

FOR CONSIDERATION By the Committee on Education Pre-K - 12

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A bill to be entitled
An act relating to early learning; providing a
directive to the Division of Law Revision and
Information to change the term "family day care home"
to "family child care home," and the term "family day
care" to "family child care"; amending ss. 125.0109
and 166.0445, F.S.; including large family child care
homes in local zoning regulation requirements;
amending s. 402.302, F.S.; redefining the term
"substantial compliance"; requiring the Department of
Children and Families to adopt rules for compliance by
certain programs regulated, but not licensed, by the
department; amending s. 402.3025, F.S.; revising
requirements for nonpublic schools delivering certain
voluntary prekindergarten education programs and
school readiness programs; amending s. 402.305, F.S.;
revising certain minimum standards for child care
facilities; prohibiting the transfer of ownership of
such facilities to specified individuals; creating s.
402.3085, F.S.; requiring nonpublic schools or
providers seeking to operate certain programs to
annually obtain a certificate from the department or a
local licensing agency; providing for issuance of the
certificate upon examination of the applicant's
premises and records; prohibiting a provider from
participating in the programs without a certificate;
authorizing local licensing agencies to apply their
own minimum child care standards under certain
circumstances; amending s. 402.311, F.S.; providing

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for the inspection of programs regulated by the department; amending s. 402.3115, F.S.; providing for abbreviated inspections of specified child care homes; requiring rulemaking; amending s. 402.313, F.S.; revising provisions for licensure, registration, and operation of family child care homes; amending s. 402.3131, F.S.; revising requirements for large family child care homes; amending s. 402.316, F.S.; providing exemptions from child care facility licensing standards; requiring a child care facility operating as a provider of certain voluntary prekindergarten education programs or child care programs to comply with minimum standards; providing penalties for failure to disclose or for use of certain information; requiring the department to establish a fee for inspection and compliance activities; amending s. 627.70161, F.S.; revising restrictions on residential property insurance coverage to include coverage for large family child care homes; amending s. 1001.213, F.S.; providing additional duties of the Office of Early Learning; amending s. 1002.53, F.S.; revising requirements for application and determination of eligibility to enroll in the Voluntary Prekindergarten (VPK) Education Program; amending s. 1002.55, F.S.; revising requirements for a school-year prekindergarten program delivered by a private prekindergarten provider, including requirements for providers, instructors, and child care personnel; providing requirements in the case of provider

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violations; amending s. 1002.59, F.S.; conforming a cross-reference to changes made by the act; amending ss. 1002.61 and 1002.63, F.S.; revising employment requirements and educational credentials of certain instructional personnel; amending s. 1002.71, F.S.; revising information that must be provided to parents; amending s. 1002.75, F.S.; revising provisions included in the standard statewide VPK program provider contract; amending s. 1002.77, F.S.; revising the purpose and meetings of the Florida Early Learning Advisory Council; amending s. 1002.81, F.S.; revising certain program definitions; amending s. 1002.82, F.S.; revising the powers and duties of the Office of Early Learning; revising provisions included in the standard statewide school readiness provider contract; amending s. 1002.84, F.S.; revising the powers and duties of early learning coalitions; conforming provisions to changes made by the act; amending s. 1002.87, F.S.; revising student eligibility and enrollment requirements for the school readiness program; amending s. 1002.88, F.S.; revising eligibility requirements for program providers that want to deliver the school readiness program; providing conditions for denial of initial eligibility; providing child care personnel requirements; amending s. 1002.89, F.S.; revising the use of funds for the school readiness program; amending s. 1002.91, F.S.; prohibiting an early learning coalition from contracting with specified

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persons; amending s. 1002.94, F.S.; revising establishment of a community child care task force by an early learning coalition; requiring the Office of Early Learning to conduct a pilot project to study the impact of assessing the early literacy skills of certain VPK program participants; requiring the office to report its findings to the Governor and Legislature by specified dates; providing an appropriation; providing an effective date.

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

Section 1. The Division of Law Revision and Information is directed to prepare a reviser's bill for the 2016 Regular Session of the Legislature to change the term "family day care home" to "family child care home" and the term "family day care" to "family child care" wherever the terms appear in the Florida Statutes.

Section 2. Section 125.0109, Florida Statutes, is amended to read:

125.0109 Family child day care homes and large family child care homes; local zoning regulation.—The operation of a residence as a family child day care home or large family child care home, as defined in s. 402.302, licensed or registered pursuant to s. 402.313 or s. 402.3131, as applicable, ~~constitutes, as defined by law, registered or licensed with the Department of Children and Families shall constitute~~ a valid residential use for purposes of any local zoning regulations, and ~~no~~ such regulation may not ~~shall~~ require the owner or

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operator of such family child day care home or large family child care home to obtain any special exemption or use permit or waiver, or to pay any special fee in excess of \$50, to operate in an area zoned for residential use.

Section 3. Section 166.0445, Florida Statutes, is amended to read:

166.0445 Family child day care homes and large family child care homes; local zoning regulation.—The operation of a residence as a family child day care home or large family child care home, as defined in s. 402.302, licensed or registered pursuant to s. 402.313 or s. 402.3131, as applicable, constitutes, ~~as defined by law, registered or licensed with the Department of Children and Families shall constitute~~ a valid residential use for purposes of any local zoning regulations, and ~~no~~ such regulations may not ~~regulation shall~~ require the owner or operator of such family child day care home or large family child care home to obtain any special exemption or use permit or waiver, or to pay any special fee in excess of \$50, to operate in an area zoned for residential use.

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

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

(17) "Substantial compliance" means, for purposes of programs operating under s. 1002.55, s. 1002.61, or s. 1002.88, ~~that level of adherence to adopted standards~~ which is sufficient to safeguard the health, safety, and well-being of all children under care. The standards must address the requirements of s. 402.305 and must be limited to supervision, transportation, access, health-related requirements, food and nutrition,

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146 personnel screening, records, and enforcement of these
147 standards. The standards must not limit or exclude the
148 curriculum provided by a faith-based provider or nonpublic
149 school. The department, in consultation with the Office of Early
150 Learning, must adopt rules to define and enforce substantial
151 compliance with minimum standards for child care facilities for
152 programs operating under s. 1002.55, s. 1002.61, or s. 1002.88
153 which are regulated, but not licensed, by the department
154 ~~Substantial compliance is greater than minimal adherence but not~~
155 ~~to the level of absolute adherence. Where a violation or~~
156 ~~variation is identified as the type which impacts, or can be~~
157 ~~reasonably expected within 90 days to impact, the health,~~
158 ~~safety, or well-being of a child, there is no substantial~~
159 ~~compliance.~~

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

162 402.3025 Public and nonpublic schools.—For the purposes of
163 ss. 402.301-402.319, the following shall apply:

164 (2) NONPUBLIC SCHOOLS.—

165 (d)1. Nonpublic schools delivering programs under s.
166 1002.55, s. 1002.61, or s. 1002.88 ~~Programs for children who are~~
167 ~~at least 3 years of age, but under 5 years of age,~~ which are not
168 licensed under ss. 402.301-402.319 shall substantially comply
169 with the minimum child care standards adopted ~~promulgated~~
170 pursuant to ss. 402.305-402.3057.

171 2. The department or local licensing agency shall enforce
172 compliance with such standards, where possible, to eliminate or
173 minimize duplicative inspections or visits by staff enforcing
174 the minimum child care standards and staff enforcing other

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standards under the jurisdiction of the department.

