

Amendment No. 1

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED                                         (Y/N)  
ADOPTED AS AMENDED                         (Y/N)  
ADOPTED W/O OBJECTION                     (Y/N)  
FAILED TO ADOPT                             (Y/N)  
WITHDRAWN                                    (Y/N)  
OTHER                                         

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1 Committee/Subcommittee hearing bill: Health Care Appropriations  
2 Subcommittee

3 Representative Cortes, B. offered the following:

4

5 **Amendment (with title amendment)**

6 Remove lines 125-160 and insert:

7 Section 3. Paragraph (e) is added to subsection (3) of  
8 section 402.315, Florida Statutes, to read:

9 402.315 Funding; license fees.—

10 (3) The department shall collect a fee for any license it  
11 issues for a child care facility, family day care home, or large  
12 family child care home pursuant to ss. 402.305, 402.313, and  
13 402.3131.

14 (e) For an after-school program exempt from square footage  
15 requirements under s. 402.305(6) (b)2., licensed as a child care  
16 facility pursuant to s. 402.305, such fee shall be \$75.

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17 Section 4. Paragraph (c) of subsection (1), paragraphs (d)  
18 and (f) of subsection (2), and subsection (6) of section  
19 402.305, Florida Statutes, is amended to read:

20 402.305 Licensing standards; child care facilities.—

21 (1) LICENSING STANDARDS.—The department shall establish  
22 licensing standards that each licensed child care facility must  
23 meet regardless of the origin or source of the fees used to  
24 operate the facility or the type of children served by the  
25 facility.

26 (c) The minimum standards for child care facilities shall  
27 be adopted in the rules of the department and shall address the  
28 areas delineated in this section.

29 1. The department, in adopting rules to establish minimum  
30 standards for child care facilities, shall recognize that  
31 different age groups of children may require different  
32 standards. The department may adopt different minimum standards  
33 for facilities that serve children in different age groups,  
34 including school-age children. The department may ~~shall also~~  
35 adopt by rule a definition for after school programs ~~child care~~  
36 which distinguishes between such ~~child care~~ programs that  
37 require child care licensure and those ~~after school programs~~  
38 that do not ~~require licensure~~.

39 2. Notwithstanding any other provision of law to the  
40 contrary, minimum child care licensing standards shall be

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41 developed to provide for reasonable, affordable, and safe  
42 before-school and after-school care.

43 3. ~~After-school~~ Programs that otherwise meet the criteria  
44 for exclusion from child care licensure as an after-school  
45 program may provide snacks and meals through the federal  
46 Afterschool Meal Program (AMP) administered by the Department of  
47 Health in accordance with federal regulations and standards. The  
48 Department of Health shall consider meals to be provided through  
49 the AMP only if the program is actively participating in the  
50 AMP, is in good standing with the department, and the meals meet  
51 AMP requirements.

52 4. Standards, at a minimum, shall allow for a credentialed  
53 director to supervise multiple ~~before-school and~~ after-school  
54 program sites.

55 (d) Notwithstanding s. 1002.88(1), a membership  
56 organization, affiliated with a national organization that holds  
57 a congressional charter under 36 U.S.C. Chapter 311, that  
58 operates an after-school program must be licensed as a child  
59 care facility in order to receive directly or indirectly any  
60 state funding.

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

63 (d) Minimum training requirements for child care  
64 personnel. Within 90 days after employment, child care personnel  
65 shall begin training to meet the training requirements. Child

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66 care personnel shall successfully complete such training within  
67 1 year after the date on which the training began, as evidenced  
68 by passage of a competency examination.

69 1. Such minimum standards for training shall ensure that  
70 all child care personnel take an approved 40-clock-hour  
71 introductory course in child care, which shall stress, to the  
72 extent possible, an interdisciplinary approach to the study of  
73 children. The introductory course shall covers at least the  
74 following topic areas:

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

77 b. Health, safety, and nutrition.

78 c. Identifying and reporting child abuse and neglect.

