



Education & Employment Committee

February 21, 2024

8:00 AM

Morris Hall (17 HOB)

Meeting Packet

**Paul Renner
Speaker**

**Ralph Massullo
Chair**

Committee Meeting Notice

HOUSE OF REPRESENTATIVES

Education & Employment Committee

Start Date and Time: Wednesday, February 21, 2024 08:00 am

End Date and Time: Wednesday, February 21, 2024 01:00 pm

Location: Morris Hall (17 HOB)

Duration: 5.00 hrs

Consideration of the following bill(s):

CS/HB 1353 Early Learning by PreK-12 Appropriations Subcommittee, Snyder

Consideration of the following proposed committee substitute(s):

PCS for CS/CS/HB 929 -- School Readiness Program

PCS for CS/HB 1349 -- History and Instruction of Political and Socio-economic Systems

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 02/19/2024 4:19PM by Pearson.Misty

HOUSE OF REPRESENTATIVES STAFF ANALYSIS

BILL #: CS/HB 1353 Early Learning
SPONSOR(S): PreK-12 Appropriations Subcommittee, Snyder
TIED BILLS: None. **IDEN./SIM. BILLS:** CS/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	12 Y, 0 N, As CS	Bailey	Potvin
3) Education & Employment Committee		Blalock	Hassell

SUMMARY ANALYSIS

The bill provides programmatic and administrative changes to support the Voluntary Prekindergarten (VPK) and School Readiness (SR) programs.

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 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 that does not maintain the minimum performance metric or designation to notify the parent of each student enrolled in the VPK program of its probationary status.

The bill modifies the health and safety standards under which a VPK provider cannot be granted a good cause exemption from two or more Class II violations to three or more of the same Class II violations within the past 2 years.

The bill also modifies the allowable uses of SR funding by Early Learning Coalitions (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.”

Finally, the bill allows ELCs to add law enforcement representation to coalition boards.

The bill does not have a fiscal impact.

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 education-related field.⁹ For the VPK program, the term "certified teacher" means a teacher holding a

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).

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

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 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

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.

²⁰ Section 1002.68(1)(b), F.S.

²¹ Section 1002.68(1)(c), F.S.

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 2 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 2 years but no more than 5 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 1 year but may be renewed.³⁴

Florida Early Learning and Developmental Standards

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 July 1, 2024, 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 July 1, 2024, 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.

³³ Section 1002.68(5)(c), F.S.

³⁴ Section 1002.68(6), F.S.

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.³⁵ The standards must address the following domains:³⁶

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

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.³⁷ 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.³⁸

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.³⁹

An ELC may appoint additional members who must be private sector business members, either for-profit or nonprofit with certain criteria.⁴⁰

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.⁴¹

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.

³⁵ Section 1002.82(2)(j), F.S.

³⁶ *Id.*

³⁷ Section 1002.83(1), F.S.

³⁸ Section 1002.83(2)-(3), F.S.

³⁹ Section 1002.83(4), F.S.

⁴⁰ Section 1002.83(6), F.S.

⁴¹ 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>.

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.⁴²

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.⁴³

Non-direct services include:⁴⁴

- Administrative costs, including monitoring providers to improve compliance with state and federal regulations and law pursuant to the requirements of the statewide provider contract.⁴⁵
- Activities to improve the quality of child care, limited to:⁴⁶
 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.⁴⁷

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.⁴⁸ 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.⁴⁹ The plan must also include the planned school year expenditures for each component,⁵⁰ which may include:

⁴² *Id.*

⁴³ Section 1002.89(4), F.S.

⁴⁴ Section 1002.89(4)(a)-(b), F.S.

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

⁴⁶ 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.

⁴⁷ Section 1002.89(4)(c), F.S.

⁴⁸ Section 1003.4201, F.S.

⁴⁹ Section 1003.4201(1), F.S.

⁵⁰ Section 1003.4201(2)(b)

- 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.
- 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.⁵¹

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.⁵²

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 the CSPM program, another progress monitoring program, or an instructional program which requires student use of a one-to-one device for direct student instruction in the VPK curriculum.

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.⁵³ 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.

⁵¹ Section 1003.4201(2)(a), F.S.

⁵² Section 1008.25(5)(b), F.S.

⁵³ The program year was changed by s. 5, ch. 2023-240, Laws of Fla. and will revert to the 2022-2023 program year that was in existence on June 30, 2023, unless acted upon by the Legislature. See s. 6, ch. 2023-240, L.O.F.

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.

Florida Early Learning and Developmental Standards

The bill revises the “self-regulation” domain in the early learning standards (birth to kindergarten) to “executive functioning.”⁵⁴

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.

B. SECTION DIRECTORY:

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

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. 1002.82, F.S.; revising the performance standards adopted by the DOE for the VPK Program.

Section 5: Amends s. 1002.83, F.S.; authorizing an early learning coalition to appoint a certain additional board member.

⁵⁴ 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 6: Amends s. 1002.89, F.S.; revising SR program expenditures that are subject to certain cost requirements.

Section 7: 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:

None.

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 3 of the bill does not amend the version of s. 1002.68, F.S. which will revert effective July 1, 2024 pursuant to the provisions in s. 6, ch. 2023-240, L.O.F.

IV. AMENDMENTS/COMMITTEE SUBSTITUTE CHANGES

On February 13, 2024, the PreK-12 Appropriations Subcommittee adopted two amendments and reported the bill favorably as a committee substitute. The amendments:

- Delete changing from 4 percent to 5 percent the amount of the administration fee the ELCs are authorized to retain for the administration of the VPK program.
- Delete establishing the VPK summer bridge program for VPK students who attended at least 80 percent of the VPK program and scored in the 20th percentile on the final administration of the CSPM system.

The analysis is drafted to the committee substitute as approved by the PreK-12 Appropriations Subcommittee.

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. 1002.82, F.S.; revising
 15 the performance standards adopted by the Department of
 16 Education relating to the Voluntary Prekindergarten
 17 Education Program; amending s. 1002.83, F.S.;
 18 authorizing an early learning coalition to appoint a
 19 certain additional board member; amending s. 1002.89,
 20 F.S.; revising school readiness program expenditures
 21 that are subject to certain cost requirements;
 22 providing an effective date.

24 Be It Enacted by the Legislature of the State of Florida:
 25

26 Section 1. Subsection (4) of section 1002.61, Florida
 27 Statutes, is amended to read:

28 1002.61 Summer prekindergarten program delivered by public
 29 schools and private prekindergarten providers.—

30 (4) Notwithstanding ss. 1002.55(3)(c)1. and 1002.63(4),
 31 each public school and private prekindergarten provider must
 32 have, for each prekindergarten class, at least one
 33 prekindergarten instructor who is a certified teacher or holds
 34 one of the educational credentials specified in s. 1002.55(4)(a)
 35 or (b), or an educational credential specified in s.
 36 1002.55(3)(c)1. as long as the instructor has completed the
 37 early literacy micro-credential program under s. 1003.485 or has
 38 an instructional support score of 3 or higher on a program
 39 assessment conducted under s. 1002.68(2) or s. 1002.82(2)(n). As
 40 used in this subsection, the term "certified teacher" means a
 41 teacher holding a valid Florida educator certificate under s.
 42 1012.56 who has the qualifications required by the district
 43 school board to instruct students in the summer prekindergarten
 44 program. In selecting instructional staff for the summer
 45 prekindergarten program, each school district shall give
 46 priority to teachers who have experience or coursework in early
 47 childhood education and have completed emergent literacy and
 48 performance standards courses, as provided for in s.
 49 1002.55(3)(c)2.

50 Section 2. Paragraph (b) of subsection (2) of section

51 1002.67, Florida Statutes, is amended to read:

52 1002.67 Performance standards and curricula.—

53 (2)

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

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

59 2. Develop students' background knowledge through a
60 content-rich and sequential knowledge building early literacy
61 curriculum;

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

65 4. Support student learning gains through differentiated
66 instruction that must ~~shall~~ be measured by the coordinated
67 screening and progress monitoring program under s. 1008.25(9). A
68 private prekindergarten provider's or public school's curriculum
69 may not use the coordinated screening and progress monitoring
70 program, any other progress monitoring program, or an
71 instructional program that requires one student to one device
72 for direct student instruction.

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

76 1002.68 Voluntary Prekindergarten Education Program
 77 accountability.—

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

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

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

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

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

96 (5)(a) Beginning with the 2024-2025 program year, if a
 97 private prekindergarten provider's or public school's
 98 performance metric or designation does not maintain ~~falls below~~
 99 the minimum performance metric or designation, the early
 100 learning coalition shall:

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

104 2. Place the provider or school on probation.

105 3. Require the provider or school to take certain
 106 corrective actions, including notifying the parent of each
 107 student enrolled in the Voluntary Prekindergarten Education
 108 Program based on rules adopted by the department and the use of
 109 a curriculum approved by the department under s. 1002.67(2)(c)
 110 and a staff development plan approved by the department to
 111 strengthen instructional practices in emotional support,
 112 classroom organization, instructional support, language
 113 development, phonological awareness, alphabet knowledge, and
 114 mathematical thinking.

115 (6)

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

122 Section 4. Paragraph (j) of subsection (2) of section
 123 1002.82, Florida Statutes, is amended to read:

124 1002.82 Department of Education; powers and duties.—

125 (2) The department shall:

126 (j) Monitor the alignment and consistency of the standards
 127 and benchmarks developed and adopted by the department that
 128 address the age-appropriate progress of children in the
 129 development of school readiness skills. The standards for
 130 children from birth to kindergarten entry in the school
 131 readiness program must be aligned with the performance standards
 132 adopted for children in the Voluntary Prekindergarten Education
 133 Program and must address the following domains:

- 134 1. Approaches to learning.
- 135 2. Cognitive development and general knowledge.
- 136 3. Numeracy, language, and communication.
- 137 4. Physical development.
- 138 5. Executive functioning ~~Self-regulation~~.

139 Section 5. Present subsections (5) through (16) of section
 140 1002.83, Florida Statutes, are redesignated as subsections (6)
 141 through (17), respectively, a new subsection (5) is added to
 142 that section, and subsection (3) of that section is amended, to
 143 read:

144 1002.83 Early learning coalitions.—

145 (3) The Governor shall appoint the chair and two other
 146 members of each early learning coalition, who must each meet the
 147 qualifications of a private sector business member under
 148 subsection (7) ~~(6)~~. In the absence of a governor-appointed
 149 chair, the Commissioner of Education may appoint an interim
 150 chair from the current early learning coalition board

151 membership.

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

155 Section 6. Subsection (4) of section 1002.89, Florida
 156 Statutes, is amended to read:

157 1002.89 School readiness program; funding.—

158 (4) COST REQUIREMENTS.—Costs shall be kept to the minimum
 159 necessary for the efficient and effective administration of the
 160 school readiness program with the highest priority of
 161 expenditure being direct services for eligible children.

