

By the Committees on Education Pre-K - 12; and 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 on certain donors or supporters; requiring the Division of Early Learning to include specified information in its annual report of its activities; requiring the State Board of Education to

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59 adopt rules; amending s. 1002.95, F.S.; requiring the
60 administrator of the Teacher Education and
61 Compensation Helps Scholarship Program, subject to an
62 appropriation, to establish and administer the Center
63 for Early Childhood Professional Recognition for a
64 specified purpose; amending ss. 39.202, 125.0109,
65 166.0445, 212.08, 402.302, 402.305, 402.309, 402.310,
66 402.3115, 402.312, 402.315, 402.318, 402.319, 409.988,
67 411.203, 1002.55, 1002.82, 1002.83, 1002.84, 1002.88,
68 1002.895, 1002.92, 1002.93, and 1002.945, F.S.;
69 conforming provisions to changes made by the act;
70 providing an effective date.

71
72 Be It Enacted by the Legislature of the State of Florida:

73
74 Section 1. Subsection (3) of section 402.306, Florida
75 Statutes, is amended to read:

76 402.306 Designation of licensing agency; dissemination by
77 the department and local licensing agency of information on
78 child care.—

79 (3) The department and local licensing agencies, or the
80 designees thereof, shall be responsible for coordination and
81 dissemination of information on child care to the community and
82 shall make available through electronic means all licensing
83 standards and procedures, health and safety standards for school
84 readiness providers, monitoring and inspection reports, and the
85 names and addresses of ~~licensed~~ child care facilities, school
86 readiness program providers, and, where applicable pursuant to
87 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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204 office or the office of the local licensing agency, if
205 appropriate, at a telephone number or numbers which shall be
206 affixed to the brochure.

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

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

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

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

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

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

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

230
231 The evaluation shall be utilized by the department in any
232 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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262 causes, symptoms, and transmission of the influenza virus in an
263 effort to educate those parents regarding the importance of
264 immunizing their children against influenza as recommended by
265 the Advisory Committee on Immunization Practices of the Centers
266 for Disease Control and Prevention.

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

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

282 402.3131 Large family child care homes.—

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

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

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

306 402.316 Exemptions.—

307 (1) The provisions of ss. 402.301-402.319, except for the
308 requirements regarding screening of child care personnel
309 pursuant to ss. 402.305 and 402.3055, do not apply to a child
310 care facility which is an integral part of church or parochial
311 schools, or a child care facility that solely provides child
312 care to eligible children as defined in s. 402.261(1)(c),
313 conducting regularly scheduled classes, courses of study, or
314 educational programs accredited by, or by a member of, an
315 organization that which publishes and requires compliance with
316 its standards for health, safety, and sanitation. However, Such
317 facilities must shall meet minimum requirements of the
318 applicable local governing body as to health, sanitation, and
319 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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349 licensed may submit an application to the department or local
350 licensing agency pursuant to s. 402.308(4).

351 (5)(4) The department and the local licensing agency
352 pursuant to s. 402.308(4) shall adopt rules to administer and
353 implement this section, including, but not limited to, any
354 assessments of previous licensure history.

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

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

366 627.70161 Family child day care and large family child care
367 insurance.—

368 (1) PURPOSE AND INTENT.—The Legislature recognizes that
369 family child day care and large family child care homes fulfill
370 a vital role in providing child care in Florida. It is the
371 intent of the Legislature that residential property insurance
372 coverage should not be canceled, denied, or nonrenewed solely on
373 the basis of the child family day care services at the
374 residence. The Legislature also recognizes that the potential
375 liability of residential property insurers is substantially
376 increased by the rendition of child care services on the
377 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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407 care home. Household children under 13 years of age, when on the
408 premises of the large family child care home or on a field trip
409 with children enrolled in child care, must be included in the
410 overall capacity of the licensed home. A large family child care
411 home may provide care for one of the following groups of
412 children, which must include household children under 13 years
413 of age:

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

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

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

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

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436 (a) The policyholder or applicant provides care for more
437 children than authorized ~~for family day care homes~~ by s.
438 402.302;

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

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

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

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

454 1001.24 Direct-support organization; use of property; board
455 of directors; audit.—

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

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

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

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

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

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

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

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

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

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

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

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

491 (4) ANNUAL AUDIT.—Each direct-support organization shall
492 provide for an annual financial audit in accordance with s.
493 215.981. The identity of donors who desire to remain anonymous

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

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

502 1002.821 Florida Endowment for Early Learning.—

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

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

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

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

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

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

518 (3) LEGISLATIVE INTENT.—The Legislature recognizes that
519 access to high-quality early learning experiences prepares
520 children for a lifetime of success by fostering foundational
521 skills in academics, developing executive functioning skills,
522 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 State Board of Education.

