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HOUSE OF REPRESENTATIVES
COUNCIL FOR LIFELONG LEARNING
ANALYSIS

BILL #: CS/CS/HB 1567
RELATING TO: Child Care/Home Operator Training
SPONSOR(S): Council for Lifelong Learning, Committee on Workforce & Technical Skills & Representative Ausley
TIED BILL(S): None

ORIGINATING COMMITTEE(S)/COUNCIL(S)/COMMITTEE(S) OF REFERENCE:

- (1) WORKFORCE AND TECHNICAL SKILLS YEAS 7 NAYS 2
 - (2) COUNCIL FOR LIFELONG LEARNING YEAS 15 NAYS 0
 - (3)
 - (4)
 - (5)
-

I. SUMMARY:

THIS DOCUMENT IS NOT INTENDED TO BE USED FOR THE PURPOSE OF CONSTRUING STATUTES, OR TO BE CONSTRUED AS AFFECTING, DEFINING, LIMITING, CONTROLLING, SPECIFYING, CLARIFYING, OR MODIFYING ANY LEGISLATION OR STATUTE.

CS/CS/HB 1567 requires hours for childcare introductory courses to include computer technology. The bill stipulates that the 40 hour introductory course completed by childcare personnel will be articulated into 3 hours of community college credit in early childhood education. Successful completion of the introductory childcare course will require passage of a competency examination. Childcare personnel with a bachelor's degree in early childhood or child development will be exempted from certain portions of the required childcare training. Finally, reference to a repealed section of Florida Statute is removed.

This bill substantially amends sections 402.313 and 402.305 of the Florida Statutes.

II. SUBSTANTIVE ANALYSIS:

A. DOES THE BILL SUPPORT THE FOLLOWING PRINCIPLES:

- | | | | |
|-----------------------------------|------------------------------|-----------------------------|---|
| 1. <u>Less Government</u> | Yes <input type="checkbox"/> | No <input type="checkbox"/> | N/A <input checked="" type="checkbox"/> |
| 2. <u>Lower Taxes</u> | Yes <input type="checkbox"/> | No <input type="checkbox"/> | N/A <input checked="" type="checkbox"/> |
| 3. <u>Individual Freedom</u> | Yes <input type="checkbox"/> | No <input type="checkbox"/> | N/A <input checked="" type="checkbox"/> |
| 4. <u>Personal Responsibility</u> | Yes <input type="checkbox"/> | No <input type="checkbox"/> | N/A <input checked="" type="checkbox"/> |
| 5. <u>Family Empowerment</u> | Yes <input type="checkbox"/> | No <input type="checkbox"/> | N/A <input checked="" type="checkbox"/> |

For any principle that received a "no" above, please explain:

B. PRESENT SITUATION:

The established view of professionals and researchers in the childcare field is that the quality of childcare contributes to child development outcomes. One of the important aspects of quality childcare typically identified by professionals is staff preparation and qualifications. The level of staff preparation is affected by both the training provided to caregivers and the rate of caregiver turnover. Nationally, efforts to retain qualified staff have included recognizing the professional capabilities of child care givers and creating opportunities to improve and secure higher educational certification.

Section 402.305, F.S., provides for licensing and registration standards for child care programs including minimum staff training requirements based on the type of program. Section 402.302(2), F.S., defines a "child care facility" to include any child care center or child care arrangement that is providing child care for a fee to more than five children who are unrelated to the operator of the program. Excluded from programs considered a child care facility are public and non-public schools, resident summer camps, summer day camps, bible schools, and child care services in transient programs.

A childcare facility is required to meet the licensing standards defined in s. 402.305, F.S., which include minimum training requirements for childcare personnel. All such childcare personnel are required to take an approved 40-hour introductory course in childcare that must begin within 90 days of employment and be completed within 1 year. The introductory childcare course is a 30-hour standardized statewide course which covers:

- State and local rules and regulations relative to child care;
- Health, safety and nutrition;
- Identifying and reporting child abuse and neglect;
- Child development, including typical and atypical language, cognitive, motor, social and self-help skills development;
- Observation of developmental behaviors, including use of observation tools; and
- Determining the child's developmental age level.