162 However, no more than 5 percent of the funds allocated in
 163 paragraph (1)(a) may be used for administrative costs and no
 164 more than 22 percent of the funds allocated in paragraph (1)(a)
 165 may be used in any fiscal year for any combination of
 166 administrative costs, quality activities, and nondirect services
 167 as follows:

168 (a) Administrative costs as described in 45 C.F.R. s.
 169 98.54, which shall include monitoring providers using the
 170 standard methodology adopted under s. 1002.82 to improve
 171 compliance with state and federal regulations and law pursuant
 172 to the requirements of the statewide provider contract adopted
 173 under s. 1002.82(2)(m).

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

176 following:

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

182 2. Awarding grants and providing financial support to
 183 school readiness program providers and their staff to assist
 184 them in meeting applicable state requirements for the program
 185 assessment required under s. 1002.82(2)(n), child care
 186 performance standards, implementing developmentally appropriate
 187 curricula and related classroom resources that support parent
 188 engagement curricula, ~~providing~~ literacy supports, ~~and~~ providing
 189 continued professional development through the Teacher Education
 190 and Compensation Helps (TEACH) Scholarship Program under s.
 191 1002.95 and training aligned to the early learning professional
 192 development standards and career pathways under s. 1002.995, and
 193 reimbursement for background screenings and training. Any grants
 194 awarded pursuant to this subparagraph must ~~shall~~ comply with ss.
 195 215.971 and 287.058.

196 3. Providing training aligned with the early learning
 197 professional development standards and career pathways under s.
 198 1002.995, technical assistance, and financial support to school
 199 readiness program providers, staff, and parents on standards,
 200 child screenings, child assessments, the ~~child development~~

201 ~~research and best practices,~~ developmentally appropriate
 202 curriculum under s. 1002.82(2)(1), executive functioning
 203 ~~curricula, character development,~~ teacher-child interactions,
 204 age-appropriate discipline practices, health and safety,
 205 nutrition, first aid, cardiopulmonary resuscitation, the
 206 recognition of communicable diseases, and child abuse detection,
 207 prevention, and reporting.

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

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

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

219 (c) Nondirect services as described in applicable Office
 220 of Management and Budget instructions are those services not
 221 defined as administrative, direct, or quality services that are
 222 required to administer the school readiness program. Such
 223 services include, but are not limited to:

224 1. Assisting families to complete the required application
 225 and eligibility documentation.

- 226 | 2. Determining child and family eligibility.
- 227 | 3. Recruiting eligible child care providers.
- 228 | 4. Processing and tracking attendance records.
- 229 | 5. Developing and maintaining a statewide child care
- 230 | information system.

231 |

232 | As used in this paragraph, the term "nondirect services" does

233 | not include payments to school readiness program providers for

234 | direct services provided to children who are eligible under s.

235 | 1002.87, administrative costs as described in paragraph (a), or

236 | quality activities as described in paragraph (b).

237 | Section 7. This act shall take effect July 1, 2024.

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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: Education & Employment
2 Committee

3 Representative Snyder offered the following:

4

5 **Amendment (with title amendment)**

6 Remove everything after the enacting clause and insert:

7 Section 1. Paragraph (a) of subsection (7) of section

8 402.305, Florida Statutes, is amended to read:

9 402.305 Licensing standards; child care facilities.-

10 (7) SANITATION AND SAFETY.-

11 (a) Minimum standards shall include requirements for
12 sanitary and safety conditions, first aid treatment, emergency
13 procedures, and pediatric cardiopulmonary resuscitation. The
14 minimum standards shall require that at least one staff person
15 trained in person in cardiopulmonary resuscitation, as evidenced

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16 by current documentation of course completion, must be present
17 at all times that children are present.

18 Section 2. Subsection (4) of section 1002.61, Florida
19 Statutes, is amended to read:

20 1002.61 Summer prekindergarten program delivered by public
21 schools and private prekindergarten providers.—

22 (4) Notwithstanding ss. 1002.55(3)(c)1. and 1002.63(4),
23 each public school and private prekindergarten provider must
24 have, for each prekindergarten class, at least one
25 prekindergarten instructor who is a certified teacher or holds
26 one of the educational credentials specified in s. 1002.55(4)(a)
27 or (b), or an educational credential specified in s.

28 1002.55(3)(c)1. as long as the instructor has completed the
29 early literacy micro-credential program under s. 1003.485. As
30 used in this subsection, the term "certified teacher" means a
31 teacher holding a valid Florida educator certificate under s.
32 1012.56 who has the qualifications required by the district
33 school board to instruct students in the summer prekindergarten
34 program. In selecting instructional staff for the summer
35 prekindergarten program, each school district shall give
36 priority to teachers who have experience or coursework in early
37 childhood education and have completed emergent literacy and
38 performance standards courses, as provided for in s.
39 1002.55(3)(c)2.

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40 Section 3. Paragraph (b) of subsection (2) of section
41 1002.67, Florida Statutes, is amended to read:

42 1002.67 Performance standards and curricula.—

43 (2)

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

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

49 2. Develop students' background knowledge through a
50 content-rich and sequential knowledge building early literacy
51 curriculum;

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

55 4. Support student learning gains through differentiated
56 instruction that must ~~shall~~ be measured by the coordinated
57 screening and progress monitoring program under s. 1008.25(9). A
58 private prekindergarten provider's or public school's curriculum
59 may not use the coordinated screening and progress monitoring
60 program or any other progress monitoring program for direct
61 student instruction. A private prekindergarten provider or
62 public school may not allow any student to view an electronic
63 screen, commonly known as screen time, for more than 10 percent
64 of the day. As used in this subparagraph, the term "screen"

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65 includes, but is not limited to, a television, a computer, a
66 tablet, a virtual reality device, a mobile telephone, or a
67 gaming console. Any such screen time must involve activities
68 directly related to the Voluntary Prekindergarten Education
69 Program standards. This limitation does not include
70 administration of the coordinated screening and progress
71 monitoring system as required under s. 1008.25(9).

72 Section 4. Paragraph (d) of subsection (6) of section
73 1002.68, Florida Statutes, is amended, and paragraph (c) of
74 subsection (4) of that section is republished, to read:

75 1002.68 Voluntary Prekindergarten Education Program
76 accountability.—

77 (4)

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

81 (6)

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

88 Section 5. Upon the expiration and reversion of the
89 amendments made to section 1002.68, Florida Statutes, pursuant

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90 to section 6 of chapter 2023-240, Laws of Florida, paragraphs
91 (a) and (f) of subsection (4) of section 1002.68, Florida
92 Statutes, are amended, and subsection (5) and paragraph (e) of
93 subsection (6) of that section are republished, to read:

94 1002.68 Voluntary Prekindergarten Education Program
95 accountability.—

96 (4) (a) Beginning with the 2023-2024 ~~2022-2023~~ program
97 year, the department shall adopt a methodology for calculating
98 each private prekindergarten provider's and public school
99 provider's performance metric, which must be based on a
100 combination of the following:

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

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

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

108 (f) The department shall adopt procedures to annually
109 calculate each private prekindergarten provider's and public
110 school's performance metric, based on the methodology adopted in
111 paragraphs (a) and (b), and assign a designation under paragraph
112 (d). Beginning with the 2024-2025 ~~2023-2024~~ program year, each
113 private prekindergarten provider or public school shall be
114 assigned a designation within 45 days after the conclusion of

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115 the school-year Voluntary Prekindergarten Education Program
116 delivered by all participating private prekindergarten providers
117 or public schools and within 45 days after the conclusion of the
118 summer Voluntary Prekindergarten Education Program delivered by
119 all participating private prekindergarten providers or public
120 schools.

121 (5) (a) If a public school's or private prekindergarten
122 provider's program assessment composite score for its
123 prekindergarten classrooms fails to meet the minimum program
124 assessment composite score for contracting adopted in rule by
125 the department, the private prekindergarten provider or public
126 school may not participate in the Voluntary Prekindergarten
127 Education Program beginning in the consecutive program year and
128 thereafter until the public school or private prekindergarten
129 provider meets the minimum composite score for contracting. A
130 public school or private prekindergarten provider may request
131 one program assessment per program year in order to requalify
132 for participation in the Voluntary Prekindergarten Education
133 Program, provided that the public school or private
134 prekindergarten provider is not excluded from participation
135 under ss. 1002.55(6), 1002.61(10)(b), 1002.63(9)(b), or
136 paragraph (5)(b) of this section. If a public school or private
137 prekindergarten provider would like an additional program
138 assessment completed within the same program year, the public
139 school or private prekindergarten provider shall be responsible

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140 for the cost of the program assessment.

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

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

148 2. Place the provider or school on probation.

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

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

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

174 (6)

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

180 Section 6. Paragraph (j) of subsection (2) of section
181 1002.82, Florida Statutes, is amended to read:

182 1002.82 Department of Education; powers and duties.—

183 (2) The department shall:

184 (j) Monitor the alignment and consistency of the standards
185 and benchmarks developed and adopted by the department that
186 address the age-appropriate progress of children in the
187 development of school readiness skills. The standards for
188 children from birth to kindergarten entry in the school
189 readiness program must be aligned with the performance standards

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190 adopted for children in the Voluntary Prekindergarten Education
191 Program and must address the following domains:

- 192 1. Approaches to learning.
- 193 2. Cognitive development and general knowledge.
- 194 3. Numeracy, language, and communication.
- 195 4. Physical development.
- 196 5. Executive functioning ~~Self-regulation~~.

197 Section 7. Present subsections (5) through (16) of section
198 1002.83, Florida Statutes, are redesignated as subsections (6)
199 through (17), respectively, a new subsection (5) is added to
200 that section, and subsection (3) of that section is amended, to
201 read:

202 1002.83 Early learning coalitions.—

203 (3) The Governor shall appoint the chair and two other
204 members of each early learning coalition, who must each meet the
205 qualifications of a private sector business member under
206 subsection (7) ~~(6)~~. In the absence of a governor-appointed
207 chair, the Commissioner of Education may appoint an interim
208 chair from the current early learning coalition board
209 membership.

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

213 Section 8. Present paragraphs (h) through (s) of
214 subsection (1) of section 1002.88, Florida Statutes, are

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215 redesignated as paragraphs (i) through (t), respectively, a new
216 paragraph (h) is added to that subsection, and present
217 paragraphs (n) and (p) of that subsection are amended, to read:

218 1002.88 School readiness program provider standards;
219 eligibility to deliver the school readiness program.—

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

222 (h) Prohibit a child from birth to 3 years of age from
223 viewing an electronic screen, commonly known as screen time. A
224 student 4 years of age or older may have screen time for no more
225 than 10 percent of the day. As used in this paragraph, the term
226 "screen" includes, but is not limited to, a television, a
227 computer, a tablet, a virtual reality device, a mobile
228 telephone, or a gaming console.

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

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240 10 calendar days' advance written notice of cancellation of or
241 changes to coverage. The general liability insurance required by
242 this paragraph must remain in full force and effect for the
243 entire period of the provider's contract with the coalition.

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

250 Notwithstanding paragraph (n) ~~(m)~~, for a child development
251 program that is accredited by a national accrediting body and
252 operates on a military installation that is certified by the
253 United States Department of Defense, the provider may
254 demonstrate liability coverage by affirming that it is subject
255 to the Federal Tort Claims Act, 28 U.S.C. ss. 2671 et seq.

