

1 A bill to be entitled
2 An act relating to early learning; providing a
3 directive to the Division of Law Revision and
4 Information to change the term "family day care home"
5 to "family child care home," and the term "family day
6 care" to "family child care"; amending ss. 125.0109
7 and 166.0445, F.S.; including large family child care
8 homes in local zoning regulation requirements;
9 amending s. 402.302, F.S.; redefining the term
10 "substantial compliance"; requiring the Department of
11 Children and Families to adopt rules for compliance by
12 certain programs regulated, but not licensed, by the
13 department; amending s. 402.3025, F.S.; revising
14 requirements for nonpublic schools delivering certain
15 voluntary prekindergarten education programs and
16 school readiness programs; amending s. 402.305, F.S.;
17 revising certain minimum standards for child care
18 facilities; prohibiting the transfer of ownership of
19 such facilities to specified individuals; creating s.
20 402.3085, F.S.; requiring nonpublic schools or
21 providers seeking to operate certain programs to
22 annually obtain a certificate from the department or a
23 local licensing agency; providing for issuance of the
24 certificate upon examination of the applicant's
25 premises and records; prohibiting a provider from
26 participating in the programs without a certificate;

27 | authorizing local licensing agencies to apply their
 28 | own minimum child care standards under certain
 29 | circumstances; amending s. 402.311, F.S.; providing
 30 | for the inspection of programs regulated by the
 31 | department; amending s. 402.3115, F.S.; providing for
 32 | abbreviated inspections of specified child care homes;
 33 | requiring rulemaking; amending s. 402.313, F.S.;
 34 | revising provisions for licensure, registration, and
 35 | operation of family child care homes; amending s.
 36 | 402.3131, F.S.; revising requirements for large family
 37 | child care homes; amending s. 402.316, F.S.; providing
 38 | exemptions from child care facility licensing
 39 | standards; requiring a child care facility operating
 40 | as a provider of certain voluntary prekindergarten
 41 | education programs or child care programs to comply
 42 | with minimum standards; providing penalties for
 43 | failure to disclose or for use of certain information;
 44 | requiring the department to establish a fee for
 45 | inspection and compliance activities; amending s.
 46 | 627.70161, F.S.; revising restrictions on residential
 47 | property insurance coverage to include coverage for
 48 | large family child care homes; amending s. 1001.213,
 49 | F.S.; providing additional duties of the Office of
 50 | Early Learning; amending s. 1002.53, F.S.; revising
 51 | requirements for application and determination of
 52 | eligibility to enroll in the Voluntary Prekindergarten

53 (VPK) Education Program; amending s. 1002.55, F.S.;

54 revising requirements for a school-year

55 prekindergarten program delivered by a private

56 prekindergarten provider, including requirements for

57 providers, instructors, and child care personnel;

58 providing requirements in the case of provider

59 violations; amending s. 1002.59, F.S.; conforming a

60 cross-reference to changes made by the act; amending

61 ss. 1002.61 and 1002.63, F.S.; revising employment

62 requirements and educational credentials of certain

63 instructional personnel; amending s. 1002.71, F.S.;

64 revising information that must be provided to parents;

65 amending s. 1002.75, F.S.; revising provisions

66 included in the standard statewide VPK program

67 provider contract; amending s. 1002.77, F.S.; revising

68 the purpose and meetings of the Florida Early Learning

69 Advisory Council; amending s. 1002.81, F.S.; revising

70 certain program definitions; amending s. 1002.82,

71 F.S.; revising the powers and duties of the Office of

72 Early Learning; revising provisions included in the

73 standard statewide school readiness provider contract;

74 amending s. 1002.84, F.S.; revising the powers and

75 duties of early learning coalitions; conforming

76 provisions to changes made by the act; amending s.

77 1002.87, F.S.; revising student eligibility and

78 enrollment requirements for the school readiness

79 program; amending s. 1002.88, F.S.; revising
 80 eligibility requirements for program providers that
 81 want to deliver the school readiness program;
 82 providing conditions for denial of initial
 83 eligibility; providing child care personnel
 84 requirements; amending s. 1002.89, F.S.; revising the
 85 use of funds for the school readiness program;
 86 amending s. 1002.91, F.S.; prohibiting an early
 87 learning coalition from contracting with specified
 88 persons; amending s. 1002.94, F.S.; revising
 89 establishment of a community child care task force by
 90 an early learning coalition; requiring the Office of
 91 Early Learning to conduct a pilot project to study the
 92 impact of assessing the early literacy skills of
 93 certain VPK program participants; requiring the office
 94 to report its findings to the Governor and Legislature
 95 by specified dates; providing an appropriation;
 96 providing an effective date.

97

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

99

100 Section 1. The Division of Law Revision and Information is
 101 directed to prepare a reviser's bill for the 2016 Regular
 102 Session of the Legislature to change the term "family day care
 103 home" to "family child care home" and the term "family day care"
 104 to "family child care" wherever the terms appear in the Florida

105 Statutes.

106 Section 2. Section 125.0109, Florida Statutes, is amended
107 to read:

108 125.0109 Family child day care homes and large family
109 child care homes; local zoning regulation.—The operation of a
110 residence as a family child day care home or large family child
111 care home, as defined in s. 402.302, licensed or registered
112 pursuant to s. 402.313 or s. 402.3131, as applicable,
113 constitutes, ~~as defined by law, registered or licensed with the~~
114 ~~Department of Children and Families shall constitute~~ a valid
115 residential use for purposes of any local zoning regulations,
116 and ~~no~~ such regulation may not shall require the owner or
117 operator of such family child day care home or large family
118 child care home to obtain any special exemption or use permit or
119 waiver, or to pay any special fee in excess of \$50, to operate
120 in an area zoned for residential use.

121 Section 3. Section 166.0445, Florida Statutes, is amended
122 to read:

123 166.0445 Family child day care homes and large family
124 child care homes; local zoning regulation.—The operation of a
125 residence as a family child day care home or large family child
126 care home, as defined in s. 402.302, licensed or registered
127 pursuant to s. 402.313 or s. 402.3131, as applicable,
128 constitutes, ~~as defined by law, registered or licensed with the~~
129 ~~Department of Children and Families shall constitute~~ a valid
130 residential use for purposes of any local zoning regulations,

131 and ~~no~~ such regulations may not ~~regulation shall~~ require the
 132 owner or operator of such family child day care home or large
 133 family child care home to obtain any special exemption or use
 134 permit or waiver, or to pay any special fee in excess of \$50, to
 135 operate in an area zoned for residential use.

136 Section 4. Subsection (17) of section 402.302, Florida
 137 Statutes, is amended to read:

138 402.302 Definitions.—As used in this chapter, the term:

139 (17) "Substantial compliance" means, for purposes of
 140 programs operating under s. 1002.55, s. 1002.61, or s. 1002.88,
 141 ~~that level of adherence to adopted standards~~ which is sufficient
 142 to safeguard the health, safety, and well-being of all children
 143 under care. The standards must address the requirements of s.
 144 402.305 and must be limited to supervision, transportation,
 145 access, health-related requirements, food and nutrition,
 146 personnel screening, records, and enforcement of these
 147 standards. The standards must not limit or exclude the
 148 curriculum provided by a faith-based provider or nonpublic
 149 school. The department, in consultation with the Office of Early
 150 Learning, must adopt rules to define and enforce substantial
 151 compliance with minimum standards for child care facilities for
 152 programs operating under s. 1002.55, s. 1002.61, or s. 1002.88
 153 which are regulated, but not licensed, by the department
 154 ~~Substantial compliance is greater than minimal adherence but not~~
 155 ~~to the level of absolute adherence. Where a violation or~~
 156 ~~variation is identified as the type which impacts, or can be~~

157 ~~reasonably expected within 90 days to impact, the health,~~
 158 ~~safety, or well-being of a child, there is no substantial~~
 159 ~~compliance.~~

160 Section 5. Paragraphs (d) and (e) of subsection (2) of
 161 section 402.3025, Florida Statutes, are amended to read:

162 402.3025 Public and nonpublic schools.—For the purposes of
 163 ss. 402.301-402.319, the following shall apply:

164 (2) NONPUBLIC SCHOOLS.—

165 (d)1. Nonpublic schools delivering programs under s.
 166 1002.55, s. 1002.61, or s. 1002.88 ~~Programs for children who are~~
 167 ~~at least 3 years of age, but under 5 years of age,~~ which are not
 168 licensed under ss. 402.301-402.319 shall substantially comply
 169 with the minimum child care standards adopted ~~promulgated~~
 170 pursuant to ss. 402.305-402.3057.

171 2. The department or local licensing agency shall enforce
 172 compliance with such standards, where possible, to eliminate or
 173 minimize duplicative inspections or visits by staff enforcing
 174 the minimum child care standards and staff enforcing other
 175 standards under the jurisdiction of the department.

176 3. The department or local licensing agency may inspect
 177 programs operating under this paragraph and pursue
 178 administrative or judicial action under ss. 402.310-402.312
 179 against nonpublic schools operating under this paragraph
 180 ~~commence and maintain all proper and necessary actions and~~
 181 ~~proceedings for any or all of the following purposes:~~

182 a. ~~to~~ to protect the health, sanitation, safety, and well-

183 being of all children under care.

184 ~~b. To enforce its rules and regulations.~~

185 ~~e. To use corrective action plans, whenever possible, to~~
 186 ~~attain compliance prior to the use of more restrictive~~
 187 ~~enforcement measures.~~

188 ~~d. To make application for injunction to the proper~~
 189 ~~circuit court, and the judge of that court shall have~~
 190 ~~jurisdiction upon hearing and for cause shown to grant a~~
 191 ~~temporary or permanent injunction, or both, restraining any~~
 192 ~~person from violating or continuing to violate any of the~~
 193 ~~provisions of ss. 402.301-402.319. Any violation of this section~~
 194 ~~or of the standards applied under ss. 402.305-402.3057 which~~
 195 ~~threatens harm to any child in the school's programs for~~
 196 ~~children who are at least 3 years of age, but are under 5 years~~
 197 ~~of age, or repeated violations of this section or the standards~~
 198 ~~under ss. 402.305-402.3057, shall be grounds to seek an~~
 199 ~~injunction to close a program in a school.~~

200 ~~e. To impose an administrative fine, not to exceed \$100,~~
 201 ~~for each violation of the minimum child care standards~~
 202 ~~promulgated pursuant to ss. 402.305-402.3057.~~

203 4. It is a misdemeanor of the first degree, punishable as
 204 provided in s. 775.082 or s. 775.083, for any person willfully,
 205 knowingly, or intentionally to:

206 a. Fail, by false statement, misrepresentation,
 207 impersonation, or other fraudulent means, to disclose in any
 208 required written documentation for exclusion from licensure

209 | pursuant to this section a material fact used in making a
 210 | determination as to such exclusion; or

211 | b. Use information from the criminal records obtained
 212 | under s. 402.305 or s. 402.3055 for any purpose other than
 213 | screening that person for employment as specified in those
 214 | sections or release such information to any other person for any
 215 | purpose other than screening for employment as specified in
 216 | those sections.

217 | 5. It is a felony of the third degree, punishable as
 218 | provided in s. 775.082, s. 775.083, or s. 775.084, for any
 219 | person willfully, knowingly, or intentionally to use information
 220 | from the juvenile records of any person obtained under s.
 221 | 402.305 or s. 402.3055 for any purpose other than screening for
 222 | employment as specified in those sections or to release
 223 | information from such records to any other person for any
 224 | purpose other than screening for employment as specified in
 225 | those sections.

226 | 6. The inclusion of nonpublic schools within options
 227 | available under ss. 1002.55, 1002.61, and 1002.88 does not
 228 | expand the regulatory authority of the state, its officers, any
 229 | local licensing agency, or any early learning coalition to
 230 | impose any additional regulation of nonpublic schools beyond
 231 | those reasonably necessary to enforce requirements expressly
 232 | specified in this paragraph.

