

FOR CONSIDERATION By the Committee on Education

581-02684C-14

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1 A bill to be entitled
2 An act relating to education; providing a directive to
3 the Division of Law Revision and Information; changing
4 the term "school readiness program" to "child care and
5 development program," the term "school readiness" to
6 "child care and development," and the term "family day
7 care home" to "family child care home"; amending s.
8 39.604, F.S.; revising provisions relating to the
9 Rilya Wilson Act; amending ss. 125.0109 and 166.0445,
10 F.S.; including large family child care homes in local
11 zoning regulation requirements; amending s. 402.302,
12 F.S.; conforming provisions to changes made by the
13 act; amending s. 402.3025, F.S.; providing
14 requirements for nonpublic schools delivering certain
15 voluntary prekindergarten education programs and child
16 care and development programs; amending s. 402.305,
17 F.S.; revising certain minimum standards for child
18 care facilities; authorizing the Department of
19 Children and Families to adopt rules for compliance by
20 certain programs not licensed by the department;
21 amending s. 402.311, F.S.; providing for the
22 inspection of programs regulated by the department;
23 amending s. 402.3115, F.S.; providing for abbreviated
24 inspections of specified child care homes; requiring
25 rulemaking; amending s. 402.313, F.S.; revising
26 provisions for licensure, registration, and operation
27 of family day care homes; amending s. 402.3131, F.S.;
28 revising requirements for large family child care
29 homes; amending s. 402.316, F.S., relating to

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30 exemptions from child care facility licensing
31 standards; requiring a child care facility operating
32 as a provider of certain voluntary prekindergarten
33 education programs or child care programs to comply
34 with minimum standards; providing penalties for
35 failure to disclose or for use of certain information;
36 requiring the department to establish a fee for
37 inspection and compliance activities; amending s.
38 627.70161, F.S.; revising restrictions on residential
39 property insurance coverage to include coverage for
40 large family child care homes; amending s. 1001.213,
41 F.S.; providing additional duties of the Office of
42 Early Learning; amending s. 1002.53, F.S.; revising
43 requirements for application and determination of
44 eligibility to enroll in the Voluntary Prekindergarten
45 (VPK) Education Program; amending s. 1002.55, F.S.;
46 revising requirements for a school-year
47 prekindergarten program delivered by a private
48 prekindergarten provider, including requirements for
49 providers, instructors, and child care personnel;
50 providing requirements in the case of provider
51 violations; amending s. 1002.59, F.S.; correcting a
52 cross-reference; amending ss. 1002.61 and 1002.63,
53 F.S.; revising employment requirements and educational
54 credentials of certain instructional personnel;
55 amending s. 1002.71, F.S.; revising information that
56 must be reported to parents; amending s. 1002.75,
57 F.S.; revising provisions included in the standard
58 statewide VPK program provider contract; amending s.

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59 1002.77, F.S.; revising the purpose and meetings of
60 the Florida Early Learning Advisory Council; amending
61 s. 1002.81, F.S.; revising certain program
62 definitions; amending s. 1002.82, F.S.; revising the
63 powers and duties of the Office of Early Learning;
64 revising provisions included in the standard statewide
65 child care and development program provider contract;
66 amending s. 1002.84, F.S.; revising the powers and
67 duties of early learning coalitions; conforming
68 provisions to changes made by the act; amending s.
69 1002.87, F.S.; revising student eligibility and
70 enrollment requirements for the child care and
71 development program; conforming provisions to changes
72 made by the act; amending s. 1002.88, F.S.; revising
73 eligibility requirements for program providers that
74 want to deliver the child care and development
75 program; providing conditions for denial of initial
76 eligibility; providing child care personnel
77 requirements; amending s. 1002.89, F.S.; revising the
78 use of funds for the child care and development
79 program; conforming provisions to changes made by the
80 act; amending s. 1002.91, F.S.; prohibiting an early
81 learning coalition from contracting with specified
82 persons; amending s. 1002.94, F.S.; revising
83 establishment of a community child care task force by
84 an early learning coalition; providing an effective
85 date.

86
87 Be It Enacted by the Legislature of the State of Florida:

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89 Section 1. The Division of Law Revision and Information is
90 directed to prepare a reviser's bill for the 2015 Regular
91 Session of the Legislature to change the term "school readiness
92 program" to "child care and development program," the term
93 "school readiness" to "child care and development," and the term
94 "family day care home" to "family child care home" wherever they
95 appear in the Florida Statutes.

96 Section 2. Subsection (3) of section 39.604, Florida
97 Statutes, is amended to read:

98 39.604 Rilya Wilson Act; short title; legislative intent;
99 requirements; attendance and reporting responsibilities.—

100 (3) REQUIREMENTS.—A child who is age birth 3 years to age
101 of school entry, under court-ordered ~~court-ordered~~ protective
102 supervision or in the custody of the Family Safety Program
103 Office of the Department of Children and Families ~~Family~~
104 ~~Services~~ or a community-based lead agency, and enrolled in a
105 licensed early education or child care program must attend ~~be~~
106 ~~enrolled to participate in~~ the program 5 days a week.
107 Notwithstanding ~~the requirements of~~ s. 39.202, the Department of
108 Children and Families ~~Family Services~~ must notify operators of
109 the licensed early education or child care program, subject to
110 the reporting requirements of this act, of the enrollment of any
111 child age birth 3 years to age of school entry, under court-
112 ordered ~~court-ordered~~ protective supervision or in the custody
113 of the Family Safety Program Office of the Department of
114 Children and Families ~~Family Services~~ or a community-based lead
115 agency. When a child is enrolled in an early education or child
116 care program regulated by the department, the child's attendance

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117 in the program must be a required action in the case plan
118 developed for ~~the~~ a child pursuant to this chapter ~~who is~~
119 ~~enrolled in a licensed early education or child care program~~
120 ~~must contain the participation in this program as a required~~
121 ~~action.~~ An exemption to participating in the licensed early
122 education or child care program 5 days a week may be granted by
123 the court.

124 Section 3. Section 125.0109, Florida Statutes, is amended
125 to read:

126 125.0109 Family child day care homes and large family child
127 care homes; local zoning regulation.—The operation of a
128 residence as a family child day care home or large family child
129 care home, as defined in s. 402.302, licensed or registered
130 pursuant to s. 402.313 or s. 402.3131, as applicable,
131 constitutes, ~~as defined by law, registered or licensed with the~~
132 ~~Department of Children and Family Services shall constitute a~~
133 valid residential use for purposes of any local zoning
134 regulations, and no such regulation shall require the owner or
135 operator of such family child day care home or large family
136 child care home to obtain any special exemption or use permit or
137 waiver, or to pay any special fee in excess of \$50, to operate
138 in an area zoned for residential use.

139 Section 4. Section 166.0445, Florida Statutes, is amended
140 to read:

141 166.0445 Family child day care homes and large family child
142 care homes; local zoning regulation.—The operation of a
143 residence as a family child day care home or large family child
144 care home, as defined in s. 402.302, licensed or registered
145 pursuant to s. 402.313 or s. 402.3131, as applicable,

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146 ~~constitutes, as defined by law, registered or licensed with the~~
147 ~~Department of Children and Family Services shall constitute a~~
148 valid residential use for purposes of any local zoning
149 regulations, and ~~no~~ such regulation may not ~~shall~~ require the
150 owner or operator of such family child day care home or large
151 family child care home to obtain any special exemption or use
152 permit or waiver, or to pay any special fee in excess of \$50, to
153 operate in an area zoned for residential use.

154 Section 5. Subsection (8) of section 402.302, Florida
155 Statutes, is amended to read:

156 402.302 Definitions.—As used in this chapter, the term:

157 (8) "Family child day care home" means an occupied
158 residence in which child care is regularly provided for children
159 from at least two unrelated families and which receives a
160 payment, fee, or grant for any of the children receiving care,
161 whether or not operated for profit. Household children under 13
162 years of age, when on the premises of the family child day care
163 home or on a field trip with children enrolled in child care,
164 shall be included in the overall capacity of the licensed home.
165 A family child day care home shall be allowed to provide care
166 for one of the following groups of children, which shall include
167 household children under 13 years of age:

168 (a) A maximum of four children from birth to 12 months of
169 age.

170 (b) A maximum of three children from birth to 12 months of
171 age, and other children, for a maximum total of six children.

172 (c) A maximum of six preschool children if all are older
173 than 12 months of age.

174 (d) A maximum of 10 children if no more than 5 are

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175 preschool age and, of those 5, no more than 2 are under 12
176 months of age.

177 Section 6. Paragraphs (d) and (e) of subsection (2) of
178 section 402.3025, Florida Statutes, are amended to read:

179 402.3025 Public and nonpublic schools.—For the purposes of
180 ss. 402.301-402.319, the following shall apply:

181 (2) NONPUBLIC SCHOOLS.—

182 (d)1. Nonpublic schools delivering programs under s.
183 1002.55, s. 1002.61, or s. 1002.88 ~~Programs for children who are~~
184 ~~at least 3 years of age, but under 5 years of age,~~ which are not
185 licensed under ss. 402.301-402.319 shall substantially comply
186 with the minimum child care standards adopted ~~promulgated~~
187 pursuant to ss. 402.305-402.3057.

188 2. The department or local licensing agency shall enforce
189 compliance with such standards, where possible, to eliminate or
190 minimize duplicative inspections or visits by staff enforcing
191 the minimum child care standards and staff enforcing other
192 standards under the jurisdiction of the department.

193 3. The department or local licensing agency may inspect
194 programs operating under this paragraph and pursue
195 administrative or judicial action under ss. 402.310-402.312
196 against nonpublic schools operating under this paragraph
197 ~~commence and maintain all proper and necessary actions and~~
198 ~~proceedings for any or all of the following purposes:~~

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

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

202 ~~c.~~ To use corrective action plans, whenever possible, to
203 attain compliance prior to the use of more restrictive

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204 ~~enforcement measures.~~

205 ~~d. To make application for injunction to the proper circuit~~
206 ~~court, and the judge of that court shall have jurisdiction upon~~
207 ~~hearing and for cause shown to grant a temporary or permanent~~
208 ~~injunction, or both, restraining any person from violating or~~
209 ~~continuing to violate any of the provisions of ss. 402.301-~~
210 ~~402.319. Any violation of this section or of the standards~~
211 ~~applied under ss. 402.305-402.3057 which threatens harm to any~~
212 ~~child in the school's programs for children who are at least 3~~
213 ~~years of age, but are under 5 years of age, or repeated~~
214 ~~violations of this section or the standards under ss. 402.305-~~
215 ~~402.3057, shall be grounds to seek an injunction to close a~~
216 ~~program in a school.~~

217 ~~e. To impose an administrative fine, not to exceed \$100,~~
218 ~~for each violation of the minimum child care standards~~
219 ~~promulgated pursuant to ss. 402.305-402.3057.~~

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

223 a. Fail, by false statement, misrepresentation,
224 impersonation, or other fraudulent means, to disclose in any
225 required written documentation for exclusion from licensure
226 pursuant to this section a material fact used in making a
227 determination as to such exclusion; or

228 b. Use information from the criminal records obtained under
229 s. 402.305 or s. 402.3055 for any purpose other than screening
230 that person for employment as specified in those sections or
231 release such information to any other person for any purpose
232 other than screening for employment as specified in those

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233 sections.

234 5. It is a felony of the third degree, punishable as
235 provided in s. 775.082, s. 775.083, or s. 775.084, for any
236 person willfully, knowingly, or intentionally to use information
237 from the juvenile records of any person obtained under s.
238 402.305 or s. 402.3055 for any purpose other than screening for
239 employment as specified in those sections or to release
240 information from such records to any other person for any
241 purpose other than screening for employment as specified in
242 those sections.

243 6. The inclusion of nonpublic schools within options
244 available under ss. 1002.55, 1002.61, and 1002.88 does not
245 expand the regulatory authority of the state, its officers, or
246 any early learning coalition to impose any additional regulation
247 of nonpublic schools beyond those reasonably necessary to
248 enforce requirements expressly set forth in this paragraph.

249 ~~(e) The department and the nonpublic school accrediting~~
250 ~~agencies are encouraged to develop agreements to facilitate the~~
251 ~~enforcement of the minimum child care standards as they relate~~
252 ~~to the schools which the agencies accredit.~~

253 Section 7. Paragraphs (a) and (d) of subsection (2),
254 paragraph (b) of subsection (9), and subsections (10) and (18)
255 of section 402.305, Florida Statutes, are amended, and
256 subsection (19) is added to that section, to read:

257 402.305 Licensing standards; child care facilities.—

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

260 (a) Good moral character based upon screening, according to
261 the level 2 screening requirements of. ~~This screening shall be~~

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262 ~~conducted as provided in chapter 435, using the level 2~~
263 ~~standards for screening set forth in that chapter. In addition~~
264 ~~to the offenses listed in s. 435.04, all child care personnel~~
265 ~~required to undergo background screening pursuant to this~~
266 ~~section may not have an arrest awaiting final disposition for,~~
267 ~~may not have been found guilty of, regardless of adjudication,~~
268 ~~or entered a plea of nolo contendere or guilty to, and may not~~
269 ~~have been adjudicated delinquent and have a record that has been~~
270 ~~sealed or expunged for an offense specified in s. 39.205.~~

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

272 1. Such minimum standards for training shall ensure that
273 all child care personnel take an approved 40-clock-hour
274 introductory course in child care, which course covers at least
275 the following topic areas:

276 a. State and local rules and regulations which govern child
277 care.

