

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

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

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

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

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

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

51 1002.67, Florida Statutes, is amended to read:

52 1002.67 Performance standards and curricula.—

53 (2)

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

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

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

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

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

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

76 1002.68 Voluntary Prekindergarten Education Program
 77 accountability.—

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

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

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

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

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

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

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

104 2. Place the provider or school on probation.

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

115 (6)

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

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

124 1002.82 Department of Education; powers and duties.—

125 (2) The department shall:

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

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

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

144 1002.83 Early learning coalitions.—

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

151 membership.

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

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

157 1002.89 School readiness program; funding.—

158 (4) COST REQUIREMENTS.—Costs shall be kept to the minimum
 159 necessary for the efficient and effective administration of the
 160 school readiness program with the highest priority of
 161 expenditure being direct services for eligible children.
 162 However, no more than 5 percent of the funds allocated in
 163 paragraph (1)(a) may be used for administrative costs and no
 164 more than 22 percent of the funds allocated in paragraph (1)(a)
 165 may be used in any fiscal year for any combination of
 166 administrative costs, quality activities, and nondirect services
 167 as follows:

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

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

176 following:

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

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

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

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

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

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

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

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

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

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

231 |

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

233 | not include payments to school readiness program providers for

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

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

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

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