

1 A bill to be entitled
2 An act relating to the school readiness program;
3 amending s. 1002.81, F.S.; revising the definition of
4 the term "economically disadvantaged"; amending s.
5 1002.84, F.S.; revising requirements for the sliding
6 fee scale for families receiving school readiness
7 program services to include a new method to calculate
8 parent copayments at the time of eligibility
9 determination and annually thereafter, regardless of
10 the number of children; revising the methodology for
11 distributing school readiness program funds to
12 eligible providers; amending s. 1002.85, F.S.;
13 revising requirements for the data elements that must
14 be collected and reported by the Department of
15 Education; revising the date by which the report must
16 be implemented; amending s. 1002.89, F.S.; revising
17 the method for determining the annual allocation for
18 the school readiness program; deleting a provision
19 relating to certain expenditures from the Gold Seal
20 Quality Care Program allocation; deleting a provision
21 relating to certain expenditures from the differential
22 payment program allocation; deleting a provision
23 relating to certain expenditures from the special
24 needs differential allocation; amending s. 1002.90,
25 F.S.; requiring that provider reimbursement rates be

26 | established based on certain information; deleting a
 27 | requirement for the Early Learning Programs Estimating
 28 | Conference to provide official cost-of-care
 29 | information to the Legislature; providing an effective
 30 | date.

31 |
 32 | WHEREAS, it is the intent of the Legislature to preserve
 33 | parent choice and ensure that young children have access to
 34 | high-quality early education opportunities that promote
 35 | kindergarten readiness and prepare them for later economic
 36 | success, and

37 | WHEREAS, it is the intent of the Legislature to increase
 38 | workforce participation, strengthen this state's economy, and
 39 | support low-income families on a path to reach economic self-
 40 | sufficiency, NOW, THEREFORE,

41 |
 42 | Be It Enacted by the Legislature of the State of Florida:

43 |
 44 | Section 1. Subsection (6) of section 1002.81, Florida
 45 | Statutes, is amended to read:

46 | 1002.81 Definitions.—Consistent with the requirements of
 47 | 45 C.F.R. parts 98 and 99 and as used in this part, the term:

48 | (6) "Economically disadvantaged" means having a family
 49 | income that does not exceed 55 percent of the state median
 50 | income ~~150 percent of the federal poverty level~~ and includes

51 | being a child of a working migratory family as defined by 34
 52 | C.F.R. s. 200.81(d) or (f) or an agricultural worker who is
 53 | employed by more than one agricultural employer during the
 54 | course of a year, and whose income varies according to weather
 55 | conditions and market stability.

56 | Section 2. Subsections (9) and (17) of section 1002.84,
 57 | Florida Statutes, are amended to read:

58 | 1002.84 Early learning coalitions; school readiness powers
 59 | and duties.—Each early learning coalition shall:

60 | (9) Implement ~~Establish~~ a parent sliding fee scale that
 61 | provides for the calculation of a parent copayment at the time
 62 | of the eligibility determination and for an annual eligibility
 63 | redetermination thereafter, which increases in percentage with a
 64 | parent's income, regardless of the number of children, as
 65 | follows:

66 | (a) A parent whose income is at or below 60 percent of the
 67 | state median income is responsible for a copayment of 7 percent
 68 | of his or her income.

69 | (b) A parent whose income is above 60 percent but at or
 70 | below 65 percent of the state median income is responsible for a
 71 | copayment of 9 percent of his or her income.

72 | (c) A parent whose income is above 65 percent but at or
 73 | below 75 percent of the state median income is responsible for a
 74 | copayment of 11 percent of his or her income.

75 | (d) A parent whose income is above 75 percent but at or

76 | below 80 percent of the state median income is responsible for a
 77 | copayment of 13 percent of his or her income.

78 | (e) A parent whose income is above 80 percent but at or
 79 | below 85 percent of the state median income is responsible for a
 80 | copayment of 15 percent of his or her income.

