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LEGISLATIVE ACTION

Senate

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House

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04/30/2014 10:16 AM

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Senator Gibson moved the following:

Senate Amendment (with title amendment)

Delete lines 117 - 684

and insert:

Section 4. Subsection (17) of section 402.302, Florida Statutes, is amended to read:

402.302 Definitions.—As used in this chapter, the term:

(17) "Substantial compliance" means, for purposes of programs operating under s. 1002.55, s. 1002.61, or s. 1002.88, ~~that level of adherence to adopted standards~~ which is sufficient to safeguard the health, safety, and well-being of all children



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12 under care. The standards must address requirements found in s.
13 402.305 and are limited to supervision, transportation, access,
14 health-related requirements, food and nutrition, personnel
15 screening, records, and enforcement of these standards. The
16 standards must not limit or exclude the curriculum provided by a
17 faith-based provider or nonpublic school. The department, in
18 consultation with the Office of Early Learning, must adopt rules
19 to define and enforce substantial compliance with minimum
20 standards for child care facilities for programs operating under
21 s. 1002.55, s. 1002.61, or s. 1002.88 which are regulated, but
22 not licensed, by the department ~~Substantial compliance is~~
23 ~~greater than minimal adherence but not to the level of absolute~~
24 ~~adherence. Where a violation or variation is identified as the~~
25 ~~type which impacts, or can be reasonably expected within 90 days~~
26 ~~to impact, the health, safety, or well-being of a child, there~~
27 ~~is no substantial compliance.~~

28 Section 5. Paragraphs (d) and (e) of subsection (2) of
29 section 402.3025, Florida Statutes, are amended to read:

30 402.3025 Public and nonpublic schools.—For the purposes of
31 ss. 402.301-402.319, the following shall apply:

32 (2) NONPUBLIC SCHOOLS.—

33 (d)1. Nonpublic schools delivering programs under s.
34 1002.55, s. 1002.61, or s. 1002.88 ~~Programs for children who are~~
35 ~~at least 3 years of age, but under 5 years of age, which are not~~
36 licensed under ss. 402.301-402.319 must ~~shall~~ substantially
37 comply with the minimum child care standards adopted ~~promulgated~~
38 pursuant to ss. 402.305-402.3057.

39 2. The department or local licensing agency shall enforce
40 compliance with such standards, where possible, to eliminate or



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41 minimize duplicative inspections or visits by staff enforcing
42 the minimum child care standards and staff enforcing other
43 standards under the jurisdiction of the department.

44 3. The department or local licensing agency may inspect
45 programs operating under this paragraph and pursue
46 administrative or judicial action under ss. 402.310-402.312
47 against nonpublic schools operating under this paragraph

48 ~~commence and maintain all proper and necessary actions and~~
49 ~~proceedings for any or all of the following purposes:~~

50 ~~a. to protect the health, sanitation, safety, and well-~~
51 ~~being of all children under care.~~

52 ~~b. To enforce its rules and regulations.~~

53 ~~e. To use corrective action plans, whenever possible, to~~
54 ~~attain compliance prior to the use of more restrictive~~
55 ~~enforcement measures.~~

56 ~~d. To make application for injunction to the proper circuit~~
57 ~~court, and the judge of that court shall have jurisdiction upon~~
58 ~~hearing and for cause shown to grant a temporary or permanent~~
59 ~~injunction, or both, restraining any person from violating or~~
60 ~~continuing to violate any of the provisions of ss. 402.301-~~
61 ~~402.319. Any violation of this section or of the standards~~
62 ~~applied under ss. 402.305-402.3057 which threatens harm to any~~
63 ~~child in the school's programs for children who are at least 3~~
64 ~~years of age, but are under 5 years of age, or repeated~~
65 ~~violations of this section or the standards under ss. 402.305-~~
66 ~~402.3057, shall be grounds to seek an injunction to close a~~
67 ~~program in a school.~~

68 ~~e. To impose an administrative fine, not to exceed \$100,~~
69 ~~for each violation of the minimum child care standards~~