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

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

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

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

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

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

4. It is a misdemeanor of the first degree, punishable as

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provided in s. 775.082 or s. 775.083, for any person willfully, knowingly, or intentionally to:

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

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

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

6. The inclusion of nonpublic schools within options available under ss. 1002.55, 1002.61, and 1002.88 does not expand the regulatory authority of the state, its officers, any local licensing agency, or any early learning coalition to impose any additional regulation of nonpublic schools beyond those reasonably necessary to enforce requirements expressly specified in this paragraph.

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

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

402.305 Licensing standards; child care facilities.—

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

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

(d) Minimum training requirements for child care personnel.

1. Such minimum standards for training shall ensure that all child care personnel take an approved 40-clock-hour

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introductory course in child care, which course covers at least the following topic areas:

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

b. Health, safety, and nutrition.

c. Identifying and reporting child abuse and neglect.

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

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

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

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

Within 90 days after employment, child care personnel shall begin training to meet the training requirements pursuant to this paragraph. Child care personnel shall successfully complete such training within 1 year after the date on which the training began, as evidenced by passage of a competency examination. Successful completion of the 40-clock-hour introductory course

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shall articulate into community college credit in early childhood education, pursuant to ss. 1007.24 and 1007.25. Exemption from all or a portion of the required training shall be granted to child care personnel based upon educational credentials or passage of competency examinations. Child care personnel possessing a 2-year degree or higher that includes 6 college credit hours in early childhood development or child growth and development, or a child development associate credential or an equivalent state-approved child development associate credential, or a child development associate waiver certificate shall be automatically exempted from the training requirements in sub-subparagraphs b., d., and e.

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

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

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

5. Child care personnel shall be required to complete 0.5 continuing education unit of approved training or 5 clock hours

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of equivalent training, as determined by the department, in
numeracy, early literacy, and language development of children
from birth to 5 years of age one time. The year that this
training is completed, it shall fulfill the 0.5 continuing
education unit or 5 clock hours of the annual training required
in subparagraph 4.

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

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

8. The department shall evaluate or contract for an
evaluation for the general purpose of determining the status of
and means to improve staff training requirements and testing
procedures. The evaluation shall be conducted every 2 years. The
evaluation must ~~shall~~ include, but not be limited to,
determining the availability, quality, scope, and sources of
current staff training; determining the need for specialty
training; and determining ways to increase inservice training

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and ways to increase the accessibility, quality, and cost-effectiveness of current and proposed staff training. The evaluation methodology must ~~shall~~ include a reliable and valid survey of child care personnel.

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

(9) ADMISSIONS AND RECORDKEEPING.—

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

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

(18) TRANSFER OF OWNERSHIP.—

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

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378 (b) The owner of a child care facility, family child care
379 home, or large family child care home may not transfer ownership
380 to a relative of the operator if the operator has had his or her
381 license suspended or revoked by the department pursuant to s.
382 402.310, has received notice from the department that reasonable
383 cause exists to suspend or revoke his or her license, or has
384 been placed on the United States Department of Agriculture
385 National Disqualified List. For purposes of this paragraph, the
386 term "relative" means father, mother, son, daughter,
387 grandfather, grandmother, brother, sister, uncle, aunt, cousin,
388 nephew, niece, husband, wife, father-in-law, mother-in-law, son-
389 in-law, daughter-in-law, brother-in-law, sister-in-law,
390 stepfather, stepmother, stepson, stepdaughter, stepbrother,
391 stepsister, half brother, or half sister.

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

395 Section 7. Section 402.3085, Florida Statutes, is created
396 to read:

397 402.3085 Certificate of substantial compliance with minimum
398 child care standards.—Each nonpublic school or provider seeking
399 to operate a program pursuant to s. 402.3025(2)(d) or s.
400 402.316(4), respectively, shall annually obtain a certificate
401 from the department or local licensing agency in the manner and
402 on the forms prescribed by the department or local licensing
403 agency. An annual certificate or a renewal of an annual
404 certificate shall be issued upon an examination of the
405 applicant's premises and records to determine that the applicant
406 is in substantial compliance with the minimum child care

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standards. A provider may not participate in these programs without this certification. Local licensing agencies may apply their own minimum child care standards if the department determines that such standards meet or exceed department standards as provided in s. 402.307.

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

402.311 Inspection.—A licensed child care facility or program regulated by the department shall accord to the department or the local licensing agency, whichever is applicable, the privilege of inspection, including access to facilities and personnel and to those records required in s. 402.305, at reasonable times during regular business hours, to ensure compliance with ~~the provisions of~~ ss. 402.301-402.319. The right of entry and inspection shall also extend to any premises which the department or local licensing agency has reason to believe are being operated or maintained as a child care facility or program ~~without a license~~, but no such entry or inspection of any premises shall be made without the permission of the person in charge thereof unless a warrant is first obtained from the circuit court authorizing same. Any application for a license, application for authorization to operate a child care program which must maintain substantial compliance with child care standards adopted under this chapter, ~~or renewal of such license or authorization, made pursuant to this act~~ or the advertisement to the public for the provision of child care as defined in s. 402.302 constitutes ~~shall constitute~~ permission for any entry to or inspection of the subject 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 Families and local governmental agencies that license child~~
449 ~~care facilities shall develop and implement a plan to eliminate~~
450 ~~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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unannounced inspections.

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

402.313 Family child day care homes.—

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

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

1. The name and address of the home.
2. The name of the operator.
3. The number of children served.

4. Proof of a written plan to identify a ~~provide at least one other~~ competent adult who has met the screening and training requirements of the department to serve as a designated ~~to be available to~~ substitute for the operator ~~in an emergency~~. This plan must ~~shall~~ include the name, address, and telephone number of the designated substitute who will serve in the absence of the operator.

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

~~6. Proof of successful completion of the 30-hour training course, as evidenced by passage of a competency examination,~~

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494 ~~which shall include:~~

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

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

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

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

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

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

509 ~~5.7.~~ Proof that immunization records are kept current.

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

512
513 Upon receipt of registration information submitted by a family
514 child care home pursuant to this paragraph, the department shall
515 verify that the home is in compliance with the background
516 screening requirements in subsection (3) and that the operator
517 and the designated substitute are in compliance with the
518 applicable training requirements of subsection (4).

519 (b) A family child ~~day~~ care home may volunteer to be
520 licensed ~~under this act.~~

521 (c) The department may provide technical assistance to
522 counties and operators of family child ~~day~~ care homes ~~home~~

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523 ~~providers~~ to enable counties and operators ~~family day care~~
524 ~~providers~~ to achieve compliance with family child day care home
525 ~~homes~~ standards.

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

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

541 (4) (a) Before licensure and before caring for children,
542 operators of family child day care homes and an individual
543 serving as a designated substitute for the operator who works 40
544 hours or more per month on average must:

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

549 a. State and local rules and regulations that govern child
550 care.

551 b. Health, safety, and nutrition.

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552 c. Identifying and reporting child abuse and neglect.

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

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

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

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

569 ~~2. (6) Operators of family day care homes shall be required~~
570 ~~to~~ Complete a 0.5 continuing education unit of approved training
571 in numeracy, early literacy, and language development of
572 children from birth to 5 years of age one time. For an operator,
573 the year that this training is completed, it shall fulfill the
574 0.5 continuing education unit or 5 clock hours of the annual
575 training required in paragraph (c) ~~subsection (5).~~

576 3. Complete training in first aid and infant and child
577 cardiopulmonary resuscitation as evidenced by current
578 documentation of course completion.