233 | ~~(c) The department and the nonpublic school accrediting~~
 234 | ~~agencies are encouraged to develop agreements to facilitate the~~

235 ~~enforcement of the minimum child care standards as they relate~~
236 ~~to the schools which the agencies accredit.~~

237 Section 6. Paragraphs (a) and (d) of subsection (2),
238 paragraph (b) of subsection (9), and subsections (10) and (18)
239 of section 402.305, Florida Statutes, are amended to read:

240 402.305 Licensing standards; child care facilities.—

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

243 (a) Good moral character based upon screening, according
244 to the level 2 screening requirements of. ~~This screening shall~~
245 ~~be conducted as provided in chapter 435, using the level 2~~
246 ~~standards for screening set forth in that chapter.~~ In addition
247 to the offenses specified in s. 435.04, all child care personnel
248 required to undergo background screening pursuant to this
249 section may not have an arrest awaiting final disposition for,
250 may not have been found guilty of, regardless of adjudication,
251 or entered a plea of nolo contendere or guilty to, and may not
252 have been adjudicated delinquent and have a record that has been
253 sealed or expunged for an offense specified in s. 39.205. Before
254 employing child care personnel subject to this section, the
255 employer must conduct employment history checks of each of the
256 personnel's previous employers and document the findings. If
257 unable to contact a previous employer, the employer must
258 document efforts to contact the previous employer.

259 (d) Minimum training requirements for child care
260 personnel.

261 1. Such minimum standards for training shall ensure that
262 all child care personnel take an approved 40-clock-hour
263 introductory course in child care, which course covers at least
264 the following topic areas:

265 a. State and local rules and regulations which govern
266 child care.

267 b. Health, safety, and nutrition.

268 c. Identifying and reporting child abuse and neglect.

269 d. Child development, including typical and atypical
270 language, cognitive, motor, social, and self-help skills
271 development.

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

275 f. Specialized areas, including computer technology for
276 professional and classroom use and numeracy, early literacy, and
277 language development of children from birth to 5 years of age,
278 as determined by the department, for owner-operators and child
279 care personnel of a child care facility.

280 g. Developmental disabilities, including autism spectrum
281 disorder and Down syndrome, and early identification, use of
282 available state and local resources, classroom integration, and
283 positive behavioral supports for children with developmental
284 disabilities.

285
286 Within 90 days after employment, child care personnel shall

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287 | begin training to meet the training requirements pursuant to
288 | this paragraph. Child care personnel shall successfully complete
289 | such training within 1 year after the date on which the training
290 | began, as evidenced by passage of a competency examination.
291 | Successful completion of the 40-clock-hour introductory course
292 | shall articulate into community college credit in early
293 | childhood education, pursuant to ss. 1007.24 and 1007.25.
294 | Exemption from all or a portion of the required training shall
295 | be granted to child care personnel based upon educational
296 | credentials or passage of competency examinations. Child care
297 | personnel possessing a 2-year degree or higher that includes 6
298 | college credit hours in early childhood development or child
299 | growth and development, or a child development associate
300 | credential or an equivalent state-approved child development
301 | associate credential, or a child development associate waiver
302 | certificate shall be automatically exempted from the training
303 | requirements in sub-subparagraphs b., d., and e.

304 | 2. The introductory course in child care shall stress, to
305 | the extent possible, an interdisciplinary approach to the study
306 | of children.

307 | 3. The introductory course shall cover recognition and
308 | prevention of shaken baby syndrome; prevention of sudden infant
309 | death syndrome; recognition and care of infants and toddlers
310 | with developmental disabilities, including autism spectrum
311 | disorder and Down syndrome; and early childhood brain
312 | development within the topic areas identified in this paragraph.

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313 4. On an annual basis in order to further their child care
314 skills and, if appropriate, administrative skills, child care
315 personnel who have fulfilled the requirements for the child care
316 training shall be required to take an additional 1 continuing
317 education unit of approved inservice training, or 10 clock hours
318 of equivalent training, as determined by the department.

319 5. Child care personnel shall be required to complete 0.5
320 continuing education unit of approved training or 5 clock hours
321 of equivalent training, as determined by the department, in
322 numeracy, early literacy, and language development of children
323 from birth to 5 years of age one time. The year that this
324 training is completed, it shall fulfill the 0.5 continuing
325 education unit or 5 clock hours of the annual training required
326 in subparagraph 4.

327 6. Procedures for ensuring the training of qualified child
328 care professionals to provide training of child care personnel,
329 including onsite training, shall be included in the minimum
330 standards. It is recommended that the state community child care
331 coordination agencies (central agencies) be contracted by the
332 department to coordinate such training when possible. Other
333 district educational resources, such as community colleges and
334 career programs, can be designated in such areas where central
335 agencies may not exist or are determined not to have the
336 capability to meet the coordination requirements set forth by
337 the department.

338 7. Training requirements do ~~shall~~ not apply to certain

339 occasional or part-time support staff, including, but not
340 limited to, swimming instructors, piano teachers, dance
341 instructors, and gymnastics instructors.

342 8. The department shall evaluate or contract for an
343 evaluation for the general purpose of determining the status of
344 and means to improve staff training requirements and testing
345 procedures. The evaluation shall be conducted every 2 years. The
346 evaluation must ~~shall~~ include, but not be limited to,
347 determining the availability, quality, scope, and sources of
348 current staff training; determining the need for specialty
349 training; and determining ways to increase inservice training
350 and ways to increase the accessibility, quality, and cost-
351 effectiveness of current and proposed staff training. The
352 evaluation methodology must ~~shall~~ include a reliable and valid
353 survey of child care personnel.

354 9. The child care operator shall be required to take basic
355 training in serving children with disabilities within 5 years
356 after employment, either as a part of the introductory training
357 or the annual 8 hours of inservice training.

358 (9) ADMISSIONS AND RECORDKEEPING.—

359 (b) ~~During the months of August and September of each~~
360 ~~year,~~ Each child care facility shall provide parents of children
361 enrolling ~~enrolled~~ in the facility detailed information
362 regarding the causes, symptoms, and transmission of the
363 influenza virus in an effort to educate those parents regarding
364 the importance of immunizing their children against influenza as

365 recommended by the Advisory Committee on Immunization Practices
 366 of the Centers for Disease Control and Prevention.

367 (10) TRANSPORTATION SAFETY.—Minimum standards must ~~shall~~
 368 include requirements for child restraints or seat belts in
 369 vehicles used by child care facilities, ~~and~~ and large family child
 370 care homes, and licensed family child care homes to transport
 371 children, requirements for annual inspections of the vehicles,
 372 limitations on the number of children in the vehicles, and
 373 accountability for children being transported.

374 (18) TRANSFER OF OWNERSHIP.—

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

379 (b) The owner of a child care facility, family child care
 380 home, or large family child care home may not transfer ownership
 381 to a relative of the operator if the operator has had his or her
 382 license suspended or revoked by the department pursuant to s.
 383 402.310, has received notice from the department that reasonable
 384 cause exists to suspend or revoke his or her license, or has
 385 been placed on the United States Department of Agriculture
 386 National Disqualified List. For purposes of this paragraph, the
 387 term "relative" means father, mother, son, daughter,
 388 grandfather, grandmother, brother, sister, uncle, aunt, cousin,
 389 nephew, niece, husband, wife, father-in-law, mother-in-law, son-
 390 in-law, daughter-in-law, brother-in-law, sister-in-law,

391 stepfather, stepmother, stepson, stepdaughter, stepbrother,
 392 stepsister, half brother, or half sister.

393 ~~(c)-(b)~~ The department shall, by rule, establish methods by
 394 which notice will be achieved and minimum standards by which to
 395 implement this subsection.

396 Section 7. Section 402.3085, Florida Statutes, is created
 397 to read:

398 402.3085 Certificate of substantial compliance with
 399 minimum child care standards.—Each nonpublic school or provider
 400 seeking to operate a program pursuant to s. 402.3025(2)(d) or s.
 401 402.316(4), respectively, shall annually obtain a certificate
 402 from the department or local licensing agency in the manner and
 403 on the forms prescribed by the department or local licensing
 404 agency. An annual certificate or a renewal of an annual
 405 certificate shall be issued upon an examination of the
 406 applicant's premises and records to determine that the applicant
 407 is in substantial compliance with the minimum child care
 408 standards. A provider may not participate in these programs
 409 without this certification. Local licensing agencies may apply
 410 their own minimum child care standards if the department
 411 determines that such standards meet or exceed department
 412 standards as provided in s. 402.307.

413 Section 8. Section 402.311, Florida Statutes, is amended
 414 to read:

415 402.311 Inspection.—A licensed child care facility or
 416 program regulated by the department shall accord to the

417 department or the local licensing agency, whichever is
 418 applicable, the privilege of inspection, including access to
 419 facilities and personnel and to those records required in s.
 420 402.305, at reasonable times during regular business hours, to
 421 ensure compliance with ~~the provisions of~~ ss. 402.301-402.319.
 422 The right of entry and inspection shall also extend to any
 423 premises which the department or local licensing agency has
 424 reason to believe are being operated or maintained as a child
 425 care facility or program ~~without a license~~, but no such entry or
 426 inspection of any premises shall be made without the permission
 427 of the person in charge thereof unless a warrant is first
 428 obtained from the circuit court authorizing same. Any
 429 application for a license, application for authorization to
 430 operate a child care program which must maintain substantial
 431 compliance with child care standards adopted under this chapter,
 432 ~~or renewal of such license or authorization, made pursuant to~~
 433 ~~this act~~ or the advertisement to the public for the provision of
 434 child care as defined in s. 402.302 constitutes ~~shall constitute~~
 435 permission for any entry to or inspection of the subject
 436 premises ~~for which the license is sought in order~~ to facilitate
 437 verification of the information submitted on or in connection
 438 with the application. In the event a ~~licensed~~ facility or
 439 program refuses permission for entry or inspection to the
 440 department or local licensing agency, a warrant shall be
 441 obtained from the circuit court authorizing same before ~~prior to~~
 442 such entry or inspection. The department or local licensing

443 agency may institute disciplinary proceedings pursuant to s.
 444 402.310~~7~~ for such refusal.

445 Section 9. Section 402.3115, Florida Statutes, is amended
 446 to read:

447 402.3115 ~~Elimination of duplicative and unnecessary~~
 448 ~~inspections;~~ Abbreviated inspections. ~~The Department of Children~~
 449 ~~and Families and local governmental agencies that license child~~
 450 ~~care facilities shall develop and implement a plan to eliminate~~
 451 ~~duplicative and unnecessary inspections of child care~~
 452 ~~facilities. In addition,~~ The department and the local licensing
 453 ~~governmental~~ agencies shall conduct ~~develop and implement an~~
 454 abbreviated inspections of inspection plan for child care
 455 facilities licensed under s. 402.305, family child care homes
 456 licensed under s. 402.313, and large family child care homes
 457 licensed under s. 402.3131 that have had no Class I ~~±~~ or Class
 458 II violations ~~2 deficiencies~~, as defined by rule, for at least 2
 459 consecutive years. The abbreviated inspection must include those
 460 elements identified by the department and the local licensing
 461 ~~governmental~~ agencies as being key indicators of whether the
 462 child care facility continues to provide quality care and
 463 programming. The department shall adopt rules establishing
 464 criteria and procedures for abbreviated inspections and
 465 inspection schedules that provide for both announced and
 466 unannounced inspections.

467 Section 10. Section 402.313, Florida Statutes, is amended
 468 to read:

469 402.313 Family child day care homes.—

470 (1) A family child day care home must ~~homes shall~~ be
 471 licensed under this section ~~act~~ if it is ~~they are~~ presently
 472 being licensed under an existing county licensing ordinance, ~~or~~
 473 ~~if~~ the board of county commissioners passes a resolution that
 474 requires licensure of family child day care homes, or the family
 475 child care home is operating a program under s. 1002.55, s.
 476 1002.61, or s. 1002.88 ~~be licensed~~. Each licensed or registered
 477 family child care home must conspicuously display its license or
 478 registration in the common area of the home.

