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2002 Legislature CS for CS for SB 1550, 2nd Engrossed (ntc)

1
2 An act relating to child care; amending s.
3 402.3131, F.S.; increasing the introductory
4 course requirement for operators of large
5 family child care homes; requiring a competency
6 examination upon successful completion of
7 required training; providing for community
8 college credit; amending s. 402.305, F.S.;
9 revising minimum training requirements for
10 child care personnel; requiring a competency
11 examination upon successful completion of the
12 required training; providing for community
13 college credit; providing an automatic
14 exemption from certain training requirements
15 for personnel having specified degrees,
16 credentials, courses, or waivers in specified
17 areas; providing for an extension until 2004 to
18 implement the child care facility director
19 credential requirement; amending s. 402.313,
20 F.S.; requiring a competency examination for
21 operators of family day care homes upon
22 successful completion of the required training;
23 requiring the Department of Children and Family
24 Services to establish standards by rule for
25 training for family day care homes that have
26 voluntarily chosen to be licensed or must be
27 licensed due to county ordinance or resolution;
28 authorizing the department to modify certain
29 child care training requirements to provide for
30 articulation into community college credit;
31 amending s. 110.151, F.S.; authorizing the

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1 creation of public-private child care sites;
2 providing an effective date.

3
4 Be It Enacted by the Legislature of the State of Florida:

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6 Section 1. Subsection (3) of section 402.3131, Florida
7 Statutes, is amended to read:

8 402.3131 Large family child care homes.--

9 (3) Operators of large family child care homes must
10 successfully complete ~~shall take~~ an approved 40-clock-hour
11 introductory course in group child care, as evidenced by
12 passage of a competency examination. Successful completion of
13 the 40-clock-hour introductory course shall articulate into
14 community college credit in early childhood education, as
15 approved by the Articulation Coordinating Committee pursuant
16 to s. 229.551(1)(g).

17 Section 2. Paragraph (d) and (f) of subsection (2) of
18 section 402.305, Florida Statutes, are amended to read:

19 402.305 Licensing standards; child care facilities.--

20 (2) PERSONNEL.--Minimum standards for child care
21 personnel shall include minimum requirements as to:

22 (d) Minimum training requirements for child care
23 personnel.

24 1. Such minimum standards for training shall ensure
25 that all child care personnel ~~and operators of family day care~~
26 ~~homes serving at-risk children in a subsidized child care~~
27 ~~program pursuant to s. 402.3015~~ take an approved 40-clock-hour
28 introductory course in child care, which course covers at
29 least the following topic areas:

30 a. State and local rules and regulations which govern
31 child care.

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1 b. Health, safety, and nutrition.
2 c. Identifying and reporting child abuse and neglect.
3 d. Child development, including typical and atypical
4 language, cognitive, motor, social, and self-help skills
5 development.

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

9 f. Specialized areas, including computer technology
10 for professional and classroom use, as determined by the
11 department, for owner-operators and child care personnel of a
12 child care facility.

13
14 Within 90 days after ~~of~~ employment, child care personnel shall
15 begin training to meet the training requirements. Child care
16 personnel ~~and~~ shall successfully complete such training within
17 1 year after ~~of~~ the date on which the training began, as
18 evidenced by passage of a competency examination. Successful
19 completion of the 40-clock-hour introductory course shall
20 articulate into community college credit in early childhood
21 education, as approved by the Articulation Coordinating
22 Committee, pursuant to s. 229.551(1)(g). Exemption from all or
23 a portion of the required training shall be granted to child
24 care personnel based upon educational credentials or passage
25 of competency examinations. Child care personnel possessing a
26 2-year degree or higher that includes 6 college credit hours
27 in early childhood development or child growth and
28 development, or a child development associate credential or an
29 equivalent state-approved child development associate
30 credential, or a child development associate waiver

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1 certificate shall be automatically exempted from the training
2 requirements in sub-subparagraphs b., d., and e.

3 2. The introductory course in child care shall stress,
4 to the extent possible, an interdisciplinary approach to the
5 study of children.

6 3. On an annual basis in order to further their child
7 care skills and, if appropriate, administrative skills, child
8 care personnel who have fulfilled the requirements for the
9 child care training shall be required to take an additional
10 approved 8 clock hours of inservice training or an equivalent
11 as determined by the department.

12 4. Procedures for ensuring the training of qualified
13 child care professionals to provide training of child care
14 personnel, including onsite training, shall be included in the
15 minimum standards. It is recommended that the state community
16 child care coordination agencies (central agencies) be
17 contracted by the department to coordinate such training when
18 possible. Other district educational resources, such as
19 community colleges and vocational-technical programs, can be
20 designated in such areas where central agencies may not exist
21 or are determined not to have the capability to meet the
22 coordination requirements set forth by the department.

23 5. Training requirements shall not apply to certain
24 occasional or part-time support staff, including, but not
25 limited to, swimming instructors, piano teachers, dance
26 instructors, and gymnastics instructors.

