, tolerate frustration, consider the consequences of different behaviors, reflect on past experiences, and plan for the future. Zelazo, P.D., Blair, C.B., and Willoughby, M.T. (2016). *Executive Function: Implications for Education* (NCER 2017-2000) Washington, DC: National Center for Education Research, Institute of Education Sciences, U.S. Department of Education, at 1, available at <https://ies.ed.gov/ncer/pubs/20172000/pdf/20172000.pdf>.

- Section 2:** Amends s. 1002.67, F.S.; prohibiting private prekindergarten provider and public school curricula from using a coordinated screening and progress monitoring program or other specified methods for direct student instruction.
- Section 3:** Amends s. 1002.68, F.S.; authorizing alternative methods for calculating program assessment composite scores; requiring prekindergarten providers and public schools to notify parents under certain circumstances; revising exceptions for a good cause exemption; making technical changes.
- Section 4:** Amends s. 1002.71, F.S.; authorizing alternative methods for calculating program assessment composite scores; requiring prekindergarten providers and public schools to notify parents under certain circumstances; revising exceptions for a good cause exemption; making technical changes.
- Section 5:** Amends s. 1002.82, F.S.; revising the performance standards adopted by the DOE for the VPK Program.
- Section 6:** Amends s. 1002.83, F.S.; authorizing an early learning coalition to appoint a certain additional board member.
- Section 7:** Amends s. 1002.89, F.S.; revising SR program expenditures that are subject to certain cost requirements.
- Section 8:** Amends s. 1008.25, F.S.; providing that certain VPK Program students are eligible to receive instructional support in early literacy skills through a specified program; providing specifications for the program; providing for funding for the program.
- Section 9:** Provides an effective date.

II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT

A. FISCAL IMPACT ON STATE GOVERNMENT:

1. Revenues:

None.

2. Expenditures:

See Fiscal Comments.

B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

1. Revenues:

None.

2. Expenditures:

None.

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

None.

D. FISCAL COMMENTS:

The following provisions of the bill have a fiscal impact to state expenditures:

- Section 4 increases from 4 percent to 5 percent the amount each ELC may retain and expend on administrative expenditures. The DOE's Fiscal Year 2024-2025 Legislative Budget Request (LBR) included a request for \$4.3 million in recurring funds to pay for the increase to five percent which is not provided in the bill or HB 5001, the House proposed Fiscal Year 2024-2025 budget.
- Section 8 establishes the VPK summer bridge program. HB 5101, the PreK-12 Appropriations Fiscal Year 2024-2025 conforming bill, also establishes a VPK summer bridge program and HB 5001, the House's proposed Fiscal Year 2024-2025 budget, appropriates \$6.9 million in nonrecurring funds from the General Fund Program for the program. The VPK summer bridge program in this bill is different from the program established in HB 5101. The primary difference is the eligibility requirement; in HB 5101, eligibility includes VPK students who scored at or below the 10th percentile on the final administration of the CSPM and in this bill, eligibility includes VPK students who attended at least 80 percent of the school year program and who scored at or below the 20th percentile. It would be anticipated that the fiscal associated with the 20th percentile would be more than \$6.9 million.

III. COMMENTS

A. CONSTITUTIONAL ISSUES:

1. Applicability of Municipality/County Mandates Provision:

None.

2. Other:

None.

B. RULE-MAKING AUTHORITY:

The bill authorizes the DOE to adopt rules related to Voluntary Prekindergarten program accountability. Rules adopted under existing authority may also need to be amended to conform with the provisions of the bill.

C. DRAFTING ISSUES OR OTHER COMMENTS:

Section 8 of the bill requires that the summer bridge program created in the bill must be paid for with funds from the school district's evidence-based reading instruction allocation. That categorical under the Florida Education Finance Program was removed in HB 5101 (ch. 2023-245, Laws of Fla).

IV. AMENDMENTS/COMMITTEE SUBSTITUTE CHANGES

None.

