



290528

LEGISLATIVE ACTION

Senate

.

House

.

.

Floor: 3/AD/2R

.

04/21/2010 04:05 PM

.

.

---

Senator Wise moved the following:

**Senate Amendment (with title amendment)**

Delete lines 1878 - 1993

and insert:

Section 28. Effective May 31, 2010, paragraph (c) of subsection (3) of section 1002.67, Florida Statutes, is amended to read:

1002.67 Performance standards; curricula and accountability.—

(3)

(c)1. If the kindergarten readiness rate of a private prekindergarten provider or public school falls below the minimum rate adopted by the State Board of Education as



290528

14 satisfactory under s. 1002.69(6), the early learning coalition  
15 or school district, as applicable, shall require the provider or  
16 school to submit an improvement plan for approval by the  
17 coalition or school district, as applicable, and to implement  
18 the plan.

19 2. If a private prekindergarten provider or public school  
20 fails to meet the minimum rate adopted by the State Board of  
21 Education as satisfactory under s. 1002.69(6) for 2 consecutive  
22 years, the early learning coalition or school district, as  
23 applicable, shall place the provider or school on probation and  
24 must require the provider or school to take certain corrective  
25 actions, including the use of a curriculum approved by the  
26 department under paragraph (2)(c).

27 3. A private prekindergarten provider or public school that  
28 is placed on probation must continue the corrective actions  
29 required under subparagraph 2., including the use of a  
30 curriculum approved by the department, until the provider or  
31 school meets the minimum rate adopted by the State Board of  
32 Education as satisfactory under s. 1002.69(6).

33 4. If a private prekindergarten provider or public school  
34 remains on probation for 2 consecutive years and fails to meet  
35 the minimum rate adopted by the State Board of Education as  
36 satisfactory under s. 1002.69(6) and is not granted a good cause  
37 exemption by the department pursuant to s. 1002.69(7), the  
38 Agency for Workforce Innovation shall require the early learning  
39 coalition or the Department of Education shall require the  
40 school district, ~~as applicable,~~ to remove, as applicable, the  
41 provider or school from eligibility to deliver the Voluntary  
42 Prekindergarten Education Program and receive state funds for



290528

43 the program.

44 Section 29. Paragraph (b) of subsection (6) of section  
45 1002.71, Florida Statutes, is amended to read:

46 1002.71 Funding; financial and attendance reporting.-  
47 (6)

48 (b)1. Each private prekindergarten provider's and district  
49 school board's attendance policy must require the parent of each  
50 student in the Voluntary Prekindergarten Education Program to  
51 verify, each month, the student's attendance on the prior  
52 month's certified student attendance.

53 2. The parent must submit the verification of the student's  
54 attendance to the private prekindergarten provider or public  
55 school on forms prescribed by the Agency for Workforce  
56 Innovation. The forms must include, in addition to the  
57 verification of the student's attendance, a certification, in  
58 substantially the following form, that the parent continues to  
59 choose the private prekindergarten provider or public school in  
60 accordance with s. 1002.53 and directs that payments for the  
61 program be made to the provider or school:

62  
63 VERIFICATION OF STUDENT'S ATTENDANCE  
64 AND CERTIFICATION OF PARENTAL CHOICE  
65

66 I, ...(Name of Parent)..., swear (or affirm) that my  
67 child,...(Name of Student)..., attended the Voluntary  
68 Prekindergarten Education Program on the days listed above and  
69 certify that I continue to choose ...(Name of Provider or  
70 School)... to deliver the program for my child and direct that  
71 program funds be paid to the provider or school for my child.



290528

72  
73       ...(Signature of Parent)...

74       ...(Date)...

75  
76       3. The private prekindergarten provider or public school  
77 must keep each original signed form for at least 2 years. Each  
78 private prekindergarten provider must permit the early learning  
79 coalition, and each public school must permit the school  
80 district, to inspect the original signed forms during normal  
81 business hours. The Agency for Workforce Innovation shall adopt  
82 procedures for early learning coalitions and school districts to  
83 review the original signed forms against the certified student  
84 attendance. The review procedures shall provide for the use of  
85 selective inspection techniques, including, but not limited to,  
86 random sampling. Each early learning coalition and the school  
87 districts ~~district~~ must comply with the review procedures.

88       Section 30. Effective May 31, 2010, subsection (7) is added  
89 to section 1002.69, Florida Statutes, to read:

90       1002.69 Statewide kindergarten screening; kindergarten  
91 readiness rates.—

92       (7) (a) Notwithstanding s. 1002.67(3)(c)4., the State Board  
93 of Education, upon the request of a private prekindergarten  
94 provider or public school that remains on probation for 2  
95 consecutive years or more and subsequently fails to meet the  
96 minimum rate adopted under subsection (6) and for good cause  
97 shown, may grant to the provider or school an exemption from  
98 being determined ineligible to deliver the Voluntary  
99 Prekindergarten Education Program and receive state funds for  
100 the program. Such exemption is valid for 1 year and, upon the



290528

101 request of the private prekindergarten provider or public school  
102 and for good cause shown, may be renewed.

103 (b) A private prekindergarten provider's or public school's  
104 request for a good cause exemption, or renewal of such an  
105 exemption, must be submitted to the state board in the manner  
106 and within the timeframes prescribed by the state board and must  
107 include the following:

108 1. Submission of data by the private prekindergarten  
109 provider or public school which documents on a standardized  
110 assessment the achievement and progress of the children served.