579 (b) Before licensure and before caring for children, family
580 child care home designated substitutes who work less than 40

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581 hours per month on average must complete the department's 6-
582 clock-hour Family Child Care Home Rules and Regulations
583 training, as evidenced by successful completion of a competency
584 examination and first aid and infant and child cardiopulmonary
585 resuscitation training required under subparagraph (a)3. A
586 designated substitute who has successfully completed the 3-
587 clock-hour Fundamentals of Child Care training established by
588 rules of the department or the 30-clock-hour training under
589 subparagraph (a)1. is not required to complete the 6-clock-hour
590 Family Child Care Home Rules and Regulations training.

591 (c) Operators of family child care homes must annually
592 complete an additional 1 continuing education unit of approved
593 training regarding child care and administrative skills or 10
594 clock hours of equivalent training, as determined by the
595 department.

596 (5)(7) Operators of family child ~~day~~ care homes must ~~shall~~
597 ~~be required~~ annually to complete a health and safety home
598 inspection self-evaluation checklist developed by the department
599 in conjunction with the statewide resource and referral program.
600 The completed checklist shall be signed by the operator of the
601 family child ~~day~~ care home and provided to parents as
602 certification that basic health and safety standards are being
603 met.

604 (6)(8) Operators of family child ~~day~~ care homes ~~home~~
605 ~~operators~~ may avail themselves of supportive services offered by
606 the department.

607 (7)(9) The department shall prepare a brochure on family
608 child ~~day~~ care for distribution by the department and by local
609 licensing agencies, if appropriate, to family child ~~day~~ care

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610 homes for distribution to parents using ~~utilizing~~ such child
611 care, and to all interested persons, including physicians and
612 other health professionals; mental health professionals; school
613 teachers or other school personnel; social workers or other
614 professional child care, foster care, residential, or
615 institutional workers; and law enforcement officers. The
616 brochure shall, at a minimum, contain the following information:

617 (a) A brief description of the requirements for family
618 child day care registration, training, and background
619 ~~fingerprinting and screening~~.

620 (b) A listing of those counties that require licensure of
621 family child day care homes. Such counties shall provide an
622 addendum to the brochure that provides a brief description of
623 the licensure requirements or may provide a brochure in lieu of
624 the one described in this subsection, provided it contains all
625 the required information on licensure and the required
626 information in the subsequent paragraphs.

627 (c) A statement indicating that information about the
628 family child day care home's compliance with applicable state or
629 local requirements can be obtained from ~~by telephoning~~ the
630 department ~~office~~ or ~~the office of~~ the local licensing agency,
631 including the, if appropriate, at a telephone number or numbers
632 and website address for the department or local licensing
633 agency, as applicable ~~which shall be affixed to the brochure~~.

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

638 (e) Any other information relating to competent child care

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639 that the department or local licensing agency, if preparing a
640 separate brochure, considers ~~deems would be~~ helpful to parents
641 and other caretakers in their selection of a family child ~~day~~
642 care home.

643 (8) ~~(10)~~ On an annual basis, the department shall evaluate
644 the registration and licensure system for family child ~~day~~ care
645 homes. Such evaluation shall, at a minimum, address the
646 following:

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

649 (b) The number of children being served in both registered
650 and licensed family child ~~day~~ care homes and any available slots
651 in such homes.

652 (c) The number of complaints received concerning family
653 child ~~day~~ care, the nature of the complaints, and the resolution
654 of such complaints.

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

658
659 The evaluation, pursuant to this paragraph, shall be used
660 ~~utilized~~ by the department in any administrative modifications
661 or adjustments to be made in the registration of family child
662 ~~day~~ care homes or in any legislative requests for modifications
663 to the system of registration or to other requirements for
664 family child ~~day~~ care homes.

665 ~~(11) In order to inform the public of the state requirement~~
666 ~~for registration of family day care homes as well as the other~~
667 ~~requirements for such homes to legally operate in the state, the~~

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668 ~~department shall institute a media campaign to accomplish this~~
669 ~~end. Such a campaign shall include, at a minimum, flyers,~~
670 ~~newspaper advertisements, radio advertisements, and television~~
671 ~~advertisements.~~

672 (9) ~~(12)~~ Notwithstanding any other state or local law or
673 ordinance, any family child ~~day~~ care home licensed pursuant to
674 this chapter or pursuant to a county ordinance shall be charged
675 the utility rates accorded to a residential home. A licensed
676 family child ~~day~~ care home may not be charged commercial utility
677 rates.

678 (10) ~~(13)~~ The department shall, by rule, establish minimum
679 standards for family child ~~day~~ care homes that are required to
680 be licensed by county licensing ordinance or county licensing
681 resolution or that voluntarily choose to be licensed. The
682 standards should include requirements for staffing, training,
683 maintenance of immunization records, minimum health and safety
684 standards, reduced standards for the regulation of child care
685 during evening hours by municipalities and counties, and
686 enforcement of standards. Additionally, the department shall, by
687 rule, adopt procedures for verifying a registered family child
688 care home's compliance with background screening and training
689 requirements.

690 (11) ~~(14)~~ ~~During the months of August and September of each~~
691 ~~year,~~ Each family child ~~day~~ care home shall provide parents of
692 children enrolling ~~enrolled~~ in the home detailed information
693 regarding the causes, symptoms, and transmission of the
694 influenza virus in an effort to educate those parents regarding
695 the importance of immunizing their children against influenza as
696 recommended by the Advisory Committee on Immunization Practices

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of the Centers for Disease Control and Prevention.

Section 11. Subsections (1), (3), (5), and (9) of section 402.3131, Florida Statutes, are amended, and subsection (10) is added to that section, to read:

402.3131 Large family child care homes.—

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

(3) Operators of large family child care homes must successfully complete an approved 40-clock-hour introductory course in group child care, including numeracy, early literacy, and language development of children from birth to 5 years of age, as evidenced by passage of a competency examination. Successful completion of the 40-clock-hour introductory course shall articulate into community college credit in early childhood education, pursuant to ss. 1007.24 and 1007.25.

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

(9) ~~During the months of August and September of each year,~~ Each large family child care home shall provide parents of children enrolling ~~enrolled~~ in the home detailed information regarding the causes, symptoms, and transmission of the influenza virus in an effort to educate those parents regarding

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the importance of immunizing their children against influenza as recommended by the Advisory Committee on Immunization Practices of the Centers for Disease Control and Prevention.

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

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

402.316 Exemptions.—

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

(a) The department or local licensing agency may pursue administrative or judicial action under ss. 402.310-402.312 and the rules adopted under those sections against any child care facility operating under this subsection to enforce substantial compliance with child care facility minimum standards or to protect the health, safety, and well-being of any child in the facility's care. A child care facility operating under this subsection is subject to ss. 402.310-402.312 and the rules adopted under those sections to the same extent as a child care facility licensed under ss. 402.301-402.319.

(b) It is a misdemeanor of the first degree, punishable as

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provided in s. 775.082 or s. 775.083, for a person willfully,
knowingly, or intentionally to:

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

2. Use information from the criminal records obtained under
s. 402.305 or s. 402.3055 for a purpose other than screening the
subject of those records for employment as specified in those
sections or to release such information to any other person for
a purpose other than screening for employment as specified in
those sections.

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

(5) The department shall establish a fee for inspection and
compliance activities performed pursuant to this section in an
amount sufficient to cover costs. However, the amount of such
fee for the inspection of a program may not exceed the fee
imposed for child care licensure pursuant to s. 402.315.

(6) The inclusion of a child care facility operating under
subsection (1) as a provider of a program described in s.
1002.55, s. 1002.61, or s. 1002.88 does not expand the

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regulatory authority of the state, its officers, any local licensing agency, or any early learning coalition to impose any additional regulation of child care facilities beyond those reasonably necessary to enforce requirements expressly included in this section.

