

**Florida Department of Education
Office of Early Learning
2018-2019 Agency Regulatory Plan**

I. Laws enacted during the previous 12 months which create or modify the duties of the agency (s. 120.74(1)(a), F.S.)

Law (Laws of Florida citation)	Is Rulemaking Mandatory?	Is rulemaking necessary to implement the law?	Notice of Rule Development Published/FAR citation	Date Notice of Proposed Rule Published
Ch. 2018-6, s. 21	Yes	Yes, to define by rule what a "class I violation" is for purposes of permitting an early learning coalition to refuse to contract with identified school readiness providers	7/10/2018, Vol. 44/133	8/22/2018, Vol. 44/164
Ch. 2018-6, s. 19	Yes	Yes, to define by rule what a "class I violation" is for purposes of permitting an early learning coalition to refuse to contract with identified voluntary prekindergarten providers	7/2/2018, Vol. 44/128	8/22/2018, Vol. 44/164
Ch. 2018-6, s. 21	Yes	Yes, to amend rule 6M-4.610 to modify school readiness statewide provider contract to include coalition ability to refuse to contract or revoke eligibility for class I violation	7/10/2018, Vol. 44/133	8/22/2018, Vol. 44/164
Ch. 2018-6, s. 19	Yes	Yes, to amend rule 6M-8.301 to modify statewide voluntary prekindergarten education program provider contract to include coalition ability to refuse to contract with or revoke eligibility for class I violation	7/2/2018, Vol. 44/128	8/22/2018, Vol. 44/164
Ch. 2018-136, s. 2	Yes	Yes, to amend rule 6M-4.610 to modify statewide provider contract to include contracted slots and quality improvement strategies, if applicable and modify termination provisions	7/10/2018, Vol. 44/133	8/22/2018, Vol. 44/164
Ch. 2018-136, s. 2	Yes.	Yes, to adopt new rules 6M-4.740 and 6M-4.741 to "adopt a program assessment for SR program providers" with included differential payments based on quality measures	7/10/2018, Vol. 44/133	8/22/2018, Vol. 44/164
Ch. 2018-136, s. 4	Yes.	Yes, to amend rule 6M-9.115 to modify required contents of the school readiness program plan	5/31/2018, Vol. 44/106	7/10/2018, Vol. 44/133

II. Additional laws that the agency intends to implement by rulemaking (s. 120.74(1)(b), F.S.)

Law/Statute	Rule No.	Rule Title	Purpose of rulemaking (simplify, clarify, increase efficiency, improve coordination with other agencies, reduce regulatory costs, or delete obsolete, unnecessary or redundant rules)
1002.82(2)(c), 1002.82(2)(f)1.a.(III), 1002.82(2)(o), 1002.82(2)(p), 1002.87(8), (9) F.S.	6M-4.500	Child Attendance and Provider Reimbursements	Include differential payments based on quality measures and data reporting Include registration payments Correct misspelled word
1002.82(2)(l), (t)-(w), 1002.88(1)(c), F.S.	6M-4.620	Health and Safety Checklists	Improve coordination with the Department of Children and Families (DCF) Clarify termination for refusal to grant access to health and safety inspectors Clarify preservice training related to unsupervised contact prior to staff completing training Correct items in Family Child Care Home checklist including time frame for completion of preservice training and other items to improve coordination with licensing agencies
1002.82(2)(o), 1002.84 (15), 1002.85(2)(h) F.S.	6M-4.630	Statewide Provider Contract Monitoring Tool for the School Readiness Program	Update form to align monitoring requirements with recent rule and statutory amendments
1002.55(3)(e), 1002.61(6), 1002.63(6) F.S.	6M-8.410	Voluntary Prekindergarten Program Substitute Instructor	Correct reference to DCF rule 65C-22.003 that has been repealed and replaced with adoption of a handbook in rule 65C-22.001
1002.82(2)(f)2., 1002.84(2), F.S.	6M-4.720	Screening of Children in the School Readiness Program	Update to reflect current process Increase efficiency
1002.71(6)(d), F.S.	6M-8.204	Uniform Attendance Policy for Funding the VPK Program	Update requirements regarding uniform attendance policy for VPK Amend the rule to increase efficiency and reduce costs through the use of the modernized Statewide Information System
1002.55(3), (4), 1002.61(3), (8)(a), 1002.63(3), (4), (5), (6), (8)(a), 1002.75(2)(c), (d) F.S.	6M-8.300	Provider and Class Registration Procedures	Update provider and class registration procedures Amend the rule to increase efficiency and reduce costs through the use of modernized Statewide Information System
1002.71(5)(b), (6)(b)1.-3., (6)(d), 1002.75(2)(f), (g), (h) F.S.	6M-8.305	Recording and Certifying Child Attendance in the VPK Program	Update child attendance procedures and associated forms. Amend the rule to increase efficiency and reduce costs through the use of the modernized Statewide Information System
1002.67(4), 1002.69(7) F.S.	6M-8.603	Voluntary Prekindergarten (VPK) Provider on Probation and Required to Apply for Good Cause Exemption	Update reference to Class I and Class II violations by DCF rule that is outdated (but also currently in rule development)