1 A bill to be entitled
2 An act relating to early learning; amending s.
3 1002.61, F.S.; revising requirements for
4 prekindergarten instructors; amending s. 1002.67,
5 F.S.; prohibiting private prekindergarten provider and
6 public school curricula from using a coordinated
7 screening and progress monitoring program or other
8 specified methods for direct student instruction;
9 amending s. 1002.68, F.S.; authorizing alternative
10 methods for calculating program assessment composite
11 scores; requiring prekindergarten providers and public
12 schools to notify parents under certain circumstances;
13 revising exceptions for a good cause exemption; making
14 technical changes; amending s. 1002.71, F.S.; revising
15 the percentage of funds an early learning coalition
16 may retain and expend; amending s. 1002.82, F.S.;
17 revising the performance standards adopted by the
18 Department of Education relating to the Voluntary
19 Prekindergarten Education Program; amending s.
20 1002.83, F.S.; authorizing an early learning coalition
21 to appoint a certain additional board member; amending
22 s. 1002.89, F.S.; revising school readiness program
23 expenditures that are subject to certain cost
24 requirements; amending s. 1008.25, F.S.; providing
25 that certain Voluntary Prekindergarten Education

26 Program students are eligible to receive instructional
 27 support in early literacy skills through a specified
 28 program; providing specifications for the program;
 29 providing for funding for the program; providing an
 30 effective date.

31
 32 Be It Enacted by the Legislature of the State of Florida:

33
 34 Section 1. Subsection (4) of section 1002.61, Florida
 35 Statutes, is amended to read:

36 1002.61 Summer prekindergarten program delivered by public
 37 schools and private prekindergarten providers.—

38 (4) Notwithstanding ss. 1002.55(3)(c)1. and 1002.63(4),
 39 each public school and private prekindergarten provider must
 40 have, for each prekindergarten class, at least one
 41 prekindergarten instructor who is a certified teacher or holds
 42 one of the educational credentials specified in s. 1002.55(4)(a)
 43 or (b), or an educational credential specified in s.
 44 1002.55(3)(c)1. as long as the instructor has completed the
 45 early literacy micro-credential program under s. 1003.485 or has
 46 an instructional support score of 3 or higher on a program
 47 assessment conducted under s. 1002.68(2) or s. 1002.82(2)(n). As
 48 used in this subsection, the term "certified teacher" means a
 49 teacher holding a valid Florida educator certificate under s.
 50 1012.56 who has the qualifications required by the district

51 school board to instruct students in the summer prekindergarten
52 program. In selecting instructional staff for the summer
53 prekindergarten program, each school district shall give
54 priority to teachers who have experience or coursework in early
55 childhood education and have completed emergent literacy and
56 performance standards courses, as provided for in s.
57 1002.55(3)(c)2.

58 Section 2. Paragraph (b) of subsection (2) of section
59 1002.67, Florida Statutes, is amended to read:

60 1002.67 Performance standards and curricula.—
61 (2)

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

65 1. Be designed to prepare a student for early literacy and
66 provide for instruction in early math skills;

67 2. Develop students' background knowledge through a
68 content-rich and sequential knowledge building early literacy
69 curriculum;

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

73 4. Support student learning gains through differentiated
74 instruction that must ~~shall~~ be measured by the coordinated
75 screening and progress monitoring program under s. 1008.25(9). A

76 private prekindergarten provider's or public school's curriculum
77 may not use the coordinated screening and progress monitoring
78 program, any other progress monitoring program, or an
79 instructional program that requires one student to one device
80 for direct student instruction.

81 Section 3. Paragraphs (a) and (c) of subsection (4),
82 paragraph (a) of subsection (5), and paragraph (d) of subsection
83 (6) of section 1002.68, Florida Statutes, are amended to read:

84 1002.68 Voluntary Prekindergarten Education Program
85 accountability.—

86 (4)(a) Beginning with the 2024-2025 ~~2023-2024~~ program
87 year, the department shall adopt a methodology for calculating
88 each private prekindergarten provider's and public school
89 provider's performance metric, which must be based on a
90 combination of the following:

91 1. Program assessment composite scores under subsection
92 (2), which may be calculated differently, based on the
93 methodology adopted by the department, than the program
94 assessment composite score required for contracting in paragraph
95 (5)(a), and which must be weighted at no less than 50 percent.

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

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

101 (c) The program assessment composite score in subsection
 102 (5) and performance metric must be calculated for each private
 103 prekindergarten or public school site.

104 (5)(a) Beginning with the 2024-2025 program year, if a
 105 private prekindergarten provider's or public school's
 106 performance metric or designation does not maintain ~~falls below~~
 107 the minimum performance metric or designation, the early
 108 learning coalition shall:

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

112 2. Place the provider or school on probation.