548 (b) The principal of the endowment fund shall be derived
549 from 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 State Board of
565 Education:566 (a) The board may solicit and receive bequests, gifts,
567 grants, donations, goods, and services. Where gifts are
568 restricted as to purpose, they may be used only for the purpose
569 or purposes stated by the donor. The board may transmit monetary
570 gifts to the State Board of Administration for deposit in the
571 endowment fund principal.572 (b) The board may enter into contracts with the Federal
573 Government, state or local agencies, early learning coalitions,
574 private entities, or individuals to carry out the purposes of
575 this section.576 (c) The board may identify, initiate, and fund new and
577 creative programs to carry out the purposes of this section,
578 utilizing existing organizations, early learning coalitions,
579 associations, and agencies to carry out such early learning
580 programs and purposes wherever possible.

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581 (d) The board may make gifts or grants to all of the
582 following:
583 1. The state or any political subdivision thereof, or any
584 public agency of state or local government.
585 2. An early learning coalition for administration of direct
586 services to children identified by the board.
587 3. The division for purposes of program recognition and
588 marketing, public relations, and education.
589 (e) The board may advertise and solicit applications for
590 funding and shall evaluate applications and program proposals
591 submitted thereto. Funding shall be awarded only where the
592 evaluation is positive and the proposal meets both the
593 guidelines for use established in subsection (6) and such
594 evaluation criteria as the State Board of Education may
595 prescribe by rule.
596 (f) The board shall monitor, review, and annually evaluate
597 funded programs to determine whether funding should be
598 continued, terminated, reduced, or increased.
599 (g) The board shall establish an operating account as
600 provided in paragraph (4)(c).
601 (h) The board may take additional actions, including the
602 hiring of necessary staff, as are deemed necessary and
603 appropriate to administer this section, subject to rules of the
604 State Board of Education.
605 (6) DISTRIBUTION OF MONEYs.—The board shall use the moneys
606 in the operating account to provide for:
607 (a) Direct services to children in accordance with an
608 allocation methodology proposed by the Division of Early
609 Learning to an early learning coalition approved by the board.

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610 1. The parent or guardian of a child receiving direct
611 services from an early learning coalition shall choose from
612 providers under a contract with an early learning coalition
613 pursuant to s. 1002.88.

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

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

621 4. Each early learning coalition providing direct services
622 must comply with the same administrative requirements under this
623 part.

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

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

632 (7) ANNUAL REPORT.—The Division of Early Learning shall
633 include information in its report of activities pursuant to s.
634 1002.82(7) summarizing the performance of the endowment fund for
635 the previous fiscal year, summarizing the foundation's
636 fundraising activities and performance, and detailing the
637 activities and programs supported by the endowment principal or
638 earnings on the endowment principal and the activities and

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639 programs supported by private sources, bequests, gifts, grants,
640 donations, and other valued goods and services received. The
641 report must also include all of the following:

642 (a) Financial data, by service type, including expenditures
643 for administration and the provision of services by each early
644 learning coalition.

645 (b) The amount of funds spent on administrative expenses
646 and fundraising and the amount of funds raised from private
647 sources.

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

650 (8) RULES.—The State Board of Education shall adopt rules
651 to implement this section.

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

655 1002.95 Teacher Education and Compensation Helps (TEACH)
656 Scholarship Program.—

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

665 Section 9. Paragraph (a) of subsection (2) of section
666 39.202, Florida Statutes, is amended to read:

667 39.202 Confidentiality of reports and records in cases of

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668 child abuse or neglect; exception.—

669 (2) Except as provided in subsection (4), access to such
670 records, excluding the name of, or other identifying information
671 with respect to, the reporter which may only be released as
672 provided in subsection (5), may only be granted to the following
673 persons, officials, and agencies:

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

- 679 1. Child or adult protective investigations;
- 680 2. Ongoing child or adult protective services;
- 681 3. Early intervention and prevention services;

682 4. Healthy Start services;

683 5. Licensure or approval of adoptive homes, foster homes,
684 child care facilities, facilities licensed under chapters 393
685 and 394, family child day care homes, providers who receive
686 school readiness funding under part VI of chapter 1002, or other
687 homes used to provide for the care and welfare of children;

688 6. Employment screening for caregivers in residential group
689 homes and facilities licensed under chapters 393, 394, and 409;
690 or

691 7. Services for victims of domestic violence when provided
692 by certified domestic violence centers working at the
693 department's request as case consultants or with shared clients.

694
695 Also, employees or agents of the Department of Juvenile Justice
696 responsible for the provision of services to children, pursuant

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697 to chapters 984 and 985.