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

627.70161 Residential property insurance coverage; family child day care homes and large family child care homes insurance.—

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

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

(a) "Child care" means the care, protection, and supervision of a child, for a period of up to ~~less than~~ 24 hours a day on a regular basis, which supplements parental care,

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enrichment, and health supervision for the child, in accordance with his or her individual needs, and for which a payment, fee, or grant is made for care.

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

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

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

(a) Specifically covered in a policy; or

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

(4) DENIAL, CANCELLATION, REFUSAL TO RENEW PROHIBITED.—An insurer may not deny, cancel, or refuse to renew a policy for residential property insurance solely on the basis that the policyholder or applicant operates a family child day care home or a large family child care home. In addition to other lawful reasons for refusing to insure, an insurer may deny, cancel, or refuse to renew a policy of a family child day care home or large family child care home provider if one or more of the following conditions occur:

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

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

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

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

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

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

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

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

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871 (9) By July 1, 2017, develop and implement, in consultation
872 with early learning coalitions and providers of the Voluntary
873 Prekindergarten Education Program and the school readiness
874 program, best practices for providing parental notifications in
875 the parent's native language to a parent whose native language
876 is a language other than English.

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

879 1002.53 Voluntary Prekindergarten Education Program;
880 eligibility and enrollment.—

881 (4) (a) Each parent enrolling a child in the Voluntary
882 Prekindergarten Education Program must complete and submit an
883 application to the early learning coalition through the single
884 point of entry established under s. 1002.82 or to a private
885 prekindergarten provider if the provider is authorized by the
886 early learning coalition to determine student eligibility for
887 enrollment in the program.

888 (b) The application must be submitted on forms prescribed
889 by the Office of Early Learning and must be accompanied by a
890 certified copy of the child's birth certificate. The forms must
891 include a certification, in substantially the form provided in
892 s. 1002.71(6)(b)2., that the parent chooses the private
893 prekindergarten provider or public school in accordance with
894 this section and directs that payments for the program be made
895 to the provider or school. The Office of Early Learning may
896 authorize alternative methods for submitting proof of the
897 child's age in lieu of a certified copy of the child's birth
898 certificate.

899 (c) If a private prekindergarten provider has been

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900 authorized to determine child eligibility and enrollment, upon
901 receipt of an application, the provider must:

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

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

907
908 Pursuant to this paragraph, the early learning coalition may
909 audit applications held by a private prekindergarten provider in
910 the coalition's service area to determine whether children
911 enrolled and reported for funding by the provider have met the
912 eligibility criteria in subsection (2).

913 (d)(e) Each early learning coalition shall coordinate with
914 each of the school districts within the coalition's county or
915 multicounty region in the development of procedures for
916 enrolling children in prekindergarten programs delivered by
917 public schools, including procedures for making child
918 eligibility determinations and auditing enrollment records to
919 confirm that enrolled children have met eligibility
920 requirements.

921 Section 16. Section 1002.55, Florida Statutes, is amended
922 to read:

923 1002.55 School-year prekindergarten program delivered by
924 private prekindergarten providers.—

925 (1) Each early learning coalition shall administer the
926 Voluntary Prekindergarten Education Program at the county or
927 regional level for students enrolled under s. 1002.53(3)(a) in a
928 school-year prekindergarten program delivered by a private

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929 prekindergarten provider. Each early learning coalition shall
930 cooperate with the Office of Early Learning and the Child Care
931 Services Program Office of the Department of Children and
932 Families to reduce paperwork and to avoid duplicating
933 interagency activities, health and safety monitoring, and
934 acquiring and composing data pertaining to child care training
935 and credentialing.

936 (2) Each school-year prekindergarten program delivered by a
937 private prekindergarten provider must comprise at least 540
938 instructional hours.

939 (3) To be eligible to deliver the prekindergarten program,
940 a private prekindergarten provider must meet each of the
941 following requirements:

942 ~~(a) The private prekindergarten provider must be a child~~
943 ~~care facility licensed under s. 402.305, family day care home~~
944 ~~licensed under s. 402.313, large family child care home licensed~~
945 ~~under s. 402.3131, nonpublic school exempt from licensure under~~
946 ~~s. 402.3025(2), or faith-based child care provider exempt from~~
947 ~~licensure under s. 402.316.~~

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

949 1. Be accredited by an accrediting association that is a
950 member of the National Council for Private School Accreditation,
951 or the Florida Association of Academic Nonpublic Schools, or be
952 accredited by the Southern Association of Colleges and Schools,
953 or Western Association of Colleges and Schools, or North Central
954 Association of Colleges and Schools, or Middle States
955 Association of Colleges and Schools, or New England Association
956 of Colleges and Schools; and have written accreditation
957 standards that meet or exceed the state's licensing requirements

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under s. 402.305, s. 402.313, or s. 402.3131 and require at least one onsite visit to the provider or school before accreditation is granted;

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

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

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

(b) The private prekindergarten provider must provide basic health and safety on its premises and in its facilities. For a public school, compliance with ss. 1003.22 and 1013.12 satisfies this requirement. For a nonpublic school, compliance with s. 402.3025(2)(d) satisfies this requirement. For a child care facility, a licensed family child care home, or a large family child care home, compliance with s. 402.305, s. 402.313, or s. 402.3131, respectively, satisfies this requirement. For a facility exempt from licensure, compliance with s. 402.316(4) satisfies this requirement and demonstrate, before delivering the Voluntary Prekindergarten Education Program, as verified by the early learning coalition, that the provider meets each of the requirements of the program under this part, including, but not limited to, the requirements for credentials and background screenings of prekindergarten instructors under paragraphs (c) and (d), minimum and maximum class sizes under paragraph (f), prekindergarten director credentials under paragraph (g), and a developmentally appropriate curriculum under s. 1002.67(2)(b).

(c) The private prekindergarten provider must have, for

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each prekindergarten class of 11 children or fewer, at least one prekindergarten instructor who meets each of the following requirements:

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

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

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

c. An associate or higher degree in child development;

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

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

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

g. A baccalaureate or higher degree in elementary education if the prekindergarten instructor has been certified to teach children of any age from birth through grade 6, regardless of whether the instructor's educator certificate is current, and if the instructor is not ineligible to teach in a public school

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1016 because his or her educator certificate is suspended or revoked;
1017 or

1018 h. A credential approved by the department as being
1019 equivalent to or greater than a credential described in sub-
1020 subparagraphs a.-f. The department may adopt criteria and
1021 procedures for approving such equivalent credentials.

1022
1023 ~~The Department of Children and Families may adopt rules under~~
1024 ~~ss. 120.536(1) and 120.54 which provide criteria and procedures~~
1025 ~~for approving equivalent credentials under sub-subparagraph b.~~

1026 2. The prekindergarten instructor must successfully
1027 complete an emergent literacy training course and a student
1028 performance standards training course approved by the office as
1029 meeting or exceeding the minimum standards adopted under s.
1030 1002.59. The requirement for completion of the standards
1031 training course shall take effect July 1, 2016 ~~2014~~, and the
1032 course shall be available online.

1033 (d) Each prekindergarten instructor employed by the private
1034 prekindergarten provider must be of good moral character, must
1035 undergo background screening pursuant to s. 402.305(2)(a) be
1036 ~~screened using the level 2 screening standards in s. 435.04~~
1037 before employment, must be and rescreened at least once every 5
1038 years, must be denied employment or terminated if required under
1039 s. 435.06, and must not be ineligible to teach in a public
1040 school because his or her educator certificate is suspended or
1041 revoked.