479 (a) If not subject to license, a family child day care
 480 home must comply with this section and ~~homes shall~~ register
 481 annually with the department, providing the following
 482 information:

- 483 1. The name and address of the home.
- 484 2. The name of the operator.
- 485 3. The number of children served.
- 486 4. Proof of a written plan to identify a ~~provide at least~~
 487 ~~one other~~ competent adult who has met the screening and training
 488 requirements of the department to serve as a designated ~~to be~~
 489 ~~available to~~ substitute for the operator in an emergency. This
 490 plan must ~~shall~~ include the name, address, and telephone number
 491 of the designated substitute who will serve in the absence of
 492 the operator.
- 493 5. ~~Proof of screening and background checks.~~
- 494 6. ~~Proof of successful completion of the 30-hour training~~

495 ~~course, as evidenced by passage of a competency examination,~~
 496 ~~which shall include:~~

- 497 ~~a. State and local rules and regulations that govern child~~
 498 ~~care.~~
- 499 ~~b. Health, safety, and nutrition.~~
- 500 ~~c. Identifying and reporting child abuse and neglect.~~
- 501 ~~d. Child development, including typical and atypical~~
 502 ~~language development; and cognitive, motor, social, and self-~~
 503 ~~help skills development.~~
- 504 ~~e. Observation of developmental behaviors, including using~~
 505 ~~a checklist or other similar observation tools and techniques to~~
 506 ~~determine a child's developmental level.~~
- 507 ~~f. Specialized areas, including early literacy and~~
 508 ~~language development of children from birth to 5 years of age,~~
 509 ~~as determined by the department, for owner operators of family~~
 510 ~~day care homes.~~

511 ~~5.7.~~ Proof that immunization records are kept current.

512 ~~8.~~ Proof of completion of the required continuing
 513 education units or clock hours.

514

515 Upon receipt of registration information submitted by a family
 516 child care home pursuant to this paragraph, the department shall
 517 verify that the home is in compliance with the background
 518 screening requirements in subsection (3) and that the operator
 519 and the designated substitute are in compliance with the
 520 applicable training requirements of subsection (4).

521 (b) A family child ~~day~~ care home may volunteer to be
 522 licensed ~~under this act~~.

523 (c) The department may provide technical assistance to
 524 counties and operators of family child day care homes ~~home~~
 525 ~~providers~~ to enable counties and operators ~~family day care~~
 526 ~~providers~~ to achieve compliance with family child day care home
 527 ~~homes~~ standards.

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

531 (3) Child care personnel in family child ~~day~~ care homes
 532 are ~~shall be~~ subject to the applicable screening provisions
 533 contained in ss. 402.305(2) and 402.3055. For purposes of
 534 screening in family child ~~day~~ care homes, the term "child care
 535 personnel" includes the operator, the designated substitute, any
 536 member over the age of 12 years of a family child ~~day~~ care home
 537 operator's family, or persons over the age of 12 years residing
 538 with the operator in the family child ~~day~~ care home. Members of
 539 the operator's family, or persons residing with the operator,
 540 who are between the ages of 12 years and 18 years may ~~shall~~ not
 541 be required to be fingerprinted, but shall be screened for
 542 delinquency records.

543 (4) (a) Before licensure and before caring for children,
 544 operators of family child day care homes and an individual
 545 serving as a designated substitute for the operator who works 40
 546 hours or more per month on average must:

547 1. Successfully complete an approved 30-clock-hour
 548 introductory course in child care, as evidenced by passage of a
 549 competency examination, ~~before caring for children.~~ The course
 550 must include:

551 a. State and local rules and regulations that govern child
 552 care.

553 b. Health, safety, and nutrition.

554 c. Identifying and reporting child abuse and neglect.

555 d. Child development, including typical and atypical
 556 language development, and cognitive, motor, social, and
 557 executive functioning skills development.

558 e. Observation of developmental behaviors, including using
 559 checklists or other similar observation tools and techniques to
 560 determine a child's developmental level.

561 f. Specialized areas, including numeracy, early literacy,
 562 and language development of children from birth to 5 years of
 563 age, as determined by the department, for operators of family
 564 child care homes.

565 ~~(5) In order to further develop their child care skills~~
 566 ~~and, if appropriate, their administrative skills, operators of~~
 567 ~~family day care homes shall be required to complete an~~
 568 ~~additional 1 continuing education unit of approved training or~~
 569 ~~10 clock hours of equivalent training, as determined by the~~
 570 ~~department, annually.~~

571 2.~~(6)~~ ~~Operators of family day care homes shall be required~~
 572 ~~to~~ Complete a 0.5 continuing education unit of approved training

573 in numeracy, early literacy, and language development of
574 children from birth to 5 years of age one time. For an operator,
575 the year that this training is completed, it shall fulfill the
576 0.5 continuing education unit or 5 clock hours of the annual
577 training required in paragraph (c) ~~subsection (5)~~.

578 3. Complete training in first aid and infant and child
579 cardiopulmonary resuscitation as evidenced by current
580 documentation of course completion.

581 (b) Before licensure and before caring for children,
582 family child care home designated substitutes who work less than
583 40 hours per month on average must complete the department's 6-
584 clock-hour Family Child Care Home Rules and Regulations
585 training, as evidenced by successful completion of a competency
586 examination and first aid and infant and child cardiopulmonary
587 resuscitation training required under subparagraph (a)3. A
588 designated substitute who has successfully completed the 3-
589 clock-hour Fundamentals of Child Care training established by
590 rules of the department or the 30-clock-hour training under
591 subparagraph (a)1. is not required to complete the 6-clock-hour
592 Family Child Care Home Rules and Regulations training.

593 (c) Operators of family child care homes must annually
594 complete an additional 1 continuing education unit of approved
595 training regarding child care and administrative skills or 10
596 clock hours of equivalent training, as determined by the
597 department.

598 ~~(5)-(7)~~ Operators of family child ~~day~~ care homes must ~~shall~~

599 ~~be required~~ annually ~~to~~ complete a health and safety home
600 inspection self-evaluation checklist developed by the department
601 in conjunction with the statewide resource and referral program.
602 The completed checklist shall be signed by the operator of the
603 family child day care home and provided to parents as
604 certification that basic health and safety standards are being
605 met.

606 ~~(6)-(8)~~ Operators of family child day care homes ~~home~~
607 ~~operators~~ may avail themselves of supportive services offered by
608 the department.

609 ~~(7)-(9)~~ The department shall prepare a brochure on family
610 child day care for distribution by the department and by local
611 licensing agencies, if appropriate, to family child day care
612 homes for distribution to parents using ~~utilizing~~ such child
613 care, and to all interested persons, including physicians and
614 other health professionals; mental health professionals; school
615 teachers or other school personnel; social workers or other
616 professional child care, foster care, residential, or
617 institutional workers; and law enforcement officers. The
618 brochure shall, at a minimum, contain the following information:

619 (a) A brief description of the requirements for family
620 child day care registration, training, and background
621 ~~fingerprinting and~~ screening.

622 (b) A listing of those counties that require licensure of
623 family child day care homes. Such counties shall provide an
624 addendum to the brochure that provides a brief description of

625 the licensure requirements or may provide a brochure in lieu of
 626 the one described in this subsection, provided it contains all
 627 the required information on licensure and the required
 628 information in the subsequent paragraphs.

629 (c) A statement indicating that information about the
 630 family child day care home's compliance with applicable state or
 631 local requirements can be obtained from ~~by telephoning~~ the
 632 department ~~office~~ or ~~the office of~~ the local licensing agency,
 633 including the, if appropriate, at a telephone number or numbers
 634 and website address for the department or local licensing
 635 agency, as applicable ~~which shall be affixed to the brochure.~~

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

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

646 ~~(8)-(10)~~ On an annual basis, the department shall evaluate
 647 the registration and licensure system for family child day care
 648 homes. Such evaluation shall, at a minimum, address the
 649 following:

650 (a) The number of family child day care homes registered

651 and licensed and the dates of such registration and licensure.

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

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

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

661
 662 The evaluation, pursuant to this paragraph, shall be used
 663 ~~utilized~~ by the department in any administrative modifications
 664 or adjustments to be made in the registration of family child
 665 ~~day~~ care homes or in any legislative requests for modifications
 666 to the system of registration or to other requirements for
 667 family child ~~day~~ care homes.

668 ~~(11) In order to inform the public of the state~~
 669 ~~requirement for registration of family day care homes as well as~~
 670 ~~the other requirements for such homes to legally operate in the~~
 671 ~~state, the department shall institute a media campaign to~~
 672 ~~accomplish this end. Such a campaign shall include, at a~~
 673 ~~minimum, flyers, newspaper advertisements, radio advertisements,~~
 674 ~~and television advertisements.~~

675 (9) ~~(12)~~ Notwithstanding any other state or local law or
 676 ordinance, any family child ~~day~~ care home licensed pursuant to

677 | this chapter or pursuant to a county ordinance shall be charged
678 | the utility rates accorded to a residential home. A licensed
679 | family child ~~day~~ care home may not be charged commercial utility
680 | rates.

681 | ~~(10)-(13)~~ The department shall, by rule, establish minimum
682 | standards for family child ~~day~~ care homes that are required to
683 | be licensed by county licensing ordinance or county licensing
684 | resolution or that voluntarily choose to be licensed. The
685 | standards should include requirements for staffing, training,
686 | maintenance of immunization records, minimum health and safety
687 | standards, reduced standards for the regulation of child care
688 | during evening hours by municipalities and counties, and
689 | enforcement of standards. Additionally, the department shall, by
690 | rule, adopt procedures for verifying a registered family child
691 | care home's compliance with background screening and training
692 | requirements.

693 | ~~(11)-(14)~~ ~~During the months of August and September of each~~
694 | ~~year,~~ Each family child ~~day~~ care home shall provide parents of
695 | children enrolling ~~enrolled~~ in the home detailed information
696 | regarding the causes, symptoms, and transmission of the
697 | influenza virus in an effort to educate those parents regarding
698 | the importance of immunizing their children against influenza as
699 | recommended by the Advisory Committee on Immunization Practices
700 | of the Centers for Disease Control and Prevention.

701 |
702 | Section 11. Subsections (1), (3), (5), and (9) of section

703 402.3131, Florida Statutes, are amended, and subsection (10) is
 704 added to that section, to read:

705 402.3131 Large family child care homes.—

706 (1) A large family child care home must ~~homes shall~~ be
 707 licensed under this section and conspicuously display its
 708 license in the common area of the home.

709 (3) Operators of large family child care homes must
 710 successfully complete an approved 40-clock-hour introductory
 711 course in group child care, including numeracy, early literacy,
 712 and language development of children from birth to 5 years of
 713 age, as evidenced by passage of a competency examination.
 714 Successful completion of the 40-clock-hour introductory course
 715 shall articulate into community college credit in early
 716 childhood education, pursuant to ss. 1007.24 and 1007.25.

717 (5) Operators of large family child care homes shall be
 718 required to complete 0.5 continuing education unit of approved
 719 training or 5 clock hours of equivalent training, as determined
 720 by the department, in numeracy, early literacy, and language
 721 development of children from birth to 5 years of age one time.
 722 The year that this training is completed, it shall fulfill the
 723 0.5 continuing education unit or 5 clock hours of the annual
 724 training required in subsection (4).

725 (9) ~~During the months of August and September of each~~
 726 ~~year,~~ Each large family child care home shall provide parents of
 727 children enrolling ~~enrolled~~ in the home detailed information
 728 regarding the causes, symptoms, and transmission of the

729 influenza virus in an effort to educate those parents regarding
730 the importance of immunizing their children against influenza as
731 recommended by the Advisory Committee on Immunization Practices
732 of the Centers for Disease Control and Prevention.

733 (10) Notwithstanding any other state or local law or
734 ordinance, a large family child care home licensed pursuant to
735 this chapter or pursuant to a county ordinance shall be charged
736 the utility rates accorded to a residential home. Such a home
737 may not be charged commercial utility rates.

738 Section 12. Subsections (4), (5), and (6) are added to
739 section 402.316, Florida Statutes, to read:

740 402.316 Exemptions.—

741 (4) A child care facility operating under subsection (1)
742 which is applying to operate or is operating as a provider of a
743 program described in s. 1002.55, s. 1002.61, or s. 1002.88 must
744 substantially comply with the minimum standards for child care
745 facilities adopted pursuant to ss. 402.305-402.3057 and must
746 allow the department or local licensing agency access to monitor
747 and enforce compliance with such standards.

748 (a) The department or local licensing agency may pursue
749 administrative or judicial action under ss. 402.310-402.312 and
750 the rules adopted under those sections against any child care
751 facility operating under this subsection to enforce substantial
752 compliance with child care facility minimum standards or to
753 protect the health, safety, and well-being of any child in the
754 facility's care. A child care facility operating under this

755 subsection is subject to ss. 402.310-402.312 and the rules
756 adopted under those sections to the same extent as a child care
757 facility licensed under ss. 402.301-402.319.

