

SPB 7006 by **ED**; Early Learning

The Florida Senate
COMMITTEE MEETING EXPANDED AGENDA

EDUCATION PRE-K - 12
Senator Legg, Chair
Senator Detert, Vice Chair

MEETING DATE: Wednesday, January 21, 2015
TIME: 9:00 a.m.—12:00 noon
PLACE: *Pat Thomas Committee Room, 412 Knott Building*

MEMBERS: Senator Legg, Chair; Senator Detert, Vice Chair; Senators Benacquisto, Brandes, Bullard, Clemens, Gaetz, Galvano, Garcia, Montford, and Sobel

TAB	BILL NO. and INTRODUCER	BILL DESCRIPTION and SENATE COMMITTEE ACTIONS	COMMITTEE ACTION
<p>A proposed committee substitute for the following bill (SPB 7006) is expected to be considered:</p>			
1	SPB 7006	Early Learning; Including large family child care homes in local zoning regulation requirements; revising certain minimum standards for child care facilities; providing for the inspection of programs regulated by the department; providing exemptions from child care facility licensing standards; revising restrictions on residential property insurance coverage to include coverage for large family child care homes; providing an appropriation, etc.	Submitted as Committee Bill Yeas 11 Nays 0
2	Status Update on Digital Classrooms Plan		Presented
3	Status Update on Florida Approved Courses and Tests (FACT) Initiative		Presented
Other Related Meeting Documents			

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Committee on Education Pre-K - 12

BILL: SPB 7006

INTRODUCER: For consideration by the Committee on Education Pre-K - 12

SUBJECT: Early Learning

DATE: January 20, 2015

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	<u>Scott</u>	<u>Klebacha</u>		Pre-meeting

I. Summary:

SPB 7006 increases the health and safety standards and personnel requirements for Voluntary Prekindergarten Programs Education (VPK) programs and School Readiness programs.

Specifically, the bill:

- Requires licensure or, if the provider is a licensed-exempt faith-based provider or nonpublic school, a certificate of substantial compliance with specified child care licensing standards and submission to inspections by the Department of Children and Families (DCF);
- Requires providers of child care and VPK instructional services to notify parents of and conspicuously post Class I violation citations and inspection reports that result in disciplinary action on the premises;
- Denies initial eligibility for programs to certain providers that had a Class I violation 12 months before seeking eligibility and, if cited for a Class I violation, prevents an existing provider from renewing its eligibility for 12 months;
- Requires certain personnel to be at least 18 years of age and hold a high school diploma by January 1, 2017;
- Provides requirements for certain employees to be trained in first aid and cardiopulmonary resuscitation;
- Requires personnel to be trained in developmentally appropriate practices aligned to the age and needs of children served by the personnel;
- Requires the Office of Early Learning (OEL) to develop online training regarding School Readiness performance standards and provider personnel to complete the training;
- Requires the office to conduct a pilot project assessing the early literacy skills of VPK participants who are English Language Learners;
- Provides failure to report child abuse as a disqualifying offense for child care employment;
- Prohibits an operator of a program, who has been disciplined for serious licensing violations, from transferring ownership of a program to relatives;
- Authorizes Early Learning Coalitions (ELCs) to allow private providers to accept applications and determine child eligibility for the VPK program;

- Expands DCF’s authority to conduct abbreviated inspections to include family day care homes and large family child care homes;
- Requires the Division of Law Revision and Information to change the terms “family day care” to “family child care” and “family day care home” to “family child care home;” and
- Provides an appropriation in the amount of \$1,034,965 to DCF to fund the costs associated with implementing the bill.

The bill takes effect on July 1, 2015.

II. Present Situation:

The Office of Early Learning

The Office of Early Learning (OEL), which is within the Office of Independent Education and Parental Choice and accountable to the Commissioner of Education, administers the Voluntary Prekindergarten Education Program (VPK) and the School Readiness program at the state level.¹ The Florida Department of Children and Families (DCF) Office of Child Care Regulation regulates child care providers who have early learning programs because DCF is the agency responsible for the state’s child care provider licensing program.²

Voluntary Prekindergarten Education Program

The VPK program is available to each child residing in the state who is four years old on or before September 1 of the school year, and the program remains available to the child until the child is eligible for admission to public school kindergarten or is admitted to kindergarten, whichever occurs sooner.³ Parents may choose either a school-year or summer program offered by a public school or private prekindergarten provider, or a specialized instructional services program for a child with disabilities who is eligible for such a program.⁴ A parent enrolling a child in the VPK program must complete and submit an application to the early learning coalition (ELC),⁵ not the individual program provider, which oversees the program.⁶

The VPK program may be offered by either a private prekindergarten provider or a public school. Local oversight of individual VPK program providers is split with ELCs providing administration over programs delivered by private prekindergarten providers and school districts administering public school VPK programs.⁷ Each district school board determines which district

¹ Section 1001.213, F.S.

² See ss. 402.301-402.319, F.S.; Parts V and VI, ch. 1002, F.S.

³ Section 1002.53, F.S.

⁴ Section 1002.53(3), F.S. To be eligible for a specialized instructional services program, a child must be evaluated and determined to be eligible, have a current individual educational plan developed by the local school board, and be eligible under section 1002.66, Florida Statutes, for the program. Section 1002.53(3)(d), F.S.

⁵ An “early learning coalition” or “coalition” is described in section 1002.83, Florida Statutes. Section 1002.51(4), F.S. Throughout the 67 counties, there are to be 31 or fewer early learning coalitions to provide access to enhancement services at the local level. Each coalition must consist of 15-30 members and have members who meet specific requirements described in statute. See 1002.83, F.S.

⁶ Section 1002.53(4), F.S.

⁷ See ss. 1002.53(6), 1002.55(1), 1002.61(1), and 1002.63(1), F.S.

schools will offer the school-year and summer VPK programs and such schools must register with the ELC.⁸

A private prekindergarten VPK provider must register with the ELC and be a:

- Licensed child care facility;
- Licensed family day care home (FDCH);
- Licensed large family child care home (LFCCH);
- Nonpublic school; or
- License-exempt faith-based child care provider.⁹

In addition, a private prekindergarten provider must:

- Be accredited by an accrediting association that is a member of either the National Council for Private School Accreditation, or the Florida Association of Academic Nonpublic Schools, or be accredited by the Southern Association of Colleges and Schools, the Western Association of Colleges and Schools, the North Central Association of Colleges and Schools, the Middle States Association of Colleges and Schools, or the New England Association of Colleges and Schools; and have written accreditation standards that meet the state's licensing requirements and require at least one onsite visit before accreditation is granted;¹⁰
- Hold a current Gold Seal Quality Care designation;¹¹ or
- Be licensed and demonstrate that the ELC has verified that the provider meets the VPK program's statutory requirements.¹²

School Readiness Program

The School Readiness program provides subsidized child care services and early childhood education for children of low-income families, children in protective services who are at risk of abuse, neglect, or abandonment, and children with disabilities.¹³ The School Readiness program is a state-federal partnership between the OEL and the Office of Child Care of the United States Department of Health and Human Services.¹⁴ The School Readiness program receives funding from a mixture of state and federal sources, including the federal Child Care and Development

⁸ Sections 1002.61(3)(a) and (8); 1002.63(3) and (8), F.S. Each school district is able to limit the number of students enrolled in the school-year program at a public school, however, the school district must admit every eligible child, enrolled by a parent, within the district for the summer prekindergarten program. Section 1002.53(6)(b).

⁹ Section 1002.55(3)(a) and (h), F.S.; *see also* s. 402.305, F.S. (regarding licensing standards for child care facilities); s. 402.3025, F.S. (regarding public and nonpublic schools); s. 402.313, F.S. (providing for family day care home licensing and requirements); s. 402.3131, F.S. (regarding licensure of large family child care homes); s. 402.316, F.S. (providing a licensure exemption for faith-based providers).

¹⁰ Section 1002.55(3)(b)1., F.S.

¹¹ Section 1005(3)(b)2., F.S.; *see* 402.281, F.S.; rule 65C-22.009, F.A.C.; *see also* Florida Department of Children and Family Services, *Gold Seal Accreditation Process for Child Care Providers*, <http://myflfamilies.com/service-programs/child-care/goldseal-acredprocess> (last visited Jan. 15, 2015). DCF issues the Gold Seal Quality Care designation to child care facilities, LFCCHs, and FDCHs that are accredited by a nationally recognized accrediting association with standards that meet or exceed DCF-adopted standards. DCF's standards are based upon those of the National Association for the Education of Young Children, National Association of Family Child Care, and National Early Childhood Program Accreditation Commission. Section 402.281(1)-(3), F.S.

¹² Section 1002.55(3)(b)3., F.S.

¹³ Section 1002.87, F.S.; *see* 1002.81(1), F.S. (defining what it means to be an "at-risk child").

¹⁴ 42 U.S.C. ss. 618, 9858-9858q; 45 C.F.R. ss. 98, 99; Part VI, ch. 1002, F.S.; U.S. Department of Health and Human Services, *Office of Child Care Fact Sheet*, available at http://www.acf.hhs.gov/sites/default/files/assets/FS_OCC_0.pdf.

Fund (CCDF) block grant, the federal Temporary Assistance for Needy Families (TANF) block grant, and general revenue and other state funds.¹⁵ The program is administered by ELCs.¹⁶

To deliver the School Readiness program, a provider must be:

- A licensed child care facility;
- A licensed or registered family day care home (FDCH);
- A licensed large family child care home (LFCCH);
- A public school or nonpublic school;
- A license-exempt faith-based child care provider;
- A before-school or after-school program; or
- An informal child care provider authorized in the state's CCDF plan.¹⁷

The present situation for the relevant provisions of the bill is discussed in the Effect of Proposed Changes Section of this bill analysis.

III. Effect of Proposed Changes:

SPB 7006 increases the health and safety standards and personnel requirements for Voluntary Prekindergarten Programs Education (VPK) programs and School Readiness programs.

Requirements of the Office of Early Learning

Powers and Duties of the Office of Early Learning

Present Situation: The Office of Early Learning (OEL) is required to: independently exercise powers, duties, and functions prescribed by law; adopt rules for the establishment and operation of VPK and School Readiness programs; administer the VPK and School Readiness programs, and the operational requirements of the child care resource and referral network, at the state level; and minimize administrative staff to those needed to administer the duties of the office.¹⁸

Effect of the Bill: The bill adds additional requirements to the duties of the OEL. The additional duties are to: hire a general counsel who reports directly to the executive director of the office; hire an inspector general who reports directly to the executive director of the office and to the Chief Inspector General; and by July 1, 2017, develop and implement best practices for providing parental notification in parent's native language to a parent whose native language is not English. The bill also requires the OEL to conduct a 2-year pilot project studying the impact of assessing the early literacy skills of VPK participants who are English Language Learners, in

¹⁵ Specific Appropriations 78A and 79, s. 2, ch. 2013-40, L.O.F.; see also U.S. Department of Health and Human Services, *Office of Child Care Fact Sheet*, available at http://www.acf.hhs.gov/sites/default/files/assets/FS_OCC_0.pdf.

¹⁶ Sections 1002.83-1002.85, F.S. There are currently 31 ELCs, which is the maximum permitted by law. Section 1002.83(1), F.S.; see Florida's Office of Early Learning, *Early Learning Coalition Directory* (Jan. 7, 2015), available at <http://www.floridaearlylearning.com/sites/www/Uploads/files/Parents/CoalitionDirectory.pdf>.

¹⁷ Section 1002.88(1)(a), F.S. Generally speaking, informal child care is care provided by a relative. See Florida's Office of Early Learning, *Child Care and Development Fund (CCDF) Plan for Florida FFY 2014-15*, at 71 (Oct. 1, 2013), available at http://www.floridaearlylearning.com/sites/www/Uploads/files/Oel%20Resources/2014-2015_CCDF_Plan_%20Optimized.pdf.

¹⁸ Section 1001.213, F.S.

both English and Spanish, and report its findings to the Governor, the President of the Senate, and the Speaker of the House of Representatives by July 1, 2016, and July 1, 2017.

The Standardized Voluntary Prekindergarten Contract

Present Situation: Through adopted rules, the OEL is required to have a standard, statewide provider contract for VPK programs that includes provisions on: provider probation, termination for cause and emergency termination; due process procedures; and provide that during the pendency of an appeal, a provider may not continue to offer services.¹⁹

Effect of the Bill: The bill, in addition to the requirements that currently exist, requires the standard statewide contract to provide provisions that:

- Mandate each private VPK provider and each school readiness provider to conspicuously post each citation for a Class I violation in an area visible to parents. The posting must use simple language to describe each violation with specificity and include a copy of the citation, as well as contact information for DCF or the local licensing agency. Such posting must occur within 24 hours of receipt of the Class I violation citation. Additionally, the provider must post each inspection report on the premises until the next report is available; and
- Specify that child care personnel employed by the provider who are responsible for supervising children in care must be trained in appropriate practices, through DCF courses, aligned to the age and needs of children the employee oversees within 30 days of being assigned to children for which the personnel has not previously completed the training.

Additionally, the bill creates a new requirement for the OEL to develop and implement an online training course on the performance standards for School Readiness program provider personnel and the bill requires personnel to complete the online training course.

Provider, Instructor, and Child Care Personnel Qualifications

Background Screening

Present Situation: Personnel at child care facilities must meet a minimum standard of having good moral character as determined by the requirement of level 2 employment screening under chapter 435, Florida Statutes.²⁰

Effect of the Bill: The bill adds that in addition to the list of offenses in section 435.04, Florida Statutes pertaining to level 2 screening, child care personnel undergoing background screening must not have an arrest awaiting final disposition for, may not have been found guilty of, or entered a plea of nolo contendere or guilty to, and may not have been adjudicated delinquent and have a record that has been sealed or expunged for an offense specified in section 39.205, Florida Statutes, which relate to penalties associated with the absence of reporting of child abuse, abandonment, or neglect.

The bill applies the background screening requirement and language of section 402.305(2)(a), Florida Statutes, as amended by the bill and described above, to apply to each VPK instructor employed by a private VPK provider delivering the summer VPK program. As noted above, the

¹⁹ Section 1002.75, F.S. (regarding VPK programs); section 1002.82(2)(m), F.S. (regarding School Readiness Programs).

²⁰ Section 402.305(2), F.S.

bill amends the statute to add more prohibited offenses that are not included in current law and current law does not address those offenses because the statute specifically refers to section 435.04, Florida Statutes, without referencing section 39.205, Florida Statutes.²¹

The bill also adds the requirement that before employing child care personnel, an employer must conduct employment history checks and document the findings.

Instructor Credentials

Present Situation: A private VPK instructor must minimally hold a child development associate credential issued by the National Credentialing Program of the Council for Professional Recognition or a credential deemed equivalent by DCF.²²

Currently, section 1002.55, Florida Statutes, does not explicitly state requirements for VPK instructors relating to first aid and infant and child cardiopulmonary resuscitation, nor does the statute address a minimum age or high school diploma requirement for employment.

Effect of the Bill: The bill retains the current options that satisfy the minimum credential requirement and provides new credentials, which would also satisfy the requirement. The additional credentials added to the list include, among other options, associate and baccalaureate degrees in child-oriented focus areas and associate and baccalaureate degrees in unrelated areas with additional hours of experience in teaching or child care services. This provision expands the type of credential that is acceptable.

