

## ENROLLED

HB 0001A, Engrossed 1

2004 Legislature

1 A bill to be entitled

2 An act relating to early learning; creating part V of ch.  
3 1002, F.S.; creating the Voluntary Prekindergarten  
4 Education Program; implementing s. 1(b) and (c), Art. IX  
5 of the State Constitution; providing definitions for  
6 purposes of the program; providing eligibility and  
7 enrollment requirements; authorizing parents to enroll  
8 their children in a school-year program delivered by a  
9 private prekindergarten provider, a summer program  
10 delivered by a public school or private prekindergarten  
11 provider, or a school-year program delivered by a public  
12 school; requiring school districts to admit all eligible  
13 children in the summer program; prohibiting specified acts  
14 of discrimination and certain limits on enrollment;  
15 specifying eligibility requirements for private  
16 prekindergarten providers and public schools that deliver  
17 the program; requiring minimum hours for the program;  
18 providing minimum requirements for prekindergarten  
19 instructors; providing for the adoption of rules;  
20 providing minimum and maximum class sizes; requiring  
21 appropriate adult supervision for prekindergarten classes;  
22 requiring the Department of Education to establish minimum  
23 standards for a credential for prekindergarten directors  
24 and for emergent literacy training courses for  
25 prekindergarten instructors; requiring the credential and  
26 course to provide training and resources containing  
27 strategies that maximize the program's benefits for  
28 students with disabilities and other special needs;  
29 providing that the credential and course satisfy certain

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30 |       credentialing and training requirements; providing limits  
31 |       on when a provider or school may deliver the summer  
32 |       prekindergarten program; specifying eligibility  
33 |       requirements for school districts that deliver the school-  
34 |       year prekindergarten program; providing legislative  
35 |       intent; authorizing providers and schools to select or  
36 |       design curricula used for the program; directing the  
37 |       Department of Education to adopt performance standards and  
38 |       approve curricula under specified conditions; requiring  
39 |       providers and schools to be placed on probation and use  
40 |       the approved curricula under certain circumstances;  
41 |       requiring improvement plans and corrective actions from  
42 |       providers and schools under certain circumstances;  
43 |       providing for the removal of providers or schools that  
44 |       remain on probation beyond specified time limits;  
45 |       requiring early learning coalitions and school districts  
46 |       to verify the compliance of private prekindergarten  
47 |       providers and public schools; authorizing the removal of  
48 |       providers and schools for noncompliance or misconduct;  
49 |       requiring interagency coordination for monitoring  
50 |       providers; requiring the Department of Education to adopt  
51 |       a statewide kindergarten screening; requiring certain  
52 |       students to take the statewide screening; specifying  
53 |       requirements for screening instruments and kindergarten  
54 |       readiness rates; directing the State Board of Education to  
55 |       establish minimum rates; providing funding and reporting  
56 |       requirements; specifying the calculation of per-student  
57 |       allocations; authorizing students to withdraw, reenroll,  
58 |       and receive additional per-student allocations under

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59 specified conditions; providing for advance payments to  
60 private prekindergarten providers and public schools based  
61 upon student enrollment; providing for the documentation  
62 and certification of student attendance; requiring parents  
63 to verify student attendance and certify the choice of  
64 provider or school; providing for the reconciliation of  
65 advance payments based upon attendance; requiring students  
66 to comply with attendance policies and authorizing the  
67 dismissal of students for noncompliance; requiring the  
68 Agency for Workforce Innovation to adopt a uniform  
69 attendance policy for funding purposes; providing for  
70 administrative funds to be used by early learning  
71 coalitions; prohibiting certain fees or charges; limiting  
72 the use of state funds; providing powers and duties of the  
73 Department of Education and the Agency for Workforce  
74 Innovation; requiring the department and the agency to  
75 adopt procedures for the Voluntary Prekindergarten  
76 Education Program; creating the Florida Early Learning  
77 Advisory Council; providing for the appointment and  
78 membership of the advisory council; providing membership  
79 and meeting requirements; authorizing council members to  
80 receive per diem and travel expenses; requiring the Agency  
81 for Workforce Innovation to provide staff for the advisory  
82 council; providing for the adoption of rules; amending s.  
83 411.01, F.S.; conforming provisions to the transfer of the  
84 Florida Partnership for School Readiness to the Agency for  
85 Workforce Innovation; deleting provisions for the  
86 appointment and membership of the partnership;  
87 redesignating school readiness coalitions as early

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88 learning coalitions; deleting obsolete references to  
89 repealed programs; deleting obsolete provisions governing  
90 the phase in of school readiness programs; deleting  
91 provisions governing the measurement of school readiness,  
92 the school readiness uniform screening, and performance-  
93 based budgeting in school readiness programs; specifying  
94 requirements for school readiness performance standards;  
95 clarifying rulemaking requirements; revising requirements  
96 for school readiness programs; specifying that school  
97 readiness programs must enhance the progress of children  
98 in certain skills; requiring early learning coalitions to  
99 obtain certain health information before enrolling a child  
100 in the school readiness program; requiring the Agency for  
101 Workforce Innovation to monitor and evaluate the  
102 performance of early learning coalitions and to identify  
103 best practices for the coalitions; requiring a reduction  
104 in the number of coalitions in accordance with specified  
105 standards; directing the Agency for Workforce Innovation  
106 to adopt procedures for the merger of coalitions;  
107 providing exceptions; authorizing the Agency for Workforce  
108 Innovation to dissolve a coalition under specified  
109 conditions; revising appointment and membership  
110 requirements for the coalitions; specifying that certain  
111 members are nonvoting; directing the Agency for Workforce  
112 Innovation to adopt criteria for the appointment of  
113 certain members; requiring each coalition to specify terms  
114 of coalition members; requiring a quorum of coalition  
115 members; prohibiting coalition members from voting under  
116 certain circumstances; providing a definition for purposes

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117 of the single point of entry; requiring early learning  
118 coalitions to use a statewide information system;  
119 requiring the Agency for Workforce Innovation to approve  
120 payment rates and consider the access of eligible children  
121 before approving proposals to increase rates; prioritizing  
122 the use of school readiness funds under certain  
123 circumstances; deleting requirements for the minimum  
124 number of children served; providing requirements for  
125 developmentally appropriate curriculum used for school  
126 readiness programs; authorizing contracts for the  
127 continuation of school readiness services under certain  
128 circumstances; requiring the Agency for Workforce  
129 Innovation to adopt criteria for the approval of school  
130 readiness plans; revising requirements for school  
131 readiness plans; providing requirements for the approval  
132 and implementation of plan revisions; revising competitive  
133 procurement requirements for early learning coalitions;  
134 authorizing the coalitions to designate certified public  
135 accountants as fiscal agents; clarifying age and income  
136 eligibility requirements for school readiness programs;  
137 revising eligibility requirements for certain at-risk  
138 children; deleting a requirement for consultation on  
139 performance standards and outcome measures; revising  
140 funding requirements; revising requirements for the  
141 adoption of a formula for the allocation of certain funds  
142 among the early learning coalitions; specifying  
143 allocations for fiscal year 2004-2005; deleting an  
144 obsolete provision requiring a report; deleting the  
145 expiration of eligibility requirements for certain

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146 children from families receiving temporary cash  
147 assistance; amending s. 11.45, F.S.; authorizing the  
148 Auditor General to conduct audits of the school readiness  
149 system; amending s. 20.50, F.S.; creating the Office of  
150 Early Learning within the Agency for Workforce Innovation;  
151 requiring the office to administer the school readiness  
152 system and operational requirements of the Voluntary  
153 Prekindergarten Education Program; amending s. 125.901,  
154 F.S.; conforming provisions to changes made by the act;  
155 amending ss. 216.133 and 216.136, F.S.; redesignating the  
156 School Readiness Program Estimating Conference as the  
157 Early Learning Programs Estimating Conference; requiring  
158 the estimating conference to develop certain estimates and  
159 forecasts for the Voluntary Prekindergarten Education  
160 Program; directing the Agency for Workforce Innovation to  
161 provide certain information to the estimating conference;  
162 amending ss. 402.3016, 411.011, 411.226, 411.227, 1001.23,  
163 1002.22, and 1003.54, F.S.; conforming provisions to the  
164 transfer of the Florida Partnership for School Readiness  
165 to the Agency for Workforce Innovation and to the  
166 redesignation of the school readiness coalitions as early  
167 learning coalitions; authorizing the agency to adopt  
168 rules; amending s. 1007.23, F.S.; requiring the  
169 articulation of certain programs into credit toward a  
170 postsecondary degree; abolishing the Florida Partnership  
171 for School Readiness; transferring all powers, rules,  
172 personnel, and property of the partnership to the Agency  
173 for Workforce Innovation; repealing ss. 411.012 and  
174 1008.21, F.S., relating to the voluntary universal

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175 prekindergarten education program and the school readiness  
 176 uniform screening; providing appropriations and  
 177 authorizing additional positions; requiring that the  
 178 Executive Office of the Governor provide prior notice to  
 179 the Legislative Budget Commission of allocations from the  
 180 lump-sum appropriations to appropriation categories;  
 181 providing an effective date.

182

183 Be It Enacted by the Legislature of the State of Florida:

184

185 Section 1. Part V of chapter 1002, Florida Statutes,  
 186 consisting of sections 1002.51, 1002.53, 1002.55, 1002.57,  
 187 1002.59, 1002.61, 1002.63, 1002.65, 1002.67, 1002.69, 1002.71,  
 188 1002.73, 1002.75, 1002.77, and 1002.79, Florida Statutes, is  
 189 created to read:

190

PART V

191

VOLUNTARY PREKINDERGARTEN EDUCATION PROGRAM

192

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

193

(1) "Department" means the Department of Education.

194

(2) "Early learning coalition" or "coalition" means an  
 195 early learning coalition created under s. 411.01.

196

(3) "Prekindergarten director" means an onsite person  
 197 ultimately responsible for the overall operation of a private  
 198 prekindergarten provider or, alternatively, of the provider's  
 199 prekindergarten program, regardless of whether the person is the  
 200 owner of the provider.

201

(4) "Prekindergarten instructor" means a teacher or child  
 202 care personnel as defined in s. 402.302 who provide instruction  
 203 to students in the Voluntary Prekindergarten Education Program.

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204       (5) "Private prekindergarten provider" means a provider  
205 other than a public school which is eligible to deliver the  
206 school-year prekindergarten program under s. 1002.55 or the  
207 summer prekindergarten program under s. 1002.61.

208       1002.53 Voluntary Prekindergarten Education Program;  
209 eligibility and enrollment.--

210       (1) There is created the Voluntary Prekindergarten  
211 Education Program. The program shall take effect in each county  
212 at the beginning of the 2005-2006 school year and shall be  
213 organized, designed, and delivered in accordance with s. 1(b)  
214 and (c), Art. IX of the State Constitution.

215       (2) Each child who resides in this state who will have  
216 attained the age of 4 years on or before September 1 of the  
217 school year is eligible for the Voluntary Prekindergarten  
218 Education Program during that school year. The child remains  
219 eligible until the beginning of the school year for which the  
220 child is eligible for admission to kindergarten in a public  
221 school under s. 1003.21(1)(a)2. or until the child is admitted  
222 to kindergarten, whichever occurs first.

223       (3) The parent of each child eligible under subsection (2)  
224 may enroll the child in one of the following programs:

225       (a) A school-year prekindergarten program delivered by a  
226 private prekindergarten provider under s. 1002.55;

227       (b) A summer prekindergarten program delivered by a public  
228 school or private prekindergarten provider under s. 1002.61; or

229       (c) A school-year prekindergarten program delivered by a  
230 public school, if offered by a school district that is eligible  
231 under s. 1002.63.

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233 Except as provided in s. 1002.71(4), a child may not enroll in  
234 more than one of these programs.

235 (4) (a) Each parent enrolling a child in the Voluntary  
236 Prekindergarten Education Program must complete and submit an  
237 application to the early learning coalition through the single  
238 point of entry established under s. 411.01.

239 (b) The application must be submitted on forms prescribed  
240 by the Agency for Workforce Innovation and must be accompanied  
241 by a certified copy of the child's birth certificate. The forms  
242 must include a certification, in substantially the form provided  
243 in s. 1002.71(6)(b)2., that the parent chooses the private  
244 prekindergarten provider or public school in accordance with  
245 this section and directs that payments for the program be made  
246 to the provider or school. The Agency for Workforce Innovation  
247 may authorize alternative methods for submitting proof of the  
248 child's age in lieu of a certified copy of the child's birth  
249 certificate.

250 (c) Each early learning coalition shall coordinate with  
251 each of the school districts within the coalition's county or  
252 multicounty region in the development of procedures for  
253 enrolling children in prekindergarten programs delivered by  
254 public schools.

255 (5) The early learning coalition shall provide each parent  
256 enrolling a child in the Voluntary Prekindergarten Education  
257 Program with a profile of every private prekindergarten provider  
258 and public school delivering the program within the coalition's  
259 county or multicounty region. The profiles shall be provided to  
260 parents in a format prescribed by the Agency for Workforce  
261 Innovation. The profiles must include, at a minimum, the

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262 following information about each provider and school:

263 (a) The provider's or school's services, curriculum,

264 instructor credentials, and instructor-to-student ratio; and

265 (b) The provider's or school's kindergarten readiness rate

266 calculated in accordance with s. 1002.69, based upon the most

267 recent available results of the statewide kindergarten

268 screening.

269 (6) (a) A parent may enroll his or her child with any

270 private prekindergarten provider that is eligible to deliver the

271 Voluntary Prekindergarten Education Program under this part;

272 however, the provider may determine whether to admit any child.

273 An early learning coalition may not limit the number of students

274 admitted by any private prekindergarten provider for enrollment

275 in the program. However, this paragraph does not authorize an

276 early learning coalition to allow a provider to exceed any

277 staff-to-children ratio, square footage per child, or other

278 requirement imposed under ss. 402.301-402.319 as a result of

279 admissions in the prekindergarten program.

280 (b) A parent may enroll his or her child with any public

281 school within the school district which is eligible to deliver

282 the Voluntary Prekindergarten Education Program under this part,

283 subject to available space. Each school district may limit the

284 number of students admitted by any public school for enrollment

285 in the program; however, the school district must provide for

286 the admission of every eligible child within the district whose

287 parent enrolls the child in a summer prekindergarten program

288 delivered by a public school under s. 1002.61.

289 (c) Each private prekindergarten provider and public

290 school must comply with the antidiscrimination requirements of

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291 42 U.S.C. s. 2000d, regardless of whether the provider or school  
 292 receives federal financial assistance. A private prekindergarten  
 293 provider or public school may not discriminate against a parent  
 294 or child, including the refusal to admit a child for enrollment  
 295 in the Voluntary Prekindergarten Education Program, in violation  
 296 of these antidiscrimination requirements.

297 1002.55 School-year prekindergarten program delivered by  
 298 private prekindergarten providers.--

299 (1) Each early learning coalition shall administer the  
 300 Voluntary Prekindergarten Education Program at the county or  
 301 regional level for students enrolled under s. 1002.53(3)(a) in a  
 302 school-year prekindergarten program delivered by a private  
 303 prekindergarten provider.

304 (2) Each school-year prekindergarten program delivered by  
 305 a private prekindergarten provider must comprise at least 540  
 306 instructional hours.

307 (3) To be eligible to deliver the prekindergarten program,  
 308 a private prekindergarten provider must meet each of the  
 309 following requirements:

310 (a) The private prekindergarten provider must be a child  
 311 care facility licensed under s. 402.305, family day care home  
 312 licensed under s. 402.313, large family child care home licensed  
 313 under s. 402.3131, nonpublic school exempt from licensure under  
 314 s. 402.3025(2), or faith-based child care provider exempt from  
 315 licensure under s. 402.316.

316 (b) The private prekindergarten provider must:

317 1. Be accredited by an accrediting association that is a  
 318 member of the National Council for Private School Accreditation,  
 319 the Commission on International and Trans-Regional

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320 Accreditation, or the Florida Association of Academic Nonpublic  
321 Schools;

322 2. Hold a current Gold Seal Quality Care designation under  
323 s. 402.281; or

324 3. Be licensed under s. 402.305, s. 402.313, or s.  
325 402.3131 and demonstrate, before delivering the Voluntary  
326 Prekindergarten Education Program, as verified by the early  
327 learning coalition, that the provider meets each of the  
328 requirements of the program under this part, including, but not  
329 limited to, the requirements for credentials and background  
330 screenings of prekindergarten instructors under paragraphs (c)  
331 and (d), minimum and maximum class sizes under paragraph (e),  
332 prekindergarten director credentials under paragraph (f), and a  
333 developmentally appropriate curriculum under s. 1002.67(2)(b).

334 (c) The private prekindergarten provider must have, for  
335 each prekindergarten class, at least one prekindergarten  
336 instructor who meets each of the following requirements:

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

339 a. A child development associate credential issued by the  
340 National Credentialing Program of the Council for Professional  
341 Recognition; or

342 b. A credential approved by the Department of Children and  
343 Family Services as being equivalent to or greater than the  
344 credential described in sub-subparagraph a.

345

346 The Department of Children and Family Services may adopt rules  
347 under ss. 120.536(1) and 120.54 which provide criteria and  
348 procedures for approving equivalent credentials under sub-

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349 subparagraph b.

350 2. The prekindergarten instructor must successfully  
351 complete an emergent literacy training course approved by the  
352 department as meeting or exceeding the minimum standards adopted  
353 under s. 1002.59. This subparagraph does not apply to a  
354 prekindergarten instructor who successfully completes approved  
355 training in early literacy and language development under s.  
356 402.305(2)(d)5., s. 402.313(6), or s. 402.3131(5) before the  
357 establishment of one or more emergent literacy training courses  
358 under s. 1002.59 or April 1, 2005, whichever occurs later.

359 (d) Each prekindergarten instructor employed by the  
360 private prekindergarten provider must be of good moral  
361 character, must be screened using the level 2 screening  
362 standards in s. 435.04 before employment and rescreened at least  
363 once every 5 years, must be denied employment or terminated if  
364 required under s. 435.06, and must not be ineligible to teach in  
365 a public school because his or her educator certificate is  
366 suspended or revoked.

