

By the Committee on Children and Families; and Senator Clary

300-1899A-00

1 A bill to be entitled
2 An act relating to child care and early
3 intervention; amending s. 402.27, F.S.;
4 providing that the services of child care
5 resource and referral agencies include
6 assisting families in identifying summer camp
7 programs; providing for the development and
8 distribution of a health and safety checklist;
9 amending s. 402.3015, F.S.; increasing family
10 income limits for continued eligibility for
11 subsidized child care; providing that an
12 eligible family shall be considered a needy
13 family for federal Temporary Assistance for
14 Needy Families funding, subject to
15 appropriations; creating s. 402.3017, F.S.;
16 establishing the Teacher Education and
17 Compensation Helps (TEACH) scholarship program;
18 authorizing the department to contract for
19 administration of the program and to adopt
20 rules; creating s. 402.3019, F.S.; establishing
21 a program to provide a statewide network of
22 child care health consultation services;
23 providing for involvement of the community
24 child care coordinating agencies, the Florida
25 Partnership for School Readiness and local
26 school readiness coalitions, and other public
27 and private child health partners; specifying
28 duties and responsibilities of child care
29 health consultants; providing for a training
30 program, to be provided by a university through
31 a contract with the Florida Partnership for

1 School Readiness; providing duties and
2 responsibilities of the contracting university;
3 amending s. 402.302, F.S.; revising the
4 definition of the term "large family child care
5 home" to include certain children related to
6 the caregiver; creating s. 402.3028, F.S.;
7 providing procedures for referrals for
8 developmental assessment of children in
9 subsidized child care programs; amending s.
10 402.305, F.S.; revising standards for child
11 transportation safety; creating s. 402.3054,
12 F.S.; defining the term "child enrichment
13 service provider"; specifying requirements
14 relating to parental consent, compensation, and
15 background screening for such providers
16 providing services in a child care facility;
17 amending s. 402.315, F.S.; revising
18 responsibilities for costs when a county
19 designates a local agency to license child care
20 facilities; amending s. 409.178, F.S.; removing
21 a restriction on the use of child care
22 purchasing pool funds, under the Child Care
23 Executive Partnership Act; directing the
24 statewide child care resource and referral
25 network to convene a workgroup and develop
26 recommendations relating to summer camp
27 programs; providing an effective date.

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29 Be It Enacted by the Legislature of the State of Florida:
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1 Section 1. Present subsection (9) of section 402.27,
2 Florida Statutes, is redesignated as subsection (10) and a new
3 subsection (9) is added to that section to read:

4 402.27 Child care and early childhood resource and
5 referral.--The Department of Children and Family Services
6 shall establish a statewide child care resource and referral
7 network. Preference shall be given to using the already
8 established central agencies for subsidized child care as the
9 child care resource and referral agency. If the agency cannot
10 comply with the requirements to offer the resource information
11 component or does not want to offer that service, the
12 Department of Children and Family Services shall select the
13 resource information agency based upon a request for proposal.
14 At least one child care resource and referral agency must be
15 established in each district of the department, but no more
16 than one may be established in any county. Child care
17 resource and referral agencies shall provide the following
18 services:

19 (9) Assistance to families in identifying summer
20 recreation camp and summer day camp programs and in evaluating
21 the health and safety qualities of summer camp programs.
22 Contingent upon specific appropriation, a checklist of
23 important health and safety qualities that parents can use to
24 choose their summer camp programs will be developed and
25 distributed in a manner that will reach parents interested in
26 such programs for their children.

27 Section 2. Subsection (4) of section 402.3015, Florida
28 Statutes, is amended, and subsection (10) is added to that
29 section, to read:

30 402.3015 Subsidized child care program; purpose; fees;
31 contracts.--

1 (4) A child who is eligible for child care under this
2 section may continue to participate in the subsidized child
3 care program, if the family's income does not exceed 200 ~~185~~
4 percent of the federal poverty level.