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

700 125.0109 Family child day care homes; local zoning
701 regulation.—The operation of a residence as a family child day
702 care home, as defined by law, registered or licensed with the
703 Department of Children and Families shall constitute a valid
704 residential use for purposes of any local zoning regulations,
705 and no such regulation shall require the owner or operator of
706 such family child day care home to obtain any special exemption
707 or use permit or waiver, or to pay any special fee in excess of
708 \$50, to operate in an area zoned for residential use.

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

711 166.0445 Family child day care homes; local zoning
712 regulation.—The operation of a residence as a family child day
713 care home, as defined by law, registered or licensed with the
714 Department of Children and Families shall constitute a valid
715 residential use for purposes of any local zoning regulations,
716 and no such regulation shall require the owner or operator of
717 such family child day care home to obtain any special exemption
718 or use permit or waiver, or to pay any special fee in excess of
719 \$50, to operate in an area zoned for residential use.

720 Section 12. Paragraph (j) of subsection (7) of section
721 212.08, Florida Statutes, is amended to read:

722 212.08 Sales, rental, use, consumption, distribution, and
723 storage tax; specified exemptions.—The sale at retail, the
724 rental, the use, the consumption, the distribution, and the
725 storage to be used or consumed in this state of the following

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726 are hereby specifically exempt from the tax imposed by this
727 chapter.

728 (7) MISCELLANEOUS EXEMPTIONS.—Exemptions provided to any
729 entity by this chapter do not inure to any transaction that is
730 otherwise taxable under this chapter when payment is made by a
731 representative or employee of the entity by any means,
732 including, but not limited to, cash, check, or credit card, even
733 when that representative or employee is subsequently reimbursed
734 by the entity. In addition, exemptions provided to any entity by
735 this subsection do not inure to any transaction that is
736 otherwise taxable under this chapter unless the entity has
737 obtained a sales tax exemption certificate from the department
738 or the entity obtains or provides other documentation as
739 required by the department. Eligible purchases or leases made
740 with such a certificate must be in strict compliance with this
741 subsection and departmental rules, and any person who makes an
742 exempt purchase with a certificate that is not in strict
743 compliance with this subsection and the rules is liable for and
744 shall pay the tax. The department may adopt rules to administer
745 this subsection.

746 (j) *Household fuels.*—Also exempt from payment of the tax
747 imposed by this chapter are sales of utilities to residential
748 households or owners of residential models in this state by
749 utility companies who pay the gross receipts tax imposed under
750 s. 203.01, and sales of fuel to residential households or owners
751 of residential models, including oil, kerosene, liquefied
752 petroleum gas, coal, wood, and other fuel products used in the
753 household or residential model for the purposes of heating,
754 cooking, lighting, and refrigeration, regardless of whether such

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755 sales of utilities and fuels are separately metered and billed
756 direct to the residents or are metered and billed to the
757 landlord. If any part of the utility or fuel is used for a
758 nonexempt purpose, the entire sale is taxable. The landlord
759 shall provide a separate meter for nonexempt utility or fuel
760 consumption. For the purposes of this paragraph, licensed family
761 child day care homes shall also be exempt.

762 Section 13. Subsections (3), (8), (9), and (11) of section
763 402.302, Florida Statutes, are amended to read:

764 402.302 Definitions.—As used in this chapter, the term:

765 (3) "Child care personnel" means all owners, operators,
766 employees, and volunteers working in a child care facility. The
767 term does not include persons who work in a child care facility
768 after hours when children are not present or parents of children
769 in a child care facility. For purposes of screening, the term
770 includes any member, over the age of 12 years, of a child care
771 facility operator's family, or person, over the age of 12 years,
772 residing with a child care facility operator if the child care
773 facility is located in or adjacent to the home of the operator
774 or if the family member of, or person residing with, the child
775 care facility operator has any direct contact with the children
776 in the facility during its hours of operation. Members of the
777 operator's family or persons residing with the operator who are
778 between the ages of 12 years and 18 years are not required to be
779 fingerprinted but must be screened for delinquency records. For
780 purposes of screening, the term also includes persons who work
781 in child care programs that provide care for children 15 hours
782 or more each week in public or nonpublic schools, family child
783 day care homes, membership organizations under s. 402.301, or

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784 programs otherwise exempted under s. 402.316. The term does not
785 include public or nonpublic school personnel who are providing
786 care during regular school hours, or after hours for activities
787 related to a school's program for grades kindergarten through
788 12. A volunteer who assists on an intermittent basis for less
789 than 10 hours per month is not included in the term "personnel"
790 for the purposes of screening and training if a person who meets
791 the screening requirement of s. 402.305(2) is always present and
792 has the volunteer in his or her line of sight. Students who
793 observe and participate in a child care facility as a part of
794 their required coursework are not considered child care
795 personnel, provided such observation and participation are on an
796 intermittent basis and a person who meets the screening
797 requirement of s. 402.305(2) is always present and has the
798 student in his or her line of sight.