The additional 10 hours can be satisfied through one of the following specialized training modules: developmentally appropriate practices for young children, developmentally appropriate practices for school-age children, developmentally appropriate practices for infants and toddlers, developmentally appropriate practices for children with special needs, and owner/operators of child care programs.

Successful completion of the stipulated coursework requires attendance for the full course, but no testing or examination of knowledge or competency acquired is required. Section 402.305(2), F.S., provides that childcare personnel can receive an exemption from a portion of the required childcare training based on educational credentials or passage of competency examination. Possession of a child development associate (or equivalent) or a 2 year degree or higher in early childhood or child growth and development can exempt child care personnel from the health, safety and nutrition module, as well as the child development module (Rule 65C-22, F.A.C.).

Section 402.302(7) F.S., defines a "family day care home" as a residence where child care is provided for payment for at least two unrelated families. Childcare in a family day care home can be provided to no more than 10 children, based on the ages of the children. All family child care home operators, whether licensed or registered, are required to complete an approved 30-hour introductory course in family child care, which, if licensed or registered after October 1, 1999, must be completed prior to caring for any children. Section 402.305(2)(d), F.S., also requires that the operators of family day care homes serving at-risk children as part of the subsidized program, pursuant to s. 402.3015, F.S., are required to take the 40-hour child care course required of child care facility personnel. Section 402.3015, F.S., was repealed effective January 1, 2002 with ch. 2001-170, L.O.F.

Section 402.302(8) F.S., defines a "large family child care home" as a residence where childcare is provided, but a maximum of 12 children may be served, based on the ages of the children. Operators of the large family child care homes are required to complete the 40-hour introductory child care course required of child care facility personnel.

Florida's 1999 School Readiness Act (ch. 99-357, L.O.F.), established requirements related to early childhood career advancement and articulation in s. 240.115(1)(e), F.S. Specifically, the Commissioner of Education was directed to conduct a statewide assessment of the instruction of child care and early childhood education personnel and the market demands for personnel trained at various levels. The Articulation Coordinating Committee was required to establish an articulation career path for school readiness personnel based on this assessment, beginning at entry-level employment in childcare and leading to a baccalaureate degree. The result of this initiative was an October 2001 report, entitled *Pathways to Professionalism*, which contained recommendations organized around the proposed framework for an articulated career path. Some of the recommendations included increasing the current state-mandated 40-hour training for childcare personnel to 45 hours and making the training competency based. It was also recommended that a college-credit option for the state-mandated training be provided by increasing the state-mandated competency based 45-hour training to a state mandated competency based 60-hour training. Core knowledge and skills were outlined for different levels of early childhood professional, including the level for which a college credit option is recommended.

The Florida Education Code establishes a process for maximizing articulation and assuring accrediting bodies that certain courses, diplomas and degrees meet the content, contact hours and instructor qualifications that can be articulated to the next level on a statewide basis. Section 229.551(1)(g), F.S., directs the Articulation Coordinating Committee, to adopt guidelines to allow for public school districts and community colleges to offer courses that may be transferred to a certificate, diploma, or degree program. These guidelines are to include standards that address such aspects as admissions, program curricula, and faculty qualifications. The articulation between secondary and postsecondary education and between the various postsecondary educational institutions is governed by an articulation agreement, as established by the Department of Education.

C. EFFECT OF PROPOSED CHANGES:

CS/CS/HB 1567 requires a childcare introductory course to include computer technology. The bill stipulates that the 40-hour introductory course completed by childcare personnel will be articulated into 3 hours of community college credit in early childhood education. Successful completion of the introductory childcare course will require passage of a competency examination. Childcare personnel with a bachelor's degree in early childhood or child development will be exempted from certain portions of the required childcare training. Finally, the bill removes a reference to a repealed section of Florida Statutes.

The topic areas which the course is required to cover expanded to include computer technology. The bill removes in s. 402.305(2)(d), F.S., which requires operators of family child care homes serving at-risk children in a subsidized child care program, pursuant to s. 402.3015, F.S., to take the 40-hour course, the stipulation of serving the at-risk children and reference to s. 402.3015, F.S. This section and the requirement it imposed relative to the subsidized childcare program were repealed during the 2000 session.