81 |
 82 | The parent copayment for a child who receives part-time care is
 83 | 50 percent of the copayment amount calculated in paragraphs (a)-
 84 | (e) that is not a barrier to families receiving school readiness
 85 | program services. A coalition may waive the copayment for an at-
 86 | risk child or temporarily waive the copayment for a child whose
 87 | family's income is at or below the federal poverty level or
 88 | whose family experiences a natural disaster or an event that
 89 | limits the parent's ability to pay, such as incarceration,
 90 | placement in residential treatment, or becoming homeless, or an
 91 | emergency situation such as a household fire or burglary, or
 92 | while the parent is participating in parenting classes or
 93 | participating in an Early Head Start program or Head Start
 94 | Program. A parent may not transfer school readiness program
 95 | services to another school readiness program provider until the
 96 | parent has submitted documentation from the current school
 97 | readiness program provider to the early learning coalition
 98 | stating that the parent has satisfactorily fulfilled the
 99 | copayment obligation.

100 | (17) (a) Distribute the school readiness program funds as

101 allocated in the General Appropriations Act to ~~the~~ eligible
 102 providers using the provider cost of care or reimbursement rates
 103 developed in accordance with s. 1002.90. ~~following methodology:~~

104 1. ~~For each county in the early learning coalition,~~
 105 ~~multiply the cost of care by care level as provided in s.~~
 106 ~~1002.90 by the county's comparable wage factor provided in s.~~
 107 ~~1011.62(2).~~

108 2. ~~If a county enacted a local ordinance before January 1,~~
 109 ~~2022, that establishes the county's staff-to-children ratio for~~
 110 ~~licensed child care facilities below the ratio established in s.~~
 111 ~~402.305(4), multiply the provider reimbursement rates for that~~
 112 ~~county by the adjustment factor specified in the General~~
 113 ~~Appropriations Act.~~

114 3. ~~Apply the weight established pursuant to s. 1002.90 for~~
 115 ~~each provider type to calculate the minimum provider~~
 116 ~~reimbursement rates by care level.~~

117 4. ~~Multiply the weighted provider reimbursement rates by~~
 118 ~~22 percent to determine the amount of the school readiness~~
 119 ~~allocation an early learning coalition is eligible to retain~~
 120 ~~pursuant to s. 1002.89(4).~~

121 (b) Distribute to each eligible provider the minimum
 122 provider reimbursement rate, by provider type and care level,
 123 regardless of the provider's private pay rate. All minimum
 124 provider reimbursement rates shall be charged as direct services
 125 pursuant to s. 1002.89.

126
 127 Each early learning coalition with approved minimum provider
 128 reimbursement rates for the infant to age 5 care levels that are
 129 higher than the minimum provider reimbursement rates developed
 130 in accordance with s. 1002.90 ~~established in this subsection~~ may
 131 continue to implement its approved minimum provider
 132 reimbursement rates until the rates established in this
 133 subsection exceed its approved rates.

134 Section 3. Subsection (5) of section 1002.85, Florida
 135 Statutes, is amended to read:

136 1002.85 Early learning coalition plans.—

137 (5) The department shall collect and report data on
 138 coalition delivery of early learning programs. Data elements
 139 must ~~shall~~ include, but are not limited to, measures related to
 140 progress toward ~~towards~~ reducing the number of children on the
 141 waiting list, the percentage of children served by the program
 142 as compared to the number of administrative staff and overhead,
 143 the percentage of children served compared to total number of
 144 children younger than ~~under~~ the age of 5 years whose family
 145 income is below 55 percent of the state median income ~~150~~
 146 ~~percent of the federal poverty level~~, provider payment
 147 processes, fraud intervention, child attendance and stability,
 148 use of child care resource and referral, and kindergarten
 149 readiness outcomes for children in the Voluntary Prekindergarten
 150 Education Program or the school readiness program upon entry

151 into kindergarten. The department shall request input from the
 152 coalitions and school readiness program providers before
 153 finalizing the format and data to be used. The report must ~~shall~~
 154 be implemented beginning July 1, 2025 ~~2014~~, and results of the
 155 report must be included in the annual report under s. 1002.82.