256 Section 9. Subsection (4) of section 1002.89, Florida
257 Statutes, is amended to read:

258 1002.89 School readiness program; funding.—

259 (4) COST REQUIREMENTS.—Costs shall be kept to the minimum
260 necessary for the efficient and effective administration of the
261 school readiness program with the highest priority of
262 expenditure being direct services for eligible children.

263 However, no more than 5 percent of the funds allocated in
264 paragraph (1)(a) may be used for administrative costs and no

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265 more than 22 percent of the funds allocated in paragraph (1) (a)
266 may be used in any fiscal year for any combination of
267 administrative costs, quality activities, and nondirect services
268 as follows:

269 (a) Administrative costs as described in 45 C.F.R. s.
270 98.54, which shall include monitoring providers using the
271 standard methodology adopted under s. 1002.82 to improve
272 compliance with state and federal regulations and law pursuant
273 to the requirements of the statewide provider contract adopted
274 under s. 1002.82(2) (m).

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

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

283 2. Awarding grants and providing financial support to
284 school readiness program providers and their staff to assist
285 them in meeting applicable state requirements for the program
286 assessment required under s. 1002.82(2) (n), child care
287 performance standards, implementing developmentally appropriate
288 curriculum under s. 1002.82(2) (1) ~~curricula~~ and related
289 classroom resources that support parent engagement ~~curricula~~,

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290 ~~providing~~ literacy supports, ~~and~~ providing continued
291 professional development and training through the Teacher
292 Education and Compensation Helps (TEACH) Scholarship Program
293 under s. 1002.95, and reimbursement for background screenings.
294 Any grants awarded pursuant to this subparagraph must ~~shall~~
295 comply with ss. 215.971 and 287.058.

296 3. Providing training, technical assistance, and financial
297 support to school readiness program providers, staff, and
298 parents on standards, child screenings, child assessments, the
299 ~~child development research and best practices,~~ developmentally
300 appropriate curriculum under s. 1002.82(2)(1), executive
301 functioning curricula, ~~character development,~~ teacher-child
302 interactions, age-appropriate discipline practices, health and
303 safety, nutrition, first aid, in person cardiopulmonary
304 resuscitation, the recognition of communicable diseases, and
305 child abuse detection, prevention, and reporting.

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

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

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

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315 parents, including providing developmental and health screenings
316 to school readiness program children.

317

318 By July 1, 2026, all training and professional development
319 provided by an early learning coalition under this paragraph
320 must be aligned with the early learning professional development
321 standards and career pathways under s. 1002.995.

322 (c) Nondirect services as described in applicable Office
323 of Management and Budget instructions are those services not
324 defined as administrative, direct, or quality services that are
325 required to administer the school readiness program. Such
326 services include, but are not limited to:

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

334

335 As used in this paragraph, the term "nondirect services" does
336 not include payments to school readiness program providers for
337 direct services provided to children who are eligible under s.
338 1002.87, administrative costs as described in paragraph (a), or
339 quality activities as described in paragraph (b).

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340 Section 10. This act shall take effect July 1, 2024.

341 -----
342 -----

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

344 Remove everything before the enacting clause and insert:

345 A bill to be entitled

346 An act relating to early learning; amending s.
347 402.305, F.S.; requiring that at least one staff
348 person receive in-person cardiopulmonary resuscitation
349 training; amending s. 1002.61, F.S.; revising
350 requirements for prekindergarten instructors; amending
351 s. 1002.67, F.S.; providing that private
352 prekindergarten provider or public school curricula
353 may not use a certain coordinated screening and
354 progress monitoring program or other specified methods
355 for direct student instruction; providing a limitation
356 for which a private prekindergarten provider or public
357 school may allow students to view an electronic
358 screen; defining the term "screen"; requiring that
359 such time involve certain activities; providing that
360 the limitation does not include the required
361 administration of the screening and monitoring system;
362 amending s. 1002.68, F.S.; revising circumstances
363 under which a good cause exemption may not be granted;
364 revising requirements with respect to performance

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365 metric methodology and the assignment of designations
366 under the Voluntary Prekindergarten Education Program;
367 republishing reverted provisions of law pursuant to
368 ch. 2023-240, Laws of Florida; amending s. 1002.82,
369 F.S.; revising the performance standards adopted by
370 the Department of Education relating to the Voluntary
371 Prekindergarten Education Program; amending s.
372 1002.83, F.S.; authorizing an early learning coalition
373 to appoint a certain additional board member; amending
374 s. 1002.88, F.S.; requiring a school readiness program
375 provider to prohibit certain students from viewing
376 electronic screens; authorizing certain students to
377 view electronic screens for a specified amount of
378 time; defining the term "screen"; amending s. 1002.89,
379 F.S.; revising school readiness program expenditures
380 that are subject to certain cost requirements;
381 requiring that certain training be provided by a
382 specified date; providing an effective date.

Amendment No. 2

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: Education & Employment
2 Committee

3 Representative Bartleman offered the following:

4
5 **Amendment to Amendment (772925) by Representative Snyder**
6 **(with title amendment)**

7 Remove lines 256-258 of the amendment and insert:

8 Section 9. Paragraph (c) of subsection (1) of section
9 1002.87, Florida Statutes, is amended to read:

10 1002.87 School readiness program; eligibility and
11 enrollment.—

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

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

16 1002.85(2) (i), to children who meet the following criteria:

Amendment No. 2

17 1. A child from birth to the beginning of the school year
18 for which the child is eligible for admission to kindergarten in
19 a public school under s. 1003.21(1)(a)2. who is from a working
20 family that is economically disadvantaged, and may include such
21 child's eligible siblings, beginning with the school year in
22 which the sibling is eligible for admission to kindergarten in a
23 public school under s. 1003.21(1)(a)2. until the beginning of
24 the school year in which the sibling is eligible to begin 6th
25 grade, provided that the first priority for funding an eligible
26 sibling is local revenues available to the coalition for funding
27 direct services.

28 2. A child of a parent who transitions from the work
29 program into employment as described in s. 445.032 from birth to
30 the beginning of the school year for which the child is eligible
31 for admission to kindergarten in a public school under s.
32 1003.21(1)(a)2.

33 3. An at-risk child who is at least 9 years of age but
34 younger than 13 years of age. An at-risk child whose sibling is
35 enrolled in the school readiness program within an eligibility
36 priority category listed in paragraphs (a) and (b) and
37 subparagraph 1. shall be given priority over other children who
38 are eligible under this paragraph.

39 4. A child who is younger than 13 years of age from a
40 working family that is economically disadvantaged.

Amendment No. 2

41 5. A child of a parent who transitions from the work
42 program into employment as described in s. 445.032 who is
43 younger than 13 years of age.

44 6.a. A child who has special needs ~~and,~~ has been
45 determined eligible as a student who requires additional
46 accommodations beyond those required by the Americans with
47 Disabilities Act. The child's special needs and associated
48 accommodations must be validated by a licensed health care
49 professional, licensed mental health professional, or
50 educational psychologist. Such person may not be the child's
51 parent or a person employed by a child care provider. The
52 following documentation must be used to determine the child's
53 eligibility for such accommodations:

54 I. ~~with a disability, has~~ A current individual education
55 plan with a Florida school district; ~~and is not younger than 3~~
56 ~~years of age.~~

57 II. A current individualized family support plan;

58 III. A diagnosed special need; or

59 IV. A determination of required accommodations.

60 b. The child care provider of a child who meets the
61 requirements of this subparagraph may be eligible for additional
62 funding through the special needs differential allocation to
63 implement the special needs rate as determined in s.
64 1002.89(1)(d) needs child eligible under this paragraph remains

Amendment No. 2

65 ~~eligible until the child is eligible for admission to~~
66 ~~kindergarten in a public school under s. 1003.21(1)(a)2.~~

67 7. A child who otherwise meets one of the eligibility
68 criteria in paragraphs (a) and (b) and subparagraphs 1. and 2.
69 but who is also enrolled concurrently in the federal Head Start
70 Program and the Voluntary Prekindergarten Education Program.

71 Section 10. Paragraph (d) of subsection (1) and subsection
72 (4) of section 1002.89, Florida Statutes, are amended to read:

73 1002.89 School readiness program; funding.—

74 (1) DETERMINATION OF EARLY LEARNING COALITION SCHOOL
75 READINESS PROGRAM FUNDING.—Funding for the school readiness
76 program shall be used by the early learning coalitions in
77 accordance with this part and the General Appropriations Act.

78 (d) Special needs differential allocation.—There is
79 created the special needs differential allocation to assist
80 eligible school readiness program providers to implement the
81 special needs rate provisions defined in the state's approved
82 Child Care and Development Fund Plan. Subject to legislative
83 appropriation, each early learning coalition shall be reimbursed
84 based on actual expenditures. All expenditures from the special
85 needs differential allocation shall be used by the department to
86 help meet federal targeted requirements for improving quality to
87 the extent allowable in the state's approved plan. A school
88 readiness program provider is eligible for funding through the

Amendment No. 2

89 allocation to implement the special needs differential rate upon
90 meeting all of the following requirements by July 1, 2025:

91 1. If the provider has a program assessment score, the
92 score must meet or exceed the composite score established by the
93 department.

94 2. The provider has completed 10 hours of training in
95 inclusive early childhood or inclusive school-age education
96 practices within the preceding 2-year period with the provider
97 completing an additional 10 hours of such training each
98 subsequent 5-year period as specified by the department.

99

100

101

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

102

Remove lines 378-379 of the amendment and insert:

103

time; defining the term "screen"; amending s. 1002.87,

104

F.S.; revising the criteria for a child to receive

105

priority for participation in the school readiness

106

program; conforming provisions to changes made by the

107

act; amending s. 1002.89, F.S.; providing requirements

108

for a school readiness program provider to be eligible

109

to receive specified funding; revising school

110

readiness program expenditures

**PCS for
CS/CS/HB 929**

HOUSE OF REPRESENTATIVES STAFF ANALYSIS

BILL #: PCS for CS/CS/HB 929 School Readiness Program

SPONSOR(S): Education & Employment Committee

TIED BILLS: None. **IDEN./SIM. BILLS:** SB 916

REFERENCE	ACTION	ANALYST	STAFF DIRECTOR or BUDGET/POLICY CHIEF
Orig. Comm.: Education & Employment Committee		Blalock	Hassell

SUMMARY ANALYSIS

Established in 1999, the School Readiness program provides subsidies for child care services and early childhood education for children from low-income families as defined in statute; children in protective services who are at risk of abuse, neglect, abandonment, or homelessness; foster children; and children with disabilities.

The bill revises the definition of the term “economically disadvantaged” as used for the School Readiness program from having a family income that does not exceed 150 percent of the federal poverty level (FPL) to having a family income that does not exceed 55 percent of the state median income (SMI). This change will increase the number of children eligible for the School Readiness program.

The bill requires the Department of Education (DOE) to annually collect cost data including, but not limited to, personnel and operational costs and to annually submit certain data to the Legislature.