The bill requires at least 50 percent of a private VPK provider's instructors at each location and at least 50 percent of child care personnel at each School Readiness Program location to be trained in first aid and child cardiopulmonary resuscitation through documentation of course completion, unless the instructor or personnel is not responsible for supervising children in care, by January 1, 2016. Additionally, instructors and personnel hired on or after January 1, 2016 must complete the training within 60 days of employment.

The bill also adds that, as of January 1, 2017, private VPK providers must employ child care personnel who have a high school diploma, or its equivalent, and are at least 18 years old, unless the personnel are not responsible for supervising children in care or are under direct supervision.

Transfer of Ownership

Present Situation: One week before the transfer of ownership of a child care facility, the transferor must notify the parent or caretaker of each child of the transfer and DCF must establish rules relating to the methods by which such notice will occur and the minimum standards for implementing the notification and transfer.²³

Effect of the Bill: The bill prohibits the transfer of child care facility *or a large family child care home* to a relative of the operator if the license of the operator has been suspended or revoked by DCF, the operator received notice from DCF that reasonable cause existed to suspend or revoke the operator's license, or the operator has been placed on the United States Department of

²¹ See section 1002.61(5), F.S.

²² Section 1002.55(3)(c), F.S.

²³ Section 402.305(18), F.S.

Agriculture National Disqualified List. The new provision provides a definition of “relative,” which includes immediate family members, grandparents, uncles, aunts, nephews, nieces, fathers-in-law, mothers-in-law, step-parents, step-siblings, and half-siblings.

Course Requirements for Operators and Substitute Operators of Family Day Care Homes and Large Family Child Care Homes

Present Situation: Operators of family day care homes must complete an approved 30-clock-hour introductory course in child care and demonstrate successful completion through passage of a competency examination before caring for children.²⁴

Operators of large family child care homes must complete an approved 40-clock-hour introductory course in group child care and demonstrate successful completion through passage of a competency examination.²⁵

Effect of the Bill: The bill adds that *substitute* operators must also meet the 30-clock-hour requirement that is currently in law for operators. Additionally, the bill states specific topics that must be included in the course, which are:

- State and local rules and regulations governing child care;
- Health, safety, and nutrition;
- Identifying and reporting child abuse and neglect;
- Child development;
- Observation of developmental behaviors; and
- Specialized areas including numeracy, early literacy and language development of children from birth to five years of age.

The bill adds requirements to the 40-clock-hour introductory course that an operator of a large family child care home must complete. In addition to the existing requirement that the course be about group child care, the course must include numeracy, early literacy, and language development of children from birth to five years of age.

Health and Safety

Inspection and Substantial Compliance with Licensing Standards

Present Situation: Licensing requirements, except for the requirements regarding screening of child care personnel, do not currently apply to a faith-based facility or educational programs accredited by (or by a member of) an organization which publishes and requires compliance with its standards for health, safety, and sanitation.²⁶ Nonpublic schools which are not licensed under ss. 402.301-402.319, Florida Statutes, are required to substantially comply with the minimum child care standards adopted pursuant to ss. 402.305-402.3057, Florida Statutes.²⁷

²⁴ Section 402.313(4), F.S.

²⁵ Section 402.3131(3), F.S.

²⁶ Section 402.316(1), F.S.

²⁷ Section 402.3025(2)(d)1., F.S.

Effect of the Bill: The bill requires child care facilities that are exempt from licensure requirements pursuant to section 402.316, Florida Statutes, to substantially comply with the adopted minimum standards for child care facilities pursuant to sections 402.305-402.3057, Florida Statutes, and obtain a certificate of substantial compliance from DCF. Nonpublic schools which are not licensed are also required to obtain a certificate of substantial compliance. Such facilities must allow DCF or the local licensing agency access to monitor and enforce compliance. The bill adds that DCF must establish a fee for inspection and compliance activities and the amount may not exceed the fee established for child care licensure under section 402.315, Florida Statutes. The bill also provides penalties for the misrepresentation and misuse of certain information. The effect of this provision and the bill is that all programs will either be licensed or must be substantially compliant with existing licensing standards.

Present Situation: A licensed child care facility must allow DCF to inspect facilities and personnel at reasonable times during regular business hours to ensure statutory compliance. An application for a license or the advertisement to the public for the provision of child care allows DCF to enter or inspect a facility.²⁸

DCF and local governmental agencies that license child care facilities must develop a plan to eliminate duplicative and unnecessary inspections of child care facilities and conduct abbreviated inspections for child care facilities that have no Class I or Class II deficiencies.

Effect of the Bill: The bill extends DCF's ability to inspect the facilities and personnel of licensed child care facilities to include programs regulated by the department. Additionally, the bill amends the law to add that an application for authorization to operate a child care program that must substantially comply with child care standards under chapter 402 of the Florida Statutes, or renewal of such a license or authorization, also constitutes permission for DCF to enter and inspect the premises.

The bill adds licensed family day care homes and licensed large family child care homes without a Class I or Class II violation to the facilities eligible for abbreviated inspections by DCF and the local licensing agency. The bill also requires DCF to adopt rules establishing criteria and procedures for abbreviated inspections and inspection schedules for announced and unannounced inspections.

Eligibility of a Private Provider to Deliver the Voluntary Prekindergarten Program

Present Situation: A private provider delivering the VPK program must meet one of the following: be accredited by a particular accrediting body,²⁹ hold a Gold Seal Quality Care

²⁸ Section 402.311, F.S.

²⁹ Section 1002.55(3)(b)1., F.S. A private VPK provider must be accredited by: "an accrediting association that is a member of the National Council for Private School Accreditation, or the Florida Association of Academic Nonpublic Schools, or be accredited by the Southern Association of Colleges and Schools, or Western Association of Colleges and Schools, or North Central Association of Colleges and Schools, or Middle States Association of Colleges and Schools, or New England Association of Colleges and Schools; and have written accreditation standards that meet or exceed the state's licensing requirements under s. 402.305, s. 402.313, or s. 402.3131 and require at least one onsite visit to the provider or school before accreditation is granted." *Id.*

designation, or be licensed under particular statutes.³⁰ School Readiness facilities are also required to provide basic health and safety of its premises.³¹

Effect of the Bill: The bill adds an additional option for a private VPK provider's required status and states that the private VPK provider may be a child development center located on a military installation that is certified by the United States Department of Defense.

The bill also adds that each private VPK provider must provide basic health and safety on its premises and in its facilities. The bill provides standards that satisfy the requirement for specific VPK and School Readiness programs as follows:

- For a public school, compliance with sections 1003.22 (school-entry health examinations and immunizations) and 1013.12 (casualty, safety, sanitation, fire safety standards and inspection of property), Florida Statutes, is sufficient;
- For a nonpublic school, compliance with section 402.3025(2)(d), Florida Statutes, (requiring substantial compliance with statutory licensing standards);
- For a child care facility, a licensed family day care home, or a large family child care home, compliance with sections 402.305 (licensing standards), 402.313 (licensing of family day care homes requirements), or 402.3131 (licensing of large family child care homes requirements), Florida Statutes, satisfy this requirement.
- For a facility exempt from licensure, compliance with section 402.316(4), Florida Statutes, (which is created by this bill) satisfies this requirement. The language creating 402.316(4), Florida Statutes, requires substantial compliance with statutory licensing standards and requirements of sections 402.305-402.3057, Florida Statutes.

In effect, this provision ensures that all providers are licensed or substantially compliant with existing statutory licensing standards.

Display of License or Registration by Family Day Care Homes

Present Situation: Each licensed or registered family day care home is not required to display its license or registration.³²

Effect of the Bill: The bill specifically requires each licensed or registered family day care home to conspicuously display its license or registration in the common area of the home.

The bill also creates specific requirements for DCF to verify certain information upon receipt of registration from a family day care home. DCF must verify that the home is in compliance with the background screening requirements, and that the operator and the designated substitute have completed 30-clock-hour training courses (demonstrated through passage of a competency examination and required continuing education units or clock hours).

Rulemaking Authority

Present Situation: Rulemaking authority is not provided to DCF with regard to defining and enforcing substantial compliance with minimum standards for child care facilities for programs

³⁰ Section 1002.55, F.S.

³¹ Section 1002.88(1)(c), F.S.

³² See section 402.313, F.S.

operating under sections 1002.55, Florida Statutes (private school-year VPK programs), 1002.61, Florida Statutes (public school and private VPK summer programs), and 1002.88, Florida Statutes (School Readiness programs).³³

Effect of the Bill: The bill provides DCF with rulemaking authority to define and enforce the substantial compliance with minimum standards for child care facilities operating programs under the aforementioned statutes.

Eligibility to Deliver the Voluntary Prekindergarten Program

Present Situation: Denial of initial eligibility based upon a Class I violation within 12 months of seeking eligibility to deliver a VPK program and preventing renewal of such eligibility for a Class I violation are not currently in law.

Effect of the Bill: The bill denies initial eligibility to a private provider seeking eligibility to deliver the VPK program if the provider has been cited for a Class I violation in the 12 months before seeking such eligibility. The bill also prevents an existing provider from renewing its eligibility for 12 months if cited for a Class I violation. In effect, the provision inhibits the growth of a provider's program if the provider has received a citation for the most severe grouping of violations within the past year.

Participant-Related Provisions

Rilya Wilson Act

Present Situation: Children age three to school entry, who are in the care of the state or under court-ordered protective services, must be enrolled in a licensed early education or child care program and attend the program five days per week.³⁴

Effect of the Bill: The bill requires such children to be enrolled in a licensed early education or child care program and attend the program five days per week starting from birth (as opposed to age three in current law) to school entry.

Voluntary Prekindergarten Eligibility and Enrollment

Present Situation: Each parent enrolling a child in the VPK program must complete and submit an application to the ELC.³⁵

Effect of the Bill: The bill adds language to allow application submission to a private VPK provider if the provider is authorized by the ELC to determine student eligibility for enrollment in the VPK program, which is a new authorization of authority to private VPK programs. The bill also provides the actions a provider must take upon receipt of an application, requires retention of the original application and certified birth certificate of the child for five years, and provides that the ELC may audit applications in its service area to determine whether children enrolled and reported for funding by the provider have met the eligibility criteria. This provision

³³ See section 402.305, F.S.

³⁴ Section 39.604(2), (3), F.S.

³⁵ Section 1002.53(4)(a), F.S.

provides a check on the newly authorized ability of some private VPK providers to accept applications, and determine eligibility and enrollment directly.

School Readiness Eligibility

Present Situation: For the purposes of establishing eligibility for the School Readiness program, the terms “at-risk child,” “family income,” and “working family” are defined in statute.³⁶

Effect of the Bill: The bill amends the definition of an “at-risk child” to provide that a designated lead agency on the homeless assistance continuum of care established under sections 420.622-420.624, Florida Statutes, must determine whether a child is in the custody of a parent who is considered homeless – as opposed to current law which requires DCF to make the determination.

The bill adds to the list of income that is not included in the definition of “family income.” The new language provides that the following is not considered family income:

- Income earned by a teen parent residing in the same residence as a separate family unit; and
- Selected items from the state’s Child Care and Development Fund Plan, including documented child support and alimony payments paid out of the home.

The bill expands the definition of a “working family” to include a single-parent family in which the parent with whom the child resides is exempt from work requirements due to age or disability.

Provider-Related Provisions

Reviser’s Bill for the 2016 Regular Session

Present Situation: The terms “family day care” and “family day care home” are currently used in statute.

Effect of the Bill: The bill directs the Division of Law Revision and Information to prepare a reviser’s bill for the 2016 regular session that will change the term “family day care” to “family child care,” and the term “family day care home” to “family child care home” throughout the Florida Statutes.

Zoning, Utility Rates, and Residential Property Insurance Coverage

Present Situation: Only the operation of a residence as a family day care home as being a valid residential use for local zoning regulation purposes is specifically stated in law.³⁷

Effect of the Bill: The bill adds large family child care homes to the existing law so that the operation of a residence as a family day care home *or as a large family child care home* is a valid residential use for local zoning regulation purposes.

³⁶ Section 1002.81, F.S.

³⁷ Sections 125.0109, 166.0445, F.S.

Additionally, the bill provides that, despite any other state or local law or ordinance, any licensed large family child care home may not be charged commercial utility rates and must be charged the rates accorded to a residential home.

Present Situation: Family day care homes must not have residential property insurance canceled, denied, or nonrenewed solely because child care services are provided on the premises.³⁸

Effect of the Bill: The bill adds large family child care homes to this provision, which currently only includes family day care homes, and prevents residential property insurance from being canceled, denied, or nonrenewed solely because child care services are provided on the premises.

Applicability of Requirements to Nonpublic Schools

Present Situation: Requirements under section 402.3025, Florida Statutes, apply to nonpublic programs for children at least three years of age, but under five years of age, that are not licensed under sections 402.301-402.319, Florida Statutes.³⁹

Effect of the Bill: The bill removes the specific age range in current law of three to five years of age and states that the provision is applicable to nonpublic schools delivering school-year and summer VPK programs, and school readiness programs.

Voluntary Prekindergarten and School Readiness Funding and Attendance Reporting

Present Situation: Each parent enrolling a child in the VPK program must comply with the attendance policy of the private VPK provider or public school board. Each provider must supply a child's parent with a copy of the attendance policy.⁴⁰

For a School Readiness Program, if a child is absent for five consecutive days without notification from the parent of such an absence, the provider is required to report the absence to the ELC.⁴¹

Effect of the Bill: The bill, in addition to the requirements that a parent comply with the VPK provider's attendance policy and that the provider give the policy to each child's parent, adds that each private VPK provider, public school, and School Readiness program provider must supply each child's parent with information regarding child development, parent engagement expectations, a daily schedule, and, procedures for contacting a parent if a child has been absent for two consecutive days without a known reason.

The bill amends the requirements of the attendance reporting requirement for School Readiness program to add an additional responsibility of the provider to contact the parent of a child who has been absent for two consecutive days to determine the reason for the absence. This requirement is in addition to the provider being required to contact the ELC if a child is absent for five consecutive days.

³⁸ Section 627.70161, F.S.

³⁹ Section 402.3025(2)(c), F.S.

⁴⁰ Section 1002.71(6)(a), F.S.

⁴¹ Section 1002.87(8), F.S.

School Readiness Program Eligibility Requirements

Present Situation: The eligibility of each child for the School Readiness program must be determined annually, and a child who is no longer eligible may not continue to receive services.⁴²

Effect of the Bill: The bill adds additional language stating that if a child is no longer eligible for the program, the ELC must immediately notify the child's parent and the provider that funding will end two weeks after the date on which the child's ineligibility was determined or when the current School Readiness authorization expires, whichever is sooner.

School Readiness Investigations of Fraud or Overpayment

Present Situation: The ELC may not contract with a School Readiness or VPK program provider who is on the United States Department of Agriculture National Disqualified List.⁴³

Effect of the Bill: The bill adds that an ELC may not contract with an individual on the United States Department of Agriculture National Disqualified List either.

Appropriation

The bill provides an appropriation in the amount of \$1,034,965 to the Department of Children and Families and authorizes 18 full-time equivalent positions for the purpose of funding the operating costs associated with implementing the bill.

