



**ELC Legislative Committee Meeting  
January 18, 2017, 08:15 a.m.  
Via Conference Call**

- |      |                                 |                |
|------|---------------------------------|----------------|
| I.   | Welcome & Introductions         | Alexander Soto |
| II.  | Approval of Minutes             | Alexander Soto |
| III. | February 2018 Legislative Visit | Evelio Torres  |
| IV.  | Legislative Update              | Evelio Torres  |
| V.   | Public Comment                  | Alexander Soto |
| VI.  | Adjourn                         | Alexander Soto |



Legislative Committee Meeting  
December 1, 2017, 08:15 a.m.  
ELC Board Room

**Committee Attendees:** Alex Soto (Chair), Matthew Bruno

**Committee Absentees:**

**Staff Attendees:** Evelio Torres, Diana Ragbeer, Lisa Sanabria, Mercy Castiglione, Sandra Gonzalez

**I. Welcome and Introductions**

**David Lawrence**

- A. Soto called the meeting to order and welcomed everyone.
- A quorum was established with one (2) voting members.

**II. House/Senate Bills**

**Evelio Torres**

- E. Torres discussed the following:
  - The article written by the Hearld Tribune referencing the funding formula.
  - The legislative priorities were reviewed and M. Bruno suggested a change in the format along with some wordsmithing.
  - A bill relating to early learning was reviewed and while it was not negative some areas are of concern.
  - Discussed setting appointments to meet with legislators in the upcoming month as well as traveling to Tallahassee in February to further educate legislators on the importance of Early Learning.

**III. Public Comments**

**David Lawrence**

**IV. Adjourn**

**David Lawrence**

# 2018 Legislative Agenda

## Early education. Lifelong success.

-  Establish statewide program performance and effectiveness standards, supports and **accountability** for a **well-equipped early education workforce**, and pay for **performance** for School Readiness and Voluntary Pre-kindergarten (VPK) programs that provide **quality services**.
-  Increase School Readiness funding to enroll children 0-5 of **working families** on the waiting list and improve the **quality of care**.
-  Establish a High-Need Community Pay Differential/Tiered Reimbursement to achieve **equity across our small business partners, School Readiness private providers**.
-  Improve **health and safety** requirements and children's access to health care to enhance educational and socio-emotional development.
-  Enhance resources for families to inform **parental choice and decision making** regarding selecting good early learning settings and supports for their children.
-  Increase the VPK Base Student Allocation to help programs meet State Board of Education **performance standards**.
-  Revise the VPK assessment and readiness rate process to incorporate developmentally appropriate practices that address all domains of development and incorporates **child progress**.
-  Improve VPK **child outcomes** by reducing staff to child ratios to previous levels of 1:10 or lower.

**Apply any new funding formula only to new dollars so as not to shift funding among already underfunded counties.**

**Preserve local decision making.**

Questions regarding these legislative priorities should be directed to  
**Evelio Torres, President and CEO,**  
Early Learning Coalition of Miami-Dade/Monroe  
[etorres@elcmdm.org](mailto:etorres@elcmdm.org)

[www.elcmdm.org](http://www.elcmdm.org)

A Bill Relating to Early Learning

Section 1. Paragraphs (j-z) of subsection (2) and paragraph (a) of subsection (5) of section 1002.82, Florida Statutes, are amended to read:

(2) The office shall:

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

(k)~~(j)~~ Develop and adopt standards and benchmarks that address the age-appropriate progress of children in the development of school readiness skills. The standards for children from birth to 5 years of age in the school readiness program must be aligned with the performance standards adopted for children in the Voluntary Prekindergarten Education Program and must address the following domains:

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

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

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

(n) Adopt program assessment requirements for school readiness program providers that measure the quality of teacher-child interactions using a research based observation tool. Requirements shall include at a minimum the adoption of quality measures, a process for participation, exemptions, improvement through the completion of an improvement plan, and removal from the school readiness program for failure to meet minimum quality measures for a period of up to 5 years.

~~(o)(m)~~ Adopt by rule a standard statewide provider contract to be used with each school readiness program provider with standardized attachments by provider type. The office shall publish a copy of the standard statewide provider contract on its website. The standard statewide contract shall include, at a minimum, health and safety, contracted slots if applicable in accordance with the Child Care and Development Block Grant Act of 2014, section 658E(c)(2)(A), quality improvement strategies if

applicable, and program assessment requirements and provisions for provider probation, termination for cause, and emergency termination for those actions or inactions of a provider that pose an immediate and serious danger to the health, safety, or welfare of the children. The standard statewide provider contract shall also include appropriate due process procedures. During the pendency of an appeal of a termination, the provider may not continue to offer its services. Any provision imposed upon a provider that is inconsistent with, or prohibited by, law is void and unenforceable.

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

(q)(e) Adopt by rule standardized procedures for coalitions to use when monitoring the compliance of school readiness program providers with the terms of the standard statewide provider contract.

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

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

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

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

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

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

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

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

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

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

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

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

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

8. The number of school readiness program providers who have completed a program assessment and the number of providers who have been determined low quality, emerging quality, or high quality as determined by the Office of Early Learning based on the results of a research based observation tool that measures the quality of teacher-child interactions.

~~9.8-~~ The total number of provider contracts revoked and the reasons for revocation.

