

1 A Bill Relating to Early Learning

2
3 Section 1. Paragraph (e) of subsection (1) of section
4 1002.81, Florida Statutes, are amended to read:

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

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

9
10 Section 2. Paragraphs (j-z) of subsection (2) and paragraph
11 (a) of subsection (5) of section 1002.82, Florida Statutes,
12 are amended to read:

13 (2) The office shall:

14 (j) Coordinate with the Child Care Services Program Office
15 of the Department of Children and Families or its
16 contracted provider for a triennial evaluation of
17 accrediting agencies approved under s. 402.81 to determine
18 which accrediting associations' requirements and processes
19 positively impact child outcomes. Based on the findings of
20 the evaluation the Office of Early Learning shall set a
21 payment differential for each child care provider that has
22 an active Gold Seal Quality Care Designation and that has
23 been accredited by an accrediting agency identified as
24 positively impacting child outcomes in the final report at
25 a 20% differential rate higher than the coalition's base
26 approved reimbursement rate for each care level and unit of
27 care.

28 (k) ~~(j)~~ Develop and adopt standards and benchmarks that
29 address the age-appropriate progress of children in the
30 development of school readiness skills. The standards for
31 children from birth to 5 years of age in the school
32 readiness program must be aligned with the performance

33 standards adopted for children in the Voluntary
34 Prekindergarten Education Program and must address the
35 following domains:

- 36 1. Approaches to learning.
- 37 2. Cognitive development and general knowledge.
- 38 3. Numeracy, language, and communication.
- 39 4. Physical development.
- 40 5. Self-regulation.

41 (l)-(k) Select assessments that are valid, reliable, and
42 developmentally appropriate for use as preassessment and
43 postassessment for the age ranges specified in the
44 coalition plans. The assessments must be designed to
45 measure progress in the domains of the performance
46 standards adopted pursuant to paragraph (j), provide
47 appropriate accommodations for children with disabilities
48 and English language learners, and be administered by
49 qualified individuals, consistent with the publisher's
50 instructions.

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

55 (n) Adopt program assessment requirements for school
56 readiness program providers that measure the quality of
57 teacher-child interactions using a research based
58 observation tool. Requirements shall include at a minimum
59 the adoption of quality measures including a minimum
60 threshold for contracting purposes, a process for
61 participation, exemptions, improvement through the
62 completion of an improvement plan, and removal from the
63 school readiness program for failure to meet minimum
64 quality measures for a period of up to 5 years.

65 ~~(o)-(m)~~ Adopt by rule a standard statewide provider
66 contract to be used with each school readiness program
67 provider with standardized attachments by provider type.
68 The office shall publish a copy of the standard statewide
69 provider contract on its website. The standard statewide
70 contract shall include, at a minimum, health and safety,
71 contracted slots if applicable in accordance with the Child
72 Care and Development Block Grant Act of 2014, section
73 658E(c) (2) (A), quality improvement strategies if
74 applicable, and program assessment requirements and
75 provisions for provider probation, termination for cause,
76 and emergency termination for those actions or inactions of
77 a provider that pose an immediate and serious danger to the
78 health, safety, or welfare of the children. The standard
79 statewide provider contract shall also include appropriate
80 due process procedures. During the pendency of an appeal of
81 a termination, the provider may not continue to offer its
82 services. Any provision imposed upon a provider that is
83 inconsistent with, or prohibited by, law is void and
84 unenforceable.

85 ~~(p)-(n)~~ Establish a single statewide information system
86 that each coalition must use for the purposes of managing
87 the single point of entry, tracking children's progress,
88 coordinating services among stakeholders, determining
89 eligibility of children, tracking child attendance, and
90 streamlining administrative processes for providers and
91 early learning coalitions.

92 ~~(q)-(o)~~ Adopt by rule standardized procedures for
93 coalitions to use when monitoring the compliance of school
94 readiness program providers with the terms of the standard
95 statewide provider contract.

96 ~~(r)-(p)~~ Monitor and evaluate the performance of each early
97 learning coalition in administering the school readiness
98 program, ensuring proper payments for school readiness
99 program services, implementing the coalition's school
100 readiness program plan, and administering the Voluntary
101 Prekindergarten Education Program. These monitoring and
102 performance evaluations must include, at a minimum, onsite
103 monitoring of each coalition's finances, management,
104 operations, and programs.