758 (b) It is a misdemeanor of the first degree, punishable as
759 provided in s. 775.082 or s. 775.083, for a person willfully,
760 knowingly, or intentionally to:

761 1. Fail, by false statement, misrepresentation,
762 impersonation, or other fraudulent means, to disclose in any
763 required written documentation for exclusion from licensure
764 pursuant to this section a material fact used in making a
765 determination as to such exclusion; or

766 2. Use information from the criminal records obtained
767 under s. 402.305 or s. 402.3055 for a purpose other than
768 screening the subject of those records for employment as
769 specified in those sections or to release such information to
770 any other person for a purpose other than screening for
771 employment as specified in those sections.

772 (c) It is a felony of the third degree, punishable as
773 provided in s. 775.082, s. 775.083, or s. 775.084, for a person
774 willfully, knowingly, or intentionally to use information from
775 the juvenile records of a person obtained under s. 402.305 or s.
776 402.3055 for a purpose other than screening for employment as
777 specified in those sections or to release information from such
778 records to any other person for a purpose other than screening
779 for employment as specified in those sections.

780 (5) The department shall establish a fee for inspection

781 and compliance activities performed pursuant to this section in
 782 an amount sufficient to cover costs. However, the amount of such
 783 fee for the inspection of a program may not exceed the fee
 784 imposed for child care licensure pursuant to s. 402.315.

785 (6) The inclusion of a child care facility operating under
 786 subsection (1) as a provider of a program described in s.
 787 1002.55, s. 1002.61, or s. 1002.88 does not expand the
 788 regulatory authority of the state, its officers, any local
 789 licensing agency, or any early learning coalition to impose any
 790 additional regulation of child care facilities beyond those
 791 reasonably necessary to enforce requirements expressly included
 792 in this section.

793 Section 13. Section 627.70161, Florida Statutes, is
 794 amended to read:

795 627.70161 Residential property insurance coverage; family
 796 child ~~day~~ care homes and large family child care homes
 797 insurance.—

798 (1) PURPOSE AND INTENT.—The Legislature recognizes that
 799 family child ~~day~~ care homes and large family child care homes
 800 fulfill a vital role in providing child care in Florida. It is
 801 the intent of the Legislature that residential property
 802 insurance coverage should not be canceled, denied, or nonrenewed
 803 solely because child ~~on the basis of the family day care~~
 804 services are provided at the residence. The Legislature also
 805 recognizes that the potential liability of residential property
 806 insurers is substantially increased by the rendition of child

807 care services on the premises. The Legislature therefore finds
 808 that there is a public need to specify that contractual
 809 liabilities associated ~~that arise in connection~~ with the
 810 operation of a the family child day care home or large family
 811 child care home are excluded from residential property insurance
 812 policies unless they are specifically included in such coverage.

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

814 (a) "Child care" means the care, protection, and
 815 supervision of a child, for a period of up to ~~less than~~ 24 hours
 816 a day on a regular basis, which supplements parental care,
 817 enrichment, and health supervision for the child, in accordance
 818 with his or her individual needs, and for which a payment, fee,
 819 or grant is made for care.

820 (b) "Family child day care home" has the same meaning as
 821 provided in s. 402.302 ~~means an occupied residence in which~~
 822 ~~child care is regularly provided for children from at least two~~
 823 ~~unrelated families and which receives a payment, fee, or grant~~
 824 ~~for any of the children receiving care, whether or not operated~~
 825 ~~for a profit.~~

826 (c) "Large family child care home" has the same meaning as
 827 provided in s. 402.302.

828 (3) FAMILY CHILD DAY CARE; COVERAGE.—A residential
 829 property insurance policy may ~~shall~~ not provide coverage for
 830 liability for claims arising out of, or in connection with, the
 831 operation of a family child day care home or large family child
 832 care home, and the insurer shall be under no obligation to

833 defend against lawsuits covering such claims, unless:

834 (a) Specifically covered in a policy; or

835 (b) Covered by a rider or endorsement for business

836 coverage attached to a policy.

837 (4) DENIAL, CANCELLATION, REFUSAL TO RENEW PROHIBITED.—An

838 insurer may not deny, cancel, or refuse to renew a policy for

839 residential property insurance solely on the basis that the

840 policyholder or applicant operates a family child ~~day~~ care home

841 or a large family child care home. In addition to other lawful

842 reasons for refusing to insure, an insurer may deny, cancel, or

843 refuse to renew a policy of a family child ~~day~~ care home or

844 large family child care home provider if one or more of the

845 following conditions occur:

846 (a) The policyholder or applicant provides care for more

847 children than authorized for family child ~~day~~ care homes or

848 large family child care homes by s. 402.302;

849 (b) The policyholder or applicant fails to maintain a

850 separate commercial liability policy or an endorsement providing

851 liability coverage for ~~the~~ family child ~~day~~ care home or large

852 family child care home operations;

853 (c) The policyholder or applicant fails to comply with the

854 family child ~~day~~ care home licensure and registration

855 requirements specified in s. 402.313 or the large family child

856 care home licensure requirements specified in s. 402.3131; or

857 (d) Discovery of willful or grossly negligent acts or

858 omissions or any violations of state laws or regulations

859 establishing safety standards for family child ~~day~~ care homes
 860 and large family child care homes by the named insured or his or
 861 her representative which materially increase any of the risks
 862 insured.

863 Section 14. Subsections (7), (8), and (9) are added to
 864 section 1001.213, Florida Statutes, to read:

865 1001.213 Office of Early Learning.—There is created within
 866 the Office of Independent Education and Parental Choice the
 867 Office of Early Learning, as required under s. 20.15, which
 868 shall be administered by an executive director. The office shall
 869 be fully accountable to the Commissioner of Education but shall:

870 (7) Hire a general counsel who reports directly to the
 871 executive director of the office.

872 (8) Hire an inspector general who reports directly to the
 873 executive director of the office and to the Chief Inspector
 874 General pursuant to s. 14.32.

875 (9) By July 1, 2017, develop and implement, in
 876 consultation with early learning coalitions and providers of the
 877 Voluntary Prekindergarten Education Program and the school
 878 readiness program, best practices for providing parental
 879 notifications in the parent's native language to a parent whose
 880 native language is a language other than English.

881
 882 Section 15. Subsection (4) of section 1002.53, Florida
 883 Statutes, is amended to read:

884 1002.53 Voluntary Prekindergarten Education Program;

885 eligibility and enrollment.—

886 (4) (a) Each parent enrolling a child in the Voluntary
887 Prekindergarten Education Program must complete and submit an
888 application to the early learning coalition through the single
889 point of entry established under s. 1002.82 or to a private
890 prekindergarten provider if the provider is authorized by the
891 early learning coalition to determine student eligibility for
892 enrollment in the program.

893 (b) The application must be submitted on forms prescribed
894 by the Office of Early Learning and must be accompanied by a
895 certified copy of the child's birth certificate. The forms must
896 include a certification, in substantially the form provided in
897 s. 1002.71(6)(b)2., that the parent chooses the private
898 prekindergarten provider or public school in accordance with
899 this section and directs that payments for the program be made
900 to the provider or school. The Office of Early Learning may
901 authorize alternative methods for submitting proof of the
902 child's age in lieu of a certified copy of the child's birth
903 certificate.

904 (c) If a private prekindergarten provider has been
905 authorized to determine child eligibility and enrollment, upon
906 receipt of an application, the provider must:

907 1. Determine the child's eligibility for the program and
908 be responsible for any errors in such determination.

909 2. Retain the original application and certified copy of
910 the child's birth certificate or authorized alternative proof of

911 age on file for at least 5 years.

912
 913 Pursuant to this paragraph, the early learning coalition may
 914 audit applications held by a private prekindergarten provider in
 915 the coalition's service area to determine whether children
 916 enrolled and reported for funding by the provider have met the
 917 eligibility criteria in subsection (2).

918 (d)~~(e)~~ Each early learning coalition shall coordinate with
 919 each of the school districts within the coalition's county or
 920 multicounty region in the development of procedures for
 921 enrolling children in prekindergarten programs delivered by
 922 public schools, including procedures for making child
 923 eligibility determinations and auditing enrollment records to
 924 confirm that enrolled children have met eligibility
 925 requirements.

926 Section 16. Section 1002.55, Florida Statutes, is amended
 927 to read:

928 1002.55 School-year prekindergarten program delivered by
 929 private prekindergarten providers.—

930 (1) Each early learning coalition shall administer the
 931 Voluntary Prekindergarten Education Program at the county or
 932 regional level for students enrolled under s. 1002.53(3)(a) in a
 933 school-year prekindergarten program delivered by a private
 934 prekindergarten provider. Each early learning coalition shall
 935 cooperate with the Office of Early Learning and the Child Care
 936 Services Program Office of the Department of Children and

937 Families to reduce paperwork and to avoid duplicating
 938 interagency activities, health and safety monitoring, and
 939 acquiring and composing data pertaining to child care training
 940 and credentialing.

941 (2) Each school-year prekindergarten program delivered by
 942 a private prekindergarten provider must comprise at least 540
 943 instructional hours.

944 (3) To be eligible to deliver the prekindergarten program,
 945 a private prekindergarten provider must meet each of the
 946 following requirements:

947 ~~(a) The private prekindergarten provider must be a child~~
 948 ~~care facility licensed under s. 402.305, family day care home~~
 949 ~~licensed under s. 402.313, large family child care home licensed~~
 950 ~~under s. 402.3131, nonpublic school exempt from licensure under~~
 951 ~~s. 402.3025(2), or faith-based child care provider exempt from~~
 952 ~~licensure under s. 402.316.~~

953 (a)-(b) The private prekindergarten provider must:

954 1. Be accredited by an accrediting association that is a
 955 member of the National Council for Private School Accreditation,
 956 or the Florida Association of Academic Nonpublic Schools, or be
 957 accredited by the Southern Association of Colleges and Schools,
 958 or Western Association of Colleges and Schools, or North Central
 959 Association of Colleges and Schools, or Middle States
 960 Association of Colleges and Schools, or New England Association
 961 of Colleges and Schools; and have written accreditation
 962 standards that meet or exceed the state's licensing requirements

963 under s. 402.305, s. 402.313, or s. 402.3131 and require at
 964 least one onsite visit to the provider or school before
 965 accreditation is granted;

966 2. Hold a current Gold Seal Quality Care designation under
 967 s. 402.281; ~~or~~

968 3. Be licensed under s. 402.305, s. 402.313, or s.
 969 402.3131; or

970 4. Be a child development center located on a military
 971 installation that is certified by the United States Department
 972 of Defense.

973 (b) The private prekindergarten provider must provide
 974 basic health and safety on its premises and in its facilities.
 975 For a public school, compliance with ss. 1003.22 and 1013.12
 976 satisfies this requirement. For a nonpublic school, compliance
 977 with s. 402.3025(2)(d) satisfies this requirement. For a child
 978 care facility, a licensed family child care home, or a large
 979 family child care home, compliance with s. 402.305, s. 402.313,
 980 or s. 402.3131, respectively, satisfies this requirement. For a
 981 facility exempt from licensure, compliance with s. 402.316(4)
 982 satisfies this requirement and demonstrate, before delivering
 983 the Voluntary Prekindergarten Education Program, as verified by
 984 the early learning coalition, that the provider meets each of
 985 the requirements of the program under this part, including, but
 986 not limited to, the requirements for credentials and background
 987 screenings of prekindergarten instructors under paragraphs (c)
 988 and (d), minimum and maximum class sizes under paragraph (f),

989 ~~prekindergarten director credentials under paragraph (g), and a~~
 990 ~~developmentally appropriate curriculum under s. 1002.67(2)(b).~~

991 (c) The private prekindergarten provider must have, for
 992 each prekindergarten class of 11 children or fewer, at least one
 993 prekindergarten instructor who meets each of the following
 994 requirements:

995 1. The prekindergarten instructor must hold, at a minimum,
 996 one of the following credentials:

997 a. A child development associate credential issued by the
 998 National Credentialing Program of the Council for Professional
 999 Recognition; ~~or~~

1000 b. A credential approved by the Department of Children and
 1001 Families, pursuant to s. 402.305(3)(c), as being equivalent to
 1002 or greater than the credential described in sub-subparagraph a.;

1003 c. An associate or higher degree in child development;

1004 d. An associate or higher degree in an unrelated field, at
 1005 least 6 credit hours in early childhood education or child
 1006 development, and at least 480 hours of experience in teaching or
 1007 providing child care services for children of any age from birth
 1008 through 8 years of age;

1009 e. A baccalaureate or higher degree in early childhood
 1010 education, prekindergarten or primary education, preschool
 1011 education, or family and consumer science;

1012 f. A baccalaureate or higher degree in family and child
 1013 science and at least 480 hours of experience in teaching or
 1014 providing child care services for children of any age from birth

1015 through 8 years of age;
 1016 g. A baccalaureate or higher degree in elementary
 1017 education if the prekindergarten instructor has been certified
 1018 to teach children of any age from birth through grade 6,
 1019 regardless of whether the instructor's educator certificate is
 1020 current, and if the instructor is not ineligible to teach in a
 1021 public school because his or her educator certificate is
 1022 suspended or revoked; or

1023 h. A credential approved by the department as being
 1024 equivalent to or greater than a credential described in sub-
 1025 subparagraphs a.-f. The department may adopt criteria and
 1026 procedures for approving such equivalent credentials.