1042 (e) A private prekindergarten provider may assign a
1043 substitute instructor to temporarily replace a credentialed
1044 instructor if the credentialed instructor assigned to a

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1045 prekindergarten class is absent, as long as the substitute
1046 instructor meets the requirements of paragraph (d) ~~is of good~~
1047 ~~moral character and has been screened before employment in~~
1048 ~~accordance with level 2 background screening requirements in~~
1049 ~~chapter 435.~~ The Office of Early Learning shall adopt rules to
1050 implement this paragraph which shall include required
1051 qualifications of substitute instructors and the circumstances
1052 and time limits for which a private prekindergarten provider may
1053 assign a substitute instructor.

1054 (f) Each of the private prekindergarten provider's
1055 prekindergarten classes must be composed of at least 4 students
1056 but may not exceed 20 students. In order to protect the health
1057 and safety of students, each private prekindergarten provider
1058 must also provide appropriate adult supervision for students at
1059 all times and, for each prekindergarten class composed of 12 or
1060 more students, must have, in addition to a prekindergarten
1061 instructor who meets the requirements of paragraph (c), at least
1062 one adult prekindergarten instructor who is not required to meet
1063 those requirements but who must meet each requirement of s.
1064 402.305(2) ~~paragraph (d)~~. This paragraph does not supersede any
1065 requirement imposed on a provider under ss. 402.301-402.319.

1066 (g) The private prekindergarten provider must have a
1067 prekindergarten director who has a prekindergarten director
1068 credential that is approved by the office as meeting or
1069 exceeding the minimum standards adopted under s. 1002.57.
1070 Successful completion of a child care facility director
1071 credential under s. 402.305(2)(f) before the establishment of
1072 the prekindergarten director credential under s. 1002.57 or July
1073 1, 2006, whichever occurs later, satisfies the requirement for a

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prekindergarten director credential under this paragraph.

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

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

(j) The private prekindergarten provider must maintain general liability insurance and provide the coalition with written evidence of general liability insurance coverage, including coverage for transportation of children if prekindergarten students are transported by the provider. A provider must obtain and retain an insurance policy that provides a minimum of \$100,000 of coverage per occurrence and a minimum of \$300,000 general aggregate coverage. The office may authorize lower limits upon request, as appropriate. A provider must add the coalition as a named certificateholder ~~and as an additional insured~~. A provider must provide the coalition with a minimum of 10 calendar days' advance written notice of cancellation of or changes to coverage. The general liability insurance required by this paragraph must remain in full force and effect for the entire period of the provider contract with the coalition.

(k) The private prekindergarten provider must obtain and maintain any required workers' compensation insurance under chapter 440 and any required reemployment assistance or

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unemployment compensation coverage under chapter 443, unless
exempt under state or federal law.

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

(m) The private prekindergarten provider shall be denied
initial eligibility to offer the program if the provider has
been cited for a Class I violation in the 12 months before
seeking eligibility. An existing provider that is cited for a
Class I violation may not have its eligibility renewed for 12
months. This paragraph does not apply if the Department of
Children and Families or local licensing agency upon final
disposition of a Class I violation has rescinded its initial
citation in accordance with the criteria for consideration
outlined in s. 1002.75(1) (b).

(n) ~~(m)~~ The private prekindergarten provider must deliver
the Voluntary Prekindergarten Education Program in accordance
with this part and have child disciplinary policies that
prohibit children from being subjected to discipline that is
severe, humiliating, frightening, or associated with food, rest,
toileting, spanking, or any other form of physical punishment as
provided in s. 402.305(12).

(o) Beginning January 1, 2016, at least 50 percent of the
instructors employed by a prekindergarten provider at each
location, who are responsible for supervising children in care,

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1132 must be trained in first aid and infant and child
1133 cardiopulmonary resuscitation, as evidenced by current
1134 documentation of course completion. As a condition of
1135 employment, instructors hired on or after January 1, 2016, must
1136 complete this training within 60 days after employment.

1137 (p) Beginning January 1, 2017, the private prekindergarten
1138 provider must employ child care personnel who hold a high school
1139 diploma or its equivalent and are at least 18 years of age,
1140 unless the personnel are not responsible for supervising
1141 children in care or are under direct supervision.

1142 ~~(4) A prekindergarten instructor, in lieu of the minimum~~
1143 ~~credentials and courses required under paragraph (3)(c), may~~
1144 ~~hold one of the following educational credentials:~~

1145 ~~(a) A bachelor's or higher degree in early childhood~~
1146 ~~education, prekindergarten or primary education, preschool~~
1147 ~~education, or family and consumer science;~~

1148 ~~(b) A bachelor's or higher degree in elementary education,~~
1149 ~~if the prekindergarten instructor has been certified to teach~~
1150 ~~children any age from birth through 6th grade, regardless of~~
1151 ~~whether the instructor's educator certificate is current, and if~~
1152 ~~the instructor is not ineligible to teach in a public school~~
1153 ~~because his or her educator certificate is suspended or revoked;~~

1154 ~~(c) An associate's or higher degree in child development;~~

1155 ~~(d) An associate's or higher degree in an unrelated field,~~
1156 ~~at least 6 credit hours in early childhood education or child~~
1157 ~~development, and at least 480 hours of experience in teaching or~~
1158 ~~providing child care services for children any age from birth~~
1159 ~~through 8 years of age; or~~

1160 ~~(e) An educational credential approved by the department as~~

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1161 ~~being equivalent to or greater than an educational credential~~
1162 ~~described in this subsection. The department may adopt criteria~~
1163 ~~and procedures for approving equivalent educational credentials~~
1164 ~~under this paragraph.~~

1165 ~~(5) Notwithstanding paragraph (3)(b), a private~~
1166 ~~prekindergarten provider may not participate in the Voluntary~~
1167 ~~Prekindergarten Education Program if the provider has child~~
1168 ~~disciplinary policies that do not prohibit children from being~~
1169 ~~subjected to discipline that is severe, humiliating,~~
1170 ~~frightening, or associated with food, rest, toileting, spanking,~~
1171 ~~or any other form of physical punishment as provided in s.~~
1172 ~~402.305(12).~~

1173 Section 17. Subsection (1) of section 1002.59, Florida
1174 Statutes, is amended to read:

1175 1002.59 Emergent literacy and performance standards
1176 training courses.—

1177 (1) The office shall adopt minimum standards for one or
1178 more training courses in emergent literacy for prekindergarten
1179 instructors. Each course must comprise 5 clock hours and provide
1180 instruction in strategies and techniques to address the age-
1181 appropriate progress of prekindergarten students in developing
1182 emergent literacy skills, including oral communication,
1183 knowledge of print and letters, phonemic and phonological
1184 awareness, and vocabulary and comprehension development. Each
1185 course must also provide resources containing strategies that
1186 allow students with disabilities and other special needs to
1187 derive maximum benefit from the Voluntary Prekindergarten
1188 Education Program. Successful completion of an emergent literacy
1189 training course approved under this section satisfies

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requirements for approved training in early literacy and language development under ss. 402.305(2)(d)5., 402.313(4)(a)2. ~~402.313(6)~~, and 402.3131(5).