5 (10) A family that is eligible to participate in the
6 subsidized child care program shall be considered a needy
7 family for purposes of the program funded through the federal
8 Temporary Assistance for Needy Families (TANF) block grant, to
9 the extent permitted by appropriation of funds.

10 Section 3. Section 402.3017, Florida Statutes, is
11 created to read:

12 402.3017 Teacher Education and Compensation Helps
13 (TEACH) scholarship program.--

14 (1) The Legislature finds that the level of early
15 child care teacher education and training is a key predictor
16 for determining program quality. The Legislature also finds
17 that low wages for child care workers prevent many from
18 obtaining increased training and education and contribute to
19 high turnover rates. The Legislature therefore intends to
20 help fund a program which links teacher training and education
21 to compensation and commitment to the field of early childhood
22 education.

23 (2) The Department of Children and Family Services is
24 authorized to contract for the administration of the Teacher
25 Education and Compensation Helps (TEACH) scholarship program,
26 which provides educational scholarships to caregivers and
27 administrators of early childhood programs, family day care
28 homes, and large family child care homes.

29 (3) The department shall adopt rules as necessary to
30 implement this section.

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1 Section 4. Section 402.3019, Florida Statutes, is
2 created to read:

3 402.3019 Child care health consultant program.--

4 (1) DEFINITIONS.--For purposes of this section:

5 (a) "Child care health consultant" means a registered
6 nurse, health educator, or other licensed health professional,
7 with experience in child development, child care, or
8 elementary education, who provides consultation to child care
9 providers and families on early assessment, immunization,
10 health and safety measures, nutrition, and obtaining health
11 care.

12 (b) "Community child care coordinating agency" means
13 an agency under contract with the Florida Partnership for
14 School Readiness for the purpose of managing subsidized child
15 care.

16 (2) CHILD CARE HEALTH CONSULTANT PROGRAM.--

17 (a) The child care health consultant program is a
18 public-private partnership that joins the existing network of
19 Florida's community child care coordinating agencies, the
20 Florida Partnership for School Readiness and local school
21 readiness coalitions, universities, and other child health
22 partners in the public and private sectors.

23 (b) Subject to the approval of the local school
24 readiness coalitions, child care health consultants may be
25 established in each community child care coordinating agency
26 to provide a statewide network of child care health
27 consultation services. At least one child care health
28 consultant may be employed by each community child care
29 coordinating agency.

30 (c) A comprehensive training program for child care
31 health consultants shall be developed and offered by a

1 university through a contract with the Florida Partnership for
2 School Readiness.

3 (d) The Florida Partnership for School Readiness and
4 local school readiness coalitions shall specify the
5 involvement of child care health consultants in the activities
6 of local school readiness coalitions, particularly in the
7 areas of developmental assessment, evaluation of local health
8 care provider networks, immunization status of children in the
9 jurisdiction of the coalition, and other health-related
10 concerns regarding child care. The Florida Partnership for
11 School Readiness and local school readiness coalitions shall
12 work with the community child care coordinating agencies to
13 describe and measure the impact of child care health and
14 safety programs on the readiness level of children entering
15 school.

16 (3) CHILD CARE HEALTH CONSULTANT DUTIES AND
17 RESPONSIBILITIES.--Subject to the approval of the local school
18 readiness coalitions, the duties and responsibilities of a
19 child care health consultant may include the following:

20 (a) Coordinating the screening of children in child
21 care settings for age-appropriate development, including
22 vision and hearing screening. Such screening shall include,
23 but is not limited to:

24 1. Coordinating, as needed, the screening programs for
25 infants and toddlers, to include developmental, hearing, and
26 vision screening.

27 2. Assisting child care staff to identify
28 developmental, hearing, and vision problems.

29 3. Referring children with developmental delays or
30 behavioral, hearing, or vision problems for additional
31 evaluation and intervention.

1 4. Following up with families and child care staff on
2 intervention programs.