1027
 1028 ~~The Department of Children and Families may adopt rules under~~
 1029 ~~ss. 120.536(1) and 120.54 which provide criteria and procedures~~
 1030 ~~for approving equivalent credentials under sub-subparagraph b.~~

1031 2. The prekindergarten instructor must successfully
 1032 complete an emergent literacy training course and a student
 1033 performance standards training course approved by the office as
 1034 meeting or exceeding the minimum standards adopted under s.
 1035 1002.59. The requirement for completion of the standards
 1036 training course shall take effect July 1, 2016 ~~2014~~, and the
 1037 course shall be available online.

1038 (d) Each prekindergarten instructor employed by the
 1039 private prekindergarten provider must be of good moral
 1040 character, must undergo background screening pursuant to s.

1041 402.305(2)(a) ~~be screened using the level 2 screening standards~~
 1042 ~~in s. 435.04~~ before employment, must be ~~and~~ rescreened at least
 1043 once every 5 years, must be denied employment or terminated if
 1044 required under s. 435.06, and must not be ineligible to teach in
 1045 a public school because his or her educator certificate is
 1046 suspended or revoked.

1047 (e) A private prekindergarten provider may assign a
 1048 substitute instructor to temporarily replace a credentialed
 1049 instructor if the credentialed instructor assigned to a
 1050 prekindergarten class is absent, as long as the substitute
 1051 instructor meets the requirements of paragraph (d) ~~is of good~~
 1052 ~~moral character and has been screened before employment in~~
 1053 ~~accordance with level 2 background screening requirements in~~
 1054 ~~chapter 435.~~ The Office of Early Learning shall adopt rules to
 1055 implement this paragraph which shall include required
 1056 qualifications of substitute instructors and the circumstances
 1057 and time limits for which a private prekindergarten provider may
 1058 assign a substitute instructor.

1059 (f) Each of the private prekindergarten provider's
 1060 prekindergarten classes must be composed of at least 4 students
 1061 but may not exceed 20 students. In order to protect the health
 1062 and safety of students, each private prekindergarten provider
 1063 must also provide appropriate adult supervision for students at
 1064 all times and, for each prekindergarten class composed of 12 or
 1065 more students, must have, in addition to a prekindergarten
 1066 instructor who meets the requirements of paragraph (c), at least

1067 one adult prekindergarten instructor who is not required to meet
1068 those requirements but who must meet each requirement of s.
1069 402.305(2) ~~paragraph (d)~~. This paragraph does not supersede any
1070 requirement imposed on a provider under ss. 402.301-402.319.

1071 (g) The private prekindergarten provider must have a
1072 prekindergarten director who has a prekindergarten director
1073 credential that is approved by the office as meeting or
1074 exceeding the minimum standards adopted under s. 1002.57.
1075 Successful completion of a child care facility director
1076 credential under s. 402.305(2)(f) before the establishment of
1077 the prekindergarten director credential under s. 1002.57 or July
1078 1, 2006, whichever occurs later, satisfies the requirement for a
1079 prekindergarten director credential under this paragraph.

1080 (h) The private prekindergarten provider must register
1081 with the early learning coalition on forms prescribed by the
1082 Office of Early Learning.

1083 (i) The private prekindergarten provider must execute the
1084 statewide provider contract prescribed under s. 1002.75, except
1085 that an individual who owns or operates multiple private
1086 prekindergarten providers within a coalition's service area may
1087 execute a single agreement with the coalition on behalf of each
1088 provider.

1089 (j) The private prekindergarten provider must maintain
1090 general liability insurance and provide the coalition with
1091 written evidence of general liability insurance coverage,
1092 including coverage for transportation of children if

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1093 prekindergarten students are transported by the provider. A
1094 provider must obtain and retain an insurance policy that
1095 provides a minimum of \$100,000 of coverage per occurrence and a
1096 minimum of \$300,000 general aggregate coverage. The office may
1097 authorize lower limits upon request, as appropriate. A provider
1098 must add the coalition as a named certificateholder ~~and as an~~
1099 ~~additional insured~~. A provider must provide the coalition with a
1100 minimum of 10 calendar days' advance written notice of
1101 cancellation of or changes to coverage. The general liability
1102 insurance required by this paragraph must remain in full force
1103 and effect for the entire period of the provider contract with
1104 the coalition.

1105 (k) The private prekindergarten provider must obtain and
1106 maintain any required workers' compensation insurance under
1107 chapter 440 and any required reemployment assistance or
1108 unemployment compensation coverage under chapter 443, unless
1109 exempt under state or federal law.

1110 (l) Notwithstanding paragraph (j), for a private
1111 prekindergarten provider that is a state agency or a subdivision
1112 thereof, as defined in s. 768.28(2), the provider must agree to
1113 notify the coalition of any additional liability coverage
1114 maintained by the provider in addition to that otherwise
1115 established under s. 768.28. The provider shall indemnify the
1116 coalition to the extent permitted by s. 768.28.

1117 (m) The private prekindergarten provider shall be denied
1118 initial eligibility to offer the program if the provider has

1119 been cited for a Class I violation in the 12 months before
 1120 seeking eligibility. An existing provider that is cited for a
 1121 Class I violation may not have its eligibility renewed for 12
 1122 months. This paragraph does not apply if the Department of
 1123 Children and Families or local licensing agency upon final
 1124 disposition of a Class I violation has rescinded its initial
 1125 citation in accordance with the criteria for consideration
 1126 outlined in s. 1002.75(1)(b).

1127 (n) ~~(m)~~ The private prekindergarten provider must deliver
 1128 the Voluntary Prekindergarten Education Program in accordance
 1129 with this part and have child disciplinary policies that
 1130 prohibit children from being subjected to discipline that is
 1131 severe, humiliating, frightening, or associated with food, rest,
 1132 toileting, spanking, or any other form of physical punishment as
 1133 provided in s. 402.305(12).

1134 (o) Beginning January 1, 2016, at least 50 percent of the
 1135 instructors employed by a prekindergarten provider at each
 1136 location, who are responsible for supervising children in care,
 1137 must be trained in first aid and infant and child
 1138 cardiopulmonary resuscitation, as evidenced by current
 1139 documentation of course completion. As a condition of
 1140 employment, instructors hired on or after January 1, 2016, must
 1141 complete this training within 60 days after employment.

1142 (p) Beginning January 1, 2017, the private prekindergarten
 1143 provider must employ child care personnel who hold a high school
 1144 diploma or its equivalent and are at least 18 years of age,

1145 unless the personnel are not responsible for supervising
 1146 children in care or are under direct supervision.

1147 ~~(4) A prekindergarten instructor, in lieu of the minimum~~
 1148 ~~credentials and courses required under paragraph (3) (c), may~~
 1149 ~~hold one of the following educational credentials:~~

1150 ~~(a) A bachelor's or higher degree in early childhood~~
 1151 ~~education, prekindergarten or primary education, preschool~~
 1152 ~~education, or family and consumer science;~~

1153 ~~(b) A bachelor's or higher degree in elementary education,~~
 1154 ~~if the prekindergarten instructor has been certified to teach~~
 1155 ~~children any age from birth through 6th grade, regardless of~~
 1156 ~~whether the instructor's educator certificate is current, and if~~
 1157 ~~the instructor is not ineligible to teach in a public school~~
 1158 ~~because his or her educator certificate is suspended or revoked;~~

1159 ~~(c) An associate's or higher degree in child development;~~

1160 ~~(d) An associate's or higher degree in an unrelated field,~~
 1161 ~~at least 6 credit hours in early childhood education or child~~
 1162 ~~development, and at least 480 hours of experience in teaching or~~
 1163 ~~providing child care services for children any age from birth~~
 1164 ~~through 8 years of age; or~~

1165 ~~(e) An educational credential approved by the department~~
 1166 ~~as being equivalent to or greater than an educational credential~~
 1167 ~~described in this subsection. The department may adopt criteria~~
 1168 ~~and procedures for approving equivalent educational credentials~~
 1169 ~~under this paragraph.~~

1170 ~~(5) Notwithstanding paragraph (3) (b), a private~~

1171 ~~prekindergarten provider may not participate in the Voluntary~~
 1172 ~~Prekindergarten Education Program if the provider has child~~
 1173 ~~disciplinary policies that do not prohibit children from being~~
 1174 ~~subjected to discipline that is severe, humiliating,~~
 1175 ~~frightening, or associated with food, rest, toileting, spanking,~~
 1176 ~~or any other form of physical punishment as provided in s.~~
 1177 ~~402.305(12).~~

1178
 1179 Section 17. Subsection (1) of section 1002.59, Florida
 1180 Statutes, is amended to read:

1181 1002.59 Emergent literacy and performance standards
 1182 training courses.—

1183 (1) The office shall adopt minimum standards for one or
 1184 more training courses in emergent literacy for prekindergarten
 1185 instructors. Each course must comprise 5 clock hours and provide
 1186 instruction in strategies and techniques to address the age-
 1187 appropriate progress of prekindergarten students in developing
 1188 emergent literacy skills, including oral communication,
 1189 knowledge of print and letters, phonemic and phonological
 1190 awareness, and vocabulary and comprehension development. Each
 1191 course must also provide resources containing strategies that
 1192 allow students with disabilities and other special needs to
 1193 derive maximum benefit from the Voluntary Prekindergarten
 1194 Education Program. Successful completion of an emergent literacy
 1195 training course approved under this section satisfies
 1196 requirements for approved training in early literacy and

1197 language development under ss. 402.305(2)(d)5., 402.313(4)(a)2.
 1198 ~~402.313(6)~~, and 402.3131(5).

1199

1200 Section 18. Subsections (4) through (7) of section
 1201 1002.61, Florida Statutes, are amended to read:

1202 1002.61 Summer prekindergarten program delivered by public
 1203 schools and private prekindergarten providers.-

1204 (4) ~~Notwithstanding ss. 1002.55(3)(c)1. and 1002.63(4),~~

1205 Each public school and private prekindergarten provider that
 1206 delivers the summer prekindergarten program must have, for each
 1207 prekindergarten class, at least one prekindergarten instructor
 1208 who is a certified teacher or holds one of the educational
 1209 credentials specified in s. 1002.55(3)(c)1.e.-h. ~~s.~~

1210 ~~1002.55(4)(a) or (b).~~ As used in this subsection, the term
 1211 "certified teacher" means a teacher holding a valid Florida
 1212 educator certificate under s. 1012.56 who has the qualifications
 1213 required by the district school board to instruct students in
 1214 the summer prekindergarten program. In selecting instructional
 1215 staff for the summer prekindergarten program, each school
 1216 district shall give priority to teachers who have experience or
 1217 coursework in early childhood education.