1002.67(4)(c)2., 3. F.S.	6M-8.605	VPK Staff Development Plan for Providers on Probation	Update the plan to reflect the revised name and requirements of the standards and to include training in Oral Language and Vocabulary which is a domain from the VPK Assessment.
1002.67(4)(c), 1002.75(3)(a)-(b) F.S.	6M-8.700	Provider on Probation; Voluntary Prekindergarten Education Program Improvement Plan and Implementation; First Year Probation	Update and revise to address recent revisions to rule 6M-8.601, VPK Readiness Rate
1002.67(4)(c)2., 1002.75(3)(b) F.S.	6M-8.701	Provider on Probation; Voluntary Prekindergarten Education Program Annual Probation Progress Report; Second and Subsequent Year Probation	Update and revise to address recent revisions to rule 6M-8.601, VPK Readiness Rate

III. Update on Rules Outstanding from 2017-18 Agency Regulatory Plan (s. 120.74(1)(c), F.S.)

Law/Statute	Rule No	Rule title	Comment
1002.82(2)(f)2., 1002.84(2), F.S.	6M-4.720	Screening of Children in the School Readiness Program	The rule is being reinserted on the active agency regulatory plan in Section II.
1002.71(6)(d), F.S.	6M-8.204	Uniform Attendance Policy for Funding the VPK Program	Anticipating the completion of the modernization of the Statewide Information System, which will increase efficiency and reduce costs. . However, with the expectation that the rule can be amended this coming year, the rule is being reinserted on the active agency regulatory plan in Section II.
1002.55(3), (4), 1002.61(3), (8)(a), 1002.63(3), (4), (5), (6), (8)(a), 1002.75(2)(c), (d) F.S.	6M-8.300	Provider and Class Registration Procedures	Anticipating the completion of the modernization of the Statewide Information System, which will increase efficiency and reduce costs. . However, with the expectation that the rule can be amended this coming year, the rule is being reinserted on the active agency regulatory plan in Section II.
1002.71(5)(b), (6)(b)1.-3., (6)(d), 1002.75(2)(f), (g), (h) F.S.	6M-8.305	Recording and Certifying Child Attendance in the VPK Program	Anticipating the completion of the modernization of the Statewide Information System, which will increase efficiency and reduce costs. However, with the expectation that the rule can be amended this coming year, the rule is being reinserted on the active agency regulatory plan in Section II.
1002.66, 1002.53(3)(d), (4)(b), 1002.71(4), 1002.72, 1002.75(1), (3)(d)-(e) F.S.	6M-8.500	VPK Specialized Instructional Services: Child Eligibility and Provider Reimbursement	Anticipating the completion of the modernization of the Statewide Information System, which will increase efficiency and reduce costs. However, due to the small number of individuals affected by this rule and prioritization of needs, this rule may continue to be delayed for promulgation.
1002.67(4)(c)2., 3. F.S.	6M-8.605	VPK Staff Development Plan for Providers on Probation	Rule 6M-8.601, VPK Readiness Rate, was revised in June 2018, thus postponing the implementation of this rule. However, the expectation is to amend this rule this coming year, the rule is being reinserted on the active agency regulatory plan in Section II.
1002.92 F.S.	6M-9.300	Child Care Resource and Referral and Consumer Education	Filed as proposed rule published in 7/9/2018 Vol. 44/132 of the F.A.R. and approved by the State Board of Education on September 14, 2018.

IV. Certification

I certify that this Agency Regulatory Plan has been reviewed by the undersigned. I further certify that the Office of Early Learning regularly reviews all of its rules to determine if the rules remain consistent with the Office's rulemaking authority and laws implemented and that the most recent review was conducted during the months of March-September 2018.

Dated this 20th day of September, 2018.



Rodney J. MacKinnon, Executive Director



Margaret O'Sullivan Parker, General Counsel