367 (e) Each of the private prekindergarten provider's  
368 prekindergarten classes must be composed of at least 4 students  
369 but may not exceed 18 students. In order to protect the health  
370 and safety of students, each private prekindergarten provider  
371 must also provide appropriate adult supervision for students at  
372 all times and, for each prekindergarten class composed of 11 or  
373 more students, must have, in addition to a prekindergarten  
374 instructor who meets the requirements of paragraph (c), at least  
375 one adult prekindergarten instructor who is not required to meet  
376 those requirements but who must meet each requirement of  
377 paragraph (d). This paragraph does not supersede any requirement

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378 imposed on a provider under ss. 402.301-402.319.

379 (f) Before the beginning of the 2006-2007 school year, the  
380 private prekindergarten provider must have a prekindergarten  
381 director who has a prekindergarten director credential that is  
382 approved by the department as meeting or exceeding the minimum  
383 standards adopted under s. 1002.57. Successful completion of a  
384 child care facility director credential under s. 402.305(2)(f)  
385 before the establishment of the prekindergarten director  
386 credential under s. 1002.57 or July 1, 2006, whichever occurs  
387 later, satisfies the requirement for a prekindergarten director  
388 credential under this paragraph.

389 (g) The private prekindergarten provider must register  
390 with the early learning coalition on forms prescribed by the  
391 Agency for Workforce Innovation.

392 (h) The private prekindergarten provider must deliver the  
393 Voluntary Prekindergarten Education Program in accordance with  
394 this part.

395 (4) A prekindergarten instructor, in lieu of the minimum  
396 credentials and courses required under paragraph (3)(c), may  
397 hold one of the following educational credentials:

398 (a) A bachelor's or higher degree in early childhood  
399 education, prekindergarten or primary education, preschool  
400 education, or family and consumer science;

401 (b) A bachelor's or higher degree in elementary education,  
402 if the prekindergarten instructor has been certified to teach  
403 children any age from birth through 6th grade, regardless of  
404 whether the instructor's educator certificate is current, and if  
405 the instructor is not ineligible to teach in a public school  
406 because his or her educator certificate is suspended or revoked;

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- 407        (c) An associate's or higher degree in child development;  
408        (d) An associate's or higher degree in an unrelated field,  
409        at least 6 credit hours in early childhood education or child  
410        development, and at least 480 hours of experience in teaching or  
411        providing child care services for children any age from birth  
412        through 8 years of age; or  
413        (e) An educational credential approved by the department  
414        as being equivalent to or greater than an educational credential  
415        described in this subsection. The department may adopt criteria  
416        and procedures for approving equivalent educational credentials  
417        under this paragraph.
- 418        1002.57 Prekindergarten director credential.--
- 419        (1) By July 1, 2006, the department shall adopt minimum  
420        standards for a credential for prekindergarten directors of  
421        private prekindergarten providers delivering the Voluntary  
422        Prekindergarten Education Program. The credential must encompass  
423        requirements for education and onsite experience.
- 424        (2) The educational requirements must include training in  
425        the following:
- 426        (a) Professionally accepted standards for prekindergarten  
427        programs, early learning, and strategies and techniques to  
428        address the age-appropriate progress of prekindergarten students  
429        in attaining the performance standards adopted by the department  
430        under s. 1002.67;
- 431        (b) Strategies that allow students with disabilities and  
432        other special needs to derive maximum benefit from the Voluntary  
433        Prekindergarten Education Program; and
- 434        (c) Program administration and operations, including  
435        management, organizational leadership, and financial and legal

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436 issues.

437 (3) The prekindergarten director credential must meet or  
438 exceed the requirements of the Department of Children and Family  
439 Services for the child care facility director credential under  
440 s. 402.305(2)(f), and successful completion of the  
441 prekindergarten director credential satisfies these requirements  
442 for the child care facility director credential.

443 (4) The department shall, to the maximum extent  
444 practicable, award credit to a person who successfully completes  
445 the child care facility director credential under s.  
446 402.305(2)(f) for those requirements of the prekindergarten  
447 director credential which are duplicative of requirements for  
448 the child care facility director credential.

449 1002.59 Emergent literacy training courses.--By April 1,  
450 2005, the department shall adopt minimum standards for one or  
451 more training courses in emergent literacy for prekindergarten  
452 instructors. Each course must comprise 5 clock hours and provide  
453 instruction in strategies and techniques to address the age-  
454 appropriate progress of prekindergarten students in developing  
455 emergent literacy skills, including oral communication,  
456 knowledge of print and letters, phonemic and phonological  
457 awareness, and vocabulary and comprehension development. Each  
458 course must also provide resources containing strategies that  
459 allow students with disabilities and other special needs to  
460 derive maximum benefit from the Voluntary Prekindergarten  
461 Education Program. Successful completion of an emergent literacy  
462 training course approved under this section satisfies  
463 requirements for approved training in early literacy and  
464 language development under ss. 402.305(2)(d)5., 402.313(6), and

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465 402.3131(5).

466 1002.61 Summer prekindergarten program delivered by public  
467 schools and private prekindergarten providers.--

468 (1)(a) Each school district shall administer the Voluntary  
469 Prekindergarten Education Program at the district level for  
470 students enrolled under s. 1002.53(3)(b) in a summer  
471 prekindergarten program delivered by a public school.

472 (b) Each early learning coalition shall administer the  
473 Voluntary Prekindergarten Education Program at the county or  
474 regional level for students enrolled under s. 1002.53(3)(b) in a  
475 summer prekindergarten program delivered by a private  
476 prekindergarten provider.

477 (2) Each summer prekindergarten program delivered by a  
478 public school or private prekindergarten provider must:

479 (a) Comprise at least 300 instructional hours;

480 (b) Not begin earlier than May 1 of the school year; and

481 (c) Not deliver the program for a child earlier than the  
482 summer immediately before the school year for which the child is  
483 eligible for admission to kindergarten in a public school under  
484 s. 1003.21(1)(a)2.

485 (3)(a) Each district school board shall determine which  
486 public schools in the school district are eligible to deliver  
487 the summer prekindergarten program. The school district shall  
488 use educational facilities available in the public schools  
489 during the summer term for the summer prekindergarten program.

490 (b) Except as provided in this section, to be eligible to  
491 deliver the summer prekindergarten program, a private  
492 prekindergarten provider must meet each requirement in s.  
493 1002.55.

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494       (4) Notwithstanding ss. 1002.55(3)(c)1. and 1002.63(5),  
495 each public school and private prekindergarten provider must  
496 have, for each prekindergarten class, at least one  
497 prekindergarten instructor who:

498       (a) Is a certified teacher; or

499       (b) Holds one of the educational credentials specified in  
500 s. 1002.55(4)(a) or (b).

501

502 As used in this subsection, the term "certified teacher" means a  
503 teacher holding a valid Florida educator certificate under s.  
504 1012.56 who has the qualifications required by the district  
505 school board to instruct students in the summer prekindergarten  
506 program. In selecting instructional staff for the summer  
507 prekindergarten program, each school district shall give  
508 priority to teachers who have experience or coursework in early  
509 childhood education.

510       (5) Each prekindergarten instructor employed by a public  
511 school or private prekindergarten provider delivering the summer  
512 prekindergarten program must be of good moral character, must be  
513 screened using the level 2 screening standards in s. 435.04  
514 before employment and rescreened at least once every 5 years,  
515 must be denied employment or terminated if required under s.  
516 435.06, and must not be ineligible to teach in a public school  
517 because his or her educator certificate is suspended or revoked.  
518 This subsection does not supersede employment requirements for  
519 instructional personnel in public schools which are more  
520 stringent than the requirements of this subsection.

521       (6) Notwithstanding ss. 1002.55(3)(e) and 1002.63(7), each  
522 prekindergarten class in the summer prekindergarten program,

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523 regardless of whether the class is a public school's or private  
524 prekindergarten provider's class, must be composed of at least 4  
525 students but may not exceed 10 students. In order to protect the  
526 health and safety of students, each public school or private  
527 prekindergarten provider must also provide appropriate adult  
528 supervision for students at all times. This subsection does not  
529 supersede any requirement imposed on a provider under ss.  
530 402.301-402.319.

531 (7) Each public school delivering the summer  
532 prekindergarten program must also:

533 (a) Register with the early learning coalition on forms  
534 prescribed by the Agency for Workforce Innovation; and

535 (b) Deliver the Voluntary Prekindergarten Education  
536 Program in accordance with this part.

537 1002.63 School-year prekindergarten program delivered by  
538 public schools.--

539 (1) Each school district eligible under subsection (4) may  
540 administer the Voluntary Prekindergarten Education Program at  
541 the district level for students enrolled under s. 1002.53(3)(c)  
542 in a school-year prekindergarten program delivered by a public  
543 school.

544 (2) Each school-year prekindergarten program delivered by  
545 a public school must comprise at least 540 instructional hours.

546 (3) The district school board of each school district  
547 eligible under subsection (4) shall determine which public  
548 schools in the district are eligible to deliver the  
549 prekindergarten program during the school year.

550 (4) To be eligible to deliver the prekindergarten program  
551 during the school year, each school district must meet both of

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552 the following requirements:

553 (a) The district school board must certify to the State  
554 Board of Education that the school district:

555 1. Has reduced the average class size in each classroom in  
556 accordance with s. 1003.03 and the schedule in s. 1(a), Art. IX  
557 of the State Constitution; and

558 2. Has sufficient satisfactory educational facilities and  
559 capital outlay funds to continue reducing the average class size  
560 in each classroom in the district's elementary schools for each  
561 year in accordance with the schedule for class-size reduction  
562 and to achieve full compliance with the maximum class sizes in  
563 s. 1(a), Art. IX of the State Constitution by the beginning of  
564 the 2010-2011 school year.

565 (b) The Commissioner of Education must certify to the  
566 State Board of Education that the department has reviewed the  
567 school district's educational facilities, capital outlay funds,  
568 and projected student enrollment and concurs with the district  
569 school board's certification under paragraph (a).

570 (5) Each public school must have, for each prekindergarten  
571 class, at least one prekindergarten instructor who meets each  
572 requirement in s. 1002.55(3)(c) for a prekindergarten instructor  
573 of a private prekindergarten provider.

574 (6) Each prekindergarten instructor employed by a public  
575 school delivering the school-year prekindergarten program must  
576 be of good moral character, must be screened using the level 2  
577 screening standards in s. 435.04 before employment and  
578 rescreened at least once every 5 years, must be denied  
579 employment or terminated if required under s. 435.06, and must  
580 not be ineligible to teach in a public school because his or her

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581 educator certificate is suspended or revoked. This subsection  
582 does not supersede employment requirements for instructional  
583 personnel in public schools which are more stringent than the  
584 requirements of this subsection.

585 (7) Each prekindergarten class in a public school  
586 delivering the school-year prekindergarten program must be  
587 composed of at least 4 students but may not exceed 18 students.  
588 In order to protect the health and safety of students, each  
589 school must also provide appropriate adult supervision for  
590 students at all times and, for each prekindergarten class  
591 composed of 11 or more students, must have, in addition to a  
592 prekindergarten instructor who meets the requirements of s.  
593 1002.55(3)(c), at least one adult prekindergarten instructor who  
594 is not required to meet those requirements but who must meet  
595 each requirement of subsection (6).

596 (8) Each public school delivering the school-year  
597 prekindergarten program must:

598 (a) Register with the early learning coalition on forms  
599 prescribed by the Agency for Workforce Innovation; and

600 (b) Deliver the Voluntary Prekindergarten Education  
601 Program in accordance with this part.

602 1002.65 Professional credentials of prekindergarten  
603 instructors; aspirational goals; legislative intent.--

604 (1) The Legislature recognizes that there is a strong  
605 relationship between the skills and preparation of  
606 prekindergarten instructors and the educational outcomes of  
607 students in the Voluntary Prekindergarten Education Program.

608 (2) To improve these educational outcomes, the Legislature  
609 intends that all prekindergarten instructors will continue to

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610 improve their skills and preparation through education and  
 611 training, so that the following aspirational goals will be  
 612 achieved:

613 (a) By the 2010-2011 school year:

614 1. Each prekindergarten class will have at least one  
 615 prekindergarten instructor who holds an associate's or higher  
 616 degree in the field of early childhood education or child  
 617 development; and

618 2. For each prekindergarten class composed of 11 or more  
 619 students, in addition to a prekindergarten instructor who meets  
 620 the requirements of subparagraph 1., the class will have at  
 621 least one prekindergarten instructor who meets the requirements  
 622 of s. 1002.55(3)(c).

623 (b) By the 2013-2014 school year, each prekindergarten  
 624 class will have at least one prekindergarten instructor who  
 625 holds a bachelor's or higher degree in the field of early  
 626 childhood education or child development.

627 1002.67 Performance standards; curricula and  
 628 accountability.--

629 (1) By April 1, 2005, the department shall develop and  
 630 adopt performance standards for students in the Voluntary  
 631 Prekindergarten Education Program. The performance standards  
 632 must address the age-appropriate progress of students in the  
 633 development of:

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

636 (b) Emergent literacy skills, including oral  
 637 communication, knowledge of print and letters, phonemic and  
 638 phonological awareness, and vocabulary and comprehension

639 development.

640 (2) (a) Each private prekindergarten provider and public  
 641 school may select or design the curriculum that the provider or  
 642 school uses to implement the Voluntary Prekindergarten Education  
 643 Program, except as otherwise required for a provider or school  
 644 that is placed on probation under paragraph (3) (c).

645 (b) Each private prekindergarten provider's and public  
 646 school's curriculum must be developmentally appropriate and  
 647 must:

648 1. Be designed to prepare a student for early literacy;  
 649 2. Enhance the age-appropriate progress of students in  
 650 attaining the performance standards adopted by the department  
 651 under subsection (1); and

652 3. Prepare students to be ready for kindergarten based  
 653 upon the statewide kindergarten screening administered under s.  
 654 1002.69.

655 (c) The department shall review and approve curricula for  
 656 use by private prekindergarten providers and public schools that  
 657 are placed on probation under paragraph (3) (c). The department  
 658 shall maintain a list of the curricula approved under this  
 659 paragraph. Each approved curriculum must meet the requirements  
 660 of paragraph (b).

661 (3) (a) Each early learning coalition shall verify that  
 662 each private prekindergarten provider delivering the Voluntary  
 663 Prekindergarten Education Program within the coalition's county  
 664 or multicounty region complies with this part. Each district  
 665 school board shall verify that each public school delivering the  
 666 program within the school district complies with this part.

667 (b) If a private prekindergarten provider or public school

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668 fails or refuses to comply with this part, or if a provider or  
669 school engages in misconduct, the Agency for Workforce  
670 Innovation shall require the early learning coalition to remove  
671 the provider, and the Department of Education shall require the  
672 school district to remove the school, from eligibility to  
673 deliver the Voluntary Prekindergarten Education Program and  
674 receive state funds under this part.

675 (c)1. If the kindergarten readiness rate of a private  
676 prekindergarten provider or public school falls below the  
677 minimum rate adopted by the State Board of Education as  
678 satisfactory under s. 1002.69(6), the early learning coalition  
679 or school district, as applicable, shall require the provider or  
680 school to submit an improvement plan for approval by the  
681 coalition or school district, as applicable, and to implement  
682 the plan.

683 2. If a private prekindergarten provider or public school  
684 fails to meet the minimum rate adopted by the State Board of  
685 Education as satisfactory under s. 1002.69(6) for 2 consecutive  
686 years, the early learning coalition or school district, as  
687 applicable, shall place the provider or school on probation and  
688 must require the provider or school to take certain corrective  
689 actions, including the use of a curriculum approved by the  
690 department under paragraph (2)(c).

691 3. A private prekindergarten provider or public school  
692 that is placed on probation must continue the corrective actions  
693 required under subparagraph 2., including the use of a  
694 curriculum approved by the department, until the provider or  
695 school meets the minimum rate adopted by the State Board of  
696 Education as satisfactory under s. 1002.69(6).

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697 4. If a private prekindergarten provider or public school  
698 remains on probation for 2 consecutive years and fails to meet  
699 the minimum rate adopted by the State Board of Education as  
700 satisfactory under s. 1002.69(6), the Agency for Workforce  
701 Innovation shall require the early learning coalition or the  
702 Department of Education shall require the school district, as  
703 applicable, to remove the provider or school from eligibility to  
704 deliver the Voluntary Prekindergarten Education Program and  
705 receive state funds for the program.

706 (d) Each early learning coalition, the Agency for  
707 Workforce Innovation, and the department shall coordinate with  
708 the Child Care Services Program Office of the Department of  
709 Children and Family Services to minimize interagency duplication  
710 of activities for monitoring private prekindergarten providers  
711 for compliance with requirements of the Voluntary  
712 Prekindergarten Education Program under this part, the school  
713 readiness programs under s. 411.01, and the licensing of  
714 providers under ss. 402.301-402.319.

715 1002.69 Statewide kindergarten screening; kindergarten  
716 readiness rates.--

717 (1) The department shall adopt a statewide kindergarten  
718 screening that assesses the readiness of each student for  
719 kindergarten based upon the performance standards adopted by the  
720 department under s. 1002.67(1) for the Voluntary Prekindergarten  
721 Education Program. The department shall require that each school  
722 district administer the statewide kindergarten screening to each  
723 kindergarten student in the school district within the first 30  
724 school days of each school year.

725 (2) The statewide kindergarten screening shall provide

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726 objective data concerning each student's readiness for  
727 kindergarten and progress in attaining the performance standards  
728 adopted by the department under s. 1002.67(1).

729 (3) The statewide kindergarten screening shall incorporate  
730 mechanisms for recognizing potential variations in kindergarten  
731 readiness rates for students with disabilities.

732 (4) Each parent who enrolls his or her child in the  
733 Voluntary Prekindergarten Education Program must submit the  
734 child for the statewide kindergarten screening, regardless of  
735 whether the child is admitted to kindergarten in a public school  
736 or nonpublic school. Each school district shall designate sites  
737 to administer the statewide kindergarten screening for children  
738 admitted to kindergarten in a nonpublic school.