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

1002.85 Early learning coalition plans.-

(2) Each early learning coalition must biennially submit a school readiness program plan to the office before the expenditure of funds. A coalition may not implement its school readiness program plan until it receives approval

from the office. A coalition may not implement any revision to its school readiness program plan until the coalition submits the revised plan to and receives approval from the office. If the office rejects a plan or revision, the coalition must continue to operate under its previously approved plan. The plan must include, but is not limited to:

(b) A community needs assessment that identifies through data analysis the needs of families, children and providers within the coalition's county or multi-county region. The minimum number of children to be served by care level.

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

1. Single point of entry.
2. Uniform waiting list.
3. Eligibility and enrollment processes and local eligibility priorities for children in accordance with s. 1002.87.
4. Parent access and choice.
5. Sliding fee scale and policies on applying the waiver or reduction of fees in accordance with s. 1002.84(8).
6. Use of preassessments and postassessments, as applicable.
7. Payment rate and capacity analysis that supports the coalition's payment rate schedule.
8. Use of contracted slots, as applicable based on the results of the needs assessment in section (b).

(d) A detailed description of the coalition's quality activities and services, including, but not limited to:

1. Quality improvement strategies that strengthen teaching practices and increase child outcomes.
2. Resource and referral and school-age child care.

3.2. Infant and toddler early learning.

4.3. Inclusive early learning programs.

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

1002.87 School readiness program; eligibility and enrollment.—

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

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

(b) Priority shall be given next to an at-risk child younger than 9 years of age, including a child residing at a domestic violence center under s. 39.905.

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

1. A child who is younger than 13 years of age from a working family that is economically disadvantaged.

~~—(c) Priority shall be given next to a child from birth to the beginning of the school year for which the child is eligible for admission to kindergarten in a public school under s. 1003.21(1)(a)2., who is from a working family that is economically disadvantaged, and may include such child's eligible siblings, beginning with the school year in which the sibling is eligible for admission to kindergarten in a public school under s. 1003.21(1)(a)2., until the beginning of the school year in which the sibling is eligible to begin 6th grade, provided that the first priority for~~

~~funding an eligible sibling is local revenues available to the coalition for funding direct services.~~

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

3. ~~(e)Priority shall be given next to~~ An at-risk child who is at least 9 years of age but younger than 13 years of age. An at-risk child whose sibling is enrolled in the school readiness program within an eligibility priority category listed in paragraphs (a)-(b) shall be given priority over other children who are eligible under this paragraph.

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

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

5. ~~(h)Priority shall be given next to~~ A child who has special needs, has been determined eligible as a student with a disability, has a current individual education plan with a Florida school district, and is not younger than 3 years of age. A special needs child eligible under this paragraph remains eligible until the child is eligible for

admission to kindergarten in a public school under s. 1003.21(1)(a)2.

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

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

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

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

Section 4. Paragraph (h) of subsection (1) of section 1002.88, Florida Statutes, are amended to read:

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

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

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

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

(j)~~(h)~~—Collaborate with the respective early learning coalition to complete initial screening for each child, aged 6 weeks to kindergarten eligibility, within 45 days after the child's first or subsequent enrollment, to identify a child who may need individualized supports.

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

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

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

~~(n)(1)~~ For a provider that is not an informal provider, maintain general liability insurance and provide the coalition with written evidence of general liability insurance coverage, including coverage for transportation of children if school readiness program children are transported by the provider. A provider must obtain and retain an insurance policy that provides a minimum of \$100,000 of coverage per occurrence and a minimum of \$300,000 general aggregate coverage. The office may authorize lower limits upon request, as appropriate. A provider must add the coalition as a named certificateholder and as an additional insured. A provider must provide the coalition with a minimum of 10 calendar days' advance written notice of cancellation of or changes to coverage. The general liability insurance required by this paragraph must remain in full force and effect for the entire period of the provider contract with the coalition.

~~(o)(m)~~ For a provider that is an informal provider, comply with the provisions of paragraph ~~(m)(1)~~ or maintain homeowner's liability insurance and, if applicable, a business rider. If an informal provider chooses to maintain a homeowner's policy, the provider must obtain and retain a homeowner's insurance policy that provides a minimum of \$100,000 of coverage per occurrence and a minimum of \$300,000 general aggregate coverage. The office may authorize lower limits upon request, as appropriate. An informal provider must add the coalition as a named certificateholder and as an additional insured. An informal provider must provide the coalition with a minimum of 10 calendar days' advance written notice of cancellation of or changes to coverage. The general liability insurance required by this paragraph must remain in full force and

effect for the entire period of the provider's contract with the coalition.

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

~~(q)(o)~~ Notwithstanding paragraph (1), for a provider that is a state agency or a subdivision thereof, as defined in s. 768.28(2), agree to notify the coalition of any additional liability coverage maintained by the provider in addition to that otherwise established under s. 768.28. The provider shall indemnify the coalition to the extent permitted by s. 768.28.

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

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

Section 4. Paragraph (b) of subsection (6) of section 1002.89, Florida Statutes, are amended to read:

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

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

Section 5. For fiscal year 2018-2019 the nonrecurring sum of \$6,000,000 from the Child Care and Development Block Grant Trust Fund is appropriated to the Office of early Learning to fund sections 1002.82(2)(j) and 1002.82 (2)(n).

Section 6. This act shall take effect July 1, 2018.