278 b. Health, safety, and nutrition.

279 c. Identifying and reporting child abuse and neglect.

280 d. Child development, including typical and atypical
281 language, cognitive, motor, social, and self-help skills
282 development.

283 e. Observation of developmental behaviors, including using
284 a checklist or other similar observation tools and techniques to
285 determine the child's developmental age level.

286 f. Specialized areas, including computer technology for
287 professional and classroom use and numeracy, early literacy, and
288 language development of children from birth to 5 years of age,
289 as determined by the department, for owner-operators and child
290 care personnel of a child care facility.

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291 g. Developmental disabilities, including autism spectrum
292 disorder and Down syndrome, and early identification, use of
293 available state and local resources, classroom integration, and
294 positive behavioral supports for children with developmental
295 disabilities.

296

297 Within 90 days after employment, child care personnel shall
298 begin training to meet the training requirements. Child care
299 personnel shall successfully complete such training within 1
300 year after the date on which the training began, as evidenced by
301 passage of a competency examination. Successful completion of
302 the 40-clock-hour introductory course shall articulate into
303 community college credit in early childhood education, pursuant
304 to ss. 1007.24 and 1007.25. Exemption from all or a portion of
305 the required training shall be granted to child care personnel
306 based upon educational credentials or passage of competency
307 examinations. Child care personnel possessing a 2-year degree or
308 higher that includes 6 college credit hours in early childhood
309 development or child growth and development, or a child
310 development associate credential or an equivalent state-approved
311 child development associate credential, or a child development
312 associate waiver certificate shall be automatically exempted
313 from the training requirements in sub-subparagraphs b., d., and
314 e.

315 2. The introductory course in child care shall stress, to
316 the extent possible, an interdisciplinary approach to the study
317 of children.

318 3. The introductory course shall cover recognition and
319 prevention of shaken baby syndrome; prevention of sudden infant

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320 death syndrome; recognition and care of infants and toddlers
321 with developmental disabilities, including autism spectrum
322 disorder and Down syndrome; and early childhood brain
323 development within the topic areas identified in this paragraph.

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

330 5. Child care personnel shall be required to complete 0.5
331 continuing education unit of approved training or 5 clock hours
332 of equivalent training, as determined by the department, in
333 numeracy, early literacy, and language development of children
334 from birth to 5 years of age one time. The year that this
335 training is completed, it shall fulfill the 0.5 continuing
336 education unit or 5 clock hours of the annual training required
337 in subparagraph 4.

338 6. Procedures for ensuring the training of qualified child
339 care professionals to provide training of child care personnel,
340 including onsite training, shall be included in the minimum
341 standards. It is recommended that the state community child care
342 coordination agencies (central agencies) be contracted by the
343 department to coordinate such training when possible. Other
344 district educational resources, such as community colleges and
345 career programs, can be designated in such areas where central
346 agencies may not exist or are determined not to have the
347 capability to meet the coordination requirements set forth by
348 the department.

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349 7. Training requirements do ~~shall~~ not apply to certain
350 occasional or part-time support staff, including, but not
351 limited to, swimming instructors, piano teachers, dance
352 instructors, and gymnastics instructors.

353 8. The department shall evaluate or contract for an
354 evaluation for the general purpose of determining the status of
355 and means to improve staff training requirements and testing
356 procedures. The evaluation shall be conducted every 2 years. The
357 evaluation must ~~shall~~ include, but not be limited to,
358 determining the availability, quality, scope, and sources of
359 current staff training; determining the need for specialty
360 training; and determining ways to increase inservice training
361 and ways to increase the accessibility, quality, and cost-
362 effectiveness of current and proposed staff training. The
363 evaluation methodology must ~~shall~~ include a reliable and valid
364 survey of child care personnel.

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

369 (9) ADMISSIONS AND RECORDKEEPING.—

370 (b) ~~During the months of August and September of each year,~~
371 Each child care facility shall provide parents of children
372 enrolling ~~enrolled~~ in the facility detailed information
373 regarding the causes, symptoms, and transmission of the
374 influenza virus in an effort to educate those parents regarding
375 the importance of immunizing their children against influenza as
376 recommended by the Advisory Committee on Immunization Practices
377 of the Centers for Disease Control and Prevention.

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378 (10) TRANSPORTATION SAFETY.—Minimum standards must ~~shall~~
379 include requirements for child restraints or seat belts in
380 vehicles used by child care facilities, ~~and~~ large family child
381 care homes, and family child care homes to transport children,
382 requirements for annual inspections of the vehicles, limitations
383 on the number of children in the vehicles, and accountability
384 for children being transported.

385 (18) TRANSFER OF OWNERSHIP.—

386 (a) One week before ~~prior to~~ the transfer of ownership of a
387 child care facility, ~~or~~ family child day care home, or large
388 family child care home, the transferor shall notify the parent
389 or caretaker of each child of the impending transfer.

390 (b) The owner of a child care facility, family child care
391 home, or large family child care home may not transfer ownership
392 to a relative of the operator if the operator has had his or her
393 license suspended or revoked by the department pursuant to s.
394 402.310, has received notice from the department that reasonable
395 cause exists to suspend or revoke the license, or has been
396 placed on the United States Department of Agriculture National
397 Disqualified List. For purposes of this paragraph, "relative"
398 means father, mother, son, daughter, grandfather, grandmother,
399 brother, sister, uncle, aunt, cousin, nephew, niece, husband,
400 wife, father-in-law, mother-in-law, son-in-law, daughter-in-law,
401 brother-in-law, sister-in-law, stepfather, stepmother, stepson,
402 stepdaughter, stepbrother, stepsister, half-brother, or half-
403 sister.

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

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407 (19) RULES.—The department may adopt rules to define and
408 enforce substantial compliance with minimum standards for child
409 care facilities for programs operating under s. 1002.55, s.
410 1002.61, or s. 1002.88 that are regulated, but not licensed, by
411 the department.

412 Section 8. Section 402.311, Florida Statutes, is amended to
413 read:

414 402.311 Inspection.—A licensed child care facility or
415 program regulated by the department shall accord to the
416 department or the local licensing agency, whichever is
417 applicable, the privilege of inspection, including access to
418 facilities and personnel and to those records required in s.
419 402.305, at reasonable times during regular business hours, to
420 ensure compliance with ~~the provisions of~~ ss. 402.301-402.319.
421 The right of entry and inspection shall also extend to any
422 premises which the department or local licensing agency has
423 reason to believe are being operated or maintained as a child
424 care facility or program ~~without a license~~, but no such entry or
425 inspection of any premises shall be made without the permission
426 of the person in charge thereof unless a warrant is first
427 obtained from the circuit court authorizing same. Any
428 application for a license, application for authorization to
429 operate a child care program which must maintain substantial
430 compliance with child care standards adopted under this chapter,
431 or renewal of such license or authorization ~~made pursuant to~~
432 ~~this act~~ or the advertisement to the public for the provision of
433 child care as defined in s. 402.302 constitutes ~~shall constitute~~
434 permission for any entry to or inspection of the subject
435 premises ~~for which the license is sought in order~~ to facilitate

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436 verification of the information submitted on or in connection
437 with the application. In the event a ~~licensed~~ facility or
438 program refuses permission for entry or inspection to the
439 department or local licensing agency, a warrant shall be
440 obtained from the circuit court authorizing same before ~~prior to~~
441 such entry or inspection. The department or local licensing
442 agency may institute disciplinary proceedings pursuant to s.
443 402.310~~7~~ for such refusal.

444 Section 9. Section 402.3115, Florida Statutes, is amended
445 to read:

446 402.3115 ~~Elimination of duplicative and unnecessary~~
447 ~~inspections;~~ Abbreviated inspections. ~~The Department of Children~~
448 ~~and Family Services and local governmental agencies that license~~
449 ~~child care facilities shall develop and implement a plan to~~
450 ~~eliminate duplicative and unnecessary inspections of child care~~
451 ~~facilities. In addition,~~ The department and the local licensing
452 ~~governmental~~ agencies shall conduct ~~develop and implement an~~
453 abbreviated inspections of ~~inspection plan for~~ child care
454 facilities licensed under s. 402.305, family child care homes
455 licensed under s. 402.313, and large family child care homes
456 licensed under s. 402.3131 that have had no Class I ~~±~~ or Class
457 II violations ~~2 deficiencies~~, as defined by rule, for at least 2
458 consecutive years. The abbreviated inspection must include those
459 elements identified by the department and the local licensing
460 ~~governmental~~ agencies as being key indicators of whether the
461 child care facility continues to provide quality care and
462 programming. The department shall adopt rules establishing
463 criteria and procedures for abbreviated inspections and
464 inspection schedules that provide for both announced and

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465 unannounced inspections.

466 Section 10. Section 402.313, Florida Statutes, is amended
467 to read:

468 402.313 Family child day care homes.-

469 (1) A family child day care home must ~~homes shall~~ be
470 licensed under this section ~~act~~ if it is ~~they are~~ presently
471 being licensed under an existing county licensing ordinance, ~~or~~
472 if the board of county commissioners passes a resolution that
473 requires licensure of family child day care homes, or the family
474 child care home is operating a program under s. 1002.55, s.
475 1002.61, or s. 1002.88 ~~be licensed~~. Each licensed or registered
476 family child care home must conspicuously display its license or
477 registration in an area viewable by all parents during hours of
478 operation.

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

482 1. The name and address of the home.
483 2. The name of the operator.
484 3. The number of children served.
485 4. Proof of a written plan to identify a ~~provide at least~~
486 ~~one other~~ competent adult who has met the screening and training
487 requirements of the department to serve as a designated ~~to be~~
488 ~~available to~~ substitute for the operator ~~in an emergency~~. This
489 plan must ~~shall~~ include the name, address, and telephone number
490 of the designated substitute who will serve in the absence of
491 the operator.

492 ~~5. Proof of screening and background checks.~~

493 ~~6. Proof of successful completion of the 30-hour training~~

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494 ~~course, as evidenced by passage of a competency examination,~~
495 ~~which shall include:~~

496 ~~a. State and local rules and regulations that govern child~~
497 ~~care.~~

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

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

500 ~~d. Child development, including typical and atypical~~
501 ~~language development; and cognitive, motor, social, and self-~~
502 ~~help skills development.~~

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

506 ~~f. Specialized areas, including early literacy and language~~
507 ~~development of children from birth to 5 years of age, as~~
508 ~~determined by the department, for owner operators of family day~~
509 ~~care homes.~~

510 5.7. Proof that immunization records are kept current.

511 ~~8. Proof of completion of the required continuing education~~
512 ~~units or clock hours.~~

513
514 Upon receipt of registration information submitted by a family
515 child care home, the department shall verify that the home is in
516 compliance with the background screening requirements in
517 subsection (3) and that the operator and the designated
518 substitute have successfully completed the 30-clock-hour
519 training course, as evidenced by passage of a competency
520 examination, and required continuing education units or clock
521 hours.

522 (b) A family child ~~day~~ care home may volunteer to be

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523 licensed ~~under this act.~~

524 (c) The department may provide technical assistance to
525 counties and operators of family child day care homes ~~home~~
526 ~~providers~~ to enable counties and operators ~~family day care~~
527 ~~providers~~ to achieve compliance with family child day care home
528 ~~homes~~ standards.

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

532 (3) Child care personnel in family child day care homes ~~are~~
533 ~~shall be~~ subject to the applicable screening provisions
534 contained in ss. 402.305(2) and 402.3055. For purposes of
535 screening in family child day care homes, the term "child care
536 personnel" includes the operator, the designated substitute, any
537 member over the age of 12 years of a family child day care home
538 operator's family, or persons over the age of 12 years residing
539 with the operator in the family child day care home. Members of
540 the operator's family, or persons residing with the operator,
541 who are between the ages of 12 years and 18 years ~~may shall~~ not
542 be required to be fingerprinted, but shall be screened for
543 delinquency records.

544 (4) Operators of family child day care homes ~~and an~~
545 individual serving as a substitute for the operator must:

546 (a) Successfully complete an approved 30-clock-hour
547 introductory course in child care, as evidenced by passage of a
548 competency examination, before caring for children. The course
549 must include:

550 1. State and local rules and regulations that govern child
551 care.

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552 2. Health, safety, and nutrition.

553 3. Identifying and reporting child abuse and neglect.

554 4. Child development, including typical and atypical
555 language development, and cognitive, motor, social, and
556 executive functioning skills development.