The bill takes effect on July 1, 2015.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

⁴² Section 1002.87(6), F.S.

⁴³ Section 1002.91(7), F.S.

V. Fiscal Impact Statement:**A. Tax/Fee Issues:**

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

None.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends the following sections of the Florida Statutes: 125.0109, 166.0445, 402.302, 402.3025, 402.305, 402.311, 402.3115, 402.313, 402.3131, 402.316, 627.70161, 1001.213, 1002.53, 1002.55, 1002.59, 1002.61, 1002.63, 1002.71, 1002.75, 1002.77, 1002.81, 1002.82, 1002.84, 1002.87, 1002.88, 1002.89, 1002.91, and 1002.94.

This bill creates section 402.3085 of the Florida Statutes.

IX. Additional Information:**A. Committee Substitute – Statement of Changes:**

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

None.

B. Amendments:

None.

FOR CONSIDERATION By the Committee on Education Pre-K - 12

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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

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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

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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

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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 child
 109 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

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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 child
 124 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,

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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

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

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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 under
 212 s. 402.305 or s. 402.3055 for any purpose other than screening
 213 that person for employment as specified in those sections or
 214 release such information to any other person for any purpose
 215 other than screening for employment as specified in those
 216 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.

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233 ~~(e) 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 to
 244 the level 2 screening requirements of. ~~This screening shall be~~
 245 ~~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 personnel.

260 1. Such minimum standards for training shall ensure that
 261 all child care personnel take an approved 40-clock-hour

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262 introductory course in child care, which course covers at least
 263 the following topic areas:

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

266 b. Health, safety, and nutrition.

267 c. Identifying and reporting child abuse and neglect.

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

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

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

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

284
 285 Within 90 days after employment, child care personnel shall
 286 begin training to meet the training requirements pursuant to
 287 this paragraph. Child care personnel shall successfully complete
 288 such training within 1 year after the date on which the training
 289 began, as evidenced by passage of a competency examination.
 290 Successful completion of the 40-clock-hour introductory course

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291 shall articulate into community college credit in early
 292 childhood education, pursuant to ss. 1007.24 and 1007.25.
 293 Exemption from all or a portion of the required training shall
 294 be granted to child care personnel based upon educational
 295 credentials or passage of competency examinations. Child care
 296 personnel possessing a 2-year degree or higher that includes 6
 297 college credit hours in early childhood development or child
 298 growth and development, or a child development associate
 299 credential or an equivalent state-approved child development
 300 associate credential, or a child development associate waiver
 301 certificate shall be automatically exempted from the training
 302 requirements in sub-subparagraphs b., d., and e.

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

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

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

318 5. Child care personnel shall be required to complete 0.5
 319 continuing education unit of approved training or 5 clock hours

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

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

337 7. Training requirements do ~~shall~~ not apply to certain
 338 occasional or part-time support staff, including, but not
 339 limited to, swimming instructors, piano teachers, dance
 340 instructors, and gymnastics instructors.

341 8. The department shall evaluate or contract for an
 342 evaluation for the general purpose of determining the status of
 343 and means to improve staff training requirements and testing
 344 procedures. The evaluation shall be conducted every 2 years. The
 345 evaluation must ~~shall~~ include, but not be limited to,
 346 determining the availability, quality, scope, and sources of
 347 current staff training; determining the need for specialty
 348 training; and determining ways to increase inservice training

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349 and ways to increase the accessibility, quality, and cost-
 350 effectiveness of current and proposed staff training. The
 351 evaluation methodology must ~~shall~~ include a reliable and valid
 352 survey of child care personnel.

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

357 (9) ADMISSIONS AND RECORDKEEPING.—

358 (b) ~~During the months of August and September of each year,~~
 359 Each child care facility shall provide parents of children
 360 enrolling ~~enrolled~~ in the facility detailed information
 361 regarding the causes, symptoms, and transmission of the
 362 influenza virus in an effort to educate those parents regarding
 363 the importance of immunizing their children against influenza as
 364 recommended by the Advisory Committee on Immunization Practices
 365 of the Centers for Disease Control and Prevention.

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

373 (18) TRANSFER OF OWNERSHIP.—

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

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

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

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

397 402.3085 Certificate of substantial compliance with minimum
 398 child care standards.—Each nonpublic school or provider seeking
 399 to operate a program pursuant to s. 402.3025(2) (d) or s.
 400 402.316(4), respectively, shall annually obtain a certificate
 401 from the department or local licensing agency in the manner and
 402 on the forms prescribed by the department or local licensing
 403 agency. An annual certificate or a renewal of an annual
 404 certificate shall be issued upon an examination of the
 405 applicant's premises and records to determine that the applicant
 406 is in substantial compliance with the minimum child care

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407 standards. A provider may not participate in these programs
 408 without this certification. Local licensing agencies may apply
 409 their own minimum child care standards if the department
 410 determines that such standards meet or exceed department
 411 standards as provided in s. 402.307.

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

414 402.311 Inspection.—A licensed child care facility or
 415 program regulated by the department shall accord to the
 416 department or the local licensing agency, whichever is
 417 applicable, the privilege of inspection, including access to
 418 facilities and personnel and to those records required in s.
 419 402.305, at reasonable times during regular business hours, to
 420 ensure compliance with the provisions of ss. 402.301-402.319.
 421 The right of entry and inspection shall also extend to any
 422 premises which the department or local licensing agency has
 423 reason to believe are being operated or maintained as a child
 424 care facility or program without a license, but no such entry or
 425 inspection of any premises shall be made without the permission
 426 of the person in charge thereof unless a warrant is first
 427 obtained from the circuit court authorizing same. Any
 428 application for a license, application for authorization to
 429 operate a child care program which must maintain substantial
 430 compliance with child care standards adopted under this chapter,
 431 or renewal of such license or authorization, made pursuant to
 432 this act or the advertisement to the public for the provision of
 433 child care as defined in s. 402.302 constitutes ~~shall constitute~~
 434 permission for any entry to or inspection of the subject
 435 premises ~~for which the license is sought in order~~ to facilitate

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436 verification of the information submitted on or in connection
 437 with the application. In the event a ~~licensed~~ facility or
 438 program refuses permission for entry or inspection to the
 439 department or local licensing agency, a warrant shall be
 440 obtained from the circuit court authorizing same ~~before~~ prior to
 441 such entry or inspection. The department or local licensing
 442 agency may institute disciplinary proceedings pursuant to s.
 443 402.310~~7~~ for such refusal.

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

446 402.3115 ~~Elimination of duplicative and unnecessary~~
 447 ~~inspections; Abbreviated inspections.—The Department of Children~~
 448 ~~and Families and local governmental agencies that license child~~
 449 ~~care facilities shall develop and implement a plan to eliminate~~
 450 ~~duplicative and unnecessary inspections of child care~~
 451 ~~facilities. In addition,~~ The department and the local licensing
 452 governmental agencies shall conduct develop and implement an
 453 abbreviated inspections of inspection plan for child care
 454 facilities licensed under s. 402.305, family child care homes
 455 licensed under s. 402.313, and large family child care homes
 456 licensed under s. 402.3131 that have had no Class I ~~1~~ or Class
 457 II violations ~~2 deficiencies~~, as defined by rule, for at least 2
 458 consecutive years. The abbreviated inspection must include those
 459 elements identified by the department and the local licensing
 460 governmental agencies as being key indicators of whether the
 461 child care facility continues to provide quality care and
 462 programming. The department shall adopt rules establishing
 463 criteria and procedures for abbreviated inspections and
 464 inspection schedules that provide for both announced and

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465 unannounced inspections.466 Section 10. Section 402.313, Florida Statutes, is amended
467 to read:468 402.313 Family child day care homes.-

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

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

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

491 ~~5. Proof of screening and background checks.~~492 ~~6. Proof of successful completion of the 30-hour training~~
493 ~~course, as evidenced by passage of a competency examination,~~

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494 ~~which shall include:~~

- 495 ~~a. State and local rules and regulations that govern child~~
496 ~~care.~~
- 497 ~~b. Health, safety, and nutrition.~~
- 498 ~~c. Identifying and reporting child abuse and neglect.~~
- 499 ~~d. Child development, including typical and atypical~~
500 ~~language development, and cognitive, motor, social, and self-~~
501 ~~help skills development.~~
- 502 ~~e. Observation of developmental behaviors, including using~~
503 ~~a checklist or other similar observation tools and techniques to~~
504 ~~determine a child's developmental level.~~
- 505 ~~f. Specialized areas, including early literacy and language~~
506 ~~development of children from birth to 5 years of age, as~~
507 ~~determined by the department, for owner-operators of family day~~
508 ~~care homes.~~
- 509 ~~5.7. Proof that immunization records are kept current.~~
- 510 ~~8. Proof of completion of the required continuing education~~
511 ~~units or clock hours.~~

512
513 Upon receipt of registration information submitted by a family
514 child care home pursuant to this paragraph, the department shall
515 verify that the home is in compliance with the background
516 screening requirements in subsection (3) and that the operator
517 and the designated substitute are in compliance with the
518 applicable training requirements of subsection (4).

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

521 (c) The department may provide technical assistance to
522 counties and operators of family child day care homes ~~home~~

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523 ~~providers~~ to enable counties and operators family day care
 524 ~~providers~~ to achieve compliance with family child day care home
 525 ~~homes~~ standards.

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

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

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

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

549 a. State and local rules and regulations that govern child
 550 care.

551 b. Health, safety, and nutrition.

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552 c. Identifying and reporting child abuse and neglect.

553 d. Child development, including typical and atypical

554 language development, and cognitive, motor, social, and

555 executive functioning skills development.

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

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

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

569 2.(6) Operators of family day care homes shall be required
 570 ~~to~~ Complete a 0.5 continuing education unit of approved training
 571 in numeracy, early literacy, and language development of
 572 children from birth to 5 years of age one time. For an operator,
 573 the year that this training is completed, it shall fulfill the
 574 0.5 continuing education unit or 5 clock hours of the annual
 575 training required in paragraph (c) subsection (5).

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

579 (b) Before licensure and before caring for children, family
 580 child care home designated substitutes who work less than 40

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

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

596 (5)(7) Operators of family child day care homes must shall
 597 be required annually to complete a health and safety home
 598 inspection self-evaluation checklist developed by the department
 599 in conjunction with the statewide resource and referral program.
 600 The completed checklist shall be signed by the operator of the
 601 family child day care home and provided to parents as
 602 certification that basic health and safety standards are being
 603 met.

604 (6)(8) Operators of family child day care homes home
 605 operators may avail themselves of supportive services offered by
 606 the department.

607 (7)(9) The department shall prepare a brochure on family
 608 child day care for distribution by the department and by local
 609 licensing agencies, if appropriate, to family child day care

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610 homes for distribution to parents using ~~utilizing~~ such child
 611 care, and to all interested persons, including physicians and
 612 other health professionals; mental health professionals; school
 613 teachers or other school personnel; social workers or other
 614 professional child care, foster care, residential, or
 615 institutional workers; and law enforcement officers. The
 616 brochure shall, at a minimum, contain the following information:

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

620 (b) A listing of those counties that require licensure of
 621 family child day care homes. Such counties shall provide an
 622 addendum to the brochure that provides a brief description of
 623 the licensure requirements or may provide a brochure in lieu of
 624 the one described in this subsection, provided it contains all
 625 the required information on licensure and the required
 626 information in the subsequent paragraphs.

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

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

638 (e) Any other information relating to competent child care

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639 that the department or local licensing agency, if preparing a
640 separate brochure, considers ~~deems~~ would be helpful to parents
641 and other caretakers in their selection of a family child day
642 care home.

643 ~~(8)(10)~~ On an annual basis, the department shall evaluate
644 the registration and licensure system for family child day care
645 homes. Such evaluation shall, at a minimum, address the
646 following:

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

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

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

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

658

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

665 ~~(11) In order to inform the public of the state requirement~~
666 ~~for registration of family day care homes as well as the other~~
667 ~~requirements for such homes to legally operate in the state, the~~

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668 ~~department shall institute a media campaign to accomplish this~~
669 ~~end. Such a campaign shall include, at a minimum, flyers,~~
670 ~~newspaper advertisements, radio advertisements, and television~~
671 ~~advertisements.~~

672 ~~(9)(12)~~ Notwithstanding any other state or local law or
673 ordinance, any family child day care home licensed pursuant to
674 this chapter or pursuant to a county ordinance shall be charged
675 the utility rates accorded to a residential home. A licensed
676 family child day care home may not be charged commercial utility
677 rates.

678 ~~(10)(13)~~ The department shall, by rule, establish minimum
679 standards for family child day care homes that are required to
680 be licensed by county licensing ordinance or county licensing
681 resolution or that voluntarily choose to be licensed. The
682 standards should include requirements for staffing, training,
683 maintenance of immunization records, minimum health and safety
684 standards, reduced standards for the regulation of child care
685 during evening hours by municipalities and counties, and
686 enforcement of standards. Additionally, the department shall, by
687 rule, adopt procedures for verifying a registered family child
688 care home's compliance with background screening and training
689 requirements.

690 ~~(11)(14) During the months of August and September of each~~
691 ~~year, Each family child day care home shall provide parents of~~
692 ~~children enrolling ~~enrolled~~ in the home detailed information~~
693 ~~regarding the causes, symptoms, and transmission of the~~
694 ~~influenza virus in an effort to educate those parents regarding~~
695 ~~the importance of immunizing their children against influenza as~~
696 ~~recommended by the Advisory Committee on Immunization Practices~~

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697 of the Centers for Disease Control and Prevention.

698 Section 11. Subsections (1), (3), (5), and (9) of section
699 402.3131, Florida Statutes, are amended, and subsection (10) is
700 added to that section, to read:

701 402.3131 Large family child care homes.—

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

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

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

721 (9) ~~During the months of August and September of each year,~~
722 Each large family child care home shall provide parents of
723 children enrolling ~~enrolled~~ in the home detailed information
724 regarding the causes, symptoms, and transmission of the
725 influenza virus in an effort to educate those parents regarding

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726 the importance of immunizing their children against influenza as
727 recommended by the Advisory Committee on Immunization Practices
728 of the Centers for Disease Control and Prevention.

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

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

736 402.316 Exemptions.—

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

744 (a) The department or local licensing agency may pursue
745 administrative or judicial action under ss. 402.310-402.312 and
746 the rules adopted under those sections against any child care
747 facility operating under this subsection to enforce substantial
748 compliance with child care facility minimum standards or to
749 protect the health, safety, and well-being of any child in the
750 facility's care. A child care facility operating under this
751 subsection is subject to ss. 402.310-402.312 and the rules
752 adopted under those sections to the same extent as a child care
753 facility licensed under ss. 402.301-402.319.

754 (b) It is a misdemeanor of the first degree, punishable as

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755 provided in s. 775.082 or s. 775.083, for a person willfully,
 756 knowingly, or intentionally to:

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

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

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

776 (5) The department shall establish a fee for inspection and
 777 compliance activities performed pursuant to this section in an
 778 amount sufficient to cover costs. However, the amount of such
 779 fee for the inspection of a program may not exceed the fee
 780 imposed for child care licensure pursuant to s. 402.315.

