

By the Committee on Children, Families, and Elder Affairs; and
Senator Calatayud

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A bill to be entitled

An act relating to child care and early learning services; amending s. 402.306, F.S.; revising the information on child care required to be disseminated electronically to the community; amending ss. 402.313 and 402.3131, F.S.; deleting the requirement that family child care homes and large family child care homes, respectively, provide specified information to parents each year; conforming provisions to changes made by the act; amending s. 402.316, F.S.; requiring that certain child care facilities exempt from licensure requirements meet certain minimum requirements; providing that failure to meet such minimum requirements results in the loss of the exemption from licensure; requiring child care facilities exempt from licensure requirements to include a specified statement on its website and in its promotional materials and facility-created documents and forms provided to families served by the child care facility; amending s. 627.70161, F.S.; changing the term "family day care home" to "family child care home"; providing legislative findings and intent relating to large family child care homes; defining the term "large family child care home"; prohibiting residential property insurance policies from providing coverage for liability for claims arising out of, or in connection with, the operations of large family child care homes; providing that insurers are under no obligation to defend against

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lawsuits covering such claims; providing exceptions;
prohibiting insurers from denying, cancelling, or
refusing to renew a policy for residential property
insurance on the basis that the policyholders or
applicants operate large family child care homes;
providing exceptions; reenacting and amending s.
1001.24, F.S.; revising the definition of the term
"Department of Education direct-support organization";
creating s. 1002.821, F.S.; providing a short title;
defining terms; providing legislative intent;
establishing the Florida Endowment for Early Learning
Foundation within a Department of Education direct-
support organization for a specified purpose;
requiring that the endowment fund principal derive
from specified sources; requiring the board of
directors to establish and deposit money into the
operating account; requiring such money to be used for
a specified purpose; requiring that funds from state
sources be accounted for separately from public and
private sources; specifying powers and duties of the
board of directors; requiring the board to use the
moneys in the operating account for specified
purposes; providing for early learning provider
selection, copay pricing, reimbursement, and
administrative requirements; prohibiting state funds
from being spent in certain donors or supporters;
requiring the Division of Early Learning to include
specified information in its annual report of its
activities; requiring the Department of Education to

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adopt rules; amending s. 1002.95, F.S.; requiring the administrator of the Teacher Education and Compensation Helps Scholarship Program, subject to an appropriation, to establish and administer the Center for Early Childhood Professional Recognition for a specified purpose; amending ss. 39.202, 125.0109, 166.0445, 212.08, 402.302, 402.305, 402.309, 402.310, 402.3115, 402.312, 402.315, 402.316, 402.318, 402.319, 409.988, 411.203, 1002.55, 1002.82, 1002.83, 1002.84, 1002.88, 1002.895, 1002.92, 1002.93, and 1002.945, F.S.; conforming provisions to changes made by the act; providing an effective date.

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

Section 1. Subsection (3) of section 402.306, Florida Statutes, is amended to read:

402.306 Designation of licensing agency; dissemination by the department and local licensing agency of information on child care.—

(3) The department and local licensing agencies, or the designees thereof, shall be responsible for coordination and dissemination of information on child care to the community and shall make available through electronic means all licensing standards and procedures, health and safety standards for school readiness providers, monitoring and inspection reports, and the names and addresses of ~~licensed~~ child care facilities, school readiness program providers, and, where applicable pursuant to s. 402.313, licensed or registered family child ~~day~~ care homes.

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88 This information shall also include the number of deaths,
89 serious injuries, and instances of substantiated child abuse
90 that have occurred in child care settings, including those which
91 are exempt pursuant to s. 402.316(1) or (2), each year; research
92 and best practices in child development; and resources regarding
93 social-emotional development, parent and family engagement,
94 healthy eating, and physical activity.

95 Section 2. Section 402.313, Florida Statutes, is amended to
96 read:

97 402.313 Family child ~~day~~ care homes.—

98 (1) Family child ~~day~~ care homes shall be licensed under
99 this act if they are presently being licensed under an existing
100 county licensing ordinance or if the board of county
101 commissioners passes a resolution that family child ~~day~~ care
102 homes be licensed.

103 (a) If not subject to license, family child ~~day~~ care homes
104 shall register annually with the department, providing the
105 following information:

- 106 1. The name and address of the home.
- 107 2. The name of the operator.
- 108 3. The number of children served.
- 109 4. Proof of a written plan to provide at least one other
110 competent adult to be available to substitute for the operator
111 in an emergency. This plan shall include the name, address, and
112 telephone number of the designated substitute.
- 113 5. Proof of screening and background checks.
- 114 6. Proof of successful completion of the 30-hour training
115 course, as evidenced by passage of a competency examination,
116 which shall include:

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117 a. State and local rules and regulations that govern child
118 care.

119 b. Health, safety, and nutrition.

120 c. Identifying and reporting child abuse and neglect.

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

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

127 f. Specialized areas, including early literacy and language
128 development of children from birth to 5 years of age, as
129 determined by the department, for owner-operators of family
130 child day care homes.

131 7. Proof that immunization records are kept current.

132 8. Proof of completion of the required continuing education
133 units or clock hours.

134 (b) A family child day care home may volunteer to be
135 licensed under this act.

136 (c) The department may provide technical assistance to
137 counties and family child day care home providers to enable
138 counties and family child day care providers to achieve
139 compliance with family child day care homes standards.

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

143 (3) Child care personnel in family child day care homes
144 shall be subject to the applicable screening provisions
145 contained in ss. 402.305(2) and 402.3055. For purposes of

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146 screening in family child ~~day~~ care homes, the term includes any
147 member over the age of 12 years of a family child ~~day~~ care home
148 operator's family, or persons over the age of 12 years residing
149 with the operator in the family child ~~day~~ care home. Members of
150 the operator's family, or persons residing with the operator,
151 who are between the ages of 12 years and 18 years shall not be
152 required to be fingerprinted, but shall be screened for
153 delinquency records.

154 (4) Operators of family child ~~day~~ care homes must
155 successfully complete an approved 30-clock-hour introductory
156 course in child care, as evidenced by passage of a competency
157 examination, before caring for children.

158 (5) In order to further develop their child care skills
159 and, if appropriate, their administrative skills, operators of
160 family child ~~day~~ care homes shall be required to complete an
161 additional 1 continuing education unit of approved training or
162 10 clock hours of equivalent training, as determined by the
163 department, annually.

164 (6) Operators of family child ~~day~~ care homes shall be
165 required to complete 0.5 continuing education unit of approved
166 training in early literacy and language development of children
167 from birth to 5 years of age one time. The year that this
168 training is completed, it shall fulfill the 0.5 continuing
169 education unit or 5 clock hours of the annual training required
170 in subsection (5).

171 (7) Operators of family child ~~day~~ care homes shall be
172 required annually to complete a health and safety home
173 inspection self-evaluation checklist developed by the department
174 in conjunction with the statewide resource and referral program.

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175 The completed checklist shall be signed by the operator of the
176 family child ~~day~~ care home and provided to parents as
177 certification that basic health and safety standards are being
178 met.