The bill requires each Early Learning Coalition (ELC) to implement a sliding fee scale as established in rule by the State Board of Education (SBE) for families receiving School Readiness program services that provides for the calculation of a parent copayment at the time of the eligibility determination and for an annual eligibility redetermination thereafter.

The bill revises a data element that the DOE is required to collect and report related to ELC delivery of early learning programs to align with the bill’s revised definition of “economically disadvantaged”. The bill also revises the report’s implementation date to July 1, 2025.

The bill modifies the methodology for determining each county’s School Readiness program allocation and the methodology for distributing funds to eligible providers based upon the reimbursement rate by county, provider type, and care level as established by the Legislature.

The bill repeals duplicative or unnecessary components of the market rate schedule.

The bill repeals requirements that the principals of the Early Learning Programs Estimating Conference annually develop official cost-of-care information based on actual School Readiness direct services program expenditures and information provided pursuant to s. 1002.895, F.S. and provide this information to the Legislature at least 90 days before the annual legislative session.

For Fiscal Year 2024-2025, the bill provides the following two appropriations and places both in reserve:

- \$75,384,882 in nonrecurring funds from the Child Care and Development Block Grant Trust Fund to the DOE for the costs associated with the change of the income eligibility requirement to 55 percent of the SMI; and
- \$100 million in nonrecurring funds from the Child Care and Development Block Grant Trust Fund for the costs associated with the implementation of provider reimbursement rates based on the cost-of-care information.

The bill takes effect July 1, 2024.

FULL ANALYSIS

This document does not reflect the intent or official position of the bill sponsor or House of Representatives .

STORAGE NAME: pcs0929.EEC

DATE: 2/19/2024

I. SUBSTANTIVE ANALYSIS

A. EFFECT OF PROPOSED CHANGES:

Background

Established in 1999,¹ the School Readiness program provides subsidies for child care services and early childhood education for children from low-income families; children in protective services who are at risk of abuse, neglect, abandonment, or homelessness; foster children; and children with disabilities.² Additionally, the program 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, Migrant Head Start, Child Care Resource and Referral, and the Voluntary Prekindergarten Education (VPK) Program.³

The School Readiness program is a state-federal partnership between the DOE and the Office of Child Care of the United States Department of Health and Human Services.⁴ It is administered by the ELCs at the county or regional level.⁵ The DOE's Division of Early Learning (DEL) is the lead administrator of the program at the state level, including statewide coordination of the ELCs.⁶

Present Situation

School Readiness Program Eligibility

Federal regulations governing the Child Care and Development Block Grant Fund (CCDF),⁷ the primary funding source for the School Readiness program, authorize states to use grant funds for child care services if:

- 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 SMI 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.⁸

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 a family that includes a parent who is receiving temporary cash assistance and subject to federal work requirements⁹ or the parent

¹ Section 1, Ch. 99-357, Laws of Fla.

² Sections 1002.81 and 1002.87, F.S.

³ Florida Department of Education (DOE), Division of Early Learning (DEL), *What is School Readiness (SR)?*, <https://www.fldoe.org/schools/early-learning/parents/school-readiness.stml> (last visited Jan. 11, 2024).

⁴ Section 1002.82(1), F.S. See also U.S. Department of Health and Human Services, Office of Child Care (OCC), *OCC Fact Sheet*, <https://www.acf.hhs.gov/occ/comms-fact-sheet/occ-fact-sheet> (last visited Jan. 11, 2024).

⁵ Section 1002.83(1), F.S.

⁶ Section 1002.82, F.S., See also DOE, DEL, *What is School Readiness (SR)?*, <https://www.fldoe.org/schools/early-learning/parents/school-readiness.stml> (last visited Jan. 11, 2024).

⁷ 45 C.F.R. parts 98 and 99.

⁸ 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 DOE, DEL, *Child Care and Development Fund (CCDF) Plan for Florida FFY 2022-2024*, at 83, available at <https://www.fldoe.org/core/fileparse.php/20628/urlt/2022-2024-CCDF-State-Plan.pdf> [hereinafter *CCDF State Plan*].

⁹ Section 445.024(2), F.S. Recipients 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.

has an Intensive Service Account or an Individual Training Account under Florida's workforce one-stop delivery system.¹⁰

- **Second priority** is a child under the age of 9 who is at-risk.¹¹
- **Subsequent priority is based on a local ELC's assessment based on the needs of families and provider capacity for the following:**
 - A child, from birth to the beginning of the school year for which the child is eligible for kindergarten, from a working family that is economically disadvantaged¹² 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.
 - A child of a parent who transitions from the work program into employment from birth through the summer before kindergarten.
 - An at-risk child, ages 9 – younger than 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 or 2 or the first bullet point of this section.
 - A child younger than 13 years of age from a working family that is economically disadvantaged.
 - A child younger than 13 years of age whose parent transitions from the work program into employment.
 - A child who is not younger than 3 years of age who has been determined eligible as a student with a disability and 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.
 - An eligible child who is also concurrently enrolled in the Head Start program and the VPK Program.¹³

“Economically disadvantaged” means having a family income that does not exceed 150 percent of the FPL and includes being a child of a working migratory family as defined by 34 C.F.R. s. 200.81(d) or (f) or an agricultural worker who is employed by more than one agricultural employer during the course of a year, and whose income varies according to weather conditions and market stability.¹⁴

Eligibility for the program must be reevaluated annually. Upon reevaluation, a child may not continue to receive School Readiness program services if he or she has ceased to be eligible. 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 or resume education or job training.¹⁵

School Readiness Program Funding

Overview

Florida's School Readiness program funding is derived from four sources:

- The CCDF¹⁶
- The Temporary Assistance for Needy Families (TANF) Block Grant¹⁷
- The Social Services Block Grant (SSBG)¹⁸

¹⁰ See s. 445.009, F.S.

¹¹ Section 1002.81(1), F.S. The definition of an “at-risk child” includes, among other things, a child who is considered homeless or who may be experiencing abuse, neglect, abandonment, or exploitation.

¹² Section 1002.81(6), F.S.

¹³ Section 1002.87(1), F.S.

¹⁴ Section 1002.81(6), F.S. This definition is consistent with the requirements of 45 C.F.R. parts 98 and 99.

¹⁵ Section 1002.87(6), F.S.

¹⁶ A major purpose of the CCDF is to allow states to develop child care programs and policies that best suit the needs of children and parents. 45 C.F.R. s. 98.1.

¹⁷ Part A of Title IV of the Social Security Act, as codified in 42 U.S.C. ss. 601, et seq. The Temporary Assistance for Needy Families program provides states and territories with flexibility in operating programs designed to help low-income families with children to achieve economic self-sufficiency. USHHS, *Temporary Assistance for Needy Families (TANF)*.

¹⁸ Through the SSBG states provide essential social services that help achieve a myriad of goals to reduce dependency and promote self-sufficiency; protect children and adults from neglect, abuse and exploitation; and help individuals who are unable to take care of

- State General Revenue.¹⁹

The following chart shows the Fiscal Year 2023-2024 funding for Florida’s School Readiness program:

Funding Source	Amount
CCDF	\$874.2 million
TANF	\$94.1 million
SSBG	\$500,000
General Revenue	\$144.6 million

The School Readiness program funds are distributed to the ELCs based upon an allocation methodology established in statute.²⁰

School Readiness program funding for eligible providers comes primarily from reimbursements from the ELC and tuition payments by participating families.²¹ Each ELC reimburses participating providers with appropriated funds for each eligible child, either through child care certificates provided by parents or through contracted slots.²² The reimbursement and co-payment amounts are determined locally by ELCs, subject to approval by the DOE. Any additional amount a parent must pay is based on the difference between the provider’s tuition rate and the sum of the reimbursement rate and required parent co-payment. Reimbursement amounts vary based on provider type and level of care, and co-payments are determined using a sliding fee scale.²³

Parent Sliding Fee - Co-payment

Each ELC must assess a co-payment for each child that participates in the School Readiness program. The co-payment is determined using a sliding scale so that participating families have equitable access to child care.²⁴ Each sliding fee scale must be approved by the DOE, which reviews the scale to determine whether it reflects annually released income limits, has an effective date no later than July 1 of that year, and that co-payments do not exceed 10 percent of a family’s income, regardless of the number of children in care. If the co-payment does exceed 10 percent, the ELC must justify that the co-payment is affordable in order for the scale to be approved by the DOE.²⁵ The co-payment may not be equal to or greater than the provider’s private pay rate.²⁶ Co-payments may also be waived on a case-by-case basis for an at-risk child or temporarily waived for a child whose family’s income is at or below the federal poverty level or whose family experiences a natural disaster or other event specified in law.²⁷

There is currently a proposed rule change by the federal HHS to establish a new federal benchmark for affordable family co-payments of seven percent of family income and to allow lead agencies more flexibility to waive co-payments for vulnerable families.²⁸

Allocation Methodology to Early Learning Coalitions

themselves to stay in their homes or to find the best institutional arrangements. USHHS, Social Services Block Grant Program, <https://www.acf.hhs.gov/ocs/programs/ssbg> (last visited January 12, 2024).

¹⁹ The Florida Department of Education, *School Readiness Funding Allocation Methodology: Report and Recommendations* (Oct. 1, 2019).

²⁰ Section 1002.89(1), F.S.

²¹ See ss. 1002.84(9) and 1002.89, F.S.; Specific Appropriation 77, s.2, Ch. 2023-239, Laws of Fla.

²² See Rule 6M-4.500(1), F.A.C.

²³ See Rule 6M-4.400(1), F.A.C. The federal government has a proposed rule change that family co-payments cannot be more than seven percent of a family’s income; however, it does allow lead agencies to waive co-payments for certain families. See 45 C.F.R. 98.

²⁴ Rule 6M-4.400(1), F.A.C.

²⁵ *Id.*

²⁶ Rule 6M-4.400(2)(d), F.A.C.

²⁷ Section 1002.84(9), F.S.; Rule 6M-4.400(6), F.A.C.

²⁸ See Improving Child Care Access, Affordability, and Stability of the Child Care Development Fund, 88 Fed. Reg. 45,022 (July 13, 2023) (To be codified in 45 CFR Part 98).

