



1 A bill to be entitled
2 An act relating to early learning; providing a
3 directive to the Division of Law Revision and
4 Information to change the term "family day care home"
5 to "family child care home," and the term "family day
6 care" to "family child care"; amending ss. 125.0109
7 and 166.0445, F.S.; including large family child care
8 homes in local zoning regulation requirements;
9 amending s. 402.302, F.S.; redefining the term
10 "substantial compliance"; requiring the Department of
11 Children and Families to adopt rules for compliance by
12 certain programs regulated, but not licensed, by the
13 department; amending s. 402.3025, F.S.; revising
14 requirements for nonpublic schools delivering the
15 Voluntary Prekindergarten (VPK) Education Program or
16 school readiness program; amending s. 402.305, F.S.;
17 revising certain minimum standards for child care
18 facilities and personnel; prohibiting the transfer of
19 ownership of such facilities to specified individuals;
20 creating s. 402.3085, F.S.; requiring nonpublic
21 schools or providers seeking to operate certain
22 programs to annually obtain a certificate from the
23 department or a local licensing agency; providing for
24 issuance of the certificate upon examination of the
25 applicant's premises and records; prohibiting a
26 provider from participating in the programs without a



27 | certificate; authorizing local licensing agencies to
28 | apply their own minimum child care standards under
29 | certain circumstances; amending s. 402.311, F.S.;
30 | providing for the inspection of programs regulated by
31 | the department; amending s. 402.3115, F.S.; providing
32 | for abbreviated inspections of specified child care
33 | homes; requiring rulemaking; amending s. 402.313,
34 | F.S.; revising provisions for licensure, registration,
35 | and operation of family child care homes; amending s.
36 | 402.3131, F.S.; revising requirements for large family
37 | child care homes; amending s. 402.316, F.S.; providing
38 | exemptions from child care facility licensing
39 | standards; requiring a child care facility operating
40 | as a provider of the VPK program or school readiness
41 | program to comply with minimum standards; providing
42 | penalties for failure to disclose or for use of
43 | certain information; requiring the department to
44 | establish a fee for inspection and compliance
45 | activities; amending s. 627.70161, F.S.; revising
46 | restrictions on residential property insurance
47 | coverage to include coverage for large family child
48 | care homes; amending s. 1001.213, F.S.; providing
49 | additional duties of the Office of Early Learning;
50 | amending s. 1002.53, F.S.; revising requirements for
51 | application and determination of eligibility to enroll
52 | in the VPK program; amending s. 1002.55, F.S.;



53 | revising requirements for a school-year
54 | prekindergarten program delivered by a private
55 | prekindergarten provider, including requirements for
56 | providers, instructors, and child care personnel;
57 | providing requirements in the case of provider
58 | violations; amending s. 1002.59, F.S.; conforming a
59 | cross-reference to changes made by the act; amending
60 | s. 1002.61, F.S.; revising employment requirements and
61 | educational credentials of certain instructional
62 | personnel; amending s. 1002.63, F.S.; revising
63 | employment requirements and educational credentials of
64 | certain instructional personnel; specifying health and
65 | safety requirements for public schools offering the
66 | VPK program; amending s. 1002.67, F.S.; revising
67 | rulemaking authority regarding pre- and post-
68 | assessment; requiring that the pre- and post-
69 | assessment data be included in the calculation of
70 | certain kindergarten readiness rates; amending s.
71 | 1002.69, F.S.; correcting a reference regarding
72 | adoption of performance standards; amending s.
73 | 1002.71, F.S.; revising information that must be
74 | provided to parents; amending s. 1002.75, F.S.;
75 | revising provisions included in the standard statewide
76 | VPK program provider contract; amending s. 1002.77,
77 | F.S.; revising the purpose and meetings of the Florida
78 | Early Learning Advisory Council; amending s. 1002.81,



79 F.S.; revising certain program definitions; amending
80 s. 1002.82, F.S.; revising the powers and duties of
81 the Office of Early Learning; revising provisions
82 included in the standard statewide school readiness
83 provider contract; requiring that certain information
84 be posted to the office's website; amending s.
85 1002.84, F.S.; revising the powers and duties of early
86 learning coalitions; conforming provisions to changes
87 made by the act; amending s. 1002.87, F.S.; revising
88 student eligibility and enrollment requirements for
89 the school readiness program; amending s. 1002.88,
90 F.S.; revising eligibility requirements for program
91 providers that want to deliver the school readiness
92 program; providing conditions for denial of initial
93 eligibility; providing child care personnel
94 requirements; amending s. 1002.89, F.S.; revising the
95 use of funds for the school readiness program;
96 amending s. 1002.91, F.S.; requiring the office to
97 refer certain criminal violations to a law enforcement
98 agency; prohibiting an early learning coalition from
99 contracting with specified persons; amending s.
100 1002.94, F.S.; revising the name, purpose, membership,
101 and duties of the Child Care Executive Partnership;
102 providing for future legislative review and repeal of
103 provisions relating to the partnership; authorizing
104 the Office of Early Learning to allocate funds held by



105 | the partnership; requiring the office to conduct a
 106 | pilot project to study the impact of assessing the
 107 | early literacy skills of certain VPK program
 108 | participants; requiring the office to report its
 109 | findings to the Governor and Legislature by specified
 110 | dates; providing effective dates.

111

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

113

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

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

122 | 125.0109 Family child day care homes and large family
 123 | child care homes; local zoning regulation.—The operation of a
 124 | residence as a family child day care home or large family child
 125 | care home, as defined in s. 402.302, licensed or registered
 126 | pursuant to s. 402.313 or s. 402.3131, as applicable,
 127 | constitutes, ~~as defined by law, registered or licensed with the~~
 128 | ~~Department of Children and Families shall constitute a valid~~
 129 | residential use for purposes of any local zoning regulations,
 130 | and ~~no~~ such regulations ~~regulation may not shall~~ require the



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

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

137 166.0445 Family child day care homes and large family
 138 child care homes; local zoning regulation.—The operation of a
 139 residence as a family child day care home or large family child
 140 care home, as defined in s. 402.302, licensed or registered
 141 pursuant to s. 402.313 or s. 402.3131, as applicable,
 142 constitutes, ~~as defined by law, registered or licensed with the~~
 143 ~~Department of Children and Families shall constitute~~ a valid
 144 residential use for purposes of any local zoning regulations,
 145 and ~~no~~ such regulations may not ~~regulation shall~~ require the
 146 owner or operator of such family child day care home or large
 147 family child care home to obtain any special exemption or use
 148 permit or waiver, or to pay any special fee in excess of \$50, to
 149 operate in an area zoned for residential use.

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

152 402.302 Definitions.—As used in this chapter, the term:

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



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157 | under care. The standards must address the requirements of s.
158 | 402.305 and must be limited to supervision, transportation,
159 | access, health-related requirements, food and nutrition,
160 | personnel screening, records, and enforcement of these
161 | standards. The standards must not limit or exclude the
162 | curriculum provided by a faith-based provider or nonpublic
163 | school. The department, in consultation with the Office of Early
164 | Learning, shall adopt rules to define and enforce substantial
165 | compliance with minimum standards for child care facilities for
166 | programs operating under s. 1002.55, s. 1002.61, or s. 1002.88
167 | which are regulated, but not licensed, by the department
168 | ~~Substantial compliance is greater than minimal adherence but not~~
169 | ~~to the level of absolute adherence. Where a violation or~~
170 | ~~variation is identified as the type which impacts, or can be~~
171 | ~~reasonably expected within 90 days to impact, the health,~~
172 | ~~safety, or well-being of a child, there is no substantial~~
173 | ~~compliance.~~

174 | Section 5. Paragraphs (c), (d), and (e) of subsection (2)
175 | of section 402.3025, Florida Statutes, are amended to read:

176 | 402.3025 Public and nonpublic schools.—For the purposes of
177 | ss. 402.301-402.319, the following shall apply:

178 | (2) NONPUBLIC SCHOOLS.—

179 | (c) Programs for children who are at least 3 years of age,
180 | but under 5 years of age, shall not be deemed to be child care
181 | and shall not be subject to the provisions of ss. 402.301-
182 | 402.319 relating to child care facilities, provided the programs



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183 in the schools are operated and staffed directly by the schools,
184 provided a majority of the children enrolled in the schools are
185 5 years of age or older, and provided there is compliance with
186 the screening requirements for personnel pursuant to s. 402.305
187 or s. 402.3057. A county that has established a local licensing
188 agency pursuant to s. 402.308 may require nonpublic schools
189 offering programs under this paragraph, which are not licensed
190 under ss. 402.301-402.319, to comply with the minimum child care
191 standards adopted pursuant to ss. 402.305-402.3057. Compliance
192 with minimum child care standards is that level of adherence to
193 adopted standards which is sufficient to safeguard the health,
194 safety, and well-being of all children under care. Compliance is
195 greater than minimal adherence but not to the level of absolute
196 adherence. Where a violation or variation is identified as the
197 type which impacts, or can be reasonably expected within 90 days
198 to impact, the health, safety, or well-being of a child, there
199 is no compliance. Enforcement under this paragraph by a local
200 licensing agency shall be consistent with paragraph (d). A
201 nonpublic school may designate certain programs as child care,
202 in which case these programs shall be subject to the provisions
203 of ss. 402.301-402.319.

204 (d)1. Nonpublic schools delivering programs under s.
205 1002.55, s. 1002.61, or s. 1002.88 ~~Programs for children who are~~
206 ~~at least 3 years of age, but under 5 years of age,~~ which are not
207 licensed under ss. 402.301-402.319 shall substantially comply
208 with the minimum child care standards adopted ~~promulgated~~



209 pursuant to ss. 402.305-402.3057. The inclusion of nonpublic
210 schools within options available under ss. 1002.55, 1002.61, and
211 1002.88 does not expand the regulatory authority of the state,
212 its officers, any local licensing agency, or any early learning
213 coalition to impose any additional regulation of nonpublic
214 schools beyond those reasonably necessary to enforce
215 requirements expressly specified in this paragraph.

216 2. The department or local licensing agency shall enforce
217 compliance with such standards, where possible, to eliminate or
218 minimize duplicative inspections or visits by staff enforcing
219 the minimum child care standards and staff enforcing other
220 standards under the jurisdiction of the department.

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

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

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

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

233 ~~d. To make application for injunction to the proper~~
234 ~~circuit court, and the judge of that court shall have~~



235 ~~jurisdiction upon hearing and for cause shown to grant a~~
236 ~~temporary or permanent injunction, or both, restraining any~~
237 ~~person from violating or continuing to violate any of the~~
238 ~~provisions of ss. 402.301-402.319. Any violation of this section~~
239 ~~or of the standards applied under ss. 402.305-402.3057 which~~
240 ~~threatens harm to any child in the school's programs for~~
241 ~~children who are at least 3 years of age, but are under 5 years~~
242 ~~of age, or repeated violations of this section or the standards~~
243 ~~under ss. 402.305-402.3057, shall be grounds to seek an~~
244 ~~injunction to close a program in a school.~~

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

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

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

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



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260 purpose other than screening for employment as specified in
261 those sections.

262 5. It is a felony of the third degree, punishable as
263 provided in s. 775.082, s. 775.083, or s. 775.084, for any
264 person willfully, knowingly, or intentionally to use information
265 from the juvenile records of any person obtained under s.
266 402.305 or s. 402.3055 for any purpose other than screening for
267 employment as specified in those sections or to release
268 information from such records to any other person for any
269 purpose other than screening for employment as specified in
270 those sections.

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

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

278 402.305 Licensing standards; child care facilities.—

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

281 (a) Good moral character based upon screening, according
282 to the level 2 screening requirements of. ~~This screening shall~~
283 ~~be conducted as provided in chapter 435, using the level 2~~
284 ~~standards for screening set forth in that chapter.~~ In addition
285 to the offenses specified in s. 435.04, all child care personnel



286 required to undergo background screening pursuant to this
287 section may not have an arrest awaiting final disposition for,
288 may not have been found guilty of, or entered a plea of guilty
289 or nolo contendere to, regardless of adjudication, and may not
290 have been adjudicated delinquent and the record has not been
291 sealed or expunged for, an offense specified in s. 39.205.
292 Before employing child care personnel subject to this section,
293 the employer must conduct employment history checks of each of
294 the personnel's previous employers and document the findings. If
295 unable to contact a previous employer, the employer must
296 document efforts to contact the previous employer.

297 (d) Minimum training requirements for child care
298 personnel.