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

181 (9) The department shall prepare a brochure on family child
182 ~~day~~ care for distribution by the department and by local
183 licensing agencies, if appropriate, to family child ~~day~~ care
184 homes for distribution to parents utilizing such child care, and
185 to all interested persons, including physicians and other health
186 professionals; mental health professionals; school teachers or
187 other school personnel; social workers or other professional
188 child care, foster care, residential, or institutional workers;
189 and law enforcement officers. The brochure shall, at a minimum,
190 contain the following information:

191 (a) A brief description of the requirements for family
192 child ~~day~~ care registration, training, and fingerprinting and
193 screening.

194 (b) A listing of those counties that require licensure of
195 family child ~~day~~ care homes. Such counties shall provide an
196 addendum to the brochure that provides a brief description of
197 the licensure requirements or may provide a brochure in lieu of
198 the one described in this subsection, provided it contains all
199 the required information on licensure and the required
200 information in the subsequent paragraphs.

201 (c) A statement indicating that information about the
202 family child ~~day~~ care home's compliance with applicable state or
203 local requirements can be obtained by telephoning the department

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office or the office of the local licensing agency, if appropriate, at a telephone number or numbers which shall be affixed to the brochure.

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

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

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

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

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

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

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

The evaluation shall be utilized by the department in any administrative modifications or adjustments to be made in the

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233 registration of family child ~~day~~ care homes or in any
234 legislative requests for modifications to the system of
235 registration or to other requirements for family child ~~day~~ care
236 homes.

237 (11) In order to inform the public of the state requirement
238 for registration of family child ~~day~~ care homes as well as the
239 other requirements for such homes to legally operate in the
240 state, the department shall institute a media campaign to
241 accomplish this end. Such a campaign shall include, at a
242 minimum, flyers, newspaper advertisements, radio advertisements,
243 and television advertisements.

244 (12) Notwithstanding any other state or local law or
245 ordinance, any family child ~~day~~ care home licensed pursuant to
246 this chapter or pursuant to a county ordinance shall be charged
247 the utility rates accorded to a residential home. A licensed
248 family child ~~day~~ care home may not be charged commercial utility
249 rates.

250 (13) The department shall, by rule, establish minimum
251 standards for family child ~~day~~ care homes that are required to
252 be licensed by county licensing ordinance or county licensing
253 resolution or that voluntarily choose to be licensed. The
254 standards should include requirements for staffing, training,
255 maintenance of immunization records, minimum health and safety
256 standards, reduced standards for the regulation of child care
257 during evening hours by municipalities and counties, and
258 enforcement of standards.

259 ~~(14) During the months of August and September of each~~
260 ~~year, each family day care home shall provide parents of~~
261 ~~children enrolled in the home detailed information regarding the~~

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~~causes, symptoms, and transmission of the influenza virus in an effort to educate those parents regarding the importance of immunizing their children against influenza as recommended by the Advisory Committee on Immunization Practices of the Centers for Disease Control and Prevention.~~

~~(15) During the months of April and September of each year, at a minimum, each family day care home shall provide parents of children attending the family day care home information regarding the potential for a distracted adult to fail to drop off a child at the family day care home and instead leave the child in the adult's vehicle upon arrival at the adult's destination. The family day care home shall also give parents information about resources with suggestions to avoid this occurrence. The department shall develop a flyer or brochure with this information that shall be posted to the department's website, which family day care homes may choose to reproduce and provide to parents to satisfy the requirements of this subsection.~~

Section 3. Subsections (9) and (10) of section 402.3131, Florida Statutes, are amended to read:

402.3131 Large family child care homes.—

~~(9) During the months of August and September of each year, each large family child care home shall provide parents of children enrolled in the home detailed information regarding the causes, symptoms, and transmission of the influenza virus in an effort to educate those parents regarding the importance of immunizing their children against influenza as recommended by the Advisory Committee on Immunization Practices of the Centers for Disease Control and Prevention.~~

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~~(10) During the months of April and September of each year, at a minimum, each large family child care home shall provide parents of children attending the large family child care home information regarding the potential for a distracted adult to fail to drop off a child at the large family child care home and instead leave the child in the adult's vehicle upon arrival at the adult's destination. The large family child care home shall also give parents information about resources with suggestions to avoid this occurrence. The department shall develop a flyer or brochure with this information that shall be posted to the department's website, which large family child care homes may choose to reproduce and provide to parents to satisfy the requirements of this subsection.~~

Section 4. Section 402.316, Florida Statutes, is amended to read:

402.316 Exemptions.—

(1) The provisions of ss. 402.301-402.319, except for the requirements regarding screening of child care personnel pursuant to ss. 402.305 and 402.3055, do not apply to a child care facility which is an integral part of church or parochial schools, ~~or a child care facility that solely provides child care to eligible children as defined in s. 402.261(1)(c),~~ conducting regularly scheduled classes, courses of study, or educational programs accredited by, or by a member of, an organization that ~~which~~ publishes and requires compliance with its standards for health, safety, and sanitation. ~~However,~~ Such facilities must ~~shall~~ meet minimum requirements of the applicable local governing body as to health, sanitation, and safety ~~and shall meet the screening requirements pursuant to ss.~~

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320 ~~402.305 and 402.3055~~. Failure by a facility to comply with ~~such~~
321 screening requirements pursuant to ss. 402.305 and 402.3055
322 shall result in the loss of the facility's exemption from
323 licensure.

324 (2) The provisions of ss. 402.301-402.319, except for the
325 requirements regarding screening of child care personnel
326 pursuant to ss. 402.305 and 402.3055, do not apply to a child
327 care facility that solely provides child care to eligible
328 children as defined in s. 402.261(1)(c). Such facilities must
329 meet minimum requirements of the applicable local governing body
330 as to health, sanitation, and safety. Failure by a facility to
331 comply with screening requirements pursuant to ss. 402.305 and
332 402.3055 shall result in the loss of the facility's exemption
333 from licensure.

334 ~~(3)-(2)~~ The provisions of ss. 402.301-402.319 do not apply
335 to a child care facility or family child ~~day~~ care home if the
336 child care facility or family child ~~day~~ care home has a
337 certificate issued by the United States Department of Defense or
338 by the United States Coast Guard to provide child care and has
339 completed background screening by the United States Department
340 of Defense pursuant to 34 U.S.C. s. 20351 and 32 C.F.R. part 86
341 and received a favorable suitability and fitness determination.
342 If the child care facility or family child ~~day~~ care home elects
343 to serve children ineligible for care under the United States
344 Department of Defense Instruction 6060.02, the child care
345 facility or family child ~~day~~ care home must be licensed under
346 this chapter.

347 ~~(4)-(3)~~ Any child care facility covered by the exemption
348 under subsection (1) or subsection (2) which desires to be

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licensed may submit an application to the department or local licensing agency pursuant to s. 402.308(4).

(5)~~(4)~~ The department and the local licensing agency pursuant to s. 402.308(4) shall adopt rules to administer and implement this section, including, but not limited to, any assessments of previous licensure history.