781 (6) The inclusion of a child care facility operating under
 782 subsection (1) as a provider of a program described in s.
 783 1002.55, s. 1002.61, or s. 1002.88 does not expand the

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784 regulatory authority of the state, its officers, any local
 785 licensing agency, or any early learning coalition to impose any
 786 additional regulation of child care facilities beyond those
 787 reasonably necessary to enforce requirements expressly included
 788 in this section.

789 Section 13. Section 627.70161, Florida Statutes, is amended
 790 to read:

791 627.70161 Residential property insurance coverage; family
 792 child day care homes and large family child care homes
 793 insurance.-

794 (1) PURPOSE AND INTENT.-The Legislature recognizes that
 795 family child day care homes and large family child care homes
 796 fulfill a vital role in providing child care in Florida. It is
 797 the intent of the Legislature that residential property
 798 insurance coverage should not be canceled, denied, or nonrenewed
 799 solely because child on the basis of the family day care
 800 services are provided at the residence. The Legislature also
 801 recognizes that the potential liability of residential property
 802 insurers is substantially increased by the rendition of child
 803 care services on the premises. The Legislature therefore finds
 804 that there is a public need to specify that contractual
 805 liabilities associated that arise in connection with the
 806 operation of a the family child day care home or large family
 807 child care home are excluded from residential property insurance
 808 policies unless they are specifically included in such coverage.

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

810 (a) "Child care" means the care, protection, and
 811 supervision of a child, for a period of up to less than 24 hours
 812 a day on a regular basis, which supplements parental care,

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813 enrichment, and health supervision for the child, in accordance
814 with his or her individual needs, and for which a payment, fee,
815 or grant is made for care.

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

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

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

830 (a) Specifically covered in a policy; or

831 (b) Covered by a rider or endorsement for business coverage
832 attached to a policy.

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

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842 (a) The policyholder or applicant provides care for more
843 children than authorized for family child day care homes or
844 large family child care homes by s. 402.302;

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

849 (c) The policyholder or applicant fails to comply with the
850 family child day care home licensure and registration
851 requirements specified in s. 402.313 or the large family child
852 care home licensure requirements specified in s. 402.313; or

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

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

861 1001.213 Office of Early Learning.—There is created within
862 the Office of Independent Education and Parental Choice the
863 Office of Early Learning, as required under s. 20.15, which
864 shall be administered by an executive director. The office shall
865 be fully accountable to the Commissioner of Education but shall:

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

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

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

877 Section 15. Subsection (4) of section 1002.53, Florida
 878 Statutes, is amended to read:

879 1002.53 Voluntary Prekindergarten Education Program;
 880 eligibility and enrollment.—

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

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

899 (c) If a private prekindergarten provider has been

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900 authorized to determine child eligibility and enrollment, upon
 901 receipt of an application, the provider must:

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

904 2. Retain the original application and certified copy of
 905 the child's birth certificate or authorized alternative proof of
 906 age on file for at least 5 years.

907
 908 Pursuant to this paragraph, the early learning coalition may
 909 audit applications held by a private prekindergarten provider in
 910 the coalition's service area to determine whether children
 911 enrolled and reported for funding by the provider have met the
 912 eligibility criteria in subsection (2).

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

921 Section 16. Section 1002.55, Florida Statutes, is amended
 922 to read:

923 1002.55 School-year prekindergarten program delivered by
 924 private prekindergarten providers.—

925 (1) Each early learning coalition shall administer the
 926 Voluntary Prekindergarten Education Program at the county or
 927 regional level for students enrolled under s. 1002.53(3)(a) in a
 928 school-year prekindergarten program delivered by a private

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929 prekindergarten provider. Each early learning coalition shall
 930 cooperate with the Office of Early Learning and the Child Care
 931 Services Program Office of the Department of Children and
 932 Families to reduce paperwork and to avoid duplicating
 933 interagency activities, health and safety monitoring, and
 934 acquiring and composing data pertaining to child care training
 935 and credentialing.

936 (2) Each school-year prekindergarten program delivered by a
 937 private prekindergarten provider must comprise at least 540
 938 instructional hours.

939 (3) To be eligible to deliver the prekindergarten program,
 940 a private prekindergarten provider must meet each of the
 941 following requirements:

942 ~~(a) The private prekindergarten provider must be a child~~
 943 ~~care facility licensed under s. 402.305, family day care home~~
 944 ~~licensed under s. 402.313, large family child care home licensed~~
 945 ~~under s. 402.3131, nonpublic school exempt from licensure under~~
 946 ~~s. 402.3025(2), or faith-based child care provider exempt from~~
 947 ~~licensure under s. 402.316.~~

948 ~~(a)(b)~~ The private prekindergarten provider must:

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

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

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

963 3. Be licensed under s. 402.305, s. 402.313, or s.
 964 402.3131; or

965 4. Be a child development center located on a military
 966 installation that is certified by the United States Department
 967 of Defense.

968 (b) The private prekindergarten provider must provide basic
 969 health and safety on its premises and in its facilities. For a
 970 public school, compliance with ss. 1003.22 and 1013.12 satisfies
 971 this requirement. For a nonpublic school, compliance with s.
 972 402.3025(2)(d) satisfies this requirement. For a child care
 973 facility, a licensed family child care home, or a large family
 974 child care home, compliance with s. 402.305, s. 402.313, or s.
 975 402.3131, respectively, satisfies this requirement. For a
 976 facility exempt from licensure, compliance with s. 402.316(4)
 977 satisfies this requirement and demonstrate, before delivering
 978 the Voluntary Prekindergarten Education Program, as verified by
 979 the early learning coalition, that the provider meets each of
 980 the requirements of the program under this part, including, but
 981 not limited to, the requirements for credentials and background
 982 screenings of prekindergarten instructors under paragraphs (c)
 983 and (d), minimum and maximum class sizes under paragraph (f),
 984 prekindergarten director credentials under paragraph (g), and a
 985 developmentally appropriate curriculum under s. 1002.67(2)(b).

986 (c) The private prekindergarten provider must have, for

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987 each prekindergarten class of 11 children or fewer, at least one
988 prekindergarten instructor who meets each of the following
989 requirements:

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

992 a. A child development associate credential issued by the
993 National Credentialing Program of the Council for Professional
994 Recognition; ~~or~~

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

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

999 d. An associate or higher degree in an unrelated field, at
1000 least 6 credit hours in early childhood education or child
1001 development, and at least 480 hours of experience in teaching or
1002 providing child care services for children of any age from birth
1003 through 8 years of age;

1004 e. A baccalaureate or higher degree in early childhood
1005 education, prekindergarten or primary education, preschool
1006 education, or family and consumer science;

1007 f. A baccalaureate or higher degree in family and child
1008 science and at least 480 hours of experience in teaching or
1009 providing child care services for children of any age from birth
1010 through 8 years of age;

1011 g. A baccalaureate or higher degree in elementary education
1012 if the prekindergarten instructor has been certified to teach
1013 children of any age from birth through grade 6, regardless of
1014 whether the instructor's educator certificate is current, and if
1015 the instructor is not ineligible to teach in a public school

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1016 because his or her educator certificate is suspended or revoked;
1017 or

1018 h. A credential approved by the department as being
1019 equivalent to or greater than a credential described in sub-
1020 paragraphs a.-f. The department may adopt criteria and
1021 procedures for approving such equivalent credentials.

1022 ~~The Department of Children and Families may adopt rules under~~
1023 ~~ss. 120.536(1) and 120.54 which provide criteria and procedures~~
1024 ~~for approving equivalent credentials under sub-subparagraph b.~~

1025 2. The prekindergarten instructor must successfully
1026 complete an emergent literacy training course and a student
1027 performance standards training course approved by the office as
1028 meeting or exceeding the minimum standards adopted under s.
1029 1002.59. The requirement for completion of the standards
1030 training course shall take effect July 1, 2016 ~~2014~~, and the
1031 course shall be available online.

1032 (d) Each prekindergarten instructor employed by the private
1033 prekindergarten provider must be of good moral character, must
1034 undergo background screening pursuant to s. 402.305(2)(a) be
1035 screened using the level 2 screening standards in s. 435.04
1036 before employment, must be and ~~and~~ rescreened at least once every 5
1037 years, must be denied employment or terminated if required under
1038 s. 435.06, and must not be ineligible to teach in a public
1039 school because his or her educator certificate is suspended or
1040 revoked.

1041 (e) A private prekindergarten provider may assign a
1042 substitute instructor to temporarily replace a credentialed
1043 instructor if the credentialed instructor assigned to a
1044

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1045 prekindergarten class is absent, as long as the substitute
 1046 instructor meets the requirements of paragraph (d) is of good
 1047 ~~moral character and has been screened before employment in~~
 1048 ~~accordance with level 2 background screening requirements in~~
 1049 ~~chapter 435~~. The Office of Early Learning shall adopt rules to
 1050 implement this paragraph which shall include required
 1051 qualifications of substitute instructors and the circumstances
 1052 and time limits for which a private prekindergarten provider may
 1053 assign a substitute instructor.

1054 (f) Each of the private prekindergarten provider's
 1055 prekindergarten classes must be composed of at least 4 students
 1056 but may not exceed 20 students. In order to protect the health
 1057 and safety of students, each private prekindergarten provider
 1058 must also provide appropriate adult supervision for students at
 1059 all times and, for each prekindergarten class composed of 12 or
 1060 more students, must have, in addition to a prekindergarten
 1061 instructor who meets the requirements of paragraph (c), at least
 1062 one adult prekindergarten instructor who is not required to meet
 1063 those requirements but who must meet each requirement of s.
 1064 402.305(2) paragraph (d). This paragraph does not supersede any
 1065 requirement imposed on a provider under ss. 402.301-402.319.

1066 (g) The private prekindergarten provider must have a
 1067 prekindergarten director who has a prekindergarten director
 1068 credential that is approved by the office as meeting or
 1069 exceeding the minimum standards adopted under s. 1002.57.
 1070 Successful completion of a child care facility director
 1071 credential under s. 402.305(2)(f) before the establishment of
 1072 the prekindergarten director credential under s. 1002.57 or July
 1073 1, 2006, whichever occurs later, satisfies the requirement for a

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1074 prekindergarten director credential under this paragraph.

1075 (h) The private prekindergarten provider must register with
 1076 the early learning coalition on forms prescribed by the Office
 1077 of Early Learning.

1078 (i) The private prekindergarten provider must execute the
 1079 statewide provider contract prescribed under s. 1002.75, except
 1080 that an individual who owns or operates multiple private
 1081 prekindergarten providers within a coalition's service area may
 1082 execute a single agreement with the coalition on behalf of each
 1083 provider.

1084 (j) The private prekindergarten provider must maintain
 1085 general liability insurance and provide the coalition with
 1086 written evidence of general liability insurance coverage,
 1087 including coverage for transportation of children if
 1088 prekindergarten students are transported by the provider. A
 1089 provider must obtain and retain an insurance policy that
 1090 provides a minimum of \$100,000 of coverage per occurrence and a
 1091 minimum of \$300,000 general aggregate coverage. The office may
 1092 authorize lower limits upon request, as appropriate. A provider
 1093 must add the coalition as a named certificateholder ~~and as an~~
 1094 ~~additional insured~~. A provider must provide the coalition with a
 1095 minimum of 10 calendar days' advance written notice of
 1096 cancellation of or changes to coverage. The general liability
 1097 insurance required by this paragraph must remain in full force
 1098 and effect for the entire period of the provider contract with
 1099 the coalition.

1100 (k) The private prekindergarten provider must obtain and
 1101 maintain any required workers' compensation insurance under
 1102 chapter 440 and any required reemployment assistance or

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1103 unemployment compensation coverage under chapter 443, unless
 1104 exempt under state or federal law.

1105 (l) Notwithstanding paragraph (j), for a private
 1106 prekindergarten provider that is a state agency or a subdivision
 1107 thereof, as defined in s. 768.28(2), the provider must agree to
 1108 notify the coalition of any additional liability coverage
 1109 maintained by the provider in addition to that otherwise
 1110 established under s. 768.28. The provider shall indemnify the
 1111 coalition to the extent permitted by s. 768.28.

1112 (m) The private prekindergarten provider shall be denied
 1113 initial eligibility to offer the program if the provider has
 1114 been cited for a Class I violation in the 12 months before
 1115 seeking eligibility. An existing provider that is cited for a
 1116 Class I violation may not have its eligibility renewed for 12
 1117 months. This paragraph does not apply if the Department of
 1118 Children and Families or local licensing agency upon final
 1119 disposition of a Class I violation has rescinded its initial
 1120 citation in accordance with the criteria for consideration
 1121 outlined in s. 1002.75(1)(b).

1122 (n) ~~(m)~~ The private prekindergarten provider must deliver
 1123 the Voluntary Prekindergarten Education Program in accordance
 1124 with this part and have child disciplinary policies that
 1125 prohibit children from being subjected to discipline that is
 1126 severe, humiliating, frightening, or associated with food, rest,
 1127 toileting, spanking, or any other form of physical punishment as
 1128 provided in s. 402.305(12).

1129 (o) Beginning January 1, 2016, at least 50 percent of the
 1130 instructors employed by a prekindergarten provider at each
 1131 location, who are responsible for supervising children in care,

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1132 must be trained in first aid and infant and child
 1133 cardiopulmonary resuscitation, as evidenced by current
 1134 documentation of course completion. As a condition of
 1135 employment, instructors hired on or after January 1, 2016, must
 1136 complete this training within 60 days after employment.

1137 (p) Beginning January 1, 2017, the private prekindergarten
 1138 provider must employ child care personnel who hold a high school
 1139 diploma or its equivalent and are at least 18 years of age,
 1140 unless the personnel are not responsible for supervising
 1141 children in care or are under direct supervision.