156 Section 4. Subsection (1) of section 1002.89, Florida
 157 Statutes, is amended to read:

158 1002.89 School readiness program; funding.—

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

163 (a) *School readiness program allocation.*—If the annual
 164 allocation for the school readiness program is not determined in
 165 the General Appropriations Act or the substantive bill
 166 implementing the General Appropriations Act, it must ~~shall~~ be
 167 determined based on a calculation that considers, at a minimum,
 168 full-time equivalent program enrollment estimates per care
 169 level, approved cost of care or provider reimbursement rates
 170 developed in accordance with s. 1002.90, the total school
 171 readiness eligible population as adopted by the Early Learning
 172 Programs Estimating Conference pursuant to s. 216.136(8), and
 173 coalition administrative and indirect service costs as allowed
 174 pursuant to s. 1002.89(4). ~~as follows:~~

175 ~~1. For each county in the early learning coalition, the~~

176 ~~total school readiness eligible population, as adopted by the~~
177 ~~Early Learning Programs Estimating Conference pursuant to s.~~
178 ~~216.136(8), shall be multiplied by the county's comparable wage~~
179 ~~factor provided in s. 1011.62(2).~~

180 ~~2. If a county passed a local ordinance before January 1,~~
181 ~~2022, that establishes the county's staff-to-children ratio for~~
182 ~~licensed child care facilities below the ratio established in s.~~
183 ~~402.305(4), multiply the product calculated in subparagraph 1.~~
184 ~~by the adjustment factor specified in the General Appropriations~~
185 ~~Act.~~

186 ~~3. Each county's school readiness allocation shall be~~
187 ~~based on the county's proportionate share of the total adjusted~~
188 ~~eligible school readiness population.~~

189 ~~(b) Gold Seal Quality Care Program allocation.—There is~~
190 ~~created the Gold Seal Quality Care Program allocation to provide~~
191 ~~eligible school readiness program providers the rate~~
192 ~~differential established pursuant to s. 1002.945(6). Subject to~~
193 ~~legislative appropriation, all expenditures from the Gold Seal~~
194 ~~Quality Care Program allocation shall be used by the department~~
195 ~~to help meet federal targeted requirements for improving quality~~
196 ~~to the extent allowable in the state's approved Child Care and~~
197 ~~Development Fund Plan.~~

198 ~~(c) Differential payment program allocation.—There is~~
199 ~~created the differential payment program allocation to provide~~
200 ~~eligible school readiness program providers the differential pay~~

201 established pursuant to s. 1002.82(2)(o). ~~Subject to legislative~~
202 ~~appropriation, all expenditures from the differential payment~~
203 ~~program allocation shall be used by the department to help meet~~
204 ~~federal targeted requirements for improving quality to the~~
205 ~~extent allowable in the state's approved Child Care and~~
206 ~~Development Fund Plan.~~

207 (d) *Special needs differential allocation.*—There is
208 created the special needs differential allocation to assist
209 eligible school readiness program providers to implement the
210 special needs rate provisions defined in the state's approved
211 Child Care and Development Fund Plan. ~~Subject to legislative~~
212 ~~appropriation, each early learning coalition shall be reimbursed~~
213 ~~based on actual expenditures. All expenditures from the special-~~
214 ~~needs differential allocation shall be used by the department to~~
215 ~~help meet federal targeted requirements for improving quality to~~
216 ~~the extent allowable in the state's approved plan.~~

217 Section 5. Section 1002.90, Florida Statutes, is amended
218 to read:

219 1002.90 School readiness cost-of-care information.—
220 Annually, the principals of the Early Learning Programs
221 Estimating Conference established in s. 216.136(8) shall develop
222 official cost-of-care information or provider reimbursement
223 rates based on actual school readiness direct services program
224 expenditures and information provided pursuant to s. 1002.895.
225 Conference principals shall agree on the cost of child care by

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226 | care level and provider type, the provider type weights if
227 | applicable, and the methods of computation. The department shall
228 | provide the conference principals with all requested and
229 | necessary data to develop such information. The data may include
230 | a matrix by early learning coalition of any full-time equivalent
231 | changes made by the Division of Early Learning as part of its
232 | administration of the school readiness program. ~~The Early~~
233 | ~~Learning Programs Estimating Conference shall provide the~~
234 | ~~official cost-of-care information to the Legislature at least 90~~
235 | ~~days before the scheduled annual legislative session.~~

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