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

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

305 b. Health, safety, and nutrition.

306 c. Identifying and reporting child abuse and neglect.

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

310 e. Observation of developmental behaviors, including using
311 a checklist or other similar observation tools and techniques to



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312 determine the child's developmental age level.

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

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

323
324 Within 90 days after employment, child care personnel shall
325 begin training to meet the training requirements in this
326 paragraph. Child care personnel shall successfully complete such
327 training within 1 year after the date on which the training
328 began, as evidenced by passage of a competency examination.
329 Successful completion of the 40-clock-hour introductory course
330 shall articulate into community college credit in early
331 childhood education, pursuant to ss. 1007.24 and 1007.25.
332 Exemption from all or a portion of the required training shall
333 be granted to child care personnel based upon educational
334 credentials or passage of competency examinations. Child care
335 personnel possessing a 2-year degree or higher that includes 6
336 college credit hours in early childhood development or child
337 growth and development, or a child development associate



338 credential or an equivalent state-approved child development
339 associate credential, or a child development associate waiver
340 certificate shall be automatically exempted from the training
341 requirements in sub-subparagraphs b., d., and e.

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

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

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

357 5. Child care personnel shall be required to complete 0.5
358 continuing education unit of approved training or 5 clock hours
359 of equivalent training, as determined by the department, in
360 numeracy, early literacy, and language development of children
361 from birth to 5 years of age one time. The year that this
362 training is completed, it shall fulfill the 0.5 continuing
363 education unit or 5 clock hours of the annual training required



364 in subparagraph 4.

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

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

380 8. The department shall evaluate or contract for an
381 evaluation for the general purpose of determining the status of
382 and means to improve staff training requirements and testing
383 procedures. The evaluation shall be conducted every 2 years. The
384 evaluation must ~~shall~~ include, but not be limited to,
385 determining the availability, quality, scope, and sources of
386 current staff training; determining the need for specialty
387 training; and determining ways to increase inservice training
388 and ways to increase the accessibility, quality, and cost-
389 effectiveness of current and proposed staff training. The



390 evaluation methodology must ~~shall~~ include a reliable and valid
 391 survey of child care personnel.

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

396 (9) ADMISSIONS AND RECORDKEEPING.—

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

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

412 (18) TRANSFER OF OWNERSHIP.—

413 (a) One week before ~~prior to~~ the transfer of ownership of
 414 a child care facility, ~~or~~ family child ~~day~~ care home, or large
 415 family child care home, the transferor shall notify the parent



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416 or caretaker of each child of the impending transfer.

417 (b) The owner of a child care facility, family child care
418 home, or large family child care home may not transfer ownership
419 to a relative of the operator if the operator has had his or her
420 license suspended or revoked by the department pursuant to s.
421 402.310, has received notice from the department that reasonable
422 cause exists to suspend or revoke his or her license, or has
423 been placed on the United States Department of Agriculture
424 National Disqualified List. For purposes of this paragraph, the
425 term "relative" means father, mother, son, daughter,
426 grandfather, grandmother, brother, sister, uncle, aunt, cousin,
427 nephew, niece, husband, wife, father-in-law, mother-in-law, son-
428 in-law, daughter-in-law, brother-in-law, sister-in-law,
429 stepfather, stepmother, stepson, stepdaughter, stepbrother,
430 stepsister, half brother, or half sister.

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

434 Section 7. Section 402.3085, Florida Statutes, is created
435 to read:

436 402.3085 Certificate of substantial compliance with
437 minimum child care standards.—Each nonpublic school or provider
438 seeking to operate a program pursuant to s. 402.3025(2)(d) or s.
439 402.316(4), respectively, shall annually obtain a certificate
440 from the department or local licensing agency in the manner and
441 on the forms prescribed by the department or local licensing



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442 agency. An annual certificate or a renewal of an annual
443 certificate shall be issued upon an examination of the
444 applicant's premises and records to determine that the applicant
445 is in substantial compliance with the minimum child care
446 standards. A provider may not participate in a program pursuant
447 to s. 402.3025(2)(d) or s. 402.316(4), respectively, without the
448 certification. Local licensing agencies may apply their own
449 minimum child care standards if the department determines that
450 such standards meet or exceed department standards as provided
451 in s. 402.307.

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

454 402.311 Inspection.—A licensed child care facility or
455 program regulated by the department shall accord to the
456 department or the local licensing agency, whichever is
457 applicable, the privilege of inspection, including access to
458 facilities and personnel and to those records required in s.
459 402.305, at reasonable times during regular business hours, to
460 ensure compliance with ~~the provisions of~~ ss. 402.301-402.319.
461 The right of entry and inspection shall also extend to any
462 premises which the department or local licensing agency has
463 reason to believe are being operated or maintained as a child
464 care facility or program ~~without a license~~, but no such entry or
465 inspection of any premises shall be made without the permission
466 of the person in charge thereof unless a warrant is first
467 obtained from the circuit court authorizing same. Any



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468 application for a license, application for authorization to
469 operate a child care program which must maintain substantial
470 compliance with child care standards adopted under this chapter,
471 ~~or renewal of such license or authorization, made pursuant to~~
472 ~~this act~~ or the advertisement to the public for the provision of
473 child care as defined in s. 402.302 constitutes ~~shall constitute~~
474 permission for any entry to or inspection of the subject
475 premises ~~for which the license is sought in order~~ to facilitate
476 verification of the information submitted on or in connection
477 with the application. In the event a ~~licensed~~ facility or
478 program refuses permission for entry or inspection to the
479 department or local licensing agency, a warrant shall be
480 obtained from the circuit court authorizing same before ~~prior to~~
481 such entry or inspection. The department or local licensing
482 agency may institute disciplinary proceedings pursuant to s.
483 402.310~~7~~ for such refusal.

484 Section 9. Section 402.3115, Florida Statutes, is amended
485 to read:

486 402.3115 ~~Elimination of duplicative and unnecessary~~
487 ~~inspections;~~ Abbreviated inspections. ~~The Department of Children~~
488 ~~and Families and local governmental agencies that license child~~
489 ~~care facilities shall develop and implement a plan to eliminate~~
490 ~~duplicative and unnecessary inspections of child care~~
491 ~~facilities. In addition,~~ The department and the local licensing
492 ~~governmental~~ agencies shall conduct ~~develop and implement an~~
493 abbreviated inspections of ~~inspection plan for~~ child care



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494 facilities licensed under s. 402.305, family child care homes
495 licensed under s. 402.313, and large family child care homes
496 licensed under s. 402.3131 that have had no Class I ~~±~~ or Class
497 II violations ~~2 deficiencies~~, as defined by rule, for at least 2
498 consecutive years. The abbreviated inspection must include those
499 elements identified by the department and the local licensing
500 ~~governmental~~ agencies as being key indicators of whether the
501 child care facility continues to provide quality care and
502 programming. The department shall adopt rules establishing
503 criteria and procedures for abbreviated inspections and
504 inspection schedules that provide for both announced and
505 unannounced inspections.

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

508 402.313 Family child ~~day~~ care homes.-

509 (1) (a) A family child care home may volunteer to be
510 licensed under this chapter. A family child day care home must
511 ~~homes shall~~ be licensed under this chapter ~~act~~ if required by a
512 ~~they are presently being licensed under an existing county~~
513 ~~licensing ordinance or if the board of county commissioners~~
514 ~~passes a resolution that family day care homes be licensed or~~
515 the family child care home is operating a program under s.
516 1002.55, s. 1002.61, or s. 1002.88.

517 (b) ~~(a)~~ If not subject to license, a family child ~~day~~ care
518 home must ~~homes shall~~ register annually with the department,
519 providing the following information:



- 520 1. The name and address of the home.
- 521 2. The name of the operator.
- 522 3. The number of children served.
- 523 4. Proof of a written plan to identify a ~~provide at least~~
524 ~~one other~~ competent adult who has met the screening and training
525 requirements of the department to serve as a designated ~~to be~~
526 ~~available to~~ substitute for the operator in an emergency. This
527 plan must ~~shall~~ include the name, address, and telephone number
528 of the designated substitute who will serve in the absence of
529 the operator.
- 530 5. Proof of screening and background checks pursuant to
531 subsection (5).
- 532 6. Proof of successful completion of training requirements
533 by the operator and designated substitute pursuant to subsection
534 (6). ~~the 30-hour training course, as evidenced by passage of a~~
535 ~~competency examination, which shall include:~~
- 536 a. ~~State and local rules and regulations that govern child~~
537 ~~care.~~
- 538 b. ~~Health, safety, and nutrition.~~
- 539 c. ~~Identifying and reporting child abuse and neglect.~~
- 540 d. ~~Child development, including typical and atypical~~
541 ~~language development; and cognitive, motor, social, and self-~~
542 ~~help skills development.~~
- 543 e. ~~Observation of developmental behaviors, including using~~
544 ~~a checklist or other similar observation tools and techniques to~~
545 ~~determine a child's developmental level.~~



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

550 7. Proof that immunization records are kept current.

551 ~~8. Proof of completion of the required continuing~~
552 ~~education units or clock hours.~~

553

554 Upon receipt of registration information submitted by a family
555 child care home pursuant to this paragraph, the department shall
556 verify that the home is in compliance with the background
557 screening requirements of subsection (5) and that the operator
558 and the designated substitute are in compliance with the
559 applicable training requirements of subsection (6). The
560 department shall adopt rules prescribing registration
561 procedures, including verification of a registered family child
562 care home's compliance with background screening and training
563 requirements.

564 (2) Operators of a registered family child care home must
565 annually complete a health and safety home inspection self-
566 evaluation checklist developed by the department in conjunction
567 with the statewide resource and referral program. The completed
568 checklist shall be signed by the operator of the family child
569 care home and provided to parents as certification that basic
570 health and safety standards are being met.



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

573 (3) Each licensed or registered family child care home
574 must conspicuously display its license or registration in the
575 common area of the home.

576 (4) ~~(e)~~ The department may provide technical assistance to
577 counties and operators of family child day care homes ~~home~~
578 ~~providers~~ to enable counties and operators family day care
579 ~~providers~~ to achieve compliance with family child day care home
580 ~~homes~~ standards. Operators of family child care homes may avail
581 themselves of supportive services offered by the department.

582 ~~(2) This information shall be included in a directory to~~
583 ~~be published annually by the department to inform the public of~~
584 ~~available child care facilities.~~

585 (5) ~~(3)~~ Child care personnel in family child day care homes
586 are ~~shall be~~ subject to the applicable screening provisions
587 contained in ss. 402.305(2) and 402.3055. For purposes of
588 screening in family child day care homes, the term "child care
589 personnel" includes the operator, the designated substitute, any
590 member over the age of 12 years of a family child day care home
591 operator's family, or persons over the age of 12 years residing
592 with the operator in the family child day care home. Members of
593 the operator's family, or persons residing with the operator,
594 who are between the ages of 12 years and 18 years may ~~shall~~ not
595 be required to be fingerprinted, but shall be screened for
596 delinquency records.



597 (6) (a) (4) Before caring for children, operators of family
598 child day care homes and an individual serving as a designated
599 substitute for an operator who works 40 hours or more per month
600 on average must:

601 1. Successfully complete an approved 30-clock-hour
602 introductory course in child care, as evidenced by passage of a
603 competency examination, before caring for children. The course
604 must include:

605 a. State and local rules and regulations that govern child
606 care.

607 b. Health, safety, and nutrition.

608 c. Identifying and reporting child abuse and neglect.

609 d. Child development, including typical and atypical
610 language development, and cognitive, motor, social, and
611 executive functioning skills development.

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

615 f. Specialized areas, including numeracy, early literacy,
616 and language development of children from birth to 5 years of
617 age, as determined by the department, for operators of family
618 child care homes.

619 ~~(5) In order to further develop their child care skills~~
620 ~~and, if appropriate, their administrative skills, operators of~~
621 ~~family day care homes shall be required to complete an~~
622 ~~additional 1 continuing education unit of approved training or~~



623 ~~10 clock hours of equivalent training, as determined by the~~
624 ~~department, annually.~~

625 ~~2.(6) Operators of family day care homes shall be required~~
626 ~~to~~ Complete a 0.5 continuing education unit of approved training
627 in numeracy, early literacy, and language development of
628 children from birth to 5 years of age one time. For an operator,
629 the year that this training is completed, it shall fulfill the
630 0.5 continuing education unit or 5 clock hours of the annual
631 training required in paragraph (c) subsection (5).