739 (5) The State Board of Education shall adopt procedures  
740 for the department to annually calculate each private  
741 prekindergarten provider's and public school's kindergarten  
742 readiness rate, which must be expressed as the percentage of the  
743 provider's or school's students who are assessed as ready for  
744 kindergarten. The kindergarten readiness rates must be based  
745 exclusively upon the results of the statewide kindergarten  
746 screening for students completing the Voluntary Prekindergarten  
747 Education Program, beginning with students completing the  
748 program during the 2005-2006 school year who are administered  
749 the statewide kindergarten screening during the 2006-2007 school  
750 year. The rates must not include students who are not  
751 administered the statewide kindergarten screening.

752 (6) (a) The State Board of Education shall periodically  
753 adopt a minimum kindergarten readiness rate that, if achieved by  
754 a private prekindergarten provider or public school, would

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755 demonstrate the provider's or school's satisfactory delivery of  
756 the Voluntary Prekindergarten Education Program.

757 (b) The minimum rate must not exceed the rate at which  
758 more than 15 percent of the kindergarten readiness rates of all  
759 private prekindergarten providers and public schools delivering  
760 the Voluntary Prekindergarten Education Program in the state  
761 would fall below the minimum rate.

762 1002.71 Funding; financial and attendance reporting.--

763 (1) Funds appropriated for the Voluntary Prekindergarten  
764 Education Program may be used only for the program in accordance  
765 with this part. If the student enrollment in the program for a  
766 fiscal year exceeds the estimated enrollment upon which the  
767 appropriation for that fiscal year is provided, thereby causing  
768 a shortfall, funds appropriated to the program for the  
769 subsequent fiscal year must be used first to fund the shortfall.

770 (2) A full-time equivalent student in the Voluntary  
771 Prekindergarten Education Program shall be calculated as  
772 follows:

773 (a) For a student in a school-year prekindergarten program  
774 delivered by a private prekindergarten provider: 540  
775 instructional hours.

776 (b) For a student in a summer prekindergarten program  
777 delivered by a public school or private prekindergarten  
778 provider: 300 instructional hours.

779 (c) For a student in a school-year prekindergarten program  
780 delivered by a public school: 540 instructional hours.

781  
782 Except as provided in subsection (4), a student may not be  
783 reported for funding purposes as more than one full-time

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784 equivalent student.

785 (3) (a) The base student allocation per full-time  
786 equivalent student in the Voluntary Prekindergarten Education  
787 Program shall be provided in the General Appropriations Act and  
788 shall be equal for each student, regardless of whether the  
789 student is enrolled in a school-year prekindergarten program  
790 delivered by a private prekindergarten provider, a summer  
791 prekindergarten program delivered by a public school or private  
792 prekindergarten provider, or a school-year prekindergarten  
793 program delivered by a public school.

794 (b) Each county's allocation per full-time equivalent  
795 student in the Voluntary Prekindergarten Education Program shall  
796 be calculated annually by multiplying the base student  
797 allocation provided in the General Appropriations Act by the  
798 county's district cost differential provided in s. 1011.62(2).  
799 Each private prekindergarten provider and public school shall be  
800 paid in accordance with the county's allocation per full-time  
801 equivalent student.

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

803 (a) A child who, for any of the prekindergarten programs  
804 listed in s. 1002.53(3), has not completed more than 10 percent  
805 of the hours authorized to be reported for funding under  
806 subsection (2) may withdraw from the program for good cause,  
807 reenroll in one of the programs, and be reported for funding  
808 purposes as a full-time equivalent student in the program for  
809 which the child is reenrolled.

810 (b) A child who has not substantially completed any of the  
811 prekindergarten programs listed in s. 1002.53(3) may withdraw  
812 from the program due to an extreme hardship that is beyond the

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813 child's or parent's control, reenroll in one of the programs,  
814 and be reported for funding purposes as a full-time equivalent  
815 student in the program for which the child is reenrolled.

816

817 A child may reenroll only once in a prekindergarten program  
818 under this section. A child who reenrolls in a prekindergarten  
819 program under this subsection may not subsequently withdraw from  
820 the program and reenroll. The Agency for Workforce Innovation  
821 shall establish criteria specifying whether a good cause exists  
822 for a child to withdraw from a program under paragraph (a),  
823 whether a child has substantially completed a program under  
824 paragraph (b), and whether an extreme hardship exists which is  
825 beyond the child's or parent's control under paragraph (b).

826 (5) (a) Each early learning coalition shall maintain  
827 through the single point of entry established under s. 411.01 a  
828 current database of the students enrolled in the Voluntary  
829 Prekindergarten Education Program for each county within the  
830 coalition's region.

831 (b) The Agency for Workforce Innovation shall adopt  
832 procedures for the payment of private prekindergarten providers  
833 and public schools delivering the Voluntary Prekindergarten  
834 Education Program. The procedures shall provide for the advance  
835 payment of providers and schools based upon student enrollment  
836 in the program, the certification of student attendance, and the  
837 reconciliation of advance payments in accordance with the  
838 uniform attendance policy adopted under paragraph (6) (d). The  
839 procedures shall provide for the monthly distribution of funds  
840 by the Agency for Workforce Innovation to the early learning  
841 coalitions for payment by the coalitions to private

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842 prekindergarten providers and public schools. The department  
843 shall transfer to the Agency for Workforce Innovation at least  
844 once each quarter the funds available for payment to private  
845 prekindergarten providers and public schools in accordance with  
846 this paragraph from the funds appropriated for that purpose.

847 (6) (a) Each parent enrolling his or her child in the  
848 Voluntary Prekindergarten Education Program must agree to comply  
849 with the attendance policy of the private prekindergarten  
850 provider or district school board, as applicable. Upon  
851 enrollment of the child, the private prekindergarten provider or  
852 public school, as applicable, must provide the child's parent  
853 with a copy of the provider's or school district's attendance  
854 policy, as applicable.

855 (b)1. Each private prekindergarten provider's and district  
856 school board's attendance policy must require the parent of each  
857 student in the Voluntary Prekindergarten Education Program to  
858 verify, each month, the student's attendance on the prior  
859 month's certified student attendance.

860 2. The parent must submit the verification of the  
861 student's attendance to the private prekindergarten provider or  
862 public school on forms prescribed by the Agency for Workforce  
863 Innovation. The forms must include, in addition to the  
864 verification of the student's attendance, a certification, in  
865 substantially the following form, that the parent continues to  
866 choose the private prekindergarten provider or public school in  
867 accordance with s. 1002.53 and directs that payments for the  
868 program be made to the provider or school:

869

870 VERIFICATION OF STUDENT'S ATTENDANCE

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AND CERTIFICATION OF PARENTAL CHOICE

871  
 872  
 873 I, . . . (Name of Parent) . . . , swear (or affirm) that my  
 874 child, . . . (Name of Student) . . . , attended the Voluntary  
 875 Prekindergarten Education Program on the days listed above and  
 876 certify that I continue to choose . . . (Name of Provider or  
 877 School) . . . to deliver the program for my child and direct  
 878 that program funds be paid to the provider or school for my  
 879 child.

880 . . . (Signature of Parent) . . .  
 881 . . . (Date) . . .

882  
 883 3. The private prekindergarten provider or public school  
 884 must keep each original signed form for at least 2 years. Each  
 885 private prekindergarten provider must permit the early learning  
 886 coalition, and each public school must permit the school  
 887 district, to inspect the original signed forms during normal  
 888 business hours. The Agency for Workforce Innovation shall adopt  
 889 procedures for early learning coalitions and school districts to  
 890 review the original signed forms against the certified student  
 891 attendance. The review procedures shall provide for the use of  
 892 selective inspection techniques, including, but not limited to,  
 893 random sampling. Each early learning coalition and school  
 894 district must comply with the review procedures.

895 (c) A private prekindergarten provider or school district,  
 896 as applicable, may dismiss a student who does not comply with  
 897 the provider's or district's attendance policy. A student  
 898 dismissed under this paragraph is not removed from the Voluntary  
 899 Prekindergarten Education Program and may continue in the

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900 program through reenrollment with another private  
901 prekindergarten provider or public school. Notwithstanding s.  
902 1002.53(6)(b), a school district is not required to provide for  
903 the admission of a student dismissed under this paragraph.

904 (d) The Agency for Workforce Innovation shall adopt, for  
905 funding purposes, a uniform attendance policy for the Voluntary  
906 Prekindergarten Education Program. The attendance policy must  
907 apply statewide and apply equally to all private prekindergarten  
908 providers and public schools. The attendance policy must  
909 establish a minimum requirement for student attendance and  
910 include the following provisions:

911 1. A student who meets the minimum requirement may be  
912 reported as a full-time equivalent student for funding purposes.

913 2. A student who does not meet the minimum requirement may  
914 be reported only as a fractional part of a full-time equivalent  
915 student, reduced pro rata based on the student's attendance.

916 3. A student who does not meet the minimum requirement may  
917 be reported as a full-time equivalent student if the student is  
918 absent for good cause in accordance with exceptions specified in  
919 the uniform attendance policy.

920  
921 The uniform attendance policy shall be used only for funding  
922 purposes and does not prohibit a private prekindergarten  
923 provider or public school from adopting and enforcing its  
924 attendance policy under paragraphs (a) and (c).

925 (7) The Agency for Workforce Innovation shall require that  
926 administrative expenditures be kept to the minimum necessary for  
927 efficient and effective administration of the Voluntary  
928 Prekindergarten Education Program. Each early learning coalition

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929 may retain and expend no more than 5 percent of the funds paid  
 930 by the coalition to private prekindergarten providers and public  
 931 schools under paragraph (5) (b). Funds retained by an early  
 932 learning coalition under this subsection may be used only for  
 933 administering the Voluntary Prekindergarten Education Program  
 934 and may not be used for the school readiness program or other  
 935 programs.

936 (8) Except as otherwise expressly authorized by law, a  
 937 private prekindergarten provider or public school may not:

938 (a) Require payment of a fee or charge for services  
 939 provided for a child enrolled in the Voluntary Prekindergarten  
 940 Education Program during a period reported for funding purposes;  
 941 or

942 (b) Require a child to enroll for, or require the payment  
 943 of any fee or charge for, supplemental services as a condition  
 944 of admitting a child for enrollment in the Voluntary  
 945 Prekindergarten Education Program.

946 (9) A parent is responsible for the transportation of his  
 947 or her child to and from the Voluntary Prekindergarten Education  
 948 Program, regardless of whether the program is delivered by a  
 949 private prekindergarten provider or a public school. However, a  
 950 provider or school may use part of the funds it is paid under  
 951 paragraph (5) (b) for transporting students to and from the  
 952 program. A student enrolled in the Voluntary Prekindergarten  
 953 Education Program may not be reported under s. 1011.68 for  
 954 student transportation funds.

955 1002.73 Department of Education; powers and duties;  
 956 accountability requirements.--

957 (1) The department shall administer the accountability

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958 requirements of the Voluntary Prekindergarten Education Program  
959 at the state level.

960 (2) The department shall adopt procedures for the  
961 department's:

962 (a) Approval of prekindergarten director credentials under  
963 ss. 1002.55 and 1002.57.

964 (b) Approval of emergent literacy training courses under  
965 ss. 1002.55 and 1002.59.

966 (c) Certification of school districts that are eligible to  
967 deliver the school-year prekindergarten program under s.  
968 1002.63.

969 (d) Administration of the statewide kindergarten screening  
970 and calculation of kindergarten readiness rates under s.  
971 1002.69.

972 (3) Except as provided by law, the department may not  
973 impose requirements on a private prekindergarten provider that  
974 does not deliver the Voluntary Prekindergarten Education Program  
975 or receive state funds under this part.

976 1002.75 Agency for Workforce Innovation; powers and  
977 duties; operational requirements.--

978 (1) The Agency for Workforce Innovation shall administer  
979 the operational requirements of the Voluntary Prekindergarten  
980 Education Program at the state level.

981 (2) The Agency for Workforce Innovation shall adopt  
982 procedures governing the administration of the Voluntary  
983 Prekindergarten Education Program by the early learning  
984 coalitions and school districts for:

985 (a) Enrolling children in and determining the eligibility  
986 of children for the Voluntary Prekindergarten Education Program

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987 under s. 1002.53.

988 (b) Providing parents with profiles of private  
 989 prekindergarten providers and public schools under s. 1002.53.

990 (c) Registering private prekindergarten providers and  
 991 public schools to deliver the program under ss. 1002.55,  
 992 1002.61, and 1002.63.

993 (d) Determining the eligibility of private prekindergarten  
 994 providers to deliver the program under ss. 1002.55 and 1002.61.

995 (e) Verifying the compliance of private prekindergarten  
 996 providers and public schools and removing providers or schools  
 997 from eligibility to deliver the program due to noncompliance or  
 998 misconduct as provided in s. 1002.67.

999 (f) Paying private prekindergarten providers and public  
 1000 schools under s. 1002.71.

1001 (g) Documenting and certifying student enrollment and  
 1002 student attendance under s. 1002.71.

1003 (h) Reconciling advance payments in accordance with the  
 1004 uniform attendance policy under s. 1002.71.

1005 (i) Reenrolling students dismissed by a private  
 1006 prekindergarten provider or public school for noncompliance with  
 1007 the provider's or school district's attendance policy under s.  
 1008 1002.71.

1009 (3) The Agency for Workforce Innovation shall adopt, in  
 1010 consultation with and subject to approval by the department,  
 1011 procedures governing the administration of the Voluntary  
 1012 Prekindergarten Education Program by the early learning  
 1013 coalitions and school districts for:

1014 (a) Approving improvement plans of private prekindergarten  
 1015 providers and public schools under s. 1002.67.

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1016       (b) Placing private prekindergarten providers and public  
 1017 schools on probation and requiring corrective actions under s.  
 1018 1002.67.

1019       (c) Removing a private prekindergarten provider or public  
 1020 school from eligibility to deliver the program due to the  
 1021 provider's or school's remaining on probation beyond the time  
 1022 permitted under s. 1002.67.

1023       (4) The Agency for Workforce Innovation shall also adopt  
 1024 procedures for the agency's distribution of funds to early  
 1025 learning coalitions under s. 1002.71.

1026       (5) Except as provided by law, the Agency for Workforce  
 1027 Innovation may not impose requirements on a private  
 1028 prekindergarten provider or public school that does not deliver  
 1029 the Voluntary Prekindergarten Education Program or receive state  
 1030 funds under this part.

1031       1002.77 Florida Early Learning Advisory Council.--

1032       (1) There is created the Florida Early Learning Advisory  
 1033 Council within the Agency for Workforce Innovation. The purpose  
 1034 of the advisory council is to submit recommendations to the  
 1035 department and the Agency for Workforce Innovation on the early  
 1036 learning policy of this state, including recommendations  
 1037 relating to administration of the Voluntary Prekindergarten  
 1038 Education Program under this part and the school readiness  
 1039 programs under s. 411.01.

1040       (2) The advisory council shall be composed of the  
 1041 following members:

1042       (a) The chair of the advisory council who shall be  
 1043 appointed by and serve at the pleasure of the Governor.

1044       (b) The chair of each early learning coalition.

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1045 (c) One member who shall be appointed by and serve at the  
1046 pleasure of the President of the Senate.

1047 (d) One member who shall be appointed by and serve at the  
1048 pleasure of the Speaker of the House of Representatives.

1049

1050 The chair of the advisory council appointed by the Governor and  
1051 the members appointed by the presiding officers of the  
1052 Legislature must each have a background in early learning.

1053 (3) The advisory council shall meet at least quarterly but  
1054 may meet as often as necessary to carry out its duties and  
1055 responsibilities.

1056 (4) (a) Each member of the advisory council shall serve  
1057 without compensation but is entitled to receive reimbursement  
1058 for per diem and travel expenses for attendance at council  
1059 meetings as provided in s. 112.061.

1060 (b) Each member of the advisory council is subject to the  
1061 ethics provisions in part III of chapter 112.

1062 (c) For purposes of tort liability, each member of the  
1063 advisory council shall be governed by s. 768.28.

1064 (5) The Agency for Workforce Innovation shall provide  
1065 staff and administrative support for the advisory council.

1066 1002.79 Rulemaking authority.--

1067 (1) The State Board of Education shall adopt rules under  
1068 ss. 120.536(1) and 120.54 to administer the provisions of this  
1069 part conferring duties upon the department.

1070 (2) The Agency for Workforce Innovation shall adopt rules  
1071 under ss. 120.536(1) and 120.54 to administer the provisions of  
1072 this part conferring duties upon the agency.

1073 Section 2. Section 411.01, Florida Statutes, is amended to

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1074 read:

1075 411.01 ~~Florida Partnership for~~ School readiness programs;  
1076 early learning school readiness coalitions.--

1077 (1) SHORT TITLE.--This section may be cited as the "School  
1078 Readiness Act."

1079 (2) LEGISLATIVE INTENT.--

1080 (a) The Legislature recognizes that school readiness  
1081 programs increase children's chances of achieving future  
1082 educational success and becoming productive members of society.  
1083 It is the intent of the Legislature that the ~~such~~ programs be  
1084 developmentally appropriate, research-based, involve parents as  
1085 their child's first teacher, serve as preventive measures for  
1086 children at risk of future school failure, enhance the  
1087 educational readiness of eligible children, and support family  
1088 education. Each school readiness program shall provide the  
1089 elements necessary to prepare at-risk children for school,  
1090 including health screening and referral and an appropriate  
1091 educational program.

1092 (b) It is the intent of the Legislature that school  
1093 readiness programs be operated on a full-day, year-round basis  
1094 to the maximum extent possible to enable parents to work and  
1095 become financially self-sufficient.

1096 (c) It is the intent of the Legislature that school  
1097 readiness programs not exist as isolated programs, but build  
1098 upon existing services and work in cooperation with other  
1099 programs for young children, and that school readiness programs  
1100 be coordinated ~~and funding integrated~~ to achieve full  
1101 effectiveness.