3 (b) Facilitating onsite technical assistance and
4 coordination of health and safety programs in child care
5 settings, which shall include, but is not limited to:

6 1. Coordinating and providing technical assistance to
7 child care providers and licensing staff on healthy
8 environments, infection control, hand washing, sanitizing and
9 disinfecting, oral health, body fluid precautions, diapering,
10 and common childhood diseases.

11 2. In conjunction with licensing staff, providing
12 technical assistance on safety and injury prevention,
13 playground equipment safety standards and supervision, car
14 seat safety, environmental hazards, disaster preparedness and
15 drills, and cardiopulmonary resuscitation (CPR) and first aid.

16 3. Coordinating and providing technical assistance to
17 child care providers and families in child development and
18 nutrition.

19 4. Coordinating and providing technical assistance on
20 positive mental health, behavior management, and
21 communication.

22 5. Coordinating and providing technical assistance to
23 child care providers on health policies, such as exclusion,
24 medication administration, health needs of special needs
25 children, staff hygiene, and center health standards.

26 6. Coordinating and providing resource material and
27 information on immunization and other health and safety
28 matters.

29 (c) Coordinating and facilitating the tracking of
30 health problems and interventions, which includes, but is not
31 limited to:

1 1. Providing updated information to child care
2 providers about children's health insurance and Medicaid
3 options and the need to have a medical home for each child.

4 2. Referring children to health care providers, mental
5 health programs, school districts, and other health care
6 resources in order to address health problems.

7 3. Consulting with child care providers, families, and
8 health care providers to facilitate the understanding of
9 health problems and intervention plans.

10 4. Coordinating the monitoring of prescribed medical
11 treatment and facilitating coordination of treatment plans
12 with families, child care staff, and health care providers.

13 (d) Coordinating with community and family resources,
14 which shall include, but is not limited to:

15 1. Establishing partnerships with other community
16 child care organizations such as Head Start, Healthy Start,
17 Florida Diagnostic and Learning Resource Services, school
18 districts, children's mental health programs, local health
19 departments, Department of Children and Family Services local
20 offices, and Medicaid area offices.

21 2. Establishing communication with parent groups to
22 provide education on health and safety issues and health
23 insurance or to assist with special needs children.

24 3. Participating in the local school readiness
25 coalition by providing information about health and safety
26 issues, prevention services, and health education.

27 4. Establishing communication with local Medicaid and
28 managed care providers.

29 (4) DUTIES AND RESPONSIBILITIES OF CONTRACTING
30 UNIVERSITY.--The university contracting with the Florida
31 Partnership for School Readiness shall:

1 (a) Develop and offer a comprehensive training program
2 for child care health consultants, which shall include, but
3 not be limited to:

4 1. Health and safety training, health and
5 developmental assessment, nutrition, behavioral health,
6 special needs children, oral health, playground safety,
7 cardiopulmonary resuscitation (CPR) and first aid, child care
8 facility quality analysis, and consultancy training.

9 2. Development of materials for providing technical
10 assistance to child care center directors in health and
11 safety, nutrition, family dynamics, positive mental health,
12 and other subjects.

13 3. Collecting and distributing training materials to
14 health consultants and child care providers to improve the
15 quality, health, and safety of the services they provide.

16 (b) Develop and provide a child care health consultant
17 curricula to students in public health, nursing, allied health
18 professions, social work, and related fields.

19 (c) Conduct surveys to:

20 1. Collect data on child health status using the child
21 care network as a collaborative partner.

22 2. Collect evaluation and outcome data on the impact
23 of child care health consultants, define outcome measures, and
24 report on these measures annually to the Florida Partnership
25 for School Readiness.