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

810 (a) A maximum of four children from birth to 12 months of
811 age.
812 (b) A maximum of three children from birth to 12 months of

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813 age, and other children, for a maximum total of six children.

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

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

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

828 (11) "Large family child care home" means an occupied
829 residence in which child care is regularly provided for children
830 from at least two unrelated families, which receives a payment,
831 fee, or grant for any of the children receiving care, whether or
832 not operated for profit, and which has at least two full-time
833 child care personnel on the premises during the hours of
834 operation. One of the two full-time child care personnel must be
835 the owner or occupant of the residence. A large family child
836 care home must first have operated as a licensed family child
837 day care home for 2 years, with an operator who has had a child
838 development associate credential or its equivalent for 1 year,
839 before seeking licensure as a large family child care home.
840 Household children under 13 years of age, when on the premises
841 of the large family child care home or on a field trip with

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842 children enrolled in child care, shall be included in the
843 overall capacity of the licensed home. A large family child care
844 home shall be allowed to provide care for one of the following
845 groups of children, which shall include household children under
846 13 years of age:

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

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

850 Section 14. Paragraph (a) of subsection (17) of section
851 402.305, Florida Statutes, are amended to read:

852 402.305 Licensing standards; child care facilities.—

853 (17) TRANSFER OF OWNERSHIP.—

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

858 Section 15. Subsections (1), (2), and (3) of section
859 402.309, Florida Statutes, are amended to read:

860 402.309 Provisional license or registration.—

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

869 (2) A provisional license or registration may not be issued
870 unless the operator or owner makes adequate provisions for the

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871 health and safety of the child. A provisional license may be
872 issued for a child care facility if all of the screening
873 materials have been timely submitted. A provisional license or
874 registration may not be issued unless the child care facility,
875 family child day care home, or large family child care home is
876 in compliance with the requirements for screening of child care
877 personnel in ss. 402.305, 402.3055, 402.313, and 402.3131,
878 respectively.

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

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

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

888 (c) Provides evidence that he or she has completed, within
889 the previous 6 months, training pursuant to United States
890 Department of Defense Instruction 6060.02 and background
891 screening by the United States Department of Defense pursuant to
892 34 U.S.C. s. 20351 and 32 C.F.R. part 86 and received a
893 favorable suitability and fitness determination.

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

896 402.310 Disciplinary actions; hearings upon denial,
897 suspension, or revocation of license or registration;
898 administrative fines.—

899 (1)

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(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 care homes.

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

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

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

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

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

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

3. Have not had more than three of the same Class 2

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929 deficiencies, as defined by rule, for at least 2 consecutive
930 years.

931 4. Have received at least two full onsite renewal
932 inspections in the most recent 2 years.

933 5. Do not have any current uncorrected violations.

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

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

938 402.312 License required; injunctive relief.—

939 (1) The operation of a child care facility without a
940 license, a family child day care home without a license or
941 registration, or a large family child care home without a
942 license is prohibited. If the department or the local licensing
943 agency discovers that a child care facility is being operated
944 without a license, a family child day care home is being
945 operated without a license or registration, or a large family
946 child care home is being operated without a license, the
947 department or local licensing agency is authorized to seek an
948 injunction in the circuit court where the facility is located to
949 enjoin continued operation of such facility, family child day
950 care home, or large family child care home. When the court is
951 closed for the transaction of judicial business, the department
952 or local licensing agency is authorized to seek an emergency
953 injunction to enjoin continued operation of such unlicensed
954 facility, unregistered or unlicensed family child day care home,
955 or unlicensed large family child care home, which injunction
956 shall be continued, modified, or revoked on the next day of
957 judicial business.

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

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

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

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

971 (3) The department or local licensing agency may impose an
972 administrative fine on any child care facility, family child day
973 care home, or large family child care home operating without a
974 license or registration, consistent with ~~the provisions of~~ s.
975 402.310.

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

978 402.315 Funding; license fees.—

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

983 (a) For a child care facility licensed pursuant to s.
984 402.305, such fee shall be \$1 per child, based on the licensed
985 capacity of the facility, except that the minimum fee shall be
986 \$25 per facility and the maximum fee shall be \$100 per facility.

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

989 (c) For a family child day care home licensed pursuant to
990 s. 402.313, such fee shall be \$50.