1102 (d) It is the intent of the Legislature that the

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1103 administrative staff at the state level for school readiness  
1104 programs be kept to the minimum necessary to administer ~~carry~~  
1105 ~~out~~ the duties of the Agency for Workforce Innovation Florida  
1106 ~~Partnership for School Readiness~~, as the school readiness  
1107 programs are to be regionally ~~locally~~ designed, operated, and  
1108 managed, with the Agency for Workforce Innovation Florida  
1109 ~~Partnership for School Readiness~~ ~~adopting a system for measuring~~  
1110 ~~school readiness~~, developing school readiness program  
1111 performance standards and, ~~outcome measures~~ measurements, ~~and~~  
1112 ~~data design and review~~, and approving and reviewing early  
1113 learning coalitions and ~~local~~ school readiness ~~coalitions and~~  
1114 plans.

1115 (e) It is the intent of the Legislature that  
1116 appropriations for combined school readiness programs shall not  
1117 be less than the programs would receive in any fiscal year on an  
1118 uncombined basis.

1119 (f) It is the intent of the Legislature that the school  
1120 readiness program coordinate and operate in conjunction with the  
1121 district school systems. However, it is also the intent of the  
1122 Legislature that the school readiness program not be construed  
1123 as part of the system of free public schools but rather as a  
1124 separate program for children under the age of kindergarten  
1125 eligibility, funded separately from the system of free public  
1126 schools, utilizing a mandatory sliding fee scale, and providing  
1127 an integrated and seamless system of school readiness services  
1128 for the state's birth-to-kindergarten population.

1129 (g) It is the intent of the Legislature that the federal  
1130 child care income tax credit be preserved for school readiness  
1131 programs.

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1132 (h) It is the intent of the Legislature that school  
 1133 readiness services shall be an integrated and seamless system of  
 1134 services with a developmentally appropriate education component  
 1135 for the state's eligible birth-to-kindergarten population  
 1136 described in subsection (6) and shall not be construed as part  
 1137 of the seamless K-20 education system ~~except for the~~  
 1138 ~~administration of the uniform screening system upon entry into~~  
 1139 ~~kindergarten.~~

1140 (3) PARENTAL PARTICIPATION IN SCHOOL READINESS PROGRAMS  
 1141 PROGRAM. --

1142 ~~(a) The school readiness program shall be phased in on a~~  
 1143 ~~coalition by coalition basis. Each coalition's school readiness~~  
 1144 ~~program shall have available to it funding from all the~~  
 1145 ~~coalition's early education and child care programs that are~~  
 1146 ~~funded with state, federal, lottery, or local funds, including~~  
 1147 ~~but not limited to Florida First Start programs, Even Start~~  
 1148 ~~literacy programs, prekindergarten early intervention programs,~~  
 1149 ~~Head Start programs, programs offered by public and private~~  
 1150 ~~providers of child care, migrant prekindergarten programs, Title~~  
 1151 ~~I programs, subsidized child care programs, and teen parent~~  
 1152 ~~programs, together with any additional funds appropriated or~~  
 1153 ~~obtained for purposes of this section. These programs and their~~  
 1154 ~~funding streams shall be components of the coalition's~~  
 1155 ~~integrated school readiness program, with the goal of preparing~~  
 1156 ~~children for success in school.~~

1157 ~~(b) Nothing contained in This section does not act is~~  
 1158 ~~intended to:~~

1159 (a)1. Relieve parents and guardians of their own  
 1160 obligations to prepare ~~ready~~ their children for school; or

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1161 (b)2- Create any obligation to provide publicly funded  
 1162 school readiness programs or services beyond those authorized by  
 1163 the Legislature.

1164 (4) AGENCY FOR WORKFORCE INNOVATION ~~FLORIDA PARTNERSHIP~~  
 1165 ~~FOR SCHOOL READINESS.~~ --

1166 (a) The Agency for Workforce Innovation shall ~~Florida~~  
 1167 ~~Partnership for School Readiness~~ was created to fulfill three  
 1168 major purposes: to administer school readiness programs at the  
 1169 state level and shall program services that help parents prepare  
 1170 eligible children for school; to coordinate the early learning  
 1171 coalitions in providing provision of school readiness services  
 1172 on a full-day, full-year, full-choice basis to the extent  
 1173 possible in order to enable parents to work and be financially  
 1174 self-sufficient; and to establish a uniform screening instrument  
 1175 to be implemented by the Department of Education and  
 1176 administered by the school districts upon entry into  
 1177 kindergarten to assess the readiness for school of all children.  
 1178 Readiness for kindergarten is the outcome measure of the success  
 1179 of each school readiness program that receives state or federal  
 1180 funds. The partnership is assigned to the Agency for Workforce  
 1181 Innovation for administrative purposes.

1182 (b) The Agency for Workforce Innovation ~~Florida~~  
 1183 ~~Partnership for School Readiness~~ shall:

1184 1. Coordinate the birth-to-kindergarten services for  
 1185 children who are eligible under ~~pursuant to~~ subsection (6) and  
 1186 the programmatic, administrative, and fiscal standards under  
 1187 ~~pursuant to~~ this section for all public providers of school  
 1188 readiness programs.

1189 2. Continue to provide unified leadership for school

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1190 readiness through early learning ~~local school readiness~~  
1191 coalitions.

1192 3. Focus on improving the educational quality of all  
1193 publicly funded school readiness programs.

1194 ~~(c)1. The Florida Partnership for School Readiness shall~~  
1195 ~~include the Lieutenant Governor, the Commissioner of Education,~~  
1196 ~~the Secretary of Children and Family Services, and the Secretary~~  
1197 ~~of Health, or their designees, and the chair of the Child Care~~  
1198 ~~Executive Partnership Board, and the chairperson of the Board of~~  
1199 ~~Directors of Workforce Florida, Inc. When the Lieutenant~~  
1200 ~~Governor or an agency head appoints a designee, the designee~~  
1201 ~~must be an individual who attends consistently, and, in the~~  
1202 ~~event that the Lieutenant Governor or agency head and his or her~~  
1203 ~~designee both attend a meeting, only one of them may vote.~~

1204 2. ~~The partnership shall also include 14 members of the~~  
1205 ~~public who shall be business, community, and civic leaders in~~  
1206 ~~the state who are not elected to public office. These members~~  
1207 ~~and their families must not have a direct contract with any~~  
1208 ~~local coalition to provide school readiness services. The~~  
1209 ~~members must be geographically and demographically~~  
1210 ~~representative of the state. Each member shall be appointed by~~  
1211 ~~the Governor from a list of nominees submitted by the President~~  
1212 ~~of the Senate and the Speaker of the House of Representatives.~~  
1213 ~~By July 1, 2001, four members shall be appointed as follows: two~~  
1214 ~~members shall be from the child care industry, one representing~~  
1215 ~~the private for profit sector appointed by the Governor from a~~  
1216 ~~list of two nominees submitted by the President of the Senate~~  
1217 ~~and one representing faith based providers appointed by the~~  
1218 ~~Governor from a list of two nominees submitted by the Speaker of~~

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1219 ~~the House of Representatives; and two members shall be from the~~  
1220 ~~business community, one appointed by the Governor from a list of~~  
1221 ~~two nominees submitted by the President of the Senate and one~~  
1222 ~~appointed by the Governor from a list of two nominees submitted~~  
1223 ~~by the Speaker of the House of Representatives. Members shall be~~  
1224 ~~appointed to 4 year terms of office. The members of the~~  
1225 ~~partnership shall elect a chairperson annually from the~~  
1226 ~~nongovernmental members of the partnership. Any vacancy on the~~  
1227 ~~partnership shall be filled in the same manner as the original~~  
1228 ~~appointment.~~

1229 ~~(d) The partnership shall meet at least quarterly but may~~  
1230 ~~meet as often as it deems necessary to carry out its duties and~~  
1231 ~~responsibilities. Members of the partnership shall participate~~  
1232 ~~without proxy at the quarterly meetings. The partnership may~~  
1233 ~~take official action by a majority vote of the members present~~  
1234 ~~at any meeting at which a quorum is present.~~

1235 ~~(e) Members of the partnership are subject to the ethics~~  
1236 ~~provisions in part III of chapter 112, and no member may derive~~  
1237 ~~any financial benefit from the funds administered by the Florida~~  
1238 ~~Partnership for School Readiness.~~

1239 ~~(f) Members of the partnership shall serve without~~  
1240 ~~compensation but are entitled to reimbursement for per diem and~~  
1241 ~~travel expenses incurred in the performance of their duties as~~  
1242 ~~provided in s. 112.061, and reimbursement for other reasonable,~~  
1243 ~~necessary, and actual expenses.~~

1244 ~~(g) For the purposes of tort liability, the members of the~~  
1245 ~~partnership and its employees shall be governed by s. 768.28.~~

1246 ~~(h) The partnership shall appoint an executive director~~  
1247 ~~who shall serve at the pleasure of the Governor. The executive~~

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1248 ~~director shall perform the duties assigned to him or her by the~~  
1249 ~~partnership. The executive director shall be responsible for~~  
1250 ~~hiring, subject to the approval of the partnership, all~~  
1251 ~~employees and staff members, who shall serve under his or her~~  
1252 ~~direction and control.~~

1253 (c)(i) For purposes of administration of the federal Child  
1254 Care and Development Fund, 45 C.F.R. parts 98 and 99, the Agency  
1255 for Workforce Innovation partnership may be designated by the  
1256 Governor as the lead agency, and, if so designated, shall comply  
1257 with the lead agency responsibilities under ~~pursuant to~~ federal  
1258 law.

1259 (d)(j) The Agency for Workforce Innovation Florida  
1260 ~~Partnership for School Readiness is the principal organization~~  
1261 ~~responsible for the enhancement of school readiness for the~~  
1262 ~~state's children, and shall:~~

1263 1. Be responsible for the prudent use of all public and  
1264 private funds in accordance with all legal and contractual  
1265 requirements.

1266 2. Provide final approval and periodic review of early  
1267 learning coalitions and school readiness plans.

1268 3. Provide leadership for the enhancement of school  
1269 readiness in this state by aggressively establishing a unified  
1270 approach to the state's efforts toward enhancement of school  
1271 readiness. In support of this effort, the Agency for Workforce  
1272 Innovation partnership may develop and implement specific  
1273 strategies that address the state's school readiness programs.

1274 4. Safeguard the effective use of federal, state, local,  
1275 and private resources to achieve the highest possible level of  
1276 school readiness for the ~~state's~~ children in this state.

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- 1277           5. Provide technical assistance to early learning  
1278 coalitions.
- 1279           6. Assess gaps in service.
- 1280           7. Provide technical assistance to counties that form a  
1281 multicounty region served by an early learning coalition.
- 1282           ~~8.a. Adopt a system for measuring school readiness that~~  
1283 ~~provides objective data regarding the expectations for school~~  
1284 ~~readiness, and establish a method for collecting the data and~~  
1285 ~~guidelines for using the data. The measurement, the data~~  
1286 ~~collection, and the use of the data must serve the statewide~~  
1287 ~~school readiness goal. The criteria for determining which data~~  
1288 ~~to collect should be the usefulness of the data to state~~  
1289 ~~policy makers and local program administrators in administering~~  
1290 ~~programs and allocating state funds, and must include the~~  
1291 ~~tracking of school readiness system information back to~~  
1292 ~~individual school readiness programs to assist in determining~~  
1293 ~~program effectiveness.~~
- 1294           ~~b. Adopt a system for evaluating the performance of~~  
1295 ~~students through the third grade to compare the performance of~~  
1296 ~~those who participated in school readiness programs with the~~  
1297 ~~performance of students who did not participate in school~~  
1298 ~~readiness programs in order to identify strategies for continued~~  
1299 ~~successful student performance.~~
- 1300           ~~8.9.~~ Develop and adopt performance standards and outcome  
1301 measures for school readiness programs. The performance  
1302 standards must address the age-appropriate progress of children  
1303 in the development of the school readiness skills required under  
1304 paragraph (j). The performance standards for children from birth  
1305 to 3 years of age in school readiness programs must be

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1306 integrated with the performance standards adopted by the  
 1307 Department of Education for children in the Voluntary  
 1308 Prekindergarten Education Program under s. 1002.67.

1309 (e) ~~(k)~~ The Agency for Workforce Innovation partnership may  
 1310 adopt rules under ss. 120.536(1) and 120.54 necessary to  
 1311 administer the provisions of law conferring duties upon the  
 1312 agency, including, but not limited this section which relate to,  
 1313 rules governing the preparation preparing and implementation of  
 1314 implementing the system for school readiness system, the  
 1315 collection of collecting data, the approval of early learning  
 1316 approving local school readiness coalitions and school readiness  
 1317 plans, the provision of providing a method whereby an early  
 1318 learning a coalition may can serve two or more counties, the  
 1319 award of awarding incentives to early learning coalitions, and  
 1320 the issuance of issuing waivers.

1321 (f) ~~(l)~~ The Agency for Workforce Innovation Florida  
 1322 Partnership for School Readiness shall have all powers necessary  
 1323 to administer carry out the purposes of this section, including,  
 1324 but not limited to, the power to receive and accept grants,  
 1325 loans, or advances of funds from any public or private agency  
 1326 and to receive and accept from any source contributions of  
 1327 money, property, labor, or any other thing of value, to be held,  
 1328 used, and applied for the purposes of this section.

1329 (g) Except as provided by law, the Agency for Workforce  
 1330 Innovation may not impose requirements on a child care or early  
 1331 childhood education provider that does not deliver services  
 1332 under a school readiness program or receive state or federal  
 1333 funds under this section.

1334 (h) ~~(m)~~ The Agency for Workforce Innovation Florida

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1335 ~~Partnership for School Readiness~~ shall have a budget for the  
 1336 school readiness system, which and shall be financed through an  
 1337 annual appropriation made for purposes of this section ~~purpose~~  
 1338 in the General Appropriations Act.

1339 ~~(i)-(n)~~ The Agency for Workforce Innovation partnership  
 1340 shall coordinate the efforts toward school readiness in this  
 1341 state and provide independent policy analyses and  
 1342 recommendations to the Governor, the State Board of Education,  
 1343 and the Legislature.

1344 ~~(j)-(o)~~ The Agency for Workforce Innovation shall require  
 1345 that each early learning coalition's ~~The partnership shall~~  
 1346 ~~prepare and submit to the State Board of Education a system for~~  
 1347 ~~measuring school readiness program.~~ The system must, at a  
 1348 minimum, enhance the age-appropriate progress of each child in  
 1349 the development of ~~include a uniform screening, which shall~~  
 1350 ~~provide objective data regarding the following expectations for~~  
 1351 school readiness skills ~~which shall include, at a minimum:~~

1352 ~~1. The child's immunizations and other health requirements~~  
 1353 ~~as necessary, including appropriate vision and hearing screening~~  
 1354 ~~and examinations.~~

1355 ~~2. The child's physical development.~~

1356 ~~1.3.~~ The child's Compliance with rules, limitations, and  
 1357 routines.

1358 ~~2.4.~~ The child's Ability to perform tasks.

1359 ~~3.5.~~ The child's Interactions with adults.

1360 ~~4.6.~~ The child's Interactions with peers.

1361 ~~5.7.~~ The child's Ability to cope with challenges.

1362 ~~6.8.~~ The child's Self-help skills.

1363 ~~7.9.~~ The child's Ability to express the child's ~~his or her~~

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1364 needs.

1365 ~~8.10.~~ The child's Verbal communication skills.

1366 ~~9.11.~~ The child's Problem-solving skills.

1367 ~~10.12.~~ The child's Following of verbal directions.

1368 ~~11.13.~~ The child's Demonstration of curiosity,

1369 persistence, and exploratory behavior.

1370 ~~12.14.~~ The child's Interest in books and other printed

1371 materials.

1372 ~~13.15.~~ The child's Paying attention to stories.

1373 ~~14.16.~~ The child's Participation in art and music

1374 activities.

1375 ~~15.17.~~ The child's Ability to identify colors, geometric

1376 shapes, letters of the alphabet, numbers, and spatial and

1377 temporal relationships.

1378

1379 The Agency for Workforce Innovation shall also require that,

1380 before a child is enrolled in an early learning coalition's

1381 school readiness program, the coalition must ensure that

1382 information is obtained by the coalition or the school readiness

1383 provider regarding the child's immunizations, physical

1384 development, and other health requirements as necessary,

1385 including appropriate vision and hearing screening and

1386 examinations.

1387 ~~(p) The partnership shall prepare a plan for implementing~~

1388 ~~the system for measuring school readiness in such a way that all~~

1389 ~~children in this state will undergo the uniform screening~~

1390 ~~established by the partnership when they enter kindergarten.~~

1391 ~~Children who enter public school for the first time in first~~

1392 ~~grade must undergo a uniform screening approved by the~~

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1393 ~~partnership for use in first grade. Because children with~~  
 1394 ~~disabilities may not be able to meet all of the identified~~  
 1395 ~~expectations for school readiness, the plan for measuring school~~  
 1396 ~~readiness shall incorporate mechanisms for recognizing the~~  
 1397 ~~potential variations in expectations for school readiness when~~  
 1398 ~~serving children with disabilities and shall provide for~~  
 1399 ~~communities to serve children with disabilities.~~

1400       (k) ~~(q)~~ The Agency for Workforce Innovation partnership  
 1401 shall conduct studies and planning activities related to the  
 1402 overall improvement and effectiveness of the outcome school  
 1403 readiness measures adopted by the agency for school readiness  
 1404 programs.

1405       (l) The Agency for Workforce Innovation shall monitor and  
 1406 evaluate the performance of each early learning coalition in  
 1407 administering the school readiness program, implementing the  
 1408 coalition's school readiness plan, and administering the  
 1409 Voluntary Prekindergarten Education Program. These monitoring  
 1410 and performance evaluations must include, at a minimum, onsite  
 1411 monitoring of each coalition's finances, management, operations,  
 1412 and programs.

1413       (m) The Agency for Workforce Innovation shall identify  
 1414 best practices of early learning coalitions in order to improve  
 1415 the outcomes of school readiness programs.