557 5. Observation of developmental behaviors, including using
558 a checklist or other similar observation tools and techniques to
559 determine a child's developmental level.

560 6. Specialized areas, including numeracy, early literacy,
561 and language development of children from birth to 5 years of
562 age, as determined by the department, for operators of family
563 child care homes.

564 ~~(b)(5) Annually In order to further develop their child~~
565 ~~care skills and, if appropriate, their administrative skills,~~
566 ~~operators of family day care homes shall be required to complete~~
567 ~~an additional 1 continuing education unit of approved training~~
568 ~~regarding child care and administrative skills or 10 clock hours~~
569 ~~of equivalent training, as determined by the department,~~
570 ~~annually.~~

571 ~~(c)(6) Operators of family day care homes shall be required~~
572 ~~to Complete a~~ 0.5 continuing education unit of approved training
573 in numeracy, early literacy, and language development of
574 children from birth to 5 years of age one time. The year that
575 this training is completed, it shall fulfill the 0.5 continuing
576 education unit or 5 clock hours of the annual training required
577 in paragraph (b) subsection (5).

578 ~~(5)(7) Operators of family child day care homes must shall~~
579 ~~be required~~ annually ~~to~~ complete a health and safety home
580 inspection self-evaluation checklist developed by the department

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581 in conjunction with the statewide resource and referral program.
582 The completed checklist shall be signed by the operator of the
583 family child day care home and provided to parents as
584 certification that basic health and safety standards are being
585 met.

586 ~~(6)-(8)~~ Operators of family child day care homes ~~home~~
587 ~~operators~~ may avail themselves of supportive services offered by
588 the department.

589 ~~(7)-(9)~~ The department shall prepare a brochure on family
590 child day care for distribution by the department and by local
591 licensing agencies, if appropriate, to family child day care
592 homes for distribution to parents using ~~utilizing~~ such child
593 care, and to all interested persons, including physicians and
594 other health professionals; mental health professionals; school
595 teachers or other school personnel; social workers or other
596 professional child care, foster care, residential, or
597 institutional workers; and law enforcement officers. The
598 brochure shall, at a minimum, contain the following information:

599 (a) A brief description of the requirements for family
600 child day care registration, training, and background
601 ~~fingerprinting and~~ screening.

602 (b) A listing of those counties that require licensure of
603 family child day care homes. Such counties shall provide an
604 addendum to the brochure that provides a brief description of
605 the licensure requirements or may provide a brochure in lieu of
606 the one described in this subsection, provided it contains all
607 the required information on licensure and the required
608 information in the subsequent paragraphs.

609 (c) A statement indicating that information about the

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610 family child day care home's compliance with applicable state or
611 local requirements can be obtained from ~~by telephoning~~ the
612 department ~~office~~ or ~~the office of~~ the local licensing agency,
613 including the, ~~if appropriate,~~ ~~at a~~ telephone number or numbers
614 and website address for the department or local licensing
615 agency, as applicable ~~which shall be affixed to the brochure.~~

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

620 (e) Any other information relating to competent child care
621 that the department or local licensing agency, if preparing a
622 separate brochure, considers ~~deems would be~~ helpful to parents
623 and other caretakers in their selection of a family child day
624 care home.

625 ~~(8)-(10)~~ (8) On an annual basis, the department shall evaluate
626 the registration and licensure system for family child day care
627 homes. Such evaluation shall, at a minimum, address the
628 following:

629 (a) The number of family child day care homes registered
630 and licensed and the dates of such registration and licensure.

631 (b) The number of children being served in both registered
632 and licensed family child day care homes and any available slots
633 in such homes.

634 (c) The number of complaints received concerning family
635 child day care, the nature of the complaints, and the resolution
636 of such complaints.

637 (d) The training activities used ~~utilized~~ by child care
638 personnel in family child day care homes for meeting the state

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639 or local training requirements.

640

641 The evaluation shall be used ~~utilized~~ by the department in any
642 administrative modifications or adjustments to be made in the
643 registration of family child ~~day~~ care homes or in any
644 legislative requests for modifications to the system of
645 registration or to other requirements for family child ~~day~~ care
646 homes.

647 ~~(11) In order to inform the public of the state requirement~~
648 ~~for registration of family day care homes as well as the other~~
649 ~~requirements for such homes to legally operate in the state, the~~
650 ~~department shall institute a media campaign to accomplish this~~
651 ~~end. Such a campaign shall include, at a minimum, flyers,~~
652 ~~newspaper advertisements, radio advertisements, and television~~
653 ~~advertisements.~~

654 (9) ~~(12)~~ Notwithstanding any other state or local law or
655 ordinance, any family child ~~day~~ care home licensed pursuant to
656 this chapter or pursuant to a county ordinance shall be charged
657 the utility rates accorded to a residential home. A licensed
658 family child ~~day~~ care home may not be charged commercial utility
659 rates.

660 (10) ~~(13)~~ The department shall, by rule, establish minimum
661 standards for family child ~~day~~ care homes that are required to
662 be licensed by county licensing ordinance or county licensing
663 resolution or that voluntarily choose to be licensed. The
664 standards should include requirements for staffing, training,
665 maintenance of immunization records, minimum health and safety
666 standards, reduced standards for the regulation of child care
667 during evening hours by municipalities and counties, and

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668 enforcement of standards.

669 ~~(11)-(14) During the months of August and September of each~~
670 ~~year,~~ Each family child day care home shall provide parents of
671 children enrolling ~~enrolled~~ in the home detailed information
672 regarding the causes, symptoms, and transmission of the
673 influenza virus in an effort to educate those parents regarding
674 the importance of immunizing their children against influenza as
675 recommended by the Advisory Committee on Immunization Practices
676 of the Centers for Disease Control and Prevention.

677 Section 11. Subsections (3), (5), and (9) of section
678 402.3131, Florida Statutes, are amended, and subsection (10) is
679 added to that section, to read:

680 402.3131 Large family child care homes.—

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

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

689 (5) Operators of large family child care homes shall be
690 required to complete 0.5 continuing education unit of approved
691 training or 5 clock hours of equivalent training, as determined
692 by the department, in numeracy, early literacy, and language
693 development of children from birth to 5 years of age one time.
694 The year that this training is completed, it shall fulfill the
695 0.5 continuing education unit or 5 clock hours of the annual
696 training required in subsection (4).

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697 ~~(9) During the months of August and September of each year,~~
698 Each large family child care home shall provide parents of
699 children enrolling ~~enrolled~~ in the home detailed information
700 regarding the causes, symptoms, and transmission of the
701 influenza virus in an effort to educate those parents regarding
702 the importance of immunizing their children against influenza as
703 recommended by the Advisory Committee on Immunization Practices
704 of the Centers for Disease Control and Prevention.

705 (10) Notwithstanding any other state or local law or
706 ordinance, any large family child care home licensed pursuant to
707 this chapter or pursuant to a county ordinance may not be
708 charged commercial utility rates, but shall be charged the rates
709 accorded to a residential home.

710 Section 12. Subsections (4), (5), and (6) are added to
711 section 402.316, Florida Statutes, to read:

712 402.316 Exemptions.—

713 (4) A child care facility operating under subsection (1)
714 which is applying to operate or is operating as a provider of a
715 program described in s. 1002.55, s. 1002.61, or s. 1002.88 must
716 substantially comply with the minimum standards for child care
717 facilities adopted pursuant to ss. 402.305-402.3057 and must
718 allow the department or local licensing agency access to monitor
719 and enforce compliance with such standards.

720 (a) The department or local licensing agency may pursue
721 administrative or judicial action under ss. 402.310-402.312 and
722 the rules adopted under those sections against any child care
723 facility operating under this subsection to enforce substantial
724 compliance with child care facility minimum standards or to
725 protect the health, safety, and well-being of any children in

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726 the facility's care. A child care facility operating under this
727 subsection is subject to ss. 402.310-402.312 and the rules
728 adopted under those sections to the same extent as a child care
729 facility licensed under ss. 402.301-402.319.

730 (b) It is a misdemeanor of the first degree, punishable as
731 provided in s. 775.082 or s. 775.083, for a person willfully,
732 knowingly, or intentionally to:

733 1. Fail, by false statement, misrepresentation,
734 impersonation, or other fraudulent means, to disclose in any
735 required written documentation for exclusion from licensure
736 pursuant to this section a material fact used in making a
737 determination as to such exclusion; or

738 2. Use information from the criminal records obtained under
739 s. 402.305 or s. 402.3055 for a purpose other than screening
740 that person for employment as specified in those sections or to
741 release such information to any other person for a purpose other
742 than screening for employment as specified in those sections.

743 (c) It is a felony of the third degree, punishable as
744 provided in s. 775.082, s. 775.083, or s. 775.084, for a person
745 willfully, knowingly, or intentionally to use information from
746 the juvenile records of a person obtained under s. 402.305 or s.
747 402.3055 for a purpose other than screening for employment as
748 specified in those sections or to release information from such
749 records to any other person for a purpose other than screening
750 for employment as specified in those sections.

751 (5) The department shall establish a fee for inspection and
752 compliance activities performed pursuant to this section in an
753 amount sufficient to cover costs. However, the amount of such
754 fee for the inspection of a program may not exceed the fee

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755 imposed for child care licensure pursuant to s. 402.315.

756 (6) The inclusion of a child care facility operating under
 757 subsection (1) as a provider of a program described in s.
 758 1002.55, s. 1002.61, or s. 1002.88 does not expand the
 759 regulatory authority of the state, its officers, or any early
 760 learning coalition to impose any additional regulation of child
 761 care facilities beyond those reasonably necessary to enforce
 762 requirements expressly set forth in this section.

763 Section 13. Section 627.70161, Florida Statutes, is amended
 764 to read:

765 627.70161 Residential property insurance coverage; family
 766 child ~~day~~ care homes and large family child care homes
 767 insurance.—

768 (1) PURPOSE AND INTENT.—The Legislature recognizes that
 769 family child ~~day~~ care homes and large family child care homes
 770 fulfill a vital role in providing child care in Florida. It is
 771 the intent of the Legislature that residential property
 772 insurance coverage should not be canceled, denied, or nonrenewed
 773 solely because child ~~on the basis of the family day care~~
 774 services are provided at the residence. The Legislature also
 775 recognizes that the potential liability of residential property
 776 insurers is substantially increased by the rendition of child
 777 care services on the premises. The Legislature therefore finds
 778 that there is a public need to specify that contractual
 779 liabilities associated ~~that arise in connection~~ with the
 780 operation of a ~~the~~ family child ~~day~~ care home or large family
 781 child care home are excluded from residential property insurance
 782 policies unless they are specifically included in such coverage.

783 (2) DEFINITIONS.—As used in this section, the term:

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784 (a) "Child care" means the care, protection, and
785 supervision of a child, for a period up to ~~of less than~~ 24 hours
786 a day on a regular basis, which supplements parental care,
787 enrichment, and health supervision for the child, in accordance
788 with his or her individual needs, and for which a payment, fee,
789 or grant is made for care.

790 (b) "Family child day care home" has the same meaning as
791 provided in s. 402.302(8) ~~means an occupied residence in which~~
792 ~~child care is regularly provided for children from at least two~~
793 ~~unrelated families and which receives a payment, fee, or grant~~
794 ~~for any of the children receiving care, whether or not operated~~
795 ~~for a profit.~~

796 (c) "Large family child care home" has the same meaning as
797 provided in s. 402.302(11).

798 (3) CHILD FAMILY DAY CARE; COVERAGE.—A residential property
799 insurance policy may ~~shall~~ not provide coverage for liability
800 for claims arising out of, or in connection with, the operation
801 of a family child day care home or large family child care home,
802 and the insurer shall be under no obligation to defend against
803 lawsuits covering such claims, unless:

804 (a) Specifically covered in a policy; or

805 (b) Covered by a rider or endorsement for business coverage
806 attached to a policy.

807 (4) DENIAL, CANCELLATION, REFUSAL TO RENEW PROHIBITED.—An
808 insurer may not deny, cancel, or refuse to renew a policy for
809 residential property insurance solely on the basis that the
810 policyholder or applicant operates a family child day care home
811 or large family child care home. In addition to other lawful
812 reasons for refusing to insure, an insurer may deny, cancel, or

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813 refuse to renew a policy of a family child day care home or
814 large family child care home provider if one or more of the
815 following conditions occur:

816 (a) The policyholder or applicant provides care for more
817 children than authorized for family child day care homes or
818 large family child care homes by s. 402.302;

819 (b) The policyholder or applicant fails to maintain a
820 separate commercial liability policy or an endorsement providing
821 liability coverage for ~~the~~ family child day care home or large
822 family child care home operations;

823 (c) The policyholder or applicant fails to comply with the
824 family child day care home licensure and registration
825 requirements specified in s. 402.313 or the large family child
826 care home licensure requirements specified in s. 402.3131; or

827 (d) Discovery of willful or grossly negligent acts or
828 omissions or any violations of state laws or regulations
829 establishing safety standards for family child day care homes
830 and large family child care homes by the named insured or his or
831 her representative which materially increase any of the risks
832 insured.