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

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

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

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

95  
96 The introductory course shall cover recognition and prevention  
97 of shaken baby syndrome; prevention of sudden infant death  
98 syndrome; recognition and care of infants and toddlers with  
99 developmental disabilities, including autism spectrum disorder  
100 and Down syndrome; and early childhood brain development within  
101 the topic areas identified in this subparagraph. Within 90 days  
102 after employment, child care personnel shall begin training to  
103 meet the training requirements. Child care personnel shall  
104 successfully complete such training within 1 year after the date  
105 on which the training began, as evidenced by passage of a  
106 competency examination.

107 2. Successful completion of the 40-clock-hour introductory  
108 course shall articulate into community college credit in early  
109 childhood education, pursuant to ss. 1007.24 and 1007.25.  
110 Exemption from all or a portion of the required training shall  
111 be granted to child care personnel based upon educational  
112 credentials or passage of competency examinations.

113 3. Child care personnel possessing a 2-year degree or  
114 higher that includes 6 college credit hours in early childhood

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115 development or child growth and development, or a child  
116 development associate credential or an equivalent state-approved  
117 child development associate credential, or a child development  
118 associate waiver certificate shall be automatically exempted  
119 from the training requirements in sub-subparagraphs b., d., and  
120 e.

121 4. Child care personnel working in an after-school program  
122 operated by a membership organization that is affiliated with a  
123 national organization may apply up to 30-clock-hours of training  
124 approved by the membership organization towards the 40-clock-  
125 hour requirement.

126 a. Such child care personnel must complete the department  
127 training required on state and local rules and regulations which  
128 govern child care, and identifying and reporting child abuse and  
129 neglect.

130 b. Passage of a competency exam shall not be required for  
131 approved membership organization training applied toward the 40-  
132 clock-hour requirement.

133 c. The department shall specify in rule the membership  
134 organizations that qualify under this subparagraph and the  
135 criteria for training that may be applied toward those 30-clock-  
136 hours of training.

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

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

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

153 65. Child care personnel shall be required to complete 0.5  
154 continuing education unit of approved training or 5 clock hours  
155 of equivalent training, as determined by the department, in  
156 early literacy and language development of children from birth  
157 to 5 years of age one time. The year that this training is  
158 completed, it shall fulfill the 0.5 continuing education unit or  
159 5 clock hours of the annual training required in subparagraph 4.

160 76. Procedures for ensuring the training of qualified  
161 child care professionals to provide training of child care  
162 personnel, including onsite training, shall be included in the  
163 minimum standards. It is recommended that the state community  
164 child care coordination agencies (central agencies) be

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165 contracted by the department to coordinate such training when  
166 possible. Other district educational resources, such as  
167 community colleges and career programs, can be designated in  
168 such areas where central agencies may not exist or are  
169 determined not to have the capability to meet the coordination  
170 requirements set forth by the department.

171 87. Training requirements shall not apply to certain  
172 occasional or part-time support staff, including, but not  
173 limited to, swimming instructors, piano teachers, dance  
174 instructors, and gymnastics instructors.

175 98. The department shall evaluate or contract for an  
176 evaluation for the general purpose of determining the status of  
177 and means to improve staff training requirements and testing  
178 procedures. The evaluation shall be conducted every 2 years. The  
179 evaluation shall include, but not be limited to, determining the  
180 availability, quality, scope, and sources of current staff  
181 training; determining the need for specialty training; and  
182 determining ways to increase inservice training and ways to  
183 increase the accessibility, quality, and cost-effectiveness of  
184 current and proposed staff training. The evaluation methodology  
185 shall include a reliable and valid survey of child care  
186 personnel.

187 109. The child care operator shall be required to take  
188 basic training in serving children with disabilities within 5



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189 | years after employment, either as a part of the introductory  
190 | training or the annual 8 hours of inservice training.

191 | (f) ~~By January 1, 2000,~~ A credential for child care  
192 | facility directors. ~~By January 1, 2004, the credential shall be~~  
193 | ~~a required minimum standard for licensing.~~

194 |  
195 | -----

196 | **T I T L E   A M E N D M E N T**

197 | Remove lines 9-10 and insert:  
198 | facility"; amending s. 402.315, F.S.; establishing a licensure  
199 | fee for certain after-school programs; amending s. 402.305,  
200 | F.S.; revising training requirements for child care personnel;  
201 | providing