111 2. Submission and review of data available from the  
112 respective early learning coalition or district school board,  
113 the Department of Children and Family Services, local licensing  
114 authority, or an accrediting association, as applicable,  
115 relating to the private prekindergarten provider's or public  
116 school's compliance with state and local health and safety  
117 standards.

118 3. Submission and review of data available to the  
119 department on the performance of the children served and the  
120 calculation of the private prekindergarten provider's or public  
121 school's kindergarten readiness rate.

122 (c) The State Board of Education shall adopt criteria for  
123 granting good cause exemptions. Such criteria shall include, but  
124 are not limited to:

125 1. Learning gains of children served in the Voluntary  
126 Prekindergarten Education Program by the private prekindergarten  
127 provider or public school.

128 2. Verification that the private prekindergarten provider  
129 or public school serves at least twice the statewide percentage



290528

130 of children with disabilities as defined in s. 1003.01(3)(a).

131 3. Verification that local and state health and safety  
132 requirements are met.

133 (d) A good cause exemption may not be granted to any  
134 private prekindergarten provider that has any class I violations  
135 or two or more class II violations within the 2 years preceding  
136 the provider's or school's request for the exemption. For  
137 purposes of this paragraph, class I and class II violations have  
138 the same meaning as provided in s. 402.281(3).

139 (e) A private prekindergarten provider or public school  
140 granted a good cause exemption shall continue to implement its  
141 improvement plan and continue the corrective actions required  
142 under s. 1002.67(3)(c)2., including the use of a curriculum  
143 approved by the department, until the provider or school meets  
144 the minimum rate adopted under subsection (6).

145 (f) The State Board of Education shall notify the Agency  
146 for Workforce Innovation of any good cause exemption granted to  
147 a private prekindergarten provider under this subsection. If a  
148 good cause exemption is granted to a private prekindergarten  
149 provider who remains on probation for 2 consecutive years, the  
150 Agency for Workforce Innovation shall notify the early learning  
151 coalition of the good cause exemption and direct that the  
152 coalition, notwithstanding s. 1002.67(3)(c)4., not remove the  
153 provider from eligibility to deliver the Voluntary  
154 Prekindergarten Education Program or to receive state funds for  
155 the program, if the provider meets all other applicable  
156 requirements of this part.

157 Section 31. Effective May 31, 2010, paragraph (d) is added  
158 to subsection (2) of section 1002.73, Florida Statutes, to read:



290528

159 1002.73 Department of Education; powers and duties;  
160 accountability requirements.—

161 (2) The department shall adopt procedures for the  
162 department's:

163 (d) Granting of a private prekindergarten provider's or  
164 public school's request for a good cause exemption under s.  
165 1002.69(7).

166 Section 32. Paragraph (b) of subsection (4) of section  
167 1009.64, Florida Statutes, is amended to read:

168 1009.64 Certified Education Paraprofessional Welfare  
169 Transition Program.—

170 (4) The agencies shall complete an implementation plan that  
171 addresses at least the following recommended components of the  
172 program:

173 (b) A budget for use of incentive funding to provide  
174 motivation to participants to succeed and excel. The budget for  
175 incentive funding includes:

176 1. Funds allocated by the Legislature directly for the  
177 program.

178 2. Funds that may be made available from the federal  
179 Workforce Investment Act based on client eligibility or  
180 requested waivers to make the clients eligible.

181 3. Funds made available by implementation strategies that  
182 would make maximum use of work supplementation funds authorized  
183 by federal law.

184 4. Funds authorized by strategies to lengthen participants'  
185 eligibility for federal programs such as Medicaid, ~~subsidized~~  
186 child care services, and transportation.

187



188 Incentives may include a stipend during periods of college  
189 classroom training, a bonus and recognition for a high grade-  
190 point average, child care and prekindergarten services for  
191 children of participants, and services to increase a  
192 participant's ability to advance to higher levels of employment.  
193 Nonfinancial incentives should include providing a mentor or  
194 tutor, and service incentives should continue and increase for  
195 any participant who plans to complete the baccalaureate degree  
196 and become a certified teacher. Services may be provided in  
197 accordance with family choice by community colleges and school  
198 district career centers, through family service centers and  
199 full-service schools, or under contract with providers through  
200 central agencies.

201 Section 33. Except as otherwise expressly provided in this  
202 act and except for this section, which shall take effect May 31,  
203 2010, this act shall take effect July 1, 2010.

204  
205 ===== T I T L E A M E N D M E N T =====

206 And the title is amended as follows:

207 Delete lines 109 - 111

208 and insert:

209 amending s. 1002.69, F.S.; revising provisions  
210 relating to statewide kindergarten screening and  
211 kindergarten readiness rates; authorizing the State  
212 Board of Education to grant an exemption to a private  
213 prekindergarten provider or public school if requested  
214 and good cause is shown; providing for the renewal of  
215 such exemption; requiring that certain information be  
216 submitted along with the provider's or public school's





290528

217 request for the exemption; requiring that the board  
218 adopt criteria for granting the exemption; providing  
219 that the exemption not be granted under certain  
220 circumstances; requiring notice to the Agency for  
221 Workforce Innovation of exemptions; amending s.  
222 1002.73, F.S.; requiring that the Department of  
223 Education adopt procedures for granting good cause  
224 exemptions to private prekindergarten providers and  
225 public schools; amending s. 1009.64, F.S.; deleting an  
226 obsolete reference to a repealed program; providing  
227 effective dates.