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70 ~~promulgated pursuant to ss. 402.305-402.3057.~~

71 4. It is a misdemeanor of the first degree, punishable as
72 provided in s. 775.082 or s. 775.083, for any person willfully,
73 knowingly, or intentionally to:

74 a. Fail, by false statement, misrepresentation,
75 impersonation, or other fraudulent means, to disclose in any
76 required written documentation for exclusion from licensure
77 pursuant to this section a material fact used in making a
78 determination as to such exclusion; or

79 b. Use information from the criminal records obtained under
80 s. 402.305 or s. 402.3055 for any purpose other than screening
81 that person for employment as specified in those sections or
82 release such information to any other person for any purpose
83 other than screening for employment as specified in those
84 sections.

85 5. It is a felony of the third degree, punishable as
86 provided in s. 775.082, s. 775.083, or s. 775.084, for any
87 person willfully, knowingly, or intentionally to use information
88 from the juvenile records of any person obtained under s.
89 402.305 or s. 402.3055 for any purpose other than screening for
90 employment as specified in those sections or to release
91 information from such records to any other person for any
92 purpose other than screening for employment as specified in
93 those sections.

94 6. The inclusion of nonpublic schools within options
95 available under ss. 1002.55, 1002.61, and 1002.88 does not
96 expand the regulatory authority of the state, its officers, any
97 local licensing agency, or any early learning coalition to
98 impose any additional regulation of nonpublic schools beyond



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99 those reasonably necessary to enforce requirements expressly set
100 forth in this paragraph.

101 ~~(c) The department and the nonpublic school accrediting~~
102 ~~agencies are encouraged to develop agreements to facilitate the~~
103 ~~enforcement of the minimum child care standards as they relate~~
104 ~~to the schools which the agencies accredit.~~

105 Section 6. Paragraphs (a) and (d) of subsection (2),
106 paragraph (b) of subsection (9), and subsections (10) and (18)
107 of section 402.305, Florida Statutes, are amended to read:

108 402.305 Licensing standards; child care facilities.—

109 (2) PERSONNEL.—Minimum standards for child care personnel
110 shall include minimum requirements as to:

111 (a) Good moral character based upon screening, according to
112 the level 2 screening requirements of. ~~This screening shall be~~
113 ~~conducted as provided in chapter 435, using the level 2~~
114 ~~standards for screening set forth in that chapter.~~ In addition
115 to the offenses listed in s. 435.04, all child care personnel
116 required to undergo background screening pursuant to this
117 section may not have an arrest awaiting final disposition for,
118 may not have been found guilty of, regardless of adjudication,
119 or entered a plea of nolo contendere or guilty to, and may not
120 have been adjudicated delinquent and have a record that has been
121 sealed or expunged for an offense specified in s. 39.205. Before
122 employing child care personnel subject to this section, the
123 employer must conduct employment history checks of each of the
124 personnel's previous employers and document the findings. If
125 unable to contact a previous employer, the employer must
126 document efforts to contact the employer.

127 (d) Minimum training requirements for child care personnel.



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128 1. Such minimum standards for training shall ensure that
129 all child care personnel take an approved 40-clock-hour
130 introductory course in child care, which course covers at least
131 the following topic areas:
132 a. State and local rules and regulations which govern child
133 care.
134 b. Health, safety, and nutrition.
135 c. Identifying and reporting child abuse and neglect.
136 d. Child development, including typical and atypical
137 language, cognitive, motor, social, and self-help skills
138 development.
139 e. Observation of developmental behaviors, including using
140 a checklist or other similar observation tools and techniques to
141 determine the child's developmental age level.
142 f. Specialized areas, including computer technology for
143 professional and classroom use and numeracy, early literacy, and
144 language development of children from birth to 5 years of age,
145 as determined by the department, for owner-operators and child
146 care personnel of a child care facility.
147 g. Developmental disabilities, including autism spectrum
148 disorder and Down syndrome, and early identification, use of
149 available state and local resources, classroom integration, and
150 positive behavioral supports for children with developmental
151 disabilities.
152
153 Within 90 days after employment, child care personnel shall
154 begin training to meet the training requirements pursuant to
155 this paragraph. Child care personnel shall successfully complete
156 such training within 1 year after the date on which the training



