

By Senator Garcia

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1 A bill to be entitled
2 An act relating to child care facility safety
3 measures; amending s. 402.305, F.S.; requiring child
4 care facility personnel to maintain certification in
5 first aid training and pediatric cardiopulmonary
6 resuscitation procedures; requiring that such training
7 be attended and completed in person; requiring certain
8 child care facilities to place video recording
9 equipment in certain designated areas; requiring
10 facilities to record such areas at all times during
11 which certain children are present and to maintain the
12 video recordings for a specified timeframe; providing
13 that such video recordings are confidential and may
14 not be released except under certain circumstances;
15 conforming a provision to changes made by the act;
16 requiring child care facilities to provide inservice
17 cardiopulmonary resuscitation training to child care
18 personnel at least twice a year; providing an
19 effective date.

20
21 Be It Enacted by the Legislature of the State of Florida:

22
23 Section 1. Paragraph (e) of subsection (2), subsection (5),
24 and paragraph (a) of subsection (7) of section 402.305, Florida
25 Statutes, are amended to read:

26 402.305 Licensing standards; child care facilities.—

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

29 (e) Minimum Training requirements for child care personnel.

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30 1. Such minimum standards for training must ~~shall~~ ensure
31 that all child care personnel take an approved 40-clock-hour
32 introductory course in child care, which course covers at least
33 the following topic areas:

34 a. State and local rules and regulations governing ~~which~~
35 ~~govern~~ child care.

36 b. Health, safety, and nutrition.

37 c. Identifying and reporting child abuse and neglect.

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

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

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

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

54
55 Within 90 days after employment, child care personnel shall
56 begin training to meet the training requirements. Child care
57 personnel shall successfully complete such training within 1
58 year after the date on which the training began, as evidenced by

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59 passage of a competency examination. Successful completion of
60 the 40-clock-hour introductory course shall articulate into
61 community college credit in early childhood education, pursuant
62 to ss. 1007.24 and 1007.25. Exemption from all or a portion of
63 the required training shall be granted to child care personnel
64 based upon educational credentials or passage of competency
65 examinations. Child care personnel possessing a 2-year degree or
66 higher which ~~that~~ includes 6 college credit hours in early
67 childhood development or child growth and development, or a
68 child development associate credential or an equivalent state-
69 approved child development associate credential, or a child
70 development associate waiver certificate are ~~shall be~~
71 automatically exempted from the training requirements in sub-
72 subparagraphs b., d., and e.

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

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

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

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88 department.

89 5. Child care personnel must ~~shall~~ be required to complete
90 0.5 continuing education unit of approved training or 5 clock
91 hours of equivalent training, as determined by the department,
92 in early literacy and language development of children from
93 birth to 5 years of age one time. The year that this training is
94 completed, it shall fulfill the 0.5 continuing education unit or
95 5 clock hours of the annual training required in subparagraph 4.

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

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

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

115 9. Child care personnel must be required to maintain a
116 current, valid certificate of course completion for first aid

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117 training and pediatric cardiopulmonary resuscitation procedures.
118 Such course must be attended and completed in person and not
119 online.

120 (5) PHYSICAL FACILITIES; SURVEILLANCE.—

121 (a) Minimum standards must ~~shall~~ include requirements for
122 building conditions, indoor play space, outdoor play space,
123 napping space, bathroom facilities, food preparation facilities,
124 outdoor equipment, and indoor equipment. Because of the nature
125 and duration of drop-in child care, outdoor play space and
126 outdoor equipment is ~~shall~~ not be required for licensure;
127 however, if such play space and equipment are provided, ~~then~~ the
128 minimum standards ~~shall~~ apply to drop-in child care. With
129 respect to minimum standards for physical facilities of a child
130 care program for school-age children which is operated in a
131 public school facility, the department shall adopt the State
132 Uniform Building Code for Public Educational Facilities
133 Construction as the minimum standards, regardless of the
134 operator of the program. The Legislature intends that if a child
135 care program for school-age children is operated in a public
136 school, the program need not conform to standards for physical
137 facilities other than the standards adopted by the Commissioner
138 of Education.

139 (b) Facilities that provide care to children 4 years of age
140 or younger must place video recording equipment in each area of
141 the facility designated as an instructional area for such
142 children.

143 1. The areas designated as instructional areas for children
144 4 years of age or younger must be recorded at all times during
145 which such children are present.

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146 2. The facility shall retain all video recordings required
147 under this paragraph for at least 90 days after the date they
148 are recorded.

149 3. Video recordings required by this paragraph are
150 confidential and may not be released or viewed by the public,
151 except that a facility shall release a video for viewing to the
152 following persons and entities:

153 a. A parent or guardian of a child who alleges his or her
154 child was harmed at the facility.

155 b. A law enforcement agency or the department, upon
156 request.

157 c. Employees of the child care facility, for training
158 purposes.

159 (7) SANITATION AND SAFETY.—

160 (a) Minimum standards must ~~shall~~ include requirements for
161 sanitary and safety conditions, first aid treatment, emergency
162 procedures, and pediatric cardiopulmonary resuscitation. The
163 minimum standards must ~~shall~~ require that all child care
164 personnel be at least one staff person trained in
165 cardiopulmonary resuscitation, as evidenced by current
166 documentation of course completion, which course must have been
167 attended and completed in person and not online. All child care
168 facilities shall provide inservice training in cardiopulmonary
169 resuscitation to child care personnel at least twice a year ~~be~~
170 ~~present at all times that children are present.~~

171 Section 2. This act shall take effect July 1, 2024.