(6) A child care facility exempt under subsection (1) or subsection (2) must include, at a minimum, the following statement on its website, in its promotional materials, and on its facility-created documents and forms provided to families served by the child care facility: "(Child care facility name) is a child care facility operating under an exemption pursuant to the laws of the State of Florida and is not subject to licensure or regulation by the Department of Children and Families."

Section 5. Section 627.70161, Florida Statutes, is amended to read:

627.70161 Family child day care and large family child care insurance.—

(1) PURPOSE AND INTENT.—The Legislature recognizes that family child day care and large family child care homes fulfill a vital role in providing child care in Florida. It is the intent of the Legislature that residential property insurance coverage should not be canceled, denied, or nonrenewed solely on the basis of the child ~~family-day~~ care services at the residence. The Legislature also recognizes that the potential liability of residential property insurers is substantially increased by the rendition of child care services on the premises. The Legislature therefore finds that there is a public

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378 need to specify that contractual liabilities that arise in
379 connection with the operation of the family child ~~day~~ care home
380 or the large family child care home are excluded from
381 residential property insurance policies unless they are
382 specifically included in such coverage.

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

384 (a) "Child care" means the care, protection, and
385 supervision of a child, for a period of less than 24 hours a day
386 on a regular basis, which supplements parental care, enrichment,
387 and health supervision for the child, in accordance with his or
388 her individual needs, and for which a payment, fee, or grant is
389 made for care.

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

395 (c) "Large family child care home" means an occupied
396 residence in which child care is regularly provided for children
397 from at least two unrelated families; which receives a payment,
398 fee, or grant for any of the children receiving care, whether or
399 not operated for profit; and which has at least two full-time
400 child care personnel on the premises during the hours of
401 operation. One of the two full-time child care personnel must be
402 the owner or occupant of the residence. A large family child
403 care home must first have operated as a licensed family child
404 care home for at least 2 years, with an operator who has held a
405 child development associate credential or its equivalent for at
406 least 1 year, before seeking licensure as a large family child

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care home. Household children under 13 years of age, when on the premises of the large family child care home or on a field trip with children enrolled in child care, must be included in the overall capacity of the licensed home. A large family child care home may provide care for one of the following groups of children, which must include household children under 13 years of age:

1. A maximum of 8 children from birth to 24 months of age.
2. A maximum of 12 children, with no more than 4 children under 24 months of age.

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

- (a) Specifically covered in a policy; or
- (b) Covered by a rider or endorsement for business coverage attached to a policy.

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

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

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

(c) The policyholder or applicant fails to comply with the applicable ~~family day care home~~ licensure and registration requirements specified in chapter 402 ~~s. 402.313~~; or

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

Section 6. Section 1001.24, Florida Statutes, is reenacted and amended to read:

1001.24 Direct-support organization; use of property; board of directors; audit.—

(1) DEFINITIONS.—For the purposes of this section, the term:

(a) "Department of Education direct-support organization" means an organization:

1. That is a corporation not for profit that is incorporated under the provisions of chapter 617 and approved by the Department of State.

2. That is organized and operated exclusively to receive, hold, invest, and administer property and to make expenditures

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to or for the benefit of the state's early learning programs for
children from birth to 5 years of age and public prekindergarten
through 12th grade education in this state.

3. That the State Board of Education, after review, has
certified to be operating in a manner consistent with the goals
and best interest of the Department of Education.

(b) "Personal services" includes full-time or part-time
personnel, as well as payroll processing.

(2) USE OF PROPERTY.—The State Board of Education:

(a) May permit the use of property, facilities, and
personal services of the department by the direct-support
organization, subject to the provisions of this section.

(b) Shall prescribe by rule conditions with which the
direct-support organization must comply in order to use
property, facilities, or personal services of the department.
Such rules shall provide for budget and audit review and for
oversight by the department.

(c) Shall not permit the use of property, facilities, or
personal services of the direct-support organization if such
organization does not provide equal employment opportunities to
all persons, regardless of race, color, national origin, gender,
age, or religion.

(3) BOARD OF DIRECTORS.—The board of directors of the
department direct-support organization shall be appointed by the
commissioner and shall include representation from business,
industry, and other components of Florida's economy.

(4) ANNUAL AUDIT.—Each direct-support organization shall
provide for an annual financial audit in accordance with s.
215.981. The identity of donors who desire to remain anonymous

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shall be protected, and that anonymity shall be maintained in the auditor's report. All records of the organization other than the auditor's report, management letter, and any supplemental data requested by the Auditor General and the Office of Program Policy Analysis and Government Accountability shall be confidential and exempt from the provisions of s. 119.07(1).

Section 7. Section 1002.821, Florida Statutes, is created to read:

1002.821 Florida Endowment for Early Learning.—

(1) SHORT TITLE.—This section may be cited as the "Florida Endowment for Early Learning Act."

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

(a) "Board" means the board of directors of the Department of Education direct-support organization under s. 1001.24.

(b) "Endowment fund" means an account established within the Department of Education direct-support organization for the Division of Early Learning within the department to provide a continuing and growing source of revenue for the state's early learning efforts.

(c) "Foundation" means the Department of Education direct-support organization under s. 1001.24.

(d) "Operating account" means an account established under paragraph (4)(c) to carry out the purposes provided in subsection (6).

(3) LEGISLATIVE INTENT.—The Legislature recognizes that access to high-quality early learning experiences prepares children for a lifetime of success by fostering foundational skills in academics, developing executive functioning skills, and supporting cognitive function. This includes better

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523 preparation for kindergarten, stronger cognitive and problem-
524 solving abilities, and improved approaches to learning, which
525 all contribute to greater long-term educational attainment and
526 career success. However, there is a critical need for
527 significant additional funding to achieve this goal.

528 Accordingly, the Legislature further finds and declares that:

529 (a) With continued support, this state's youngest residents
530 can have access to high-quality early learning opportunities
531 that reduce the need for significant long-term educational
532 interventions and provide the foundational experiences needed
533 for a child to have success in school and in life.

534 (b) The purpose of this section is to broaden the
535 participation and funding potential for further significant
536 support for access to early-learning opportunities for this
537 state's youngest learners.

538 (c) It is appropriate to encourage individual and corporate
539 support and involvement, as well as state support and
540 involvement, to promote access to early learning programs for
541 this state's youngest residents.

542 (4) REVENUE FOR THE ENDOWMENT FUND.—

543 (a) The Florida Endowment for Early Learning is established
544 within the Department of Education direct-support organization
545 under s. 1001.24 to create a long-term, stable, and growing
546 source of revenue to be administered, in accordance with rules
547 adopted by the department.

548 (b) The principal of the endowment fund shall derive from
549 any legislative appropriations that may be made to the
550 endowment, and such bequests, gifts, grants, and donations as
551 may be solicited for such purpose by the foundation from public

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552 or private sources.

553 (c) The board of directors of the foundation shall
554 establish the operating account and shall deposit therein the
555 moneys transmitted. Moneys in the operating account shall be
556 available to carry out the purposes of subsection (6).