1218 (5) Each prekindergarten instructor employed by a ~~public~~
 1219 ~~school or~~ private prekindergarten provider delivering the summer
 1220 prekindergarten program must be of good moral character, must
 1221 undergo background screening pursuant to s. 402.305(2)(a) ~~be~~
 1222 ~~screened using the level 2 screening standards in s. 435.04~~

1223 before employment, must be ~~and~~ rescreened at least once every 5
 1224 years, and must be denied employment or terminated if required
 1225 under s. 435.06. Each prekindergarten instructor employed by a
 1226 public school delivering the summer prekindergarten program, ~~and~~
 1227 must satisfy the ~~not be ineligible to teach in a public school~~
 1228 ~~because his or her educator certificate is suspended or revoked.~~
 1229 ~~This subsection does not supersede~~ employment requirements for
 1230 instructional personnel in public schools as provided in s.
 1231 1012.32 ~~which are more stringent than the requirements of this~~
 1232 ~~subsection.~~

1233 (6) A public school or private prekindergarten provider
 1234 may assign a substitute instructor to temporarily replace a
 1235 credentialed instructor if the credentialed instructor assigned
 1236 to a prekindergarten class is absent, as long as the substitute
 1237 instructor meets the requirements of subsection (5) ~~is of good~~
 1238 ~~moral character and has been screened before employment in~~
 1239 ~~accordance with level 2 background screening requirements in~~
 1240 ~~chapter 435. This subsection does not supersede employment~~
 1241 ~~requirements for instructional personnel in public schools which~~
 1242 ~~are more stringent than the requirements of this subsection.~~ The
 1243 Office of Early Learning shall adopt rules to implement this
 1244 subsection which must ~~shall~~ include required qualifications of
 1245 substitute instructors and the circumstances and time limits for
 1246 which a public school or private prekindergarten provider may
 1247 assign a substitute instructor.

1248 (7) Notwithstanding ss. 1002.55(3)(e) ~~ss. 1002.55(3)(f)~~

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1249 and 1002.63(7), each prekindergarten class in the summer
1250 prekindergarten program, regardless of whether the class is a
1251 public school's or private prekindergarten provider's class,
1252 must be composed of at least 4 students but may not exceed 12
1253 students ~~beginning with the 2009 summer session~~. In order to
1254 protect the health and safety of students, each public school or
1255 private prekindergarten provider must also provide appropriate
1256 adult supervision for students at all times. This subsection
1257 does not supersede any requirement imposed on a provider under
1258 ss. 402.301-402.319.

1259 Section 19. Subsections (5) and (6) of section 1002.63,
1260 Florida Statutes, are amended to read:

1261 1002.63 School-year prekindergarten program delivered by
1262 public schools.—

1263 (5) Each prekindergarten instructor employed by a public
1264 school delivering the school-year prekindergarten program must
1265 satisfy the ~~be of good moral character, must be screened using~~
1266 ~~the level 2 screening standards in s. 435.04 before employment~~
1267 ~~and rescreened at least once every 5 years, must be denied~~
1268 ~~employment or terminated if required under s. 435.06, and must~~
1269 ~~not be ineligible to teach in a public school because his or her~~
1270 ~~educator certificate is suspended or revoked. This subsection~~
1271 ~~does not supersede~~ employment requirements for instructional
1272 personnel in public schools as provided in s. 1012.32 ~~which are~~
1273 ~~more stringent than the requirements of this subsection.~~

1274 (6) A public school prekindergarten provider may assign a

1275 substitute instructor to temporarily replace a credentialed
 1276 instructor if the credentialed instructor assigned to a
 1277 prekindergarten class is absent, as long as the substitute
 1278 instructor meets the requirements of subsection (5) ~~is of good~~
 1279 ~~moral character and has been screened before employment in~~
 1280 ~~accordance with level 2 background screening requirements in~~
 1281 ~~chapter 435. This subsection does not supersede employment~~
 1282 ~~requirements for instructional personnel in public schools which~~
 1283 ~~are more stringent than the requirements of this subsection.~~ The
 1284 Office of Early Learning shall adopt rules to implement this
 1285 subsection which must ~~shall~~ include required qualifications of
 1286 substitute instructors and the circumstances and time limits for
 1287 which a public school prekindergarten provider may assign a
 1288 substitute instructor.

1289 Section 20. Paragraph (a) of subsection (6) of section
 1290 1002.71, Florida Statutes, is amended to read:

1291 1002.71 Funding; financial and attendance reporting.—

1292 (6) (a) Each parent enrolling his or her child in the
 1293 Voluntary Prekindergarten Education Program must agree to comply
 1294 with the attendance policy of the private prekindergarten
 1295 provider or district school board, as applicable. Upon
 1296 enrollment of the child, the private prekindergarten provider or
 1297 public school, as applicable, must provide the child's parent
 1298 with program information, including, but not limited to, child
 1299 development, expectations for parent engagement, the daily
 1300 schedule, and the ~~a copy of the provider's or school district's~~

1301 attendance policy, which must include procedures for contacting
 1302 a parent on the second consecutive day a child is absent for
 1303 which the reason is unknown as applicable.

1304 Section 21. Subsection (1) of section 1002.75, Florida
 1305 Statutes, is amended to read:

1306 1002.75 Office of Early Learning; powers and duties.—

1307 (1) The Office of Early Learning shall adopt by rule a
 1308 standard statewide provider contract to be used with each
 1309 Voluntary Prekindergarten Education Program provider, with
 1310 standardized attachments by provider type. The office shall
 1311 publish a copy of the standard statewide provider contract on
 1312 its website. The standard statewide contract must ~~shall~~ include,
 1313 at a minimum, provisions that:

1314 (a) Govern ~~for~~ provider probation, termination for cause,
 1315 and emergency termination for those actions or inactions of a
 1316 provider that pose an immediate and serious danger to the
 1317 health, safety, or welfare of children. The standard statewide
 1318 contract must ~~shall~~ also include appropriate due process
 1319 procedures. During the pendency of an appeal of a termination,
 1320 the provider may not continue to offer its services.

1321 (b) Require each private prekindergarten provider to
 1322 notify the parent of each child in care if it is cited for a
 1323 Class I violation as defined by rule of the Department of
 1324 Children and Families. Notice shall be initiated only upon final
 1325 disposition of a Class I violation. The provider shall notify
 1326 the department within 24 hours of its intent to appeal the Class

1327 I violation issued, and final disposition shall occur within 15
 1328 calendar days. In determining the final disposition, the
 1329 department shall consider the entire licensing history of the
 1330 provider, whether the provider promptly reported the incident
 1331 upon actual notice, and whether the employee responsible for the
 1332 violation was terminated or the violation was corrected by the
 1333 provider. If a provider does not file its intent to appeal the
 1334 Class I violation, the provider must provide notice of a Class I
 1335 violation electronically or in writing to the parent within 48
 1336 hours after receipt of the Class I violation. Such notice shall
 1337 describe each violation with specificity in simple language and
 1338 include a copy of the citation and the contact information of
 1339 the Department of Children and Families or local licensing
 1340 agency where the parent may obtain additional information
 1341 regarding the citation. Notice of a Class I violation by the
 1342 provider must be provided electronically or in writing to the
 1343 parent within 24 hours after receipt of the final disposition of
 1344 the Class I violation. A private prekindergarten provider must
 1345 conspicuously post each citation for a violation that results in
 1346 disciplinary action on the premises in an area visible to
 1347 parents pursuant to s. 402.3125(1)(b). Additionally, such a
 1348 provider must post each inspection report on the premises in an
 1349 area visible to parents, and such report must remain posted
 1350 until the next inspection report is available.

1351 (c) Specify that child care personnel employed by the
 1352 provider who are responsible for supervising children in care

1353 must be trained in developmentally appropriate practices aligned
 1354 to the age and needs of children over which the personnel are
 1355 assigned supervision duties. This requirement is met by the
 1356 completion of developmentally appropriate practice courses
 1357 administered by the Department of Children and Families under s.
 1358 402.305(2)(d)1. within 30 days after being assigned such
 1359 children if the child care personnel has not previously
 1360 completed the training.

1361
 1362 Any provision imposed upon a provider that is inconsistent with,
 1363 or prohibited by, law is void and unenforceable.

1364 Section 22. Subsections (1), (3), and (5) of section
 1365 1002.77, Florida Statutes, are amended to read:

1366 1002.77 Florida Early Learning Advisory Council.—

1367 (1) There is created the Florida Early Learning Advisory
 1368 Council within the Office of Early Learning. The purpose of the
 1369 advisory council is to provide written input ~~submit~~
 1370 ~~recommendations~~ to the executive director ~~office~~ on early
 1371 learning best practices, including ~~recommendations relating to~~
 1372 ~~the most~~ effective program administration; ~~of the Voluntary~~
 1373 ~~Prekindergarten Education Program under this part and the school~~
 1374 ~~readiness program under part VI of this chapter. The advisory~~
 1375 ~~council shall periodically analyze and provide recommendations~~
 1376 ~~to the office on the~~ effective and efficient use of local,
 1377 state, and federal funds; ~~the content of professional~~
 1378 development training programs; and ~~best practices for the~~

1379 ~~development and implementation of coalition plans pursuant to s.~~
 1380 1002.85.

1381 (3) The advisory council shall meet at least quarterly
 1382 upon the call of the executive director ~~but may meet as often as~~
 1383 ~~necessary to carry out its duties and responsibilities.~~ The
 1384 executive director is encouraged to ~~advisory council may use~~
 1385 communications media technology ~~any method of telecommunications~~
 1386 to conduct meetings in accordance with s. 120.54(5)(b) ~~7~~
 1387 ~~including establishing a quorum through telecommunications, only~~
 1388 ~~if the public is given proper notice of a telecommunications~~
 1389 ~~meeting and reasonable access to observe and, when appropriate,~~
 1390 ~~participate.~~

1391 (5) The Office of Early Learning shall provide staff and
 1392 administrative support for the advisory council as determined by
 1393 the executive director.

1394 Section 23. Paragraph (f) of subsection (1) and
 1395 subsections (8) and (16) of section 1002.81, Florida Statutes,
 1396 are amended to read:

1397 1002.81 Definitions.—Consistent with the requirements of
 1398 45 C.F.R. parts 98 and 99 and as used in this part, the term:

1399 (1) "At-risk child" means:

1400 (f) A child in the custody of a parent who is considered
 1401 homeless as verified by a designated lead agency on the homeless
 1402 assistance continuum of care established under ss. 420.622-
 1403 420.624 ~~Department of Children and Families certified homeless~~
 1404 ~~shelter.~~

1405 (8) "Family income" means the combined gross income,
 1406 whether earned or unearned, that is derived from any source by
 1407 all family or household members who are 18 years of age or older
 1408 who are currently residing together in the same dwelling unit.
 1409 The term does not include:

1410 (a) Income earned by a currently enrolled high school
 1411 student who, since attaining the age of 18 years, or a student
 1412 with a disability who, since attaining the age of 22 years, has
 1413 not terminated school enrollment or received a high school
 1414 diploma, high school equivalency diploma, special diploma, or
 1415 certificate of high school completion.

1416 (b) Income earned by a teen parent residing in the same
 1417 residence as a separate family unit.

1418 (c) Selected items from the state's Child Care and
 1419 Development Fund Plan, such as ~~The term also does not include~~
 1420 food stamp benefits, documented child support and alimony
 1421 payments paid out of the home, or federal housing assistance
 1422 payments issued directly to a landlord or the associated
 1423 utilities expenses.

1424 (16) "Working family" means:

1425 (a) A single-parent family in which the parent with whom
 1426 the child resides is employed or engaged in eligible work or
 1427 education activities for at least 20 hours per week or is exempt
 1428 from work requirements due to age or disability, as determined
 1429 and documented by a physician licensed under chapter 458 or
 1430 chapter 459;

1431 (b) A two-parent family in which both parents with whom
 1432 the child resides are employed or engaged in eligible work or
 1433 education activities for a combined total of at least 40 hours
 1434 per week; ~~or~~

1435 (c) A two-parent family in which one of the parents with
 1436 whom the child resides is exempt from work requirements due to
 1437 age or disability, as determined and documented by a physician
 1438 licensed under chapter 458 or chapter 459, and one parent is
 1439 employed or engaged in eligible work or education activities at
 1440 least 20 hours per week; or

1441 (d) A two-parent family in which both of the parents with
 1442 whom the child resides are exempt from work requirements due to
 1443 age or disability, as determined and documented by a physician
 1444 licensed under chapter 458 or chapter 459.