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157 began, as evidenced by passage of a competency examination.
158 Successful completion of the 40-clock-hour introductory course
159 shall articulate into community college credit in early
160 childhood education, pursuant to ss. 1007.24 and 1007.25.
161 Exemption from all or a portion of the required training shall
162 be granted to child care personnel based upon educational
163 credentials or passage of competency examinations. Child care
164 personnel possessing a 2-year degree or higher that includes 6
165 college credit hours in early childhood development or child
166 growth and development, or a child development associate
167 credential or an equivalent state-approved child development
168 associate credential, or a child development associate waiver
169 certificate shall be automatically exempted from the training
170 requirements in sub-subparagraphs b., d., and e.

171 2. The introductory course in child care shall stress, to
172 the extent possible, an interdisciplinary approach to the study
173 of children.

174 3. The introductory course shall cover recognition and
175 prevention of shaken baby syndrome; prevention of sudden infant
176 death syndrome; recognition and care of infants and toddlers
177 with developmental disabilities, including autism spectrum
178 disorder and Down syndrome; and early childhood brain
179 development within the topic areas identified in this paragraph.

180 4. On an annual basis in order to further their child care
181 skills and, if appropriate, administrative skills, child care
182 personnel who have fulfilled the requirements for the child care
183 training shall be required to take an additional 1 continuing
184 education unit of approved inservice training, or 10 clock hours
185 of equivalent training, as determined by the department.



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186 5. Child care personnel shall be required to complete 0.5
187 continuing education unit of approved training or 5 clock hours
188 of equivalent training, as determined by the department, in
189 numeracy, early literacy, and language development of children
190 from birth to 5 years of age one time. The year that this
191 training is completed, it shall fulfill the 0.5 continuing
192 education unit or 5 clock hours of the annual training required
193 in subparagraph 4.

194 6. Procedures for ensuring the training of qualified child
195 care professionals to provide training of child care personnel,
196 including onsite training, shall be included in the minimum
197 standards. It is recommended that the state community child care
198 coordination agencies (central agencies) be contracted by the
199 department to coordinate such training when possible. Other
200 district educational resources, such as community colleges and
201 career programs, can be designated in such areas where central
202 agencies may not exist or are determined not to have the
203 capability to meet the coordination requirements set forth by
204 the department.

205 7. Training requirements do ~~shall~~ not apply to certain
206 occasional or part-time support staff, including, but not
207 limited to, swimming instructors, piano teachers, dance
208 instructors, and gymnastics instructors.

209 8. The department shall evaluate or contract for an
210 evaluation for the general purpose of determining the status of
211 and means to improve staff training requirements and testing
212 procedures. The evaluation shall be conducted every 2 years. The
213 evaluation must ~~shall~~ include, but not be limited to,
214 determining the availability, quality, scope, and sources of



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215 current staff training; determining the need for specialty
216 training; and determining ways to increase inservice training
217 and ways to increase the accessibility, quality, and cost-
218 effectiveness of current and proposed staff training. The
219 evaluation methodology must ~~shall~~ include a reliable and valid
220 survey of child care personnel.

221 9. The child care operator shall be required to take basic
222 training in serving children with disabilities within 5 years
223 after employment, either as a part of the introductory training
224 or the annual 8 hours of inservice training.

225 (9) ADMISSIONS AND RECORDKEEPING.—

226 (b) ~~During the months of August and September of each year,~~
227 Each child care facility shall provide parents of children
228 enrolling ~~enrolled~~ in the facility detailed information
229 regarding the causes, symptoms, and transmission of the
230 influenza virus in an effort to educate those parents regarding
231 the importance of immunizing their children against influenza as
232 recommended by the Advisory Committee on Immunization Practices
233 of the Centers for Disease Control and Prevention.