1416       ~~(r)~~ ~~The partnership shall establish procedures for~~  
 1417 ~~performance based budgeting in school readiness programs.~~

1418       (n) ~~(s)~~ The Agency for Workforce Innovation partnership  
 1419 shall submit an annual report of its activities conducted under  
 1420 this section to the Governor, the executive director of the  
 1421 Florida Healthy Kids Corporation, the President of the Senate,

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1422 the Speaker of the House of Representatives, and the minority  
 1423 leaders of both houses of the Legislature. In addition, the  
 1424 Agency for Workforce Innovation's partnership's reports and  
 1425 recommendations shall be made available to the State Board of  
 1426 Education, the Florida Early Learning Advisory Council, other  
 1427 appropriate state agencies and entities, district school boards,  
 1428 central agencies ~~for child care~~, and county health departments.  
 1429 The annual report must provide an analysis of school readiness  
 1430 activities across the state, including the number of children  
 1431 who were served in the programs ~~and the number of children who~~  
 1432 ~~were ready for school.~~

1433 ~~(o)(t)~~ The Agency for Workforce Innovation partnership  
 1434 shall work with the early learning school readiness coalitions  
 1435 to increase parents' training for and involvement in their  
 1436 children's preschool education and to provide family literacy  
 1437 activities and programs.

1438  
 1439 ~~To ensure that the system for measuring school readiness is~~  
 1440 ~~comprehensive and appropriate statewide, as the system is~~  
 1441 ~~developed and implemented, the partnership must consult with~~  
 1442 ~~representatives of district school systems, providers of public~~  
 1443 ~~and private child care, health care providers, large and small~~  
 1444 ~~employers, experts in education for children with disabilities,~~  
 1445 ~~and experts in child development.~~

1446 (5) CREATION OF EARLY LEARNING SCHOOL READINESS  
 1447 COALITIONS.--

1448 (a) Early learning School readiness coalitions.--

1449 1. The Agency for Workforce Innovation shall establish the  
 1450 minimum number of children to be served by each early learning

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1451 coalition through the coalition's school readiness program. The  
1452 Agency for Workforce Innovation may only approve school  
1453 readiness plans in accordance with this minimum number. The  
1454 minimum number must be uniform for every early learning  
1455 coalition and must:

1456 a. Permit 30 or fewer coalitions to be established; and  
1457 b. Require each coalition to serve at least 2,000 children  
1458 based upon the average number of all children served per month  
1459 through the coalition's school readiness program during the  
1460 previous 12 months.

1461  
1462 The Agency for Workforce Innovation shall adopt procedures for  
1463 merging early learning coalitions, including procedures for the  
1464 consolidation of merging coalitions, and for the early  
1465 termination of the terms of coalition members which are  
1466 necessary to accomplish the mergers. Each early learning  
1467 coalition must comply with the merger procedures and shall be  
1468 organized in accordance with this subparagraph by April 1, 2005.  
1469 By June 30, 2005, each coalition must complete the transfer of  
1470 powers, duties, functions, rules, records, personnel, property,  
1471 and unexpended balances of appropriations, allocations, and  
1472 other funds to the successor coalition, if applicable.

1473 ~~2.1.~~ If an early learning coalition a coalition's plan  
1474 would serve fewer less than 400 birth to kindergarten age  
1475 children than the minimum number established under subparagraph  
1476 1., the coalition must merge either join with another county to  
1477 form a multicounty coalition. However, the Agency for Workforce  
1478 Innovation may authorize an early learning coalition to serve  
1479 fewer children than the minimum number established under

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1480 subparagraph 1., if:

1481 a. The coalition demonstrates to the Agency for Workforce  
1482 Innovation that merging with another county or multicounty  
1483 region contiguous to the coalition would cause an extreme  
1484 hardship on the coalition;

1485 b. The Agency for Workforce Innovation has determined  
1486 during the most recent annual review of the coalition's school  
1487 readiness plan, or through monitoring and performance  
1488 evaluations conducted under paragraph (4)(1), that the coalition  
1489 has substantially implemented its plan and substantially met the  
1490 performance standards and outcome measures adopted by the  
1491 agency; and

1492 c. The coalition demonstrates to the Agency for Workforce  
1493 Innovation the coalition's, ~~enter an agreement with a fiscal~~  
1494 ~~agent to serve more than one coalition, or demonstrate to the~~  
1495 ~~partnership its ability to effectively and efficiently implement~~  
1496 ~~the Voluntary Prekindergarten Education Program its plan as a~~  
1497 ~~single-county coalition and meet all required performance~~  
1498 ~~standards and outcome measures.~~

1499

1500 If an early learning coalition fails or refuses to merge as  
1501 required by this subparagraph, the Agency for Workforce  
1502 Innovation may dissolve the coalition and temporarily contract  
1503 with a qualified entity to continue school readiness and  
1504 prekindergarten services in the coalition's county or  
1505 multicounty region until the coalition is reestablished through  
1506 resubmission of a school readiness plan and approval by the  
1507 agency.

1508 3. Each early learning coalition shall be composed of at

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1509 least 18 members but not more than 35 members. The Agency for  
 1510 Workforce Innovation shall adopt standards establishing within  
 1511 this range the minimum and maximum number of members that may be  
 1512 appointed to an early learning coalition. These standards must  
 1513 include variations for a coalition serving a multicounty region.  
 1514 Each early learning coalition must comply with these standards.

1515 4. The Governor shall appoint the chair and two other  
 1516 members of each early learning coalition, who must each meet the  
 1517 same qualifications as private-sector business members appointed  
 1518 by the coalition under subparagraph 6.

1519 ~~5.2. Each early learning coalition shall have at least 18~~  
 1520 ~~but not more than 25 members and such members must include the~~  
 1521 ~~following members:~~

1522 a. A Department of Children and Family Services district  
 1523 administrator or his or her designee who is authorized to make  
 1524 decisions on behalf of the department.

1525 b. A district superintendent of schools or his or her  
 1526 designee who is authorized to make decisions on behalf of the  
 1527 district, who shall be a nonvoting member.

1528 c. A regional workforce ~~development~~ board executive chair  
 1529 ~~or director or his or her designee, where applicable.~~

1530 d. A county health department director or his or her  
 1531 designee.

1532 e. A children's services council or juvenile welfare board  
 1533 chair or executive director, if applicable, who shall be a  
 1534 nonvoting member if the council or board is the fiscal agent of  
 1535 the coalition or if the council or board contracts with and  
 1536 receives funds from the coalition.

1537 f. An agency head of a local child-care licensing agency

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1538 as defined in s. 402.302, where applicable head.

1539 g. A president of a community college or his or her

1540 designee.

1541 ~~g. One member appointed by a Department of Children and~~

1542 ~~Family Services district administrator.~~

1543 h. One member appointed by a board of county

1544 commissioners.

1545 ~~i. One member appointed by a district school board.~~

1546 i.j. A central child care agency administrator, where

1547 applicable, who shall be a nonvoting member.

1548 ~~j.k. A Head Start director, who shall be a nonvoting~~

1549 ~~member.~~

1550 ~~k.l. A representative of private child care providers,~~

1551 ~~including family day care homes, who shall be a nonvoting~~

1552 ~~member.~~

1553 ~~l.m. A representative of faith-based child care providers,~~

1554 ~~who shall be a nonvoting member.~~

1555 m. A representative of programs for children with

1556 disabilities under the federal Individuals with Disabilities

1557 Education Act, who shall be a nonvoting member.

1558 6. Including the members appointed by the Governor under

1559 subparagraph 4., more than one-third of the coalition members of

1560 each early learning coalition must be private-sector business

1561 members who do not have, and none of whose relatives as defined

1562 in s. 112.3143 has, a substantial financial interest in the

1563 design or delivery of the Voluntary Prekindergarten Education

1564 Program created under part V of chapter 1002 or the coalition's

1565 school readiness program from the private sector, and neither

1566 ~~they nor their families may earn an income from the early~~

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1567 ~~education and child care industry.~~ To meet this requirement an  
1568 early learning a coalition must appoint additional members from  
1569 a list of nominees submitted ~~presented~~ to the coalition by a  
1570 chamber of commerce or economic development council within the  
1571 geographic region served by area ~~of~~ the coalition. The Agency  
1572 for Workforce Innovation shall establish criteria for appointing  
1573 private-sector business members. These criteria must include  
1574 standards for determining whether a member or relative has a  
1575 substantial financial interest in the design or delivery of the  
1576 Voluntary Prekindergarten Education Program or the coalition's  
1577 school readiness program.

1578 7. A majority of the voting membership of an early  
1579 learning coalition constitutes a quorum required to conduct the  
1580 business of the coalition.

1581 8.3- ~~A voting~~ ~~no~~ member of an early learning a coalition  
1582 may not appoint a designee to act in his or her place, except as  
1583 otherwise provided in this paragraph. A voting member may send a  
1584 representative to coalition meetings, but that representative  
1585 does not ~~will~~ have ~~no~~ voting privileges. When a ~~district~~  
1586 ~~superintendent of schools~~ or a district administrator for the  
1587 Department of Children and Family Services appoints a designee  
1588 to an early learning a school readiness coalition, the designee  
1589 is ~~will be~~ the voting member of the coalition, and any  
1590 individual attending in the designee's ~~his or her~~ place,  
1591 including the district administrator ~~or superintendent~~, does not  
1592 ~~will~~ have ~~no~~ voting privileges.

1593 9.4- ~~Each member~~ ~~Members~~ of an early learning the  
1594 coalition is ~~are~~ subject to ss. 112.313, 112.3135, and 112.3143  
1595 ~~the ethics provisions in part III of chapter 112.~~ For purposes

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1596 of s. 112.3143(3)(a), each voting member is a local public  
 1597 officer who must abstain from voting when a voting conflict  
 1598 exists.

1599 10.5- For the purposes of tort liability, each member or  
 1600 employee of an early learning the members of the school  
 1601 readiness coalition and its employees shall be governed by s.  
 1602 768.28.

1603 11.6- An early learning coalition serving a multicounty  
 1604 region must coalitions shall include representation from each  
 1605 county.

1606 12.7- Each early learning coalition shall establish The  
 1607 terms for of all appointed members of the coalition. The terms  
 1608 must be staggered and must be a uniform length that does not  
 1609 exceed 4 years per term. Appointed members may serve a maximum  
 1610 of two consecutive terms. When a vacancy occurs in an appointed  
 1611 position, the coalition must advertise the vacancy.

1612 (b) Program participation.--The school readiness program  
 1613 shall be established for children from birth to the beginning of  
 1614 the school year for which a child is eligible for admission to 5  
 1615 years of age or until the child enters kindergarten in a public  
 1616 school under s. 1003.21(1)(a)2. The program shall be  
 1617 administered by the early learning school-readiness coalition.  
 1618 Within funding limitations, the early learning school-readiness  
 1619 coalition, along with all providers, shall make reasonable  
 1620 efforts to accommodate the needs of children for extended-day  
 1621 and extended-year services without compromising the quality of  
 1622 the program.

1623 (c) Program expectations.--

1624 1. The school readiness program must meet the following

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1625 expectations:

1626       a. The program must, at a minimum, enhance the age-  
1627 appropriate progress of each child in the development of the  
1628 school readiness skills required under paragraph (4)(j) ~~prepare~~  
1629 ~~preschool children to enter kindergarten ready to learn, as~~  
1630 measured by the performance standards and outcome measures  
1631 adopted ~~criteria established~~ by the Agency for Workforce  
1632 Innovation ~~Florida Partnership for School Readiness.~~

1633       b. The program must provide extended-day and extended-year  
1634 services to the maximum extent possible to meet the needs of  
1635 parents who work.

1636       c. There must be coordinated staff development and  
1637 teaching opportunities.

1638       d. There must be expanded access to community services and  
1639 resources for families to help achieve economic self-  
1640 sufficiency.

1641       e. There must be a single point of entry and unified  
1642 waiting list. As used in this sub-subparagraph, the term "single  
1643 point of entry" means an integrated information system that  
1644 allows a parent to enroll his or her child in the school  
1645 readiness program at various locations throughout the county or  
1646 multicounty region served by an early learning coalition, that  
1647 may allow a parent to enroll his or her child by telephone or  
1648 through an Internet website, and that uses a unified waiting  
1649 list to track eligible children waiting for enrollment in the  
1650 school readiness program. The Agency for Workforce Innovation  
1651 shall establish a single statewide information system that  
1652 integrates each early learning coalition's single point of  
1653 entry, and each coalition must use the statewide system.

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1654 f. The Agency for Workforce Innovation must consider the  
 1655 access of eligible children to the school readiness program, as  
 1656 demonstrated in part by waiting lists, before approving a  
 1657 proposed increase in payment rates submitted by an early  
 1658 learning coalition. In addition, early learning coalitions shall  
 1659 use school readiness funds made available due to enrollment  
 1660 shifts from school readiness programs to the Voluntary  
 1661 Prekindergarten Education Program for increasing the number of  
 1662 children served in school readiness programs before increasing  
 1663 payment rates.

1664 ~~f. As long as funding or eligible populations do not~~  
 1665 ~~decrease, the program must serve at least as many children as~~  
 1666 ~~were served prior to implementation of the program.~~

1667 g. There must be a community plan to address the needs of  
 1668 all eligible children.

1669 h. The program must meet all state licensing guidelines,  
 1670 where applicable.

1671 2. The early learning school readiness coalition must  
 1672 implement a comprehensive program of school readiness services  
 1673 that enhance the cognitive, social, and physical development of  
 1674 children to achieve the performance standards and outcome  
 1675 measures adopted specified by the Agency for Workforce  
 1676 Innovation partnership. At a minimum, these programs must  
 1677 contain the following elements:

1678 a. Developmentally appropriate curriculum designed to  
 1679 enhance the age-appropriate progress of children in attaining  
 1680 the performance standards adopted by the Agency for Workforce  
 1681 Innovation under subparagraph (4) (d) 8.

1682 b. A character development program to develop basic

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1683 values.

1684 c. An age-appropriate assessment of each child's

1685 development.

1686 d. A pretest administered to children when they enter a

1687 program and a posttest administered to children when they leave

1688 the program.

1689 e. An appropriate staff-to-children ~~staff-to-child~~ ratio.

1690 f. A healthy ~~healthful~~ and safe environment.

1691 g. A resource and referral network to assist parents in

1692 making an informed choice.

1693 (d) Implementation.--

1694 1. An early learning coalition may not implement the

1695 school readiness program ~~is to be phased in.~~ until the coalition

1696 is authorized ~~implements its plan,~~ the county shall continue to

1697 ~~receive the services identified in subsection (3) through the~~

1698 ~~various agencies that would be responsible for delivering those~~

1699 ~~services under current law. Plan implementation is subject to~~

1700 approval of the coalition's school readiness ~~coalition and the~~

1701 plan by the Agency for Workforce Innovation Florida Partnership

1702 ~~for School Readiness.~~

1703 2. Each early learning ~~school readiness~~ coalition shall

1704 develop a plan for implementing the school readiness program to

1705 meet the requirements of this section and the performance

1706 standards and outcome measures adopted ~~established~~ by the Agency

1707 for Workforce Innovation ~~partnership.~~ The plan must include a

1708 ~~written description of the role of the program in the~~

1709 ~~coalition's effort to meet the first state education goal,~~

1710 ~~readiness to start school, including a description of the plan~~

1711 ~~to involve the prekindergarten early intervention programs, Head~~

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1712 ~~Start Programs, programs offered by public or private providers~~  
1713 ~~of child care, preschool programs for children with~~  
1714 ~~disabilities, programs for migrant children, Title I programs,~~  
1715 ~~subsidized child care programs, and teen parent programs. The~~  
1716 ~~plan must also demonstrate how the program will ensure that each~~  
1717 ~~3-year-old and 4-year-old child in a publicly funded school~~  
1718 ~~readiness program receives scheduled activities and instruction~~  
1719 ~~designed to enhance the age-appropriate progress of the prepare~~  
1720 ~~children in attaining the performance standards adopted by the~~  
1721 ~~Agency for Workforce Innovation under subparagraph (4)(d)8. to~~  
1722 ~~enter kindergarten ready to learn. Before implementing Prior to~~  
1723 ~~implementation of the school readiness program, the early~~  
1724 ~~learning school readiness coalition must submit the plan to the~~  
1725 ~~Agency for Workforce Innovation partnership for approval. The~~  
1726 ~~Agency for Workforce Innovation partnership may approve the~~  
1727 ~~plan, reject the plan, or approve the plan with conditions. The~~  
1728 ~~Agency for Workforce Innovation Florida Partnership for School~~  
1729 ~~Readiness shall review school readiness coalition plans at least~~  
1730 ~~annually.~~

1731 3. If the Agency for Workforce Innovation determines  
1732 during the annual review of school readiness plans, or through  
1733 monitoring and performance evaluations conducted under paragraph  
1734 (4)(1), that an early learning coalition has not substantially  
1735 implemented its plan, has not substantially met the performance  
1736 standards and outcome measures adopted by the agency, or has not  
1737 effectively administered the school readiness program or  
1738 Voluntary Prekindergarten Education Program, the Agency for  
1739 Workforce Innovation may dissolve the coalition and temporarily  
1740 contract with a qualified entity to continue school readiness

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1741 and prekindergarten services in the coalition's county or  
 1742 multicounty region until the coalition is reestablished through  
 1743 resubmission of a school readiness plan and approval by the  
 1744 agency.

1745 4.3- The Agency for Workforce Innovation shall adopt  
 1746 criteria for the approval of school readiness plans. The  
 1747 criteria must be consistent with the performance standards and  
 1748 outcome measures adopted by the agency and must require each  
 1749 approved plan to ~~for the school readiness program must~~ include  
 1750 the following minimum standards and provisions:

1751 a. A sliding fee scale establishing a copayment for  
 1752 parents based upon their ability to pay, which is the same for  
 1753 all program providers, to be implemented and reflected in each  
 1754 program's budget.

1755 b. A choice of settings and locations in licensed,  
 1756 registered, religious-exempt, or school-based programs to be  
 1757 provided to parents.

1758 c. Instructional staff who have completed the training  
 1759 course as required in s. 402.305(2)(d)1., as well as staff who  
 1760 have additional training or credentials as required by the  
 1761 Agency for Workforce Innovation partnership. The plan must  
 1762 provide a method for assuring the qualifications of all  
 1763 personnel in all program settings.

1764 d. Specific eligibility priorities for children within the  
 1765 early learning coalition's county or multicounty region in  
 1766 accordance with ~~pursuant to~~ subsection (6).