557 (d) Funds received from state sources shall be accounted
558 for separately from bequests, gifts, grants, and donations,
559 which may be solicited for such purposes by the foundation from
560 public or private sources. Earnings on funds received from state
561 sources and funds received from public or private sources shall
562 be accounted for separately.

563 (5) ORGANIZATION, POWERS, AND DUTIES.—Within the limits
564 prescribed in this section or by rule of the department:

565 (a) The board may solicit and receive bequests, gifts,
566 grants, donations, goods, and services. Where gifts are
567 restricted as to purpose, they may be used only for the purpose
568 or purposes stated by the donor. The board may transmit monetary
569 gifts to the State Board of Administration for deposit in the
570 endowment fund principal.

571 (b) The board may enter into contracts with the Federal
572 Government, state or local agencies, early learning coalitions,
573 private entities, or individuals to carry out the purposes of
574 this section.

575 (c) The board may identify, initiate, and fund new and
576 creative programs to carry out the purposes of this section,
577 utilizing existing organizations, early learning coalitions,
578 associations, and agencies to carry out such early learning
579 programs and purposes wherever possible.

580 (d) The board may make gifts or grants to all of the

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581 following:

582 1. The state or any political subdivision thereof, or any
583 public agency of state or local government.

584 2. An early learning coalition for administration of direct
585 services to children identified by the board.

586 3. The division for purposes of program recognition and
587 marketing, public relations, and education.

588 (e) The board may advertise and solicit applications for
589 funding and shall evaluate applications and program proposals
590 submitted thereto. Funding shall be awarded only where the
591 evaluation is positive and the proposal meets both the
592 guidelines for use established in subsection (6) and such
593 evaluation criteria as the department may prescribe by rule.

594 (f) The board shall monitor, review, and annually evaluate
595 funded programs to determine whether funding should be
596 continued, terminated, reduced, or increased.

597 (g) The board shall establish an operating account as
598 provided in paragraph (4) (c).

599 (h) The board may take additional actions, including the
600 hiring of necessary staff, as are deemed necessary and
601 appropriate to administer this section, subject to rules of the
602 department.

603 (6) DISTRIBUTION OF MONEYS.—The board shall use the moneys
604 in the operating account to provide for:

605 (a) Direct services to children in accordance with an
606 allocation methodology proposed by the Division of Early
607 Learning to an early learning coalition approved by the board.

608 1. A child receiving direct services from an early learning
609 coalition shall choose from providers under a contract with an

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610 early learning coalition pursuant to s. 1002.88.

611 2. Unless otherwise specified by the donor, the early
612 learning coalition shall apply a parent copay based on family
613 income pursuant to s. 1002.84(9) or s. 1002.935(2)(b).

614 3. The early learning coalition shall reimburse a provider
615 serving a child using direct service funds from the early
616 learning endowment at the same reimbursement rate allowed
617 pursuant to s. 1002.84(17)(a).

618 4. Each early learning coalition providing direct services
619 must comply with the same administrative requirements under this
620 part.

621 (b) Programs designed to support early learning as
622 identified by donors, gifts, or grants.

623
624 Any allocation of funds made for programs pursuant to paragraph
625 (b) or for advertising or consulting is subject to a competitive
626 solicitation process. State funds may not be used to fund events
627 for private sector donors or potential donors or to honor
628 supporters.

629 (7) ANNUAL REPORT.—The Division of Early Learning shall
630 include information in its report of activities pursuant to s.
631 1002.82(7) summarizing the performance of the endowment fund for
632 the previous fiscal year, summarizing the foundation's
633 fundraising activities and performance, and detailing the
634 activities and programs supported by the endowment principal or
635 earnings on the endowment principal and the activities and
636 programs supported by private sources, bequests, gifts, grants,
637 donations, and other valued goods and services received. The
638 report must also include all of the following:

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639 (a) Financial data, by service type, including expenditures
640 for administration and the provision of services by each early
641 learning coalition.

642 (b) The amount of funds spent on administrative expenses
643 and fundraising and the amount of funds raised from private
644 sources.

645 (c) Outcome data, including the number of children served
646 and any child outcomes.

647 (8) RULES.—The department shall adopt rules to implement
648 this section.

649 Section 8. Present subsection (2) of section 1002.95,
650 Florida Statutes, is redesignated as subsection (3), and a new
651 subsection (2) is added to that section, to read:

652 1002.95 Teacher Education and Compensation Helps (TEACH)
653 Scholarship Program.—

654 (2) Subject to an appropriation, the TEACH Scholarship
655 Program administrator shall also establish and administer the
656 Center for Early Childhood Professional Recognition to ensure
657 alignment of training statewide, including, but not limited to,
658 a system of training approval, a system of trainer approval, and
659 implementation of competency-based assessments aligned to the
660 early learning professional development standards and career
661 pathways under s. 1002.995.

662 Section 9. Paragraph (a) of subsection (2) of section
663 39.202, Florida Statutes, is amended to read:

664 39.202 Confidentiality of reports and records in cases of
665 child abuse or neglect; exception.—

666 (2) Except as provided in subsection (4), access to such
667 records, excluding the name of, or other identifying information

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with respect to, the reporter which may only be released as provided in subsection (5), may only be granted to the following persons, officials, and agencies:

(a) Employees, authorized agents, or contract providers of the department, the Department of Health, the Agency for Persons with Disabilities, the Agency for Health Care Administration, the Department of Education, or county agencies responsible for carrying out:

1. Child or adult protective investigations;
2. Ongoing child or adult protective services;
3. Early intervention and prevention services;
4. Healthy Start services;
5. Licensure or approval of adoptive homes, foster homes, child care facilities, facilities licensed under chapters 393 and 394, family child ~~day~~ care homes, providers who receive school readiness funding under part VI of chapter 1002, or other homes used to provide for the care and welfare of children;
6. Employment screening for caregivers in residential group homes and facilities licensed under chapters 393, 394, and 409; or
7. Services for victims of domestic violence when provided by certified domestic violence centers working at the department's request as case consultants or with shared clients.

Also, employees or agents of the Department of Juvenile Justice responsible for the provision of services to children, pursuant to chapters 984 and 985.

Section 10. Section 125.0109, Florida Statutes, is amended to read:

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125.0109 Family child ~~day~~ care homes; local zoning regulation.—The operation of a residence as a family child ~~day~~ care home, as defined by law, registered or licensed with the Department of Children and Families shall constitute a valid residential use for purposes of any local zoning regulations, and no such regulation shall require the owner or operator of such family child ~~day~~ care home to obtain any special exemption or use permit or waiver, or to pay any special fee in excess of \$50, to operate in an area zoned for residential use.

Section 11. Section 166.0445, Florida Statutes, is amended to read:

166.0445 Family child ~~day~~ care homes; local zoning regulation.—The operation of a residence as a family child ~~day~~ care home, as defined by law, registered or licensed with the Department of Children and Families shall constitute a valid residential use for purposes of any local zoning regulations, and no such regulation shall require the owner or operator of such family child ~~day~~ care home to obtain any special exemption or use permit or waiver, or to pay any special fee in excess of \$50, to operate in an area zoned for residential use.