1142 ~~(4) A prekindergarten instructor, in lieu of the minimum~~
 1143 ~~credentials and courses required under paragraph (3)(c), may~~
 1144 ~~hold one of the following educational credentials:~~

1145 ~~(a) A bachelor's or higher degree in early childhood~~
 1146 ~~education, prekindergarten or primary education, preschool~~
 1147 ~~education, or family and consumer science;~~

1148 ~~(b) A bachelor's or higher degree in elementary education,~~
 1149 ~~if the prekindergarten instructor has been certified to teach~~
 1150 ~~children any age from birth through 6th grade, regardless of~~
 1151 ~~whether the instructor's educator certificate is current, and if~~
 1152 ~~the instructor is not ineligible to teach in a public school~~
 1153 ~~because his or her educator certificate is suspended or revoked;~~

1154 ~~(c) An associate's or higher degree in child development;~~

1155 ~~(d) An associate's or higher degree in an unrelated field,~~
 1156 ~~at least 6 credit hours in early childhood education or child~~
 1157 ~~development, and at least 480 hours of experience in teaching or~~
 1158 ~~providing child care services for children any age from birth~~
 1159 ~~through 8 years of age; or~~

1160 ~~(e) An educational credential approved by the department as~~

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1161 ~~being equivalent to or greater than an educational credential~~
 1162 ~~described in this subsection. The department may adopt criteria~~
 1163 ~~and procedures for approving equivalent educational credentials~~
 1164 ~~under this paragraph.~~

1165 ~~(5) Notwithstanding paragraph (3) (b), a private~~
 1166 ~~prekindergarten provider may not participate in the Voluntary~~
 1167 ~~Prekindergarten Education Program if the provider has child~~
 1168 ~~disciplinary policies that do not prohibit children from being~~
 1169 ~~subjected to discipline that is severe, humiliating,~~
 1170 ~~frightening, or associated with food, rest, toileting, spanking,~~
 1171 ~~or any other form of physical punishment as provided in s.~~
 1172 ~~402.305(12).~~

1173 Section 17. Subsection (1) of section 1002.59, Florida
 1174 Statutes, is amended to read:

1175 1002.59 Emergent literacy and performance standards
 1176 training courses.—

1177 (1) The office shall adopt minimum standards for one or
 1178 more training courses in emergent literacy for prekindergarten
 1179 instructors. Each course must comprise 5 clock hours and provide
 1180 instruction in strategies and techniques to address the age-
 1181 appropriate progress of prekindergarten students in developing
 1182 emergent literacy skills, including oral communication,
 1183 knowledge of print and letters, phonemic and phonological
 1184 awareness, and vocabulary and comprehension development. Each
 1185 course must also provide resources containing strategies that
 1186 allow students with disabilities and other special needs to
 1187 derive maximum benefit from the Voluntary Prekindergarten
 1188 Education Program. Successful completion of an emergent literacy
 1189 training course approved under this section satisfies

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1190 requirements for approved training in early literacy and
 1191 language development under ss. 402.305(2)(d)5., 402.313(4)(a)2.
 1192 ~~402.313(6)~~, and 402.3131(5).

1193 Section 18. Subsections (4) through (7) of section 1002.61,
 1194 Florida Statutes, are amended to read:

1195 1002.61 Summer prekindergarten program delivered by public
 1196 schools and private prekindergarten providers.—

1197 (4) ~~Notwithstanding ss. 1002.55(3)(c)1. and 1002.63(4),~~
 1198 Each public school and private prekindergarten provider that
 1199 delivers the summer prekindergarten program must have, for each
 1200 prekindergarten class, at least one prekindergarten instructor
 1201 who is a certified teacher or holds one of the educational
 1202 credentials specified in s. 1002.55(3)(c)1.e.-h. ~~s.~~
 1203 ~~1002.55(4)(a) or (b).~~ As used in this subsection, the term
 1204 "certified teacher" means a teacher holding a valid Florida
 1205 educator certificate under s. 1012.56 who has the qualifications
 1206 required by the district school board to instruct students in
 1207 the summer prekindergarten program. In selecting instructional
 1208 staff for the summer prekindergarten program, each school
 1209 district shall give priority to teachers who have experience or
 1210 coursework in early childhood education.

1211 (5) Each prekindergarten instructor employed by a ~~public~~
 1212 ~~school or~~ private prekindergarten provider delivering the summer
 1213 prekindergarten program must be of good moral character, must
 1214 undergo background screening pursuant to s. 402.305(2)(a) be
 1215 ~~screened using the level 2 screening standards in s. 435.04~~
 1216 before employment, must be and rescreened at least once every 5
 1217 years, and must be denied employment or terminated if required
 1218 under s. 435.06. Each prekindergarten instructor employed by a

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1219 ~~public school delivering the summer prekindergarten program, and~~
 1220 ~~must satisfy the not be ineligible to teach in a public school~~
 1221 ~~because his or her educator certificate is suspended or revoked.~~
 1222 ~~This subsection does not supersede~~ employment requirements for
 1223 instructional personnel in public schools as provided in s.
 1224 1012.32 ~~which are more stringent than the requirements of this~~
 1225 ~~subsection.~~

1226 (6) A public school or private prekindergarten provider may
 1227 assign a substitute instructor to temporarily replace a
 1228 credentialed instructor if the credentialed instructor assigned
 1229 to a prekindergarten class is absent, as long as the substitute
 1230 instructor meets the requirements of subsection (5) ~~is of good~~
 1231 ~~moral character and has been screened before employment in~~
 1232 ~~accordance with level 2 background screening requirements in~~
 1233 ~~chapter 435. This subsection does not supersede employment~~
 1234 ~~requirements for instructional personnel in public schools which~~
 1235 ~~are more stringent than the requirements of this subsection.~~ The
 1236 Office of Early Learning shall adopt rules to implement this
 1237 subsection which must ~~shall~~ include required qualifications of
 1238 substitute instructors and the circumstances and time limits for
 1239 which a public school or private prekindergarten provider may
 1240 assign a substitute instructor.

1241 (7) Notwithstanding ss. 1002.55(3)(e) ~~ss. 1002.55(3)(f)~~ and
 1242 1002.63(7), each prekindergarten class in the summer
 1243 prekindergarten program, regardless of whether the class is a
 1244 public school's or private prekindergarten provider's class,
 1245 must be composed of at least 4 students but may not exceed 12
 1246 students ~~beginning with the 2009 summer session.~~ In order to
 1247 protect the health and safety of students, each public school or

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1248 private prekindergarten provider must also provide appropriate
 1249 adult supervision for students at all times. This subsection
 1250 does not supersede any requirement imposed on a provider under
 1251 ss. 402.301-402.319.

1252 Section 19. Subsections (5) and (6) of section 1002.63,
 1253 Florida Statutes, are amended to read:

1254 1002.63 School-year prekindergarten program delivered by
 1255 public schools.—

1256 (5) Each prekindergarten instructor employed by a public
 1257 school delivering the school-year prekindergarten program must
 1258 satisfy the be of good moral character, must be screened using
 1259 the level 2 screening standards in s. 435.04 before employment
 1260 and rescreened at least once every 5 years, must be denied
 1261 employment or terminated if required under s. 435.06, and must
 1262 not be ineligible to teach in a public school because his or her
 1263 educator certificate is suspended or revoked. ~~This subsection~~
 1264 ~~does not supersede~~ employment requirements for instructional
 1265 personnel in public schools as provided in s. 1012.32 ~~which are~~
 1266 ~~more stringent than the requirements of this subsection.~~

1267 (6) A public school prekindergarten provider may assign a
 1268 substitute instructor to temporarily replace a credentialed
 1269 instructor if the credentialed instructor assigned to a
 1270 prekindergarten class is absent, as long as the substitute
 1271 instructor meets the requirements of subsection (5) ~~is of good~~
 1272 ~~moral character and has been screened before employment in~~
 1273 ~~accordance with level 2 background screening requirements in~~
 1274 ~~chapter 435. This subsection does not supersede employment~~
 1275 ~~requirements for instructional personnel in public schools which~~
 1276 ~~are more stringent than the requirements of this subsection.~~ The

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1277 Office of Early Learning shall adopt rules to implement this
 1278 subsection which ~~must shall~~ include required qualifications of
 1279 substitute instructors and the circumstances and time limits for
 1280 which a public school prekindergarten provider may assign a
 1281 substitute instructor.

1282 Section 20. Paragraph (a) of subsection (6) of section
 1283 1002.71, Florida Statutes, is amended to read:

1284 1002.71 Funding; financial and attendance reporting.—

1285 (6) (a) Each parent enrolling his or her child in the
 1286 Voluntary Prekindergarten Education Program must agree to comply
 1287 with the attendance policy of the private prekindergarten
 1288 provider or district school board, as applicable. Upon
 1289 enrollment of the child, the private prekindergarten provider or
 1290 public school, as applicable, must provide the child's parent
 1291 with program information, including, but not limited to, child
 1292 development, expectations for parent engagement, the daily
 1293 schedule, and the ~~a copy of the provider's or school district's~~
 1294 attendance policy, which must include procedures for contacting
 1295 a parent on the second consecutive day a child is absent for
 1296 which the reason is unknown as applicable.

1297 Section 21. Subsection (1) of section 1002.75, Florida
 1298 Statutes, is amended to read:

1299 1002.75 Office of Early Learning; powers and duties.—

1300 (1) The Office of Early Learning shall adopt by rule a
 1301 standard statewide provider contract to be used with each
 1302 Voluntary Prekindergarten Education Program provider, with
 1303 standardized attachments by provider type. The office shall
 1304 publish a copy of the standard statewide provider contract on
 1305 its website. The standard statewide contract ~~must shall~~ include,

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1306 at a minimum, provisions that:

1307 (a) Govern ~~for~~ provider probation, termination for cause,
 1308 and emergency termination for those actions or inactions of a
 1309 provider that pose an immediate and serious danger to the
 1310 health, safety, or welfare of children. The standard statewide
 1311 contract ~~must shall~~ also include appropriate due process
 1312 procedures. During the pendency of an appeal of a termination,
 1313 the provider may not continue to offer its services.

1314 (b) Require each private prekindergarten provider to notify
 1315 the parent of each child in care if it is cited for a Class I
 1316 violation as defined by rule of the Department of Children and
 1317 Families. Notice shall be initiated only upon final disposition
 1318 of a Class I violation. The provider shall notify the department
 1319 within 24 hours of its intent to appeal the Class I violation
 1320 issued, and final disposition shall occur within 15 calendar
 1321 days. In determining the final disposition, the department shall
 1322 consider the entire licensing history of the provider, whether
 1323 the provider promptly reported the incident upon actual notice,
 1324 and whether the employee responsible for the violation was
 1325 terminated or the violation was corrected by the provider. If a
 1326 provider does not file its intent to appeal the Class I
 1327 violation, the provider must provide notice of a Class I
 1328 violation electronically or in writing to the parent within 48
 1329 hours after receipt of the Class I violation. Such notice shall
 1330 describe each violation with specificity in simple language and
 1331 include a copy of the citation and the contact information of
 1332 the Department of Children and Families or local licensing
 1333 agency where the parent may obtain additional information
 1334 regarding the citation. Notice of a Class I violation by the

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1335 provider must be provided electronically or in writing to the
 1336 parent within 24 hours after receipt of the final disposition of
 1337 the Class I violation. A private prekindergarten provider must
 1338 conspicuously post each citation for a violation that results in
 1339 disciplinary action on the premises in an area visible to
 1340 parents pursuant to s. 402.3125(1)(b). Additionally, such a
 1341 provider must post each inspection report on the premises in an
 1342 area visible to parents, and such report must remain posted
 1343 until the next inspection report is available.

1344 (c) Specify that child care personnel employed by the
 1345 provider who are responsible for supervising children in care
 1346 must be trained in developmentally appropriate practices aligned
 1347 to the age and needs of children over which the personnel are
 1348 assigned supervision duties. This requirement is met by the
 1349 completion of developmentally appropriate practice courses
 1350 administered by the Department of Children and Families under s.
 1351 402.305(2)(d)1. within 30 days after being assigned such
 1352 children if the child care personnel has not previously
 1353 completed the training.

1354
 1355 Any provision imposed upon a provider that is inconsistent with,
 1356 or prohibited by, law is void and unenforceable.

1357 Section 22. Subsections (1), (3), and (5) of section
 1358 1002.77, Florida Statutes, are amended to read:

1359 1002.77 Florida Early Learning Advisory Council.—

1360 (1) There is created the Florida Early Learning Advisory
 1361 Council within the Office of Early Learning. The purpose of the
 1362 advisory council is to provide written input ~~submit~~
 1363 ~~recommendations~~ to the executive director ~~office~~ on early

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1364 learning best practices, including ~~recommendations relating to~~
 1365 ~~the most effective program administration; of the Voluntary~~
 1366 ~~Prekindergarten Education Program under this part and the school~~
 1367 ~~readiness program under part VI of this chapter. The advisory~~
 1368 ~~council shall periodically analyze and provide recommendations~~
 1369 ~~to the office on the effective and efficient use of local,~~
 1370 ~~state, and federal funds; the content of professional~~
 1371 ~~development training programs; and best practices for the~~
 1372 ~~development and implementation of coalition plans pursuant to s.~~
 1373 1002.85.

1374 (3) The advisory council shall meet at least quarterly upon
 1375 the call of the executive director ~~but may meet as often as~~
 1376 ~~necessary to carry out its duties and responsibilities. The~~
 1377 ~~executive director is encouraged to~~ advisory council may use
 1378 communications media technology ~~any method of telecommunications~~
 1379 ~~to conduct meetings in accordance with s. 120.54(5)(b),~~
 1380 ~~including establishing a quorum through telecommunications, only~~
 1381 ~~if the public is given proper notice of a telecommunications~~
 1382 ~~meeting and reasonable access to observe and, when appropriate,~~
 1383 ~~participate.~~

1384 (5) The Office of Early Learning shall provide staff and
 1385 administrative support for the advisory council as determined by
 1386 the executive director.

1387 Section 23. Paragraph (f) of subsection (1) and subsections
 1388 (8) and (16) of section 1002.81, Florida Statutes, are amended
 1389 to read:

1390 1002.81 Definitions.—Consistent with the requirements of 45
 1391 C.F.R. parts 98 and 99 and as used in this part, the term:

1392 (1) "At-risk child" means:

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1393 (f) A child in the custody of a parent who is considered
 1394 homeless as verified by a designated lead agency on the homeless
 1395 assistance continuum of care established under ss. 420.622-
 1396 420.624 Department of Children and Families certified homeless
 1397 shelter.

1398 (8) "Family income" means the combined gross income,
 1399 whether earned or unearned, that is derived from any source by
 1400 all family or household members who are 18 years of age or older
 1401 who are currently residing together in the same dwelling unit.
 1402 The term does not include:

1403 (a) Income earned by a currently enrolled high school
 1404 student who, since attaining the age of 18 years, or a student
 1405 with a disability who, since attaining the age of 22 years, has
 1406 not terminated school enrollment or received a high school
 1407 diploma, high school equivalency diploma, special diploma, or
 1408 certificate of high school completion.

1409 (b) Income earned by a teen parent residing in the same
 1410 residence as a separate family unit.

1411 (c) Selected items from the state's Child Care and
 1412 Development Fund Plan, such as ~~The term also does not include~~
 1413 food stamp benefits, documented child support and alimony
 1414 payments paid out of the home, or federal housing assistance
 1415 payments issued directly to a landlord or the associated
 1416 utilities expenses.

1417 (16) "Working family" means:

1418 (a) A single-parent family in which the parent with whom
 1419 the child resides is employed or engaged in eligible work or
 1420 education activities for at least 20 hours per week or is exempt
 1421 from work requirements due to age or disability, as determined

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1422 and documented by a physician licensed under chapter 458 or
 1423 chapter 459;

1424 (b) A two-parent family in which both parents with whom the
 1425 child resides are employed or engaged in eligible work or
 1426 education activities for a combined total of at least 40 hours
 1427 per week; ~~or~~

1428 (c) A two-parent family in which one of the parents with
 1429 whom the child resides is exempt from work requirements due to
 1430 age or disability, as determined and documented by a physician
 1431 licensed under chapter 458 or chapter 459, and one parent is
 1432 employed or engaged in eligible work or education activities at
 1433 least 20 hours per week; or

1434 (d) A two-parent family in which both of the parents with
 1435 whom the child resides are exempt from work requirements due to
 1436 age or disability, as determined and documented by a physician
 1437 licensed under chapter 458 or chapter 459.

