



Rules play a crucial role in defining the processes by which Florida’s early learning system operates. The Office of Early Learning (OEL) at the Agency for Workforce Innovation, along with the Department of Education and the Department of Children and Families are responsible for developing and promulgating rules that govern the early learning system in Florida. The information contained within this document will focus on the rules being promulgated by the Agency for Workforce Innovation. During the promulgation process, there are opportunities for public comment and input to assist the agency with the development of these rules. As the experts “in the field” our agency very much appreciates and respects the input of all impacted stakeholders. The following information is designed to provide valuable information related to the promulgation process, the opportunities for public input and how to stay informed of upcoming rule workshops. **If you have any questions related to the rule promulgation process, or any of the information included in this document, please contact Matt Guse in the AWI Office of Early Learning at 850-921-3165.**

The OEL is committed to including all stakeholders in the rule promulgation process. The signing of Senate Bill 2014 (<http://www.flsenate.gov/data/session/2010/Senate/bills/billtext/pdf/s2014er.pdf>) will require the OEL to promulgate 30 new rules in addition to those rules already planned or in process. As a quick overview, Senate Bill 2014 made modifications to the early learning system that include:

- Clarifying the Agency for Workforce Innovation’s authority to build a comprehensive early learning system through system support services while still allowing coalitions to maintain local direct enhancement services.
- Giving specific authority to the Agency for Workforce Innovation to implement the newly funded Early Learning Information System so there is a reduction in administrative costs, duplication between agencies and streamlines regulation of early learning programs.
- Clarifying that all agencies should work together to eliminate duplication.
- Ensuring that Florida’s children are receiving high-quality comprehensive early learning services which support working families.

- Allowing a VPK provider who serves twice the statewide average of children with disabilities or children deemed Limited English Proficient to receive a good cause exemption from the provider being removed from the program.
- Consolidating provisions that are in disparate sections of the statutes.
- Deleting obsolete references to programs that no longer exist and agencies that no longer direct aspects of school readiness programs.
- Repealing statutes that administer programs no longer in existence.

In order to ensure that the OEL promulgates rules with the maximum amount of input from all stakeholders, please monitor the following links to ensure your participation in the process:

- The OEL posts all rule announcements and supporting documentation at http://www.floridajobs.org/earlylearning/oel_state_fed.html#proposedrules Most rule workshops are held via WebEx, a free web based meeting system available to anyone. In order to do so, please follow the instructions that are sent with each rule of how to download the necessary software.
- For e-mail notification from Florida Administrative Weekly related to rules filed by the OEL, please register at <https://www.flrules.org/subscriber/signup.asp> Simply follow the instructions and notifications will be sent to you automatically.

The rule promulgation process is statutorily mandated. There are specific timelines associated with the process and specific times at which public comment is encouraged. During the workshop phase of the process, the OEL will present a draft rule to the public. **It is during the workshop that public comment is most important.** Changes can be made to rule based on comments made without substantially changing the required timelines. During the public hearing process, the OEL presents the anticipated final rule to the public. This is also conducted via WebEx.

Unlike changes made due to comments during the rule workshop, changes resulting from comments received during the public hearing effect the timelines associated with promulgation.

Senate Bill 2014 has been analyzed by OEL staff and the following chart list the rules that will need to be promulgated by the agency as a result of the legislation. Rules have been categorized in phases. Phase 1 rules are the first to be promulgated, but not necessarily in the order that they appear. Also identified within the chart below are the impacted stakeholders and a brief description of the rule. While involvement in the promulgation of all rules is encouraged, this is meant to inform stakeholders of the rules that may directly impact them the most. Your support and input is greatly appreciated.

| Subject | Rule and/or Guidance | Phase | Location in Bill | Impacted Stakeholders | Status |
|--|-----------------------------------|---------|------------------|--|---|
| Procurement | Rule | Phase 1 | Line 1307 | ELC - Defines procurement requirements | Under Development |
| Board Membership | Revise existing Rule and Guidance | Phase 1 | Line 933 | ELC - Defines board membership, voting privileges, number of members. | Release on June 30, 2010. |
| School Readiness Plan | Rule | Phase 1 | Line 1194 | ELC - Codifies requirements for coalition plan elements and associated submission timelines. | Checklist released June 30, 2010. Rule under development. |
| School Readiness Agreement | Rule | Phase 1 | Line 750 | ELC, Providers - Creates uniformed provider agreement to be used statewide. Aligns with statutory requirements. | Draft received from coalition. Under review by OEL. |
| Expenditure of Quality Dollars | Rule | Phase 2 | Line 721 | ELC, Providers - Establishes criteria for funding quality activities in accordance with the Child Care and Development Block Grant Act. | Not yet started. |
| Child Performance Standards | Rule | Phase 2 | Line 786 | ELC, Providers - Creates performance standards for school readiness children in accordance with existing statute. | Under Development |
| Child Screening and Assessment | Rule | Phase 2 | Line 1111 | ELC - Provides requirements related to the assessment of children including sample size and tool to be used. | Under Development |
| Developmentally Appropriate Curriculum | Rule | Phase 2 | Line 1119 | ELC, Provider - Defines process for curriculum approval to ensure the age-appropriate progress of children. | Under Development |
| Health and Safety | Rule | Phase 2 | Line 1133 | ELC, Provider - Establishes health | Not yet started. |

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| | | | | and safety requirements for licensed exempt providers. | |
| Child Eligibility Priorities | Rule | Phase 2 | Line 1217 | ELC, Provider- Review and update of existing SR rules. Potential for 15 new rules. | Not yet started |
| 30 Day Eligibility Requirements (Immunizations) | Guidance | | Line 811 | ELC, Provider- Provides clarification on immunization requirements. | Not yet started. |
| Market Rate | Rule | Phase 2 | Line 449 | ELC, Provider- Codifies market rate process. Defines methodology used for determining rate. | Not yet started |
| Child Outcome Measures | Rule | Phase 3 | Line 1459 | Provider- Establishes performance standards for children participating in School Readiness program. | Not yet started |
| Statewide Data System | Rule | Phase 3 | Line 1082 | ELC, Provider, Agency Partners, Parents- Defines the reporting requirements associated with the Early Learning Information System. | Not yet started. Will coincide with release of ELIS. |
| Quality Rating and Improvement | Rule | Phase 3 | Line 1253 | ELC- Defines the elements of a quality rating and improvement program. | Not yet started. |
| Merging of Coalitions and Waiver of Minimum Children Served | Rule | Phase 3 | Line 891 | ELC- Codifies process and criteria for merging coalitions. Establishes waiver process related to current statutory language. | Not yet started |
| Professional Development (Core Competencies and Career Ladder) | Rule | Phase 3 | Line 1064 | ELC, Provider- Provides requirements related to the use of the professional development system. | Not yet started. Will coincide with release of professional development system. |
| CCR&R (Add Warm Line and utilize new authority) | Amend existing Rule | Phase 3 | Line 400 | AWI- Places responsibility of maintaining Warm Line services under AWI. Currently with DCF. | Not yet started. |