Section 12. Paragraph (j) of subsection (7) of section 212.08, Florida Statutes, is amended to read:

212.08 Sales, rental, use, consumption, distribution, and storage tax; specified exemptions.—The sale at retail, the rental, the use, the consumption, the distribution, and the storage to be used or consumed in this state of the following are hereby specifically exempt from the tax imposed by this chapter.

(7) MISCELLANEOUS EXEMPTIONS.—Exemptions provided to any

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entity by this chapter do not inure to any transaction that is otherwise taxable under this chapter when payment is made by a representative or employee of the entity by any means, including, but not limited to, cash, check, or credit card, even when that representative or employee is subsequently reimbursed by the entity. In addition, exemptions provided to any entity by this subsection do not inure to any transaction that is otherwise taxable under this chapter unless the entity has obtained a sales tax exemption certificate from the department or the entity obtains or provides other documentation as required by the department. Eligible purchases or leases made with such a certificate must be in strict compliance with this subsection and departmental rules, and any person who makes an exempt purchase with a certificate that is not in strict compliance with this subsection and the rules is liable for and shall pay the tax. The department may adopt rules to administer this subsection.

(j) *Household fuels.*—Also exempt from payment of the tax imposed by this chapter are sales of utilities to residential households or owners of residential models in this state by utility companies who pay the gross receipts tax imposed under s. 203.01, and sales of fuel to residential households or owners of residential models, including oil, kerosene, liquefied petroleum gas, coal, wood, and other fuel products used in the household or residential model for the purposes of heating, cooking, lighting, and refrigeration, regardless of whether such sales of utilities and fuels are separately metered and billed direct to the residents or are metered and billed to the landlord. If any part of the utility or fuel is used for a

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nonexempt purpose, the entire sale is taxable. The landlord shall provide a separate meter for nonexempt utility or fuel consumption. For the purposes of this paragraph, licensed family child ~~day~~ care homes shall also be exempt.

Section 13. Subsections (3), (8), (9), and (11) of section 402.302, Florida Statutes, are amended to read:

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

(3) "Child care personnel" means all owners, operators, employees, and volunteers working in a child care facility. The term does not include persons who work in a child care facility after hours when children are not present or parents of children in a child care facility. For purposes of screening, the term includes any member, over the age of 12 years, of a child care facility operator's family, or person, over the age of 12 years, residing with a child care facility operator if the child care facility is located in or adjacent to the home of the operator or if the family member of, or person residing with, the child care facility operator has any direct contact with the children in the facility during its hours of operation. Members of the operator's family or persons residing with the operator who are between the ages of 12 years and 18 years are not required to be fingerprinted but must be screened for delinquency records. For purposes of screening, the term also includes persons who work in child care programs that provide care for children 15 hours or more each week in public or nonpublic schools, family child ~~day~~ care homes, membership organizations under s. 402.301, or programs otherwise exempted under s. 402.316. The term does not include public or nonpublic school personnel who are providing care during regular school hours, or after hours for activities

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related to a school's program for grades kindergarten through 12. A volunteer who assists on an intermittent basis for less than 10 hours per month is not included in the term "personnel" for the purposes of screening and training if a person who meets the screening requirement of s. 402.305(2) is always present and has the volunteer in his or her line of sight. Students who observe and participate in a child care facility as a part of their required coursework are not considered child care personnel, provided such observation and participation are on an intermittent basis and a person who meets the screening requirement of s. 402.305(2) is always present and has the student in his or her line of sight.

(8) "Family child ~~day~~ care home" means an occupied residence in which child care is regularly provided for children from at least two unrelated families and which receives a payment, fee, or grant for any of the children receiving care, whether or not operated for profit. Household children under 13 years of age, when on the premises of the family child ~~day~~ care home or on a field trip with children enrolled in child care, shall be included in the overall capacity of the licensed home. A family child ~~day~~ care home shall be allowed to provide care for one of the following groups of children, which shall include household children under 13 years of age:

(a) A maximum of four children from birth to 12 months of age.

(b) A maximum of three children from birth to 12 months of age, and other children, for a maximum total of six children.

(c) A maximum of six preschool children if all are older than 12 months of age.

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(d) A maximum of 10 children if no more than 5 are preschool age and, of those 5, no more than 2 are under 12 months of age.

(9) "Household children" means children who are related by blood, marriage, or legal adoption to, or who are the legal wards of, the family child ~~day~~ care home operator, the large family child care home operator, or an adult household member who permanently or temporarily resides in the home. Supervision of the operator's household children shall be left to the discretion of the operator unless those children receive subsidized child care through the school readiness program pursuant to s. 1002.92 to be in the home.

(11) "Large family child care home" means an occupied residence in which child care is regularly provided for children from at least two unrelated families, which receives a payment, fee, or grant for any of the children receiving care, whether or not operated for profit, and which has at least two full-time child care personnel on the premises during the hours of operation. One of the two full-time child care personnel must be the owner or occupant of the residence. A large family child care home must first have operated as a licensed family child ~~day~~ care home for 2 years, with an operator who has had a child development associate credential or its equivalent for 1 year, before seeking licensure as a large family child care home. Household children under 13 years of age, when on the premises of the large family child care home or on a field trip with children enrolled in child care, shall be included in the overall capacity of the licensed home. A large family child care home shall be allowed to provide care for one of the following

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groups of children, which shall include household children under 13 years of age:

(a) A maximum of 8 children from birth to 24 months of age.

(b) A maximum of 12 children, with no more than 4 children under 24 months of age.

Section 14. Paragraph (a) of subsection (17) of section 402.305, Florida Statutes, are amended to read:

402.305 Licensing standards; child care facilities.—

(17) TRANSFER OF OWNERSHIP.—

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

Section 15. Subsections (1), (2), and (3) of section 402.309, Florida Statutes, are amended to read:

402.309 Provisional license or registration.—

(1) The local licensing agency or the department, whichever is authorized to license child care facilities in a county, may issue a provisional license for child care facilities, family child ~~day~~ care homes, or large family child care homes, or a provisional registration for family child ~~day~~ care homes to applicants for an initial license or registration or to licensees or registrants seeking a renewal who are unable to meet all the standards provided for in ss. 402.301-402.319.

(2) A provisional license or registration may not be issued unless the operator or owner makes adequate provisions for the health and safety of the child. A provisional license may be issued for a child care facility if all of the screening materials have been timely submitted. A provisional license or

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registration may not be issued unless the child care facility, family child ~~day~~ care home, or large family child care home is in compliance with the requirements for screening of child care personnel in ss. 402.305, 402.3055, 402.313, and 402.3131, respectively.

(3) Notwithstanding subsection (2), a local licensing agency or the department, whichever is authorized to license child care facilities in a county, must issue a provisional license or registration if the operator or owner:

(a) Is applying for an initial license or registration for a child care facility, a family child ~~day~~ care home, or a large family child care home;

(b) Has made adequate provisions for the health and safety of the child; and

(c) Provides evidence that he or she has completed, within the previous 6 months, training pursuant to United States Department of Defense Instruction 6060.02 and background screening by the United States Department of Defense pursuant to 34 U.S.C. s. 20351 and 32 C.F.R. part 86 and received a favorable suitability and fitness determination.