833 Section 14. Subsections (7), (8), and (9) are added to
834 section 1001.213, Florida Statutes, to read:

835 1001.213 Office of Early Learning.—There is created within
836 the Office of Independent Education and Parental Choice the
837 Office of Early Learning, as required under s. 20.15, which
838 shall be administered by an executive director. The office shall
839 be fully accountable to the Commissioner of Education but shall:

840 (7) Hire a general counsel who reports directly to the
841 executive director of the office.

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842 (8) Hire an inspector general who reports directly to the
843 executive director of the office and to the Chief Inspector
844 General pursuant to s. 14.32.

845 (9) By July 1, 2016, develop and implement, in consultation
846 with early learning coalitions and providers of the Voluntary
847 Prekindergarten Education Program and the child care and
848 development program, best practices for providing parental
849 notifications in the parent's native language to a parent whose
850 native language is a language other than English.

851 Section 15. Subsection (4) of section 1002.53, Florida
852 Statutes, is amended to read:

853 1002.53 Voluntary Prekindergarten Education Program;
854 eligibility and enrollment.—

855 (4) (a) Each parent enrolling a child in the Voluntary
856 Prekindergarten Education Program must complete and submit an
857 application to the early learning coalition through the single
858 point of entry established under s. 1002.82 or to a private
859 prekindergarten provider if the provider is authorized by the
860 early learning coalition to determine student eligibility for
861 enrollment in the program.

862 (b) The application must be submitted on forms prescribed
863 by the Office of Early Learning and must be accompanied by a
864 certified copy of the child's birth certificate. The forms must
865 include a certification, in substantially the form provided in
866 s. 1002.71(6)(b)2., that the parent chooses the private
867 prekindergarten provider or public school in accordance with
868 this section and directs that payments for the program be made
869 to the provider or school. The Office of Early Learning may
870 authorize alternative methods for submitting proof of the

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871 child's age in lieu of a certified copy of the child's birth
872 certificate.

873 (c) If a private prekindergarten provider has been
874 authorized to determine child eligibility and enrollment, upon
875 receipt of an application, the provider must:

876 1. Determine the child's eligibility for the program and be
877 responsible for any errors in such determination.

878 2. Retain the original application and certified copy of
879 the child's birth certificate or authorized alternative proof of
880 age on file for at least 5 years.

881
882 The early learning coalition may audit applications held by a
883 private prekindergarten provider in the coalition's service area
884 to determine whether children enrolled and reported for funding
885 by the provider have met the eligibility criteria in subsection
886 (2).

887 (d)-(e) Each early learning coalition shall coordinate with
888 each of the school districts within the coalition's county or
889 multicounty region in the development of procedures for
890 enrolling children in prekindergarten programs delivered by
891 public schools, including procedures for making child
892 eligibility determinations and auditing enrollment records to
893 confirm that enrolled children have met eligibility
894 requirements.

895 Section 16. Section 1002.55, Florida Statutes, is amended
896 to read:

897 1002.55 School-year prekindergarten program delivered by
898 private prekindergarten providers.—

899 (1) Each early learning coalition shall administer the

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900 Voluntary Prekindergarten Education Program at the county or
901 regional level for students enrolled under s. 1002.53(3)(a) in a
902 school-year prekindergarten program delivered by a private
903 prekindergarten provider. Each early learning coalition shall
904 cooperate with the Office of Early Learning and the Child Care
905 Services Program Office of the Department of Children and
906 Families to reduce paperwork and to avoid duplicating
907 interagency activities, health and safety monitoring, and
908 acquiring and composing data pertaining to child care training
909 and credentialing.

910 (2) Each school-year prekindergarten program delivered by a
911 private prekindergarten provider must comprise at least 540
912 instructional hours.

913 (3) To be eligible to deliver the prekindergarten program,
914 a private prekindergarten provider must meet each of the
915 following requirements:

916 ~~(a) The private prekindergarten provider must be a child~~
917 ~~care facility licensed under s. 402.305, family day care home~~
918 ~~licensed under s. 402.313, large family child care home licensed~~
919 ~~under s. 402.3131, nonpublic school exempt from licensure under~~
920 ~~s. 402.3025(2), or faith-based child care provider exempt from~~
921 ~~licensure under s. 402.316.~~

922 (a) ~~(b)~~ The private prekindergarten provider must:

923 1. Be accredited by an accrediting association that is a
924 member of the National Council for Private School Accreditation,
925 or the Florida Association of Academic Nonpublic Schools, or be
926 accredited by the Southern Association of Colleges and Schools,
927 or Western Association of Colleges and Schools, or North Central
928 Association of Colleges and Schools, or Middle States

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929 Association of Colleges and Schools, or New England Association
930 of Colleges and Schools; and have written accreditation
931 standards that meet or exceed the state's licensing requirements
932 under s. 402.305, s. 402.313, or s. 402.3131 and require at
933 least one onsite visit to the provider or school before
934 accreditation is granted;

935 2. Hold a current Gold Seal Quality Care designation under
936 s. 402.281; ~~or~~

937 3. Be licensed under s. 402.305, s. 402.313, or s.
938 402.3131; or

939 4. Be a child development center located on a military
940 installation that is certified by the United States Department
941 of Defense.

942 (b) The private prekindergarten provider must provide basic
943 health and safety on its premises and in its facilities. For a
944 public school, compliance with ss. 1003.22 and 1013.12 satisfies
945 this requirement. For a nonpublic school, compliance with s.
946 402.3025(2)(d) satisfies this requirement. For a child care
947 facility, a licensed family child care home, or a large family
948 child care home, compliance with s. 402.305, s. 402.313, or s.
949 402.3131, respectively, satisfies this requirement. For a
950 facility exempt from licensure, compliance with s. 402.316(4)
951 satisfies this requirement and demonstrate, before delivering
952 the Voluntary Prekindergarten Education Program, as verified by
953 the early learning coalition, that the provider meets each of
954 the requirements of the program under this part, including, but
955 not limited to, the requirements for credentials and background
956 screenings of prekindergarten instructors under paragraphs (c)
957 and (d), minimum and maximum class sizes under paragraph (f),

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958 ~~prekindergarten director credentials under paragraph (g), and a~~
959 ~~developmentally appropriate curriculum under s. 1002.67(2)(b).~~

960 (c) The private prekindergarten provider must have, for
961 each prekindergarten class of 11 children or fewer, at least one
962 prekindergarten instructor who meets each of the following
963 requirements:

964 1. The prekindergarten instructor must hold, at a minimum,
965 one of the following credentials:

966 a. A child development associate credential issued by the
967 National Credentialing Program of the Council for Professional
968 Recognition; ~~or~~

969 b. A credential approved by the Department of Children and
970 Families, pursuant to s. 402.305(3)(c), as being equivalent to
971 or greater than the credential described in sub-subparagraph a.;

972 c. An associate or higher degree in child development;

973 d. An associate or higher degree in an unrelated field, at
974 least 6 credit hours in early childhood education or child
975 development, and at least 480 hours of experience in teaching or
976 providing child care services for children any age from birth
977 through 8 years of age;

978 e. A baccalaureate or higher degree in early childhood
979 education, prekindergarten or primary education, preschool
980 education, or family and consumer science;

981 f. A baccalaureate or higher degree in family and child
982 science and at least 480 hours of experience in teaching or
983 providing child care services for children any age from birth
984 through 8 years of age;

985 g. A baccalaureate or higher degree in elementary education
986 if the prekindergarten instructor has been certified to teach

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987 children of any age from birth through grade 6, regardless of
988 whether the instructor's educator certificate is current, and if
989 the instructor is not ineligible to teach in a public school
990 because his or her educator certificate is suspended or revoked;
991 or

992 h. A credential approved by the department as being
993 equivalent to or greater than a credential described in sub-
994 subparagraphs a.-f. The department may adopt criteria and
995 procedures for approving such equivalent credentials.

996
997 ~~The Department of Children and Families may adopt rules under~~
998 ~~ss. 120.536(1) and 120.54 which provide criteria and procedures~~
999 ~~for approving equivalent credentials under sub-subparagraph b.~~

1000 2. The prekindergarten instructor must successfully
1001 complete an emergent literacy training course and a student
1002 performance standards training course approved by the office as
1003 meeting or exceeding the minimum standards adopted under s.
1004 1002.59. The requirement for completion of the standards
1005 training course shall take effect July 1, 2015 ~~2014~~, and the
1006 course shall be available online.

1007 (d) Beginning January 1, 2015, at least 50 percent of the
1008 instructors employed by a prekindergarten provider at each
1009 location must be trained in first aid and infant and child
1010 cardiopulmonary resuscitation, as evidenced by current
1011 documentation of course completion, unless the instructor is not
1012 responsible for supervising children in care. As a condition of
1013 employment, instructors hired on or after January 1, 2015, must
1014 complete this training within 60 days after employment. ~~Each~~
1015 ~~prekindergarten instructor employed by the private~~

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1016 ~~prekindergarten provider must be of good moral character, must~~
1017 ~~be screened using the level 2 screening standards in s. 435.04~~
1018 ~~before employment and rescreened at least once every 5 years,~~
1019 ~~must be denied employment or terminated if required under s.~~
1020 ~~435.06, and must not be ineligible to teach in a public school~~
1021 ~~because his or her educator certificate is suspended or revoked.~~

1022 ~~(c) A private prekindergarten provider may assign a~~
1023 ~~substitute instructor to temporarily replace a credentialed~~
1024 ~~instructor if the credentialed instructor assigned to a~~
1025 ~~prekindergarten class is absent, as long as the substitute~~
1026 ~~instructor is of good moral character and has been screened~~
1027 ~~before employment in accordance with level 2 background~~
1028 ~~screening requirements in chapter 435. The Office of Early~~
1029 ~~Learning shall adopt rules to implement this paragraph which~~
1030 ~~shall include required qualifications of substitute instructors~~
1031 ~~and the circumstances and time limits for which a private~~
1032 ~~prekindergarten provider may assign a substitute instructor.~~

1033 ~~(e)-(f)~~ (e) Each of the private prekindergarten provider's
1034 prekindergarten classes must be composed of at least 4 students
1035 but may not exceed 20 students. In order to protect the health
1036 and safety of students, each private prekindergarten provider
1037 must also provide appropriate adult supervision for students at
1038 all times and, for each prekindergarten class composed of 12 or
1039 more students, must have, in addition to a prekindergarten
1040 instructor who meets the requirements of paragraph (c), at least
1041 one adult prekindergarten instructor who is not required to meet
1042 those requirements but who must meet each requirement of s.
1043 402.305(2) ~~paragraph (d)~~. This paragraph does not supersede any
1044 requirement imposed on a provider under ss. 402.301-402.319.

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1045 (f) Beginning January 1, 2016, the private prekindergarten
1046 provider must employ child care personnel who hold a high school
1047 diploma or its equivalent and are at least 18 years of age,
1048 unless the personnel are not responsible for supervising
1049 children in care or are under direct supervision and are not
1050 counted for the purposes of computing the personnel-to-child
1051 ratio.

1052 (g) The private prekindergarten provider must have a
1053 prekindergarten director who has a prekindergarten director
1054 credential that is approved by the office as meeting or
1055 exceeding the minimum standards adopted under s. 1002.57.
1056 Successful completion of a child care facility director
1057 credential under s. 402.305(2)(f) before the establishment of
1058 the prekindergarten director credential under s. 1002.57 or July
1059 1, 2006, whichever occurs later, satisfies the requirement for a
1060 prekindergarten director credential under this paragraph.

1061 (h) The private prekindergarten provider must register with
1062 the early learning coalition on forms prescribed by the Office
1063 of Early Learning.

1064 (i) The private prekindergarten provider must execute the
1065 statewide provider contract prescribed under s. 1002.75, except
1066 that an individual who owns or operates multiple private
1067 prekindergarten providers within a coalition's service area may
1068 execute a single agreement with the coalition on behalf of each
1069 provider.

1070 (j) The private prekindergarten provider must maintain
1071 general liability insurance and provide the coalition with
1072 written evidence of general liability insurance coverage,
1073 including coverage for transportation of children if

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1074 prekindergarten students are transported by the provider. A
1075 provider must obtain and retain an insurance policy that
1076 provides a minimum of \$100,000 of coverage per occurrence and a
1077 minimum of \$300,000 general aggregate coverage. The office may
1078 authorize lower limits upon request, as appropriate. ~~A provider~~
1079 ~~must add the coalition as a named certificateholder and as an~~
1080 ~~additional insured.~~ A provider must provide the coalition with a
1081 minimum of 10 calendar days' advance written notice of
1082 cancellation of or changes to coverage. The general liability
1083 insurance required by this paragraph must remain in full force
1084 and effect for the entire period of the provider contract with
1085 the coalition.

1086 (k) The private prekindergarten provider must obtain and
1087 maintain any required workers' compensation insurance under
1088 chapter 440 and any required reemployment assistance or
1089 unemployment compensation coverage under chapter 443, unless
1090 exempt under state or federal law.