105 ~~(s)-(q)~~ Work in conjunction with the Bureau of Federal
106 Education Programs within the Department of Education to
107 coordinate readiness and voluntary prekindergarten services
108 to the populations served by the bureau.

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

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

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

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

127 ~~(v)-(t)~~ Establish preservice and inservice training
128 requirements that address, at a minimum, school readiness
129 child development standards, health and safety
130 requirements, and social-emotional behavior intervention
131 models, which may include positive behavior intervention
132 and support models.

133 ~~(w)-(u)~~ Establish standards for emergency preparedness
134 plans for school readiness program providers.

135 ~~(x)-(v)~~ Establish group sizes.

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

140 ~~(z)-(x)~~ Establish eligibility criteria, including
141 limitations based on income and family assets, in
142 accordance with s. 1002.87 and federal law.

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

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

151 8. The number of school readiness program providers who
152 have completed the program assessment required under
153 paragraph (2) (n) and the number of providers who, at a
154 minimum, have not met the minimum threshold for
155 contracting, have been granted an exemption, or have an
156 active improvement plan based on the results of a program
157 assessment ~~The number of school readiness program providers~~
158 ~~who have completed a program assessment and the number of~~

159 ~~providers who at a minimum have been determined low quality~~
160 ~~as determined by the Office of Early Learning based on the~~
161 ~~results of a research based observation tool that measures~~
162 ~~the quality of teacher-child interactions.~~

163 ~~9.8.~~ The total number of provider contracts revoked and
164 the reasons for revocation.
165

166 Section 3. Paragraph (b-d) of subsection (2) of section
167 1002.85 Florida Statutes, are amended, to read:

168 1002.85 Early learning coalition plans.-

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

180 (b) ~~A community needs assessment that identifies through~~
181 ~~data analysis the needs of families, children and providers~~
182 An assessment based on available community data that
183 identifies the needs of children, families, and assesses
184 provider capacity in order to inform local priorities
185 within the coalition's county or multi-county region that
186 most directly impacts children's readiness for school.

187 The minimum number of children to be served by care level.

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

190 1. Single point of entry.

- 191 2. Uniform waiting list.
- 192 3. Eligibility and enrollment processes and local
193 eligibility priorities for children in accordance with s.
194 1002.87.
- 195 4. Parent access and choice.
- 196 5. Sliding fee scale and policies on applying the waiver
197 or reduction of fees in accordance with s. 1002.84(8).
- 198 6. Use of preassessments and postassessments, as
199 applicable.
- 200 7. Payment rate and capacity analysis that supports the
201 coalition's payment rate schedule.
- 202 8. Use of contracted slots, as applicable based on the
203 results of the needs assessment in section (b).
- 204 (d) A detailed description of the coalition's quality
205 activities and services, including, but not limited to:
206 1. Quality improvement strategies that strengthen
207 teaching practices and increase child outcomes.
- 208 2.1. Resource and referral and school-age child care.
209 3.2. Infant and toddler early learning.
210 4.3. Inclusive early learning programs.

211

212 Section 4. Subsections (1), (2), (3), and (7) of section
213 1002.87, Florida Statutes, are amended to read:

214 1002.87 School readiness program; eligibility and
215 enrollment.—

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

218 (a) Priority shall be given first to a child younger than
219 13 years of age from a family that includes a parent who is
220 receiving temporary cash assistance under chapter 414 and
221 subject to the federal work requirements.

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

224 (c) Subsequent priority shall be given, based on the early
225 learning coalition's needs assessment and local priorities
226 as described in s. 1002.85(2)(b), to children who meet the
227 following criteria:

228 1. (c) Priority shall be given next to A child from birth
229 to the beginning of the school year for which the child is
230 eligible for admission to kindergarten in a public school
231 under s. 1003.21(1)(a)2., who is from a working family that
232 is economically disadvantaged, and may include such child's
233 eligible siblings, beginning with the school year in which
234 the sibling is eligible for admission to kindergarten in a
235 public school under s. 1003.21(1)(a)2., until the beginning
236 of the school year in which the sibling is eligible to
237 begin 6th grade, provided that the first priority for
238 funding an eligible sibling is local revenues available to
239 the coalition for funding direct services.