234 (10) TRANSPORTATION SAFETY.—Minimum standards must ~~shall~~
235 include requirements for child restraints or seat belts in
236 vehicles used by child care facilities, and large family child
237 care homes, and licensed family day care homes to transport
238 children, requirements for annual inspections of the vehicles,
239 limitations on the number of children in the vehicles, and
240 accountability for children being transported.

241 (18) TRANSFER OF OWNERSHIP.—

242 (a) One week before ~~prior to~~ the transfer of ownership of a
243 child care facility, ~~or~~ family day care home, or large family



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244 child care home, the transferor shall notify the parent or
245 caretaker of each child of the impending transfer.

246 (b) The owner of a child care facility, family day care
247 home, or large family child care home may not transfer ownership
248 to a relative of the operator if the operator has had his or her
249 license suspended or revoked by the department pursuant to s.
250 402.310, has received notice from the department that reasonable
251 cause exists to suspend or revoke the license, or has been
252 placed on the United States Department of Agriculture National
253 Disqualified List. For purposes of this paragraph, "relative"
254 means father, mother, son, daughter, grandfather, grandmother,
255 brother, sister, uncle, aunt, cousin, nephew, niece, husband,
256 wife, father-in-law, mother-in-law, son-in-law, daughter-in-law,
257 brother-in-law, sister-in-law, stepfather, stepmother, stepson,
258 stepdaughter, stepbrother, stepsister, half-brother, or half-
259 sister.

260 (c) ~~(b)~~ The department shall, by rule, establish methods by
261 which notice will be achieved and minimum standards by which to
262 implement this subsection.

263 Section 7. Section 402.3085, Florida Statutes, is created
264 to read:

265 402.3085 Certificate of substantial compliance with minimum
266 child care standards.—Each nonpublic school or provider seeking
267 to operate a program pursuant to s. 402.3025(2) (d) or s.
268 402.316(4), respectively, shall annually obtain a certificate
269 from the department or local licensing agency in the manner and
270 on the forms prescribed by the department or local licensing
271 agency. An annual certificate or a renewal of an annual
272 certificate shall be issued upon an examination of the



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273 applicant's premises and records to determine that the applicant
274 is in substantial compliance with the minimum child care
275 standards. A provider may not participate in these programs
276 without this certification. Local licensing agencies may apply
277 their own minimum child care standards if the department
278 determines that such standards meet or exceed department
279 standards as provided in s. 402.307.

280 Section 8. Section 402.311, Florida Statutes, is amended to
281 read:

282 402.311 Inspection.—A licensed child care facility or
283 program regulated by the department shall accord to the
284 department or the local licensing agency, whichever is
285 applicable, the privilege of inspection, including access to
286 facilities and personnel and to those records required in s.
287 402.305, at reasonable times during regular business hours, to
288 ensure compliance with ~~the provisions of~~ ss. 402.301-402.319.
289 The right of entry and inspection shall also extend to any
290 premises which the department or local licensing agency has
291 reason to believe are being operated or maintained as a child
292 care facility or program ~~without a license~~, but no such entry or
293 inspection of any premises shall be made without the permission
294 of the person in charge thereof unless a warrant is first
295 obtained from the circuit court authorizing same. Any
296 application for a license, application for authorization to
297 operate a child care program which must maintain substantial
298 compliance with child care standards adopted under this chapter,
299 ~~or renewal of such license or authorization, made pursuant to~~
300 ~~this act~~ or the advertisement to the public for the provision of
301 child care as defined in s. 402.302 constitutes ~~shall constitute~~



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302 permission for any entry to or inspection of the subject
303 premises ~~for which the license is sought in order~~ to facilitate
304 verification of the information submitted on or in connection
305 with the application. In the event a ~~licensed~~ facility or
306 program refuses permission for entry or inspection to the
307 department or local licensing agency, a warrant shall be
308 obtained from the circuit court authorizing same before ~~prior to~~
309 such entry or inspection. The department or local licensing
310 agency may institute disciplinary proceedings pursuant to s.
311 402.310~~7~~ for such refusal.