1438 Section 24. Paragraphs (b), (j), (m), and (p) of subsection
 1439 (2) of section 1002.82, Florida Statutes, are amended to read:

1440 1002.82 Office of Early Learning; powers and duties.—

1441 (2) The office shall:

1442 (b) Preserve parental choice by permitting parents to
 1443 choose from a variety of child care categories authorized in s.
 1444 1002.88(1)(a), including center-based care, family child care,
 1445 and informal child care to the extent authorized in the state's
 1446 Child Care and Development Fund Plan as approved by the United
 1447 States Department of Health and Human Services pursuant to 45
 1448 C.F.R. s. 98.18. Care and curriculum by a faith-based provider
 1449 may not be limited or excluded in any of these categories.

1450 (j) Develop and adopt standards and benchmarks that address

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1451 the age-appropriate progress of children in the development of
 1452 school readiness skills. The standards for children from birth
 1453 to 5 years of age in the school readiness program must be
 1454 aligned with the performance standards adopted for children in
 1455 the Voluntary Prekindergarten Education Program and must address
 1456 the following domains:

- 1457 1. Approaches to learning.
- 1458 2. Cognitive development and general knowledge.
- 1459 3. Numeracy, language, and communication.
- 1460 4. Physical development.
- 1461 5. Self-regulation.

1462

1463 By July 1, 2016, the office shall develop and implement an
 1464 online training course on the performance standards for school
 1465 readiness program provider personnel specified in this
 1466 paragraph.

1467 (m) Adopt by rule a standard statewide provider contract to
 1468 be used with each school readiness program provider, with
 1469 standardized attachments by provider type. The office shall
 1470 publish a copy of the standard statewide provider contract on
 1471 its website. The standard statewide contract must ~~shall~~ include,
 1472 at a minimum, provisions that:

- 1473 1. Govern ~~for~~ provider probation, termination for cause,
 1474 and emergency termination for those actions or inactions of a
 1475 provider that pose an immediate and serious danger to the
 1476 health, safety, or welfare of the children. The standard
 1477 statewide provider contract must ~~shall~~ also include appropriate
 1478 due process procedures. During the pendency of an appeal of a
 1479 termination, the provider may not continue to offer its

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1480 services.

- 1481 2. Require each provider that is eligible to provide the
 1482 program pursuant to s. 1002.88(1)(a) to notify the parent of
 1483 each child in care if it is cited for a Class I violation as
 1484 defined by rule of the Department of Children and Families.
 1485 Notice shall be initiated only upon final disposition of a Class
 1486 I violation. The provider shall notify the department within 24
 1487 hours of its intent to appeal the Class I violation issued, and
 1488 final disposition shall occur within 15 calendar days. In
 1489 determining the final disposition, the department shall consider
 1490 the entire licensing history of the provider, whether the
 1491 provider promptly reported the incident upon actual notice, and
 1492 whether the employee responsible for the violation was
 1493 terminated or the violation was corrected by the provider. If a
 1494 provider does not file its intent to appeal the Class I
 1495 violation, the provider must provide notice of a Class I
 1496 violation electronically or in writing to the parent within 48
 1497 hours after receipt of the Class I violation. Such notice shall
 1498 describe each violation with specificity in simple language and
 1499 include a copy of the citation and the contact information of
 1500 the Department of Children and Families or local licensing
 1501 agency where the parent may obtain additional information
 1502 regarding the citation. Notice of a Class I violation by the
 1503 provider must be provided electronically or in writing to the
 1504 parent within 24 hours after receipt of the final disposition of
 1505 the Class I violation. A provider must conspicuously post each
 1506 citation for a violation that results in disciplinary action on
 1507 the premises in an area visible to parents pursuant to s.
 1508 402.3125(1)(b). Additionally, such a provider must post each

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1509 inspection report on the premises in an area visible to parents,
 1510 and such report must remain posted until the next inspection
 1511 report is available.

1512 3. Specify that child care personnel employed by the
 1513 provider who are responsible for supervising children in care
 1514 must be trained in developmentally appropriate practices aligned
 1515 to the age and needs of children over which the personnel are
 1516 assigned supervision duties. This requirement is met by
 1517 completion of developmentally appropriate practice courses
 1518 administered by the Department of Children and Families under s.
 1519 402.305(2)(d)1. within 30 days after being assigned such
 1520 children if the child care personnel has not previously
 1521 completed the training.

1522 4. Require child care personnel who are employed by the
 1523 provider to complete an online training course on the
 1524 performance standards adopted pursuant to paragraph (j).

1525
 1526 Any provision imposed upon a provider that is inconsistent with,
 1527 or prohibited by, law is void and unenforceable.

1528 (p) Monitor and evaluate the performance of each early
 1529 learning coalition in administering the school readiness program
 1530 and the Voluntary Prekindergarten Education Program, ensuring
 1531 proper payments for school readiness program and Voluntary
 1532 Prekindergarten Education Program services, and implementing the
 1533 coalition's school readiness program plan, and administering the
 1534 Voluntary Prekindergarten Education Program. These monitoring
 1535 and performance evaluations must include, at a minimum, onsite
 1536 monitoring of each coalition's finances, management, operations,
 1537 and programs.

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1538 Section 25. Subsections (8) and (20) of section 1002.84,
 1539 Florida Statutes, are amended to read:

1540 1002.84 Early learning coalitions; school readiness powers
 1541 and duties.—Each early learning coalition shall:

1542 (8) Establish a parent sliding fee scale that requires a
 1543 parent copayment to participate in the school readiness program.
 1544 Providers are required to collect the parent's copayment. A
 1545 coalition may, on a case-by-case basis, waive the copayment for
 1546 an at-risk child or temporarily waive the copayment for a child
 1547 whose family's income is at or below the federal poverty level
 1548 and family experiences a natural disaster or an event that
 1549 limits the parent's ability to pay, such as incarceration,
 1550 placement in residential treatment, ~~or becoming homeless,~~ or an
 1551 emergency situation such as a household fire or burglary, or
 1552 while the parent is participating in parenting classes. A parent
 1553 may not transfer school readiness program services to another
 1554 school readiness program provider until the parent has submitted
 1555 documentation from the current school readiness program provider
 1556 to the early learning coalition stating that the parent has
 1557 satisfactorily fulfilled the copayment obligation.

1558 (20) To increase transparency and accountability, comply
 1559 with ~~the requirements of~~ this section before contracting with a
 1560 member of the coalition, an employee of the coalition, or a
 1561 relative, as defined in s. 112.3143(1)(e), of a coalition member
 1562 or of an employee of the coalition. Such contracts may not be
 1563 executed without the approval of the office. Such contracts, as
 1564 well as documentation demonstrating adherence to this section by
 1565 the coalition, must be approved by a two-thirds vote of the
 1566 coalition, a quorum having been established; all conflicts of

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1567 interest must be disclosed before the vote; and any member who
 1568 may benefit from the contract, or whose relative may benefit
 1569 from the contract, must abstain from the vote. A contract under
 1570 \$25,000 between an early learning coalition and a member of that
 1571 coalition or between a relative, as defined in s.
 1572 112.3143(1)~~(e)~~, of a coalition member or of an employee of the
 1573 coalition is not required to have the prior approval of the
 1574 office but must be approved by a two-thirds vote of the
 1575 coalition, a quorum having been established, and must be
 1576 reported to the office within 30 days after approval. If a
 1577 contract cannot be approved by the office, a review of the
 1578 decision to disapprove the contract may be requested by the
 1579 early learning coalition or other parties to the disapproved
 1580 contract.

1581 Section 26. Paragraphs (c) and (h) of subsection (1) and
 1582 subsections (6) through (8) of section 1002.87, Florida
 1583 Statutes, are amended to read:

1584 1002.87 School readiness program; eligibility and
 1585 enrollment.—

1586 (1) Effective August 1, 2013, or upon reevaluation of
 1587 eligibility for children currently served, whichever is later,
 1588 each early learning coalition shall give priority for
 1589 participation in the school readiness program as follows:

1590 (c) Priority shall be given next to a child from birth to
 1591 the beginning of the school year for which the child is eligible
 1592 for admission to kindergarten in a public school under s.
 1593 1003.21(1)(a)2. who is from a working family that is
 1594 economically disadvantaged, and may include such child's
 1595 eligible siblings, beginning with the school year in which the

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1596 sibling is eligible for admission to kindergarten in a public
 1597 school under s. 1003.21(1)(a)2. until the beginning of the
 1598 school year in which the sibling enters is eligible to begin 6th
 1599 grade, provided that the first priority for funding an eligible
 1600 sibling is local revenues available to the coalition for funding
 1601 direct services. However, a child eligible under this paragraph
 1602 ceases to be eligible if his or her family income exceeds 200
 1603 percent of the federal poverty level.

1604 (h) Priority shall be given next to a child who ~~has special~~
 1605 ~~needs~~, has been determined eligible as an infant or toddler from
 1606 birth to 3 years of age with an individualized family support
 1607 plan receiving early intervention services or to ~~as~~ a student
 1608 with a disability with, ~~has~~ a current individual education plan
 1609 with a Florida school district, ~~and is not younger than 3 years~~
 1610 ~~of age~~. A ~~special needs~~ child eligible under this paragraph
 1611 remains eligible until the child is eligible for admission to
 1612 kindergarten in a public school under s. 1003.21(1)(a)2.

1613 (6) Eligibility for each child must be reevaluated
 1614 annually. Upon reevaluation, a child may not continue to receive
 1615 school readiness program services if he or she has ceased to be
 1616 eligible under this section. If a child no longer meets
 1617 eligibility or program requirements, the coalition must
 1618 immediately notify the child's parent and the provider that
 1619 funding will end 2 weeks after the date on which the child was
 1620 determined to be ineligible or when the current child care
 1621 authorization expires, whichever occurs first.

1622 (7) If a coalition disenrolls children from the school
 1623 readiness program due to lack of funding or a change in
 1624 eligibility priorities, the coalition must disenroll the

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1625 children in reverse order of the eligibility priorities listed
 1626 in subsection (1) beginning with children from families with the
 1627 highest family incomes. A notice of disenrollment must be sent
 1628 to the parent and school readiness program provider at least 2
 1629 weeks before disenrollment or the expiration of the current
 1630 child care authorization, whichever occurs first, to provide
 1631 adequate time for the parent to arrange alternative care for the
 1632 child. However, an at-risk child receiving services from the
 1633 Child Welfare Program Office of the Department of Children and
 1634 Families may not be disenrolled from the program without the
 1635 written approval of the Child Welfare Program Office ~~of the~~
 1636 ~~Department of Children and Families~~ or the community-based lead
 1637 agency.

1638 (8) If a child is absent from the program for 2 consecutive
 1639 days without parental notification to the program of such
 1640 absence, the school readiness program provider shall contact the
 1641 parent and determine the cause for the absence and the expected
 1642 date of return. If a child is absent from the program for 5
 1643 consecutive days without parental notification to the program of
 1644 such absence, the school readiness program provider shall report
 1645 the absence to the early learning coalition for a determination
 1646 of the need for continued care.

1647 Section 27. Paragraphs (a) through (c) and (1) through (q)
 1648 of subsection (1) of section 1002.88, Florida Statutes, are
 1649 amended, present subsections (2) and (3) are redesignated as
 1650 subsections (4) and (5), respectively, present subsection (2) is
 1651 amended, and new subsections (2) and (3) are added to that
 1652 section, to read:

1653 1002.88 School readiness program provider standards;

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1654 eligibility to deliver the school readiness program.-

1655 (1) To be eligible to deliver the school readiness program,
 1656 a school readiness program provider must:

1657 (a) 1. Be a nonpublic school in substantial compliance with
 1658 s. 402.3025(2)(d), a child care facility licensed under s.
 1659 402.305, a family child day care home licensed ~~or registered~~
 1660 under s. 402.313, a large family child care home licensed under
 1661 s. 402.3131, ~~or a child care facility exempt from licensure~~
 1662 operating under s. 402.316(4);

1663 2. Be an entity that is part of Florida's education system
 1664 identified in s. 1000.04(1); ~~a public school or nonpublic school~~
 1665 ~~exempt from licensure under s. 402.3025, a faith based child~~
 1666 ~~care provider exempt from licensure under s. 402.316, a before-~~
 1667 ~~school or after-school program described in s. 402.305(1)(e), or~~

1668 3. Be an informal child care provider to the extent
 1669 authorized in the state's Child Care and Development Fund Plan
 1670 as approved by the United States Department of Health and Human
 1671 Services pursuant to 45 C.F.R. s. 98.18.

1672 (b) Provide instruction and activities to enhance the age-
 1673 appropriate progress of each child in attaining the child
 1674 development standards adopted by the office pursuant to s.
 1675 1002.82(2)(j). A provider should include activities to foster
 1676 brain development in infants and toddlers; provide an
 1677 environment that is rich in language and music and filled with
 1678 objects of various colors, shapes, textures, and sizes to
 1679 stimulate visual, tactile, auditory, and linguistic senses; and
 1680 include 30 minutes of reading to children each day. A provider
 1681 must provide parents information on child development,
 1682 expectations for parent engagement, the daily schedule, and the

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1683 attendance policy.

1684 (c) Provide basic health and safety of its premises and
 1685 facilities in accordance with applicable licensing and
 1686 inspection requirements and compliance with requirements for
 1687 age appropriate immunizations of children enrolled in the school
 1688 readiness program. For a child care facility, a large family
 1689 child care home, or a licensed family child day care home,
 1690 compliance with s. 402.305, s. 402.3131, or s. 402.313 satisfies
 1691 this requirement. For a public ~~or nonpublic~~ school, compliance
 1692 with ~~ss. s. 402.3025 or s. 1003.22~~ and 1013.12 satisfies this
 1693 requirement. For a nonpublic school, compliance with s.
 1694 402.3025(2)(d) satisfies this requirement. For a facility exempt
 1695 from licensure, compliance with s. 402.316(4) satisfies this
 1696 requirement. For an informal provider, substantial compliance as
 1697 defined in s. 402.302(17) satisfies this requirement. A provider
 1698 shall be denied initial eligibility to offer the program if the
 1699 provider has been cited for a Class I violation in the 12 months
 1700 before seeking eligibility. An existing provider that is cited
 1701 for a Class I violation may not have its eligibility renewed for
 1702 12 months. A provider that is cited for a Class I violation may
 1703 remain eligible to deliver the program if the Department of
 1704 Children and Families or local licensing agency upon final
 1705 disposition of a Class I violation has rescinded its initial
 1706 citation in accordance with the criteria for consideration
 1707 outlined in s. 1002.82(2)(m)2 A ~~faith-based child care provider,~~
 1708 ~~an informal child care provider, or a nonpublic school, exempt~~
 1709 ~~from licensure under s. 402.316 or s. 402.3025, shall annually~~
 1710 ~~complete the health and safety checklist adopted by the office,~~
 1711 ~~post the checklist prominently on its premises in plain sight~~

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1712 ~~for visitors and parents, and submit it annually to its local~~
 1713 ~~early learning coalition.~~

1714 (l) ~~For a provider that is not an informal provider,~~
 1715 Maintain general liability insurance and provide the coalition
 1716 with written evidence of general liability insurance coverage,
 1717 including coverage for transportation of children if school
 1718 readiness program children are transported by the provider. A
 1719 private provider must obtain and retain an insurance policy that
 1720 provides a minimum of \$100,000 of coverage per occurrence and a
 1721 minimum of \$300,000 general aggregate coverage. The office may
 1722 authorize lower limits upon request, as appropriate. A provider
 1723 must add the coalition as a named certificateholder ~~and as an~~
 1724 additional insured. A private provider must provide the
 1725 coalition with a minimum of 10 calendar days' advance written
 1726 notice of cancellation of or changes to coverage. The general
 1727 liability insurance required by this paragraph must remain in
 1728 full force and effect for the entire period of the provider
 1729 contract with the coalition.