240 2. (d) Priority shall be given next to a A child of a
241 parent who transitions from the work program into
242 employment as described in s. 445.032 from birth to the
243 beginning of the school year for which the child is
244 eligible for admission to kindergarten in a public school
245 under s. 1003.21(1)(a)2.

246 3. (e) Priority shall be given next to An at-risk child
247 who beginning with the school year in which the child is
248 eligible for admission to kindergarten but younger than 13
249 years of age. An at-risk child whose sibling is enrolled in
250 the school readiness program within an eligibility priority
251 category listed in paragraphs (a)-(b) shall be given
252 priority over other children who are eligible under this
253 paragraph.

254 ~~4. (f) Priority shall be given next to~~ A child who is
255 younger than 13 years of age from a working family that is
256 economically disadvantaged. ~~A child who is eligible under~~
257 ~~this paragraph whose sibling is enrolled in the school~~
258 ~~readiness program under paragraph (c) shall be given~~
259 ~~priority over other children who are eligible under this~~
260 ~~paragraph~~

261 ~~5. (g) Priority shall be given next to~~ A child of a
262 parent who transitions from the work program into
263 employment as described in s. 445.032 who is younger than
264 13 years of age.

265 ~~6. (h) Priority shall be given next to~~ A child who has
266 special needs, has been determined eligible as a student
267 with a disability, has a current individual education plan
268 with a Florida school district, and is not younger than 3
269 years of age. A special needs child eligible under this
270 paragraph remains eligible until the child is eligible for
271 admission to kindergarten in a public school under s.
272 1003.21(1)(a)2.

273 ~~7. (i) Notwithstanding paragraphs (a)-(d), priority shall~~
274 ~~be given last to~~ A child who otherwise meets one of the
275 eligibility criteria in paragraphs (a)-(c) but who is also
276 enrolled concurrently in the federal Head Start Program and
277 the Voluntary Prekindergarten Education Program.

278 (2) A school readiness program provider may be paid only
279 for authorized hours of care provided for a child in the
280 school readiness program. A child enrolled in the Voluntary
281 Prekindergarten Education Program may receive care from the
282 school readiness program if the child is eligible according
283 to the eligibility priorities and criteria established
284 pursuant to subsection (1) ~~in this section.~~

285 (3) Contingent upon the availability of funds, a
286 coalition shall enroll eligible children, including those
287 from its waiting list, according to the eligibility
288 priorities and criteria established pursuant to subsection
289 (1) ~~in this section~~.

290 (7) If a coalition disenrolls children from the school
291 readiness program, the coalition must disenroll the
292 children in reverse order of the eligibility priorities and
293 criteria established pursuant to ~~listed in~~ subsection (1)
294 beginning with children from families with the highest
295 family incomes. A notice of disenrollment must be sent to
296 the parent and school readiness program provider at least 2
297 weeks before disenrollment to provide adequate time for the
298 parent to arrange alternative care for the child. However,
299 an at-risk child may not be disenrolled from the program
300 without the written approval of the Child Welfare Program
301 Office of the Department of Children and Families or the
302 community-based lead agency.

303

304 Section 5. Paragraph (h) of subsection (1) of section
305 1002.88, Florida Statutes, are amended to read:

306 1002.88 School readiness program provider standards;
307 eligibility to deliver the school readiness program.—

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

310 (h) Subject to legislative funding participate in program
311 assessment in accordance with s. 1002.82(2)(m).

312 (i) Subject to legislative funding participate in quality
313 improvement strategies as required.

314 (j) ~~(h)~~—Collaborate with the respective early learning
315 coalition to complete initial screening for each child,
316 aged 6 weeks to kindergarten eligibility, within 45 days

317 after the child's first or subsequent enrollment, to
318 identify a child who may need individualized supports.

319 ~~(k)(i)~~ Implement minimum standards for child discipline
320 practices that are age-appropriate and consistent with the
321 requirements in s. 402.305(12). Such standards must provide
322 that children not be subjected to discipline that is
323 severe, humiliating, or frightening or discipline that is
324 associated with food, rest, or toileting. Spanking or any
325 other form of physical punishment is prohibited.