312 Section 9. Section 402.3115, Florida Statutes, is amended
313 to read:

314 402.3115 ~~Elimination of duplicative and unnecessary~~
315 ~~inspections;~~ Abbreviated inspections. ~~The Department of Children~~
316 ~~and Family Services and local governmental agencies that license~~
317 ~~child care facilities shall develop and implement a plan to~~
318 ~~eliminate duplicative and unnecessary inspections of child care~~
319 ~~facilities. In addition,~~ The department and the local licensing
320 ~~governmental~~ agencies shall conduct ~~develop and implement an~~
321 abbreviated inspections of ~~inspection plan for~~ child care
322 facilities licensed under s. 402.305, family day care homes
323 licensed under s. 402.313, and large family child care homes
324 licensed under s. 402.3131 that have had no Class I ~~±~~ or Class
325 II violations ~~2 deficiencies~~, as defined by rule, for at least 2
326 consecutive years. The abbreviated inspection must include those
327 elements identified by the department and the local licensing
328 ~~governmental~~ agencies as being key indicators of whether the
329 child care facility continues to provide quality care and
330 programming. The department shall adopt rules establishing



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331 criteria and procedures for abbreviated inspections and
332 inspection schedules that provide for both announced and
333 unannounced inspections.

334 Section 10. Section 402.313, Florida Statutes, is amended
335 to read:

336 402.313 Family day care homes.—

337 (1) A family day care home must ~~homes shall~~ be licensed
338 under this section ~~act~~ if it is ~~they are~~ presently being
339 licensed under an existing county licensing ordinance, ~~or if~~ the
340 board of county commissioners passes a resolution that requires
341 licensure of family day care homes, or the family day care home
342 is operating a program under s. 1002.55, s. 1002.61, or s.
343 1002.88 ~~be licensed~~. Each licensed or registered family day care
344 home must conspicuously display its license or registration in
345 the common area of the home.

346 (a) If not subject to license, a family day care home must
347 comply with this section and ~~homes shall~~ register annually with
348 the department, providing the following information:

- 349 1. The name and address of the home.
- 350 2. The name of the operator.
- 351 3. The number of children served.
- 352 4. Proof of a written plan to identify a ~~provide at least~~
353 ~~one other~~ competent adult who has met the screening and training
354 requirements of the department to serve as a designated ~~to be~~
355 ~~available to~~ substitute for the operator ~~in an emergency~~. This
356 plan must ~~shall~~ include the name, address, and telephone number
357 of the designated substitute who will serve in the absence of
358 the operator.
- 359 ~~5. Proof of screening and background checks.~~



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360 ~~6. Proof of successful completion of the 30-hour training~~
361 ~~course, as evidenced by passage of a competency examination,~~
362 ~~which shall include:~~

363 ~~a. State and local rules and regulations that govern child~~
364 ~~care.~~

365 ~~b. Health, safety, and nutrition.~~

366 ~~c. Identifying and reporting child abuse and neglect.~~

367 ~~d. Child development, including typical and atypical~~
368 ~~language development; and cognitive, motor, social, and self-~~
369 ~~help skills development.~~

370 ~~e. Observation of developmental behaviors, including using~~
371 ~~a checklist or other similar observation tools and techniques to~~
372 ~~determine a child's developmental level.~~

373 ~~f. Specialized areas, including early literacy and language~~
374 ~~development of children from birth to 5 years of age, as~~
375 ~~determined by the department, for owner-operators of family day~~
376 ~~care homes.~~

377 5.7. Proof that immunization records are kept current.

378 ~~8. Proof of completion of the required continuing education~~
379 ~~units or clock hours.~~

381 Upon receipt of registration information submitted by a family
382 day care home pursuant to this paragraph, the department shall
383 verify that the home is in compliance with the background
384 screening requirements in subsection (3) and that the operator
385 and the designated substitute are in compliance with applicable
386 training requirements of subsection (4).