1730 (m) ~~For a provider that is an informal provider, comply~~
 1731 ~~with the provisions of paragraph (l) or maintain homeowner's~~
 1732 ~~liability insurance and, if applicable, a business rider. If an~~
 1733 ~~informal provider chooses to maintain a homeowner's policy, the~~
 1734 ~~provider must obtain and retain a homeowner's insurance policy~~
 1735 ~~that provides a minimum of \$100,000 of coverage per occurrence~~
 1736 ~~and a minimum of \$300,000 general aggregate coverage. The office~~
 1737 ~~may authorize lower limits upon request, as appropriate. An~~
 1738 ~~informal provider must add the coalition as a named~~
 1739 ~~certificateholder and as an additional insured. An informal~~
 1740 ~~provider must provide the coalition with a minimum of 10~~

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1741 ~~calendar days' advance written notice of cancellation of or~~
 1742 ~~changes to coverage. The general liability insurance required by~~
 1743 ~~this paragraph must remain in full force and effect for the~~
 1744 ~~entire period of the provider's contract with the coalition.~~

1745 ~~(m)(e)~~ Obtain and maintain any required workers'
 1746 compensation insurance under chapter 440 and any required
 1747 reemployment assistance or unemployment compensation coverage
 1748 under chapter 443, unless exempt under state or federal law.

1749 ~~(n)(e)~~ Notwithstanding paragraph (1), for a provider that
 1750 is a state agency or a subdivision thereof, as defined in s.
 1751 768.28(2), agree to notify the coalition of any additional
 1752 liability coverage maintained by the provider in addition to
 1753 that otherwise established under s. 768.28. The provider shall
 1754 indemnify the coalition to the extent permitted by s. 768.28.

1755 ~~(o)(e)~~ Execute the standard statewide provider contract
 1756 adopted by the office.

1757 ~~(p)(e)~~ Operate on a full-time and part-time basis and
 1758 provide extended-day and extended-year services to the maximum
 1759 extent possible without compromising the quality of the program
 1760 to meet the needs of parents who work.

1761 (2) Beginning January 1, 2016, at least 50 percent of the
 1762 child care personnel employed by a school readiness provider at
 1763 each location, who are responsible for supervising children in
 1764 care, must be trained in first aid and infant and child
 1765 cardiopulmonary resuscitation, as evidenced by current
 1766 documentation of course completion. As a condition of
 1767 employment, personnel hired on or after January 1, 2016, must
 1768 complete this training within 60 days after employment.

1769 (3) Beginning January 1, 2017, child care personnel

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1770 employed by a school readiness program provider must hold a high
 1771 school diploma or its equivalent and be at least 18 years of
 1772 age, unless the personnel are not responsible for supervising
 1773 children in care or are under direct supervision.

1774 ~~(4)(2)~~ If a school readiness program provider fails or
 1775 refuses to comply with this part or any contractual obligation
 1776 of the statewide provider contract under s. 1002.82(2)(m), the
 1777 coalition may revoke the provider's eligibility to deliver the
 1778 school readiness program or receive state or federal funds under
 1779 this chapter for ~~a period of~~ 5 years.

1780 Section 28. Paragraph (b) of subsection (6) and subsection
 1781 (7) of Section 1002.89, Florida Statutes, are amended to read:
 1782 1002.89 School readiness program; funding.—

1783 (6) Costs shall be kept to the minimum necessary for the
 1784 efficient and effective administration of the school readiness
 1785 program with the highest priority of expenditure being direct
 1786 services for eligible children. However, no more than 5 percent
 1787 of the funds described in subsection (5) may be used for
 1788 administrative costs and no more than 22 percent of the funds
 1789 described in subsection (5) may be used in any fiscal year for
 1790 any combination of administrative costs, quality activities, and
 1791 nondirect services as follows:

1792 (b) Activities to improve the quality of child care as
 1793 described in 45 C.F.R. s. 98.51, which must ~~shall~~ be limited to
 1794 the following:

1795 1. Developing, establishing, expanding, operating, and
 1796 coordinating resource and referral programs specifically related
 1797 to the provision of comprehensive consumer education to parents
 1798 and the public to promote informed child care choices specified

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1799 ~~in 45 C.F.R. s. 98.33 regarding participation in the school~~
1800 ~~readiness program and parental choice.~~

1801 2. Awarding grants and providing financial support to
1802 school readiness program providers and their staffs to assist
1803 them in meeting applicable state requirements for child care
1804 performance standards, implementing developmentally appropriate
1805 curricula and related classroom resources that support
1806 curricula, providing literacy supports, obtaining a license or
1807 accreditation, and providing professional development, including
1808 scholarships and other incentives. Any grants awarded pursuant
1809 to this subparagraph shall comply with ~~the requirements of~~ ss.
1810 215.971 and 287.058.

1811 3. Providing training, ~~and~~ technical assistance, and
1812 financial support for school readiness program providers, staff,
1813 and parents on standards, child screenings, child assessments,
1814 developmentally appropriate curricula, character development,
1815 teacher-child interactions, age-appropriate discipline
1816 practices, health and safety, nutrition, first aid,
1817 cardiopulmonary resuscitation, the recognition of communicable
1818 diseases, and child abuse detection and prevention.

1819 4. Providing from among the funds provided for the
1820 activities described in subparagraphs 1.-3., adequate funding
1821 for infants and toddlers as necessary to meet federal
1822 requirements related to expenditures for quality activities for
1823 infant and toddler care.

1824 5. Improving the monitoring of compliance with, and
1825 enforcement of, applicable state and local requirements as
1826 described in and limited by 45 C.F.R. s. 98.40.

1827 6. Responding to Warm-Line requests by providers and

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1828 parents ~~related to school readiness program children~~, including
1829 providing developmental and health screenings to school
1830 readiness program children.

1831 (7) Funds appropriated for the school readiness program may
1832 not be expended for the purchase or improvement of land; for the
1833 purchase, construction, or permanent improvement of any building
1834 or facility; or for the purchase of buses. However, funds may be
1835 expended for minor remodeling necessary for the administration
1836 of the program and upgrading of child care facilities to ensure
1837 that providers meet state and local child care standards,
1838 including applicable health and safety requirements.

1839 Section 29. Subsection (7) of section 1002.91, Florida
1840 Statutes, is amended to read:

1841 1002.91 Investigations of fraud or overpayment; penalties.-

1842 (7) The early learning coalition may not contract with a
1843 school readiness program provider, ~~or~~ a Voluntary
1844 Prekindergarten Education Program provider, or an individual who
1845 is on the United States Department of Agriculture National
1846 Disqualified List. In addition, the coalition may not contract
1847 with any provider that shares an officer or director with a
1848 provider that is on the United States Department of Agriculture
1849 National Disqualified List.

1850 Section 30. Paragraph (d) of subsection (3) of section
1851 1002.94, Florida Statutes, is amended to read:

1852 1002.94 Child Care Executive Partnership Program.-

1853 (3)

1854 (d) Each early learning coalition shall establish a
1855 community child care task force ~~for each child care purchasing~~
1856 ~~pool~~. The task force must be composed of employers, parents,

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1857 private child care providers, and one representative from the
1858 local children's services council, if one exists in the area of
1859 ~~the purchasing pool~~. The early learning coalition is expected to
1860 recruit the task force members from existing child care
1861 councils, commissions, or task forces already operating in the
1862 area of ~~a purchasing pool~~. A majority of the task force shall
1863 consist of employers.

1864 Section 31. The Office of Early Learning shall conduct a 2-
1865 year pilot project to study the impact of assessing the early
1866 literacy skills of Voluntary Prekindergarten Education Program
1867 participants who are English Language Learners, in both English
1868 and Spanish. The assessments must include, at a minimum, the
1869 first administration of the Florida Assessments for Instruction
1870 in Reading in kindergarten and an appropriate alternative
1871 assessment in Spanish. The study must include a review of the
1872 kindergarten screening results for 2009-2010 and 2010-2011
1873 program participants and their subsequent Florida Comprehensive
1874 Assessment Test scores. The office shall report its findings to
1875 the Governor, the President of the Senate, and the Speaker of
1876 the House of Representatives by July 1, 2016, and July 1, 2017.

1877 Section 32. For the 2015-2016 fiscal year, the sums of
1878 \$1,034,965 in recurring funds and \$11,319 in nonrecurring funds
1879 from the General Revenue Fund, and \$70,800 in recurring funds
1880 from the Operations and Maintenance Trust Fund are appropriated
1881 to the Department of Children and Families, and 18 full-time
1882 equivalent positions with associated salary rate of 608,446 are
1883 authorized, for the purpose of implementing the regulatory
1884 provisions of this act.

1885 Section 33. This act shall take effect July 1, 2015.

THE FLORIDA SENATE

APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

1/21/15

Meeting Date

SPB 7006

Bill Number (if applicable)

Topic Early Learning

Amendment Barcode (if applicable)

Name Arisa Ghazvini

Job Title Executive Director, AELC

Address 1462 Mitchell Ave

Phone 850-893-0683

Street

Tallahassee FL

32303

Email aghazvini@hotmail.com

City

State

Zip

Speaking: For Against Information

Waive Speaking: In Support Against
(The Chair will read this information into the record.)

Representing AELC - Association of Early Learning Coalitions

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.

THE FLORIDA SENATE

APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

1/21/14

Meeting Date

2006

Bill Number (if applicable)

Topic EARLY LEARNING

Amendment Barcode (if applicable)

Name ELIZABETH MOYA

Job Title

Address

Street

Phone

City

State

Zip

Email

Speaking: [X] For [] Against [] Information

Waive Speaking: [] In Support [] Against (The Chair will read this information into the record.)

Representing OEL

Appearing at request of Chair: [] Yes [] No

Lobbyist registered with Legislature: [X] Yes [] No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.



Digital Classrooms Allocation Status

Senate Education Pre K 12

January 21, 2015

Ron Nieto, Deputy Commissioner of Innovation



FLORIDA DEPARTMENT OF
EDUCATION
fldoe.org

www.FLDOE.org

Florida Digital Classrooms Allocation

Established in 2014 (s. 1011.62, F.S.), at Governor Rick Scott's recommendation, a \$40M allocation to each district to integrate technology in classroom teaching and learning

- Each district school board must submit to the department a Digital Classrooms Plan (DCP)
- Each district has a Florida Education Finance Program (FEFP) allocation of a minimum of \$250,000 with the remaining balance of the allocation to be distributed based on each district's proportion of the total K-12 full-time equivalent student enrollment
- Distribution of funds for the Florida DCP allocation shall begin following submittal and approval of each district's DCP

District Digital Classroom Plans shall include:

- Measurable student performance outcomes
- Digital learning and technology infrastructure
- Professional development
- Digital tools
- Online assessment support

Florida's state Digital Classrooms Plan

- 5 year strategic plan for Digital Classrooms that:
 - Describes how technology will be integrated into the goals of the department as defined in s. 1008.31, F.S.
 - Identifies technology requirements that districts should strive towards meeting through the planning and implementation of the Digital Classrooms Plan
 - Recommends Master In-Service Components for digital learning professional development
 - Describes the Digital tools system and CAPE digital tools
- Can be found at <http://www.fldoe.org/about-us/division-of-technology-info-services/bureau-of-edu-tech.shtml>

Status of District Digital Classroom Plans

71 Total number of District Digital Classroom Plans received and 70 approved to date

Total Digital Classrooms Allocation:
\$40,000,000

Total Digital Classrooms Allocation awarded to date:
\$37,017,359

Student Performance Outcomes Goals

The district DCP template required each district report on the following standard student performance outcomes:

Student Performance Outcomes (Required)

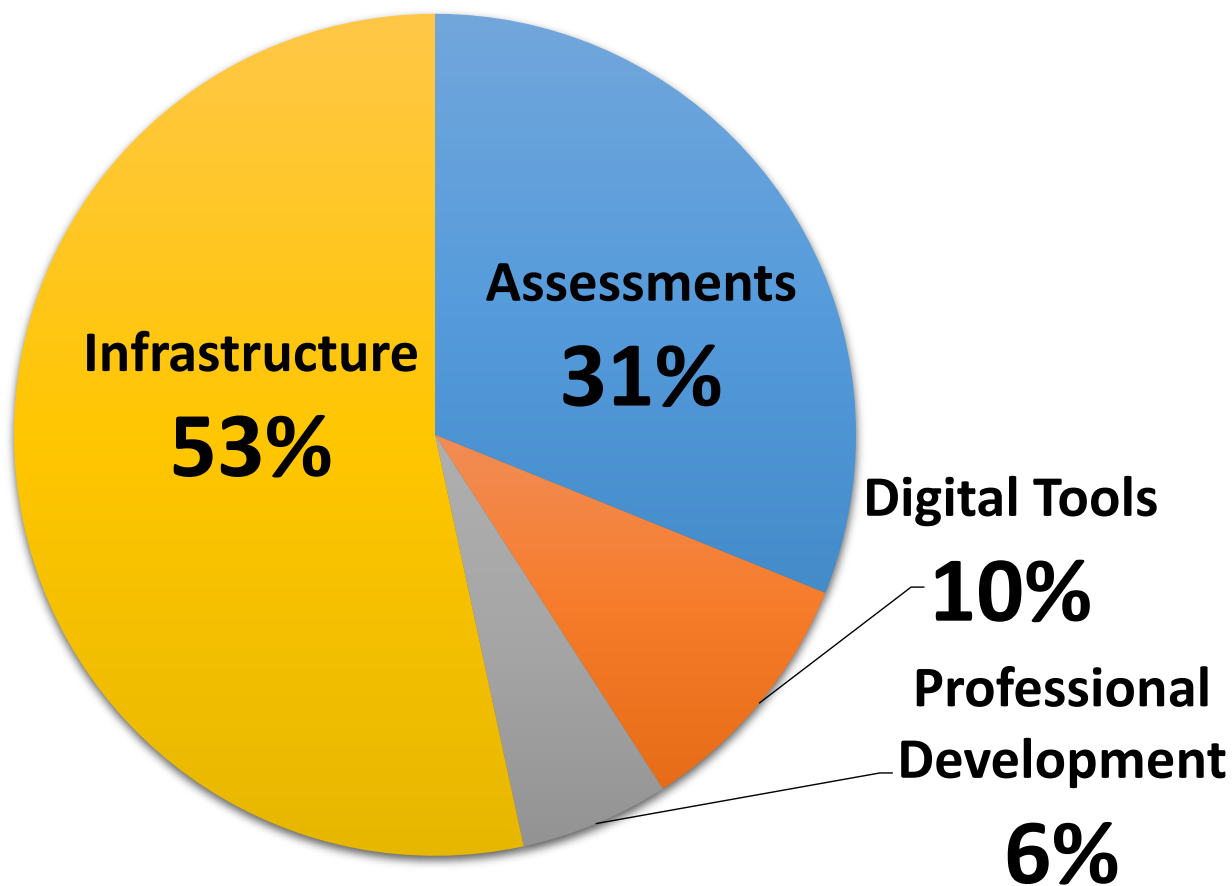
1. ELA Student Achievement
2. Math Student Achievement
3. Science Student Achievement
4. ELA Learning Gains
5. Math Learning Gains
6. ELA Learning Gains of the Low 25%
7. Math Learning Gains of the Low 25%
8. Overall, 4-year Graduation Rate
9. Acceleration Success Rate
10. Other (District Determined)

District DCP

Planned Expenditures by Category

2014-15

Targeted Expenditures:
School = 27 %
District = 52%
Combination = 21%





FLORIDA DEPARTMENT OF
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Florida Digital Classrooms Allocation

Next Steps:

- Remainder of District Digital Classroom Plans being reviewed
- Communication to districts for further Digital Classrooms Plan clarifications
- Outreach to remaining districts who have not submitted Digital Classroom Plans

Florida Digital Classrooms Allocation - Charters

- School districts shall provide a proportionate share of the digital classrooms allocation to each charter school in the district, as required for categorical programs in s.1002.33(17)(b).
- **399 out-of 654 charter schools have participated to date.**



Florida Digital Classrooms Allocation

All approved District DCPs are posted at:
http://www.fldoe.org/bii/instruct_tech/dcp.asp

Districts Technology Readiness

- Computer Based Testing certification started in 2011
 - Schools report technology availability and readiness
 - District superintendents certify readiness
- Computer Based Testing certification process and timeline
 - For each administration (Fall, Winter, Spring)
 - Computer counts, scheduler, test prep verifications
- FDOE supports district Computer Based Testing preparations
 - Issues computer specifications required for each platform
 - Support for CBT certification tool
- Vendor support and preparations
 - AIR load testing
 - District Infrastructure Trials (January 20-February 16, 2015)



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THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

01/21/2015

Meeting Date

Bill Number (if applicable)

Topic Digital Classroom Plan

Amendment Barcode (if applicable)

Name Ron Nieto

Job Title Deputy Commissioner of Innovation

Address 325 W. Gaines St.