For purposes of allocating the School Readiness program funds to the ELCs, if the annual allocation is not determined in the General Appropriations Act (GAA) or substantive bill implementing the GAA, current statute describes how the funds should be allocated to include:

- For each county in the ELC, the total School Readiness eligible population is multiplied by the county's comparable wage factor.
- If a county passed a local ordinance before January 1, 2022, that establishes the county's staff to children ratio for licensed child care facilities below the ratio established in law, multiply the product calculated by the adjustment factor specified in the GAA.
- Each county's School Readiness allocation shall be based on the county's proportionate share of the total adjusted eligible School Readiness population.²⁹

Distribution Methodology to Eligible School Readiness Providers

For purposes of distributing the School Readiness program funds to the eligible providers, each ELC is required to adopt a payment schedule that encompasses all eligible programs and that takes into consideration the prevailing market rates or an alternative model that has been approved by the Administration for Children and Families pursuant to 45 C.F.R. s. 98.45(c), to include the projected number of children to be served.³⁰

In 2022, the Legislature established a new distribution methodology for the ELCs to allocate School Readiness program funds to eligible providers; this methodology requires the utilization of the cost-of-care information.³¹ The distribution methodology is as follows:

- For each county in the ELC, the cost-of-care by care level is multiplied by the county's comparable wage factor provided in s. 1011.62(2), F.S. For counties with an ordinance enacted prior to January 1, 2022, that establishes a staff-to-children ratio for licensed child care facilities below the ratio established by rules of the Department of Children and Families, the provider reimbursement rate is adjusted as specified in the General Appropriations Act.
- The minimum provider reimbursement rate by care level for each provider type is then adjusted by the weight established by the Early Learning Programs Estimating Conference.
- The weighted provider reimbursement rate is then multiplied by 22 percent to calculate the amount an ELC is eligible to retain for any combination of administrative costs, quality activities, and nondirect services.³²
- Each eligible provider must receive the minimum provider reimbursement rate, by provider type and care level, regardless of the provider's private pay rate.³³

Market Rate Schedule

Federal regulation requires states to ensure equal access to child care through the CCDF by determining a fair market rate every 2 years using a statistically valid and reliable survey.³⁴ The survey must be completed no earlier than 2 years before the market rates are calculated and take effect. Based in part on recommendation by the Office of Child Care within the federal Department of Health and Human Services, the department calculates the prevailing market rate and the 75th percentile market rate for each county to help ELCs determine provider reimbursement schedules.³⁵ State law requires the DOE to establish market rates annually for the following provider types and levels of care for each county:³⁶

- Provider Type:

²⁹ Section 1002.89(1), F.S.

³⁰ Section 1002.84(17), F.S.

³¹ See Ch. 2022-154, Laws of Fla.

³² Section 1002.89(4), F.S.

³³ Sections 1002.84(17) and 1002.89(1)(a), F.S.

³⁴ See 45 C.F.R. § 98.45(a) and (c). Alternatively, states may set payment rates using an alternative methodology approved by the federal Administration for Children and Families.

³⁵ See ss. 1002.82 and 1002.895, F.S.; Child Care and Development Fund (CCDF) Program, 81 FR 67438 (Nov. 29, 2016) (codified at 45 C.F.R. pt. 98); DOE, DEL, *2020-2021 Market Rate Survey Report* (November 2022), available at <https://www.fldoe.org/core/fileparse.php/20628/urlt/2021-MRS-Report.pdf> (hereinafter referred to as Market Rate Survey Report).

³⁶ Sections 1002.82(2)(d) and 1002.895, F.S.

- Private Center
- Large Family Child Care Home
- Family Child Care Home
- Public School
- Non-Public School
- Faith-Based Exempt
- Level of Care:
 - Infant – Birth to 12 months
 - Toddler – 12 to 24 months
 - 2-year-old – 24 to 36 months
 - Preschool 3-year-old – 36 to 48 months
 - Preschool 4-year-old – 48 to 60 months
 - School Age – School entry to 14 years
 - Special Needs – Birth to 14 years

The market rate calculation must also differentiate rates between full-time and part-time child care services, differentiate between Gold Seal and non-Gold Seal provider status, and consider discounted rates for child care services for multiple children in a single family.³⁷

To calculate market rates, the department sorts provider private pay rates for a given level of care within the county from highest to lowest, calculates the prevailing market rate, and identifies the 75th percentile pay rate. Although there is no minimum threshold for provider reimbursement rates in law, ELCs must consider the market rate schedule in determining its own minimum reimbursement rates, which must be approved by the department.³⁸ In addition, a provider may receive additional funding above the minimum reimbursement rate if it qualifies for any of the following quality-based differentials:³⁹

- Up to an additional 20 percent for Gold Seal status.
- Up to an additional 10 percent for achieving certain CLASS scores identified in rule (also known as the quality performance incentive).
- An additional 5 percent for participating in a department-approved child assessment tool.

Cost-of-Care Information

Current law establishes the Early Learning Programs Estimating Conference (conference) to develop, as needed to support the state planning, budgeting, and appropriations processes, estimates and forecasts of the unduplicated count of children eligible for the School Readiness program in accordance with the standards of eligibility established in s. 1002.87, F.S., and of children eligible for the VPK program in accordance with s. 1002.53(2), F.S.⁴⁰

Generally, an ELC may not reimburse a provider at a higher rate than the provider’s private pay rate.⁴¹ However, the total additional reimbursement for these differentials may exceed the established coalition rate by up to 20 percent, for each care level and unit of care.⁴² Providers may also receive differentials for participating in the Contracted Slots Program (up to 10 percent above the established coalition reimbursement rate for each care level) and for serving children with special needs (up to 20 percent above the established coalition reimbursement rate for infant care).⁴³ However, in low-income neighborhoods, private-pay prices are constrained by market rate prices that local families can afford to pay and do not reflect the true cost of care.⁴⁴ Because child care providers’ price for services reflects

³⁷ Section 1002.895, F.S.

³⁸ *Id.*

³⁹ See s. 1002.82(2)(o), F.S.; rule 6M-4.500(8), F.A.C.

⁴⁰ Section 216.136(8), F.S.

⁴¹ *Id.*

⁴² Rule 6M-4.500(8)(a), F.A.C.

⁴³ Rule 6M-4.500(5) and (7), F.A.C.

⁴⁴ U.S. Department of the Treasury, *The Economics of Child Care Supply in the United States (2021)*,

<https://home.treasury.gov/system/files/136/The-Economics-of-Childcare-Supply-09-14-final.pdf> (last visited Jan. 11, 2024).

what parents enrolling in their programs can afford and not necessarily the (higher) cost of providing services, the price is artificially constrained by affordability.⁴⁵

In 2022, the Legislature required the principals of the conference to develop official cost-of-care information based on actual School Readiness direct services program expenditures and information provided pursuant to s. 1002.895, F.S. Conference principals must agree on the cost-of-child care by care level and provider type, the provider type weights, and the methods of computation. The DOE must provide the conference principals with all requested and necessary data to develop such information. The data may include a matrix by early learning coalition of any full-time equivalent changes made by the DEL as part of its administration of the School Readiness program. The conference must provide the official cost-of-care information to the Legislature at least 90 days before the scheduled annual legislative session.⁴⁶

The last conference for the School Readiness program was held on November 8, 2004.⁴⁷

Data Collection and Reporting

In order to participate in the School Readiness program, each ELC must biennially submit a School Readiness plan to the DOE for approval.⁴⁸ 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 processes and local eligibility priorities, parent access and choice, sliding fee scale, payment rate, use of preassessments and postassessments, as applicable, and the use of contracted slots based on the ELC's assessment of local priorities.
- A detailed description of the ELC's quality activities and services, including resource and referral and school-age child care, infant and toddler early learning, inclusive early learning programs, and quality improvement strategies that strengthen teaching practices and increase child outcomes.
- 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 year.
- Updated 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 in response to a parental complaint, to determine that standards are met using a standard monitoring tool adopted by the DOE.
- Documentation that the coalition has solicited and considered comments regarding the proposed School Readiness plan from the local community.
- An assessment of local priorities within the county or multicounty region based on the needs of families and provider capacity using available community data.⁴⁹

The DOE is required to collect and report data on ELC delivery of early learning programs. Elements must include, but are not limited to, measures related to progress towards reducing the number of children on the waiting list, the percentage of children served by the program as compared to the number of administrative staff and overhead, the percentage of children served compared to total number of children under the age of 5 years below 150 percent of the FPL, provider payment processes, fraud intervention, child attendance and stability, use of child care resource and referral, and kindergarten readiness outcomes for children in the VPK Program or the School Readiness

⁴⁵ *Id.*

⁴⁶ Section 1002.90, F.S. *See* Ch. 2022-154, Laws of Fla.

⁴⁷ *See* Office of Economic & Demographic Research, *Consensus Estimating Conferences*, <http://edr.state.fl.us/Content/conferences/index.cfm> (last visited January 11, 2024).

⁴⁸ Section 1002.85(2), F.S.

⁴⁹ *Id.*

program upon entry into kindergarten. The DOE must request input from the ELCs and School Readiness program providers before finalizing the format and data to be used. The results of the report must be included in the annual report under s. 1002.82, F.S.⁵⁰

Effect of Proposed Changes

The bill revises the definition of “economically disadvantaged” as used for the School Readiness program from having a family income that does not exceed 150 percent of the FPL to having a family income that does not exceed 55 percent of the SMI. This change will increase the eligible School Readiness program children by an estimated 10,131.08.

The bill requires the DOE to establish procedures to annually collect cost data including, but not limited to:

- data from the Department of Commerce’s Bureau of Workforce Statistics and Economic Research on the average salary for child care personnel to include, at a minimum, child care instructors and child care directors; and
- data from child care providers including, at a minimum, the average annual cost of materials and curriculum, the average annual cost of food and maintenance, the average annual cost of any regulatory fees, the average annual cost of salaries and benefits, and the average annual cost of all other operational costs per child.

By November 1, 2024, and annually thereafter, the DOE must submit the following data to the Legislature:

- current fiscal year reimbursement rates, by county, by provider type, and by care level;
- the required cost data;
- the market rate survey data pursuant to s. 1002.895; and
- the narrow costs analysis data required by 45 C.F.R. s. 98.45.

The bill repeals a requirement that the DOE collect similar data and provide it to the Early Learning Programs Estimating Conference.

The bill requires each ELC to implement a sliding fee scale as established in rule by the SBE for families receiving School Readiness program services that provides for the calculation of a parent copayment at the time of the eligibility determination and for an annual eligibility redetermination thereafter.

The bill revises the methodology for distributing School Readiness program funds to eligible providers. The bill requires each ELC to distribute the program funds based upon the reimbursement rate by county, provider type, and care level as established by the Legislature. All instructions to ELCs for distributing the funds must come from the DOE in accordance with the policies of the Legislature.

Each ELC with approved prior year provider reimbursement rates for the infant to age 5 care levels that are higher than the provider reimbursement rates established by the Legislature may continue to implement its approved prior year rates until the rates established by the bill exceed its approved rates.

The bill revises a data element that the DOE is required to collect and report related to the ELC delivery of early learning programs to align with the bill’s revised definition of “economically disadvantaged” as having a family income that does not exceed 55 percent of the SMI. The bill also revises the report’s implementation date to July 1, 2025.

The bill modifies the methodology for allocating the School Readiness program funds if not determined in the GAA or implementing bill as follows:

- For each county in the ELC, the total number of unweighted full-time equivalent School Readiness children, as adopted by the Early Learning Programs Estimating Conference pursuant to s. 216.136(8), must be multiplied by the appropriate care level factor to calculate the

weighted full-time equivalent School Readiness children. For purposes of this provision, the term “care level factor” means the adjustment made based on the relative differences in reimbursement rates associated with the eligible School Readiness children pursuant to s. 1002.87.

- The product of weighted full-time equivalent School Readiness children must then be multiplied by the rate index to calculate the adjusted weighted full-time equivalent School Readiness children. For purposes of this provision, the term “rate index” means the adjustment made based on the impact of geographic location on reimbursement rates.
- Finally, the School Readiness program funds must be distributed based on each county’s proportionate share of the total adjusted weighted full-time equivalent School Readiness children.