1091 (l) Notwithstanding paragraph (j), for a private
1092 prekindergarten provider that is a state agency or a subdivision
1093 thereof, as defined in s. 768.28(2), the provider must agree to
1094 notify the coalition of any additional liability coverage
1095 maintained by the provider in addition to that otherwise
1096 established under s. 768.28. The provider shall indemnify the
1097 coalition to the extent permitted by s. 768.28.

1098 (m) The private prekindergarten provider shall be denied
1099 initial eligibility to offer the program if the provider has
1100 been cited for a Class I violation in the 12 months before
1101 seeking eligibility.

1102 (n) ~~(m)~~ The private prekindergarten provider must deliver

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1103 the Voluntary Prekindergarten Education Program in accordance
1104 with this part and have child disciplinary policies that
1105 prohibit children from being subjected to discipline that is
1106 severe, humiliating, frightening, or associated with food, rest,
1107 toileting, spanking, or any other form of physical punishment as
1108 provided in s. 402.305(12).

1109 ~~(4) A prekindergarten instructor, in lieu of the minimum~~
1110 ~~credentials and courses required under paragraph (3)(c), may~~
1111 ~~hold one of the following educational credentials:~~

1112 ~~(a) A bachelor's or higher degree in early childhood~~
1113 ~~education, prekindergarten or primary education, preschool~~
1114 ~~education, or family and consumer science;~~

1115 ~~(b) A bachelor's or higher degree in elementary education,~~
1116 ~~if the prekindergarten instructor has been certified to teach~~
1117 ~~children any age from birth through 6th grade, regardless of~~
1118 ~~whether the instructor's educator certificate is current, and if~~
1119 ~~the instructor is not ineligible to teach in a public school~~
1120 ~~because his or her educator certificate is suspended or revoked;~~

1121 ~~(c) An associate's or higher degree in child development;~~

1122 ~~(d) An associate's or higher degree in an unrelated field,~~
1123 ~~at least 6 credit hours in early childhood education or child~~
1124 ~~development, and at least 480 hours of experience in teaching or~~
1125 ~~providing child care services for children any age from birth~~
1126 ~~through 8 years of age; or~~

1127 ~~(e) An educational credential approved by the department as~~
1128 ~~being equivalent to or greater than an educational credential~~
1129 ~~described in this subsection. The department may adopt criteria~~
1130 ~~and procedures for approving equivalent educational credentials~~
1131 ~~under this paragraph.~~

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1132 ~~(5) Notwithstanding paragraph (3)(b), a private~~
1133 ~~prekindergarten provider may not participate in the Voluntary~~
1134 ~~Prekindergarten Education Program if the provider has child~~
1135 ~~disciplinary policies that do not prohibit children from being~~
1136 ~~subjected to discipline that is severe, humiliating,~~
1137 ~~frightening, or associated with food, rest, toileting, spanking,~~
1138 ~~or any other form of physical punishment as provided in s.~~
1139 ~~402.305(12).~~

1140 Section 17. Subsection (1) of section 1002.59, Florida
1141 Statutes, is amended to read:

1142 1002.59 Emergent literacy and performance standards
1143 training courses.—

1144 (1) The office shall adopt minimum standards for one or
1145 more training courses in emergent literacy for prekindergarten
1146 instructors. Each course must comprise 5 clock hours and provide
1147 instruction in strategies and techniques to address the age-
1148 appropriate progress of prekindergarten students in developing
1149 emergent literacy skills, including oral communication,
1150 knowledge of print and letters, phonemic and phonological
1151 awareness, and vocabulary and comprehension development. Each
1152 course must also provide resources containing strategies that
1153 allow students with disabilities and other special needs to
1154 derive maximum benefit from the Voluntary Prekindergarten
1155 Education Program. Successful completion of an emergent literacy
1156 training course approved under this section satisfies
1157 requirements for approved training in early literacy and
1158 language development under ss. 402.305(2)(d)5., 402.313(4)(c)
1159 ~~402.313(6)~~, and 402.3131(5).

1160 Section 18. Subsections (4) through (7) of section 1002.61,

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1161 Florida Statutes, are amended to read:

1162 1002.61 Summer prekindergarten program delivered by public
1163 schools and private prekindergarten providers.—

1164 (4) ~~Notwithstanding ss. 1002.55(3)(c)1. and 1002.63(4),~~
1165 Each public school and private prekindergarten provider that
1166 delivers the summer prekindergarten program must have, for each
1167 prekindergarten class, at least one prekindergarten instructor
1168 who is a certified teacher or holds one of the educational
1169 credentials specified in s. 1002.55(3)(c)1.e.-h. ~~1002.55(4)(a)~~
1170 ~~or (b).~~ As used in this subsection, the term "certified teacher"
1171 means a teacher holding a valid Florida educator certificate
1172 under s. 1012.56 who has the qualifications required by the
1173 district school board to instruct students in the summer
1174 prekindergarten program. In selecting instructional staff for
1175 the summer prekindergarten program, each school district shall
1176 give priority to teachers who have experience or coursework in
1177 early childhood education.

1178 (5) Each prekindergarten instructor employed by a ~~public~~
1179 ~~school or~~ private prekindergarten provider delivering the summer
1180 prekindergarten program must be of good moral character, must
1181 undergo background screening pursuant to s. 402.305(2)(a) be
1182 ~~screened using the level 2 screening standards in s. 435.04~~
1183 before employment, must be and rescreened at least once every 5
1184 years, and must be denied employment or terminated if required
1185 under s. 435.06. Each prekindergarten instructor employed by a
1186 public school delivering the summer prekindergarten program, and
1187 must satisfy the ~~not be ineligible to teach in a public school~~
1188 ~~because his or her educator certificate is suspended or revoked.~~
1189 ~~This subsection does not supersede~~ employment requirements for

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1190 instructional personnel in public schools as provided in s.
1191 1012.32 ~~which are more stringent than the requirements of this~~
1192 ~~subsection.~~

1193 (6) A public school or private prekindergarten provider may
1194 assign a substitute instructor to temporarily replace a
1195 credentialed instructor if the credentialed instructor assigned
1196 to a prekindergarten class is absent, as long as the substitute
1197 instructor meets the requirements of subsection (5) ~~is of good~~
1198 ~~moral character and has been screened before employment in~~
1199 ~~accordance with level 2 background screening requirements in~~
1200 ~~chapter 435. This subsection does not supersede employment~~
1201 ~~requirements for instructional personnel in public schools which~~
1202 ~~are more stringent than the requirements of this subsection.~~ The
1203 Office of Early Learning shall adopt rules to implement this
1204 subsection which must ~~shall~~ include required qualifications of
1205 substitute instructors and the circumstances and time limits for
1206 which a public school or private prekindergarten provider may
1207 assign a substitute instructor.

1208 (7) Notwithstanding ss. 1002.55(3)(e) ~~1002.55(3)(f)~~ and
1209 1002.63(7), each prekindergarten class in the summer
1210 prekindergarten program, regardless of whether the class is a
1211 public school's or private prekindergarten provider's class,
1212 must be composed of at least 4 students but may not exceed 12
1213 students ~~beginning with the 2009 summer session.~~ In order to
1214 protect the health and safety of students, each public school or
1215 private prekindergarten provider must also provide appropriate
1216 adult supervision for students at all times. This subsection
1217 does not supersede any requirement imposed on a provider under
1218 ss. 402.301-402.319.

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1219 Section 19. Subsections (5) and (6) of section 1002.63,
1220 Florida Statutes, are amended to read:

1221 1002.63 School-year prekindergarten program delivered by
1222 public schools.—

1223 (5) Each prekindergarten instructor employed by a public
1224 school delivering the school-year prekindergarten program must
1225 satisfy the ~~be of good moral character, must be screened using~~
1226 ~~the level 2 screening standards in s. 435.04 before employment~~
1227 ~~and rescreened at least once every 5 years, must be denied~~
1228 ~~employment or terminated if required under s. 435.06, and must~~
1229 ~~not be ineligible to teach in a public school because his or her~~
1230 ~~educator certificate is suspended or revoked. This subsection~~
1231 ~~does not supersede~~ employment requirements for instructional
1232 personnel in public schools as provided in s. 1012.32 ~~which are~~
1233 ~~more stringent than the requirements of this subsection.~~

1234 (6) A public school prekindergarten provider may assign a
1235 substitute instructor to temporarily replace a credentialed
1236 instructor if the credentialed instructor assigned to a
1237 prekindergarten class is absent, as long as the substitute
1238 instructor meets the requirements of subsection (5) ~~is of good~~
1239 ~~moral character and has been screened before employment in~~
1240 ~~accordance with level 2 background screening requirements in~~
1241 ~~chapter 435. This subsection does not supersede employment~~
1242 ~~requirements for instructional personnel in public schools which~~
1243 ~~are more stringent than the requirements of this subsection. The~~
1244 Office of Early Learning shall adopt rules to implement this
1245 subsection which must ~~shall~~ include required qualifications of
1246 substitute instructors and the circumstances and time limits for
1247 which a public school prekindergarten provider may assign a

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1248 substitute instructor.

1249 Section 20. Paragraph (a) of subsection (6) of section
1250 1002.71, Florida Statutes, is amended to read:

1251 1002.71 Funding; financial and attendance reporting.-

1252 (6) (a) Each parent enrolling his or her child in the
1253 Voluntary Prekindergarten Education Program must agree to comply
1254 with the attendance policy of the private prekindergarten
1255 provider or district school board, as applicable. Upon
1256 enrollment of the child, the private prekindergarten provider or
1257 public school, as applicable, must provide the child's parent
1258 with program information, including, but not limited to, child
1259 development, expectations for parent engagement, the daily
1260 schedule, and the a copy of the provider's or school district's
1261 attendance policy, which must include procedures for contacting
1262 a parent on the second consecutive day a child is absent for
1263 which the reason is unknown as applicable.

1264 Section 21. Subsection (1) of section 1002.75, Florida
1265 Statutes, is amended to read:

1266 1002.75 Office of Early Learning; powers and duties.-

1267 (1) The Office of Early Learning shall adopt by rule a
1268 standard statewide provider contract to be used with each
1269 Voluntary Prekindergarten Education Program provider, with
1270 standardized attachments by provider type. The office shall
1271 publish a copy of the standard statewide provider contract on
1272 its website. The standard statewide contract must ~~shall~~ include,
1273 at a minimum, provisions that:

1274 (a) Govern for provider probation, termination for cause,
1275 and emergency termination for those actions or inactions of a
1276 provider that pose an immediate and serious danger to the

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1277 health, safety, or welfare of children. The standard statewide
1278 contract shall also include appropriate due process procedures.
1279 During the pendency of an appeal of a termination, the provider
1280 may not continue to offer its services.

1281 (b) Require each private prekindergarten provider to
1282 conspicuously post on the premises, pursuant to s.
1283 402.3125(1) (b), in an area visible to parents each citation for
1284 a Class I violation, as defined by rule of the Department of
1285 Children and Families, which results in disciplinary action.
1286 Such posting must use simple language to describe each violation
1287 with specificity and include a copy of the citation and the
1288 contact information of the Department of Children and Families
1289 or the local licensing agency from which the parent may obtain
1290 additional information regarding the citation. Posting of a
1291 Class I violation by the provider must occur within 24 hours
1292 after receipt of the citation. Additionally, such provider shall
1293 post each inspection report on the premises in an area visible
1294 to parents, which report must remain posted until the next
1295 inspection report is available.

1296 (c) Specify that child care personnel employed by the
1297 provider who are responsible for supervising children in care
1298 must be trained in developmentally appropriate practices aligned
1299 to the age and needs of children over which the personnel are
1300 assigned supervision duties. This requirement is met by the
1301 completion of developmentally appropriate practice courses
1302 administered by the Department of Children and Families under s.
1303 402.305(2) (d)1. within 30 days after being assigned such
1304 children if the child care personnel has not previously
1305 completed the training.

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Any provision imposed upon a provider that is inconsistent with, or prohibited by, law is void and unenforceable.

Section 22. Section 1002.77, Florida Statutes, is amended to read:

1002.77 Florida Early Learning Advisory Council.—

(1) There is created the Florida Early Learning Advisory Council within the Office of Early Learning. The purpose of the advisory council is to provide written input ~~submit recommendations~~ to the executive director ~~office~~ on early learning best practices, including ~~recommendations relating to the most effective~~ program administration; ~~of the Voluntary Prekindergarten Education Program under this part and the school readiness program under part VI of this chapter. The advisory council shall periodically analyze and provide recommendations to the office on the~~ effective and efficient use of local, state, and federal funds; ~~the content of professional development training programs; and best practices for the development and implementation of~~ coalition plans pursuant to s. 1002.85.

(2) The advisory council shall be composed of the following members:

(a) The chair of the advisory council who shall be appointed by and serve at the pleasure of the Governor.

(b) The chair of each early learning coalition.

(c) One member who shall be appointed by and serve at the pleasure of the President of the Senate.