Completion of the childcare course, pursuant to s. 402.305(2), F.S., is redefined to require passage of a competency examination. The bill exempts child care staff from the topic areas in the child care course on health, safety and nutrition; child development; and observation of developmental behaviors for those staff who possess a bachelor's degree in early childhood or child development. This provision conflicts with current administrative rule that requires only a 2-year degree to exempt staff from two of the modules.

Finally, the bill provides that successful completion of the 40-hour introductory course will articulate into 3 hours of community college credit in early childhood education. This provision begins the process of building a career path for childcare workers. However, the existing process for articulating coursework into postsecondary education credit as provided for in Florida Statutes, entails a thorough examination of the curriculum, faculty qualifications and other aspects by the Articulation Coordinating Committee. This process is in place to verify that the coursework meets the standards required for the postsecondary education credit. While the process for examining the core knowledge and skills for childcare workers that would both equate to community college credit and build to the next level on the career ladder was begun with the *Pathways to Professionalism* initiative, the initiative has not reached its conclusion of providing for an approved articulation agreement that guarantees the statewide articulation of the coursework. The Department of Education has examined the childcare introductory course and report they are comfortable with the articulation provided for in CS/CS/HB 1567.

D. SECTION-BY-SECTION ANALYSIS:

This section need be completed only in the discretion of the Committee.

III. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT:

A. FISCAL IMPACT ON STATE GOVERNMENT:

1. Revenues:

None

2. Expenditures:

The Department of Children and Families reports that to implement this legislation, four competency examinations will need to be developed for the existing introductory child care training modules at a cost of \$44,000. Spanish translation of all competency examinations will cost \$4,250. These non-recurring costs total \$48,250. The estimated recurring costs for childcare training coordinating agencies to implement the new module and administer the competency examinations is \$50,000. Anticipating a 6-month development time for the modules and competency examinations, the first year cost for the childcare training coordinating agencies will be \$25,000.

The department reports that there will be minimal impact on the local county child care licensing agencies, which routinely review child care personnel files as part of their child care facility and large family child care home inspections.

B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

1. Revenues:

None

2. Expenditures:

None

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

The requirement that the child care training be competency based may result in individuals, who would like to become child caregivers, not passing the competency examination and not being able to work in a child care center.

D. FISCAL COMMENTS:

None

IV. CONSEQUENCES OF ARTICLE VII, SECTION 18 OF THE FLORIDA CONSTITUTION:

A. APPLICABILITY OF THE MANDATES PROVISION:

Enactment of the measures proposed by CS/CS/HB 1567 would not require counties or municipalities to incur any expenses or take any action requiring either to incur any expenses.

B. REDUCTION OF REVENUE RAISING AUTHORITY:

Enactment of the measures proposed by CS/CS/HB 1567 would not require counties or municipalities to incur any expenses or take any action requiring either to incur any expenses.

C. REDUCTION OF STATE TAX SHARED WITH COUNTIES AND MUNICIPALITIES:

Enactment of the measures proposed by CS/CS/HB 1567 would not reduce the percentage of any state tax shared with counties or municipalities.

V. COMMENTS:

A. CONSTITUTIONAL ISSUES:

None

B. RULE-MAKING AUTHORITY:

None

C. OTHER COMMENTS:

None

VI. AMENDMENTS OR COMMITTEE SUBSTITUTE CHANGES:

On 2/19/02, the Committee on Workforce and Technical Skills adopted a strike-all amendment by Rep. Murman to HB 1567 that conformed the bill to SB 1550 and resolved technical concerns. The strike-all amendment: eliminated reference to the State Coordination Council for School Readiness which no longer exists; expands and makes consistent the application of competency-based training for a range of childcare settings; and removes a conflict and makes uniform two sections of F.S. related to childcare training [ss. 402.305(2) and 402.314(4)].

On 2/28/02, the Council for Lifelong Learning adopted a strike-all amendment by Rep. Ausley to CS/HB 1567 that reverted the clock hour requirement to 40 hours and removed brain research course requirement from the bill.

VII. SIGNATURES:

COMMITTEE ON WORKFORCE AND TECHNICAL SKILLS:

Prepared by:

Ken Winker

Staff Director:

Ken Winker

AS REVISED BY THE COUNCIL FOR LIFELONG LEARNING:

Prepared by:

Ken Winker

Council Director:

Patricia Levesque