Section 16. Paragraph (d) of subsection (1) and subsection (4) of section 402.310, Florida Statutes, are amended to read:

402.310 Disciplinary actions; hearings upon denial, suspension, or revocation of license or registration; administrative fines.—

(1)

(d) The disciplinary sanctions ~~set forth~~ in this section apply to licensed child care facilities, licensed large family child care homes, and licensed or registered family child ~~day~~

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900 care homes.

901 (4) An applicant, registrant, or licensee shall have the
902 right to appeal a decision of the local licensing agency to a
903 representative of the department. Any required hearing shall be
904 held in the county in which the child care facility, family
905 child ~~day~~ care home, or large family child care home is being
906 operated or is to be established. The hearing shall be conducted
907 in accordance with the provisions of chapter 120.

908 Section 17. Subsection (1) and paragraph (a) of subsection
909 (2) of section 402.3115, Florida Statutes, are amended to read:

910 402.3115 Elimination of duplicative and unnecessary
911 inspections; abbreviated inspections.—

912 (1) The Department of Children and Families and local
913 governmental agencies that license child care facilities shall
914 develop and implement a plan to eliminate duplicative and
915 unnecessary inspections of child care facilities, family child
916 ~~day~~ care homes, and large family child care homes.

917 (2)(a) The department and the local governmental agencies
918 shall develop and implement an abbreviated inspection plan for
919 child care facilities, family child ~~day~~ care homes, and large
920 family child care homes that meet all of the following
921 conditions:

922 1. Have been licensed for at least 2 consecutive years.

923 2. Have not had a Class 1 deficiency, as defined by rule,
924 for at least 2 consecutive years.

925 3. Have not had more than three of the same Class 2
926 deficiencies, as defined by rule, for at least 2 consecutive
927 years.

928 4. Have received at least two full onsite renewal

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inspections in the most recent 2 years.

5. Do not have any current uncorrected violations.

6. Do not have any open regulatory complaints or active child protective services investigations.

Section 18. Section 402.312, Florida Statutes, is amended to read:

402.312 License required; injunctive relief.—

(1) The operation of a child care facility without a license, a family child ~~day~~ care home without a license or registration, or a large family child care home without a license is prohibited. If the department or the local licensing agency discovers that a child care facility is being operated without a license, a family child ~~day~~ care home is being operated without a license or registration, or a large family child care home is being operated without a license, the department or local licensing agency is authorized to seek an injunction in the circuit court where the facility is located to enjoin continued operation of such facility, family child ~~day~~ care home, or large family child care home. When the court is closed for the transaction of judicial business, the department or local licensing agency is authorized to seek an emergency injunction to enjoin continued operation of such unlicensed facility, unregistered or unlicensed family child ~~day~~ care home, or unlicensed large family child care home, which injunction shall be continued, modified, or revoked on the next day of judicial business.

(2) Other grounds for seeking an injunction to close a child care facility, family child ~~day~~ care home, or a large family child care home are that:

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(a) There is any violation of the standards applied under ss. 402.301-402.319 which threatens harm to any child in the child care facility, a family child ~~day~~ care home, or large family child care home.

(b) A licensee or registrant has repeatedly violated the standards provided for under ss. 402.301-402.319.

(c) A child care facility, family child ~~day~~ care home, or large family child care home continues to have children in attendance after the closing date established by the department or the local licensing agency.

(3) The department or local licensing agency may impose an administrative fine on any child care facility, family child ~~day~~ care home, or large family child care home operating without a license or registration, consistent with ~~the provisions of~~ s. 402.310.

Section 19. Subsection (3) of section 402.315, Florida Statutes, is amended to read:

402.315 Funding; license fees.—

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

(a) For a child care facility licensed pursuant to s. 402.305, such fee shall be \$1 per child, based on the licensed capacity of the facility, except that the minimum fee shall be \$25 per facility and the maximum fee shall be \$100 per facility.

(b) For a family child ~~day~~ care home registered pursuant to s. 402.313, such fee shall be \$25.

(c) For a family child ~~day~~ care home licensed pursuant to

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s. 402.313, such fee shall be \$50.

(d) For a large family child care home licensed pursuant to s. 402.3131, such fee shall be \$60.

Section 20. Subsection (2) of section 402.316, Florida Statutes, is amended to read:

402.316 Exemptions.—

(2) The provisions of ss. 402.301-402.319 do not apply to a child care facility or family child ~~day~~ care home if the child care facility or family child ~~day~~ care home has a certificate issued by the United States Department of Defense or by the United States Coast Guard to provide child care and has completed background screening by the United States Department of Defense pursuant to 34 U.S.C. s. 20351 and 32 C.F.R. part 86 and received a favorable suitability and fitness determination. If the child care facility or family child ~~day~~ care home elects to serve children ineligible for care under the United States Department of Defense Instruction 6060.02, the child care facility or family child ~~day~~ care home must be licensed under this chapter.

Section 21. Section 402.318, Florida Statutes, is amended to read:

402.318 Advertisement.—A person, as defined in s. 1.01(3), may not advertise a child care facility, family child ~~day~~ care home, or large family child care home without including within such advertisement the state or local agency license number or registration number of such facility or home. Violation of this section is a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083.

Section 22. Section 402.319, Florida Statutes, is amended

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to read:

402.319 Penalties.—

(1) It is a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083, for any person knowingly to:

(a) Fail, by false statement, misrepresentation, impersonation, or other fraudulent means, to disclose in any application for voluntary or paid employment or licensure regulated under ss. 402.301-402.318 all information required under those sections or a material fact used in making a determination as to such person's qualifications to be child care personnel, as defined in s. 402.302, in a child care facility, family child ~~day~~ care home, or other child care program.

(b) Operate or attempt to operate a child care facility without having procured a license as required by this act.

(c) Operate or attempt to operate a family child ~~day~~ care home without a license or without registering with the department, whichever is applicable.

(d) Operate or attempt to operate a child care facility or family child ~~day~~ care home under a license that is suspended, revoked, or terminated.

(e) Misrepresent, by act or omission, a child care facility or family child ~~day~~ care home to be duly licensed pursuant to this act without being so licensed.

(f) Make any other misrepresentation, by act or omission, regarding the licensure or operation of a child care facility or family child ~~day~~ care home to a parent or guardian who has a child placed in the facility or is inquiring as to placing a

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child in the facility, or to a representative of the licensing authority, or to a representative of a law enforcement agency, including, but not limited to, any misrepresentation as to:

1. The number of children at the child care facility or the family child ~~day~~ care home;

2. The part of the child care facility or family child ~~day~~ care home designated for child care;

3. The qualifications or credentials of child care personnel;

4. Whether a family child ~~day~~ care home or child care facility complies with the screening requirements of s. 402.305; or

5. Whether child care personnel have the training as required by s. 402.305.

(2) If any child care personnel makes any misrepresentation in violation of this section to a parent or guardian who has placed a child in the child care facility or family child ~~day~~ care home, and the parent or guardian relied upon the misrepresentation, and the child suffers great bodily harm, permanent disfigurement, permanent disability, or death as a result of an intentional act or negligence by the child care personnel, then the child care personnel commits a felony of the second degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

(3) Each child care facility, family child ~~day~~ care home, and large family child care home shall annually submit an affidavit of compliance with s. 39.201.