387 (b) A family day care home may volunteer to be licensed
388 ~~under this act.~~



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389 (c) The department may provide technical assistance to
390 counties and operators of family day care homes ~~home providers~~
391 to enable counties and operators ~~family day care providers~~ to
392 achieve compliance with family day care home ~~homes~~ standards.

393 (2) This information shall be included in a directory to be
394 published annually by the department to inform the public of
395 available child care facilities.

396 (3) Child care personnel in family day care homes are ~~shall~~
397 ~~be~~ subject to the applicable screening provisions contained in
398 ss. 402.305(2) and 402.3055. For purposes of screening in family
399 day care homes, the term "child care personnel" includes the
400 operator, the designated substitute, any member over the age of
401 12 years of a family day care home operator's family, or persons
402 over the age of 12 years residing with the operator in the
403 family day care home. Members of the operator's family, or
404 persons residing with the operator, who are between the ages of
405 12 years and 18 years may ~~shall~~ not be required to be
406 fingerprinted, but shall be screened for delinquency records.

407 (4) (a) Before licensure and before caring for children,
408 operators of family day care homes and an individual serving as
409 a substitute for the operator who works 40 hours or more per
410 month on average must:

411 1. Successfully complete an approved 30-clock-hour
412 introductory course in child care, as evidenced by passage of a
413 competency examination, ~~before caring for children.~~ The course
414 must include:

415 a. State and local rules and regulations that govern child
416 care.

417 b. Health, safety, and nutrition.



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418 c. Identifying and reporting child abuse and neglect.

419 d. Child development, including typical and atypical
420 language development, and cognitive, motor, social, and
421 executive functioning skills development.

422 e. Observation of developmental behaviors, including using
423 a checklist or other similar observation tools and techniques to
424 determine a child's developmental level.

425 f. Specialized areas, including numeracy, early literacy,
426 and language development of children from birth to 5 years of
427 age, as determined by the department, for operators of family
428 day care homes.

429 ~~(5) In order to further develop their child care skills~~
430 ~~and, if appropriate, their administrative skills, operators of~~
431 ~~family day care homes shall be required to complete an~~
432 ~~additional 1 continuing education unit of approved training or~~
433 ~~10 clock hours of equivalent training, as determined by the~~
434 ~~department, annually.~~

435 ~~2.(6) Operators of family day care homes shall be required~~
436 ~~to~~ Complete a 0.5 continuing education unit of approved training
437 in numeracy, early literacy, and language development of
438 children from birth to 5 years of age one time. For an operator,
439 the year that this training is completed, it shall fulfill the
440 0.5 continuing education unit or 5 clock hours of the annual
441 training required in paragraph (c) subsection (5).

442 3. Complete training in first aid and infant and child
443 cardiopulmonary resuscitation as evidenced by current
444 documentation of course completion.

445 (b) Before licensure and before caring for children, family
446 day care home substitutes who work fewer than 40 hours per month



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447 on average must complete the department's 6-clock-hour Family
448 Child Care Home Rules and Regulations training, as evidenced by
449 successful completion of a competency examination and first aid
450 and infant and child cardiopulmonary resuscitation training
451 under subparagraph (a)3. A substitute who has successfully
452 completed the 3-clock-hour Fundamentals of Child Care training
453 established by rules of the department or the 30-clock-hour
454 training under subparagraph (a)1. is not required to complete
455 the 6-clock-hour Family Child Care Home Rules and Regulations
456 training.

457 (c) Operators of family day care homes must annually
458 complete an additional 1 continuing education unit of approved
459 training regarding child care and administrative skills or 10
460 clock hours of equivalent training, as determined by the
461 department.