113 3. Require the provider or school to take certain
 114 corrective actions, including notifying the parent of each
 115 student enrolled in the Voluntary Prekindergarten Education
 116 Program based on rules adopted by the department and the use of
 117 a curriculum approved by the department under s. 1002.67(2)(c)
 118 and a staff development plan approved by the department to
 119 strengthen instructional practices in emotional support,
 120 classroom organization, instructional support, language
 121 development, phonological awareness, alphabet knowledge, and
 122 mathematical thinking.

123 (6)

124 (d) A good cause exemption may not be granted to any
 125 private prekindergarten provider or public school that has any

126 class I violations or three ~~two~~ or more of the same class II
127 violations, as defined by rule of the Department of Children and
128 Families, within the 2 years preceding the provider's or
129 school's request for the exemption.

130 Section 4. Subsection (7) of section 1002.71, Florida
131 Statutes, is amended to read:

132 1002.71 Funding; financial and attendance reporting.—

133 (7) The department shall require that administrative
134 expenditures be kept to the minimum necessary for efficient and
135 effective administration of the Voluntary Prekindergarten
136 Education Program. Administrative policies and procedures shall
137 be revised, to the maximum extent practicable, to incorporate
138 the use of automation and electronic submission of forms,
139 including those required for child eligibility and enrollment,
140 provider and class registration, and monthly certification of
141 attendance for payment. A school district may use its automated
142 daily attendance reporting system for the purpose of
143 transmitting attendance records to the early learning coalition
144 in a mutually agreed-upon format. In addition, actions shall be
145 taken to reduce paperwork, eliminate the duplication of reports,
146 and eliminate other duplicative activities. Each early learning
147 coalition may retain and expend no more than 5.0 ~~4.0~~ percent of
148 the funds paid by the coalition to private prekindergarten
149 providers and public schools under paragraph (5) (b). Funds
150 retained by an early learning coalition under this subsection

151 may be used only for administering the Voluntary Prekindergarten
152 Education Program and may not be used for the school readiness
153 program or other programs.

154 Section 5. Paragraph (j) of subsection (2) of section
155 1002.82, Florida Statutes, is amended to read:

156 1002.82 Department of Education; powers and duties.—

157 (2) The department shall:

158 (j) Monitor the alignment and consistency of the standards
159 and benchmarks developed and adopted by the department that
160 address the age-appropriate progress of children in the
161 development of school readiness skills. The standards for
162 children from birth to kindergarten entry in the school
163 readiness program must be aligned with the performance standards
164 adopted for children in the Voluntary Prekindergarten Education
165 Program and must address the following domains:

- 166 1. Approaches to learning.
- 167 2. Cognitive development and general knowledge.
- 168 3. Numeracy, language, and communication.
- 169 4. Physical development.
- 170 5. Executive functioning ~~Self-regulation~~.

171 Section 6. Present subsections (5) through (16) of section
172 1002.83, Florida Statutes, are redesignated as subsections (6)
173 through (17), respectively, a new subsection (5) is added to
174 that section, and subsection (3) of that section is amended, to
175 read:

176 1002.83 Early learning coalitions.—

177 (3) The Governor shall appoint the chair and two other
 178 members of each early learning coalition, who must each meet the
 179 qualifications of a private sector business member under
 180 subsection (7) ~~(6)~~. In the absence of a governor-appointed
 181 chair, the Commissioner of Education may appoint an interim
 182 chair from the current early learning coalition board
 183 membership.

184 (5) Each early learning coalition may choose to appoint an
 185 additional public sector board member in order to include a
 186 representative of local law enforcement.

187 Section 7. Subsection (4) of section 1002.89, Florida
 188 Statutes, is amended to read:

189 1002.89 School readiness program; funding.—

190 (4) COST REQUIREMENTS.—Costs shall be kept to the minimum
 191 necessary for the efficient and effective administration of the
 192 school readiness program with the highest priority of
 193 expenditure being direct services for eligible children.
 194 However, no more than 5 percent of the funds allocated in
 195 paragraph (1)(a) may be used for administrative costs and no
 196 more than 22 percent of the funds allocated in paragraph (1)(a)
 197 may be used in any fiscal year for any combination of
 198 administrative costs, quality activities, and nondirect services
 199 as follows:

200 (a) Administrative costs as described in 45 C.F.R. s.

201 98.54, which shall include monitoring providers using the
 202 standard methodology adopted under s. 1002.82 to improve
 203 compliance with state and federal regulations and law pursuant
 204 to the requirements of the statewide provider contract adopted
 205 under s. 1002.82(2)(m).