1767 e. Performance standards and outcome measures adopted  
 1768 established by the Agency for Workforce Innovation partnership  
 1769 ~~or alternatively, standards and outcome measures to be used~~

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1770 ~~until such time as the partnership adopts such standards and~~  
1771 ~~outcome measures.~~

1772 f. Payment Reimbursement rates adopted ~~that have been~~  
1773 ~~developed~~ by the early learning coalition and approved by the  
1774 Agency for Workforce Innovation. Payment Reimbursement rates may  
1775 ~~shall~~ not have the effect of limiting parental choice or  
1776 creating standards or levels of services that have not been  
1777 authorized by the Legislature.

1778 g. Systems support services, including a central agency,  
1779 child care resource and referral, eligibility determinations,  
1780 training of providers, and parent support and involvement.

1781 h. Direct enhancement services to families and children.  
1782 System support and direct enhancement services shall be in  
1783 addition to payments for the placement of children in school  
1784 readiness programs.

1785 i. The A business organization of the early learning  
1786 coalition plan, which must include the coalition's articles of  
1787 incorporation and bylaws if the coalition is organized as a  
1788 corporation. If the coalition is not organized as a corporation  
1789 or other business entity, the plan must include the contract  
1790 with a fiscal school readiness agent if the coalition is not a  
1791 legally established corporate entity. An early learning  
1792 coalition ~~Coalitions~~ may contract with other coalitions to  
1793 achieve efficiency in multicounty ~~multiple-county~~ services, and  
1794 these such contracts may be part of the coalition's school  
1795 readiness business plan.

1796 j. Strategies to meet the needs of unique populations,  
1797 such as migrant workers.

1798

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1799 As part of the school readiness plan, the early learning  
 1800 coalition may request the Governor to apply for a waiver to  
 1801 allow the coalition to administer the Head Start Program to  
 1802 accomplish the purposes of the school readiness program. If a  
 1803 ~~any~~ school readiness plan demonstrates ~~can demonstrate~~ that  
 1804 specific statutory goals can be achieved more effectively by  
 1805 using procedures that require modification of existing rules,  
 1806 policies, or procedures, a request for a waiver to the Agency  
 1807 for Workforce Innovation partnership may be submitted ~~made~~ as  
 1808 part of the plan. Upon review, the Agency for Workforce  
 1809 Innovation partnership may grant the proposed modification.

1810 ~~5.4.~~ Persons with an early childhood teaching certificate  
 1811 may provide support and supervision to other staff in the school  
 1812 readiness program.

1813 ~~6.5.~~ An early learning ~~The~~ coalition may not implement its  
 1814 school readiness plan until it submits the plan to and receives  
 1815 approval from the Agency for Workforce Innovation partnership.  
 1816 Once the plan ~~is~~ has been approved, the plan and the services  
 1817 provided under the plan shall be controlled by the early  
 1818 learning coalition ~~rather than by the state agencies or~~  
 1819 ~~departments~~. The plan shall be reviewed and revised as  
 1820 necessary, but at least biennially. An early learning coalition  
 1821 may not implement the revisions until the coalition submits the  
 1822 revised plan to and receives approval from the Agency for  
 1823 Workforce Innovation. If the Agency for Workforce Innovation  
 1824 rejects a revised plan, the coalition must continue to operate  
 1825 under its prior approved plan.

1826 ~~7.6.~~ Sections ~~The following statutes will not apply to~~  
 1827 ~~local coalitions with approved plans: ss. 125.901(2)(a)3.,~~

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1828 411.221, and 411.232 do not apply to an early learning coalition  
 1829 with an approved school readiness plan. To facilitate innovative  
 1830 practices and to allow the regional ~~local~~ establishment of  
 1831 school readiness programs, an early learning ~~a school readiness~~  
 1832 coalition may apply to the Governor and Cabinet for a waiver of,  
 1833 and the Governor and Cabinet may waive, any of the provisions of  
 1834 ss. 411.223, 411.232, and 1003.54, if the waiver is necessary  
 1835 for implementation of the coalition's school readiness plan.

1836 8.7. Two or more counties may join for purposes ~~the~~  
 1837 ~~purpose~~ of planning and implementing a school readiness program.

1838 9.8. An early learning ~~A~~ coalition may, subject to  
 1839 approval ~~by~~ ~~of~~ the Agency for Workforce Innovation ~~partnership~~  
 1840 as part of the coalition's school readiness plan, receive  
 1841 subsidized child care funds for all children eligible for any  
 1842 federal subsidized child care program ~~and be the provider of the~~  
 1843 ~~program services.~~

1844 10.9. An early learning coalition may ~~Coalitions are~~  
 1845 ~~authorized to~~ enter into multiparty contracts with multicounty  
 1846 service providers in order to meet the needs of unique  
 1847 populations such as migrant workers.

1848 (e) Requests for proposals; payment schedule.--

1849 1. ~~At least once every 3 years, beginning July 1, 2001,~~  
 1850 Each early learning coalition must comply with ~~follow the~~  
 1851 ~~competitive procurement requirements of s. 287.057 for the~~  
 1852 procurement of commodities or contractual services from the  
 1853 funds described in paragraph (9) (d) school readiness programs.  
 1854 The period of a contract for purchase of these commodities or  
 1855 contractual services, together with any renewal of the original  
 1856 contract, may not exceed 3 years.

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1857           2. Each early learning coalition shall adopt ~~develop~~ a  
1858 payment schedule that encompasses all programs funded by the  
1859 ~~that~~ coalition under this section. The payment schedule must  
1860 take into consideration the relevant market rate, must include  
1861 the projected number of children to be served, and must be  
1862 submitted for approval by ~~to~~ the Agency for Workforce Innovation  
1863 ~~partnership for information~~. Informal child care arrangements  
1864 shall be reimbursed at not more than 50 percent of the rate  
1865 developed for a family day care home ~~childcare~~.

1866           (f) Requirements relating to fiscal agents.--If an early  
1867 learning ~~the local~~ coalition is not a legally organized as a  
1868 corporation or other business ~~established corporate~~ entity, the  
1869 coalition must designate a fiscal agent, which may be a public  
1870 entity, ~~or~~ a private nonprofit organization, or a certified  
1871 public accountant who holds a license under chapter 473. The  
1872 fiscal agent must ~~shall be required to~~ provide financial and  
1873 administrative services under ~~pursuant to~~ a contract ~~or~~  
1874 ~~agreement~~ with the early learning school readiness coalition.  
1875 The fiscal agent may not provide direct early childhood  
1876 education or child care services; however, a fiscal agent may  
1877 provide those ~~such~~ services upon written request of the early  
1878 learning coalition to the Agency for Workforce Innovation  
1879 ~~partnership~~ and upon the approval of the ~~such~~ request by the  
1880 agency ~~partnership~~. The cost of the financial and administrative  
1881 services shall be negotiated between the fiscal agent and the  
1882 early learning ~~school readiness~~ coalition. If the fiscal agent  
1883 is a provider of early childhood education and child care  
1884 programs, the contract must specify that the fiscal agent shall  
1885 ~~will~~ act on policy direction from the early learning coalition

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1886 and must ~~will~~ not receive policy direction from its own  
 1887 corporate board regarding disbursement of the coalition's ~~coalition~~  
 1888 funds. The fiscal agent shall disburse funds in accordance with  
 1889 the early learning coalition's approved ~~coalition~~ school  
 1890 readiness plan and based on billing and disbursement procedures  
 1891 approved by the Agency for Workforce Innovation ~~partnership~~. The  
 1892 fiscal agent must conform to all data-reporting requirements  
 1893 established by the Agency for Workforce Innovation ~~partnership~~.

1894 (g) Evaluation and annual report.--Each early learning  
 1895 ~~school readiness~~ coalition shall conduct an evaluation of the  
 1896 effectiveness of the school readiness program, including  
 1897 performance standards and outcome measures, and shall provide an  
 1898 annual report and fiscal statement to the Agency for Workforce  
 1899 Innovation Florida Partnership for School Readiness. This report  
 1900 must conform to the content and format specifications set by the  
 1901 Agency for Workforce Innovation Florida Partnership for School  
 1902 Readiness. The Agency for Workforce Innovation ~~partnership~~ must  
 1903 include an analysis of the early learning coalitions' ~~coalition~~  
 1904 reports in the agency's ~~its~~ annual report.

1905 (6) PROGRAM ELIGIBILITY.--Each early learning coalition's  
 1906 The school readiness program shall be established for children  
 1907 from birth to the beginning of the school year for which a child  
 1908 is eligible for admission to under the age of kindergarten in a  
 1909 public school under s. 1003.21(1)(a)2. eligibility. Priority for  
 1910 participation in the school readiness program shall be given to  
 1911 children age 3 years to school entry who are served by the  
 1912 Family Safety Program Office of the Department of Children and  
 1913 Family Services or a community-based lead agency under ~~pursuant~~  
 1914 ~~to~~ chapter 39 and for whom child care is needed to minimize risk

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1915 of further abuse, neglect, or abandonment. Other eligible  
 1916 populations include children who meet one or more of the  
 1917 following criteria:

1918 (a) Children under the age of kindergarten eligibility who  
 1919 are:

1920 1. Children determined to be at risk of abuse, neglect, or  
 1921 exploitation who are currently clients of the Family Safety  
 1922 Program Office of the Department of Children and Family  
 1923 Services, but who are not otherwise given priority under this  
 1924 subsection.

1925 ~~2.1-~~ Children at risk of welfare dependency, including  
 1926 economically disadvantaged children, children of participants in  
 1927 the welfare transition program, children of migrant farmworkers,  
 1928 and children of teen parents.

1929 ~~3.2-~~ Children of working families whose family income does  
 1930 not exceed 150 percent of the federal poverty level.

1931 ~~4.3-~~ Children for whom the state is paying a relative  
 1932 caregiver payment under s. 39.5085.

1933 (b) Three-year-old children and 4-year-old children who  
 1934 may not be economically disadvantaged but who have disabilities,  
 1935 have been served in a specific part-time or combination of part-  
 1936 time exceptional education programs with required special  
 1937 services, aids, or equipment, and were previously reported for  
 1938 funding part time with the Florida Education Finance Program as  
 1939 exceptional students.

1940 (c) Economically disadvantaged children, children with  
 1941 disabilities, and children at risk of future school failure,  
 1942 from birth to 4 years of age, who are served at home through  
 1943 home visitor programs and intensive parent education programs

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1944 ~~such as the Florida First Start Program.~~

1945 (d) Children who meet federal and state eligibility  
 1946 requirements ~~for eligibility~~ for the migrant preschool program  
 1947 but who do not meet the criteria of economically disadvantaged.

1948  
 1949 As used in this subsection, the term ~~An~~ "economically  
 1950 disadvantaged" child means a child whose family income does not  
 1951 exceed ~~is below~~ 150 percent of the federal poverty level.

1952 Notwithstanding any change in a family's economic status, but  
 1953 subject to additional family contributions in accordance with  
 1954 the sliding fee scale, a child who meets the eligibility  
 1955 requirements upon initial registration for the program remains  
 1956 ~~shall be considered~~ eligible until the beginning of the school  
 1957 year for which the child is eligible for admission to reaches  
 1958 kindergarten in a public school under s. 1003.21(1)(a)2. age.

1959 (7) PARENTAL CHOICE.--

1960 (a) The school readiness program shall provide parental  
 1961 choice through ~~pursuant to~~ a purchase service order that  
 1962 ensures, to the maximum extent possible, flexibility in school  
 1963 readiness programs and payment arrangements. According to  
 1964 federal regulations requiring parental choice, a parent may  
 1965 choose an informal child care arrangement. The purchase order  
 1966 must bear the name of the beneficiary and the program provider  
 1967 and, when redeemed, must bear the signature of both the  
 1968 beneficiary and an authorized representative of the provider.

1969 (b) If it is determined that a provider has provided any  
 1970 cash to the beneficiary in return for receiving the purchase  
 1971 order, the early learning coalition or its fiscal agent shall  
 1972 refer the matter to the Division of Public Assistance Fraud for

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1973 investigation.

1974 (c) The office of the Chief Financial Officer shall  
 1975 establish an electronic transfer system for the disbursement of  
 1976 funds in accordance with this subsection. Each early learning  
 1977 coalition ~~School readiness coalitions~~ shall fully implement the  
 1978 electronic funds transfer system within 2 years after ~~plan~~  
 1979 approval of the coalition's school readiness plan, unless a  
 1980 waiver is obtained from the Agency for Workforce Innovation  
 1981 partnership.

1982 (8) STANDARDS; OUTCOME MEASURES.--All ~~publicly funded~~  
 1983 school readiness programs must ~~shall be required to~~ meet the  
 1984 performance standards and outcome measures adopted ~~developed and~~  
 1985 ~~approved~~ by the Agency for Workforce Innovation ~~partnership~~. The  
 1986 ~~Office of Program Policy Analysis and Government Accountability~~  
 1987 ~~shall provide consultation to the partnership in the development~~  
 1988 ~~of the measures and standards. These performance standards and~~  
 1989 ~~outcome measures shall be applicable on a statewide basis.~~

1990 (9) FUNDING; SCHOOL READINESS PROGRAM.--

1991 (a) It is the intent of this section to establish an  
 1992 integrated and quality seamless service delivery system for all  
 1993 publicly funded early childhood education and child care  
 1994 programs operating in this state.

1995 (b) ~~Notwithstanding s. 20.50:~~

1996 1. The Agency for Workforce Innovation shall administer  
 1997 school readiness funds, plans, and policies ~~pursuant to the~~  
 1998 ~~contract with the Florida Partnership for School Readiness and~~  
 1999 shall prepare and submit a unified budget request for the school  
 2000 readiness system ~~program~~ in accordance with chapter 216.

2001 2. All instructions to early learning ~~local school~~

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2002 ~~readiness coalitions~~ for administering this section shall  
 2003 emanate from the Agency for Workforce Innovation in accordance  
 2004 with the ~~pursuant to~~ policies of the Legislature, ~~plans of the~~  
 2005 ~~Florida Partnership for School Readiness, and the contract~~  
 2006 ~~between the Florida Partnership for School Readiness and the~~  
 2007 ~~agency.~~

2008 (c) The Agency for Workforce Innovation shall adopt  
 2009 prepare a formula plan that provides for the allocation among  
 2010 the early learning coalitions distribution and expenditure of  
 2011 all state and federal school readiness funds for children  
 2012 participating in public or private school readiness programs  
 2013 based upon an equity and performance ~~funding formula~~. The  
 2014 allocation formula must plan ~~shall~~ be submitted to the Governor  
 2015 and the Legislative Budget Commission. Upon approval, the  
 2016 Legislative Budget Commission shall authorize ~~the transfer of~~  
 2017 ~~funds to the Agency for Workforce Innovation to~~ distribute funds  
 2018 ~~for distribution~~ in accordance with the allocation provisions of  
 2019 ~~the formula. For fiscal year 2004-2005, the Agency for Workforce~~  
 2020 Innovation shall allocate funds to the early learning coalitions  
 2021 consistent with the fiscal year 2003-2004 funding allocations to  
 2022 the school readiness coalitions.

2023 (d) All state ~~funds budgeted for a county for the programs~~  
 2024 ~~specified in subsection (3), along with the pro rata share of~~  
 2025 ~~the state administrative costs of those programs in the amount~~  
 2026 ~~as determined by the partnership, all federal, funds and~~  
 2027 required local maintenance-of-effort or matching funds provided  
 2028 to an early learning coalition for a county for programs  
 2029 ~~specified in subsection (3), and any additional funds~~  
 2030 ~~appropriated or obtained~~ for purposes of this section, shall be

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2031 used by ~~transferred for the benefit of~~ the coalition for  
 2032 implementation of its school readiness plan, including the  
 2033 hiring of staff to effectively operate the coalition's school  
 2034 readiness program. As part of plan approval and periodic plan  
 2035 review, the Agency for Workforce Innovation ~~partnership~~ shall  
 2036 require that administrative costs be kept to the minimum  
 2037 necessary for efficient and effective administration of the  
 2038 school readiness plan, but total administrative expenditures  
 2039 must ~~shall~~ not exceed 5 percent unless specifically waived by  
 2040 the Agency for Workforce Innovation ~~partnership~~. The Agency for  
 2041 Workforce Innovation ~~partnership~~ shall annually report to the  
 2042 Legislature any problems relating to administrative costs.

2043 (e) The Agency for Workforce Innovation ~~partnership~~ shall  
 2044 annually distribute, to a maximum extent practicable, all  
 2045 eligible funds provided under this section as block grants to  
 2046 the early learning ~~assist~~ ~~coalitions in integrating services and~~  
 2047 ~~funding to develop a quality service delivery system. Subject to~~  
 2048 ~~appropriation, the partnership may also provide financial awards~~  
 2049 ~~to coalitions demonstrating success in merging and integrating~~  
 2050 ~~funding streams to serve children and school readiness programs.~~

2051 (f) State funds appropriated for the school readiness  
 2052 program may not be used for the construction of new facilities  
 2053 or the purchase of buses. The Agency for Workforce Innovation  
 2054 ~~partnership~~ shall present to the Legislature recommendations for  
 2055 providing necessary transportation services for school readiness  
 2056 programs.

2057 (g) All cost savings and all revenues received through a  
 2058 mandatory sliding fee scale shall be used to help fund each  
 2059 early learning coalition's ~~the local~~ school readiness program.