1445 Section 24. Paragraphs (b), (j), (m), and (p) of
 1446 subsection (2) of section 1002.82, Florida Statutes, are amended
 1447 to read:

1448 1002.82 Office of Early Learning; powers and duties.—

1449 (2) The office shall:

1450 (b) Preserve parental choice by permitting parents to
 1451 choose from a variety of child care categories authorized in s.
 1452 1002.88(1)(a), ~~including center-based care, family child care,~~
 1453 ~~and informal child care~~ to the extent authorized in the state's
 1454 Child Care and Development Fund Plan as approved by the United
 1455 States Department of Health and Human Services pursuant to 45
 1456 C.F.R. s. 98.18. Care and curriculum by a faith-based provider

1457 may not be limited or excluded in any of these categories.

1458 (j) Develop and adopt standards and benchmarks that
 1459 address the age-appropriate progress of children in the
 1460 development of school readiness skills. The standards for
 1461 children from birth to 5 years of age in the school readiness
 1462 program must be aligned with the performance standards adopted
 1463 for children in the Voluntary Prekindergarten Education Program
 1464 and must address the following domains:

- 1465 1. Approaches to learning.
- 1466 2. Cognitive development and general knowledge.
- 1467 3. Numeracy, language, and communication.
- 1468 4. Physical development.
- 1469 5. Self-regulation.

1470
 1471 By July 1, 2016, the office shall develop and implement an
 1472 online training course on the performance standards for school
 1473 readiness program provider personnel specified in this
 1474 paragraph.

1475 (m) Adopt by rule a standard statewide provider contract
 1476 to be used with each school readiness program provider, with
 1477 standardized attachments by provider type. The office shall
 1478 publish a copy of the standard statewide provider contract on
 1479 its website. The standard statewide contract must ~~shall~~ include,
 1480 at a minimum, provisions that:

- 1481 1. Govern ~~for~~ provider probation, termination for cause,
 1482 and emergency termination for those actions or inactions of a

1483 provider that pose an immediate and serious danger to the
1484 health, safety, or welfare of the children. The standard
1485 statewide provider contract must ~~shall~~ also include appropriate
1486 due process procedures. During the pendency of an appeal of a
1487 termination, the provider may not continue to offer its
1488 services.

1489 2. Require each provider that is eligible to provide the
1490 program pursuant to s. 1002.88(1)(a) to notify the parent of
1491 each child in care if it is cited for a Class I violation as
1492 defined by rule of the Department of Children and Families.
1493 Notice shall be initiated only upon final disposition of a Class
1494 I violation. The provider shall notify the department within 24
1495 hours of its intent to appeal the Class I violation issued, and
1496 final disposition shall occur within 15 calendar days. In
1497 determining the final disposition, the department shall consider
1498 the entire licensing history of the provider, whether the
1499 provider promptly reported the incident upon actual notice, and
1500 whether the employee responsible for the violation was
1501 terminated or the violation was corrected by the provider. If a
1502 provider does not file its intent to appeal the Class I
1503 violation, the provider must provide notice of a Class I
1504 violation electronically or in writing to the parent within 48
1505 hours after receipt of the Class I violation. Such notice shall
1506 describe each violation with specificity in simple language and
1507 include a copy of the citation and the contact information of
1508 the Department of Children and Families or local licensing

1509 agency where the parent may obtain additional information
1510 regarding the citation. Notice of a Class I violation by the
1511 provider must be provided electronically or in writing to the
1512 parent within 24 hours after receipt of the final disposition of
1513 the Class I violation. A provider must conspicuously post each
1514 citation for a violation that results in disciplinary action on
1515 the premises in an area visible to parents pursuant to s.
1516 402.3125(1)(b). Additionally, such a provider must post each
1517 inspection report on the premises in an area visible to parents,
1518 and such report must remain posted until the next inspection
1519 report is available.

1520 3. Specify that child care personnel employed by the
1521 provider who are responsible for supervising children in care
1522 must be trained in developmentally appropriate practices aligned
1523 to the age and needs of children over which the personnel are
1524 assigned supervision duties. This requirement is met by
1525 completion of developmentally appropriate practice courses
1526 administered by the Department of Children and Families under s.
1527 402.305(2)(d)1. within 30 days after being assigned such
1528 children if the child care personnel has not previously
1529 completed the training.

1530 4. Require child care personnel who are employed by the
1531 provider to complete an online training course on the
1532 performance standards adopted pursuant to paragraph (j).

1533
1534 Any provision imposed upon a provider that is inconsistent with,

1535 or prohibited by, law is void and unenforceable.

1536 (p) Monitor and evaluate the performance of each early
 1537 learning coalition in administering the school readiness program
 1538 and the Voluntary Prekindergarten Education Program, ensuring
 1539 proper payments for school readiness program and Voluntary
 1540 Prekindergarten Education Program services, and implementing the
 1541 coalition's school readiness program plan, ~~and administering the~~
 1542 ~~Voluntary Prekindergarten Education Program~~. These monitoring
 1543 and performance evaluations must include, at a minimum, onsite
 1544 monitoring of each coalition's finances, management, operations,
 1545 and programs.

1546
 1547 Section 25. Subsections (8) and (20) of section 1002.84,
 1548 Florida Statutes, are amended to read:

1549 1002.84 Early learning coalitions; school readiness powers
 1550 and duties.—Each early learning coalition shall:

1551 (8) Establish a parent sliding fee scale that requires a
 1552 parent copayment to participate in the school readiness program.
 1553 Providers are required to collect the parent's copayment. A
 1554 coalition may, on a case-by-case basis, waive the copayment for
 1555 an at-risk child or temporarily waive the copayment for a child
 1556 whose family's income is at or below the federal poverty level
 1557 and family experiences a natural disaster or an event that
 1558 limits the parent's ability to pay, such as incarceration,
 1559 placement in residential treatment, ~~or becoming homeless~~, or an
 1560 emergency situation such as a household fire or burglary, or

1561 while the parent is participating in parenting classes. A parent
 1562 may not transfer school readiness program services to another
 1563 school readiness program provider until the parent has submitted
 1564 documentation from the current school readiness program provider
 1565 to the early learning coalition stating that the parent has
 1566 satisfactorily fulfilled the copayment obligation.

1567 (20) To increase transparency and accountability, comply
 1568 with ~~the requirements of~~ this section before contracting with a
 1569 member of the coalition, an employee of the coalition, or a
 1570 relative, as defined in s. 112.3143(1) ~~(e)~~, of a coalition member
 1571 or of an employee of the coalition. Such contracts may not be
 1572 executed without the approval of the office. Such contracts, as
 1573 well as documentation demonstrating adherence to this section by
 1574 the coalition, must be approved by a two-thirds vote of the
 1575 coalition, a quorum having been established; all conflicts of
 1576 interest must be disclosed before the vote; and any member who
 1577 may benefit from the contract, or whose relative may benefit
 1578 from the contract, must abstain from the vote. A contract under
 1579 \$25,000 between an early learning coalition and a member of that
 1580 coalition or between a relative, as defined in s.

1581 112.3143(1) ~~(e)~~, of a coalition member or of an employee of the
 1582 coalition is not required to have the prior approval of the
 1583 office but must be approved by a two-thirds vote of the
 1584 coalition, a quorum having been established, and must be
 1585 reported to the office within 30 days after approval. If a
 1586 contract cannot be approved by the office, a review of the

1587 decision to disapprove the contract may be requested by the
 1588 early learning coalition or other parties to the disapproved
 1589 contract.

1590 Section 26. Paragraphs (c) and (h) of subsection (1) and
 1591 subsections (6) through (8) of section 1002.87, Florida
 1592 Statutes, are amended to read:

1593 1002.87 School readiness program; eligibility and
 1594 enrollment.—

1595 (1) Effective August 1, 2013, or upon reevaluation of
 1596 eligibility for children currently served, whichever is later,
 1597 each early learning coalition shall give priority for
 1598 participation in the school readiness program as follows:

1599 (c) Priority shall be given next to a child from birth to
 1600 the beginning of the school year for which the child is eligible
 1601 for admission to kindergarten in a public school under s.
 1602 1003.21(1)(a)2. who is from a working family that is
 1603 economically disadvantaged, and may include such child's
 1604 eligible siblings, beginning with the school year in which the
 1605 sibling is eligible for admission to kindergarten in a public
 1606 school under s. 1003.21(1)(a)2. until the beginning of the
 1607 school year in which the sibling enters ~~is eligible to begin~~ 6th
 1608 grade, provided that the first priority for funding an eligible
 1609 sibling is local revenues available to the coalition for funding
 1610 direct services. However, a child eligible under this paragraph
 1611 ceases to be eligible if his or her family income exceeds 200
 1612 percent of the federal poverty level.

1613 (h) Priority shall be given next to a child who ~~has~~
 1614 ~~special needs,~~ has been determined eligible as an infant or
 1615 toddler from birth to 3 years of age with an individualized
 1616 family support plan receiving early intervention services or to
 1617 ~~as~~ a student with a disability with, ~~has~~ a current individual
 1618 education plan with a Florida school district, ~~and is not~~
 1619 ~~younger than 3 years of age.~~ A ~~special needs~~ child eligible
 1620 under this paragraph remains eligible until the child is
 1621 eligible for admission to kindergarten in a public school under
 1622 s. 1003.21(1)(a)2.

1623 (6) Eligibility for each child must be reevaluated
 1624 annually. Upon reevaluation, a child may not continue to receive
 1625 school readiness program services if he or she has ceased to be
 1626 eligible under this section. If a child no longer meets
 1627 eligibility or program requirements, the coalition must
 1628 immediately notify the child's parent and the provider that
 1629 funding will end 2 weeks after the date on which the child was
 1630 determined to be ineligible or when the current child care
 1631 authorization expires, whichever occurs first.

1632 (7) If a coalition disenrolls children from the school
 1633 readiness program due to lack of funding or a change in
 1634 eligibility priorities, the coalition must disenroll the
 1635 children in reverse order of the eligibility priorities listed
 1636 in subsection (1) beginning with children from families with the
 1637 highest family incomes. A notice of disenrollment must be sent
 1638 to the parent and school readiness program provider at least 2

1639 weeks before disenrollment or the expiration of the current
 1640 child care authorization, whichever occurs first, to provide
 1641 adequate time for the parent to arrange alternative care for the
 1642 child. However, an at-risk child receiving services from the
 1643 Child Welfare Program Office of the Department of Children and
 1644 Families may not be disenrolled from the program without the
 1645 written approval of the Child Welfare Program Office ~~of the~~
 1646 ~~Department of Children and Families~~ or the community-based lead
 1647 agency.

1648 (8) If a child is absent from the program for 2
 1649 consecutive days without parental notification to the program of
 1650 such absence, the school readiness program provider shall
 1651 contact the parent and determine the cause for the absence and
 1652 the expected date of return. If a child is absent from the
 1653 program for 5 consecutive days without parental notification to
 1654 the program of such absence, the school readiness program
 1655 provider shall report the absence to the early learning
 1656 coalition for a determination of the need for continued care.

1657 Section 27. Paragraphs (a) through (c) and (l) through (q)
 1658 of subsection (1) of section 1002.88, Florida Statutes, are
 1659 amended, present subsections (2) and (3) are redesignated as
 1660 subsections (4) and (5), respectively, present subsection (2) is
 1661 amended, and new subsections (2) and (3) are added to that
 1662 section, to read:

1663 1002.88 School readiness program provider standards;
 1664 eligibility to deliver the school readiness program.—

1665 (1) To be eligible to deliver the school readiness
 1666 program, a school readiness program provider must:

1667 (a) 1. Be a nonpublic school in substantial compliance with
 1668 s. 402.3025(2)(d), a child care facility licensed under s.
 1669 402.305, a family child day care home licensed or registered
 1670 under s. 402.313, a large family child care home licensed under
 1671 s. 402.3131, or a child care facility exempt from licensure
 1672 operating under s. 402.316(4);

1673 2. Be an entity that is part of Florida's education system
 1674 identified in s. 1000.04(1); a public school or nonpublic school
 1675 exempt from licensure under s. 402.3025, a faith-based child
 1676 care provider exempt from licensure under s. 402.316, a before-
 1677 school or after-school program described in s. 402.305(1)(c), or

1678 3. Be an informal child care provider to the extent
 1679 authorized in the state's Child Care and Development Fund Plan
 1680 as approved by the United States Department of Health and Human
 1681 Services pursuant to 45 C.F.R. s. 98.18.