Section 18. Subsections (4) through (7) of section 1002.61, Florida Statutes, are amended to read:

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

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

(5) Each prekindergarten instructor employed by a ~~public school or~~ private prekindergarten provider delivering the summer prekindergarten program must be of good moral character, must undergo background screening pursuant to s. 402.305(2)(a) be ~~screened using the level 2 screening standards in s. 435.04~~ before employment, must be ~~and~~ rescreened at least once every 5 years, and must be denied employment or terminated if required under s. 435.06. Each prekindergarten instructor employed by a

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1219 public school delivering the summer prekindergarten program, and
1220 must satisfy the ~~not be ineligible to teach in a public school~~
1221 ~~because his or her educator certificate is suspended or revoked.~~
1222 ~~This subsection does not supersede~~ employment requirements for
1223 instructional personnel in public schools as provided in s.
1224 1012.32 ~~which are more stringent than the requirements of this~~
1225 ~~subsection.~~

1226 (6) A public school or private prekindergarten provider may
1227 assign a substitute instructor to temporarily replace a
1228 credentialed instructor if the credentialed instructor assigned
1229 to a prekindergarten class is absent, as long as the substitute
1230 instructor meets the requirements of subsection (5) ~~is of good~~
1231 ~~moral character and has been screened before employment in~~
1232 ~~accordance with level 2 background screening requirements in~~
1233 ~~chapter 435. This subsection does not supersede employment~~
1234 ~~requirements for instructional personnel in public schools which~~
1235 ~~are more stringent than the requirements of this subsection.~~ The
1236 Office of Early Learning shall adopt rules to implement this
1237 subsection which must ~~shall~~ include required qualifications of
1238 substitute instructors and the circumstances and time limits for
1239 which a public school or private prekindergarten provider may
1240 assign a substitute instructor.

1241 (7) Notwithstanding ss. 1002.55(3)(e) ~~ss. 1002.55(3)(f)~~ and
1242 1002.63(7), each prekindergarten class in the summer
1243 prekindergarten program, regardless of whether the class is a
1244 public school's or private prekindergarten provider's class,
1245 must be composed of at least 4 students but may not exceed 12
1246 students ~~beginning with the 2009 summer session.~~ In order to
1247 protect the health and safety of students, each public school or

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private prekindergarten provider must also provide appropriate adult supervision for students at all times. This subsection does not supersede any requirement imposed on a provider under ss. 402.301-402.319.

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

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

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

(6) A public school prekindergarten provider may assign a substitute instructor to temporarily replace a credentialed instructor if the credentialed instructor assigned to a prekindergarten class is absent, as long as the substitute instructor meets the requirements of subsection (5) ~~is of good moral character and has been screened before employment in accordance with level 2 background screening requirements in chapter 435. This subsection does not supersede employment requirements for instructional personnel in public schools which are more stringent than the requirements of this subsection.~~ The

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Office of Early Learning shall adopt rules to implement this subsection which must ~~shall~~ include required qualifications of substitute instructors and the circumstances and time limits for which a public school prekindergarten provider may assign a substitute instructor.

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

1002.71 Funding; financial and attendance reporting.—

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

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

1002.75 Office of Early Learning; powers and duties.—

(1) The Office of Early Learning shall adopt by rule a standard statewide provider contract to be used with each Voluntary Prekindergarten Education Program provider, with standardized attachments by provider type. The office shall publish a copy of the standard statewide provider contract on its website. The standard statewide contract must ~~shall~~ include,

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at a minimum, provisions that:

(a) Govern ~~for~~ provider probation, termination for cause, and emergency termination for those actions or inactions of a provider that pose an immediate and serious danger to the health, safety, or welfare of children. The standard statewide contract must ~~shall~~ also include appropriate due process procedures. During the pendency of an appeal of a termination, the provider may not continue to offer its services.

(b) Require each private prekindergarten provider to notify the parent of each child in care if it is cited for a Class I violation as defined by rule of the Department of Children and Families. Notice shall be initiated only upon final disposition of a Class I violation. The provider shall notify the department within 24 hours of its intent to appeal the Class I violation issued, and final disposition shall occur within 15 calendar days. In determining the final disposition, the department shall consider the entire licensing history of the provider, whether the provider promptly reported the incident upon actual notice, and whether the employee responsible for the violation was terminated or the violation was corrected by the provider. If a provider does not file its intent to appeal the Class I violation, the provider must provide notice of a Class I violation electronically or in writing to the parent within 48 hours after receipt of the Class I violation. Such notice shall describe each violation with specificity in simple language and include a copy of the citation and the contact information of the Department of Children and Families or local licensing agency where the parent may obtain additional information regarding the citation. Notice of a Class I violation by the

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provider must be provided electronically or in writing to the parent within 24 hours after receipt of the final disposition of the Class I violation. A private prekindergarten provider must conspicuously post each citation for a violation that results in disciplinary action on the premises in an area visible to parents pursuant to s. 402.3125(1)(b). Additionally, such a provider must post each inspection report on the premises in an area visible to parents, and such report must remain posted until the next inspection report is available.

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

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

Section 22. Subsections (1), (3), and (5) of section 1002.77, Florida Statutes, are 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

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1364 learning best practices, including ~~recommendations relating to~~
1365 ~~the most~~ effective program administration; ~~of the Voluntary~~
1366 ~~Prekindergarten Education Program under this part and the school~~
1367 ~~readiness program under part VI of this chapter. The advisory~~
1368 ~~council shall periodically analyze and provide recommendations~~
1369 ~~to the office on the~~ effective and efficient use of local,
1370 state, and federal funds; ~~the content of~~ professional
1371 development training programs; and ~~best practices for the~~
1372 ~~development and implementation of~~ coalition plans pursuant to s.
1373 1002.85.

1374 (3) The advisory council shall meet at least quarterly upon
1375 the call of the executive director ~~but may meet as often as~~
1376 ~~necessary to carry out its duties and responsibilities. The~~
1377 executive director is encouraged to ~~advisory council may use~~
1378 communications media technology any method of telecommunications
1379 to conduct meetings in accordance with s. 120.54(5)(b),
1380 ~~including establishing a quorum through telecommunications, only~~
1381 ~~if the public is given proper notice of a telecommunications~~
1382 ~~meeting and reasonable access to observe and, when appropriate,~~
1383 ~~participate.~~

1384 (5) The Office of Early Learning shall provide staff and
1385 administrative support for the advisory council as determined by
1386 the executive director.

1387 Section 23. Paragraph (f) of subsection (1) and subsections
1388 (8) and (16) of section 1002.81, Florida Statutes, are amended
1389 to read:

1390 1002.81 Definitions.—Consistent with the requirements of 45
1391 C.F.R. parts 98 and 99 and as used in this part, the term:

1392 (1) "At-risk child" means:

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

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

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

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

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

(16) "Working family" means:

(a) A single-parent family in which the parent with whom the child resides is employed or engaged in eligible work or education activities for at least 20 hours per week or is exempt from work requirements due to age or disability, as determined

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and documented by a physician licensed under chapter 458 or chapter 459;

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

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

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

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

1002.82 Office of Early Learning; powers and duties.—

(2) The office shall:

(b) Preserve parental choice by permitting parents to choose from a variety of child care categories authorized in s. 1002.88(1)(a), ~~including center-based care, family child care, and informal child care~~ to the extent authorized in the state's Child Care and Development Fund Plan as approved by the United States Department of Health and Human Services pursuant to 45 C.F.R. s. 98.18. Care and curriculum by a faith-based provider may not be limited or excluded in any of these categories.

(j) Develop and adopt standards and benchmarks that address

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the age-appropriate progress of children in the development of school readiness skills. The standards for children from birth to 5 years of age in the school readiness program must be aligned with the performance standards adopted for children in the Voluntary Prekindergarten Education Program and must address the following domains:

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

By July 1, 2016, the office shall develop and implement an online training course on the performance standards for school readiness program provider personnel specified in this paragraph.

(m) Adopt by rule a standard statewide provider contract to be used with each school readiness program provider, with standardized attachments by provider type. The office shall publish a copy of the standard statewide provider contract on its website. The standard statewide contract must ~~shall~~ include, at a minimum, provisions that:

1. Govern ~~for~~ provider probation, termination for cause, and emergency termination for those actions or inactions of a provider that pose an immediate and serious danger to the health, safety, or welfare of the children. The standard statewide provider contract must ~~shall~~ also include appropriate due process procedures. During the pendency of an appeal of a termination, the provider may not continue to offer its

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services.