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2060           ~~(10) SCHOOL READINESS UNIFORM SCREENING. The Department~~  
2061 ~~of Education shall implement a school readiness uniform~~  
2062 ~~screening, including a pilot program during the 2001-2002 school~~  
2063 ~~year, to validate the system recommended by the Florida~~  
2064 ~~Partnership for School Readiness as part of a comprehensive~~  
2065 ~~evaluation design. Beginning with the 2002-2003 school year, the~~  
2066 ~~department shall require that all school districts administer~~  
2067 ~~the school readiness uniform screening to each kindergarten~~  
2068 ~~student in the district school system upon the student's entry~~  
2069 ~~into kindergarten. Children who enter public school for the~~  
2070 ~~first time in first grade must undergo a uniform screening~~  
2071 ~~adopted for use in first grade. The department shall incorporate~~  
2072 ~~school readiness data into the K-20 data warehouse for~~  
2073 ~~longitudinal tracking. Notwithstanding s. 1002.22, the~~  
2074 ~~department shall provide the partnership and the Agency for~~  
2075 ~~Workforce Innovation with complete and full access to~~  
2076 ~~kindergarten uniform screening data at the student, school,~~  
2077 ~~district, and state levels in a format that will enable the~~  
2078 ~~partnership and the agency to prepare reports needed by state~~  
2079 ~~policymakers and local school readiness coalitions to access~~  
2080 ~~progress toward school readiness goals and provide input for~~  
2081 ~~continuous improvement of local school readiness services and~~  
2082 ~~programs.~~

2083           ~~(11) REPORTS. The Office of Program Policy Analysis and~~  
2084 ~~Government Accountability shall assess the implementation,~~  
2085 ~~efficiency, and outcomes of the school readiness program and~~  
2086 ~~report its findings to the President of the Senate and the~~  
2087 ~~Speaker of the House of Representatives by January 1, 2002.~~  
2088 ~~Subsequent reviews shall be conducted at the direction of the~~

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2089 ~~Joint Legislative Auditing Committee.~~

2090 (10)~~(12)~~ CONFLICTING PROVISIONS.--In the event of a  
 2091 conflict between ~~the provisions of~~ this section and federal  
 2092 requirements, the federal requirements shall control.

2093 (11)~~(13)~~ PLACEMENTS.--Notwithstanding any other provision  
 2094 of this section to the contrary, ~~and for fiscal year 2004-2005~~  
 2095 ~~only,~~ the first children to be placed in the school readiness  
 2096 program shall be those from families receiving temporary cash  
 2097 assistance and subject to federal work requirements. Subsequent  
 2098 placements shall be made in accordance with subsection (6)  
 2099 ~~pursuant to the provisions of this section. This subsection~~  
 2100 ~~expires July 1, 2005.~~

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

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

2104 (3) AUTHORITY FOR AUDITS AND OTHER ENGAGEMENTS.--The  
 2105 Auditor General may, pursuant to his or her own authority, or at  
 2106 the direction of the Legislative Auditing Committee, conduct  
 2107 audits or other engagements as determined appropriate by the  
 2108 Auditor General of:

2109 (p) The school readiness system, including the early  
 2110 learning coalitions, Florida Partnership for School Readiness  
 2111 created under pursuant to s. 411.01.

2112 Section 4. Subsection (2) of section 20.50, Florida  
 2113 Statutes, is amended to read:

2114 20.50 Agency for Workforce Innovation.--There is created  
 2115 the Agency for Workforce Innovation within the Department of  
 2116 Management Services. The agency shall be a separate budget  
 2117 entity, and the director of the agency shall be the agency head

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2118 for all purposes. The agency shall not be subject to control,  
 2119 supervision, or direction by the Department of Management  
 2120 Services in any manner, including, but not limited to,  
 2121 personnel, purchasing, transactions involving real or personal  
 2122 property, and budgetary matters.

2123 (2) The Agency for Workforce Innovation is ~~shall be~~ the  
 2124 ~~designated~~ administrative agency designated for receipt of  
 2125 federal workforce development grants and other federal funds.  
 2126 The agency, ~~and~~ shall administer ~~carry out~~ the duties and  
 2127 responsibilities assigned by the Governor under each federal  
 2128 grant assigned to the agency. The agency shall be a separate  
 2129 budget entity and shall expend each revenue source as provided  
 2130 by federal and state law and as provided in plans developed by  
 2131 and agreements with Workforce Florida, Inc. The agency shall  
 2132 prepare and submit as a separate budget entity a unified budget  
 2133 request for workforce development, in accordance with chapter  
 2134 216 for, and in conjunction with, Workforce Florida, Inc., and  
 2135 its board. The head of the agency is the director of Workforce  
 2136 Innovation, who shall be appointed by the Governor. The  
 2137 accountability and reporting functions of the agency shall be  
 2138 administered by the director or his or her designee. ~~Included in~~  
 2139 These functions shall include ~~are~~ budget management, financial  
 2140 management, audit, performance management standards and  
 2141 controls, assessing outcomes of service delivery, and financial  
 2142 administration of workforce programs under ~~pursuant to~~ s.  
 2143 445.004(5) and (9). ~~Within the agency's overall organizational~~  
 2144 ~~structure,~~ The agency shall include the following offices within  
 2145 its organizational structure, which shall have the specified  
 2146 responsibilities:

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2147 (a) The Office of Workforce Services shall administer the  
2148 unemployment compensation program, the Rapid Response program,  
2149 the Work Opportunity Tax Credit program, the Alien Labor  
2150 Certification program, and any other programs that are delivered  
2151 directly by agency staff rather than through the one-stop  
2152 delivery system. The office shall be directed by the Deputy  
2153 Director for Workforce Services, who shall be appointed by and  
2154 serve at the pleasure of the director.

2155 (b) The Office of Program Support and Accountability shall  
2156 administer state merit system program staff within the workforce  
2157 service delivery system, under the ~~pursuant to~~ policies of  
2158 Workforce Florida, Inc. The office is ~~shall be~~ responsible for  
2159 delivering services through the one-stop delivery system and for  
2160 ensuring that participants in welfare transition programs  
2161 receive case management services, diversion assistance, support  
2162 services, including ~~subsidized~~ child care and transportation  
2163 services, Medicaid services, and transition assistance to enable  
2164 them to succeed in the workforce. The office is ~~shall~~ also be  
2165 responsible for program quality assurance, grants and contract  
2166 management, contracting, financial management, and reporting.  
2167 The office shall be directed by the Deputy Director for Program  
2168 Support and Accountability, who shall be appointed by and serve  
2169 at the pleasure of the director. The office is ~~shall be~~  
2170 responsible for:

2171 1. Establishing monitoring, quality assurance, and quality  
2172 improvement systems that routinely assess the quality and  
2173 effectiveness of contracted programs and services.

2174 2. Annual review of each regional workforce board and  
2175 administrative entity to ensure that adequate systems of

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2176 reporting and control are in place; that, ~~and~~ monitoring,  
 2177 quality assurance, and quality improvement activities are  
 2178 conducted routinely; ~~;~~ and that corrective action is taken to  
 2179 eliminate deficiencies.

2180 (c) The Office of Early Learning shall administer the  
 2181 school readiness system in accordance with s. 411.01 and the  
 2182 operational requirements of the Voluntary Prekindergarten  
 2183 Education Program in accordance with part V of chapter 1002. The  
 2184 office shall be directed by the Deputy Director for Early  
 2185 Learning, who shall be appointed by and serve at the pleasure of  
 2186 the director.

2187 (d)-(e) The Office of Agency Support Services is ~~shall be~~  
 2188 responsible for procurement, human resource services, and  
 2189 information services including delivering information on labor  
 2190 markets, employment, occupations, and performance, and shall  
 2191 implement and maintain information systems that are required for  
 2192 the effective operation of the one-stop delivery system and the  
 2193 school readiness ~~services~~ system, including, but not limited to,  
 2194 those systems described in s. 445.009. The office shall ~~will~~ be  
 2195 directed by ~~under the direction of~~ the Deputy Director for  
 2196 Agency Support Services, who shall be appointed by and serve at  
 2197 the pleasure of the director. The office is ~~shall be~~ responsible  
 2198 for establishing:

2199 1. Information systems and controls that report reliable,  
 2200 timely and accurate fiscal and performance data for assessing  
 2201 outcomes, service delivery, and financial administration of  
 2202 workforce programs under ~~pursuant to~~ s. 445.004(5) and (9).

2203 2. Information systems that support service integration  
 2204 and case management by providing for case tracking for

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2205 participants in welfare transition programs.

2206 3. Information systems that support the school readiness  
 2207 system services.

2208 (e)~~(d)~~ The Unemployment Appeals Commission, authorized by  
 2209 s. 443.012, is ~~shall~~ not ~~be~~ subject to ~~the~~ control, supervision,  
 2210 or direction by the Agency for Workforce Innovation in the  
 2211 performance of its powers and duties but shall receive any and  
 2212 all support and assistance from the agency that is ~~may be~~  
 2213 required for the performance of its duties.

2214 Section 5. Paragraph (b) of subsection (1) of section  
 2215 125.901, Florida Statutes, is amended to read:

2216 125.901 Children's services; independent special district;  
 2217 council; powers, duties, and functions.--

2218 (1) Each county may by ordinance create an independent  
 2219 special district, as defined in ss. 189.403(3) and  
 2220 200.001(8)(e), to provide funding for children's services  
 2221 throughout the county in accordance with this section. The  
 2222 boundaries of such district shall be coterminous with the  
 2223 boundaries of the county. The county governing body shall obtain  
 2224 approval, by a majority vote of those electors voting on the  
 2225 question, to annually levy ad valorem taxes which shall not  
 2226 exceed the maximum millage rate authorized by this section. Any  
 2227 district created pursuant to the provisions of this subsection  
 2228 shall be required to levy and fix millage subject to the  
 2229 provisions of s. 200.065. Once such millage is approved by the  
 2230 electorate, the district shall not be required to seek approval  
 2231 of the electorate in future years to levy the previously  
 2232 approved millage.

2233 (b) However, any county as defined in s. 125.011(1) may

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2234 instead have a governing board consisting of 33 members,  
 2235 including: the superintendent of schools; two representatives of  
 2236 public postsecondary education institutions located in the  
 2237 county; the county manager or the equivalent county officer; the  
 2238 district administrator from the appropriate district of the  
 2239 Department of Children and Family Services, or the  
 2240 administrator's designee who is a member of the Senior  
 2241 Management Service or the Selected Exempt Service; the director  
 2242 of the county health department or the director's designee; the  
 2243 state attorney for the county or the state attorney's designee;  
 2244 the chief judge assigned to juvenile cases, or another juvenile  
 2245 judge who is the chief judge's designee and who shall sit as a  
 2246 voting member of the board, except that the judge may not vote  
 2247 or participate in setting ad valorem taxes under this section;  
 2248 an individual who is selected by the board of the local United  
 2249 Way or its equivalent; a member of a locally recognized faith-  
 2250 based coalition, selected by that coalition; a member of the  
 2251 local chamber of commerce, selected by that chamber or, if more  
 2252 than one chamber exists within the county, a person selected by  
 2253 a coalition of the local chambers; a member of the early  
 2254 learning ~~local school readiness~~ coalition, selected by that  
 2255 coalition; a representative of a labor organization or union  
 2256 active in the county; a member of a local alliance or coalition  
 2257 engaged in cross-system planning for health and social service  
 2258 delivery in the county, selected by that alliance or coalition;  
 2259 a member of the local Parent-Teachers Association/Parent-  
 2260 Teacher-Student Association, selected by that association; a  
 2261 youth representative selected by the local school system's  
 2262 student government; a local school board member appointed by the

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2263 chair of the school board; the mayor of the county or the  
2264 mayor's designee; one member of the county governing body,  
2265 appointed by the chair of that body; a member of the state  
2266 Legislature who represents residents of the county, selected by  
2267 the chair of the local legislative delegation; an elected  
2268 official representing the residents of a municipality in the  
2269 county, selected by the county municipal league; and 4 members-  
2270 at-large, appointed to the council by the majority of sitting  
2271 council members. The remaining 7 members shall be appointed by  
2272 the Governor in accordance with procedures set forth in  
2273 paragraph (a), except that the Governor may remove a member for  
2274 cause or upon the written petition of the council. Appointments  
2275 by the Governor must, to the extent reasonably possible,  
2276 represent the geographic and demographic diversity of the  
2277 population of the county. Members who are appointed to the  
2278 council by reason of their position are not subject to the  
2279 length of terms and limits on consecutive terms as provided in  
2280 this section. The remaining appointed members of the governing  
2281 board shall be appointed to serve 2-year terms, except that  
2282 those members appointed by the Governor shall be appointed to  
2283 serve 4-year terms, and the youth representative and the  
2284 legislative delegate shall be appointed to serve 1-year terms. A  
2285 member may be reappointed; however, a member may not serve for  
2286 more than three consecutive terms. A member is eligible to be  
2287 appointed again after a 2-year hiatus from the council.

2288 Section 6. Subsection (1) of section 216.133, Florida  
2289 Statutes, is amended to read:

2290 216.133 Definitions; ss. 216.133-216.137.--As used in ss.  
2291 216.133-216.137:

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2292 (1) "Consensus estimating conference" includes the  
 2293 Economic Estimating Conference, the Demographic Estimating  
 2294 Conference, the Revenue Estimating Conference, the Education  
 2295 Estimating Conference, the Criminal Justice Estimating  
 2296 Conference, the Juvenile Justice Estimating Conference, the  
 2297 Child Welfare System Estimating Conference, the Occupational  
 2298 Forecasting Conference, the Early Learning Programs ~~School~~  
 2299 ~~Readiness Program~~ Estimating Conference, the Self-Insurance  
 2300 Estimating Conference, the Florida Retirement System Actuarial  
 2301 Assumption Conference, and the Social Services Estimating  
 2302 Conference.

2303 Section 7. Subsection (10) of section 216.136, Florida  
 2304 Statutes, is amended to read:

2305 216.136 Consensus estimating conferences; duties and  
 2306 principals.--

2307 (10) EARLY LEARNING PROGRAMS ~~SCHOOL READINESS PROGRAM~~  
 2308 ESTIMATING CONFERENCE.--

2309 (a) Duties.--

2310 1. The Early Learning Programs ~~School Readiness Program~~  
 2311 Estimating Conference shall develop estimates and forecasts of  
 2312 the unduplicated count of children eligible for school readiness  
 2313 programs in accordance with the standards of eligibility  
 2314 established in s. 411.01(6), and of children eligible for the  
 2315 Voluntary Prekindergarten Education Program in accordance with  
 2316 s. 1002.53(2), as the conference determines are needed to  
 2317 support the state planning, budgeting, and appropriations  
 2318 processes.

2319 2. The Agency for Workforce Innovation ~~Florida Partnership~~  
 2320 ~~for School Readiness~~ shall provide information on needs and

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2321 waiting lists for school readiness programs, and information on  
 2322 the needs for the Voluntary Prekindergarten Education Program,  
 2323 as ~~program services~~ requested by the Early Learning Programs  
 2324 School Readiness Program Estimating Conference or individual  
 2325 conference principals in a timely manner.

2326 (b) Principals.--The Executive Office of the Governor, the  
 2327 Director of Economic and Demographic Research, and professional  
 2328 staff who have forecasting expertise from ~~the Florida~~  
 2329 ~~Partnership for School Readiness~~, the Agency for Workforce  
 2330 Innovation, the Department of Children and Family Services, the  
 2331 Department of Education, the Senate, and the House of  
 2332 Representatives, or their designees, are the principals of the  
 2333 Early Learning Programs School Readiness Program Estimating  
 2334 Conference. The principal representing the Executive Office of  
 2335 the Governor shall preside over sessions of the conference.

2336 Section 8. Section 402.3016, Florida Statutes, is amended  
 2337 to read:

2338 402.3016 Early Head Start collaboration grants.--

2339 (1) Contingent upon specific appropriations, the Agency  
 2340 for Workforce Innovation ~~Florida Partnership for School~~  
 2341 ~~Readiness~~ shall establish a program to award collaboration  
 2342 grants to assist local agencies in securing Early Head Start  
 2343 programs through Early Head Start program federal grants. The  
 2344 collaboration grants shall provide the required matching funds  
 2345 for public and private nonprofit agencies that have been  
 2346 approved for Early Head Start program federal grants.

2347 (2) Public and private nonprofit agencies providing Early  
 2348 Head Start programs applying for collaborative grants must:

2349 (a) Ensure quality performance by meeting the requirements

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2350 in the Head Start program performance standards and other  
 2351 applicable rules and regulations;

2352 (b) Ensure collaboration with other service providers at  
 2353 the local level; and

2354 (c) Ensure that a comprehensive array of health,  
 2355 nutritional, and other services are provided to the program's  
 2356 pregnant women and very young children, and their families.

2357 (3) The Agency for Workforce Innovation ~~partnership~~ shall  
 2358 report to the Legislature on an annual basis the number of  
 2359 agencies receiving Early Head Start collaboration grants and the  
 2360 number of children served.

2361 (4) The Agency for Workforce Innovation ~~partnership~~ may  
 2362 adopt rules under ss. 120.536(1) and 120.54 as necessary for the  
 2363 award of collaboration grants to competing agencies and the  
 2364 administration of the collaboration grants program under this  
 2365 section.

2366 Section 9. Section 411.011, Florida Statutes, is amended  
 2367 to read:

2368 411.011 Records of children in school readiness  
 2369 programs.--The individual records of children enrolled in school  
 2370 readiness programs provided under s. 411.01, when held in the  
 2371 possession of the early learning ~~school readiness~~ coalition or  
 2372 the Agency for Workforce Innovation ~~Florida Partnership for~~  
 2373 ~~School Readiness~~, are confidential and exempt from the  
 2374 ~~provisions of~~ s. 119.07 and s. 24(a), Art. I of the State  
 2375 Constitution. For ~~the~~ purposes of this section, records include  
 2376 assessment data, health data, records of teacher observations,  
 2377 and identifying data, including the child's social security  
 2378 number. A parent, guardian, or individual acting as a parent in

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2379 the absence of a parent or guardian has the right to inspect and  
2380 review the individual school readiness program record of his or  
2381 her child and to obtain a copy of the record. School readiness  
2382 records may be released to the United States Secretary of  
2383 Education, the United States Secretary of Health and Human  
2384 Services, and the Comptroller General of the United States for  
2385 the purpose of federal audits; to individuals or organizations  
2386 conducting studies for institutions to develop, validate, or  
2387 administer assessments or improve instruction; to accrediting  
2388 organizations in order to carry out their accrediting functions;  
2389 to appropriate parties in connection with an emergency if the  
2390 information is necessary to protect the health or safety of the  
2391 student or other individuals; to the Auditor General in  
2392 connection with his or her official functions; to a court of  
2393 competent jurisdiction in compliance with an order of that court  
2394 in accordance with ~~pursuant to~~ a lawfully issued subpoena; and  
2395 to parties to an interagency agreement among early learning  
2396 ~~school readiness~~ coalitions, local governmental agencies,  
2397 providers of school readiness programs, state agencies, and the  
2398 Agency for Workforce Innovation Florida Partnership for School  
2399 ~~Readiness~~ for the purpose of implementing the school readiness  
2400 program. Agencies, organizations, or individuals that receive  
2401 school readiness records in order to carry out their official  
2402 functions must protect the data in a manner that does ~~will~~ not  
2403 permit the personal identification of students and their parents  
2404 by persons other than those authorized to receive the records.  
2405 This section is subject to the Open Government Sunset Review Act  
2406 of 1995 in accordance with s. 119.15 and shall stand repealed on  
2407 October 2, 2005, unless reviewed and saved from repeal through

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2408 reenactment by the Legislature.