1682 (b) Provide instruction and activities to enhance the age-
 1683 appropriate progress of each child in attaining the child
 1684 development standards adopted by the office pursuant to s.
 1685 1002.82(2)(j). A provider should include activities to foster
 1686 brain development in infants and toddlers; provide an
 1687 environment that is rich in language and music and filled with
 1688 objects of various colors, shapes, textures, and sizes to
 1689 stimulate visual, tactile, auditory, and linguistic senses; and
 1690 include 30 minutes of reading to children each day. A provider

1691 must provide parents information on child development,
 1692 expectations for parent engagement, the daily schedule, and the
 1693 attendance policy.

1694 (c) Provide basic health and safety of its premises and
 1695 facilities in accordance with applicable licensing and
 1696 inspection requirements ~~and compliance with requirements for~~
 1697 ~~age-appropriate immunizations of children enrolled in the school~~
 1698 ~~readiness program.~~ For a child care facility, a large family
 1699 child care home, or a licensed family child day care home,
 1700 compliance with s. 402.305, s. 402.3131, or s. 402.313 satisfies
 1701 this requirement. For a public ~~or nonpublic~~ school, compliance
 1702 with ss. s. 402.3025 or s. 1003.22 and 1013.12 satisfies this
 1703 requirement. For a nonpublic school, compliance with s.
 1704 402.3025(2)(d) satisfies this requirement. For a facility exempt
 1705 from licensure, compliance with s. 402.316(4) satisfies this
 1706 requirement. For an informal provider, substantial compliance as
 1707 defined in s. 402.302(17) satisfies this requirement. A provider
 1708 shall be denied initial eligibility to offer the program if the
 1709 provider has been cited for a Class I violation in the 12 months
 1710 before seeking eligibility. An existing provider that is cited
 1711 for a Class I violation may not have its eligibility renewed for
 1712 12 months. A provider that is cited for a Class I violation may
 1713 remain eligible to deliver the program if the Department of
 1714 Children and Families or local licensing agency upon final
 1715 disposition of a Class I violation has rescinded its initial
 1716 citation in accordance with the criteria for consideration

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1717 outlined in s. 1002.82(2)(m)2 ~~A faith-based child care provider,~~
1718 ~~an informal child care provider, or a nonpublic school, exempt~~
1719 ~~from licensure under s. 402.316 or s. 402.3025, shall annually~~
1720 ~~complete the health and safety checklist adopted by the office,~~
1721 ~~post the checklist prominently on its premises in plain sight~~
1722 ~~for visitors and parents, and submit it annually to its local~~
1723 ~~early learning coalition.~~

1724 (1) ~~For a provider that is not an informal provider,~~
1725 Maintain general liability insurance and provide the coalition
1726 with written evidence of general liability insurance coverage,
1727 including coverage for transportation of children if school
1728 readiness program children are transported by the provider. A
1729 private provider must obtain and retain an insurance policy that
1730 provides a minimum of \$100,000 of coverage per occurrence and a
1731 minimum of \$300,000 general aggregate coverage. The office may
1732 authorize lower limits upon request, as appropriate. A provider
1733 must add the coalition as a named certificateholder ~~and as an~~
1734 ~~additional insured.~~ A private provider must provide the
1735 coalition with a minimum of 10 calendar days' advance written
1736 notice of cancellation of or changes to coverage. The general
1737 liability insurance required by this paragraph must remain in
1738 full force and effect for the entire period of the provider
1739 contract with the coalition.

1740 ~~(m) For a provider that is an informal provider, comply~~
1741 ~~with the provisions of paragraph (1) or maintain homeowner's~~
1742 ~~liability insurance and, if applicable, a business rider. If an~~

1743 ~~informal provider chooses to maintain a homeowner's policy, the~~
 1744 ~~provider must obtain and retain a homeowner's insurance policy~~
 1745 ~~that provides a minimum of \$100,000 of coverage per occurrence~~
 1746 ~~and a minimum of \$300,000 general aggregate coverage. The office~~
 1747 ~~may authorize lower limits upon request, as appropriate. An~~
 1748 ~~informal provider must add the coalition as a named~~
 1749 ~~certificateholder and as an additional insured. An informal~~
 1750 ~~provider must provide the coalition with a minimum of 10~~
 1751 ~~calendar days' advance written notice of cancellation of or~~
 1752 ~~changes to coverage. The general liability insurance required by~~
 1753 ~~this paragraph must remain in full force and effect for the~~
 1754 ~~entire period of the provider's contract with the coalition.~~

1755 (m) ~~(n)~~ Obtain and maintain any required workers'
 1756 compensation insurance under chapter 440 and any required
 1757 reemployment assistance or unemployment compensation coverage
 1758 under chapter 443, unless exempt under state or federal law.

1759 (n) ~~(o)~~ Notwithstanding paragraph (l), for a provider that
 1760 is a state agency or a subdivision thereof, as defined in s.
 1761 768.28(2), agree to notify the coalition of any additional
 1762 liability coverage maintained by the provider in addition to
 1763 that otherwise established under s. 768.28. The provider shall
 1764 indemnify the coalition to the extent permitted by s. 768.28.

1765 (o) ~~(p)~~ Execute the standard statewide provider contract
 1766 adopted by the office.

1767 (p) ~~(q)~~ Operate on a full-time and part-time basis and
 1768 provide extended-day and extended-year services to the maximum

1769 extent possible without compromising the quality of the program
 1770 to meet the needs of parents who work.

1771 (2) Beginning January 1, 2016, at least 50 percent of the
 1772 child care personnel employed by a school readiness provider at
 1773 each location, who are responsible for supervising children in
 1774 care, must be trained in first aid and infant and child
 1775 cardiopulmonary resuscitation, as evidenced by current
 1776 documentation of course completion. As a condition of
 1777 employment, personnel hired on or after January 1, 2016, must
 1778 complete this training within 60 days after employment.

1779 (3) Beginning January 1, 2017, child care personnel
 1780 employed by a school readiness program provider must hold a high
 1781 school diploma or its equivalent and be at least 18 years of
 1782 age, unless the personnel are not responsible for supervising
 1783 children in care or are under direct supervision.

1784 (4)-(2) If a school readiness program provider fails or
 1785 refuses to comply with this part or any contractual obligation
 1786 of the statewide provider contract under s. 1002.82(2)(m), the
 1787 coalition may revoke the provider's eligibility to deliver the
 1788 school readiness program or receive state or federal funds under
 1789 this chapter for ~~a period of 5 years.~~

1790 Section 28. Paragraph (b) of subsection (6) and subsection
 1791 (7) of Section 1002.89, Florida Statutes, are amended to read:

1792 1002.89 School readiness program; funding.—

1793 (6) Costs shall be kept to the minimum necessary for the
 1794 efficient and effective administration of the school readiness

1795 program with the highest priority of expenditure being direct
 1796 services for eligible children. However, no more than 5 percent
 1797 of the funds described in subsection (5) may be used for
 1798 administrative costs and no more than 22 percent of the funds
 1799 described in subsection (5) may be used in any fiscal year for
 1800 any combination of administrative costs, quality activities, and
 1801 nondirect services as follows:

1802 (b) Activities to improve the quality of child care as
 1803 described in 45 C.F.R. s. 98.51, which must ~~shall~~ be limited to
 1804 the following:

1805 1. Developing, establishing, expanding, operating, and
 1806 coordinating resource and referral programs specifically related
 1807 to the provision of comprehensive consumer education to parents
 1808 and the public to promote informed child care choices specified
 1809 in 45 C.F.R. s. 98.33 ~~regarding participation in the school~~
 1810 ~~readiness program and parental choice.~~

1811 2. Awarding grants and providing financial support to
 1812 school readiness program providers and their staffs to assist
 1813 them in meeting applicable state requirements for child care
 1814 performance standards, implementing developmentally appropriate
 1815 curricula and related classroom resources that support
 1816 curricula, providing literacy supports, obtaining a license or
 1817 accreditation, and providing professional development, including
 1818 scholarships and other incentives. Any grants awarded pursuant
 1819 to this subparagraph shall comply with ~~the requirements of ss.~~
 1820 215.971 and 287.058.

1821 3. Providing training, ~~and~~ technical assistance, and
 1822 financial support for school readiness program providers, staff,
 1823 and parents on standards, child screenings, child assessments,
 1824 developmentally appropriate curricula, character development,
 1825 teacher-child interactions, age-appropriate discipline
 1826 practices, health and safety, nutrition, first aid,
 1827 cardiopulmonary resuscitation, the recognition of communicable
 1828 diseases, and child abuse detection and prevention.

1829 4. Providing from among the funds provided for the
 1830 activities described in subparagraphs 1.-3., adequate funding
 1831 for infants and toddlers as necessary to meet federal
 1832 requirements related to expenditures for quality activities for
 1833 infant and toddler care.

1834 5. Improving the monitoring of compliance with, and
 1835 enforcement of, applicable state and local requirements as
 1836 described in and limited by 45 C.F.R. s. 98.40.

1837 6. Responding to Warm-Line requests by providers and
 1838 parents ~~related to school readiness program children,~~ including
 1839 providing developmental and health screenings to school
 1840 readiness program children.

1841 (7) Funds appropriated for the school readiness program
 1842 may not be expended for the purchase or improvement of land; for
 1843 the purchase, construction, or permanent improvement of any
 1844 building or facility; or for the purchase of buses. However,
 1845 funds may be expended for minor remodeling necessary for the
 1846 administration of the program and upgrading of child care

1847 facilities to ensure that providers meet state and local child
 1848 care standards, including applicable health and safety
 1849 requirements.

1850 Section 29. Subsection (7) of section 1002.91, Florida
 1851 Statutes, is amended to read:

1852 1002.91 Investigations of fraud or overpayment;
 1853 penalties.—

1854 (7) The early learning coalition may not contract with a
 1855 school readiness program provider, or a Voluntary
 1856 Prekindergarten Education Program provider, or an individual who
 1857 is on the United States Department of Agriculture National
 1858 Disqualified List. In addition, the coalition may not contract
 1859 with any provider that shares an officer or director with a
 1860 provider that is on the United States Department of Agriculture
 1861 National Disqualified List.

1862 Section 30. Paragraph (d) of subsection (3) of section
 1863 1002.94, Florida Statutes, is amended to read:

1864 1002.94 Child Care Executive Partnership Program.—

1865 (3)

1866 (d) Each early learning coalition shall establish a
 1867 community child care task force ~~for each child care purchasing~~
 1868 ~~pool~~. The task force must be composed of employers, parents,
 1869 private child care providers, and one representative from the
 1870 local children's services council, if one exists in the area ~~of~~
 1871 ~~the purchasing pool~~. The early learning coalition is expected to
 1872 recruit the task force members from existing child care

1873 councils, commissions, or task forces already operating in the
 1874 area ~~of a purchasing pool~~. A majority of the task force shall
 1875 consist of employers.

1876 Section 31. The Office of Early Learning shall conduct a
 1877 2-year pilot project to study the impact of assessing the early
 1878 literacy skills of Voluntary Prekindergarten Education Program
 1879 participants who are English Language Learners, in both English
 1880 and Spanish. The assessments must include, at a minimum, the
 1881 first administration of the Florida Assessments for Instruction
 1882 in Reading in kindergarten and an appropriate alternative
 1883 assessment in Spanish. The study must include a review of the
 1884 kindergarten screening results for 2009-2010 and 2010-2011
 1885 program participants and their subsequent Florida Comprehensive
 1886 Assessment Test scores. The office shall report its findings to
 1887 the Governor, the President of the Senate, and the Speaker of
 1888 the House of Representatives by July 1, 2016, and July 1, 2017.

1889 Section 32. For the 2015-2016 fiscal year, the sums of
 1890 \$1,034,965 in recurring funds and \$11,319 in nonrecurring funds
 1891 from the General Revenue Fund, and \$70,800 in recurring funds
 1892 from the Operations and Maintenance Trust Fund are appropriated
 1893 to the Department of Children and Families, and 18 full-time
 1894 equivalent positions with associated salary rate of 608,446 are
 1895 authorized, for the purpose of implementing the regulatory
 1896 provisions of this act.

1897 Section 33. This act shall take effect July 1, 2015.