

By the Council for Lifelong Learning and 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; providing an additional
11 training topic; requiring a competency
12 examination upon successful completion of the
13 required training; providing for community
14 college credit; providing an automatic
15 exemption from certain training requirements
16 for personnel having specified degrees,
17 credentials, courses, or waivers in specified
18 areas; amending s. 402.313, F.S.; requiring a
19 competency examination for operators of family
20 day care homes upon successful completion of
21 the required training; requiring the Department
22 of Children and Family Services to establish
23 standards by rule for training for family day
24 care homes that have voluntarily chosen to be
25 licensed or must be licensed due to county
26 ordinance or resolution; authorizing the
27 department to modify certain child care
28 training requirements to provide for
29 articulation into community college credit;
30 providing an effective date.
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1 Be It Enacted by the Legislature of the State of Florida:

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

5 402.3131 Large family child care homes.--

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

14 Section 2. Paragraph (d) of subsection (2) of section
15 402.305, Florida Statutes, is amended to read:

16 402.305 Licensing standards; child care facilities.--

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

19 (d) Minimum training requirements for child care
20 personnel.

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

27 a. State and local rules and regulations which govern
28 child care.

29 b. Health, safety, and nutrition.

30 c. Identifying and reporting child abuse and neglect.

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1 d. Child development, including typical and atypical
2 language, cognitive, motor, social, and self-help skills
3 development.

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

7 f. Computer technology for professional and classroom
8 use.

9 ~~g.f.~~ Specialized areas, as determined by the
10 department, for owner-operators and child care personnel of a
11 child care facility.

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

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

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

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

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

25 6. The department ~~State Coordinating Council for~~
26 ~~School Readiness Programs, in coordination with the~~
27 ~~department,~~ shall evaluate or contract for an evaluation for
28 the general purpose of determining the status of and means to
29 improve staff training requirements and testing procedures.
30 The evaluation shall be ~~completed by October 1, 1992, and~~
31 conducted every 2 years ~~thereafter~~. The evaluation shall

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

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

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

15 402.313 Family day care homes.--

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

26 (a) If not subject to license, family day care homes
27 shall register annually with the department, providing the
28 following information:

- 29 1. The name and address of the home.
- 30 2. The name of the operator.
- 31 3. The number of children served.

- 1 4. Proof of a written plan to provide at least one
2 other competent adult to be available to substitute for the
3 operator in an emergency. This plan shall include the name,
4 address, and telephone number of the designated substitute.
- 5 5. Proof of screening and background checks.
- 6 6. Proof of successful completion of the 30-hour
7 training course, as evidenced by passage of a competency
8 examination, which shall include:
- 9 a. State and local rules and regulations that govern
10 child care.
- 11 b. Health, safety, and nutrition.
- 12 c. Identifying and reporting child abuse and neglect.
- 13 d. Child development, including typical and atypical
14 language development; and cognitive, motor, social, and
15 self-help skills development.
- 16 e. Observation of developmental behaviors, including
17 using a checklist or other similar observation tools and
18 techniques to determine a child's developmental level.
- 19 f. Specialized areas, as determined by the department,
20 for owner-operators of family day care homes.
- 21 7. Proof that immunization records are kept current.
- 22 (4) Operators of family day care homes must
23 successfully complete ~~shall take~~ an approved 30-clock-hour
24 introductory course in child care, as evidenced by passage of
25 a competency examination. Family day care homes licensed or
26 registered on June 30, 1999, shall have until June 30, 2001,
27 to comply with this course requirement, except that the
28 department shall exempt family day care homes in this category
29 that can demonstrate that the operator has received at least
30 30 hours of training. Family day care homes initially licensed
31 or registered on or after July 1, 1999, but before October 1,

1 1999, shall have until October 1, 1999, to comply with the
2 30-clock-hour course requirement. Family day care homes
3 initially licensed or registered on or after October 1, 1999,
4 must comply with the 30-clock-hour course requirement before
5 caring for children.

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

15 Section 4. The Department of Children and Family
16 Services may modify the 40-clock-hour introductory course in
17 child care under s. 402.305 or s. 402.3131, Florida Statutes,
18 to meet the requirements of articulating the course to
19 community college credit. Any modification must continue to
20 provide that the course satisfies the requirements of s.
21 402.305(2)(d), Florida Statutes.

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