

By the Committee on Workforce & Technical Skills and
Representative Ausley

1 A bill to be entitled
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; increasing the
11 introductory course requirement; providing
12 additional training topics; requiring a
13 competency examination upon successful
14 completion of the required training; providing
15 for community college credit; providing an
16 automatic exemption from certain training
17 requirements for personnel having specified
18 degrees, credentials, courses, or waivers in
19 specified areas; amending s. 402.313, F.S.;
20 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 for training by
25 rule for certain family day care homes;
26 authorizing the department to modify certain
27 child care training requirements to provide for
28 articulation into community college credit;
29 providing an effective date.

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

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

3 402.3131 Large family child care homes.--

4 (3) Operators of large family child care homes must
5 successfully complete ~~shall take~~ an approved 45-clock-hour
6 ~~40-clock-hour~~ introductory course in group child care, as
7 evidenced by passage of a competency examination. Successful
8 completion of the 45-clock-hour introductory course shall
9 articulate into community college credit in early childhood
10 education, as approved by the Articulation Coordinating
11 Committee pursuant to s. 229.551(1)(g).

12 Section 2. Paragraph (d) of subsection (2) of section
13 402.305, Florida Statutes, is amended to read:

14 402.305 Licensing standards; child care facilities.--

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

17 (d) Minimum training requirements for child care
18 personnel.

19 1. Such minimum standards for training shall ensure
20 that all child care personnel ~~and operators of family day care~~
21 ~~homes serving at-risk children in a subsidized child care~~
22 ~~program pursuant to s. 402.3015~~ take an approved 45-clock-hour
23 ~~40-clock-hour~~ introductory course in child care, which course
24 covers at least the following topic areas:

25 a. State and local rules and regulations which govern
26 child care.

27 b. Health, safety, and nutrition.

28 c. Identifying and reporting child abuse and neglect.

29 d. Child development, including typical and atypical
30 language, cognitive, motor, social, and self-help skills
31 development.

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

4 f. Brain research and computer technology for
5 professional and classroom use.

6 g.f. Specialized areas, as determined by the
7 department, for owner-operators and child care personnel of a
8 child care facility.

9
10 Within 90 days after ~~of~~ employment, child care personnel shall
11 begin training to meet the training requirements. Child care
12 personnel ~~and~~ shall successfully complete such training within
13 1 year after ~~of~~ the date on which the training began, as
14 evidenced by passage of a competency examination. Successful
15 completion of the 45-clock-hour introductory course shall
16 articulate into community college credit in early childhood
17 education, as approved by the Articulation Coordinating
18 Committee, pursuant to s. 229.551(1)(g). Exemption from all or
19 a portion of the required training shall be granted to child
20 care personnel based upon educational credentials or passage
21 of competency examinations. Child care personnel possessing a
22 2-year degree or higher that includes 6 college credit hours
23 in early childhood development or child growth and
24 development, or a child development associate credential or an
25 equivalent state-approved child development associate
26 credential, or a child development associate waiver
27 certificate shall be automatically exempted from the training
28 requirements in sub-subparagraphs b., d., and e.

29 2. The introductory course in child care shall stress,
30 to the extent possible, an interdisciplinary approach to the
31 study of children.

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

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

18 5. Training requirements shall not apply to certain
19 occasional or part-time support staff, including, but not
20 limited to, swimming instructors, piano teachers, dance
21 instructors, and gymnastics instructors.

22 6. The department ~~State Coordinating Council for~~
23 ~~School Readiness Programs, in coordination with the~~
24 ~~department,~~ shall evaluate or contract for an evaluation for
25 the general purpose of determining the status of and means to
26 improve staff training requirements and testing procedures.
27 The evaluation shall be ~~completed by October 1, 1992, and~~
28 conducted every 2 years ~~thereafter~~. The evaluation shall
29 include, but not be limited to, determining the availability,
30 quality, scope, and sources of current staff training;
31 determining the need for specialty training; and determining

1 ways to increase inservice training and ways to increase the
2 accessibility, quality, and cost-effectiveness of current and
3 proposed staff training. The evaluation methodology shall
4 include a reliable and valid survey of child care personnel.

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

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

12 402.313 Family day care homes.--

13 (1) Family day care homes shall be licensed under this
14 act if they are presently being licensed under an existing
15 county licensing ordinance, if they are participating in the
16 subsidized child care program, or if the board of county
17 commissioners passes a resolution that family day care homes
18 be licensed. If no county authority exists for the licensing
19 of a family day care home, the department shall have the
20 authority to license family day care homes under contract for
21 the purchase-of-service system in the subsidized child care
22 program.

23 (a) If not subject to license, family day care homes
24 shall register annually with the department, providing the
25 following information:

- 26 1. The name and address of the home.
- 27 2. The name of the operator.
- 28 3. The number of children served.
- 29 4. Proof of a written plan to provide at least one
30 other competent adult to be available to substitute for the
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1 operator in an emergency. This plan shall include the name,
2 address, and telephone number of the designated substitute.

3 5. Proof of screening and background checks.

4 6. Proof of successful completion of the 30-hour
5 training course, as evidenced by passage of a competency
6 examination, which shall include:

7 a. State and local rules and regulations that govern
8 child care.

9 b. Health, safety, and nutrition.

10 c. Identifying and reporting child abuse and neglect.

11 d. Child development, including typical and atypical
12 language development; and cognitive, motor, social, and
13 self-help skills development.

14 e. Observation of developmental behaviors, including
15 using a checklist or other similar observation tools and
16 techniques to determine a child's developmental level.

17 f. Specialized areas, as determined by the department,
18 for owner-operators of family day care homes.

19 7. Proof that immunization records are kept current.

20 (4) Operators of family day care homes must
21 successfully complete ~~shall take~~ an approved 30-clock-hour
22 introductory course in child care, as evidenced by passage of
23 a competency examination. Family day care homes licensed or
24 registered on June 30, 1999, shall have until June 30, 2001,
25 to comply with this course requirement, except that the
26 department shall exempt family day care homes in this category
27 that can demonstrate that the operator has received at least
28 30 hours of training. Family day care homes initially licensed
29 or registered on or after July 1, 1999, but before October 1,
30 1999, shall have until October 1, 1999, to comply with the
31 30-clock-hour course requirement. Family day care homes

1 initially licensed or registered on or after October 1, 1999,
2 must comply with the 30-clock-hour course requirement before
3 caring for children.

4 (10) The department shall, by rule, establish minimum
5 standards for family day care homes that are required to be
6 licensed by county licensing ordinance or county licensing
7 resolution or that voluntarily choose to be licensed. The
8 standards should include requirements for staffing, training,
9 maintenance of immunization records, minimum health standards,
10 reduced standards for the regulation of child care during
11 evening hours by municipalities and counties, and enforcement
12 of standards.

13 Section 4. The Department of Children and Family
14 Services may modify the 45-clock-hour introductory course in
15 child care under s. 402.305 or s. 402.3131, Florida Statutes,
16 to meet the requirements of articulating the course to
17 community college credit. Any modification must continue to
18 provide that the course satisfies the requirements of s.
19 402.305(2)(d), Florida Statutes.

20 Section 5. This act shall take effect July 1, 2002.
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