(d) One member who shall be appointed by and serve at the pleasure of the Speaker of the House of Representatives.

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The chair of the advisory council appointed by the Governor and the members appointed by the presiding officers of the Legislature must be from the business community and be in compliance with s. 1002.83(5).

(3) The advisory council shall meet at least quarterly upon the call of the executive director ~~but may meet as often as necessary to carry out its duties and responsibilities.~~ The executive director is encouraged to ~~advisory council may use communications media technology any method of telecommunications~~ to conduct meetings in accordance with s. 120.54(5) (b) ~~including establishing a quorum through telecommunications, only if the public is given proper notice of a telecommunications meeting and reasonable access to observe and, when appropriate, participate.~~

(4) (a) Each member of the advisory council may ~~shall~~ serve without compensation but is entitled to receive reimbursement for per diem and travel expenses for attendance at council meetings as provided in s. 112.061.

(b) Each member of the advisory council is subject to the ethics provisions in part III of chapter 112.

(c) For purposes of tort liability, each member of the advisory council shall be governed by s. 768.28.

(5) The Office of Early Learning shall provide staff and administrative support for the advisory council as determined by the executive director.

Section 23. Paragraph (f) of subsection (1) and subsections (8) and (16) of section 1002.81, Florida Statutes, are amended to read:

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1364 1002.81 Definitions.—Consistent with the requirements of 45
1365 C.F.R. parts 98 and 99 and as used in this part, the term:

1366 (1) "At-risk child" means:

1367 (f) A child in the custody of a parent who is considered
1368 homeless as verified by a designated lead agency on the homeless
1369 assistance continuum of care established under ss. 420.622-
1370 420.624 Department of Children and Families certified homeless
1371 shelter.

1372 (8) "Family income" means the combined gross income,
1373 whether earned or unearned, that is derived from any source by
1374 all family or household members who are 18 years of age or older
1375 who are currently residing together in the same dwelling unit.
1376 The term does not include:

1377 (a) Income earned by a currently enrolled high school
1378 student who, since attaining the age of 18 years, or a student
1379 with a disability who, since attaining the age of 22 years, has
1380 not terminated school enrollment or received a high school
1381 diploma, high school equivalency diploma, special diploma, or
1382 certificate of high school completion.

1383 (b) Income earned by a teen parent residing in the same
1384 residence as a separate family unit.

1385 (c) Selected items from the state's Child Care and
1386 Development Fund Plan, such as ~~The term also does not include~~
1387 food stamp benefits, documented child support and alimony
1388 payments paid out of the home, or federal housing assistance
1389 payments issued directly to a landlord or the associated
1390 utilities expenses.

1391 (16) "Working family" means:

1392 (a) A single-parent family in which the parent with whom

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1393 the child resides is employed or engaged in eligible work or
1394 education activities for at least 20 hours per week or is exempt
1395 from work requirements due to age or disability, as determined
1396 and documented by a physician licensed under chapter 458 or
1397 chapter 459;

1398 (b) A two-parent family in which both parents with whom the
1399 child resides are employed or engaged in eligible work or
1400 education activities for a combined total of at least 40 hours
1401 per week; ~~or~~

1402 (c) A two-parent family in which one of the parents with
1403 whom the child resides is exempt from work requirements due to
1404 age or disability, as determined and documented by a physician
1405 licensed under chapter 458 or chapter 459, and one parent is
1406 employed or engaged in eligible work or education activities at
1407 least 20 hours per week; or

1408 (d) A two-parent family in which both of the parents with
1409 whom the child resides are exempt from work requirements due to
1410 age or disability, as determined and documented by a physician
1411 licensed under chapter 458 or chapter 459.

1412 Section 24. Paragraphs (b), (j), (m), and (p) of subsection
1413 (2) of section 1002.82, Florida Statutes, are amended to read:

1414 1002.82 Office of Early Learning; powers and duties.-

1415 (2) The office shall:

1416 (b) Preserve parental choice by permitting parents to
1417 choose from a variety of child care categories authorized in s.
1418 1002.88(1)(a), including center-based care, family child care,
1419 and informal child care to the extent authorized in the state's
1420 Child Care and Development Fund Plan as approved by the United
1421 States Department of Health and Human Services pursuant to 45

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1422 ~~C.F.R. s. 98.18.~~ Care and curriculum by a faith-based provider
1423 may not be limited or excluded in any of these categories.

1424 (j) Develop and adopt standards and benchmarks that address
1425 the age-appropriate progress of children in the development of
1426 child care and development ~~school-readiness~~ skills. The
1427 standards for children from birth to 5 years of age in the child
1428 care and development ~~school-readiness~~ program must be aligned
1429 with the performance standards adopted for children in the
1430 Voluntary Prekindergarten Education Program and must address the
1431 following domains:

- 1432 1. Approaches to learning.
- 1433 2. Cognitive development and general knowledge.
- 1434 3. Numeracy, language, and communication.
- 1435 4. Physical development.
- 1436 5. Self-regulation.

1437
1438 By July 1, 2015, the Office of Early Learning shall develop and
1439 implement an online training course on the performance standards
1440 for child care and development program provider personnel.

1441 (m) Adopt by rule a standard statewide provider contract to
1442 be used with each child care and development ~~school-readiness~~
1443 program provider, with standardized attachments by provider
1444 type. The office shall publish a copy of the standard statewide
1445 provider contract on its website. The standard statewide
1446 contract must ~~shall~~ include, at a minimum, provisions that:

- 1447 1. Govern ~~for~~ provider probation, termination for cause,
1448 and emergency termination for those actions or inactions of a
1449 provider that pose an immediate and serious danger to the
1450 health, safety, or welfare of the children. The standard

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1451 statewide provider contract shall also include appropriate due
1452 process procedures. During the pendency of an appeal of a
1453 termination, the provider may not continue to offer its
1454 services.

1455 2. Require each provider that is eligible to provide the
1456 program pursuant to s. 1002.88(1)(a) to conspicuously post on
1457 the premises, pursuant to s. 402.3125(1)(b), in an area visible
1458 to parents each citation for a Class I violation, as defined by
1459 rule of the Department of Children and Families, which results
1460 in disciplinary action. Such posting must use simple language to
1461 describe each violation with specificity and include a copy of
1462 the citation and the contact information of the Department of
1463 Children and Families or the local licensing agency from which
1464 the parent may obtain additional information regarding the
1465 citation. Posting of a Class I violation by the provider must
1466 occur within 24 hours after receipt of the citation.
1467 Additionally, such provider shall post each inspection report on
1468 the premises in an area visible to parents, which report must
1469 remain posted until the next inspection report is available.

1470 3. Specify that child care personnel employed by the
1471 provider who are responsible for supervising children in care
1472 must be trained in developmentally appropriate practices aligned
1473 to the age and needs of children over which the personnel are
1474 assigned supervision duties. This requirement is met by
1475 completion of developmentally appropriate practice courses
1476 administered by the Department of Children and Families under s.
1477 402.305(2)(d)1. within 30 days after being assigned such
1478 children if the child care personnel has not previously
1479 completed the training.

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1480 4. Require child care personnel who are employed by the
1481 provider to complete an online training course on the
1482 performance standards adopted pursuant to paragraph (j).

1483
1484 Any provision imposed upon a provider that is inconsistent with,
1485 or prohibited by, law is void and unenforceable.

1486 (p) Monitor and evaluate the performance of each early
1487 learning coalition in administering the child care and
1488 development school-readiness program and the Voluntary
1489 Prekindergarten Education Program, ensuring proper payments for
1490 child care and development school-readiness program and
1491 Voluntary Prekindergarten Education Program services, and
1492 implementing the coalition's child care and development school-
1493 readiness program plan, and administering the Voluntary
1494 Prekindergarten Education Program. These monitoring and
1495 performance evaluations must include, at a minimum, onsite
1496 monitoring of each coalition's finances, management, operations,
1497 and programs.

1498 Section 25. Section 1002.84, Florida Statutes, is amended
1499 to read:

1500 1002.84 Early learning coalitions; child care and
1501 development school-readiness powers and duties.—Each early
1502 learning coalition shall:

1503 (1) Administer and implement a local comprehensive program
1504 of child care and development school-readiness program services
1505 in accordance with this part and the rules adopted by the
1506 office, which enhances the cognitive, social, and physical
1507 development of children to achieve the performance standards.

1508 (2) Establish a uniform waiting list to track eligible

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1509 children waiting for enrollment in the child care and
1510 development ~~school readiness~~ program in accordance with rules
1511 adopted by the office.

1512 (3) Establish a resource and referral network operating
1513 under s. 1002.92 to assist parents in making an informed choice
1514 and provide maximum parental choice of providers and to provide
1515 information on available community resources.

1516 (4) Establish a regional Warm-Line as directed by the
1517 office pursuant to s. 1002.82(2)(r). Regional Warm-Line staff
1518 shall provide onsite technical assistance, when requested, to
1519 assist child care facilities and family day care homes with
1520 inquiries relating to the strategies, curriculum, and
1521 environmental adaptations the child care facilities and family
1522 day care homes may need as they serve children with disabilities
1523 and other special needs.

1524 (5) Establish an age-appropriate screening, for children
1525 ages birth to 5 years, of each child's development and an
1526 appropriate referral process for children with identified
1527 delays. Such screening is ~~shall~~ not ~~be~~ a requirement of entry
1528 into the child care and development ~~school readiness~~ program and
1529 is ~~shall be~~ only given with parental consent.

1530 (6) Implement an age-appropriate preassessment and
1531 postassessment of children if specified in the coalition's
1532 approved plan.

1533 (7) Determine child eligibility pursuant to s. 1002.87 and
1534 provider eligibility pursuant to s. 1002.88. At a minimum, child
1535 eligibility must be redetermined annually. Redetermination must
1536 also be conducted twice per year for an additional 50 percent of
1537 a coalition's enrollment through a statistically valid random

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1538 sampling. A coalition must document the reason why a child is no
1539 longer eligible for the child care and development ~~school~~
1540 ~~readiness~~ program according to the standard codes prescribed by
1541 the office.

1542 (8) Establish a parent sliding fee scale that requires a
1543 parent copayment to participate in the child care and
1544 development ~~school-readiness~~ program. Providers are required to
1545 collect the parent's copayment. A coalition may, on a case-by-
1546 case basis, waive the copayment for an at-risk child or
1547 temporarily waive the copayment for a child whose family's
1548 income is at or below the federal poverty level and ~~family~~
1549 experiences a natural disaster or an event that limits the
1550 parent's ability to pay, such as incarceration, placement in
1551 residential treatment, ~~or becoming homeless,~~ or an emergency
1552 situation such as a household fire or burglary, or while the
1553 parent is participating in parenting classes. A parent may not
1554 transfer child care and development ~~school-readiness~~ program
1555 services to another child care and development ~~school-readiness~~
1556 program provider until the parent has submitted documentation
1557 from the current child care and development ~~school-readiness~~
1558 program provider to the early learning coalition stating that
1559 the parent has satisfactorily fulfilled the copayment
1560 obligation.

1561 (9) Establish proper maintenance of records related to
1562 eligibility and enrollment files, provider payments, coalition
1563 staff background screenings, and other documents required for
1564 the implementation of the child care and development ~~school~~
1565 ~~readiness~~ program.

1566 (10) Establish a records retention requirement for sign-in

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1567 and sign-out records that is consistent with state and federal
1568 law. Attendance records may not be altered or amended after
1569 December 31 of the subsequent year.

1570 (11) Follow the tangible personal property requirements of
1571 chapter 274 and rules adopted under that chapter.

1572 (12) Comply with federal procurement requirements and the
1573 procurement requirements of ss. 215.971, 287.057, and 287.058,
1574 except that an early learning coalition is not required to
1575 competitively procure direct services for child care and
1576 development ~~school-readiness~~ program and Voluntary
1577 Prekindergarten Education Program providers.

1578 (13) Establish proper information technology security
1579 controls, including, but not limited to, periodically reviewing
1580 the appropriateness of access privileges assigned to users of
1581 certain systems; monitoring system hardware performance and
1582 capacity-related issues; and ensuring appropriate backup
1583 procedures and disaster recovery plans are in place.

1584 (14) Develop written policies, procedures, and standards
1585 for monitoring vendor contracts, including, but not limited to,
1586 provisions specifying the particular procedures that may be used
1587 to evaluate contractor performance and the documentation that is
1588 to be maintained to serve as a record of contractor performance.
1589 This subsection does not apply to contracts with child care and
1590 development ~~school-readiness~~ program providers or Voluntary
1591 Prekindergarten Education Program providers.

1592 (15) Monitor child care and development ~~school-readiness~~
1593 program providers in accordance with its plan, or in response to
1594 a parental complaint, to verify that the standards prescribed in
1595 ss. 1002.82 and 1002.88 are being met using a standard

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1596 monitoring tool adopted by the office. Providers determined to
1597 be high-risk by the coalition, as demonstrated by substantial
1598 findings of violations of federal law or the general or local
1599 laws of the state, shall be monitored more frequently. Providers
1600 with 3 consecutive years of compliance may be monitored
1601 biennially.