Section 23. Paragraph (c) of subsection (2) of section 409.988, Florida Statutes, is amended to read:

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1074 409.988 Community-based care lead agency duties; general
1075 provisions.—

1076 (2) LICENSURE.—

1077 (c) Substitute care providers who are licensed under s.
1078 409.175 and who have contracted with a lead agency are also
1079 authorized to provide registered or licensed family child ~~day~~
1080 care under s. 402.313 if such care is consistent with federal
1081 law and if the home has met the requirements of s. 402.313.

1082 Section 24. Paragraph (b) of subsection (8) of section
1083 411.203, Florida Statutes, is amended to read:

1084 411.203 Continuum of comprehensive services.—The Department
1085 of Education and the Department of Health shall utilize the
1086 continuum of prevention and early assistance services for high-
1087 risk pregnant women and for high-risk and handicapped children
1088 and their families, as outlined in this section, as a basis for
1089 the intraagency and interagency program coordination,
1090 monitoring, and analysis required in this chapter. The continuum
1091 shall be the guide for the comprehensive statewide approach for
1092 services for high-risk pregnant women and for high-risk and
1093 handicapped children and their families, and may be expanded or
1094 reduced as necessary for the enhancement of those services.
1095 Expansion or reduction of the continuum shall be determined by
1096 intraagency or interagency findings and agreement, whichever is
1097 applicable. Implementation of the continuum shall be based upon
1098 applicable eligibility criteria, availability of resources, and
1099 interagency prioritization when programs impact both agencies,
1100 or upon single agency prioritization when programs impact only
1101 one agency. The continuum shall include, but not be limited to:

1102 (8) SUPPORT SERVICES FOR ALL EXPECTANT PARENTS AND PARENTS

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1103 OF HIGH-RISK CHILDREN.—

1104 (b) Child care and early childhood programs, including, but
1105 not limited to, licensed child care facilities, family child ~~day~~
1106 care homes, therapeutic child care, Head Start, and preschool
1107 programs in public and private schools.

1108 Section 25. Paragraph (a) of subsection (3) of section
1109 1002.55, Florida Statutes, is amended to read:

1110 1002.55 School-year prekindergarten program delivered by
1111 private prekindergarten providers.—

1112 (3) To be eligible to deliver the prekindergarten program,
1113 a private prekindergarten provider must meet each of the
1114 following requirements:

1115 (a) The private prekindergarten provider must be a child
1116 care facility licensed under s. 402.305, family child ~~day~~ care
1117 home licensed under s. 402.313, large family child care home
1118 licensed under s. 402.3131, nonpublic school exempt from
1119 licensure under s. 402.3025(2), faith-based child care provider
1120 exempt from licensure under s. 402.316, child development
1121 program that is accredited by a national accrediting body and
1122 operates on a military installation that is certified by the
1123 United States Department of Defense, or private prekindergarten
1124 provider that has been issued a provisional license under s.
1125 402.309. A private prekindergarten provider may not deliver the
1126 program while holding a probation-status license under s.
1127 402.310.

1128 Section 26. Paragraph (u) of subsection (2) of section
1129 1002.82, Florida Statutes, is amended to read:

1130 1002.82 Department of Education; powers and duties.—

1131 (2) The department shall:

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(u) Administer a statewide toll-free Warm-Line to provide assistance and consultation to child care facilities and family child ~~day~~ care homes regarding health, developmental, disability, and special needs issues of the children they are serving, particularly children with disabilities and other special needs. The department shall:

1. Annually inform child care facilities and family child ~~day~~ care homes of the availability of this service through the child care resource and referral network under s. 1002.92.

2. Expand or contract for the expansion of the Warm-Line to maintain at least one Warm-Line in each early learning coalition service area.

Section 27. Paragraph (j) of subsection (4) of section 1002.83, Florida Statutes, is amended to read:

1002.83 Early learning coalitions.—

(4) Each early learning coalition must include the following member positions; however, in a multicounty coalition, each ex officio member position may be filled by multiple nonvoting members but no more than one voting member shall be seated per member position. If an early learning coalition has more than one member representing the same entity, only one of such members may serve as a voting member:

(j) A representative of private for-profit child care providers, including private for-profit family child ~~day~~ care homes.

Section 28. Subsection (4) of section 1002.84, Florida Statutes, is amended to read:

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

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(4) Establish a regional Warm-Line as directed by the department pursuant to s. 1002.82(2)(u). Regional Warm-Line staff shall provide onsite technical assistance, when requested, to assist child care facilities and family child ~~day~~ care homes with inquiries relating to the strategies, curriculum, and environmental adaptations the child care facilities and family child ~~day~~ care homes may need as they serve children with disabilities and other special needs.

Section 29. Paragraphs (a) and (c) of subsection (1) of section 1002.88, Florida Statutes, are amended to read:

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

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

(a) Be a child care facility licensed under s. 402.305, a family child ~~day~~ care home licensed or registered under s. 402.313, a large family child care home licensed under s. 402.3131, a public school or nonpublic school exempt from licensure under s. 402.3025, a faith-based child care provider exempt from licensure under s. 402.316, a before-school or after-school program described in s. 402.305(1)(c), a child development program that is accredited by a national accrediting body and operates on a military installation that is certified by the United States Department of Defense, an informal child care provider to the extent authorized in the state's Child Care and Development Fund Plan as approved by the United States Department of Health and Human Services pursuant to 45 C.F.R. s. 98.18, or a provider who has been issued a provisional license pursuant to s. 402.309. A provider may not deliver the program

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while holding a probation-status license under s. 402.310.

(c) Provide basic health and safety of its premises and facilities and compliance with requirements for age-appropriate immunizations of children enrolled in the school readiness program.

1. For a provider that is licensed, compliance with s. 402.305, s. 402.3131, or s. 402.313 and this subsection, as verified pursuant to s. 402.311, satisfies this requirement.

2. For a provider that is a registered family child ~~day~~ care home or is not subject to licensure or registration by the Department of Children and Families, compliance with this subsection, as verified pursuant to s. 402.311, satisfies this requirement. Upon verification pursuant to s. 402.311, the provider shall annually post the health and safety checklist adopted by the department prominently on its premises in plain sight for visitors and parents and shall annually submit the checklist to its local early learning coalition.

3. For a child development program that is accredited by a national accrediting body and operates on a military installation that is certified by the United States Department of Defense, the submission and verification of annual inspections pursuant to United States Department of Defense Instructions 6060.2 and 1402.05 satisfies this requirement.

Section 30. Paragraph (c) of subsection (2) of section 1002.895, Florida Statutes, is amended to read:

1002.895 Market rate schedule.—The school readiness program market rate schedule shall be implemented as follows:

(2) The market rate schedule must differentiate rates by provider type, including, but not limited to:

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1219 (c) Family child ~~day~~ care homes licensed or registered
1220 under s. 402.313.