632 3. Complete training in first aid and infant and child
633 cardiopulmonary resuscitation as evidenced by current
634 documentation of course completion.

635 (b) Before caring for children, family child care home
636 designated substitutes who work less than 40 hours per month on
637 average must complete the department's 6-clock-hour Family Child
638 Care Home Rules and Regulations training, as evidenced by
639 successful completion of a competency examination and first aid
640 and infant and child cardiopulmonary resuscitation training
641 required under subparagraph (a)3. A designated substitute who
642 has successfully completed the 3-clock-hour Fundamentals of
643 Child Care training established by rules of the department or
644 the 30-clock-hour training under subparagraph (a)1. is not
645 required to complete the 6-clock-hour Family Child Care Home
646 Rules and Regulations training.

647 (c) Operators of family child care homes must annually
648 complete an additional 1 continuing education unit of approved



649 training regarding child care and administrative skills or 10-
650 clock-hours of equivalent training, as determined by the
651 department.

652 ~~(7) Operators of family day care homes shall be required~~
653 ~~annually to complete a health and safety home inspection self-~~
654 ~~evaluation checklist developed by the department in conjunction~~
655 ~~with the statewide resource and referral program. The completed~~
656 ~~checklist shall be signed by the operator of the family day care~~
657 ~~home and provided to parents as certification that basic health~~
658 ~~and safety standards are being met.~~

659 ~~(8) Family day care home operators may avail themselves of~~
660 ~~supportive services offered by the department.~~

661 (7) ~~(9)~~ The department shall prepare a brochure on family
662 child ~~day~~ care for distribution by the department and by local
663 licensing agencies, if appropriate, to family child ~~day~~ care
664 homes for distribution to parents using ~~utilizing~~ such child
665 care, and to all interested persons, including physicians and
666 other health professionals; mental health professionals; school
667 teachers or other school personnel; social workers or other
668 professional child care, foster care, residential, or
669 institutional workers; and law enforcement officers. The
670 brochure shall, at a minimum, contain the following information:

671 (a) A brief description of the requirements for family
672 child ~~day~~ care registration, training, and background
673 ~~fingerprinting and screening.~~



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674 (b) A listing of those counties that require licensure of
675 family child ~~day~~ care homes. Such counties shall provide an
676 addendum to the brochure that provides a brief description of
677 the licensure requirements or may provide a brochure in lieu of
678 the one described in this subsection, provided it contains all
679 the required information on licensure and the required
680 information in the subsequent paragraphs.

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

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

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

698 ~~(8)-(10)~~ (8) On an annual basis, the department shall evaluate
699 the registration and licensure system for family child ~~day~~ care



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700 homes. Such evaluation shall, at a minimum, address the
701 following:

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

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

707 (c) The number of complaints received concerning family
708 child ~~day~~ care, the nature of the complaints, and the resolution
709 of such complaints.

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

713
714 The evaluation, pursuant to this subsection, shall be used
715 ~~utilized~~ by the department in any administrative modifications
716 or adjustments to be made in the registration of family child
717 ~~day~~ care homes or in any legislative requests for modifications
718 to the system of registration or to other requirements for
719 family child ~~day~~ care homes.

720 ~~(11) In order to inform the public of the state~~
721 ~~requirement for registration of family day care homes as well as~~
722 ~~the other requirements for such homes to legally operate in the~~
723 ~~state, the department shall institute a media campaign to~~
724 ~~accomplish this end. Such a campaign shall include, at a~~



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725 ~~minimum, flyers, newspaper advertisements, radio advertisements,~~
726 ~~and television advertisements.~~

727 (9) ~~(12)~~ Notwithstanding any other state or local law or
728 ordinance, any family child ~~day~~ care home licensed pursuant to
729 this chapter or pursuant to a county ordinance shall be charged
730 the utility rates accorded to a residential home. A licensed
731 family child ~~day~~ care home may not be charged commercial utility
732 rates.

733 (10) ~~(13)~~ The department shall, by rule, establish minimum
734 standards for family child ~~day~~ care homes that are required to
735 be licensed by county licensing ordinance or county licensing
736 resolution or that voluntarily choose to be licensed. The
737 standards should include requirements for staffing, training,
738 maintenance of immunization records, minimum health and safety
739 standards, reduced standards for the regulation of child care
740 during evening hours by municipalities and counties, and
741 enforcement of standards.

742 (11) ~~(14)~~ ~~During the months of August and September of each~~
743 ~~year,~~ Each family child ~~day~~ care home shall provide parents of
744 children enrolling ~~enrolled~~ in the home detailed information
745 regarding the causes, symptoms, and transmission of the
746 influenza virus in an effort to educate those parents regarding
747 the importance of immunizing their children against influenza as
748 recommended by the Advisory Committee on Immunization Practices
749 of the Centers for Disease Control and Prevention.

750 Section 11. Subsections (1), (3), (5), and (9) of section



751 402.3131, Florida Statutes, are amended, and subsection (10) is
752 added to that section, to read:

753 402.3131 Large family child care homes.—

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

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

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

765 (5) Operators of large family child care homes shall be
766 required to complete 0.5 continuing education unit of approved
767 training or 5 clock hours of equivalent training, as determined
768 by the department, in numeracy, early literacy, and language
769 development of children from birth to 5 years of age one time.
770 The year that this training is completed, it shall fulfill the
771 0.5 continuing education unit or 5 clock hours of the annual
772 training required in subsection (4).

773 (9) ~~During the months of August and September of each~~
774 ~~year,~~ Each large family child care home shall provide parents of
775 children enrolling ~~enrolled~~ in the home detailed information
776 regarding the causes, symptoms, and transmission of the



777 influenza virus in an effort to educate those parents regarding
778 the importance of immunizing their children against influenza as
779 recommended by the Advisory Committee on Immunization Practices
780 of the Centers for Disease Control and Prevention.

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

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

788 402.316 Exemptions.—

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

796 (a) The department or local licensing agency may pursue
797 administrative or judicial action under ss. 402.310-402.312 and
798 the rules adopted under those sections against any child care
799 facility operating under this subsection to enforce substantial
800 compliance with child care facility minimum standards or to
801 protect the health, safety, and well-being of any child in the
802 facility's care. A child care facility operating under this



803 subsection is subject to ss. 402.310-402.312 and the rules
804 adopted under those sections to the same extent as a child care
805 facility licensed under ss. 402.301-402.319.

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

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

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

820 (c) It is a felony of the third degree, punishable as
821 provided in s. 775.082, s. 775.083, or s. 775.084, for a person
822 to willfully, knowingly, or intentionally use information from
823 the juvenile records of a person obtained under s. 402.305 or s.
824 402.3055 for a purpose other than screening for employment as
825 specified in those sections or to release information from such
826 records to any other person for a purpose other than screening
827 for employment as specified in those sections.

828 (5) The department shall establish a fee for inspection



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829 and compliance activities performed pursuant to this section in
830 an amount sufficient to cover costs. However, the amount of such
831 fee for the inspection of a program may not exceed the fee
832 imposed for child care licensure pursuant to s. 402.315.

833 (6) The inclusion of a child care facility operating under
834 subsection (1) as a provider of a program described in s.
835 1002.55, s. 1002.61, or s. 1002.88 does not expand the
836 regulatory authority of the state, its officers, any local
837 licensing agency, or any early learning coalition to impose any
838 additional regulation of child care facilities beyond those
839 reasonably necessary to enforce requirements expressly included
840 in this section.

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

843 627.70161 Residential property insurance coverage; family
844 child ~~day~~ care homes and large family child care homes
845 insurance.—

846 (1) PURPOSE AND INTENT.—The Legislature recognizes that
847 family child ~~day~~ care homes and large family child care homes
848 fulfill a vital role in providing child care in Florida. It is
849 the intent of the Legislature that residential property
850 insurance coverage should not be canceled, denied, or nonrenewed
851 solely because child ~~on the basis of the family day care~~
852 services are provided at the residence. The Legislature also
853 recognizes that the potential liability of residential property
854 insurers is substantially increased by the rendition of child



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855 care services on the premises. The Legislature therefore finds
856 that there is a public need to specify that contractual
857 liabilities associated ~~that arise in connection~~ with the
858 operation of a the family child day care home or large family
859 child care home are excluded from residential property insurance
860 policies unless they are specifically included in such coverage.

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

862 (a) "Child care" means the care, protection, and
863 supervision of a child, for a period of up to ~~less than~~ 24 hours
864 a day on a regular basis, which supplements parental care,
865 enrichment, and health supervision for the child, in accordance
866 with his or her individual needs, and for which a payment, fee,
867 or grant is made for care.

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

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

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



881 defend against lawsuits covering such claims, unless:

882 (a) Specifically covered in a policy; or

883 (b) Covered by a rider or endorsement for business

884 coverage attached to a policy.

885 (4) DENIAL, CANCELLATION, REFUSAL TO RENEW PROHIBITED.—An

886 insurer may not deny, cancel, or refuse to renew a policy for

887 residential property insurance solely on the basis that the

888 policyholder or applicant operates a family child day care home

889 or a large family child care home. In addition to other lawful

890 reasons for refusing to insure, an insurer may deny, cancel, or

891 refuse to renew a policy of a family child day care home or

892 large family child care home provider if one or more of the

893 following conditions occur:

894 (a) The policyholder or applicant provides care for more

895 children than authorized for family child day care homes or

896 large family child care homes by s. 402.302;

897 (b) The policyholder or applicant fails to maintain a

898 separate commercial liability policy or an endorsement providing

899 liability coverage for ~~the~~ family child day care home or large

900 family child care home operations;

901 (c) The policyholder or applicant fails to comply with the

902 family child day care home licensure and registration

903 requirements specified in s. 402.313 or the large family child

904 care home licensure requirements specified in s. 402.3131; or

905 (d) Discovery of willful or grossly negligent acts or

906 omissions or any violations of state laws or regulations



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907 establishing safety standards for family child ~~day~~ care homes
908 and large family child care homes by the named insured or his or
909 her representative which materially increase any of the risks
910 insured.

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

913 1001.213 Office of Early Learning.—There is created within
914 the Office of Independent Education and Parental Choice the
915 Office of Early Learning, as required under s. 20.15, which
916 shall be administered by an executive director. The office shall
917 be fully accountable to the Commissioner of Education but shall:

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

920 (8) Hire an inspector general who reports directly to the
921 Chief Inspector General pursuant to s. 20.055.

922 (9) By July 1, 2017, develop and implement, in
923 consultation with early learning coalitions and providers of the
924 Voluntary Prekindergarten Education Program and the school
925 readiness program, best practices for providing parental
926 notifications in the parent's native language to a parent whose
927 native language is a language other than English.

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

930 1002.53 Voluntary Prekindergarten Education Program;
931 eligibility and enrollment.—

932 (4) (a) Each parent enrolling a child in the Voluntary



933 Prekindergarten Education Program must complete and submit an
934 application to the early learning coalition through the single
935 point of entry established under s. 1002.82 or to a private
936 prekindergarten provider or public school if the provider or
937 school is authorized by the early learning coalition to
938 determine student eligibility for enrollment in the program.

939 (b) The application must be submitted on forms prescribed
940 by the Office of Early Learning and must be accompanied by a
941 certified copy of the child's birth certificate. The forms must
942 include a certification, in substantially the form provided in
943 s. 1002.71(6)(b)2., that the parent chooses the private
944 prekindergarten provider or public school in accordance with
945 this section and directs that payments for the program be made
946 to the provider or school. The Office of Early Learning may
947 authorize alternative methods for submitting proof of the
948 child's age in lieu of a certified copy of the child's birth
949 certificate.

950 (c) If a private prekindergarten provider or public school
951 has been authorized to determine child eligibility and
952 enrollment, upon receipt of an application, the provider or
953 school must:

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

956 2. Retain the original application and a certified copy of
957 the child's birth certificate or authorized alternative proof of
958 age on file for at least 5 years.



959
960 An early learning coalition may audit applications held by a
961 private prekindergarten provider or public school in the
962 coalition's service area to determine whether children enrolled
963 and reported for funding by the provider or school have met the
964 eligibility criteria in subsection (2).

965 (d)(e) Each early learning coalition shall coordinate with
966 each of the school districts within the coalition's county or
967 multicounty region in the development of procedures for
968 enrolling children in prekindergarten programs delivered by
969 public schools, including procedures for making child
970 eligibility determinations and auditing enrollment records to
971 confirm that enrolled children have met eligibility
972 requirements.