1602 (16) Adopt a payment schedule that encompasses all programs
1603 funded under this part and part V of this chapter. The payment
1604 schedule must take into consideration the average market rate,
1605 include the projected number of children to be served, and be
1606 submitted for approval by the office. Informal child care
1607 arrangements shall be reimbursed at not more than 50 percent of
1608 the rate adopted for a family day care home.

1609 (17) Implement an anti-fraud plan addressing the detection,
1610 reporting, and prevention of overpayments, abuse, and fraud
1611 relating to the provision of and payment for child care and
1612 development ~~school readiness~~ program and Voluntary
1613 Prekindergarten Education Program services and submit the plan
1614 to the office for approval, as required by s. 1002.91.

1615 (18) By October 1 of each year, submit an annual report to
1616 the office. The report shall conform to the format adopted by
1617 the office and must include:

1618 (a) Segregation of child care and development ~~school~~
1619 ~~readiness~~ program funds, Voluntary Prekindergarten Education
1620 Program funds, Child Care Executive Partnership Program funds,
1621 and other local revenues available to the coalition.

1622 (b) Details of expenditures by fund source, including total
1623 expenditures for administrative activities, quality activities,
1624 nondirect services, and direct services for children.

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1625 (c) The total number of coalition staff and the related
1626 expenditures for salaries and benefits. For any subcontracts,
1627 the total number of contracted staff and the related
1628 expenditures for salaries and benefits must be included.

1629 (d) The number of children served in the child care and
1630 development ~~school readiness~~ program, by provider type,
1631 enumerated by age and eligibility priority category, reported as
1632 the number of children served during the month, the average
1633 participation throughout the month, and the number of children
1634 served during the month.

1635 (e) The total number of children disenrolled during the
1636 year and the reasons for disenrollment.

1637 (f) The total number of providers by provider type.

1638 (g) A listing of any child care and development ~~school~~
1639 ~~readiness~~ program provider, by type, whose eligibility to
1640 deliver the child care and development ~~school readiness~~ program
1641 is revoked, including a brief description of the state or
1642 federal violation that resulted in the revocation.

1643 (h) An evaluation of its direct enhancement services.

1644 (i) The total number of children served in each provider
1645 facility.

1646 (19) Maintain its administrative staff at the minimum
1647 necessary to administer the duties of the early learning
1648 coalition.

1649 (20) To increase transparency and accountability, comply
1650 with ~~the requirements of~~ this section before contracting with a
1651 member of the coalition, an employee of the coalition, or a
1652 relative, as defined in s. 112.3143(1)(b), of a coalition member
1653 or of an employee of the coalition. Such contracts may not be

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1654 executed without the approval of the office. Such contracts, as
1655 well as documentation demonstrating adherence to this section by
1656 the coalition, must be approved by a two-thirds vote of the
1657 coalition, a quorum having been established; all conflicts of
1658 interest must be disclosed before the vote; and any member who
1659 may benefit from the contract, or whose relative may benefit
1660 from the contract, must abstain from the vote. A contract under
1661 \$25,000 between an early learning coalition and a member of that
1662 coalition or between a relative, as defined in s.
1663 112.3143(1)(b), of a coalition member or of an employee of the
1664 coalition is not required to have the prior approval of the
1665 office but must be approved by a two-thirds vote of the
1666 coalition, a quorum having been established, and must be
1667 reported to the office within 30 days after approval. If a
1668 contract cannot be approved by the office, a review of the
1669 decision to disapprove the contract may be requested by the
1670 early learning coalition or other parties to the disapproved
1671 contract.

1672 Section 26. Section 1002.87, Florida Statutes, is amended
1673 to read:

1674 1002.87 Child care and development ~~School readiness~~
1675 program; eligibility and enrollment.-

1676 (1) Effective August 1, 2013, or upon reevaluation of
1677 eligibility for children currently served, whichever is later,
1678 each early learning coalition shall give priority for
1679 participation in the child care and development ~~school readiness~~
1680 program as follows:

1681 (a) Priority shall be given first to a child younger than
1682 13 years of age from a family that includes a parent who is

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1683 receiving temporary cash assistance under chapter 414 and
1684 subject to the federal work requirements.

1685 (b) Priority shall be given next to an at-risk child
1686 younger than 9 years of age.

1687 (c) Priority shall be given next to a child from birth to
1688 the beginning of the school year for which the child is eligible
1689 for admission to kindergarten in a public school under s.
1690 1003.21(1)(a)2. who is from a working family that is
1691 economically disadvantaged, and may include such child's
1692 eligible siblings, beginning with the school year in which the
1693 sibling is eligible for admission to kindergarten in a public
1694 school under s. 1003.21(1)(a)2. until the beginning of the
1695 school year in which the sibling enters ~~is eligible to begin~~ 6th
1696 grade, provided that the first priority for funding an eligible
1697 sibling is local revenues available to the coalition for funding
1698 direct services. However, a child eligible under this paragraph
1699 ceases to be eligible if his or her family income exceeds 200
1700 percent of the federal poverty level.

1701 (d) Priority shall be given next to a child of a parent who
1702 transitions from the work program into employment as described
1703 in s. 445.032 from birth to the beginning of the school year for
1704 which the child is eligible for admission to kindergarten in a
1705 public school under s. 1003.21(1)(a)2.

1706 (e) Priority shall be given next to an at-risk child who is
1707 at least 9 years of age but younger than 13 years of age. An at-
1708 risk child whose sibling is enrolled in the child care and
1709 development ~~school-readiness~~ program within an eligibility
1710 priority category listed in paragraphs (a)-(c) shall be given
1711 priority over other children who are eligible under this

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1712 paragraph.

1713 (f) Priority shall be given next to a child who is younger
1714 than 13 years of age from a working family that is economically
1715 disadvantaged. A child who is eligible under this paragraph
1716 whose sibling is enrolled in the child care and development
1717 ~~school readiness~~ program under paragraph (c) shall be given
1718 priority over other children who are eligible under this
1719 paragraph. However, a child eligible under this paragraph ceases
1720 to be eligible if his or her family income exceeds 200 percent
1721 of the federal poverty level.

1722 (g) Priority shall be given next to a child of a parent who
1723 transitions from the work program into employment as described
1724 in s. 445.032 who is younger than 13 years of age.

1725 (h) Priority shall be given next to a child who ~~has special~~
1726 ~~needs,~~ has been determined eligible as an infant or toddler from
1727 birth to 3 years of age with an individualized family support
1728 plan receiving early intervention services or ~~as~~ a student with
1729 a disability with, ~~has~~ a current individual education plan with
1730 a Florida school district, ~~and is not younger than 3 years of~~
1731 ~~age.~~ A ~~special needs~~ child eligible under this paragraph remains
1732 eligible until the child is eligible for admission to
1733 kindergarten in a public school under s. 1003.21(1)(a)2.

1734 (i) Notwithstanding paragraphs (a)-(d), priority shall be
1735 given last to a child who otherwise meets one of the eligibility
1736 criteria in paragraphs (a)-(d) but who is also enrolled
1737 concurrently in the federal Head Start Program and the Voluntary
1738 Prekindergarten Education Program.

1739 (2) A child care and development ~~school readiness~~ program
1740 provider may be paid only for authorized hours of care provided

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1741 for a child in the child care and development ~~school readiness~~
1742 program. A child enrolled in the Voluntary Prekindergarten
1743 Education Program may receive care from the child care and
1744 development ~~school readiness~~ program if the child is eligible
1745 according to the eligibility priorities in this section.

1746 (3) Contingent upon the availability of funds, a coalition
1747 shall enroll eligible children, including those from its waiting
1748 list, according to the eligibility priorities in this section.

1749 (4) The parent of a child enrolled in the child care and
1750 development ~~school readiness~~ program must notify the coalition
1751 or its designee within 10 days after any change in employment,
1752 income, or family size. Upon notification by the parent, the
1753 child's eligibility must be reevaluated.

1754 (5) A child whose eligibility priority category requires
1755 the child to be from a working family ceases to be eligible for
1756 the child care and development ~~school readiness~~ program if a
1757 parent with whom the child resides does not reestablish
1758 employment within 60 days after becoming unemployed.

1759 (6) Eligibility for each child must be reevaluated
1760 annually. Upon reevaluation, a child may not continue to receive
1761 child care and development ~~school readiness~~ program services if
1762 he or she has ceased to be eligible under this section. If a
1763 child no longer meets eligibility or program requirements, the
1764 coalition must immediately notify the child's parent and the
1765 provider that funding will end 2 weeks after the date on which
1766 the child was determined to be ineligible or when the current
1767 child care authorization expires, whichever occurs first.

1768 (7) If a coalition disenrolls children from the child care
1769 and development ~~school readiness~~ program due to lack of funding

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1770 or a change in eligibility priorities, the coalition must
1771 disenroll the children in reverse order of the eligibility
1772 priorities listed in subsection (1) beginning with children from
1773 families with the highest family incomes. A notice of
1774 disenrollment must be sent to the parent and child care and
1775 development ~~school readiness~~ program provider at least 2 weeks
1776 before disenrollment or the expiration of the current child care
1777 authorization, whichever occurs first, to provide adequate time
1778 for the parent to arrange alternative care for the child.
1779 However, an at-risk child receiving services from the Child
1780 Welfare Program Office of the Department of Children and
1781 Families may not be disenrolled from the program without the
1782 written approval of the Child Welfare Program Office ~~of the~~
1783 ~~Department of Children and Families~~ or the community-based lead
1784 agency.

1785 (8) If a child is absent from the program for 2 consecutive
1786 days without parental notification to the program of such
1787 absence, the child care and development program provider shall
1788 contact the parent and determine the cause for absence and
1789 expected date of return. If a child is absent from the program
1790 for 5 consecutive days without parental notification to the
1791 program of such absence, the child care and development ~~school~~
1792 ~~readiness~~ program provider shall report the absence to the early
1793 learning coalition for a determination of the need for continued
1794 care.

1795 (9) Notwithstanding s. 39.604, a child care and development
1796 ~~school readiness~~ program provider, regardless of whether the
1797 provider is licensed, shall comply with the reporting
1798 requirements of the Rilya Wilson Act for each at-risk child

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1799 under the age of school entry who is enrolled in the school
1800 readiness program.

1801 Section 27. Section 1002.88, Florida Statutes, is amended
1802 to read:

1803 1002.88 Child care and development ~~School readiness~~ program
1804 provider standards; eligibility to deliver the child care and
1805 development ~~school readiness~~ program.-

1806 (1) To be eligible to deliver the child care and
1807 development ~~school readiness~~ program, a child care and
1808 development ~~school readiness~~ program provider must:

1809 (a) 1. Be a nonpublic school in substantial compliance with
1810 s. 402.3025(2) (d), a child care facility licensed under s.
1811 402.305, a family child day care home licensed or registered
1812 under s. 402.313, a large family child care home licensed under
1813 s. 402.3131, or a child care facility exempt from licensure
1814 operating under s. 402.316(4); or

1815 2. Be an entity that is part of Florida's education system
1816 under s. 1000.04(1) a public school or nonpublic school exempt
1817 from licensure under s. 402.3025, a faith-based child care
1818 provider exempt from licensure under s. 402.316, a before-school
1819 or after-school program described in s. 402.305(1) (c), or an
1820 informal child care provider to the extent authorized in the
1821 state's Child Care and Development Fund Plan as approved by the
1822 United States Department of Health and Human Services pursuant
1823 to 45 C.F.R. s. 98.18.

1824 (b) Provide instruction and activities to enhance the age-
1825 appropriate progress of each child in attaining the child
1826 development standards adopted by the office pursuant to s.
1827 1002.82(2) (j). A provider should include activities to foster

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1828 brain development in infants and toddlers; provide an
1829 environment that is rich in language and music and filled with
1830 objects of various colors, shapes, textures, and sizes to
1831 stimulate visual, tactile, auditory, and linguistic senses; and
1832 include 30 minutes of reading to children each day. A provider
1833 must provide parents information on child development,
1834 expectations for parent engagement, the daily schedule, and the
1835 attendance policy.

1836 (c) Provide basic health and safety of its premises and
1837 facilities in accordance with applicable licensing and
1838 inspection requirements and compliance with requirements for
1839 age-appropriate immunizations of children enrolled in the school
1840 readiness program. For a child care facility, a large family
1841 child care home, or a licensed family child day care home,
1842 compliance with s. 402.305, s. 402.3131, or s. 402.313 satisfies
1843 this requirement. For a public ~~or nonpublic~~ school, compliance
1844 with ss. s. 402.3025 or s. 1003.22 and 1013.12 satisfies this
1845 requirement. For a nonpublic school, compliance with s.
1846 402.3025(2)(d) satisfies this requirement. For a facility exempt
1847 from licensure, compliance with s. 402.316(4) satisfies this
1848 requirement. A provider shall be denied initial eligibility to
1849 offer the program if the provider has been cited for a Class I
1850 violation in the 12 months before seeking eligibility. A faith-
1851 based child care provider, an informal child care provider, or a
1852 nonpublic school, exempt from licensure under s. 402.316 or s.
1853 402.3025, shall annually complete the health and safety
1854 checklist adopted by the office, post the checklist prominently
1855 on its premises in plain sight for visitors and parents, and
1856 submit it annually to its local early learning coalition.