462 (5) ~~(7)~~ Operators of family day care homes must ~~shall be~~
463 ~~required~~ annually ~~to~~ complete a health and safety home
464 inspection self-evaluation checklist developed by the department
465 in conjunction with the statewide resource and referral program.
466 The completed checklist shall be signed by the operator of the
467 family day care home and provided to parents as certification
468 that basic health and safety standards are being met.

469 (6) ~~(8)~~ Operators of family day care homes ~~home operators~~
470 may avail themselves of supportive services offered by the
471 department.

472 (7) ~~(9)~~ The department shall prepare a brochure on family
473 day care for distribution by the department and by local
474 licensing agencies, if appropriate, to family day care homes for
475 distribution to parents using ~~utilizing~~ such child care, and to



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476 all interested persons, including physicians and other health
477 professionals; mental health professionals; school teachers or
478 other school personnel; social workers or other professional
479 child care, foster care, residential, or institutional workers;
480 and law enforcement officers. The brochure shall, at a minimum,
481 contain the following information:

482 (a) A brief description of the requirements for family day
483 care registration, training, and background fingerprinting and
484 screening.

485 (b) A listing of those counties that require licensure of
486 family day care homes. Such counties shall provide an addendum
487 to the brochure that provides a brief description of the
488 licensure requirements or may provide a brochure in lieu of the
489 one described in this subsection, provided it contains all the
490 required information on licensure and the required information
491 in the subsequent paragraphs.

492 (c) A statement indicating that information about the
493 family day care home's compliance with applicable state or local
494 requirements can be obtained from by telephoning the department
495 ~~office or the office of~~ the local licensing agency, including
496 the, if appropriate, at a telephone number or numbers and
497 website address for the department or local licensing agency, as
498 applicable which shall be affixed to the brochure.

499 (d) The statewide toll-free telephone number of the central
500 abuse hotline, together with a notice that reports of suspected
501 and actual child physical abuse, sexual abuse, and neglect are
502 received and referred for investigation by the hotline.

503 (e) Any other information relating to competent child care
504 that the department or local licensing agency, if preparing a



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505 separate brochure, considers ~~deems would be~~ helpful to parents
506 and other caretakers in their selection of a family day care
507 home.

508 ~~(8)~~(10) On an annual basis, the department shall evaluate
509 the registration and licensure system for family day care homes.
510 Such evaluation shall, at a minimum, address the following:

511 (a) The number of family day care homes registered and
512 licensed and the dates of such registration and licensure.

513 (b) The number of children being served in both registered
514 and licensed family day care homes and any available slots in
515 such homes.

516 (c) The number of complaints received concerning family day
517 care, the nature of the complaints, and the resolution of such
518 complaints.

519 (d) The training activities used ~~utilized~~ by child care
520 personnel in family day care homes for meeting the state or
521 local training requirements.

522
523 The evaluation, pursuant to this paragraph, shall be used
524 ~~utilized~~ by the department in any administrative modifications
525 or adjustments to be made in the registration of family day care
526 homes or in any legislative requests for modifications to the
527 system of registration or to other requirements for family day
528 care homes.

529 ~~(11) In order to inform the public of the state requirement~~
530 ~~for registration of family day care homes as well as the other~~
531 ~~requirements for such homes to legally operate in the state, the~~
532 ~~department shall institute a media campaign to accomplish this~~
533 ~~end. Such a campaign shall include, at a minimum, flyers,~~



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534 ~~newspaper advertisements, radio advertisements, and television~~
535 ~~advertisements.~~

536 (9) ~~(12)~~ Notwithstanding any other state or local law or
537 ordinance, any family day care home licensed pursuant to this
538 chapter or pursuant to a county ordinance shall be charged the
539 utility rates accorded to a residential home. A licensed family
540 day care home may not be charged commercial utility rates.