2. Require each provider that is eligible to provide the program pursuant to s. 1002.88(1)(a) to notify the parent of each child in care if it is cited for a Class I violation as defined by rule of the Department of Children and Families. Notice shall be initiated only upon final disposition of a Class I violation. The provider shall notify the department within 24 hours of its intent to appeal the Class I violation issued, and final disposition shall occur within 15 calendar days. In determining the final disposition, the department shall consider the entire licensing history of the provider, whether the provider promptly reported the incident upon actual notice, and whether the employee responsible for the violation was terminated or the violation was corrected by the provider. If a provider does not file its intent to appeal the Class I violation, the provider must provide notice of a Class I violation electronically or in writing to the parent within 48 hours after receipt of the Class I violation. Such notice shall describe each violation with specificity in simple language and include a copy of the citation and the contact information of the Department of Children and Families or local licensing agency where the parent may obtain additional information regarding the citation. Notice of a Class I violation by the provider must be provided electronically or in writing to the parent within 24 hours after receipt of the final disposition of the Class I violation. A provider must conspicuously post each citation for a violation that results in disciplinary action on the premises in an area visible to parents pursuant to s. 402.3125(1)(b). Additionally, such a provider must post each

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inspection report on the premises in an area visible to parents,
and such report must remain posted until the next inspection
report is available.

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

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

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

(p) Monitor and evaluate the performance of each early
learning coalition in administering the school readiness program
and the Voluntary Prekindergarten Education Program, ensuring
proper payments for school readiness program and Voluntary
Prekindergarten Education Program services, and implementing the
coalition's school readiness program plan, ~~and administering the
Voluntary Prekindergarten Education Program.~~ These monitoring
and performance evaluations must include, at a minimum, onsite
monitoring of each coalition's finances, management, operations,
and programs.

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Section 25. Subsections (8) and (20) of section 1002.84, Florida Statutes, are amended to read:

1002.84 Early learning coalitions; school readiness powers and duties.—Each early learning coalition shall:

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

(20) To increase transparency and accountability, comply with ~~the requirements of~~ this section before contracting with a member of the coalition, an employee of the coalition, or a relative, as defined in s. 112.3143(1) ~~(e)~~, of a coalition member or of an employee of the coalition. Such contracts may not be executed without the approval of the office. Such contracts, as well as documentation demonstrating adherence to this section by the coalition, must be approved by a two-thirds vote of the coalition, a quorum having been established; all conflicts of

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interest must be disclosed before the vote; and any member who may benefit from the contract, or whose relative may benefit from the contract, must abstain from the vote. A contract under \$25,000 between an early learning coalition and a member of that coalition or between a relative, as defined in s.

112.3143(1)~~(e)~~, of a coalition member or of an employee of the coalition is not required to have the prior approval of the office but must be approved by a two-thirds vote of the coalition, a quorum having been established, and must be reported to the office within 30 days after approval. If a contract cannot be approved by the office, a review of the decision to disapprove the contract may be requested by the early learning coalition or other parties to the disapproved contract.

Section 26. Paragraphs (c) and (h) of subsection (1) and subsections (6) through (8) of section 1002.87, Florida Statutes, are amended to read:

1002.87 School readiness program; eligibility and enrollment.—

(1) Effective August 1, 2013, or upon reevaluation of eligibility for children currently served, whichever is later, each early learning coalition shall give priority for participation in the school readiness program as follows:

(c) Priority shall be given next to a child from birth to the beginning of the school year for which the child is eligible for admission to kindergarten in a public school under s.

1003.21(1)(a)2. who is from a working family that is economically disadvantaged, and may include such child's eligible siblings, beginning with the school year in which the

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sibling is eligible for admission to kindergarten in a public school under s. 1003.21(1)(a)2. until the beginning of the school year in which the sibling enters ~~is eligible to begin~~ 6th grade, provided that the first priority for funding an eligible sibling is local revenues available to the coalition for funding direct services. However, a child eligible under this paragraph ceases to be eligible if his or her family income exceeds 200 percent of the federal poverty level.

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

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

(7) If a coalition disenrolls children from the school readiness program due to lack of funding or a change in eligibility priorities, the coalition must disenroll the

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children in reverse order of the eligibility priorities listed in subsection (1) beginning with children from families with the highest family incomes. A notice of disenrollment must be sent to the parent and school readiness program provider at least 2 weeks before disenrollment or the expiration of the current child care authorization, whichever occurs first, to provide adequate time for the parent to arrange alternative care for the child. However, an at-risk child receiving services from the Child Welfare Program Office of the Department of Children and Families may not be disenrolled from the program without the written approval of the Child Welfare Program Office ~~of the Department of Children and Families~~ or the community-based lead agency.

(8) If a child is absent from the program for 2 consecutive days without parental notification to the program of such absence, the school readiness program provider shall contact the parent and determine the cause for the absence and the expected date of return. If a child is absent from the program for 5 consecutive days without parental notification to the program of such absence, the school readiness program provider shall report the absence to the early learning coalition for a determination of the need for continued care.

Section 27. Paragraphs (a) through (c) and (l) through (q) of subsection (1) of section 1002.88, Florida Statutes, are amended, present subsections (2) and (3) are redesignated as subsections (4) and (5), respectively, present subsection (2) is amended, and new subsections (2) and (3) are added to that section, to read:

1002.88 School readiness program provider standards;

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eligibility to deliver the school readiness program.—

(1) To be eligible to deliver the school readiness program, a school readiness program provider must:

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

2. Be an entity that is part of Florida's education system identified in s. 1000.04(1); ~~a public school or nonpublic school exempt from licensure under s. 402.3025, a faith-based child care provider exempt from licensure under s. 402.316, a before-school or after-school program described in s. 402.305(1)(c), or~~

3. Be an informal child care provider to the extent authorized in the state's Child Care and Development Fund Plan as approved by the United States Department of Health and Human Services pursuant to 45 C.F.R. s. 98.18.

(b) Provide instruction and activities to enhance the age-appropriate progress of each child in attaining the child development standards adopted by the office pursuant to s. 1002.82(2)(j). A provider should include activities to foster brain development in infants and toddlers; provide an environment that is rich in language and music and filled with objects of various colors, shapes, textures, and sizes to stimulate visual, tactile, auditory, and linguistic senses; and include 30 minutes of reading to children each day. A provider must provide parents information on child development, expectations for parent engagement, the daily schedule, and the

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attendance policy.