26 Section 5. Subsection (8) of section 402.302, Florida
27 Statutes, is amended to read:

28 402.302 Definitions.--

29 (8) "Large family child care home" means an occupied
30 residence in which child care is regularly provided for
31 children from at least two unrelated families, which receives

1 a payment, fee, or grant for any of the children receiving
2 care, whether or not operated for profit, and which has at
3 least two full-time child care personnel on the premises
4 during the hours of operation. One of the two full-time child
5 care personnel must be the owner or occupant of the residence.
6 A large family child care home must first have operated as a
7 licensed family day care home for 2 years, with an operator
8 who has had a child development associate credential or its
9 equivalent for 1 year, before seeking licensure as a large
10 family child care home. A large family child care home shall
11 be allowed to provide care for one of the following groups of
12 children, which shall include those children under 13 ~~12~~ years
13 of age who are related to the caregiver:

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

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

18 Section 6. Section 402.3028, Florida Statutes, is
19 created to read:

20 402.3028 Referral for assessment.--The Department of
21 Children and Family Services, Department of Health, and
22 Department of Education shall implement the following
23 procedures for making referrals for Level III assessment
24 pursuant to s. 402.3027:

25 (1) Children under 3 years of age who are in the
26 subsidized child care program and are identified as needing a
27 Level III developmental assessment pursuant to s. 402.3027
28 shall be referred to the Early Intervention for Infants and
29 Toddlers with Disabilities Program of the Department of
30 Health, funded under the federal Individuals with Disabilities
31 Education Act, Pub. L. No. 105-17, Part C. Assessments shall

1 be completed within 45 days after the referral. If the Early
2 Intervention for Infants and Toddlers with Disabilities
3 Program is not available, referral may be made to a local
4 community service provider.

5 (2) Children age 3 years through 5 years who are in
6 the subsidized child care program and are identified as
7 needing a Level III developmental assessment pursuant to s.
8 402.3027 shall be referred to the appropriate program under
9 the local school district or appropriate local service
10 provider. It is the intent of the Legislature that these
11 assessments be completed within 45 days because of the
12 critical nature of child development at this age.

13 (3) Services to children with disabilities under this
14 section shall be integrated and delivered with child care
15 programs to the extent possible.

16 (4) Nothing in this section prohibits a subsidized
17 child care program from referring a child to Medicaid or the
18 Florida KidCare program to determine eligibility for services,
19 or from making a referral to a child's primary health care
20 provider.

21 Section 7. Subsection (10) of section 402.305, Florida
22 Statutes, is amended to read:

23 402.305 Licensing standards; child care facilities.--

24 (10) TRANSPORTATION SAFETY.--Minimum standards shall
25 include requirements for child restraints or seat belts in
26 vehicles used by child care facilities and large-family child
27 care homes to transport children, requirements for annual
28 inspections of the vehicles, ~~and~~ limitations on the number of
29 children in the vehicles, and accountability for children
30 being transported.

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1 Section 8. Section 402.3054, Florida Statutes, is
2 created to read:

3 402.3054 Child enrichment service providers.--

4 (1) For the purposes of this section, "child
5 enrichment service provider" means an individual who provides
6 enrichment activities, such as language training, music
7 instruction, educational instruction, and other experiences to
8 specific children during a specific time that is not part of
9 the regular program in a child care facility.

10 (2) The child's parent shall provide written consent
11 before a child may participate in activities conducted by a
12 child enrichment service provider that are not part of the
13 regular program of the child care facility. A child
14 enrichment service provider receives compensation from the
15 child's parent or from the child care facility and shall not
16 be considered a volunteer or child care personnel.

17 (3) A child enrichment service provider shall be of
18 good moral character based upon screening. This screening
19 shall be conducted as provided in chapter 435, using the level
20 2 standards for screening set forth in that chapter. A child
21 enrichment service provider must meet the screening
22 requirements prior to providing services to a child in a child
23 care facility. A child enrichment service provider who has
24 met the screening standards shall not be required to be under
25 the direct and constant supervision of child care personnel.