541 (10) ~~(13)~~ The department shall, by rule, establish minimum
542 standards for family day care homes that are required to be
543 licensed by county licensing ordinance or county licensing
544 resolution or that voluntarily choose to be licensed. The
545 standards should include requirements for staffing, training,
546 maintenance of immunization records, minimum health and safety
547 standards, reduced standards for the regulation of child care
548 during evening hours by municipalities and counties, and
549 enforcement of standards. Additionally, the department shall, by
550 rule, adopt procedures for verifying a registered family day
551 care home's compliance with background screening and training
552 requirements.

553 (11) ~~(14)~~ ~~During the months of August and September of each~~
554 ~~year,~~ Each family day care home shall provide parents of
555 children enrolling ~~enrolled~~ in the home detailed information
556 regarding the causes, symptoms, and transmission of the
557 influenza virus in an effort to educate those parents regarding
558 the importance of immunizing their children against influenza as
559 recommended by the Advisory Committee on Immunization Practices
560 of the Centers for Disease Control and Prevention.

561 Section 11. Subsections (1), (3), (5), and (9) of section
562 402.3131, Florida Statutes, are amended, and subsection (10) is



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563 added to that section, to read:

564 402.3131 Large family child care homes.—

565 (1) A large family child care home must ~~homes shall~~ be
566 licensed under this section and conspicuously display its
567 license in the common area of the home.

568 (a) A licensed family day care home must first have
569 operated for a minimum of 2 consecutive years, with an operator
570 who has had a child development associate credential or its
571 equivalent for 1 year, before seeking licensure as a large
572 family child care home.

573 (b) The department may provide technical assistance to
574 counties and family day care home providers to enable the
575 counties and providers to achieve compliance with minimum
576 standards for large family child care homes.

577 (3) Operators of large family child care homes must
578 successfully complete an approved 40-clock-hour introductory
579 course in group child care, including numeracy, early literacy,
580 and language development of children from birth to 5 years of
581 age, as evidenced by passage of a competency examination.

582 Successful completion of the 40-clock-hour introductory course
583 shall articulate into community college credit in early
584 childhood education, pursuant to ss. 1007.24 and 1007.25.

585 (5) Operators of large family child care homes shall be
586 required to complete 0.5 continuing education unit of approved
587 training or 5 clock hours of equivalent training, as determined
588 by the department, in numeracy, early literacy, and language
589 development of children from birth to 5 years of age one time.
590 The year that this training is completed, it shall fulfill the
591 0.5 continuing education unit or 5 clock hours of the annual



592 training required in subsection (4).

593 (9) ~~During the months of August and September of each year,~~
594 Each large family child care home shall provide parents of
595 children enrolling ~~enrolled~~ in the home detailed information
596 regarding the causes, symptoms, and transmission of the
597 influenza virus in an effort to educate those parents regarding
598 the importance of immunizing their children against influenza as
599 recommended by the Advisory Committee on Immunization Practices
600 of the Centers for Disease Control and Prevention.

601 (10) Notwithstanding any other state or local law or
602 ordinance, any large family child care home licensed under this
603 chapter or under a county ordinance shall be charged the utility
604 rates accorded to a residential home. Such a home may not be
605 charged commercial utility rates.

606
607 ===== T I T L E A M E N D M E N T =====

608 And the title is amended as follows:

609 Delete lines 17 - 25

610 and insert:

611 standards for child care facilities; creating s.
612 402.3085, F.S.; requiring nonpublic schools or
613 providers seeking to operate certain programs to
614 annually obtain a certificate from the department or a
615 local licensing agency; providing for issuance of the
616 certificate upon examination of the applicant's
617 premises and records; prohibiting a provider from
618 participating in the programs without a certificate;
619 authorizing local licensing agencies to apply their
620 own minimum child care standards under certain



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621 circumstances; amending s. 402.311, F.S.; providing
622 for the inspection of programs regulated by the
623 department; amending s. 402.3115, F.S.; providing for
624 abbreviated inspections of specified child care and
625 day care homes; requiring the department to adopt
626 rules; amending s. 402.313, F.S.; revising provisions
627 for licensure, registration, and operation of family
628 day care homes; amending s. 402.3131, F.S.; revising
629 requirements for large family child care homes;