27 6. The department ~~State Coordinating Council for~~
28 ~~School Readiness Programs, in coordination with the~~
29 ~~department,~~ shall evaluate or contract for an evaluation for
30 the general purpose of determining the status of and means to
31 improve staff training requirements and testing procedures.

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1 The evaluation shall be ~~completed by October 1, 1992, and~~
2 conducted every 2 years ~~thereafter~~. The evaluation shall
3 include, but not be limited to, determining the availability,
4 quality, scope, and sources of current staff training;
5 determining the need for specialty training; and determining
6 ways to increase inservice training and ways to increase the
7 accessibility, quality, and cost-effectiveness of current and
8 proposed staff training. The evaluation methodology shall
9 include a reliable and valid survey of child care personnel.

10 7. The child care operator shall be required to take
11 basic training in serving children with disabilities within 5
12 years after employment, either as a part of the introductory
13 training or the annual 8 hours of inservice training.

14 (f) By January 1, 2000, a credential for child care
15 facility directors. By January 1, 2004 ~~2003~~, the credential
16 shall be a required minimum standard for licensing.

17 Section 3. Paragraph (a) of subsection (1) and
18 subsections (4) and (10) of section 402.313, Florida Statutes,
19 are amended to read:

20 402.313 Family day care homes.--

21 (1) Family day care homes shall be licensed under this
22 act if they are presently being licensed under an existing
23 county licensing ordinance, if they are participating in the
24 subsidized child care program, or if the board of county
25 commissioners passes a resolution that family day care homes
26 be licensed. If no county authority exists for the licensing
27 of a family day care home, the department shall have the
28 authority to license family day care homes under contract for
29 the purchase-of-service system in the subsidized child care
30 program.

31

1 (a) If not subject to license, family day care homes
2 shall register annually with the department, providing the
3 following information:
4 1. The name and address of the home.
5 2. The name of the operator.
6 3. The number of children served.
7 4. Proof of a written plan to provide at least one
8 other competent adult to be available to substitute for the
9 operator in an emergency. This plan shall include the name,
10 address, and telephone number of the designated substitute.
11 5. Proof of screening and background checks.
12 6. Proof of successful completion of the 30-hour
13 training course, as evidenced by passage of a competency
14 examination, which shall include:
15 a. State and local rules and regulations that govern
16 child care.
17 b. Health, safety, and nutrition.
18 c. Identifying and reporting child abuse and neglect.
19 d. Child development, including typical and atypical
20 language development; and cognitive, motor, social, and
21 self-help skills development.
22 e. Observation of developmental behaviors, including
23 using a checklist or other similar observation tools and
24 techniques to determine a child's developmental level.
25 f. Specialized areas, as determined by the department,
26 for owner-operators of family day care homes.
27 7. Proof that immunization records are kept current.
28 (4) Operators of family day care homes must
29 successfully complete ~~shall take~~ an approved 30-clock-hour
30 introductory course in child care, as evidenced by passage of
31 a competency examination. Family day care homes licensed or

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1 registered on June 30, 1999, shall have until June 30, 2001,
2 to comply with this course requirement, except that the
3 department shall exempt family day care homes in this category
4 that can demonstrate that the operator has received at least
5 30 hours of training. Family day care homes initially licensed
6 or registered on or after July 1, 1999, but before October 1,
7 1999, shall have until October 1, 1999, to comply with the
8 30-clock-hour course requirement. Family day care homes
9 initially licensed or registered on or after October 1, 1999,
10 must comply with the 30-clock-hour course requirement before
11 caring for children.

12 (10) The department shall, by rule, establish minimum
13 standards for family day care homes that are required to be
14 licensed by county licensing ordinance or county licensing
15 resolution or that voluntarily choose to be licensed. The
16 standards should include requirements for staffing, training,
17 maintenance of immunization records, minimum health standards,
18 reduced standards for the regulation of child care during
19 evening hours by municipalities and counties, and enforcement
20 of standards.

21 Section 4. The Department of Children and Family
22 Services may modify the 40-clock-hour introductory course in
23 child care under section 402.305 or section 402.3131, Florida
24 Statutes, to meet the requirements of articulating the course
25 to community college credit. Any modification must continue to
26 provide that the course satisfies the requirements of section
27 402.305(2)(d), Florida Statutes.

28 Section 5. Subsection (6) of section 110.151, Florida
29 Statutes, is amended to read:

30 110.151 State officers' and employees' child care
31 services.--

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1 (6) In the areas where the state has an insufficient
2 number of employees to justify a worksite center, a state
3 agency may join in a consortium arrangement utilizing
4 available state facilities with not-for profit corporations or
5 other public employers to provide child care services to both
6 public employees and employees of private sector employers.
7 The consortium agreement must first address the unmet
8 child-care needs of the children of the public employees whose
9 employers are members of the consortium, and then address the
10 child-care needs of private-sector employees.

11 Section 6. This act shall take effect July 1, 2002.
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