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

993 Section 20. Section 402.318, Florida Statutes, is amended
994 to read:

995 402.318 Advertisement.—A person, as defined in s. 1.01(3),
996 may not advertise a child care facility, family child day care
997 home, or large family child care home without including within
998 such advertisement the state or local agency license number or
999 registration number of such facility or home. Violation of this
1000 section is a misdemeanor of the first degree, punishable as
1001 provided in s. 775.082 or s. 775.083.

1002 Section 21. Section 402.319, Florida Statutes, is amended
1003 to read:

1004 402.319 Penalties.—

1005 (1) It is a misdemeanor of the first degree, punishable as
1006 provided in s. 775.082 or s. 775.083, for any person knowingly
1007 to:

1008 (a) Fail, by false statement, misrepresentation,
1009 impersonation, or other fraudulent means, to disclose in any
1010 application for voluntary or paid employment or licensure
1011 regulated under ss. 402.301-402.318 all information required
1012 under those sections or a material fact used in making a
1013 determination as to such person's qualifications to be child
1014 care personnel, as defined in s. 402.302, in a child care
1015 facility, family child day care home, or other child care

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1016 program.

1017 (b) Operate or attempt to operate a child care facility
1018 without having procured a license as required by this act.1019 (c) Operate or attempt to operate a family child day care
1020 home without a license or without registering with the
1021 department, whichever is applicable.1022 (d) Operate or attempt to operate a child care facility or
1023 family child day care home under a license that is suspended,
1024 revoked, or terminated.1025 (e) Misrepresent, by act or omission, a child care facility
1026 or family child day care home to be duly licensed pursuant to
1027 this act without being so licensed.1028 (f) Make any other misrepresentation, by act or omission,
1029 regarding the licensure or operation of a child care facility or
1030 family child day care home to a parent or guardian who has a
1031 child placed in the facility or is inquiring as to placing a
1032 child in the facility, or to a representative of the licensing
1033 authority, or to a representative of a law enforcement agency,
1034 including, but not limited to, any misrepresentation as to:1035 1. The number of children at the child care facility or the
1036 family child day care home;1037 2. The part of the child care facility or family child day
1038 care home designated for child care;1039 3. The qualifications or credentials of child care
1040 personnel;1041 4. Whether a family child day care home or child care
1042 facility complies with the screening requirements of s. 402.305;
1043 or

1044 5. Whether child care personnel have the training as

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1045 required by s. 402.305.

1046 (2) If any child care personnel makes any misrepresentation
1047 in violation of this section to a parent or guardian who has
1048 placed a child in the child care facility or family child day
1049 care home, and the parent or guardian relied upon the
1050 misrepresentation, and the child suffers great bodily harm,
1051 permanent disfigurement, permanent disability, or death as a
1052 result of an intentional act or negligence by the child care
1053 personnel, then the child care personnel commits a felony of the
1054 second degree, punishable as provided in s. 775.082, s. 775.083,
1055 or s. 775.084.

1056 (3) Each child care facility, family child day care home,
1057 and large family child care home shall annually submit an
1058 affidavit of compliance with s. 39.201.

1059 Section 22. Paragraph (c) of subsection (2) of section
1060 409.988, Florida Statutes, is amended to read:

1061 409.988 Community-based care lead agency duties; general
1062 provisions.—

1063 (2) LICENSURE.—

1064 (c) Substitute care providers who are licensed under s.
1065 409.175 and who have contracted with a lead agency are also
1066 authorized to provide registered or licensed family child day
1067 care under s. 402.313 if such care is consistent with federal
1068 law and if the home has met the requirements of s. 402.313.

1069 Section 23. Paragraph (b) of subsection (8) of section
1070 411.203, Florida Statutes, is amended to read:

1071 411.203 Continuum of comprehensive services.—The Department
1072 of Education and the Department of Health shall utilize the
1073 continuum of prevention and early assistance services for high-

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1074 risk pregnant women and for high-risk and handicapped children
1075 and their families, as outlined in this section, as a basis for
1076 the intraagency and interagency program coordination,
1077 monitoring, and analysis required in this chapter. The continuum
1078 shall be the guide for the comprehensive statewide approach for
1079 services for high-risk pregnant women and for high-risk and
1080 handicapped children and their families, and may be expanded or
1081 reduced as necessary for the enhancement of those services.
1082 Expansion or reduction of the continuum shall be determined by
1083 intraagency or interagency findings and agreement, whichever is
1084 applicable. Implementation of the continuum shall be based upon
1085 applicable eligibility criteria, availability of resources, and
1086 interagency prioritization when programs impact both agencies,
1087 or upon single agency prioritization when programs impact only
1088 one agency. The continuum shall include, but not be limited to:

1089 (8) SUPPORT SERVICES FOR ALL EXPECTANT PARENTS AND PARENTS
1090 OF HIGH-RISK CHILDREN.—

1091 (b) Child care and early childhood programs, including, but
1092 not limited to, licensed child care facilities, family child day
1093 care homes, therapeutic child care, Head Start, and preschool
1094 programs in public and private schools.