973 Section 16. Section 1002.55, Florida Statutes, is amended
974 to read:

975 1002.55 School-year prekindergarten program delivered by
976 private prekindergarten providers.—

977 (1) Each early learning coalition shall administer the
978 Voluntary Prekindergarten Education Program at the county or
979 regional level for students enrolled under s. 1002.53(3)(a) in a
980 school-year prekindergarten program delivered by a private
981 prekindergarten provider. Each early learning coalition shall
982 cooperate with the Office of Early Learning and the Child Care
983 Services Program Office of the Department of Children and
984 Families to reduce paperwork and to avoid duplicating



985 interagency activities, health and safety monitoring, and
986 acquiring and composing data pertaining to child care training
987 and credentialing.

988 (2) Each school-year prekindergarten program delivered by
989 a private prekindergarten provider must comprise at least 540
990 instructional hours.

991 (3) To be eligible to deliver the prekindergarten program,
992 a private prekindergarten provider must meet each of the
993 following requirements:

994 ~~(a) The private prekindergarten provider must be a child~~
995 ~~care facility licensed under s. 402.305, family day care home~~
996 ~~licensed under s. 402.313, large family child care home licensed~~
997 ~~under s. 402.3131, nonpublic school exempt from licensure under~~
998 ~~s. 402.3025(2), or faith-based child care provider exempt from~~
999 ~~licensure under s. 402.316.~~

1000 (a) ~~(b)~~ The private prekindergarten provider must:

1001 1. Be accredited by an accrediting association that is a
1002 member of the National Council for Private School Accreditation,
1003 or the Florida Association of Academic Nonpublic Schools, or be
1004 accredited by the Southern Association of Colleges and Schools,
1005 or Western Association of Colleges and Schools, or North Central
1006 Association of Colleges and Schools, or Middle States
1007 Association of Colleges and Schools, or New England Association
1008 of Colleges and Schools; and have written accreditation
1009 standards that meet or exceed the state's licensing requirements
1010 under s. 402.305, s. 402.313, or s. 402.3131 and require at



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1011 | least one onsite visit to the provider or school before
1012 | accreditation is granted;

1013 | 2. Hold a current Gold Seal Quality Care designation under
1014 | s. 402.281; ~~or~~

1015 | 3. Be licensed under s. 402.305, s. 402.313, or s.
1016 | 402.3131; or

1017 | 4. Be a child development center located on a military
1018 | installation that is certified by the United States Department
1019 | of Defense.

1020 | (b) The private prekindergarten provider must provide
1021 | basic health and safety on its premises and in its facilities.
1022 | For a nonpublic school or child care facility exempt from
1023 | licensure, certification under s. 402.3085 satisfies this
1024 | requirement. For a child care facility, a licensed family child
1025 | care home, or a large family child care home, compliance with s.
1026 | 402.305, s. 402.313, or s. 402.3131, respectively, satisfies
1027 | this requirement. For a facility exempt from licensure,
1028 | compliance with s. 402.316(4) satisfies this requirement and
1029 | ~~demonstrate, before delivering the Voluntary Prekindergarten~~
1030 | ~~Education Program, as verified by the early learning coalition,~~
1031 | ~~that the provider meets each of the requirements of the program~~
1032 | ~~under this part, including, but not limited to, the requirements~~
1033 | ~~for credentials and background screenings of prekindergarten~~
1034 | ~~instructors under paragraphs (c) and (d), minimum and maximum~~
1035 | ~~class sizes under paragraph (f), prekindergarten director~~
1036 | ~~credentials under paragraph (g), and a developmentally~~



1037 ~~appropriate curriculum under s. 1002.67(2)(b).~~

1038 (c) The private prekindergarten provider must have, for
1039 each prekindergarten class of 11 children or fewer, at least one
1040 prekindergarten instructor who meets each of the following
1041 requirements:

1042 1. The prekindergarten instructor must hold, at a minimum,
1043 one of the following credentials:

1044 a. A child development associate credential issued by the
1045 National Credentialing Program of the Council for Professional
1046 Recognition; ~~or~~

1047 b. A credential approved by the Department of Children and
1048 Families, pursuant to s. 402.305(3)(c), as being equivalent to
1049 or greater than the credential described in sub-subparagraph a.;

1050 c. An associate or higher degree in child development;

1051 d. An associate or higher degree in an unrelated field, at
1052 least 6 credit hours in early childhood education or child
1053 development, and at least 480 hours of experience in teaching or
1054 providing child care services for children of any age from birth
1055 through 8 years of age;

1056 e. A baccalaureate or higher degree in early childhood
1057 education, prekindergarten or primary education, preschool
1058 education, or family and consumer science;

1059 f. A baccalaureate or higher degree in family and child
1060 science and at least 480 hours of experience in teaching or
1061 providing child care services for children of any age from birth
1062 through 8 years of age;



1063 g. A baccalaureate or higher degree in elementary
1064 education if the prekindergarten instructor has been certified
1065 to teach children of any age from birth through grade 6,
1066 regardless of whether the instructor's educator certificate is
1067 current, and if the instructor is not ineligible to teach in a
1068 public school because his or her educator certificate is
1069 suspended or revoked; or

1070 h. A credential approved by the department as being
1071 equivalent to or greater than a credential described in sub-
1072 subparagraphs a.-f. The department may adopt criteria and
1073 procedures for approving such equivalent credentials.

1074
1075 ~~The Department of Children and Families may adopt rules under~~
1076 ~~ss. 120.536(1) and 120.54 which provide criteria and procedures~~
1077 ~~for approving equivalent credentials under sub-subparagraph b.~~

1078 2. The prekindergarten instructor must successfully
1079 complete an emergent literacy training course and a student
1080 performance standards training course approved by the office as
1081 meeting or exceeding the minimum standards adopted under s.
1082 1002.59. The requirement for completion of the standards
1083 training course shall take effect July 1, 2016 ~~2014~~, and the
1084 course shall be available online.

1085 (d) Each prekindergarten instructor employed by the
1086 private prekindergarten provider must be of good moral
1087 character, must undergo background screening pursuant to s.
1088 402.305(2)(a) ~~be screened using the level 2 screening standards~~



1089 ~~in s. 435.04~~ before employment, must be ~~and~~ rescreened at least
1090 once every 5 years, must be denied employment or terminated if
1091 required under s. 435.06, and must not be ineligible to teach in
1092 a public school because his or her educator certificate is
1093 suspended or revoked.

1094 (e) A private prekindergarten provider may assign a
1095 substitute instructor to temporarily replace a credentialed
1096 instructor if the credentialed instructor assigned to a
1097 prekindergarten class is absent, as long as the substitute
1098 instructor meets the requirements of paragraph (d) ~~is of good~~
1099 ~~moral character and has been screened before employment in~~
1100 ~~accordance with level 2 background screening requirements in~~
1101 ~~chapter 435~~. The Office of Early Learning shall adopt rules to
1102 implement this paragraph which shall include required
1103 qualifications of substitute instructors and the circumstances
1104 and time limits for which a private prekindergarten provider may
1105 assign a substitute instructor.

1106 (f) Each of the private prekindergarten provider's
1107 prekindergarten classes must be composed of at least 4 students
1108 but may not exceed 20 students. In order to protect the health
1109 and safety of students, each private prekindergarten provider
1110 must also provide appropriate adult supervision for students at
1111 all times and, for each prekindergarten class composed of 12 or
1112 more students, must have, in addition to a prekindergarten
1113 instructor who meets the requirements of paragraph (c), at least
1114 one adult prekindergarten instructor who is not required to meet



1115 those requirements but who must meet each requirement of s.
1116 402.305(2) ~~paragraph (d)~~. This paragraph does not supersede any
1117 requirement imposed on a provider under ss. 402.301-402.319.

1118 (g) The private prekindergarten provider must have a
1119 prekindergarten director who has a prekindergarten director
1120 credential that is approved by the office as meeting or
1121 exceeding the minimum standards adopted under s. 1002.57.
1122 Successful completion of a child care facility director
1123 credential under s. 402.305(2)(f) before the establishment of
1124 the prekindergarten director credential under s. 1002.57 or July
1125 1, 2006, whichever occurs later, satisfies the requirement for a
1126 prekindergarten director credential under this paragraph.

1127 (h) The private prekindergarten provider must register
1128 with the early learning coalition on forms prescribed by the
1129 Office of Early Learning.

1130 (i) The private prekindergarten provider must execute the
1131 statewide provider contract prescribed under s. 1002.75, except
1132 that an individual who owns or operates multiple private
1133 prekindergarten providers within a coalition's service area may
1134 execute a single agreement with the coalition on behalf of each
1135 provider.

1136 (j) The private prekindergarten provider must maintain
1137 general liability insurance and provide the coalition with
1138 written evidence of general liability insurance coverage,
1139 including coverage for transportation of children if
1140 prekindergarten students are transported by the provider. A



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1141 provider must obtain and retain an insurance policy that
1142 provides a minimum of \$100,000 of coverage per occurrence and a
1143 minimum of \$300,000 general aggregate coverage. The office may
1144 authorize lower limits upon request, as appropriate. A provider
1145 must add the coalition as a named certificateholder ~~and as an~~
1146 ~~additional insured~~. A provider must provide the coalition with a
1147 minimum of 10 calendar days' advance written notice of
1148 cancellation of or changes to coverage. The general liability
1149 insurance required by this paragraph must remain in full force
1150 and effect for the entire period of the provider contract with
1151 the coalition.

1152 (k) The private prekindergarten provider must obtain and
1153 maintain any required workers' compensation insurance under
1154 chapter 440 and any required reemployment assistance or
1155 unemployment compensation coverage under chapter 443, unless
1156 exempt under state or federal law.

1157 (l) Notwithstanding paragraph (j), for a private
1158 prekindergarten provider that is a state agency or a subdivision
1159 thereof, as defined in s. 768.28(2), the provider must agree to
1160 notify the coalition of any additional liability coverage
1161 maintained by the provider in addition to that otherwise
1162 established under s. 768.28. The provider shall indemnify the
1163 coalition to the extent permitted by s. 768.28.

1164 (m) A private prekindergarten provider seeking initial or
1165 renewal eligibility to offer the Voluntary Prekindergarten
1166 Education Program is ineligible to offer the program if the



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1167 provider has been sanctioned for a Class I violation pursuant to
1168 s. 402.310 during the 12 months before seeking such eligibility.
1169 The provider may reapply to offer the program 12 months after
1170 the date of final disposition of the sanction.

1171 (n) ~~(m)~~ The private prekindergarten provider must deliver
1172 the Voluntary Prekindergarten Education Program in accordance
1173 with this part and have child disciplinary policies that
1174 prohibit children from being subjected to discipline that is
1175 severe, humiliating, frightening, or associated with food, rest,
1176 toileting, spanking, or any other form of physical punishment as
1177 provided in s. 402.305(12).

1178 (o) Beginning January 1, 2016, at least 50 percent of the
1179 instructors employed by a prekindergarten provider at each
1180 location, who are responsible for supervising children in care,
1181 must be trained in first aid and infant and child
1182 cardiopulmonary resuscitation, as evidenced by current
1183 documentation of course completion. As a condition of
1184 employment, instructors hired on or after January 1, 2016, must
1185 complete this training within 60 days after employment.

1186 (p) Beginning January 1, 2017, the private prekindergarten
1187 provider must employ child care personnel who hold a high school
1188 diploma or its equivalent and are at least 18 years of age,
1189 unless the personnel are not responsible for supervising
1190 children in care or are under direct supervision.