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1857 (d) Provide an appropriate staff-to-children ratio,
1858 pursuant to s. 402.305(4) or s. 402.302(8) or (11), as
1859 applicable, and as verified pursuant to s. 402.311.

1860 (e) Provide a healthy and safe environment pursuant to s.
1861 402.305(5), (6), and (7), as applicable, and as verified
1862 pursuant to s. 402.311.

1863 (f) Implement one of the curricula approved by the office
1864 that meets the child development standards.

1865 (g) Implement a character development program to develop
1866 basic values.

1867 (h) Collaborate with the respective early learning
1868 coalition to complete initial screening for each child, aged 6
1869 weeks to kindergarten eligibility, within 45 days after the
1870 child's first or subsequent enrollment, to identify a child who
1871 may need individualized supports.

1872 (i) Implement minimum standards for child discipline
1873 practices that are age-appropriate and consistent with the
1874 requirements in s. 402.305(12). Such standards must provide that
1875 children not be subjected to discipline that is severe,
1876 humiliating, or frightening or discipline that is associated
1877 with food, rest, or toileting. Spanking or any other form of
1878 physical punishment is prohibited.

1879 (j) Obtain and keep on file record of the child's
1880 immunizations, physical development, and other health
1881 requirements as necessary, including appropriate vision and
1882 hearing screening and examination, within 30 days after
1883 enrollment.

1884 (k) Implement before-school or after-school programs that
1885 meet or exceed the requirements of s. 402.305(5), (6), and (7).

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1886 (1) ~~For a provider that is not an informal provider,~~
1887 Maintain general liability insurance and provide the coalition
1888 with written evidence of general liability insurance coverage,
1889 including coverage for transportation of children if child care
1890 and development school-readiness program children are
1891 transported by the provider. A private provider must obtain and
1892 retain an insurance policy that provides a minimum of \$100,000
1893 of coverage per occurrence and a minimum of \$300,000 general
1894 aggregate coverage. The office may authorize lower limits upon
1895 request, as appropriate. ~~A provider must add the coalition as a~~
1896 ~~named certificateholder and as an additional insured.~~ A private
1897 provider must provide the coalition with a minimum of 10
1898 calendar days' advance written notice of cancellation of or
1899 changes to coverage. The general liability insurance required by
1900 this paragraph must remain in full force and effect for the
1901 entire period of the provider contract with the coalition.

1902 ~~(m) For a provider that is an informal provider, comply~~
1903 ~~with the provisions of paragraph (1) or maintain homeowner's~~
1904 ~~liability insurance and, if applicable, a business rider. If an~~
1905 ~~informal provider chooses to maintain a homeowner's policy, the~~
1906 ~~provider must obtain and retain a homeowner's insurance policy~~
1907 ~~that provides a minimum of \$100,000 of coverage per occurrence~~
1908 ~~and a minimum of \$300,000 general aggregate coverage. The office~~
1909 ~~may authorize lower limits upon request, as appropriate. An~~
1910 ~~informal provider must add the coalition as a named~~
1911 ~~certificateholder and as an additional insured. An informal~~
1912 ~~provider must provide the coalition with a minimum of 10~~
1913 ~~calendar days' advance written notice of cancellation of or~~
1914 ~~changes to coverage. The general liability insurance required by~~

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1915 ~~this paragraph must remain in full force and effect for the~~
1916 ~~entire period of the provider's contract with the coalition.~~

1917 (m)~~(n)~~ Obtain and maintain any required workers'
1918 compensation insurance under chapter 440 and any required
1919 reemployment assistance or unemployment compensation coverage
1920 under chapter 443, unless exempt under state or federal law.

1921 (n)~~(o)~~ Notwithstanding paragraph (l), for a provider that
1922 is a state agency or a subdivision thereof, as defined in s.
1923 768.28(2), agree to notify the coalition of any additional
1924 liability coverage maintained by the provider in addition to
1925 that otherwise established under s. 768.28. The provider shall
1926 indemnify the coalition to the extent permitted by s. 768.28.

1927 (o)~~(p)~~ Execute the standard statewide provider contract
1928 adopted by the office.

1929 (p)~~(q)~~ Operate on a full-time and part-time basis and
1930 provide extended-day and extended-year services to the maximum
1931 extent possible without compromising the quality of the program
1932 to meet the needs of parents who work.

1933 (2) Beginning January 1, 2016, child care personnel
1934 employed by a child care and development program provider must
1935 hold a high school diploma or its equivalent and be at least 18
1936 years of age, unless the personnel are not responsible for
1937 supervising children in care or are under direct supervision and
1938 are not counted for the purposes of computing the personnel-to-
1939 child ratio.

1940 (3) Beginning January 1, 2015, child care personnel
1941 employed by a child care and development program provider must
1942 be trained in first aid and infant and child cardiopulmonary
1943 resuscitation, as evidenced by current documentation of course

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1944 completion, unless the personnel are not responsible for
1945 supervising children in care. As a condition of employment,
1946 personnel hired on or after January 1, 2015, must complete this
1947 training within 30 days after employment.

1948 (4)~~(2)~~ If a child care and development ~~school readiness~~
1949 program provider fails or refuses to comply with this part or
1950 any contractual obligation of the statewide provider contract
1951 under s. 1002.82(2)(m), the coalition may revoke the provider's
1952 eligibility to deliver the child care and development ~~school~~
1953 ~~readiness~~ program or receive state or federal funds under this
1954 chapter for ~~a period of~~ 5 years.

1955 (5)~~(3)~~ The office and the coalitions may not:

1956 (a) Impose any requirement on a child care provider or
1957 early childhood education provider that does not deliver
1958 services under the child care and development ~~school readiness~~
1959 program or receive state or federal funds under this part;

1960 (b) Impose any requirement on a child care and development
1961 ~~school readiness~~ program provider that exceeds the authority
1962 provided under this part or part V of this chapter or rules
1963 adopted pursuant to this part or part V of this chapter; or

1964 (c) Require a provider to administer a preassessment or
1965 postassessment.

1966 Section 28. Section 1002.89, Florida Statutes, is amended
1967 to read:

1968 1002.89 Child care and development ~~School readiness~~
1969 program; funding.—

1970 (1) Funding for the child care and development ~~school~~
1971 ~~readiness~~ program shall be allocated among the early learning
1972 coalitions in accordance with this section and the General

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1973 Appropriations Act.

1974 (2) The office shall administer child care and development
1975 ~~school-readiness~~ program funds and prepare and submit a unified
1976 budget request for the child care and development ~~school-~~
1977 ~~readiness~~ program in accordance with chapter 216.

1978 (3) All instructions to early learning coalitions for
1979 administering this section shall emanate from the office in
1980 accordance with the policies of the Legislature.

1981 (4) All cost savings and all revenues received through a
1982 mandatory sliding fee scale shall be used to increase the number
1983 of children served.

1984 (5) All state, federal, and local matching funds provided
1985 to an early learning coalition for purposes of this section
1986 shall be used for implementation of its approved child care and
1987 development ~~school-readiness~~ program plan, including the hiring
1988 of staff to effectively operate the child care and development
1989 ~~school-readiness~~ program.

1990 (6) Costs shall be kept to the minimum necessary for the
1991 efficient and effective administration of the child care and
1992 development ~~school-readiness~~ program with the highest priority
1993 of expenditure being direct services for eligible children.
1994 However, no more than 5 percent of the funds described in
1995 subsection (5) may be used for administrative costs and no more
1996 than 22 percent of the funds described in subsection (5) may be
1997 used in any fiscal year for any combination of administrative
1998 costs, quality activities, and nondirect services as follows:

1999 (a) Administrative costs as described in 45 C.F.R. s.
2000 98.52, which must ~~shall~~ include monitoring providers using the
2001 standard methodology adopted under s. 1002.82 to improve

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2002 compliance with state and federal regulations and law pursuant
2003 to the requirements of the statewide provider contract adopted
2004 under s. 1002.82(2)(m).

2005 (b) Activities to improve the quality of child care as
2006 described in 45 C.F.R. s. 98.51, which must ~~shall~~ be limited to
2007 the following:

2008 1. Developing, establishing, expanding, operating, and
2009 coordinating resource and referral programs specifically related
2010 to the provision of comprehensive consumer education to parents
2011 and the public to promote informed child care choices specified
2012 in 45 C.F.R. s. 98.33 ~~regarding participation in the school~~
2013 ~~readiness program and parental choice.~~

2014 2. Awarding grants and providing financial support to child
2015 care and development school readiness program providers and
2016 their staff to assist them in meeting applicable state
2017 requirements for child care performance standards, implementing
2018 developmentally appropriate curricula and related classroom
2019 resources that support curricula, providing literacy supports,
2020 obtaining a license or accreditation, and providing professional
2021 development, including scholarships and other incentives. Any
2022 grants awarded pursuant to this subparagraph shall comply with
2023 ~~the requirements of~~ ss. 215.971 and 287.058.

2024 3. Providing training, ~~and~~ technical assistance, and
2025 financial support for child care and development school
2026 ~~readiness~~ program providers, staff, and parents on standards,
2027 child screenings, child assessments, developmentally appropriate
2028 curricula, character development, teacher-child interactions,
2029 age-appropriate discipline practices, health and safety,
2030 nutrition, first aid, cardiopulmonary resuscitation, the

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2031 recognition of communicable diseases, and child abuse detection
2032 and prevention.

2033 4. Providing from among the funds provided for the
2034 activities described in subparagraphs 1.-3., adequate funding
2035 for infants and toddlers as necessary to meet federal
2036 requirements related to expenditures for quality activities for
2037 infant and toddler care.

2038 5. Improving the monitoring of compliance with, and
2039 enforcement of, applicable state and local requirements as
2040 described in and limited by 45 C.F.R. s. 98.40.

2041 6. Responding to Warm-Line requests by providers and
2042 parents ~~related to school readiness program children~~, including
2043 providing developmental and health screenings to child care and
2044 development ~~school readiness~~ program children.

2045 (c) Nondirect services as described in applicable Office of
2046 Management and Budget instructions are those services not
2047 defined as administrative, direct, or quality services that are
2048 required to administer the child care and development ~~school~~
2049 ~~readiness~~ program. Such services include, but are not limited
2050 to:

2051 1. Assisting families to complete the required application
2052 and eligibility documentation.

2053 2. Determining child and family eligibility.

2054 3. Recruiting eligible child care providers.

2055 4. Processing and tracking attendance records.

2056 5. Developing and maintaining a statewide child care
2057 information system.

2058
2059 As used in this paragraph, the term "nondirect services" does

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2060 not include payments to child care and development ~~school~~
2061 ~~readiness~~ program providers for direct services provided to
2062 children who are eligible under s. 1002.87, administrative costs
2063 as described in paragraph (a), or quality activities as
2064 described in paragraph (b).

2065 (7) Funds appropriated for the child care and development
2066 ~~school-readiness~~ program may not be expended for the purchase or
2067 improvement of land; for the purchase, construction, or
2068 permanent improvement of any building or facility; or for the
2069 purchase of buses. However, funds may be expended for minor
2070 remodeling necessary for the administration of the program and
2071 upgrading of child care facilities to ensure that providers meet
2072 state and local child care standards, including applicable
2073 health and safety requirements.

2074 Section 29. Subsection (7) of section 1002.91, Florida
2075 Statutes, is amended to read:

2076 1002.91 Investigations of fraud or overpayment; penalties.—

2077 (7) The early learning coalition may not contract with a
2078 child care and development ~~school-readiness~~ program provider, ~~or~~
2079 a Voluntary Prekindergarten Education Program provider, or an
2080 individual who is on the United States Department of Agriculture
2081 National Disqualified List. In addition, the coalition may not
2082 contract with any provider that shares an officer or director
2083 with a provider that is on the United States Department of
2084 Agriculture National Disqualified List.

2085 Section 30. Paragraph (d) of subsection (3) of section
2086 1002.94, Florida Statutes, is amended to read:

2087 1002.94 Child Care Executive Partnership Program.—

2088 (3)

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2089 (d) Each early learning coalition shall establish a
2090 community child care task force ~~for each child care purchasing~~
2091 ~~pool~~. The task force must be composed of employers, parents,
2092 private child care providers, and one representative from the
2093 local children's services council, if one exists in the area ~~of~~
2094 ~~the purchasing pool~~. The early learning coalition is expected to
2095 recruit the task force members from existing child care
2096 councils, commissions, or task forces already operating in the
2097 area ~~of a purchasing pool~~. A majority of the task force shall
2098 consist of employers.

2099 Section 31. This act shall take effect July 1, 2014.