26 Section 9. Subsection (1) of section 402.315, Florida
27 Statutes, is amended to read:

28 402.315 Funding; license fees.--

29 (1) If the county designates a local agency to be
30 responsible for the licensing of child care facilities, the
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1 county shall bear no more than 50 ~~at least 75~~ percent of the
2 costs involved.

3 Section 10. Subsection (3) of section 409.178, Florida
4 Statutes, is amended to read:

5 409.178 Child Care Executive Partnership Act; findings
6 and intent; grant; limitation; rules.--

7 (3) There is created a body politic and corporate
8 known as the Child Care Executive Partnership which shall
9 establish and govern the Child Care Executive Partnership
10 Program. The purpose of the Child Care Executive Partnership
11 Program is to utilize state and federal funds as incentives
12 for matching local funds derived from local governments,
13 employers, charitable foundations, and other sources, so that
14 Florida communities may create local flexible partnerships
15 with employers. The Child Care Executive Partnership Program
16 funds shall be used at the discretion of local communities to
17 meet the needs of working parents. A child care purchasing
18 pool shall be developed with the state, federal, and local
19 funds to provide subsidies to low-income working parents who
20 are eligible for subsidized child care with a
21 dollar-for-dollar match from employers, local government, and
22 other matching contributions. The funds used from the child
23 care purchasing pool must be used to supplement or extend the
24 use of existing public or private funds ~~and may not be used to~~
25 ~~supplant the maintenance of effort presently exerted by the~~
26 ~~employer or other participant in the activity funded.~~

27 Section 11. Contingent upon specific appropriation,
28 the statewide child care resource and referral network,
29 pursuant to section 402.27, Florida Statutes, shall convene a
30 workgroup for the purpose of developing recommendations for
31 improving the health and safety qualities of summer camp

1 programs without over-regulation. One component of the
2 workgroup's deliberation shall include examining the
3 feasibility of requiring summer camp programs to register with
4 the Department of Children and Family Services, to provide
5 annual program information to the statewide child care
6 resource and referral networks, or to publish their health and
7 safety plans. The workgroup shall include representatives from
8 summer camp program related associations, the Department of
9 Children and Family Services, parents, and any other
10 interested individuals or organizations identified by the
11 statewide child care resource and referral network. All
12 participants in this process shall attend the meetings at
13 their own expense. A report of the recommendations shall be
14 submitted to the Governor, the President of the Senate, and
15 the Speaker of the House of Representatives by January 1,
16 2001.

17 Section 12. This act shall take effect July 1, 2000.
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- 1 STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN
2 COMMITTEE SUBSTITUTE FOR
3 Senate Bill 1994
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- 5 - Applies the extension of eligibility to subsidized child
6 care to 200 percent of the federal poverty level to all
7 children who are currently enrolled in the program
8 instead of solely to children of working poor families.
- 9 - Directs the child care resource and referral agencies to
10 develop and distribute a check-list of important health
11 and safety qualities that parents can use to choose
12 their summer camp program contingent upon specific
13 appropriations.
- 14 - Directs the child care resource and referral network to
15 convene a workgroup to develop recommendations for
16 improving the health and safety qualities of summer camp
17 programs contingent upon specific appropriations.
- 18 - Modifies the duties of the child care health consultants
19 and the university responsible for the training program
20 and incorporates the involvement of the Florida
21 Partnership for School Readiness and the local school
22 readiness coalitions.
- 23 - Adds procedures for the Department of Health, Department
24 of Children and Family Services, and Department of
25 Education relative to children referred for level III
26 assessments of the developmental assessment program for
27 subsidized child care.
- 28 - Eliminates the prohibition against funds from the child
29 care purchasing pool being used to supplant already
30 existing employer child care benefit programs.
- 31 - Modifies the licensing standards for child care
facilities to include requirements for the
accountability of the children being transported. Large
family child care homes are also added to the entities
to which the requirements for child restraints and seat
belts apply.
- Removes the requirement that family child care homes be
permitted in all residential districts of a
municipality.