1095 Section 24. Paragraph (a) of subsection (3) of section
1096 1002.55, Florida Statutes, is amended to read:

1097 1002.55 School-year prekindergarten program delivered by
1098 private prekindergarten providers.—

1099 (3) To be eligible to deliver the prekindergarten program,
1100 a private prekindergarten provider must meet each of the
1101 following requirements:

1102 (a) The private prekindergarten provider must be a child

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1103 care facility licensed under s. 402.305, family child day care
1104 home licensed under s. 402.313, large family child care home
1105 licensed under s. 402.3131, nonpublic school exempt from
1106 licensure under s. 402.3025(2), faith-based child care provider
1107 exempt from licensure under s. 402.316, child development
1108 program that is accredited by a national accrediting body and
1109 operates on a military installation that is certified by the
1110 United States Department of Defense, or private prekindergarten
1111 provider that has been issued a provisional license under s.
1112 402.309. A private prekindergarten provider may not deliver the
1113 program while holding a probation-status license under s.
1114 402.310.

1115 Section 25. Paragraph (u) of subsection (2) of section
1116 1002.82, Florida Statutes, is amended to read:

1117 1002.82 Department of Education; powers and duties.—

1118 (2) The department shall:

1119 (u) Administer a statewide toll-free Warm-Line to provide
1120 assistance and consultation to child care facilities and family
1121 child day care homes regarding health, developmental,
1122 disability, and special needs issues of the children they are
1123 serving, particularly children with disabilities and other
1124 special needs. The department shall:

1125 1. Annually inform child care facilities and family child
1126 day care homes of the availability of this service through the
1127 child care resource and referral network under s. 1002.92.

1128 2. Expand or contract for the expansion of the Warm-Line to
1129 maintain at least one Warm-Line in each early learning coalition
1130 service area.

1131 Section 26. Paragraph (j) of subsection (4) of section

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1132 1002.83, Florida Statutes, is amended to read:

1133 1002.83 Early learning coalitions.—

1134 (4) Each early learning coalition must include the
1135 following member positions; however, in a multicounty coalition,
1136 each ex officio member position may be filled by multiple
1137 nonvoting members but no more than one voting member shall be
1138 seated per member position. If an early learning coalition has
1139 more than one member representing the same entity, only one of
1140 such members may serve as a voting member:

1141 (j) A representative of private for-profit child care
1142 providers, including private for-profit family child ~~day~~ care
1143 homes.

1144 Section 27. Subsection (4) of section 1002.84, Florida
1145 Statutes, is amended to read:

1146 1002.84 Early learning coalitions; school readiness powers
1147 and duties.—Each early learning coalition shall:

1148 (4) Establish a regional Warm-Line as directed by the
1149 department pursuant to s. 1002.82(2) (u). Regional Warm-Line
1150 staff shall provide onsite technical assistance, when requested,
1151 to assist child care facilities and family child ~~day~~ care homes
1152 with inquiries relating to the strategies, curriculum, and
1153 environmental adaptations the child care facilities and family
1154 child ~~day~~ care homes may need as they serve children with
1155 disabilities and other special needs.

1156 Section 28. Paragraphs (a) and (c) of subsection (1) of
1157 section 1002.88, Florida Statutes, are amended to read:

1158 1002.88 School readiness program provider standards;
1159 eligibility to deliver the school readiness program.—

1160 (1) To be eligible to deliver the school readiness program,

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1161 a school readiness program provider must:

1162 (a) Be a child care facility licensed under s. 402.305, a

1163 family child day care home licensed or registered under s.

1164 402.313, a large family child care home licensed under s.

1165 402.3131, a public school or nonpublic school exempt from

1166 licensure under s. 402.3025, a faith-based child care provider

1167 exempt from licensure under s. 402.316, a before-school or

1168 after-school program described in s. 402.305(1)(c), a child

1169 development program that is accredited by a national accrediting

1170 body and operates on a military installation that is certified

1171 by the United States Department of Defense, an informal child

1172 care provider to the extent authorized in the state's Child Care

1173 and Development Fund Plan as approved by the United States

1174 Department of Health and Human Services pursuant to 45 C.F.R. s.

1175 98.18, or a provider who has been issued a provisional license

1176 pursuant to s. 402.309. A provider may not deliver the program

1177 while holding a probation-status license under s. 402.310.