1191 ~~(4) A prekindergarten instructor, in lieu of the minimum~~
1192 ~~credentials and courses required under paragraph (3)(c), may~~



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1193 ~~hold one of the following educational credentials:~~

1194 ~~(a) A bachelor's or higher degree in early childhood~~
1195 ~~education, prekindergarten or primary education, preschool~~
1196 ~~education, or family and consumer science;~~

1197 ~~(b) A bachelor's or higher degree in elementary education,~~
1198 ~~if the prekindergarten instructor has been certified to teach~~
1199 ~~children any age from birth through 6th grade, regardless of~~
1200 ~~whether the instructor's educator certificate is current, and if~~
1201 ~~the instructor is not ineligible to teach in a public school~~
1202 ~~because his or her educator certificate is suspended or revoked;~~

1203 ~~(c) An associate's or higher degree in child development;~~

1204 ~~(d) An associate's or higher degree in an unrelated field,~~
1205 ~~at least 6 credit hours in early childhood education or child~~
1206 ~~development, and at least 480 hours of experience in teaching or~~
1207 ~~providing child care services for children any age from birth~~
1208 ~~through 8 years of age; or~~

1209 ~~(e) An educational credential approved by the department~~
1210 ~~as being equivalent to or greater than an educational credential~~
1211 ~~described in this subsection. The department may adopt criteria~~
1212 ~~and procedures for approving equivalent educational credentials~~
1213 ~~under this paragraph.~~

1214 ~~(5) Notwithstanding paragraph (3) (b), a private~~
1215 ~~prekindergarten provider may not participate in the Voluntary~~
1216 ~~Prekindergarten Education Program if the provider has child~~
1217 ~~disciplinary policies that do not prohibit children from being~~
1218 ~~subjected to discipline that is severe, humiliating,~~



1219 ~~frightening, or associated with food, rest, toileting, spanking,~~
 1220 ~~or any other form of physical punishment as provided in s.~~
 1221 ~~402.305(12).~~

1222 Section 17. Subsection (1) of section 1002.59, Florida
 1223 Statutes, is amended to read:

1224 1002.59 Emergent literacy and performance standards
 1225 training courses.—

1226 (1) The office shall adopt minimum standards for one or
 1227 more training courses in emergent literacy for prekindergarten
 1228 instructors. Each course must comprise 5 clock hours and provide
 1229 instruction in strategies and techniques to address the age-
 1230 appropriate progress of prekindergarten students in developing
 1231 emergent literacy skills, including oral communication,
 1232 knowledge of print and letters, phonemic and phonological
 1233 awareness, and vocabulary and comprehension development. Each
 1234 course must also provide resources containing strategies that
 1235 allow students with disabilities and other special needs to
 1236 derive maximum benefit from the Voluntary Prekindergarten
 1237 Education Program. Successful completion of an emergent literacy
 1238 training course approved under this section satisfies
 1239 requirements for approved training in early literacy and
 1240 language development under ss. 402.305(2)(d)5., 402.313(6)(a)2.
 1241 ~~402.313(6)~~, and 402.3131(5).

1242 Section 18. Subsections (4) through (7) of section
 1243 1002.61, Florida Statutes, are amended to read:

1244 1002.61 Summer prekindergarten program delivered by public



1245 schools and private prekindergarten providers.—
 1246 (4) ~~Notwithstanding ss. 1002.55(3)(c)1. and 1002.63(4),~~
 1247 Each public school and private prekindergarten provider that
 1248 delivers the summer prekindergarten program must have, for each
 1249 prekindergarten class, at least one prekindergarten instructor
 1250 who is a certified teacher or holds one of the educational
 1251 credentials specified in s. 1002.55(3)(c)1.e.-h. ~~s.~~
 1252 ~~1002.55(4)(a) or (b).~~ As used in this subsection, the term
 1253 "certified teacher" means a teacher holding a valid Florida
 1254 educator certificate under s. 1012.56 who has the qualifications
 1255 required by the district school board to instruct students in
 1256 the summer prekindergarten program. In selecting instructional
 1257 staff for the summer prekindergarten program, each school
 1258 district shall give priority to teachers who have experience or
 1259 coursework in early childhood education.
 1260 (5) Each prekindergarten instructor employed by a ~~public~~
 1261 ~~school or~~ private prekindergarten provider delivering the summer
 1262 prekindergarten program must be of good moral character, must
 1263 undergo background screening pursuant to s. 402.305(2)(a) be
 1264 ~~screened using the level 2 screening standards in s. 435.04~~
 1265 before employment, must be ~~and~~ rescreened at least once every 5
 1266 years, and must be denied employment or terminated if required
 1267 under s. 435.06. Each prekindergarten instructor employed by a
 1268 public school delivering the summer prekindergarten program, and
 1269 must satisfy the ~~not be ineligible to teach in a public school~~
 1270 ~~because his or her educator certificate is suspended or revoked.~~



1271 ~~This subsection does not supersede~~ employment requirements for
1272 instructional personnel in public schools as provided in s.
1273 1012.32 ~~which are more stringent than the requirements of this~~
1274 ~~subsection.~~

1275 (6) A public school or private prekindergarten provider
1276 may assign a substitute instructor to temporarily replace a
1277 credentialed instructor if the credentialed instructor assigned
1278 to a prekindergarten class is absent, as long as the substitute
1279 instructor meets the requirements of subsection (5) ~~is of good~~
1280 ~~moral character and has been screened before employment in~~
1281 ~~accordance with level 2 background screening requirements in~~
1282 ~~chapter 435. This subsection does not supersede employment~~
1283 ~~requirements for instructional personnel in public schools which~~
1284 ~~are more stringent than the requirements of this subsection.~~ The
1285 Office of Early Learning shall adopt rules to implement this
1286 subsection which must ~~shall~~ include required qualifications of
1287 substitute instructors and the circumstances and time limits for
1288 which a public school or private prekindergarten provider may
1289 assign a substitute instructor.

1290 (7) Notwithstanding ss. 1002.55(3)(e) ~~ss. 1002.55(3)(f)~~
1291 and 1002.63(7), each prekindergarten class in the summer
1292 prekindergarten program, regardless of whether the class is a
1293 public school's or private prekindergarten provider's class,
1294 must be composed of at least 4 students but may not exceed 12
1295 students ~~beginning with the 2009 summer session.~~ In order to
1296 protect the health and safety of students, each public school or



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1297 private prekindergarten provider must also provide appropriate
1298 adult supervision for students at all times. This subsection
1299 does not supersede any requirement imposed on a provider under
1300 ss. 402.301-402.319.

1301 Section 19. Subsection (8) of section 1002.63, Florida
1302 Statutes, is renumbered as subsection (9), subsections (5) and
1303 (6) are amended, and a new subsection (8) is added to that
1304 section, to read:

1305 1002.63 School-year prekindergarten program delivered by
1306 public schools.—

1307 (5) Each prekindergarten instructor employed by a public
1308 school delivering the school-year prekindergarten program must
1309 satisfy the ~~be of good moral character, must be screened using~~
1310 ~~the level 2 screening standards in s. 435.04 before employment~~
1311 ~~and rescreened at least once every 5 years, must be denied~~
1312 ~~employment or terminated if required under s. 435.06, and must~~
1313 ~~not be ineligible to teach in a public school because his or her~~
1314 ~~educator certificate is suspended or revoked. This subsection~~
1315 ~~does not supersede~~ employment requirements for instructional
1316 personnel in public schools as provided in s. 1012.32 ~~which are~~
1317 ~~more stringent than the requirements of this subsection.~~

1318 (6) A public school prekindergarten provider may assign a
1319 substitute instructor to temporarily replace a credentialed
1320 instructor if the credentialed instructor assigned to a
1321 prekindergarten class is absent, as long as the substitute
1322 instructor meets the requirements of subsection (5) ~~is of good~~



1323 ~~moral character and has been screened before employment in~~
1324 ~~accordance with level 2 background screening requirements in~~
1325 ~~chapter 435. This subsection does not supersede employment~~
1326 ~~requirements for instructional personnel in public schools which~~
1327 ~~are more stringent than the requirements of this subsection. The~~
1328 Office of Early Learning shall adopt rules to implement this
1329 subsection which must ~~shall~~ include required qualifications of
1330 substitute instructors and the circumstances and time limits for
1331 which a public school prekindergarten provider may assign a
1332 substitute instructor.

1333 (8) Public schools offering prekindergarten programs
1334 pursuant to this section and s. 1002.61 must comply with the
1335 health and safety requirements applicable to public schools
1336 under ss. 1003.22 and 1013.12.

1337 Section 20. Paragraphs (a) and (c) of subsection (3) of
1338 section 1002.67, Florida Statutes, are amended, and paragraph
1339 (d) is added to that subsection, to read:

1340 1002.67 Performance standards; curricula and
1341 accountability.—

1342 (3) (a) Contingent upon legislative appropriation, each
1343 private prekindergarten provider and public school in the
1344 Voluntary Prekindergarten Education Program must implement an
1345 evidence-based pre- and post-assessment that has been approved
1346 by the office ~~rule of the State Board of Education.~~

1347 (c) The pre- and post-assessment must be administered by
1348 individuals meeting requirements established by the office ~~rule~~



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1349 ~~of the State Board of Education.~~

1350 (d) The pre- and post-assessment data must be used in
1351 calculating the private prekindergarten provider's or public
1352 school's kindergarten readiness rate pursuant to s. 1002.69(5).

1353 Section 21. Subsection (1) of section 1002.69, Florida
1354 Statutes, is amended to read:

1355 1002.69 Statewide kindergarten screening; kindergarten
1356 readiness rates; state-approved prekindergarten enrollment
1357 screening; good cause exemption.—

1358 (1) The department shall adopt a statewide kindergarten
1359 screening that assesses the readiness of each student for
1360 kindergarten based upon the performance standards adopted by the
1361 ~~office department~~ under s. 1002.67(1) for the Voluntary
1362 Prekindergarten Education Program. The department shall require
1363 that each school district administer the statewide kindergarten
1364 screening to each kindergarten student in the school district
1365 within the first 30 school days of each school year. Nonpublic
1366 schools may administer the statewide kindergarten screening to
1367 each kindergarten student in a nonpublic school who was enrolled
1368 in the Voluntary Prekindergarten Education Program.

1369 Section 22. Paragraph (a) of subsection (6) of section
1370 1002.71, Florida Statutes, is amended to read:

1371 1002.71 Funding; financial and attendance reporting.—

1372 (6) (a) Each parent enrolling his or her child in the
1373 Voluntary Prekindergarten Education Program must agree to comply
1374 with the attendance policy of the private prekindergarten



1375 provider or district school board, as applicable. Upon
 1376 enrollment of the child, the private prekindergarten provider or
 1377 public school, as applicable, must provide the child's parent
 1378 with program information, including, but not limited to, child
 1379 development, expectations for parent engagement, the daily
 1380 schedule, and the ~~a copy of the provider's or school district's~~
 1381 attendance policy, which must include procedures for contacting
 1382 a parent on the second consecutive day a child is absent for
 1383 which the reason is unknown ~~as applicable.~~

1384 Section 23. Subsection (1) of section 1002.75, Florida
 1385 Statutes, is amended to read:

1386 1002.75 Office of Early Learning; powers and duties.—

1387 (1) The Office of Early Learning shall adopt by rule a
 1388 standard statewide provider contract to be used with each
 1389 Voluntary Prekindergarten Education Program provider, with
 1390 standardized attachments by provider type. The office shall
 1391 publish a copy of the standard statewide provider contract on
 1392 its website. The standard statewide contract must ~~shall~~ include,
 1393 at a minimum, provisions that:

1394 (a) Specify the grounds for provider probation,
 1395 termination for cause, and emergency termination for those
 1396 actions or inactions of a provider that pose an immediate and
 1397 serious danger to the health, safety, or welfare of children.
 1398 The standard statewide contract must ~~shall~~ also include
 1399 appropriate due process procedures. ~~During the pendency of an~~
 1400 ~~appeal of a termination, the~~ A provider may ~~not~~ continue to



1401 offer its services during the pendency of an appeal of a
1402 termination that is not an emergency termination.

1403 (b) Require each private prekindergarten provider to
1404 notify the parent of each child in care if it is cited for a
1405 Class I violation as defined by rule of the Department of
1406 Children and Families or its equivalent as defined by local
1407 licensing agency requirements. Such notice shall describe each
1408 violation with specificity in simple language and include a copy
1409 of the citation and the contact information of the Department of
1410 Children and Families or local licensing agency where the parent
1411 may obtain additional information regarding the citation. Notice
1412 by the provider must be provided electronically or in writing to
1413 the parent by the close of the next business day following
1414 receipt of the citation. A private prekindergarten provider must
1415 conspicuously post each citation for a violation that results in
1416 disciplinary action on the premises in an area visible to
1417 parents pursuant to s. 402.3125(1)(b). Additionally, such a
1418 provider must post each inspection report on the premises in an
1419 area visible to parents, and such report must remain posted
1420 until the next inspection report is available.

1421 (c) Specify that child care personnel employed by the
1422 provider who are responsible for supervising children in care
1423 must be trained in developmentally appropriate practices aligned
1424 to the age and needs of children over which the personnel are
1425 assigned supervision duties. This requirement is met by the
1426 completion of developmentally appropriate practice courses



1427 administered by the Department of Children and Families under s.
 1428 402.305(2)(d)1. within 30 days after being assigned such
 1429 children if the child care personnel has not previously
 1430 completed the training.