The bill repeals duplicative or unnecessary components of the market rate schedule.

The bill repeals the annual requirement that certain child care facilities and licensed and registered family day care homes provide data required under s. 1002.895 to the statewide child care and resource and referral network.

Furthermore, the bill repeals requirements that the principals of the Early Learning Programs Estimating Conference annually develop official cost-of-care information based on actual School Readiness direct services program expenditures and information provided pursuant to s. 1002.895, F.S. and provide this information to the Legislature at least 90 days before the annual legislative session.

Finally, for Fiscal Year 2024-2025, the bill appropriates to the DOE from the Child Care and Development Block Grant Trust Fund and places in reserve:

- \$75,384,882 in nonrecurring funds for the costs associated with the change of the income eligibility requirement to 55 percent of the SMI as provided in the bill. The DOE is authorized to submit budget amendments requesting the release of funds pursuant to chapter 216, F.S., with release contingent upon the submission of an allocation plan in accordance with the requirements of s. 1002.89(1), F.S.
- \$100 million in nonrecurring funds for allocation to the ELCs in accordance with s. 1002.84(17), F.S. The DOE is authorized to submit budget amendments requesting the release of funds pursuant to chapter 216, F.S., with release contingent upon the submission of an allocation plan that is developed by the DOE in collaboration with the ELCs.

B. SECTION DIRECTORY:

Section 1: Amends s. 1002.81, F.S.; revising the definition of the term “economically disadvantaged”.

Section 2: Amends s. 1002.82, F.S.; requiring the Department of Education to establish procedures to annually collect specified data; providing requirements for such data; requiring the department to annually report specified data to the Legislature.

Section 3: Amends s. 1002.84, F.S.; revising provisions relating to the sliding fee scale for families receiving School Readiness program services; revising requirements for the distribution of the School Readiness program funds.

Section 4: Amends s. 1002.85, F.S.; revising requirements for the data that must be collected and reported by the department; revising the date by which the report must be implemented.

Section 5: Amends s. 1002.89, F.S.; revising a specified calculation for the School Readiness program allocation.

Section 6: Amends s. 1002.895, F.S.; revising requirements for the implementation of the School Readiness program market rate schedule; deleting a requirement that the department collect specified data and provide such data to a specified entity.

Section 7: Repeals s. 1002.90, F.S.; relating to School Readiness cost-of-care information.

Section 8: Amends s. 1002.92, F.S.; conforming provisions to changes made by the act.

Section 9: Provides an appropriation.

Section 10: Provides an appropriation.

Section 11: Provides an effective date.

II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT

A. FISCAL IMPACT ON STATE GOVERNMENT:

1. Revenues:

None.

2. Expenditures:

The bill appropriates \$75,384,882 in nonrecurring funds from the Child Care and Development Block Grant Trust Fund for the costs associated with the change of the income eligibility requirement to 55 percent of the SMI. This estimated amount is based on the Fiscal Year 2022-2023 number of School Readiness program full-time equivalent (FTE) children and ELC reimbursement rates which is the most recently available data.⁵¹ It is estimated that the \$75,384,882 will fund an additional 10,131.08 FTE as follows:

Care Level	Number of School Readiness FTE
Infant	459.26
Toddler	1,229.31
2 Year Old	1,700.28
Preschool 3	1,887.59
Preschool 4	1,780.34
Preschool 5	749.00
School Age	2,317.19
Special Needs	8.11

The bill appropriates \$100 million in nonrecurring funds from the Child Care and Development Block Grant Trust Fund for allocation to the ELCs in accordance with the distribution methodology established in s. 1002.84(17), F.S.

B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

1. Revenues:

None.

2. Expenditures:

None.

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

Based upon the alignment of the provider reimbursement rates to the cost-of-care, for some ELCs and their eligible providers there may be an increase in funding for eligible School Readiness program children.

D. FISCAL COMMENTS:

None.

III. COMMENTS

A. CONSTITUTIONAL ISSUES:

1. Applicability of Municipality/County Mandates Provision:

None.

2. Other:

None.

B. RULE-MAKING AUTHORITY:

The bill requires the State Board of Education to adopt rules establishing a sliding fee scale for families receiving School Readiness program services. 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:

None.

IV. AMENDMENTS/COMMITTEE SUBSTITUTE CHANGES

Not applicable.

1 A bill to be entitled
2 An act relating to the school readiness program;
3 amending s. 1002.81, F.S.; revising the definition of
4 the term "economically disadvantaged"; amending s.
5 1002.82, F.S.; requiring the Department of Education
6 to establish procedures to annually collect specified
7 data; providing requirements for such data; requiring
8 the department to annually report specified data to
9 the Legislature; amending s. 1002.84, F.S.; revising
10 provisions relating to the sliding fee scale for
11 families receiving school readiness program services;
12 revising requirements for the distribution of the
13 school readiness program funds; amending s. 1002.85,
14 F.S.; revising requirements for the data that must be
15 collected and reported by the department; revising the
16 date by which the report must be implemented; amending
17 s. 1002.89, F.S.; revising a specified calculation for
18 the school readiness program allocation; amending s.
19 1002.895, F.S.; revising requirements for the
20 implementation of the school readiness program market
21 rate schedule; deleting a requirement that the
22 department collect specified data and provide such
23 data to a specified entity; repealing s. 1002.90,
24 F.S., relating to school readiness cost-of-care
25 information; amending s. 1002.92, F.S.; conforming

26 | provisions to changes made by the act; providing
 27 | appropriations; providing an effective date
 28 | togetherness.

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

32 | Section 1. Subsection (6) of section 1002.81, Florida
 33 | Statutes, is amended to read:

34 | 1002.81 Definitions.—Consistent with the requirements of
 35 | 45 C.F.R. parts 98 and 99 and as used in this part, the term:

36 | (6) "Economically disadvantaged" means having a family
 37 | income that does not exceed 55 percent of the state median
 38 | income ~~150 percent of the federal poverty level~~ and includes
 39 | being a child of a working migratory family as defined by 34
 40 | C.F.R. s. 200.81(d) or (f) or an agricultural worker who is
 41 | employed by more than one agricultural employer during the
 42 | course of a year, and whose income varies according to weather
 43 | conditions and market stability.

44 | Section 2. Paragraph (d) of subsection (2) of section
 45 | 1002.82, Florida Statutes, is amended, and subsections (10) and
 46 | (11) are added to that section, to read:

47 | 1002.82 Department of Education; powers and duties.—

48 | (2) The department shall:

49 | (d) Establish procedures for the annual calculation of the
 50 | prevailing market rate and procedures for the collection of data

51 to support the calculation of the cost data ~~of care~~ pursuant to
 52 subsection (10) s. 1002.90.

53 (10) The department shall establish procedures to annually
 54 collect cost data. Such data must include, but are not limited
 55 to:

56 (a) Data from the Department of Commerce's Bureau of
 57 Workforce Statistics and Economic Research on the average salary
 58 for child care personnel, including, at a minimum, child care
 59 instructors and child care directors.

60 (b) Data from child care providers, including, at a
 61 minimum, the average annual cost of materials and curriculum,
 62 the average annual cost of food and maintenance, the average
 63 annual cost of any regulatory fees, the average annual cost of
 64 salaries and benefits, and the average annual cost of all other
 65 operational costs per child.

66 (11) By November 1, 2024, and annually thereafter, the
 67 department shall submit the following data to the Legislature:

68 (a) The current fiscal year reimbursement rates, by
 69 county, by provider type, and by care level.

70 (b) The cost data collected in subsection (10).

71 (c) The market rate survey data collected pursuant to s.
 72 1002.895.

73 (d) The narrow costs analysis data required by 45 C.F.R.
 74 s. 98.45.

75 Section 3. Subsections (9) and (17) of section 1002.84,

76 Florida Statutes, are amended to read:

77 1002.84 Early learning coalitions; school readiness powers
78 and duties.—Each early learning coalition shall:

79 (9) Implement ~~Establish~~ a parent sliding fee scale as
80 established in rule by the State Board of Education that
81 provides for the calculation of a parent copayment at the time
82 of the eligibility determination and for an annual eligibility
83 redetermination thereafter ~~that is not a barrier to families~~
84 ~~receiving school readiness program services~~. A coalition may
85 waive the copayment for an at-risk child or temporarily waive
86 the copayment for a child whose family's income is at or below
87 the federal poverty level or whose family experiences a natural
88 disaster or an event that limits the parent's ability to pay,
89 such as incarceration, placement in residential treatment, or
90 becoming homeless, or an emergency situation such as a household
91 fire or burglary, or while the parent is participating in
92 parenting classes or participating in an Early Head Start
93 program or Head Start Program. A parent may not transfer school
94 readiness program services to another school readiness program
95 provider until the parent has submitted documentation from the
96 current school readiness program provider to the early learning
97 coalition stating that the parent has satisfactorily fulfilled
98 the copayment obligation.

99 (17) (a) Distribute the school readiness program funds as
100 allocated in the General Appropriations Act to each ~~the~~ eligible

101 provider based upon the reimbursement rate by county, by
102 provider type, and by care level. All instructions to early
103 learning coalitions for distributing the school readiness
104 program funds to eligible providers shall emanate from the
105 department in accordance with the policies of the Legislature.
106 ~~providers using the following methodology:~~

107 ~~1. For each county in the early learning coalition,~~
108 ~~multiply the cost of care by care level as provided in s.~~
109 ~~1002.90 by the county's comparable wage factor provided in s.~~
110 ~~1011.62(2).~~

111 ~~2. If a county enacted a local ordinance before January 1,~~
112 ~~2022, that establishes the county's staff-to-children ratio for~~
113 ~~licensed child care facilities below the ratio established in s.~~
114 ~~402.305(4), multiply the provider reimbursement rates for that~~
115 ~~county by the adjustment factor specified in the General~~
116 ~~Appropriations Act.~~

117 ~~3. Apply the weight established pursuant to s. 1002.90 for~~
118 ~~each provider type to calculate the minimum provider~~
119 ~~reimbursement rates by care level.~~

120 ~~4. Multiply the weighted provider reimbursement rates by~~
121 ~~22 percent to determine the amount of the school readiness~~
122 ~~allocation an early learning coalition is eligible to retain~~
123 ~~pursuant to s. 1002.89(4).~~

124 ~~(b) Distribute to each eligible provider the minimum~~
125 ~~provider reimbursement rate, by provider type and care level,~~

126 ~~regardless of the provider's private pay rate.~~ All minimum
 127 provider reimbursement rates shall be charged as direct services
 128 pursuant to s. 1002.89.

129
 130 Each early learning coalition with approved prior year ~~minimum~~
 131 provider reimbursement rates for the infant to age 5 care levels
 132 that are higher than the ~~minimum~~ provider reimbursement rates
 133 established in this subsection may continue to implement its
 134 approved prior year ~~minimum~~ provider reimbursement rates until
 135 the rates established in this subsection exceed its approved
 136 prior year rates.