Phone 850-245-9750

Street

Tallahassee

Fl

32399

Email Ron.Nieto@fldoe.org

City

State

Zip

Speaking: For Against Information

Waive Speaking: In Support Against
(The Chair will read this information into the record.)

Representing Florida Department of Education

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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S-001 (10/14/14)

THE FLORIDA SENATE
APPEARANCE RECORD

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1/21/15

Meeting Date

Bill Number (if applicable)

Topic Digital Classroom Plans

Amendment Barcode (if applicable)

Name Vince Verges

Job Title Director of Assessment

Address 325 W. Gaines St.

Phone 850-245-7862

Street

Tallahassee

FL

32399

Email Vince.Verges@fldoe.org

City

State

Zip

Speaking: For Against Information

Waive Speaking: In Support Against
(The Chair will read this information into the record.)

Representing Florida Department of Education

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

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S-001 (10/14/14)



Senate Education Pre K-12 January 21, 2015

FACT Initiative

Adam Miller, Executive Director,

Office of Independent Education and Parental Choice



www.FLDOE.org



2013 Florida Approved Courses and Tests (FACT) Initiative

Requirements

- Law Passed in 2013- Ch. 2013-225
- Beginning in the 2015-16 FACT Initiative shall be implemented to expand student choices in high-quality online courses
- DOE shall publish annually online a list of providers approved to offer Florida approved courses which shall be listed in the online course catalog
- DOE to develop rules regarding Florida approved courses
- DOE to approve course providers

Florida Online Course Catalog

- Implementation
 - Planning summer and fall 2013
 - Platform developed winter 2013 and spring 2014
 - Administrative User's guide developed spring 2014
 - Administrative site launch May 2014
 - Quick Start public users guide developed July 2014
 - Public facing side launched in July 2014
 - 37 districts have online courses in the catalog
 - <http://app4.fldoe.org/coursecatalog/>

Florida Online Course Catalog



Welcome to Florida's Online Course Catalog!

Welcome to the Florida Online Course Catalog! This catalog gives parents, students and other users the opportunity to search for and learn about the online courses Florida Virtual School, school districts and approved providers offer to Florida students in grades K-12.

Please access the [User Guide](#) for more information.

District Filter: Provider Filter: Grade Range:

Major Program Area: Major Subject Area: [Reset Filters](#)

A total of **500** records out of a possible **3863** were returned by your query. As necessary, please use the filter options above to further refine your search...

	District Name	Provider Name	Course Name	Grade Range
More Info	Alachua	District Franchise of FLVS	0100330 - ART HIST & CRIT 1 H	9-12
More Info	Alachua	District Franchise of FLVS	0108310 - CREATIVE PHOTO 1	9-12
More Info	Alachua	District Franchise of FLVS	0400660 - THEA CIN & FILM PROD	9-12
More Info	Alachua	District Franchise of FLVS	0701320 - FRENCH 1	9-12
More Info	Alachua	District Franchise of FLVS	0701330 - FRENCH 2	9-12
More Info	Alachua	District Franchise of FLVS	0708340 - SPANISH 1	9-12
More Info	Alachua	District Franchise of FLVS	0708350 - SPANISH 2	9-12
More Info	Alachua	District Franchise of FLVS	0800300 - HEALTH1-LIF MGMT SKL	9-12
More Info	Alachua	District Franchise of FLVS	1001010 - M/J LANG ARTS 1	6-8
More Info	Alachua	District Franchise of FLVS	1001020 - M/J LANG ARTS 1, ADV	6-8
More Info	Alachua	District Franchise of FLVS	1001040 - M/J LANG ARTS 2	6-8
More Info	Alachua	District Franchise of FLVS	1001050 - M/J LANG ARTS 2, ADV	6-8
More Info	Alachua	District Franchise of FLVS	1001070 - M/J LANG ARTS 3	6-8
More Info	Alachua	District Franchise of FLVS	1001080 - M/J LANG ARTS 3, ADV	6-8
More Info	Alachua	District Franchise of FLVS	1001310 - ENG 1	9-12

Course Provider Approval

- Implementation of Course Provider Approval
 - Rule and application development initiated May 2014
 - Rule adopted November 2014 Rule 6A-6.0982
 - Registration window to apply opened December 2014
 - Application window opened January 2015
 - Next steps
 - Initial Review of applications
 - Second application window (to provide additional information)
 - Final Review and Decision
 - DOE publishes approved course provider list on website by May 2015



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01/21/2015

Meeting Date

Bill Number (if applicable)

Topic FACT Initiative

Amendment Barcode (if applicable)

Name Adam Miller

Job Title Executive Director, Office of Independent Education and Parental Choice

Address 325 W. Gaines St.

Phone 850-245-0502

Street

Tallahassee

FL

32399

Email Adam.Miller@fldoe.org

City

State

Zip

Speaking: For Against Information

Waive Speaking: In Support Against
(The Chair will read this information into the record.)

Representing Florida Department of Education

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

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S-001 (10/14/14)

THE FLORIDA SENATE
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01/21/2015

Meeting Date

_____ *Bill Number (if applicable)*

Topic Educational Technology / Cyberlearning

_____ *Amendment Barcode (if applicable)*

Name Jeremy Roschelle

Job Title Director

Address 333 Ravenswood Avenue

Phone 650-859-3049

Street

Menlo Park

CA

94025

Email jeremy.roschelle@sri.com

City

State

Zip

Speaking: For Against Information

Waive Speaking: In Support Against
(The Chair will read this information into the record.)

Representing SRI International: Center for Technology in Learning

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

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S-001 (10/14/14)

CourtSmart Tag Report

Room: KN 412

Case:

Type:

Caption: Senate Committee on Education Pre-K-12

Judge:

Started: 1/21/2015 9:02:04 AM

Ends: 1/21/2015 10:47:06 AM

Length: 01:45:03

9:02:06 AM Chairman Legg - Meeting called to order
9:02:16 AM
9:02:18 AM Roll Call - Show Sen. Sobel excused
9:02:31 AM Quorum is present
9:02:57 AM Chair - Overview on meeting items
9:03:21 AM Gavel to Vice Chair Detert
9:03:32 AM Tab 1 - SPB 7006 - Early Learning by Sen. Legg
9:03:44 AM Senator Legg on the bill
9:04:14 AM Sen Clemons question
9:04:25 AM Senator Legg in response
9:04:54 AM Elizabeth Moya, Early Learning (OEL) recognized
9:05:07 AM Senator Legg in response
9:05:28 AM Senator Clemons
9:05:44 AM Chair on presenters
9:05:51 AM Elizabeth Moya in support
9:06:06 AM
9:06:54 AM Chair
9:06:58 AM Sen., Legg moves SPB 7006 be moved as committee bill
9:07:10 AM roll call on SPB 7006
9:07:30 AM SPB 7006 is reported favorably as a committee bill
9:07:46 AM Gavel returned to Chairman Legg
9:08:08 AM Tab 2 - Status Update on Digital Classroom Plan, Ron Nieto, DOE, Deputy Commissioner of Innovation
9:11:54 AM Chair
9:12:53 AM Sen. Montford
9:13:07 AM Ron Nieto continues
9:20:11 AM Chair
9:20:13 AM Sen. Montford - questions
9:20:42 AM Ron Nieto in response
9:20:53 AM Sen. Montford
9:20:59 AM Ron Nieto
9:21:40 AM Sen. Montford
9:22:25 AM Ron Nieto
9:23:52 AM Sen. Montford
9:24:10 AM Ron Nieto
9:25:23 AM Chair
9:26:29 AM Ron Nieto in response
9:28:25 AM Chair
9:28:27 AM Sen. Bullard
9:28:59 AM Ron Nieto
9:30:33 AM Sen. Bullard
9:31:43 AM Ron Nieto in response
9:33:28 AM Sen. Montford
9:34:17 AM Ron Nieto in response
9:34:33 AM Sen. Montford
9:35:33 AM Ron Nieto in response
9:35:47 AM Sen. Montford
9:36:03 AM Ron Nieto in response
9:36:14 AM Sen. Gaetz - finance questions
9:37:02 AM Ron Nieto in response
9:37:07 AM Sen. Gaetz to follow up
9:38:47 AM Ron Nieto in response
9:39:48 AM Sen. Gaetz - follow up

9:40:47 AM Ron Nieto in response
9:41:11 AM Chair - question of Mr. Nieto
9:41:36 AM Ron Nieto in response
9:42:08 AM Chair to Mr. Nieto
9:42:48 AM Ron Nieto in response
9:43:02 AM Chair -
9:43:20 AM Ron Nieto in response
9:43:41 AM Chair
9:44:39 AM Ron Nieto
9:44:43 AM Chair
9:44:49 AM Ron Nieto
9:44:56 AM Chair
9:44:57 AM Ron Nieto
9:45:01 AM Chair
9:45:03 AM Ron Nieto
9:45:08 AM Chair
9:45:11 AM Sen. Montford
9:45:37 AM Ron Nieto
9:45:52 AM Ron Nieto
9:45:53 AM Sen. Montford
9:46:29 AM Vince Verges, Director of Assessment, Digital Classroom Plans, to respond to Sen. Montford
9:46:46 AM Sen. Montford
9:47:27 AM Ron Nieto in response
9:48:16 AM Chair
9:48:20 AM Sen. Sobel - show as a yes on SB 7006
9:48:39 AM Chair - show approved
9:48:44 AM Tab 3 - Status Update on Florida Approved Courses
9:49:08 AM Skype presentation
9:49:11 AM Sen. Brandes to introduce
9:50:08 AM Adam Miller, for brief overview or update on implementation of legislation to the FACT Initiative
9:56:01 AM Chair
9:57:06 AM Adam Miller continues
9:58:41 AM Sen. Clemons
9:59:49 AM Adam Miller n response
9:59:54 AM Sen. Clemons
10:00:00 AM Adam Miller in response
10:00:14 AM Sen. Bullard
10:01:22 AM Adam Miller in response
10:02:23 AM Sen. Brandes
10:02:52 AM Adam Miller in response
10:03:03 AM Sen. Brandes
10:03:53 AM Adam Miller in response
10:04:29 AM Chair - question
10:05:04 AM Adam Miller in response
10:05:09 AM Chair
10:05:12 AM Adam Miller in response
10:05:19 AM Sen. Gaetz
10:06:17 AM Adam Miller in response
10:06:31 AM Sen. Gaetz - follow up
10:07:33 AM Adam Miller in response to Sen. Gaetz question on Sen. McKay Scholarship
10:08:30 AM Adam Miller in response
10:09:41 AM Sen. Gaetz to follow up
10:09:50 AM Adam Miller in response
10:09:59 AM Sen. Sobel
10:10:49 AM Adam Miller in response
10:11:07 AM Sen. Sobel
10:11:13 AM Adam Miller in response
10:12:06 AM
10:12:46 AM Sen. Sobel
10:12:48 AM Adam Miller in response
10:13:26 AM Sen. Sobel
10:13:32 AM Chair

10:14:06 AM Adam Miller in response
10:14:22 AM Chair
10:14:34 AM Sen. Montford
10:14:52 AM Adam Miller in response
10:15:03 AM Sen. Montford
10:15:10 AM Adam Miller in response
10:15:19 AM Sen. Montford
10:15:21 AM Adam Miller in response
10:15:25 AM Sen. Montford
10:15:38 AM Adam Miller in response
10:15:56 AM Sen. Montford
10:16:23 AM Adam Miller in response
10:16:57 AM Sen. Montford
10:17:04 AM Adam Miller in response
10:17:32 AM Sen. Montford
10:17:38 AM Adam Miller in response
10:18:29 AM Sen. Montford
10:18:35 AM Chair turns to Sen. Brandes for intro of Jeremy Rochelle
10:18:57 AM Sen. Brandes to introduce Jeremy Rochelle, Director of SRI International: Center for Technology in Learning
10:19:44 AM Jeremy Roschelle (via SKYPE) on the Status Update on Florida Approved Courses and Test, FACT Initiative
10:20:44 AM Chair
10:20:46 AM Sen. Gaetz
10:20:51 AM Chair for introduction
10:21:43 AM Sen. Brandes to assist Jeremy Roschelle with SKYPE
10:22:01 AM Jeremy Roschelle
10:30:24 AM Sen. Brandes
10:31:24 AM Sen. Sobel
10:32:52 AM Sen. Brandes
10:33:00 AM Sen. Clemons
10:33:21 AM Jeremy Roschelle in response
10:35:32 AM Sen. Brandes
10:35:38 AM Jeremy Roschelle in response
10:38:01 AM Sen. Brandes
10:38:11 AM Jeremy Roschelle in response
10:40:16 AM Sen. Brandes
10:40:27 AM Jeremy Roschelle in response
10:43:14 AM Sen. Brandes
10:43:37 AM Jeremy Roschelle in response
10:44:43 AM Sen. Brandes - what one thing should Florida do in digital learning
10:45:44 AM Jeremy Roschelle in response - Partnerships is important
10:46:23 AM Chair
10:46:49 AM Sen. Benacquitso moves we rise