1431
 1432 Any provision imposed upon a provider that is inconsistent with,
 1433 or prohibited by, law is void and unenforceable.

1434 Section 24. Subsections (1), (3), and (5) of section
 1435 1002.77, Florida Statutes, are amended to read:

1436 1002.77 Florida Early Learning Advisory Council.—

1437 (1) There is created the Florida Early Learning Advisory
 1438 Council within the Office of Early Learning. The purpose of the
 1439 advisory council is to provide written input ~~submit~~
 1440 ~~recommendations~~ to the executive director ~~office~~ on early
 1441 learning best practices, including ~~recommendations relating to~~
 1442 ~~the most~~ effective program administration; ~~of the Voluntary~~
 1443 ~~Prekindergarten Education Program under this part and the school~~
 1444 ~~readiness program under part VI of this chapter. The advisory~~
 1445 ~~council shall periodically analyze and provide recommendations~~
 1446 ~~to the office on the~~ effective and efficient use of local,
 1447 state, and federal funds; ~~the content of~~ professional
 1448 development training programs; and ~~best practices for the~~
 1449 ~~development and implementation of~~ coalition plans pursuant to s.
 1450 1002.85.

1451 (3) The advisory council shall meet at least quarterly
 1452 upon the call of the executive director ~~but may meet as often as~~



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1453 ~~necessary to carry out its duties and responsibilities. The~~
1454 ~~executive director is encouraged to~~ advisory council may use
1455 communications media technology ~~any method of telecommunications~~
1456 to conduct meetings in accordance with s. 120.54(5)(b),
1457 ~~including establishing a quorum through telecommunications, only~~
1458 ~~if the public is given proper notice of a telecommunications~~
1459 ~~meeting and reasonable access to observe and, when appropriate,~~
1460 ~~participate.~~

1461 (5) The Office of Early Learning shall provide staff and
1462 administrative support for the advisory council as determined by
1463 the executive director.

1464 Section 25. Paragraph (f) of subsection (1) and
1465 subsections (8) and (16) of section 1002.81, Florida Statutes,
1466 are amended to read:

1467 1002.81 Definitions.—Consistent with the requirements of
1468 45 C.F.R. parts 98 and 99 and as used in this part, the term:

1469 (1) "At-risk child" means:

1470 (f) A child in the custody of a parent who is considered
1471 homeless as verified by a designated lead agency on the homeless
1472 assistance continuum of care established under ss. 420.622-
1473 420.624 ~~Department of Children and Families certified homeless~~
1474 ~~shelter.~~

1475 (8) "Family income" means the combined gross income,
1476 whether earned or unearned, that is derived from any source by
1477 all family or household members who are 18 years of age or older
1478 who are currently residing together in the same dwelling unit.



1479 The term does not include:

1480 (a) Income earned by a currently enrolled high school
1481 student who, since attaining the age of 18 years, or a student
1482 with a disability who, since attaining the age of 22 years, has
1483 not terminated school enrollment or received a high school
1484 diploma, high school equivalency diploma, special diploma, or
1485 certificate of high school completion.

1486 (b) Income earned by a teen parent residing in the same
1487 residence as a separate family unit.

1488 (c) Selected items from the state's Child Care and
1489 Development Fund Plan, such as ~~The term also does not include~~
1490 food stamp benefits, documented child support and alimony
1491 payments paid out of the home, or federal housing assistance
1492 payments issued directly to a landlord or the associated
1493 utilities expenses.

1494 (16) "Working family" means:

1495 (a) A single-parent family in which the parent with whom
1496 the child resides is employed or engaged in eligible work or
1497 education activities for at least 20 hours per week or is exempt
1498 from work requirements due to age or disability, as determined
1499 and documented by a physician licensed under chapter 458 or
1500 chapter 459;

1501 (b) A two-parent family in which both parents with whom
1502 the child resides are employed or engaged in eligible work or
1503 education activities for a combined total of at least 40 hours
1504 per week; ~~or~~



1505 (c) A two-parent family in which one of the parents with
 1506 whom the child resides is exempt from work requirements due to
 1507 age or disability, as determined and documented by a physician
 1508 licensed under chapter 458 or chapter 459, and one parent is
 1509 employed or engaged in eligible work or education activities at
 1510 least 20 hours per week; or

1511 (d) A two-parent family in which both of the parents with
 1512 whom the child resides are exempt from work requirements due to
 1513 age or disability, as determined and documented by a physician
 1514 licensed under chapter 458 or chapter 459.

1515 Section 26. Paragraphs (b), (j), (m), and (p) of
 1516 subsection (2) and subsection (5) of section 1002.82, Florida
 1517 Statutes, are amended, and subsection (8) is added to that
 1518 section, to read:

1519 1002.82 Office of Early Learning; powers and duties.—

1520 (2) The office shall:

1521 (b) Preserve parental choice by permitting parents to
 1522 choose from a variety of child care categories authorized in s.
 1523 1002.88(1)(a), ~~including center-based care, family child care,~~
 1524 ~~and informal child care~~ to the extent authorized in the state's
 1525 Child Care and Development Fund Plan as approved by the United
 1526 States Department of Health and Human Services pursuant to 45
 1527 C.F.R. s. 98.18. Care and curriculum by a faith-based provider
 1528 may not be limited or excluded in any of these categories.

1529 (j) Develop and adopt standards and benchmarks that
 1530 address the age-appropriate progress of children in the



1531 development of school readiness skills. The standards for
1532 children from birth to 5 years of age in the school readiness
1533 program must be aligned with the performance standards adopted
1534 for children in the Voluntary Prekindergarten Education Program
1535 and must address the following domains:

- 1536 1. Approaches to learning.
- 1537 2. Cognitive development and general knowledge.
- 1538 3. Numeracy, language, and communication.
- 1539 4. Physical development.
- 1540 5. Self-regulation.

1541
1542 By July 1, 2016, the office shall develop and implement an
1543 online training course on the performance standards described in
1544 this paragraph for school readiness program provider personnel.

1545 (m) Adopt by rule a standard statewide provider contract
1546 to be used with each school readiness program provider, with
1547 standardized attachments by provider type. The office shall
1548 publish a copy of the standard statewide provider contract on
1549 its website. The standard statewide contract must ~~shall~~ include,
1550 at a minimum, provisions that:

- 1551 1. Specify the grounds for provider probation, termination
1552 for cause, and emergency termination for those actions or
1553 inactions of a provider that pose an immediate and serious
1554 danger to the health, safety, or welfare of ~~the~~ children. The
1555 standard statewide provider contract must ~~shall~~ also include
1556 appropriate due process procedures. ~~During the pendency of an~~



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1557 ~~appeal of a termination, the~~ A provider may ~~not~~ continue to
1558 offer its services during the pendency of an appeal of a
1559 termination that is not an emergency termination.

1560 2. Require each provider that is eligible to deliver the
1561 school readiness program pursuant to s. 1002.88(1)(a) to notify
1562 the parent of each child in care if it is cited for a class I
1563 violation as defined by rule of the Department of Children and
1564 Families or its equivalent as defined by local licensing agency
1565 requirements. Such notice shall describe each violation with
1566 specificity in simple language and include a copy of the
1567 citation and the contact information of the Department of
1568 Children and Families or the local licensing agency where the
1569 parent may obtain additional information regarding the citation.
1570 Notice by the provider must be provided electronically or in
1571 writing to the parent by the close of the next business day
1572 following receipt of the citation. A provider must conspicuously
1573 post each citation for a violation that results in disciplinary
1574 action on the premises in an area visible to parents pursuant to
1575 s. 402.3125(1)(b). Additionally, such a provider must post each
1576 inspection report on the premises in an area visible to parents,
1577 and such report must remain posted until the next inspection
1578 report is available.

1579 3. Specify that child care personnel employed by the
1580 provider who are responsible for supervising children in care
1581 must be trained in developmentally appropriate practices aligned
1582 to the age and needs of children over which the personnel are



1583 assigned supervision duties. This requirement is met by
1584 completion of developmentally appropriate practice courses
1585 administered by the Department of Children and Families under s.
1586 402.305(2)(d)1. within 30 days after being assigned such
1587 children if the child care personnel has not previously
1588 completed the training.

1589 4. Require child care personnel who are employed by the
1590 provider to complete an online training course on the
1591 performance standards adopted pursuant to paragraph (j).

1592
1593 Any provision imposed upon a provider that is inconsistent with,
1594 or prohibited by, law is void and unenforceable.

1595 (p) Monitor and evaluate the performance of each early
1596 learning coalition in administering the school readiness program
1597 and the Voluntary Prekindergarten Education Program, ensuring
1598 proper payments for school readiness program and Voluntary
1599 Prekindergarten Education Program services, and implementing the
1600 coalition's school readiness program plan, and administering the
1601 Voluntary Prekindergarten Education Program. These monitoring
1602 and performance evaluations must include, at a minimum, onsite
1603 monitoring of each coalition's finances, management, operations,
1604 and programs.

1605 (5) Annually, by January 1 ~~of each year,~~ the office shall
1606 ~~annually~~ publish on its website a report of its activities
1607 conducted under this section. The report must include a summary



1608 of the coalitions' annual reports, a statewide summary, and the
1609 following:

1610 (a) An analysis of early learning activities throughout
1611 the state, including the school readiness program and the
1612 Voluntary Prekindergarten Education Program.

1613 1. The total and average number of children served in the
1614 school readiness program, enumerated by age, eligibility
1615 priority category, and coalition, and the total number of
1616 children served in the Voluntary Prekindergarten Education
1617 Program.

1618 2. A summary of expenditures by coalition, by fund source,
1619 including a breakdown by coalition of the percentage of
1620 expenditures for administrative activities, quality activities,
1621 nondirect services, and direct services for children.

1622 3. A description of the office's and each coalition's
1623 expenditures by fund source for the quality and enhancement
1624 activities described in s. 1002.89(6)(b). Such description must
1625 specify the activity funded; the rationale for funding the
1626 activity; the effectiveness of the activity; and the number of
1627 providers, staff, or parents who participated in the activity.

1628 4. A summary of annual findings and collections related to
1629 provider fraud and parent fraud.

1630 5. Data regarding the coalitions' delivery of early
1631 learning programs.

1632 6. The total number of children disenrolled statewide and
1633 the reason for disenrollment.



- 1634 7. The total number of providers by provider type.
- 1635 8. The total number of provider contracts revoked and the
- 1636 reasons for revocation.

1637 (b) A summary of the activities and detailed expenditures
 1638 related to the Child Care ~~Executive~~ Partnership Program.

1639 (8) The office shall post on its website links to the
 1640 child care provider database maintained by the Department of
 1641 Children and Families.

1642 Section 27. Subsections (8) and (20) of section 1002.84,
 1643 Florida Statutes, are amended to read:

1644 1002.84 Early learning coalitions; school readiness powers
 1645 and duties.—Each early learning coalition shall:

1646 (8) Establish a parent sliding fee scale that requires a
 1647 parent copayment to participate in the school readiness program.
 1648 Providers are required to collect the parent's copayment. A
 1649 coalition may, on a case-by-case basis, waive the copayment for
 1650 an at-risk child or temporarily waive the copayment for a child
 1651 whose family's income is at or below the federal poverty level
 1652 and family experiences a natural disaster or an event that
 1653 limits the parent's ability to pay, such as incarceration,
 1654 placement in residential treatment, ~~or becoming homeless,~~ or an
 1655 emergency situation such as a household fire or burglary, or
 1656 while the parent is participating in parenting classes. A parent
 1657 may not transfer school readiness program services to another
 1658 school readiness program provider until the parent has submitted
 1659 documentation from the current school readiness program provider



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1660 to the early learning coalition stating that the parent has
1661 satisfactorily fulfilled the copayment obligation.

1662 (20) To increase transparency and accountability, comply
1663 with ~~the requirements of~~ this section before contracting with a
1664 member of the coalition, an employee of the coalition, or a
1665 relative, as defined in s. 112.3143(1) ~~112.3143(1)(e)~~, of a
1666 coalition member or of an employee of the coalition. Such
1667 contracts may not be executed without the approval of the
1668 office. Such contracts, as well as documentation demonstrating
1669 adherence to this section by the coalition, must be approved by
1670 a two-thirds vote of the coalition, a quorum having been
1671 established; all conflicts of interest must be disclosed before
1672 the vote; and any member who may benefit from the contract, or
1673 whose relative may benefit from the contract, must abstain from
1674 the vote. A contract under \$25,000 between an early learning
1675 coalition and a member of that coalition or between a relative,
1676 as defined in s. 112.3143(1) ~~112.3143(1)(e)~~, of a coalition
1677 member or of an employee of the coalition is not required to
1678 have the prior approval of the office but must be approved by a
1679 two-thirds vote of the coalition, a quorum having been
1680 established, and must be reported to the office within 30 days
1681 after approval. If a contract cannot be approved by the office,
1682 a review of the decision to disapprove the contract may be
1683 requested by the early learning coalition or other parties to
1684 the disapproved contract.