(c) Provide basic health and safety of its premises and facilities in accordance with applicable licensing and inspection requirements ~~and compliance with requirements for age-appropriate immunizations of children enrolled in the school readiness program.~~ For a child care facility, a large family child care home, or a licensed family child day ~~day~~ care home, compliance with s. 402.305, s. 402.3131, or s. 402.313 satisfies this requirement. For a public ~~or nonpublic~~ school, compliance with ss. s. 402.3025 or s. 1003.22 and 1013.12 satisfies this requirement. For a nonpublic school, compliance with s. 402.3025(2)(d) satisfies this requirement. For a facility exempt from licensure, compliance with s. 402.316(4) satisfies this requirement. For an informal provider, substantial compliance as defined in s. 402.302(17) satisfies this requirement. A provider shall be denied initial eligibility to offer the program if the provider has been cited for a Class I violation in the 12 months before seeking eligibility. An existing provider that is cited for a Class I violation may not have its eligibility renewed for 12 months. A provider that is cited for a Class I violation may remain eligible to deliver the program if the Department of Children and Families or local licensing agency upon final disposition of a Class I violation has rescinded its initial citation in accordance with the criteria for consideration outlined in s. 1002.82(2)(m)2 ~~A faith-based child care provider, an informal child care provider, or a nonpublic school, exempt from licensure under s. 402.316 or s. 402.3025, shall annually complete the health and safety checklist adopted by the office, post the checklist prominently on its premises in plain sight~~

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1712 ~~for visitors and parents, and submit it annually to its local~~
1713 ~~early learning coalition.~~

1714 ~~(1) For a provider that is not an informal provider,~~
1715 Maintain general liability insurance and provide the coalition
1716 with written evidence of general liability insurance coverage,
1717 including coverage for transportation of children if school
1718 readiness program children are transported by the provider. A
1719 private provider must obtain and retain an insurance policy that
1720 provides a minimum of \$100,000 of coverage per occurrence and a
1721 minimum of \$300,000 general aggregate coverage. The office may
1722 authorize lower limits upon request, as appropriate. A provider
1723 must add the coalition as a named certificateholder ~~and as an~~
1724 ~~additional insured.~~ A private provider must provide the
1725 coalition with a minimum of 10 calendar days' advance written
1726 notice of cancellation of or changes to coverage. The general
1727 liability insurance required by this paragraph must remain in
1728 full force and effect for the entire period of the provider
1729 contract with the coalition.

1730 ~~(m) For a provider that is an informal provider, comply~~
1731 ~~with the provisions of paragraph (1) or maintain homeowner's~~
1732 ~~liability insurance and, if applicable, a business rider. If an~~
1733 ~~informal provider chooses to maintain a homeowner's policy, the~~
1734 ~~provider must obtain and retain a homeowner's insurance policy~~
1735 ~~that provides a minimum of \$100,000 of coverage per occurrence~~
1736 ~~and a minimum of \$300,000 general aggregate coverage. The office~~
1737 ~~may authorize lower limits upon request, as appropriate. An~~
1738 ~~informal provider must add the coalition as a named~~
1739 ~~certificateholder and as an additional insured. An informal~~
1740 ~~provider must provide the coalition with a minimum of 10~~

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~~calendar days' advance written notice of cancellation of or changes to coverage. The general liability insurance required by this paragraph must remain in full force and effect for the entire period of the provider's contract with the coalition.~~

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

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

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

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

(2) Beginning January 1, 2016, at least 50 percent of the child care personnel employed by a school readiness provider at each location, who are responsible for supervising children in care, must be trained in first aid and infant and child cardiopulmonary resuscitation, as evidenced by current documentation of course completion. As a condition of employment, personnel hired on or after January 1, 2016, must complete this training within 60 days after employment.

(3) Beginning January 1, 2017, child care personnel

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employed by a school readiness program provider must hold a high school diploma or its equivalent and be at least 18 years of age, unless the personnel are not responsible for supervising children in care or are under direct supervision.

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

Section 28. Paragraph (b) of subsection (6) and subsection (7) of Section 1002.89, Florida Statutes, are amended to read:

1002.89 School readiness program; funding.—

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

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

1. Developing, establishing, expanding, operating, and coordinating resource and referral programs specifically related to the provision of comprehensive consumer education to parents and the public to promote informed child care choices specified

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1799 in 45 C.F.R. s. 98.33 ~~regarding participation in the school~~
1800 ~~readiness program and parental choice.~~

1801 2. Awarding grants and providing financial support to
1802 school readiness program providers and their staffs to assist
1803 them in meeting applicable state requirements for child care
1804 performance standards, implementing developmentally appropriate
1805 curricula and related classroom resources that support
1806 curricula, providing literacy supports, obtaining a license or
1807 accreditation, and providing professional development, including
1808 scholarships and other incentives. Any grants awarded pursuant
1809 to this subparagraph shall comply with ~~the requirements of ss.~~
1810 215.971 and 287.058.

1811 3. Providing training, ~~and~~ technical assistance, and
1812 financial support for school readiness program providers, staff,
1813 and parents on standards, child screenings, child assessments,
1814 developmentally appropriate curricula, character development,
1815 teacher-child interactions, age-appropriate discipline
1816 practices, health and safety, nutrition, first aid,
1817 cardiopulmonary resuscitation, the recognition of communicable
1818 diseases, and child abuse detection and prevention.

1819 4. Providing from among the funds provided for the
1820 activities described in subparagraphs 1.-3., adequate funding
1821 for infants and toddlers as necessary to meet federal
1822 requirements related to expenditures for quality activities for
1823 infant and toddler care.

1824 5. Improving the monitoring of compliance with, and
1825 enforcement of, applicable state and local requirements as
1826 described in and limited by 45 C.F.R. s. 98.40.

1827 6. Responding to Warm-Line requests by providers and

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1828 parents ~~related to school readiness program children~~, including
1829 providing developmental and health screenings to school
1830 readiness program children.

1831 (7) Funds appropriated for the school readiness program may
1832 not be expended for the purchase or improvement of land; for the
1833 purchase, construction, or permanent improvement of any building
1834 or facility; or for the purchase of buses. However, funds may be
1835 expended for minor remodeling necessary for the administration
1836 of the program and upgrading of child care facilities to ensure
1837 that providers meet state and local child care standards,
1838 including applicable health and safety requirements.

1839 Section 29. Subsection (7) of section 1002.91, Florida
1840 Statutes, is amended to read:

1841 1002.91 Investigations of fraud or overpayment; penalties.—

1842 (7) The early learning coalition may not contract with a
1843 school readiness program provider, ~~or~~ a Voluntary
1844 Prekindergarten Education Program provider, or an individual who
1845 is on the United States Department of Agriculture National
1846 Disqualified List. In addition, the coalition may not contract
1847 with any provider that shares an officer or director with a
1848 provider that is on the United States Department of Agriculture
1849 National Disqualified List.

1850 Section 30. Paragraph (d) of subsection (3) of section
1851 1002.94, Florida Statutes, is amended to read:

1852 1002.94 Child Care Executive Partnership Program.—

1853 (3)

1854 (d) Each early learning coalition shall establish a
1855 community child care task force ~~for each child care purchasing~~
1856 ~~pool~~. The task force must be composed of employers, parents,

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private child care providers, and one representative from the local children's services council, if one exists in the area ~~of the purchasing pool~~. The early learning coalition is expected to recruit the task force members from existing child care councils, commissions, or task forces already operating in the area ~~of a purchasing pool~~. A majority of the task force shall consist of employers.

Section 31. The Office of Early Learning shall conduct a 2-year pilot project to study the impact of assessing the early literacy skills of Voluntary Prekindergarten Education Program participants who are English Language Learners, in both English and Spanish. The assessments must include, at a minimum, the first administration of the Florida Assessments for Instruction in Reading in kindergarten and an appropriate alternative assessment in Spanish. The study must include a review of the kindergarten screening results for 2009-2010 and 2010-2011 program participants and their subsequent Florida Comprehensive Assessment Test scores. The office shall report its findings to the Governor, the President of the Senate, and the Speaker of the House of Representatives by July 1, 2016, and July 1, 2017.

Section 32. For the 2015-2016 fiscal year, the sums of \$1,034,965 in recurring funds and \$11,319 in nonrecurring funds from the General Revenue Fund, and \$70,800 in recurring funds from the Operations and Maintenance Trust Fund are appropriated to the Department of Children and Families, and 18 full-time equivalent positions with associated salary rate of 608,446 are authorized, for the purpose of implementing the regulatory provisions of this act.

Section 33. This act shall take effect July 1, 2015.