1178 (c) Provide basic health and safety of its premises and

1179 facilities and compliance with requirements for age-appropriate

1180 immunizations of children enrolled in the school readiness

1181 program.

1182 1. For a provider that is licensed, compliance with s.

1183 402.305, s. 402.3131, or s. 402.313 and this subsection, as

1184 verified pursuant to s. 402.311, satisfies this requirement.

1185 2. For a provider that is a registered family child day

1186 care home or is not subject to licensure or registration by the

1187 Department of Children and Families, compliance with this

1188 subsection, as verified pursuant to s. 402.311, satisfies this

1189 requirement. Upon verification pursuant to s. 402.311, the

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1190 provider shall annually post the health and safety checklist
1191 adopted by the department prominently on its premises in plain
1192 sight for visitors and parents and shall annually submit the
1193 checklist to its local early learning coalition.

1194 3. For a child development program that is accredited by a
1195 national accrediting body and operates on a military
1196 installation that is certified by the United States Department
1197 of Defense, the submission and verification of annual
1198 inspections pursuant to United States Department of Defense
1199 Instructions 6060.2 and 1402.05 satisfies this requirement.

1200 Section 29. Paragraph (c) of subsection (2) of section
1201 1002.895, Florida Statutes, is amended to read:

1202 1002.895 Market rate schedule.—The school readiness program
1203 market rate schedule shall be implemented as follows:

1204 (2) The market rate schedule must differentiate rates by
1205 provider type, including, but not limited to:

1206 (c) Family child day care homes licensed or registered
1207 under s. 402.313.

1208 Section 30. Paragraph (a) of subsection (3) and subsection
1209 (4) of section 1002.92, Florida Statutes, are amended to read:

1210 1002.92 Child care and early childhood resource and
1211 referral.—

1212 (3) Child care resource and referral agencies shall provide
1213 the following services:

1214 (a) Identification of existing public and private child
1215 care and early childhood education services, including child
1216 care services by public and private employers, and the
1217 development of an early learning provider performance profile of
1218 those services through the single statewide information system

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1219 developed by the department under s. 1002.82(2)(q). These
1220 services may include family child day care, public and private
1221 child care programs, the Voluntary Prekindergarten Education
1222 Program, Head Start, the school readiness program, special
1223 education programs for prekindergarten children with
1224 disabilities, services for children with developmental
1225 disabilities, full-time and part-time programs, before-school
1226 and after-school programs, and vacation care programs. The early
1227 learning provider performance profile shall include, but not be
1228 limited to:

- 1229 1. Type of program.
- 1230 2. Hours of service.
- 1231 3. Ages of children served.
- 1232 4. Number of children served.
- 1233 5. Program information.
- 1234 6. Fees and eligibility for services.
- 1235 7. Availability of transportation.
- 1236 8. Participation in the Child Care Food Program, if
1237 applicable.
- 1238 9. A link to licensing inspection reports, if applicable.
- 1239 10. The components of the Voluntary Prekindergarten

1240 Education Program performance metric calculated under s. 1002.68
1241 which must consist of the program assessment composite score,
1242 learning gains score, achievement score, and its designations,
1243 if applicable.

1244 11. The school readiness program assessment composite score
1245 and program assessment care level composite score results
1246 delineated by infant classrooms, toddler classrooms, and
1247 preschool classrooms results under s. 1002.82, if applicable.

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1248 12. Gold Seal Quality Care designation under s. 1002.945,
1249 if applicable.

1250 13. Indication of whether the provider implements a
1251 curriculum approved by the department and the name of the
1252 curriculum, if applicable.

1253 14. Participation in school readiness child assessment
1254 under s. 1002.82.

1255 (4) A child care facility licensed under s. 402.305 and
1256 licensed and registered family child day care homes must provide
1257 the statewide child care and resource and referral network with
1258 the following information annually:

- 1259 (a) Type of program.
- 1260 (b) Hours of service.
- 1261 (c) Ages of children served.
- 1262 (d) Fees and eligibility for services.

1263 Section 31. Subsection (2) of section 1002.93, Florida
1264 Statutes, is amended to read:

1265 1002.93 School readiness program transportation services.—

1266 (2) The transportation servicers may only provide
1267 transportation to each child participating in the school
1268 readiness program to the extent that such transportation is
1269 necessary to provide child care opportunities that otherwise
1270 would not be available to a child whose home is more than a
1271 reasonable walking distance from the nearest child care facility
1272 or family child day care home.