137 Section 4. Subsection (5) of section 1002.85, Florida
 138 Statutes, is amended to read:

139 1002.85 Early learning coalition plans.—

140 (5) The department shall collect and report data on
 141 coalition delivery of early learning programs. Data ~~Elements~~
 142 shall include, but are not limited to, measures related to
 143 progress towards reducing the number of children on the waiting
 144 list, the percentage of children served by the program as
 145 compared to the number of administrative staff and overhead, the
 146 percentage of children served compared to the total number of
 147 children younger than ~~under~~ the age of 5 years whose family
 148 income is below 55 percent of the state median income ~~150~~
 149 ~~percent of the federal poverty level~~, provider payment
 150 processes, fraud intervention, child attendance and stability,

151 use of child care resource and referral, and kindergarten
 152 readiness outcomes for children in the Voluntary Prekindergarten
 153 Education Program or the school readiness program upon entry
 154 into kindergarten. The department shall request input from the
 155 early learning coalitions and school readiness program providers
 156 before finalizing the format and data to be used. The report
 157 shall be implemented beginning July 1, 2025 ~~2014~~, and results of
 158 the report must be included in the annual report under s.
 159 1002.82.

160 Section 5. Paragraph (a) of subsection (1) of section
 161 1002.89, Florida Statutes, is amended to read:

162 1002.89 School readiness program; funding.—

163 (1) DETERMINATION OF EARLY LEARNING COALITION SCHOOL
 164 READINESS PROGRAM FUNDING.—Funding for the school readiness
 165 program shall be used by the early learning coalitions in
 166 accordance with this part and the General Appropriations Act.

167 (a) School readiness program allocation.—If the annual
 168 allocation for the school readiness program is not determined in
 169 the General Appropriations Act or the substantive bill
 170 implementing the General Appropriations Act, it shall be
 171 determined as follows:

172 1. For each county in the early learning coalition, the
 173 total number of unweighted full-time equivalent school readiness
 174 children ~~eligible population~~, as adopted by the Early Learning
 175 Programs Estimating Conference pursuant to s. 216.136(8), shall

176 be multiplied by the appropriate care level factor to calculate
177 the weighted full-time equivalent school readiness children. For
178 purposes of this subparagraph, the term "care level factor"
179 means the adjustment made based on the relative differences in
180 reimbursement rates associated with the eligible school
181 readiness children pursuant to s. 1002.87 ~~county's comparable~~
182 ~~wage factor provided in s. 1011.62(2).~~

183 2. The product of weighted full-time equivalent school
184 readiness children shall be multiplied by the rate index to
185 calculate the adjusted weighted full-time equivalent school
186 readiness children. For purposes of this subparagraph, the term
187 "rate index" means the adjustment made based on the impact of
188 geographic location on reimbursement rates ~~If a county passed a~~
189 ~~local ordinance before January 1, 2022, that establishes the~~
190 ~~county's staff-to-children ratio for licensed child care~~
191 ~~facilities below the ratio established in s. 402.305(4),~~
192 ~~multiply the product calculated in subparagraph 1. by the~~
193 ~~adjustment factor specified in the General Appropriations Act.~~

194 3. The school readiness program funds shall be distributed
195 ~~Each county's school readiness allocation shall be based on~~ each
196 ~~the county's proportionate share of the total adjusted~~ weighted
197 full-time equivalent school readiness children ~~eligible school~~
198 ~~readiness population.~~

199 Section 6. Subsections (8) and (9) of section 1002.895,
200 Florida Statutes, are renumbered as subsections (6) and (7),

201 respectively, and present subsections (1), (2), (3), (4), (6),
 202 and (7) of that section are amended to read:

203 1002.895 Market rate schedule.—The school readiness
 204 program market rate schedule shall be implemented as follows:

205 (1) The department shall establish procedures for the
 206 adoption of a market rate schedule. The schedule must include,
 207 at a minimum, county-by-county rates and—

208 ~~(a)~~ the market rate, to include ~~including~~ the minimum and
 209 the maximum rates for child care providers that hold a Gold Seal
 210 Quality Care designation under s. 1002.945 and adhere to its
 211 accrediting association's teacher-to-child ratios and group size
 212 requirements and—

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

215 (2) The market rate schedule must differentiate rates by
 216 provider type, including, but not limited to:

217 ~~(a)~~ ~~Child care providers that hold a Gold Seal Quality~~
 218 ~~Care designation under s. 1002.945 and adhere to their~~
 219 ~~accrediting association's teacher-to-child ratios and group size~~
 220 ~~requirements.~~

221 (a) ~~(b)~~ Child care providers licensed under s. 402.305,
 222 faith-based child care providers exempt from licensure under s.
 223 402.316 ~~that do not hold a Gold Seal Quality Care designation,~~
 224 and large family child care homes licensed under s. 402.3131
 225 ~~that do not hold a Gold Seal Quality Care designation.~~

226 (b)~~(e)~~ Public or nonpublic schools exempt from licensure
 227 under s. 402.3025.

228 (c)~~(d)~~ Family day care homes licensed or registered under
 229 s. 402.313.

230 ~~(e) Large family child care homes licensed under s.~~
 231 ~~402.3131.~~

232 (3) The market rate schedule must differentiate rates by
 233 care level that includes ~~the type of child care services~~
 234 ~~provided for children with special needs or risk categories,~~
 235 infants, toddlers, 2-year-old children, 3-year-old children, 4-
 236 year-old children, 5-year-old children, and school-age children.

237 (4) The market rate schedule must differentiate rates
 238 between full-time and part-time child care services ~~and consider~~
 239 ~~discounted rates for child care services for multiple children~~
 240 ~~in a single family.~~

241 ~~(6) The department shall establish procedures to annually~~
 242 ~~collect data regarding the cost of care to include, but not be~~
 243 ~~limited to:~~

244 ~~(a) Data from the Department of Economic Opportunity's~~
 245 ~~Bureau of Workforce Statistics and Economic Research on the~~
 246 ~~average salary for child care personnel to include, at a~~
 247 ~~minimum, child care instructors and child care directors.~~

248 ~~(b) Data from child care providers as part of data~~
 249 ~~collected under s. 1002.92(4) to include, at a minimum, the~~
 250 ~~average annual cost of materials and curriculum, the average~~

251 ~~annual cost of food and maintenance costs, and the average~~
 252 ~~annual cost of any regulatory fees or operational costs per~~
 253 ~~child.~~

254 ~~(7) The department shall provide all applicable data~~
 255 ~~collected in this section to the Early Learning Programs~~
 256 ~~Estimating Conference established pursuant to s. 216.136(8).~~

257 Section 7. Section 1002.90, Florida Statutes, is repealed.

258 Section 8. Paragraph (e) of subsection (4) of section
 259 1002.92, Florida Statutes, is amended to read:

260 1002.92 Child care and early childhood resource and
 261 referral.—

262 (4) A child care facility licensed under s. 402.305 and
 263 licensed and registered family day care homes must provide the
 264 statewide child care and resource and referral network with the
 265 following information annually:

266 ~~(e) Data required under s. 1002.895.~~

267 Section 9. For the 2024-2025 fiscal year, the sum of
 268 \$75,384,882 in nonrecurring funds is appropriated from the Child
 269 Care and Development Block Grant Trust Fund to the Department of
 270 Education for the costs associated with the change of the income
 271 eligibility requirement for the school readiness program to 55
 272 percent of the state median income as provided by this act.

273 These funds shall be placed in reserve. The department is
 274 authorized to submit budget amendments requesting the release of
 275 the funds pursuant to chapter 216, Florida Statutes. Release of

276 the funds is contingent upon the submission of an allocation
277 plan in accordance with the requirements of s. 1002.89(1),
278 Florida Statutes.

279 Section 10. For the 2024-2025 fiscal year, the sum of \$100
280 million in nonrecurring funds is appropriated from the Child
281 Care and Development Block Grant Trust Fund to the Department of
282 Education for allocation to the early learning coalitions in
283 accordance with s. 1002.84(17), Florida Statutes. These funds
284 shall be placed in reserve. The department is authorized to
285 submit budget amendments requesting the release of the funds
286 pursuant to chapter 216, Florida Statutes. Release of the funds
287 is contingent upon the submission of an allocation plan
288 developed by the department in collaboration with the early
289 learning coalitions.

290 Section 11. This act shall take effect July 1, 2024.

**PCS for
CS/HB 1349**

HOUSE OF REPRESENTATIVES STAFF ANALYSIS

BILL #: PCS for CS/HB 1349 History and Instruction of Political and Socio-economic Systems

SPONSOR(S): Education & Employment Committee

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

REFERENCE	ACTION	ANALYST	STAFF DIRECTOR or BUDGET/POLICY CHIEF
Orig. Comm.: Education & Employment Committee		Collins	Hassell

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.
- Comparative discussion of political ideologies, such as Communism and totalitarianism, that conflict with the principles of freedom and democracy essential to the founding principles of the United States.
- The increasing threat of Communism in the United States and our allies through the 20th Century, 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 the Department of Education (DOE) to prepare and offer standards for the instruction and authorizes the DOE to seek input from any individuals who were victims of Communism or any state or nationally recognized organizations dedicated to the victims of Communism. Additionally, the Department of State is required to collaborate with the DOE, and consult with key stakeholders, to provide a recommendation to the Legislature, no later than December 1, 2024, regarding the creation of a museum of the history of Communism.

The bill renames the Adam Smith Center for the Study of Economic Freedom as the Adam Smith Center for Economic Freedom (Center). Additionally, the bill expands the goals of the Center to include educational freedom with the study and effect of government and free market economies. The bill also requires the Center to prepare and host symposiums for civil discussions on democracy and capitalism and to partner with the Institute for Freedom in the Americas to support its mission of promoting economic and individual freedoms as a means for advancing human progress with an emphasis on Latin America and the Caribbean.

The bill creates the Institute for Freedom (Institute) in the Americas at Miami Dade College to preserve the ideals of a free society and promote democracy in the Americas. The bill requires the Institute to partner with the Center to provide networking opportunities for regional leaders to advance the understanding of democratic values, while also offering educational opportunities in democracy and governance. The bill requires the Institute to be supported by a direct-support organization with a five-member board appointed by the Governor, the President of the Senate, and the Speaker of the House of Representatives.

The bill does not appear to have a fiscal impact.

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

FULL ANALYSIS

I. SUBSTANTIVE ANALYSIS

A. EFFECT OF PROPOSED CHANGES:

Florida Required Instruction

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 generations through motivating stories of American history that demonstrate important life skills and the

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).

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.
- Comparative discussion of political ideologies, such as Communism and totalitarianism, that conflict with the principles of freedom and democracy essential to the founding principles of the United States.
- The increasing threat of Communism in the United States and our allies through the 20th Century, including the events of the Cultural Revolution in the People's Republic of China and other mass killings from Communist regimes.

⁷ Section 1003.42(4), F.S.

⁸ See Florida's State Academic Standards, *Social Studies* (2023), available at <https://www.fldoe.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 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 the DOE to prepare and offer standards for the instruction and authorizes the DOE to seek input from any individuals who were victims of Communism or any state or nationally recognized organizations dedicated to the victims of Communism.