1221 Section 31. Paragraph (a) of subsection (3) and subsection
1222 (4) of section 1002.92, Florida Statutes, are amended to read:
1223 1002.92 Child care and early childhood resource and
1224 referral.—

1225 (3) Child care resource and referral agencies shall provide
1226 the following services:

1227 (a) Identification of existing public and private child
1228 care and early childhood education services, including child
1229 care services by public and private employers, and the
1230 development of an early learning provider performance profile of
1231 those services through the single statewide information system
1232 developed by the department under s. 1002.82(2)(q). These
1233 services may include family child ~~day~~ care, public and private
1234 child care programs, the Voluntary Prekindergarten Education
1235 Program, Head Start, the school readiness program, special
1236 education programs for prekindergarten children with
1237 disabilities, services for children with developmental
1238 disabilities, full-time and part-time programs, before-school
1239 and after-school programs, and vacation care programs. The early
1240 learning provider performance profile shall include, but not be
1241 limited to:

- 1242 1. Type of program.
- 1243 2. Hours of service.
- 1244 3. Ages of children served.
- 1245 4. Number of children served.
- 1246 5. Program information.
- 1247 6. Fees and eligibility for services.

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7. Availability of transportation.

8. Participation in the Child Care Food Program, if applicable.

9. A link to licensing inspection reports, if applicable.

10. The components of the Voluntary Prekindergarten Education Program performance metric calculated under s. 1002.68 which must consist of the program assessment composite score, learning gains score, achievement score, and its designations, if applicable.

11. The school readiness program assessment composite score and program assessment care level composite score results delineated by infant classrooms, toddler classrooms, and preschool classrooms results under s. 1002.82, if applicable.

12. Gold Seal Quality Care designation under s. 1002.945, if applicable.

13. Indication of whether the provider implements a curriculum approved by the department and the name of the curriculum, if applicable.

14. Participation in school readiness child assessment under s. 1002.82.

(4) A child care facility licensed under s. 402.305 and licensed and registered family child ~~day~~ care homes must provide the statewide child care and resource and referral network with the following information annually:

(a) Type of program.

(b) Hours of service.

(c) Ages of children served.

(d) Fees and eligibility for services.

Section 32. Subsection (2) of section 1002.93, Florida

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Statutes, is amended to read:

1002.93 School readiness program transportation services.—

(2) The transportation servicers may only provide transportation to each child participating in the school readiness program to the extent that such transportation is necessary to provide child care opportunities that otherwise would not be available to a child whose home is more than a reasonable walking distance from the nearest child care facility or family child ~~day~~ care home.

Section 33. Paragraph (b) of subsection (1), paragraphs (a) and (c) of subsection (3), and subsection (4) of section 1002.945, Florida Statutes, are amended to read:

1002.945 Gold Seal Quality Care Program.—

(1)

(b) A child care facility, large family child care home, or family child ~~day~~ care home that is accredited by an accrediting association approved by the Department of Education under subsection (3) and meets all other requirements shall, upon application to the department, receive a separate "Gold Seal Quality Care" designation.

(3)(a) In order to be approved by the Department of Education for participation in the Gold Seal Quality Care Program, an accrediting association must apply to the department and demonstrate that it:

1. Is a recognized accrediting association.

2. Has accrediting standards that substantially meet or exceed the Gold Seal Quality Care standards adopted by the state board under subsection (2).

3. Is a registered corporation with the Department of

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State.

4. Can provide evidence that the process for accreditation has, at a minimum, all of the following components:

a. Clearly defined prerequisites that a child care provider must meet before beginning the accreditation process. However, accreditation may not be granted to a child care facility, large family child care home, or family child ~~day~~ care home before the site is operational and is attended by children.

b. Procedures for completion of a self-study and comprehensive onsite verification process for each classroom that documents compliance with accrediting standards.

c. A training process for accreditation verifiers to ensure inter-rater reliability.

d. Ongoing compliance procedures that include requiring each accredited child care facility, large family child care home, and family child ~~day~~ care home to file an annual report with the accrediting association and risk-based, onsite auditing protocols for accredited child care facilities, large family child care homes, and family child ~~day~~ care homes.

e. Procedures for the revocation of accreditation due to failure to maintain accrediting standards as evidenced by sub-subparagraph d. or any other relevant information received by the accrediting association.

f. Accreditation renewal procedures that include an onsite verification occurring at least every 5 years.

g. A process for verifying continued accreditation compliance in the event of a transfer of ownership of facilities.

h. A process to communicate issues that arise during the

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1335 accreditation period with governmental entities that have a
1336 vested interest in the Gold Seal Quality Care Program, including
1337 the Department of Education, the Department of Children and
1338 Families, the Department of Health, local licensing entities if
1339 applicable, and the early learning coalition.

1340 (c) If an accrediting association has granted accreditation
1341 to a child care facility, large family child care home, or
1342 family child ~~day~~ care under fraudulent terms or failed to
1343 conduct onsite verifications, the accrediting association shall
1344 be liable for the repayment of any rate differentials paid under
1345 subsection (6).

1346 (4) In order to obtain and maintain a designation as a Gold
1347 Seal Quality Care provider, a child care facility, large family
1348 child care home, or family child ~~day~~ care home must meet the
1349 following additional criteria:

1350 (a) The child care provider must not have had any class I
1351 violations, as defined by rule of the Department of Children and
1352 Families, within the 2 years preceding its application for
1353 designation as a Gold Seal Quality Care provider. Commission of
1354 a class I violation shall be grounds for termination of the
1355 designation as a Gold Seal Quality Care provider until the
1356 provider has no class I violations for a period of 2 years.

1357 (b) The child care provider must not have had three or more
1358 of the same class II violations, as defined by rule of the
1359 Department of Children and Families, within the 2 years
1360 preceding its application for designation as a Gold Seal Quality
1361 Care provider. Commission of three or more of the same class II
1362 violations within a 2-year period shall be grounds for
1363 termination of the designation as a Gold Seal Quality Care

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1364 provider until the provider has no class II violations that are
1365 the same for a period of 1 year.

1366 (c) The child care provider must not have been cited for
1367 the same class III violation, as defined by rule of the
1368 Department of Children and Families, three or more times and
1369 failed to correct the violation within 1 year after the date of
1370 each citation, within the 2 years preceding its application for
1371 designation as a Gold Seal Quality Care provider. Commission of
1372 the same class III violation three or more times and failure to
1373 correct within the required time during a 2-year period may be
1374 grounds for termination of the designation as a Gold Seal
1375 Quality Care provider until the provider has no class III
1376 violations for a period of 1 year.

1377 (d) Notwithstanding paragraph (a), if the Department of
1378 Education determines through a formal process that a provider
1379 has been in business for at least 5 years and has no other class
1380 I violations recorded, the department may recommend to the state
1381 board that the provider maintain its Gold Seal Quality Care
1382 status. The state board's determination regarding such
1383 provider's status is final.

1384 Section 34. This act shall take effect July 1, 2026.