

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

Accordingly, the Legislature further finds and declares that:

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

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

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

(4) REVENUE FOR THE ENDOWMENT FUND.—

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

(b) The principal of the endowment fund shall be derived from any legislative appropriations that may be made to the endowment, and such bequests, gifts, grants, and donations as 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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child abuse or neglect; exception.—

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



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to chapters 984 and 985.

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

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

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

(7) MISCELLANEOUS EXEMPTIONS.—Exemptions provided to any 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

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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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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.

(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

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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 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

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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 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)

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

4. Have received at least two full onsite renewal 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.

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(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:

(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.

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(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 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. 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 21. Section 402.319, Florida Statutes, is amended 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

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

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

(2) LICENSURE.—

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

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

411.203 Continuum of comprehensive services.—The Department of Education and the Department of Health shall utilize the 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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care facility licensed under s. 402.305, family child ~~day~~ care home licensed under s. 402.313, large family child care home licensed under s. 402.3131, nonpublic school exempt from licensure under s. 402.3025(2), faith-based child care provider exempt from licensure under s. 402.316, 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, or private prekindergarten provider that has been issued a provisional license under s. 402.309. A private prekindergarten provider may not deliver the program while holding a probation-status license under s. 402.310.

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

1002.82 Department of Education; powers and duties.—

(2) The department shall:

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

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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 27. 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:

(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 28. 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,



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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 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

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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 29. 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:

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

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

1002.92 Child care and early childhood resource and referral.—

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

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

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

1. Type of program.
2. Hours of service.
3. Ages of children served.
4. Number of children served.
5. Program information.
6. Fees and eligibility for services.
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.

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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 31. Subsection (2) of section 1002.93, Florida 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 32. 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.—

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(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 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.

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

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

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

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

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

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

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