1685 Section 28. Paragraphs (c) and (h) of subsection (1) and



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1686 subsections (6) through (8) of section 1002.87, Florida
1687 Statutes, are amended to read:

1688 1002.87 School readiness program; eligibility and
1689 enrollment.—

1690 (1) Effective August 1, 2013, or upon reevaluation of
1691 eligibility for children currently served, whichever is later,
1692 each early learning coalition shall give priority for
1693 participation in the school readiness program as follows:

1694 (c) Priority shall be given next to a child from birth to
1695 the beginning of the school year for which the child is eligible
1696 for admission to kindergarten in a public school under s.
1697 1003.21(1)(a)2. who is from a working family that is
1698 economically disadvantaged, and may include such child's
1699 eligible siblings, beginning with the school year in which the
1700 sibling is eligible for admission to kindergarten in a public
1701 school under s. 1003.21(1)(a)2. until the beginning of the
1702 school year in which the sibling enters ~~is eligible to begin~~ 6th
1703 grade, provided that the first priority for funding an eligible
1704 sibling is local revenues available to the coalition for funding
1705 direct services. However, a child eligible under this paragraph
1706 ceases to be eligible if his or her family income exceeds 200
1707 percent of the federal poverty level.

1708 (h) Priority shall be given next to a child who ~~has~~
1709 ~~special needs~~, has been determined eligible as an infant or
1710 toddler from birth to 3 years of age with an individualized
1711 family support plan receiving early intervention services or to



1712 ~~as~~ a student with a disability ~~with,~~ has a current individual
1713 education plan with a Florida school district, ~~and is not~~
1714 ~~younger than 3 years of age~~. A ~~special-needs~~ child eligible
1715 under this paragraph remains eligible until the child is
1716 eligible for admission to kindergarten in a public school under
1717 s. 1003.21(1)(a)2.

1718 (6) Eligibility for each child must be reevaluated
1719 annually. Upon reevaluation, a child may not continue to receive
1720 school readiness program services if he or she has ceased to be
1721 eligible under this section. If a child no longer meets
1722 eligibility or program requirements, the coalition must
1723 immediately notify the child's parent and the provider that
1724 funding will end 2 weeks after the date on which the child was
1725 determined to be ineligible or when the current child care
1726 authorization expires, whichever occurs first.

1727 (7) If a coalition disenrolls children from the school
1728 readiness program due to lack of funding or a change in
1729 eligibility priorities, the coalition must disenroll the
1730 children in reverse order of the eligibility priorities listed
1731 in subsection (1) beginning with children from families with the
1732 highest family incomes. A notice of disenrollment must be sent
1733 to the parent and school readiness program provider at least 2
1734 weeks before disenrollment or the expiration of the current
1735 child care authorization, whichever occurs first, to provide
1736 adequate time for the parent to arrange alternative care for the
1737 child. However, an at-risk child receiving services from the



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1738 Child Welfare Program Office of the Department of Children and
1739 Families may not be disenrolled from the program without the
1740 written approval of the Child Welfare Program Office ~~of the~~
1741 ~~Department of Children and Families~~ or the community-based lead
1742 agency.

1743 (8) If a child is absent from the program for 2
1744 consecutive days without parental notification to the program of
1745 such absence, the school readiness program provider shall
1746 contact the parent and determine the cause for the absence and
1747 the expected date of return. If a child is absent from the
1748 program for 5 consecutive days without parental notification to
1749 the program of such absence, the school readiness program
1750 provider shall report the absence to the early learning
1751 coalition for a determination of the need for continued care.

1752 Section 29. Paragraphs (a) through (c) and (l) through (n)
1753 of subsection (1) of section 1002.88, Florida Statutes, are
1754 amended, present subsections (2) and (3) are redesignated as
1755 subsections (4) and (5), respectively, present subsection (2) is
1756 amended, and new subsections (2) and (3) are added to that
1757 section, to read:

1758 1002.88 School readiness program provider standards;
1759 eligibility to deliver the school readiness program.—

1760 (1) To be eligible to deliver the school readiness
1761 program, a school readiness program provider must:

1762 (a)1. Be a nonpublic school or a child care facility
1763 certified under s. 402.3085;



- 1764 2. Be a child care facility licensed under s. 402.305;~~T~~
- 1765 3. Be a family child ~~day~~ care home licensed ~~or registered~~
- 1766 under s. 402.313;~~T~~
- 1767 4. Be a large family child care home licensed under s.
- 1768 402.3131;~~T~~
- 1769 5. Be a child care facility exempt from licensure
- 1770 operating under s. 402.316(4);
- 1771 6. Be a public school designated by the district school
- 1772 ~~board; or nonpublic school exempt from licensure under s.~~
- 1773 ~~402.3025, a faith-based child care provider exempt from~~
- 1774 ~~licensure under s. 402.316, a before-school or after-school~~
- 1775 ~~program described in s. 402.305(1)(c), or~~
- 1776 7. Be an informal child care provider to the extent
- 1777 authorized in the state's Child Care and Development Fund Plan
- 1778 as approved by the United States Department of Health and Human
- 1779 Services pursuant to 45 C.F.R. s. 98.18.
- 1780 (b) Provide instruction and activities to enhance the age-
- 1781 appropriate progress of each child in attaining the child
- 1782 development standards adopted by the office pursuant to s.
- 1783 1002.82(2)(j). A provider should include activities to foster
- 1784 brain development in infants and toddlers; provide an
- 1785 environment that is rich in language and music and filled with
- 1786 objects of various colors, shapes, textures, and sizes to
- 1787 stimulate visual, tactile, auditory, and linguistic senses; and
- 1788 include 30 minutes of reading to children each day. A provider
- 1789 must provide parents information on child development,



1790 expectations for parent engagement, the daily schedule, and the
1791 attendance policy.

1792 (c) Provide basic health and safety of its premises and
1793 facilities in accordance with applicable licensing and
1794 inspection requirements ~~and compliance with requirements for~~
1795 ~~age-appropriate immunizations of children enrolled in the school~~
1796 ~~readiness program.~~ For a child care facility, a large family
1797 child care home, or a licensed family child day care home,
1798 compliance with s. 402.305, s. 402.3131, or s. 402.313 satisfies
1799 this requirement. For a public ~~or nonpublic~~ school, compliance
1800 with ss. s. 402.3025 or s. 1003.22 and 1013.12 satisfies this
1801 requirement. For a nonpublic school, compliance with s.
1802 402.3025(2)(d) satisfies this requirement. For a facility exempt
1803 from licensure, compliance with s. 402.316(4) satisfies this
1804 requirement. For an informal provider, substantial compliance as
1805 defined in s. 402.302(17) satisfies this requirement. A provider
1806 seeking initial or renewal eligibility to offer the program is
1807 ineligible to offer the program for a period of at least 12
1808 months if the provider has been sanctioned for a Class I
1809 violation pursuant to s. 402.310 during the 12 months before
1810 seeking such eligibility. The provider may reapply to offer the
1811 program 12 months after the date of final disposition of the
1812 sanction. ~~A faith-based child care provider, an informal child~~
1813 ~~care provider, or a nonpublic school, exempt from licensure~~
1814 ~~under s. 402.316 or s. 402.3025, shall annually complete the~~
1815 ~~health and safety checklist adopted by the office, post the~~



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1816 ~~checklist prominently on its premises in plain sight for~~
1817 ~~visitors and parents, and submit it annually to its local early~~
1818 ~~learning coalition.~~

1819 (l) ~~For a provider that is not an informal provider,~~
1820 Maintain general liability insurance and provide the coalition
1821 with written evidence of general liability insurance coverage,
1822 including coverage for transportation of children if school
1823 readiness program children are transported by the provider. A
1824 private provider must obtain and retain an insurance policy that
1825 provides a minimum of \$100,000 of coverage per occurrence and a
1826 minimum of \$300,000 general aggregate coverage. The office may
1827 authorize lower limits upon request, as appropriate. A provider
1828 must add the coalition as a named certificateholder ~~and as an~~
1829 ~~additional insured.~~ A private provider must provide the
1830 coalition with a minimum of 10 calendar days' advance written
1831 notice of cancellation of or changes to coverage. The general
1832 liability insurance required by this paragraph must remain in
1833 full force and effect for the entire period of the provider
1834 contract with the coalition.

1835 (m) For a provider that is an informal provider, comply
1836 with the provisions of paragraph (l) or maintain homeowner's
1837 liability insurance and, if applicable, a business rider. If an
1838 informal provider chooses to maintain a homeowner's policy, the
1839 provider must obtain and retain a homeowner's insurance policy
1840 that provides a minimum of \$100,000 of coverage per occurrence
1841 and a minimum of \$300,000 general aggregate coverage. The office



1842 may authorize lower limits upon request, as appropriate. An
1843 informal provider must add the coalition as a named
1844 certificateholder ~~and as an additional insured~~. An informal
1845 provider must provide the coalition with a minimum of 10
1846 calendar days' advance written notice of cancellation of or
1847 changes to coverage. The general liability insurance required by
1848 this paragraph must remain in full force and effect for the
1849 entire period of the provider's contract with the coalition.

1850 (n) Obtain and maintain any required workers' compensation
1851 insurance under chapter 440 and any required reemployment
1852 assistance or unemployment compensation coverage under chapter
1853 443, unless exempt under state or federal law.

1854 (2) Beginning January 1, 2016, at least 50 percent of the
1855 child care personnel employed by a school readiness provider at
1856 each location, who are responsible for supervising children in
1857 care, must be trained in first aid and infant and child
1858 cardiopulmonary resuscitation, as evidenced by current
1859 documentation of course completion. As a condition of
1860 employment, personnel hired on or after January 1, 2016, must
1861 complete this training within 60 days after employment.

1862 (3) Beginning January 1, 2017, child care personnel
1863 employed by a school readiness program provider must hold a high
1864 school diploma or its equivalent and be at least 18 years of
1865 age, unless the personnel are not responsible for supervising
1866 children in care or are under direct supervision.

1867 (4) ~~(2)~~ If a school readiness program provider fails or



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1868 refuses to comply with this part or any contractual obligation
1869 of the statewide provider contract under s. 1002.82(2)(m), the
1870 coalition may revoke the provider's eligibility to deliver the
1871 school readiness program or receive state or federal funds under
1872 this chapter for ~~a period of~~ 5 years.

1873 Section 30. Paragraph (b) of subsection (6) and subsection
1874 (7) of Section 1002.89, Florida Statutes, are amended to read:

1875 1002.89 School readiness program; funding.—

1876 (6) Costs shall be kept to the minimum necessary for the
1877 efficient and effective administration of the school readiness
1878 program with the highest priority of expenditure being direct
1879 services for eligible children. However, no more than 5 percent
1880 of the funds described in subsection (5) may be used for
1881 administrative costs and no more than 22 percent of the funds
1882 described in subsection (5) may be used in any fiscal year for
1883 any combination of administrative costs, quality activities, and
1884 nondirect services as follows:

1885 (b) Activities to improve the quality of child care as
1886 described in 45 C.F.R. s. 98.51, which must ~~shall~~ be limited to
1887 the following:

1888 1. Developing, establishing, expanding, operating, and
1889 coordinating resource and referral programs specifically related
1890 to the provision of comprehensive consumer education to parents
1891 and the public to promote informed child care choices specified
1892 in 45 C.F.R. s. 98.33 ~~regarding participation in the school~~
1893 ~~readiness program and parental choice.~~



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1894 2. Awarding grants and providing financial support to
1895 school readiness program providers and their staffs to assist
1896 them in meeting applicable state requirements for child care
1897 performance standards, implementing developmentally appropriate
1898 curricula and related classroom resources that support
1899 curricula, providing literacy supports, obtaining a license or
1900 accreditation, and providing professional development, including
1901 scholarships and other incentives. Any grants awarded pursuant
1902 to this subparagraph shall comply with ~~the requirements of ss.~~
1903 215.971 and 287.058.