326 ~~(l)(j)~~ Obtain and keep on file record of the child's
327 immunizations, physical development, and other health
328 requirements as necessary, including appropriate vision and
329 hearing screening and examination, within 30 days after
330 enrollment.

331 ~~(m)(k)~~ Implement before-school or after-school programs
332 that meet or exceed the requirements of s. 402.305(5), (6),
333 and (7).

334 ~~(n)(l)~~ For a provider that is not an informal provider,
335 maintain general liability insurance and provide the
336 coalition with written evidence of general liability
337 insurance coverage, including coverage for transportation
338 of children if school readiness program children are
339 transported by the provider. A provider must obtain and
340 retain an insurance policy that provides a minimum of
341 \$100,000 of coverage per occurrence and a minimum of
342 \$300,000 general aggregate coverage. The office may
343 authorize lower limits upon request, as appropriate. A
344 provider must add the coalition as a named
345 certificateholder and as an additional insured. A provider
346 must provide the coalition with a minimum of 10 calendar
347 days' advance written notice of cancellation of or changes
348 to coverage. The general liability insurance required by

349 this paragraph must remain in full force and effect for the
350 entire period of the provider contract with the coalition.

351 ~~(o)-(m)~~ For a provider that is an informal provider,
352 comply with the provisions of paragraph ~~(m)-(l)~~ or maintain
353 homeowner's liability insurance and, if applicable, a
354 business rider. If an informal provider chooses to maintain
355 a homeowner's policy, the provider must obtain and retain a
356 homeowner's insurance policy that provides a minimum of
357 \$100,000 of coverage per occurrence and a minimum of
358 \$300,000 general aggregate coverage. The office may
359 authorize lower limits upon request, as appropriate. An
360 informal provider must add the coalition as a named
361 certificateholder and as an additional insured. An informal
362 provider must provide the coalition with a minimum of 10
363 calendar days' advance written notice of cancellation of or
364 changes to coverage. The general liability insurance
365 required by this paragraph must remain in full force and
366 effect for the entire period of the provider's contract
367 with the coalition.

368 ~~(p)-(n)~~ Obtain and maintain any required workers'
369 compensation insurance under chapter 440 and any required
370 reemployment assistance or unemployment compensation
371 coverage under chapter 443.

372 ~~(q)-(o)~~ Notwithstanding paragraph (l), for a provider that
373 is a state agency or a subdivision thereof, as defined in
374 s. 768.28(2), agree to notify the coalition of any
375 additional liability coverage maintained by the provider in
376 addition to that otherwise established under s. 768.28. The
377 provider shall indemnify the coalition to the extent
378 permitted by s. 768.28.

379 ~~(r)-(p)~~ Execute the standard statewide provider contract
380 adopted by the office.

381 (s)~~(e)~~ Operate on a full-time and part-time basis and
382 provide extended-day and extended-year services to the
383 maximum extent possible without compromising the quality of
384 the program to meet the needs of parents who work.

385

386 Section 6. Paragraph (b) of subsection (6) of section
387 1002.89, Florida Statutes, are amended to read:

388 (6) Costs shall be kept to the minimum necessary for the
389 efficient and effective administration of the school
390 readiness program with the highest priority of expenditure
391 being direct services for eligible children. However, no
392 more than 5 percent of the funds described in subsection
393 (5) may be used for administrative costs and no more than
394 22 percent of the funds described in subsection (5) may be
395 used in any fiscal year for any combination of
396 administrative costs, quality activities, and nondirect
397 services as follows:

398 2. Awarding grants and providing financial support to
399 school readiness program providers and their staff to
400 assist them in meeting applicable state requirements for
401 program assessment, child care performance standards,
402 implementing developmentally appropriate curricula and
403 related classroom resources that support curricula,
404 providing literacy supports, and providing continued
405 professional development and training. Any grants awarded
406 pursuant to this subparagraph shall comply with
407 ss.215.971 and 287.058.

408

409 Section 7. For fiscal year 2018-2019 the nonrecurring sum
410 of \$6,000,000 from the Child Care and Development Block
411 Grant Trust Fund is appropriated to the Office of early
412 Learning to fund sections 1002.82(2)(j) and 1002.82(2)(n).

413

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

DRAFT