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

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

214 2. Awarding grants and providing financial support to
 215 school readiness program providers and their staff to assist
 216 them in meeting applicable state requirements for the program
 217 assessment required under s. 1002.82(2)(n), child care
 218 performance standards, implementing developmentally appropriate
 219 curricula and related classroom resources that support parent
 220 engagement ~~curricula~~, ~~providing~~ literacy supports, ~~and~~ providing
 221 continued professional development through the Teacher Education
 222 and Compensation Helps (TEACH) Scholarship Program under s.
 223 1002.95 and training aligned to the early learning professional
 224 development standards and career pathways under s. 1002.995, and
 225 reimbursement for background screenings and training. Any grants

HB 1353

2024

226 awarded pursuant to this subparagraph must ~~shall~~ comply with ss.
227 215.971 and 287.058.

228 3. Providing training aligned with the early learning
229 professional development standards and career pathways under s.
230 1002.995, technical assistance, and financial support to school
231 readiness program providers, staff, and parents on standards,
232 child screenings, child assessments, the ~~child development~~
233 ~~research and best practices~~, developmentally appropriate
234 curriculum under s. 1002.82(2)(1), executive functioning
235 ~~curricula~~, character development, teacher-child interactions,
236 age-appropriate discipline practices, health and safety,
237 nutrition, first aid, cardiopulmonary resuscitation, the
238 recognition of communicable diseases, and child abuse detection,
239 prevention, and reporting.

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

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

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

251 (c) Nondirect services as described in applicable Office
 252 of Management and Budget instructions are those services not
 253 defined as administrative, direct, or quality services that are
 254 required to administer the school readiness program. Such
 255 services include, but are not limited to:

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

263
 264 As used in this paragraph, the term "nondirect services" does
 265 not include payments to school readiness program providers for
 266 direct services provided to children who are eligible under s.
 267 1002.87, administrative costs as described in paragraph (a), or
 268 quality activities as described in paragraph (b).

269 Section 8. Paragraph (b) of subsection (5) of section
 270 1008.25, Florida Statutes, is amended to read:

271 1008.25 Public school student progression; student
 272 support; coordinated screening and progress monitoring;
 273 reporting requirements.—

274 (5) READING DEFICIENCY AND PARENTAL NOTIFICATION.—

275 (b) A Voluntary Prekindergarten Education Program student

HB 1353

2024

276 who has attended at least 80 percent of the school year program
277 and who exhibits a substantial deficiency in early literacy
278 skills as identified by the performance standards adopted under
279 s. 1002.67(1)(a) and scores below the 20th percentile on based
280 ~~upon the results of the administration of the final~~
281 administration of the coordinated screening and progress
282 monitoring under subsection (9) ~~is~~ shall be referred to the
283 ~~local school district and may be~~ eligible to receive early
284 literacy instructional support through a summer bridge program
285 ~~the summer instruction in early literacy skills~~ before
286 participating in kindergarten. The summer bridge program must
287 meet the requirements adopted by the department and consist of 4
288 hours of instruction per day for a minimum of 100 total hours.
289 Such early literacy skill instructional support must be paid for
290 with funds from the district's evidence-based reading
291 instruction allocation in accordance with s. 1003.4201 A student
292 ~~with an individual education plan who has been retained pursuant~~
293 ~~to paragraph (2)(g) and has demonstrated a substantial~~
294 ~~deficiency in early literacy skills must receive instruction in~~
295 ~~early literacy skills.~~

296 Section 9. This act shall take effect July 1, 2024.

Amendment No.1

COMMITTEE/SUBCOMMITTEE ACTION

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

1 Committee/Subcommittee hearing bill: PreK-12 Appropriations
2 Subcommittee
3 Representative Snyder offered the following:

Amendment (with title amendment)

Remove lines 130-153

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

Remove lines 14-16 and insert:
technical changes; amending s. 1002.82, F.S.

Amendment No. 2

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	<u> </u>	(Y/N)
ADOPTED AS AMENDED	<u> </u>	(Y/N)
ADOPTED W/O OBJECTION	<u> </u>	(Y/N)
FAILED TO ADOPT	<u> </u>	(Y/N)
WITHDRAWN	<u> </u>	(Y/N)
OTHER	<u> </u>	

1 Committee/Subcommittee hearing bill: PreK-12 Appropriations
 2 Subcommittee

3 Representative Snyder offered the following:

4
 5 **Amendment (with title amendment)**

6 Remove lines 269-295

7
 8
 9 -----

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

11 Remove lines 24-29 and insert:
 12 requirements; providing an