1904 3. Providing training, ~~and~~ technical assistance, and
1905 financial support for school readiness program providers, staff,
1906 and parents on standards, child screenings, child assessments,
1907 developmentally appropriate curricula, character development,
1908 teacher-child interactions, age-appropriate discipline
1909 practices, health and safety, nutrition, first aid,
1910 cardiopulmonary resuscitation, the recognition of communicable
1911 diseases, and child abuse detection and prevention.

1912 4. Providing from among the funds provided for the
1913 activities described in subparagraphs 1.-3., adequate funding
1914 for infants and toddlers as necessary to meet federal
1915 requirements related to expenditures for quality activities for
1916 infant and toddler care.

1917 5. Improving the monitoring of compliance with, and
1918 enforcement of, applicable state and local requirements as
1919 described in and limited by 45 C.F.R. s. 98.40.



1920 6. Responding to Warm-Line requests by providers and
 1921 parents ~~related to school readiness program children~~, including
 1922 providing developmental and health screenings to school
 1923 readiness program children.

1924 (7) Funds appropriated for the school readiness program
 1925 may not be expended for the purchase or improvement of land; for
 1926 the purchase, construction, or permanent improvement of any
 1927 building or facility; or for the purchase of buses. However,
 1928 funds may be expended for minor remodeling necessary for the
 1929 administration of the program and upgrading of child care
 1930 facilities to ensure that providers meet state and local child
 1931 care standards, including applicable health and safety
 1932 requirements.

1933 Section 31. Subsections (3) and (7) of section 1002.91,
 1934 Florida Statutes, are amended to read:

1935 1002.91 Investigations of fraud or overpayment;
 1936 penalties.—

1937 (3) Based on the results of the investigation, the office
 1938 may, ~~in its discretion~~, refer the investigation to the
 1939 Department of Financial Services ~~for criminal investigation~~ or
 1940 refer the matter to the applicable coalition. Any suspected
 1941 criminal violation identified by the office must be referred to
 1942 the Department of Financial Services or to the appropriate law
 1943 enforcement agency for criminal investigation.

1944 (7) The early learning coalition may not contract with a
 1945 school readiness program provider, ~~or~~ a Voluntary



1946 Prekindergarten Education Program provider, or an individual who
 1947 is on the United States Department of Agriculture National
 1948 Disqualified List. In addition, the coalition may not contract
 1949 with any provider that shares an officer or director with a
 1950 provider that is on the United States Department of Agriculture
 1951 National Disqualified List.

1952 Section 32. Effective upon this act becoming a law,
 1953 section 1002.94, Florida Statutes, is amended to read:

1954 1002.94 Child Care ~~Executive~~ Partnership Program.—

1955 (1) There is created a body politic and corporate known as
 1956 the Child Care ~~Executive~~ Partnership which shall establish and
 1957 govern the Child Care ~~Executive~~ Partnership Program. The purpose
 1958 of the Child Care ~~Executive~~ Partnership Program is to use state
 1959 and federal funds as incentives for matching local funds derived
 1960 from private businesses, local governments, employers,
 1961 charitable foundations, and other not-for-profit entities,
 1962 counties, municipalities, and children's services councils
 1963 established pursuant to s. 125.901 ~~other sources~~ so that Florida
 1964 communities may create local flexible partnerships with
 1965 employers. The Child Care ~~Executive~~ Partnership Program funds
 1966 shall be used at the discretion of local communities to ~~meet the~~
 1967 ~~needs of working parents. A child care purchasing pool shall be~~
 1968 ~~developed with the state, federal, and local funds to provide~~
 1969 subsidies to low-income working parents whose family income does
 1970 not exceed the allowable income for ~~any~~ federally subsidized
 1971 child care ~~program~~ by establishing child care purchasing pools



1972 using state, federal, and local funds with a dollar-for-dollar
 1973 match from private businesses, employers, charitable
 1974 foundations, and other not-for-profit entities, counties,
 1975 municipalities ~~local government,~~ and children's services
 1976 councils established pursuant to s. 125.901 ~~other matching~~
 1977 ~~contributions~~. The funds used from the child care purchasing
 1978 pool must be used to supplement or extend the use of existing
 1979 public or private funds for direct services.

1980 (2) The Child Care ~~Executive~~ Partnership, staffed by the
 1981 office, shall consist of a total of five members who represent
 1982 private sector corporate businesses that are not child care. ~~a~~
 1983 ~~representative of the Executive Office of The Governor shall~~
 1984 appoint three members, and the President of the Senate and
 1985 Speaker of the House of Representatives shall each appoint one
 1986 member ~~nine members of the corporate or child care community,~~
 1987 ~~appointed by the Governor.~~

1988 (a) Members shall serve for a period of 4 years, ~~except~~
 1989 ~~that the representative of the Executive Office of the Governor~~
 1990 ~~shall serve at the pleasure of the Governor.~~

1991 (b) The Child Care ~~Executive~~ Partnership shall be chaired
 1992 by a member chosen by a majority vote and shall meet at least
 1993 quarterly and at other times upon the call of the chair. The
 1994 Child Care ~~Executive~~ Partnership may use any method of
 1995 telecommunications to conduct meetings, including establishing a
 1996 quorum through telecommunications, only if the public is given



1997 | proper notice of a telecommunications meeting and reasonable
 1998 | access to observe and, when appropriate, participate.

1999 | (c) Members shall serve without compensation, but may be
 2000 | reimbursed for per diem and travel expenses in accordance with
 2001 | s. 112.061.

2002 | (d) The Child Care ~~Executive~~ Partnership shall ~~have all~~
 2003 | ~~the powers and authority, not explicitly prohibited by law,~~
 2004 | ~~necessary to carry out and effectuate the purposes of this~~
 2005 | ~~section, as well as the functions, duties, and responsibilities~~
 2006 | ~~of the partnership, including, but not limited to, the~~
 2007 | ~~following:~~

2008 | 1. Establish funding priorities and make Making
 2009 | recommendations to the office regarding the allocation of funds
 2010 | to child care purchasing pools ~~concerning the implementation and~~
 2011 | ~~coordination of the school readiness program.~~

2012 | 2. Solicit, accept, receive, and invest ~~Soliciting,~~
 2013 | ~~accepting, receiving, investing, and expending~~ funds from public
 2014 | or private sources.

2015 | 3. Approve ~~Contracting with public or private entities as~~
 2016 | ~~necessary.~~

2017 | 4. ~~Approving~~ an annual budget.

2018 | ~~4.5.~~ Submit ~~Providing~~ a report to the Governor, the
 2019 | Speaker of the House of Representatives, and the President of
 2020 | the Senate on or before December 1 of each year documenting the
 2021 | activities specified in this paragraph and identifying the
 2022 | sources of contributions.



2023
 2024 ~~Notwithstanding this subsection, the corporate body politic~~
 2025 ~~previously established by prior law is the corporate body~~
 2026 ~~politic for purposes of this section and shall continue in~~
 2027 ~~existence. All member terms of the existing corporate body~~
 2028 ~~politic expire as of June 30, 2013, and new members shall be~~
 2029 ~~appointed beginning July 1, 2013, in accordance with this~~
 2030 ~~subsection.~~

2031 (3) (a) The Legislature shall annually determine the amount
 2032 of state or federal low-income child care funds ~~moneys~~ which
 2033 shall be used to create the Child Care ~~Executive~~ Partnership
 2034 Program child care purchasing pools in counties chosen by the
 2035 ~~Child Care Executive~~ partnership provided that at least two of
 2036 the counties have populations of no more than 300,000. The
 2037 Legislature shall annually review the effectiveness of the Child
 2038 Care Partnership in securing contributions from private
 2039 businesses and the child care purchasing pool program and
 2040 reevaluate the percentage of additional state or federal funds,
 2041 if any, which can be used for the program's expansion.

2042 (b) To ensure a seamless service delivery and ease of
 2043 access for families, the office shall allocate ~~administer~~ the
 2044 child care purchasing pool funds.

2045 (c) The office, ~~in conjunction with the Child Care~~
 2046 ~~Executive Partnership,~~ shall disburse ~~develop procedures for~~
 2047 ~~disbursement of funds to participating early learning coalitions~~
 2048 and the Redlands Christian Migrant Association ~~through the child~~



2049 ~~care purchasing pools.~~ In order to be considered for funding, an
 2050 early learning coalition, the Redlands Christian Migrant
 2051 Association, or the office must commit to:

2052 1. Matching the state purchasing pool funds on a dollar-
 2053 for-dollar basis. Each matching contributor shall provide
 2054 donated funds directly to the early learning coalition, the
 2055 coalition's contracted designee, or the Redlands Christian
 2056 Migrant Association. Funds contributed by child care providers
 2057 for the purpose of providing a child care benefit to employees
 2058 may not be matched until the coalition, the coalition's
 2059 contracted designee, or Redlands Christian Migrant Association
 2060 verifies that each employee who will receive a subsidy is
 2061 employed by the child care provider and has enrolled his or her
 2062 child in child care offered by the provider. Funds contributed
 2063 by a county or municipality may not be matched unless the county
 2064 or municipality includes the contribution in the annual budget
 2065 adopted pursuant to s. 129.03 or s. 166.241, as applicable, and
 2066 clearly and unambiguously identifies the amount of the
 2067 contribution and the Child Care Partnership as the recipient of
 2068 the contribution.

2069 2. Expending only those public funds that are matched by
 2070 private businesses, employers, charitable foundations, and other
 2071 not-for-profit entities, counties, municipalities ~~local~~
 2072 ~~government,~~ and children's services councils established
 2073 pursuant to s. 125.901 ~~other matching contributors~~ who
 2074 contribute to the purchasing pool. Parents shall also pay a fee,



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2075 | which may not be less than the amount identified in the early
2076 | learning coalition's or the Redlands Christian Migrant
2077 | Association's school readiness program sliding fee scale. Funds
2078 | administered by the Child Care Partnership may not be used to
2079 | subsidize fees charged to parents.

2080 | ~~(d) Each early learning coalition shall establish a~~
2081 | ~~community child care task force for each child care purchasing~~
2082 | ~~pool. The task force must be composed of employers, parents,~~
2083 | ~~private child care providers, and one representative from the~~
2084 | ~~local children's services council, if one exists in the area of~~
2085 | ~~the purchasing pool. The early learning coalition is expected to~~
2086 | ~~recruit the task force members from existing child care~~
2087 | ~~councils, commissions, or task forces already operating in the~~
2088 | ~~area of a purchasing pool. A majority of the task force shall~~
2089 | ~~consist of employers.~~

2090 | (d)(e) Each participating early learning coalition and the
2091 | Redlands Christian Migrant Association shall develop a plan for
2092 | the use of child care purchasing pool funds. The plan must show
2093 | how many children will be served by the purchasing pool, how
2094 | many will be new to receiving child care services, and how the
2095 | ~~early learning~~ coalition or association intends to attract new
2096 | employers and their employees to the program.

2097 | (4) The office shall ~~may~~ adopt ~~any~~ rules to implement and
2098 | administer ~~necessary for the implementation and administration~~
2099 | ~~of~~ this section.



2100 (5) This section is repealed July 1, 2018, unless reviewed
2101 and saved from repeal through reenactment by the Legislature.

2102 Section 33. Effective upon this act becoming law, the
2103 Office of Early Learning may allocate or reallocate funds
2104 provided in the 2014-2015 General Appropriations Act and held by
2105 the Child Care Partnership to prevent disenrollment of children
2106 from the school readiness program or child care funded through
2107 the Child Care Partnership.

2108 Section 34. The Office of Early Learning shall conduct a
2109 2-year pilot project to study the impact of assessing the early
2110 literacy skills of Voluntary Prekindergarten Education Program
2111 participants who are English Language Learners, in both English
2112 and Spanish. The assessments must include, at a minimum, the
2113 first administration of the Florida Assessments for Instruction
2114 in Reading in kindergarten and an appropriate alternative
2115 assessment in Spanish. The study must include a review of the
2116 kindergarten screening results for 2009-2010 and 2010-2011
2117 program participants and their subsequent Florida Comprehensive
2118 Assessment Test scores. The office shall report its findings to
2119 the Governor, the President of the Senate, and the Speaker of
2120 the House of Representatives by July 1, 2016, and July 1, 2017.

2121 Section 35. Except as otherwise expressly provided in this
2122 act and except for this section, which shall take effect upon
2123 this act becoming a law, this act shall take effect July 1,
2124 2015.