Further, the bill requires the Department of State, in collaboration with the DOE, to consult with state and national stakeholders to provide a recommendation to the Legislature, no later than December 1, 2024, on the creation of a museum of the history of Communism.

The Adam Smith Center for the Study of Economic Freedom

Present Situation

In 2020, the Florida Legislature created the Adam Smith Center for the Study of Economic Freedom (Center) at Florida International University.¹² The Center's mission is to harnesses the power of rigorous research, excellence in education and mentorship, and effective public outreach to offer a better understanding of the free enterprise system and its impact on individual freedom and human prosperity around the world, with a special emphasis on the United States, Latin America, and the Caribbean.¹³

Working at the intersection of government policy and the free market, the Center is a world-class, independent, non-partisan think tank that aims to inform, influence, and inspire current and future leaders to develop and implement innovative policies to advance economic and individual freedom and human prosperity.¹⁴ The goals of the Center are to:¹⁵

- Study the effect of government and free market economies on individual freedom and human prosperity.
- Conduct and promote research on the effect of political and economic systems on human prosperity.
- Plan and host research workshops and conferences to allow students, scholars, and guests to exchange in civil discussion of democracy and capitalism.
- Provide fellowship and mentoring opportunities to students engaged in scholarly studies of the effect of political and economic systems on human prosperity.

Effect of Proposed Changes

The bill renames the Center as the Adam Smith Center for Economic Freedom. Additionally, the bill expands the goals of the Center to include the study and effect of government and free market economies on educational freedom, and to plan and host symposiums for civil discussions on democracy and capitalism. The bill authorizes the Center to develop curriculum to offer degrees and requires the Center to partner with the Institute for Freedom in the Americas to supports its mission, which includes promoting economic and individual freedoms as a means for advancing human progress with an emphasis on Latin America and the Caribbean.

The bill creates the Institute for Freedom (Institute) in the Americas at Miami Dade College to preserve the ideals of a free society and promote democracy in the Americas. The bill requires the Institute to be located at the Freedom Tower and provides the Institute with the following duties:

¹² Section 7, Ch. 2020-17, L.O.F., *codified* at s. 1004.6991, F.S.

¹³ Florida International University, The Adam Smith Center for Economic Freedom, <https://freedom.fiu.edu/> (last visited Feb. 16, 2024).

¹⁴ *Id.*

¹⁵ Section 1004.64991, F.S.

- Partner with the Center to hold workshops, symposiums, and conferences that provide networking opportunities for leaders throughout the region to gain new insights and ideas for promoting democracy, including knowledge and insight to the intellectual, political and economic freedoms that are foundational to a democratic society.
- Enter into an agreement with the Center to provide participants with academic coursework and programs that advance democratic practices and economic and legal reforms.
- Provide educational and experiential opportunities for regional leaders committed to careers in democracy and governance.

The bill requires Miami Dade College to approve a direct-support organization to support the Institute in its mission to develop partnerships throughout the Americas. The board of the direct-support organization must consist of five members as follows:

- one member appointed by the President of the Senate;
- one member appointed by the Speaker of the House of Representatives; and
- three members appointed by the Governor which must include a representative from Miami Dade College and the Center.

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 such instruction; requiring the Department of Education to prepare and offer standards for such instruction; authorizing the department to seek specified input for such standards; Requiring the Department of Education to prepare and offer standards for such instruction; authorizing the department to seek specified input for such standards;

Section 2: Requiring the Department of State, in collaboration with the Department of Education, to provide a recommendation to the Legislature by a specified date relating to the creation of a museum of the history of Communism; providing for the future expiration of such requirements.

Section 3: Amends s. 1004.6496, F.S.; conforming provisions to changes made by the act.

Section 4: Amends s. 1004.64991, F.S.; renaming the Adam Smith Center for the Study of Economic Freedom; revising the goals of the center.

Section 5: Creates s. 1004.89, F.S.; Creating the Institute for Freedom in the Americas at Miami Dade College for specified purposes; providing requirements for the institute; requiring Miami Dade College to approve a direct-support organization for the institute; providing membership requirements for the direct organization.

Section 6: 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:

The bill does not appear to have a fiscal impact.

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

Not applicable.

1 A bill to be entitled
2 An act relating to history and instruction of
3 political and socio-economic systems; amending s.
4 1003.42, F.S.; beginning in a specified school year,
5 requiring students to receive instruction on the
6 history of Communism; providing requirements for such
7 instruction; requiring the Department of Education to
8 prepare and offer standards for such instruction;
9 authorizing the department to seek specified input for
10 such standards; requiring the Department of State, in
11 collaboration with the Department of Education, to
12 provide a recommendation to the Legislature by a
13 specified date relating to the creation of a museum of
14 the history of Communism; providing for the future
15 expiration of such requirements; amending s.
16 1004.6496, F.S.; conforming provisions to changes made
17 by the act; amending s. 1004.64991, F.S.; renaming the
18 Adam Smith Center for the Study of Economic Freedom as
19 the Adam Smith Center for Economic Freedom; revising
20 the goals of the center; creating s. 1004.89, F.S.;
21 creating the Institute for Freedom in the Americas at
22 Miami Dade College for specified purposes; providing
23 requirements for the institute; requiring Miami Dade
24 College to approve a direct-support organization for
25 the institute; providing membership requirements for

26 | the direct-support organization; providing an
 27 | effective date.

28 |

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

30 |

31 | Section 1. Paragraph (v) is added to subsection (2) of
 32 | section 1003.42, Florida Statutes, to read:

33 | 1003.42 Required instruction.—

34 | (2) Members of the instructional staff of the public
 35 | schools, subject to the rules of the State Board of Education
 36 | and the district school board, shall teach efficiently and
 37 | faithfully, using the books and materials required that meet the
 38 | highest standards for professionalism and historical accuracy,
 39 | following the prescribed courses of study, and employing
 40 | approved methods of instruction, the following:

41 | (v)1. Beginning in the 2026-2027 school year, the History
 42 | of Communism. Such instruction must be age appropriate and
 43 | developmentally appropriate and include:

44 | a. The history of Communism in the United States and
 45 | domestic Communist movements, including their histories and
 46 | tactics.

47 | b. Atrocities committed in foreign countries under the
 48 | guidance of Communism.

49 | c. Comparative discussion of political ideologies, such as
 50 | Communism and totalitarianism, that conflict with the principles

51 of freedom and democracy essential to the founding principles of
52 the United States.

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

57 e. The economic, industrial, and political events that
58 have preceded and anticipated Communist revolutions.

59 f. The Communist policies of Cuba and the spread of
60 Communist ideologies throughout Latin America, including the
61 roots of the Communist Party of Cuba and guerilla forces
62 throughout Latin America.

63 2. The department shall prepare and offer standards for
64 the instruction required by this paragraph and may seek input
65 from any individuals who were victims of Communism or any state
66 or nationally recognized organizations dedicated to the victims
67 of Communism.

68
69 The State Board of Education is encouraged to adopt standards
70 and pursue assessment of the requirements of this subsection.
71 Instructional programming that incorporates the values of the
72 recipients of the Congressional Medal of Honor and that is
73 offered as part of a social studies, English Language Arts, or
74 other schoolwide character building and veteran awareness
75 initiative meets the requirements of paragraph (u).

76 Section 2. The Department of State shall, in collaboration
 77 with the Department of Education, consult with state and
 78 national stakeholders to provide a recommendation to the
 79 Legislature, no later than December 1, 2024, on the creation of
 80 a museum of the history of Communism. This section expires July
 81 1, 2025.

82 Section 3. Paragraph (e) of subsection (3) of section
 83 1004.6496, Florida Statutes, is amended to read:

84 1004.6496 Hamilton Center for Classical and Civic
 85 Education.—

86 (3) The goals of the center are to:

87 (e) Coordinate with the Florida Institute for Governance
 88 and Civics created pursuant to s. 1004.6499 and the Adam Smith
 89 Center for ~~the Study of~~ Economic Freedom created pursuant to s.
 90 1004.64991 and assist in the curation and implementation of
 91 Portraits in Patriotism created pursuant to s. 1003.44.

92 Section 4. Section 1004.64991, Florida Statutes, is
 93 amended to read:

94 1004.64991 The Adam Smith Center for ~~the Study of~~ Economic
 95 Freedom.—

96 (1) The Adam Smith Center for ~~the Study of~~ Economic
 97 Freedom at Florida International University is hereby created.

98 (2) The goals of the center are to:

99 (a) Study the effect of government and free market
 100 economies on individual freedom, educational freedom, and human

101 prosperity.

102 (b) Conduct and promote research on the effect of
103 political and economic systems on human prosperity.

104 (c) Plan and host ~~research~~ workshops, symposiums, and
105 conferences to allow students, scholars, and guests to exchange
106 in civil discussion of democracy and capitalism.

107 (d) Provide fellowship and mentoring opportunities to
108 students engaged in scholarly studies of the effect of political
109 and economic systems on human prosperity.

110 (e) Partner with the Institute for Freedom in the Americas
111 to support its mission, which includes promoting economic and
112 individual freedoms as a means for advancing human progress with
113 an emphasis on Latin America and the Caribbean.

114 (3) In order to carry out the purpose set forth in this
115 section, the center ~~institute~~ is authorized to:

116 (a) Hire necessary faculty and staff pursuant to s.
117 1001.741;

118 (b) Enroll students;

119 (c) Develop curriculum and offer new courses, including
120 honors courses, certificates, degrees, and major and minor
121 programs;

122 (d) Hold events, including fundraisers;

123 (e) Fulfill other actions approved by the president of the
124 university; and

125 (f) Generate resources based on student credit hour

126 enrollment, in the same manner as any college within the
127 institution.

128 Section 5. Section 1004.89, Florida Statutes, is created
129 to read:

130 1004.89 Institute for Freedom in the Americas.-

131 (1) The Institute for Freedom in the Americas is created
132 at Miami Dade College to preserve the ideals of a free society
133 and promote democracy in the Americas. The institute shall be
134 located at the Freedom Tower and shall:

135 (a) Partner with the Adam Smith Center for Economic
136 Freedom to hold workshops, symposiums, and conferences that
137 provide networking opportunities for leaders throughout the
138 region to gain new insights and ideas for promoting democracy,
139 including knowledge and insight to the intellectual, political,
140 and economic freedoms that are foundational to a democratic
141 society.

142 (b) Enter into an agreement with the Adam Smith Center for
143 Economic Freedom to provide participants with academic
144 coursework and programs that advance democratic practices and
145 economic and legal reforms.

146 (c) Provide educational and experiential opportunities for
147 regional leaders committed to careers in democracy and
148 governance.

149 (2) Miami Dade College, in accordance with s. 1004.70,
150 shall approve a direct-support organization to support the

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151 institute in its mission to develop partnerships throughout the
152 Americas. The board of the direct-support organization shall
153 consist of five members as follows:

154 (a) Three members appointed by the Governor which shall
155 include a representative from Miami Dade College and the Adam
156 Smith Center for Economic Freedom.

157 (b) One member appointed by the President of the Senate.

158 (c) One member appointed by the Speaker of the House of
159 Representatives.

160 Section 6. This act shall take effect July 1, 2024.