2409 Section 10. Paragraph (e) of subsection (2) of section  
2410 411.226, Florida Statutes, is amended to read:

2411 411.226 Learning Gateway.--

2412 (2) LEARNING GATEWAY STEERING COMMITTEE.--

2413 (e) To support and facilitate system improvements, the  
2414 steering committee must consult with representatives from the  
2415 Department of Education, the Department of Health, the Agency  
2416 for Workforce Innovation Florida Partnership for School  
2417 Readiness, the Department of Children and Family Services, the  
2418 Agency for Health Care Administration, the Department of  
2419 Juvenile Justice, and the Department of Corrections and with the  
2420 director of the Learning Development and Evaluation Center of  
2421 Florida Agricultural and Mechanical University.

2422 Section 11. Paragraph (d) of subsection (1), paragraph (a)  
2423 of subsection (2), and paragraph (c) of subsection (3) of  
2424 section 411.227, Florida Statutes, are amended to read:

2425 411.227 Components of the Learning Gateway.--The Learning  
2426 Gateway system consists of the following components:

2427 (1) COMMUNITY EDUCATION STRATEGIES AND FAMILY-ORIENTED  
2428 ACCESS.--

2429 (d) In collaboration with other local resources, the  
2430 demonstration projects shall develop public awareness strategies  
2431 to disseminate information about developmental milestones,  
2432 precursors of learning problems and other developmental delays,  
2433 and the service system that is available. The information should  
2434 target parents of children from birth through age 9 and should  
2435 be distributed to parents, health care providers, and caregivers  
2436 of children from birth through age 9. A variety of media should

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2437 be used as appropriate, such as print, television, radio, and a  
2438 community-based Internet website, as well as opportunities such  
2439 as those presented by parent visits to physicians for well-child  
2440 checkups. The Learning Gateway Steering Committee shall provide  
2441 technical assistance to the local demonstration projects in  
2442 developing and distributing educational materials and  
2443 information.

2444 1. Public awareness strategies targeting parents of  
2445 children from birth through age 5 shall be designed to provide  
2446 information to public and private preschool programs, child care  
2447 ~~ehildeare~~ providers, pediatricians, parents, and local  
2448 businesses and organizations. These strategies should include  
2449 information on the school readiness performance standards ~~for~~  
2450 ~~kindergarten~~ adopted by the Agency for Workforce Innovation  
2451 ~~School Readiness Partnership Board~~.

2452 2. Public awareness strategies targeting parents of  
2453 children from ages 6 through 9 must be designed to disseminate  
2454 training materials and brochures to parents and public and  
2455 private school personnel, and must be coordinated with the local  
2456 school board and the appropriate school advisory committees in  
2457 the demonstration projects. The materials should contain  
2458 information on state and district proficiency levels for grades  
2459 K-3.

2460 (2) SCREENING AND DEVELOPMENTAL MONITORING.--

2461 (a) In coordination with the Agency for Workforce  
2462 Innovation Partnership for School Readiness, the Department of  
2463 Education, and the Florida Pediatric Society, and using  
2464 information learned from the local demonstration projects, the  
2465 Learning Gateway Steering Committee shall establish guidelines

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2466 for screening children from birth through age 9. The guidelines  
 2467 should incorporate recent research on the indicators most likely  
 2468 to predict early learning problems, mild developmental delays,  
 2469 child-specific precursors of school failure, and other related  
 2470 developmental indicators in the domains of cognition;  
 2471 communication; attention; perception; behavior; and social,  
 2472 emotional, sensory, and motor functioning.

2473 (3) EARLY EDUCATION, SERVICES AND SUPPORTS.--

2474 (c) The steering committee, in cooperation with the  
 2475 Department of Children and Family Services, the Department of  
 2476 Education, and the Agency for Workforce Innovation Florida  
 2477 ~~Partnership for School Readiness~~, shall identify the elements of  
 2478 an effective research-based curriculum for early care and  
 2479 education programs.

2480 Section 12. Subsection (1) of section 1001.23, Florida  
 2481 Statutes, is amended to read:

2482 1001.23 Specific powers and duties of the Department of  
 2483 Education.--In addition to all other duties assigned to it by  
 2484 law or by rule of the State Board of Education, the department  
 2485 shall:

2486 (1) Adopt the statewide kindergarten school readiness  
 2487 ~~uniform screening developed by the Florida Partnership for~~  
 2488 ~~School Readiness~~, in accordance with s. 1002.69 ~~the criteria~~  
 2489 ~~itemized in chapter 1008.~~

2490 Section 13. Paragraph (d) of subsection (3) of section  
 2491 1002.22, Florida Statutes, is amended to read:

2492 1002.22 Student records and reports; rights of parents and  
 2493 students; notification; penalty.--

2494 (3) RIGHTS OF PARENT OR STUDENT.--The parent of any

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2495 student who attends or has attended any public school, career  
 2496 center, or public postsecondary educational institution shall  
 2497 have the following rights with respect to any records or reports  
 2498 created, maintained, and used by any public educational  
 2499 institution in the state. However, whenever a student has  
 2500 attained 18 years of age, or is attending a postsecondary  
 2501 educational institution, the permission or consent required of,  
 2502 and the rights accorded to, the parents of the student shall  
 2503 thereafter be required of and accorded to the student only,  
 2504 unless the student is a dependent student of such parents as  
 2505 defined in 26 U.S.C. s. 152 (s. 152 of the Internal Revenue Code  
 2506 of 1954). The State Board of Education shall adopt rules whereby  
 2507 parents or students may exercise these rights:

2508 (d) Right of privacy.--Every student has ~~shall have~~ a  
 2509 right of privacy with respect to the educational records kept on  
 2510 him or her. Personally identifiable records or reports of a  
 2511 student, and any personal information contained therein, are  
 2512 confidential and exempt from ~~the provisions of~~ s. 119.07(1). A  
 2513 state or local educational agency, board, public school, career  
 2514 center, or public postsecondary educational institution may not  
 2515 permit the release of such records, reports, or information  
 2516 without the written consent of the student's parent, or of the  
 2517 student himself or herself if he or she is qualified as provided  
 2518 in this subsection, to any individual, agency, or organization.  
 2519 However, personally identifiable records or reports of a student  
 2520 may be released to the following persons or organizations  
 2521 without the consent of the student or the student's parent:

2522 1. Officials of schools, school systems, career centers,  
 2523 or public postsecondary educational institutions in which the

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2524 student seeks or intends to enroll; and a copy of such records  
 2525 or reports shall be furnished to the parent or student upon  
 2526 request.

2527 2. Other school officials, including teachers within the  
 2528 educational institution or agency, who have legitimate  
 2529 educational interests in the information contained in the  
 2530 records.

2531 3. The United States Secretary of Education, the Director  
 2532 of the National Institute of Education, the Assistant Secretary  
 2533 for Education, the Comptroller General of the United States, or  
 2534 state or local educational authorities who are authorized to  
 2535 receive such information subject to the conditions set forth in  
 2536 applicable federal statutes and regulations of the United States  
 2537 Department of Education, or in applicable state statutes and  
 2538 rules of the State Board of Education.

2539 4. Other school officials, in connection with a student's  
 2540 application for or receipt of financial aid.

2541 5. Individuals or organizations conducting studies for or  
 2542 on behalf of an institution or a board of education for the  
 2543 purpose of developing, validating, or administering predictive  
 2544 tests, administering student aid programs, or improving  
 2545 instruction, if the ~~such~~ studies are conducted in ~~such~~ a manner  
 2546 that does ~~as will~~ not permit the personal identification of  
 2547 students and their parents by persons other than representatives  
 2548 of such organizations and if the ~~such~~ information will be  
 2549 destroyed when no longer needed for the purpose of conducting  
 2550 such studies.

2551 6. Accrediting organizations, in order to carry out their  
 2552 accrediting functions.

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2553           7. Early learning ~~School readiness~~ coalitions and the  
 2554 Agency for Workforce Innovation Florida Partnership for School  
 2555 ~~Readiness~~ in order to carry out their assigned duties.

2556           8. For use as evidence in student expulsion hearings  
 2557 conducted by a district school board under ~~pursuant to the~~  
 2558 ~~provisions of~~ chapter 120.

2559           9. Appropriate parties in connection with an emergency, if  
 2560 knowledge of the information in the student's educational  
 2561 records is necessary to protect the health or safety of the  
 2562 student or other individuals.

2563           10. The Auditor General and the Office of Program Policy  
 2564 Analysis and Government Accountability in connection with their  
 2565 official functions; however, except when the collection of  
 2566 personally identifiable information is specifically authorized  
 2567 by law, any data collected by the Auditor General and the Office  
 2568 of Program Policy Analysis and Government Accountability is  
 2569 confidential and exempt from ~~the provisions of~~ s. 119.07(1) and  
 2570 shall be protected in ~~such~~ a way that does ~~as will~~ not permit  
 2571 the personal identification of students and their parents by  
 2572 other than the Auditor General, the Office of Program Policy  
 2573 Analysis and Government Accountability, and their staff, and the  
 2574 ~~such~~ personally identifiable data shall be destroyed when no  
 2575 longer needed for the Auditor General's and the Office of  
 2576 Program Policy Analysis and Government Accountability's official  
 2577 use.

2578           11.a. A court of competent jurisdiction in compliance with  
 2579 an order of that court or the attorney of record in accordance  
 2580 with ~~pursuant to~~ a lawfully issued subpoena, upon the condition  
 2581 that the student and the student's parent are notified of the

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2582 order or subpoena in advance of compliance therewith by the  
 2583 educational institution or agency.

2584       b. A person or entity in accordance with ~~pursuant to a~~  
 2585 court of competent jurisdiction in compliance with an order of  
 2586 that court or the attorney of record pursuant to a lawfully  
 2587 issued subpoena, upon the condition that the student, or his or  
 2588 her parent if the student is either a minor and not attending a  
 2589 postsecondary educational institution or a dependent of such  
 2590 parent as defined in 26 U.S.C. s. 152 (s. 152 of the Internal  
 2591 Revenue Code of 1954), is notified of the order or subpoena in  
 2592 advance of compliance therewith by the educational institution  
 2593 or agency.

2594       12. Credit bureaus, in connection with an agreement for  
 2595 financial aid that the student has executed, if the ~~provided~~  
 2596 ~~that such~~ information is ~~may be~~ disclosed only to the extent  
 2597 necessary to enforce the terms or conditions of the financial  
 2598 aid agreement. Credit bureaus shall not release any information  
 2599 obtained under ~~pursuant to~~ this paragraph to any person.

2600       13. Parties to an interagency agreement among the  
 2601 Department of Juvenile Justice, school and law enforcement  
 2602 authorities, and other signatory agencies for the purpose of  
 2603 reducing juvenile crime and especially motor vehicle theft by  
 2604 promoting cooperation and collaboration, and the sharing of  
 2605 appropriate information in a joint effort to improve school  
 2606 safety, to reduce truancy and in-school and out-of-school  
 2607 suspensions, and to support alternatives to in-school and out-  
 2608 of-school suspensions and expulsions that provide structured and  
 2609 well-supervised educational programs supplemented by a  
 2610 coordinated overlay of other appropriate services designed to

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2611 correct behaviors that lead to truancy, suspensions, and  
2612 expulsions, and that support students in successfully completing  
2613 their education. Information provided in furtherance of the ~~such~~  
2614 interagency agreements is intended solely for use in determining  
2615 the appropriate programs and services for each juvenile or the  
2616 juvenile's family, or for coordinating the delivery of the ~~such~~  
2617 programs and services, and as such is inadmissible in any court  
2618 proceedings before ~~prior to~~ a dispositional hearing unless  
2619 written consent is provided by a parent or other responsible  
2620 adult on behalf of the juvenile.

2621 14. Consistent with the Family Educational Rights and  
2622 Privacy Act, the Department of Children and Family Services or a  
2623 community-based care lead agency acting on behalf of the  
2624 Department of Children and Family Services, as appropriate.

2625  
2626 This paragraph does not prohibit any educational institution  
2627 from publishing and releasing to the general public directory  
2628 information relating to a student if the institution elects to  
2629 do so. However, no educational institution shall release, to  
2630 any individual, agency, or organization that is not listed in  
2631 subparagraphs 1.-14., directory information relating to the  
2632 student body in general or a portion thereof unless it is  
2633 normally published for the purpose of release to the public in  
2634 general. Any educational institution making directory  
2635 information public shall give public notice of the categories of  
2636 information that it has designated as directory information for  
2637 ~~with respect to~~ all students attending the institution and shall  
2638 allow a reasonable period of time after the ~~such~~ notice has been  
2639 given for a parent or student to inform the institution in

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2640 writing that any or all of the information designated should not  
 2641 be released.

2642 Section 14. Paragraph (c) of subsection (3) of section  
 2643 1003.54, Florida Statutes, is amended to read:

2644 1003.54 Teenage parent programs.--

2645 (3)

2646 (c) Provision for necessary child care, health care,  
 2647 social services, parent education, and transportation shall be  
 2648 ancillary service components of teenage parent programs.

2649 Ancillary services may be provided through the coordination of  
 2650 existing programs and services and through joint agreements  
 2651 between district school boards and early learning local school  
 2652 ~~readiness~~ coalitions or other appropriate public and private  
 2653 providers.

2654 Section 15. Subsection (5) is added to section 1007.23,  
 2655 Florida Statutes, to read:

2656 1007.23 Statewide articulation agreement.--

2657 (5) The articulation agreement must guarantee the  
 2658 articulation of 9 credit hours toward a postsecondary degree in  
 2659 early childhood education for programs approved by the State  
 2660 Board of Education which:

2661 (a) Award a child development associate credential issued  
 2662 by the National Credentialing Program of the Council for  
 2663 Professional Recognition or award a credential approved under s.  
 2664 1002.55(3)(c)1.b. or s. 402.305(3)(c) as being equivalent to the  
 2665 child development associate credential; and

2666 (b) Include training in emergent literacy which meets or  
 2667 exceeds the minimum standards for training courses for  
 2668 prekindergarten instructors of the Voluntary Prekindergarten

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2669 Education Program in s. 1002.59.

2670 Section 16. (1) The Florida Partnership for School  
 2671 Readiness is abolished. All powers, duties, functions, rules,  
 2672 records, personnel, property, and unexpended balances of  
 2673 appropriations, allocations, and other funds of the Florida  
 2674 Partnership for School Readiness are transferred by a type two  
 2675 transfer, as defined in section 20.06(2), Florida Statutes, to  
 2676 the Agency for Workforce Innovation.

2677 (2) This act does not abolish the school readiness  
 2678 coalitions but redesignates the coalitions as early learning  
 2679 coalitions and, effective April 1, 2005, requires a reduction in  
 2680 the number of coalitions. All powers, duties, functions, rules,  
 2681 records, personnel, property, and unexpended balances of  
 2682 appropriations, allocations, and other funds of each school  
 2683 readiness coalition are not transferred but shall be retained by  
 2684 the early learning coalition upon its redesignation from a  
 2685 school readiness coalition to an early learning coalition.

2686 Section 17. Sections 411.012 and 1008.21, Florida  
 2687 Statutes, are repealed.

2688 Section 18. (1) The sums of \$1,090,399 from recurring  
 2689 general revenue and \$975,000 from nonrecurring general revenue  
 2690 are appropriated in lump sum to, and 17 additional positions are  
 2691 authorized for, the Department of Education for purposes of  
 2692 administering the Voluntary Prekindergarten Education Program  
 2693 during the 2004-2005 fiscal year.

2694 (2) The sums of \$4,218,010 from recurring general revenue  
 2695 and \$5,275,000 from nonrecurring general revenue are  
 2696 appropriated in lump sum to, and 20 additional positions are  
 2697 authorized for, the Agency for Workforce Innovation for purposes

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2698 of administering the Voluntary Prekindergarten Education Program  
2699 during the 2004-2005 fiscal year. From these nonrecurring funds,  
2700 \$100,000 is provided for the Agency for Workforce Innovation to  
2701 evaluate the potential of using electronic technology to  
2702 administer and maintain attendance information and provider  
2703 payment processes for the program. The Agency for Workforce  
2704 Innovation shall submit a report of its recommendations to the  
2705 Governor, the President of the Senate, and the Speaker of the  
2706 House of Representatives by September 1, 2006. The  
2707 recommendations must include the recurring annual operating  
2708 costs associated with the use of any electronic technology that  
2709 is recommended in the report.

2710 (3) The sums of \$80,193 from recurring general revenue and  
2711 \$140,037 from nonrecurring general revenue are appropriated in  
2712 lump sum to, and 5.5 additional positions are authorized for,  
2713 the Department of Children and Family Services for purposes of  
2714 administering the Voluntary Prekindergarten Education Program  
2715 during the 2004-2005 fiscal year.

2716 Section 19. Notwithstanding the provisions of section  
2717 216.177, Florida Statutes, which require a 14-day notice for  
2718 interim budget actions, and pursuant to section 216.351, Florida  
2719 Statutes, the Executive Office of the Governor shall provide  
2720 notice of the allocation of the lump-sum appropriations  
2721 authorized by this act into traditional appropriation categories  
2722 to the chair and vice chair of the Legislative Budget Commission  
2723 at least 3 working days before the effective date of the  
2724 allocation.

2725 Section 20. This act shall take effect upon becoming a  
2726 law.