1273 Section 32. Paragraph (b) of subsection (1), paragraphs (a)
1274 and (c) of subsection (3), and subsection (4) of section
1275 1002.945, Florida Statutes, are amended to read:

1276 1002.945 Gold Seal Quality Care Program.—

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1277 (1)

1278 (b) A child care facility, large family child care home, or
1279 family child day care home that is accredited by an accrediting
1280 association approved by the Department of Education under
1281 subsection (3) and meets all other requirements shall, upon
1282 application to the department, receive a separate "Gold Seal
1283 Quality Care" designation.

1284 (3) (a) In order to be approved by the Department of
1285 Education for participation in the Gold Seal Quality Care
1286 Program, an accrediting association must apply to the department
1287 and demonstrate that it:

1288 1. Is a recognized accrediting association.

1289 2. Has accrediting standards that substantially meet or
1290 exceed the Gold Seal Quality Care standards adopted by the state
1291 board under subsection (2).

1292 3. Is a registered corporation with the Department of
1293 State.

1294 4. Can provide evidence that the process for accreditation
1295 has, at a minimum, all of the following components:

1296 a. Clearly defined prerequisites that a child care provider
1297 must meet before beginning the accreditation process. However,
1298 accreditation may not be granted to a child care facility, large
1299 family child care home, or family child day care home before the
1300 site is operational and is attended by children.

1301 b. Procedures for completion of a self-study and
1302 comprehensive onsite verification process for each classroom
1303 that documents compliance with accrediting standards.

1304 c. A training process for accreditation verifiers to ensure
1305 inter-rater reliability.

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1306 d. Ongoing compliance procedures that include requiring
1307 each accredited child care facility, large family child care
1308 home, and family child day care home to file an annual report
1309 with the accrediting association and risk-based, onsite auditing
1310 protocols for accredited child care facilities, large family
1311 child care homes, and family child day care homes.

1312 e. Procedures for the revocation of accreditation due to
1313 failure to maintain accrediting standards as evidenced by sub-
1314 subparagraph d. or any other relevant information received by
1315 the accrediting association.

1316 f. Accreditation renewal procedures that include an onsite
1317 verification occurring at least every 5 years.

1318 g. A process for verifying continued accreditation
1319 compliance in the event of a transfer of ownership of
1320 facilities.

1321 h. A process to communicate issues that arise during the
1322 accreditation period with governmental entities that have a
1323 vested interest in the Gold Seal Quality Care Program, including
1324 the Department of Education, the Department of Children and
1325 Families, the Department of Health, local licensing entities if
1326 applicable, and the early learning coalition.

1327 (c) If an accrediting association has granted accreditation
1328 to a child care facility, large family child care home, or
1329 family child day care under fraudulent terms or failed to
1330 conduct onsite verifications, the accrediting association shall
1331 be liable for the repayment of any rate differentials paid under
1332 subsection (6).

1333 (4) In order to obtain and maintain a designation as a Gold
1334 Seal Quality Care provider, a child care facility, large family

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1335 child care home, or family child ~~day~~ care home must meet the
1336 following additional criteria:

1337 (a) The child care provider must not have had any class I
1338 violations, as defined by rule of the Department of Children and
1339 Families, within the 2 years preceding its application for
1340 designation as a Gold Seal Quality Care provider. Commission of
1341 a class I violation shall be grounds for termination of the
1342 designation as a Gold Seal Quality Care provider until the
1343 provider has no class I violations for a period of 2 years.

1344 (b) The child care provider must not have had three or more
1345 of the same class II violations, as defined by rule of the
1346 Department of Children and Families, within the 2 years
1347 preceding its application for designation as a Gold Seal Quality
1348 Care provider. Commission of three or more of the same class II
1349 violations within a 2-year period shall be grounds for
1350 termination of the designation as a Gold Seal Quality Care
1351 provider until the provider has no class II violations that are
1352 the same for a period of 1 year.

1353 (c) The child care provider must not have been cited for
1354 the same class III violation, as defined by rule of the
1355 Department of Children and Families, three or more times and
1356 failed to correct the violation within 1 year after the date of
1357 each citation, within the 2 years preceding its application for
1358 designation as a Gold Seal Quality Care provider. Commission of
1359 the same class III violation three or more times and failure to
1360 correct within the required time during a 2-year period may be
1361 grounds for termination of the designation as a Gold Seal
1362 Quality Care provider until the provider has no class III
1363 violations for a period of 1 year.

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1364 (d) Notwithstanding paragraph (a), if the Department of
1365 Education determines through a formal process that a provider
1366 has been in business for at least 5 years and has no other class
1367 I violations recorded, the department may recommend to the state
1368 board that the provider maintain its Gold Seal Quality Care
1369 status. The state board's determination regarding such
1370 provider's status is final.

1371 Section 33. This act shall take effect July 1, 2026.