



# Rule Promulgation Process

ELAC Meeting

June 17, 2010

Tampa, Florida



# Promulgation Overview

## General Timelines for Promulgation:

- Draft rule internally – 8 - 10 weeks
  - Varies based on complexity
    - VPK Attendance – 16 weeks (7 months total)
    - VPK Substitute Instructor – 4 weeks
- Submit proposed rule to Florida Administrative Weekly (FAW) - 10 – 14 days to publish
- Hold rule workshop - 14 days minimum after publication in FAW
- Submit Notice of Proposed Rule to FAW - Minimum 15 days from date of rule workshop + 10 to 14 days to publish



# Promulgation (cont.)

- Hold public hearing - 21 days after Notice of Proposed Rule (presentation of anticipated final version & last chance for comments)
- Joint Administrative Procedures Committee (JAPC) reviews rule - 28 days minimum from Notice of Proposed Rule submission to FAW
- JAPC comments received - Could require Notice of Rule Change, then JAPC review process and associated timelines start over
- Final certification - 90 days from Notice of Proposed Rule publication in FAW.



# Promulgation Summary

- The statutorily required **MINIMUM** timelines equal 130 days
- Does not account for the internal development process
- Does not account for court reporter preparing transcript and sending to Agency
- Does not account for changes made to rule
- **Completion of rule promulgation process realistically takes 170 – 190 days**



# Rules Promulgated

Since 2009, the following rules have been promulgated:

- Eligibility for Children in Families Receiving Unemployment Compensation
- VPK Substitute Instructor
- Child Care Resource and Referral (CCR&R)
- VPK Advance Payment and Reconciliation
- VPK Uniform Attendance Policy



# Rules Currently in Process

- VPK Provider and Class Registration Procedures
- VPK Statewide Provider Agreement
- Reenrollment for Good Cause and Extreme Hardship and Delayed Enrollment in the VPK Program
- VPK Low Performing Providers (4 rules)
- Child Care Executive Partnership (CCEP)
- VPK Pilot Project

**Total number of rules completed or in progress to date: 14**



# Rules to be Promulgated

## School Readiness

- School Readiness Agreement –Phase 1
- School Readiness Plan – Phase 1
- Child Performance Standards
- Child Screening and Assessment
- Developmentally Appropriate Curriculum
- Health and Safety
- Child Eligibility (Open all existing rules, approximately 15)



# Rules to be Promulgated (cont.)

- CCR&R - Add Warm Line
- Child Outcome Measures

## Early Learning Coalitions

- Procurement – Phase 1
- Board Membership – Phase 1
- Expenditure of Quality Dollars
- Merging of Coalitions and Waiver of Minimum Children Served
- Professional Development



# Rules to be Promulgated (cont.)

- Market Rate
- System Wide Data System
- Quality Rating and Improvement

Total to be promulgated: 17

**Rules will be promulgated in phases. There are a total of three phases. Phase 1 rules are the current focus. The process is rolling, meaning once a rule enters the formal process, another rule will be initiated. Anticipated completion of all rules listed is Fall 2012.**



# OEL Commitment to Coalitions

The OEL will:

- Make coalitions aware of the intent to promulgate a rule
- Provide the draft language prior to the workshop
- Develop FAQs and PowerPoint presentations for rules that significantly change current processes
- Provide provider specific information when necessary
- Make coalitions aware of all progress made in the promulgation process



# Coalition's Role in Promulgation

The OEL requests that Coalitions:

- Participate in all phases of promulgation process
  - Share comments and concerns
  - Provide local perspective
- Use documents produced by the OEL when discussing pending rules with providers to ensure statewide consistency
- Assist the OEL with getting all rule related information to providers



# OEL Rule Contacts

If you have any rule related questions, please contact:

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