



## FULL ANALYSIS

### I. SUBSTANTIVE ANALYSIS

#### A. DOES THE BILL:

- |                                      |                              |                             |   |
|--------------------------------------|------------------------------|-----------------------------|---|
| 1. Reduce government?                | Yes <input type="checkbox"/> | No <input type="checkbox"/> | N/A <input checked="" type="checkbox"/> |
| 2. Lower taxes?                      | Yes <input type="checkbox"/> | No <input type="checkbox"/> | N/A <input checked="" type="checkbox"/> |
| 3. Expand individual freedom?        | Yes <input type="checkbox"/> | No <input type="checkbox"/> | N/A <input checked="" type="checkbox"/> |
| 4. Increase personal responsibility? | Yes <input type="checkbox"/> | No <input type="checkbox"/> | N/A <input checked="" type="checkbox"/> |
| 5. Empower families?                 | Yes <input type="checkbox"/> | No <input type="checkbox"/> | N/A <input checked="" type="checkbox"/> |

For any principle that received a “no” above, please explain:

#### B. EFFECT OF PROPOSED CHANGES:

Many studies have established that high-quality early child care and education are vital for school success by enhancing cognitive and language development.<sup>1</sup> By the time they enter kindergarten, most children have experienced some kind of early education or child care. Over 7 million preschoolers are regularly cared for by someone other than a relative.<sup>2</sup> Thus, an enormous potential exists for early childhood providers to influence later reading success. Training child care staff in ways to engage children in literacy and language activities will enhance their charges’ reading-readiness as they enter school and prepare them to be life-long readers.

#### **Child Care Personnel Training: Introductory Course**

The Department of Children and Families (DCF) is currently responsible for child care regulation in 59 of 67 counties<sup>3</sup>, which includes 4,281 licensed child care facilities, 2,405 licensed family day care homes, 118 licensed large family child care home, and 2,676 registered family day care homes. DCF is also responsible for the development and delivery of mandated training curriculum and competency examinations for over 50,000 child care providers statewide: 40-clock-hours of introductory child care training for personnel in child care facilities<sup>4</sup>; 30-clock-hours of an introductory course in child care for personnel in family day care homes<sup>5</sup>; and 40-clock-hours of an introductory course in group child care for personnel in large family child care homes<sup>6</sup>.

The introductory courses must include training in at least the following subject areas:<sup>7</sup>

- State and local rules and regulations which govern child care
- Health, safety and nutrition
- Identifying and reporting child abuse and neglect
- Child development, including typical and atypical language, cognitive, motor, social, and self-help skills development
- Observation of developmental behaviors to determine the child’s developmental age level

<sup>1</sup> National Institute for Child Health and Development, 1997.

<sup>2</sup> U.S. Census Bureau, PPL Table 1A: Child Care Arrangements for Preschoolers by Family Characteristics and Employment Status of Mother: Spring 1999, Internet release date January 24, 2003. See <http://www.census.gov/population/www/socdemo/child/ppl-168.html>

<sup>3</sup> Alachua, Brevard, Broward, Leon, Hillsborough, Palm Beach, Pinellas, Polk and Sarasota counties license and regulate child care facilities.

<sup>4</sup> Section 402.305(2)(d)1., F.S.

<sup>5</sup> Section 402.313(4), F.S.

<sup>6</sup> Section 402.3131(3), F.S.

<sup>7</sup> Section 402.305(2)(d), F.S.

f. Specialized areas, including computer technology for professional and classroom use, for owner-operators and child care personnel of a child care facility.

The bill would require that the introductory courses for personnel in child care facilities and in family day care homes include training on early literacy and language development of children from birth to 5 years of age as part of the existing clock-hours requirement. The bill does not impose that additional training on personnel in large family child care homes.

### **Child Care Personnel Training: Annual Requirements**

In addition to the introductory coursework, child care personnel in child care facilities are required to take an approved 8 clock hours of inservice training or an equivalent as determined by DCF annually.<sup>8</sup> There is no current statutory requirement for annual training for personnel in family day care homes or large family child care homes.

The bill requires that child care personnel in child care facilities take 1 CEU of approved inservice training or an equivalent as determined by DCF. A CEU or Continuing Education Unit is equal to ten clock hours of training or ten contact hours of participation in an organized educational experience.<sup>9</sup> Thus, this portion of the bill increases the annual training requirement for child care personnel in child care facilities by 2 clock hours. In addition, the bill newly imposes this same 1 CEU or 10 clock hour training requirement on operators of family day care homes and large family child care homes.

The bill also requires that personnel in child care facilities, family day care homes, and large family child care homes take 0.5 CEU, or 5 clock hours, training in early literacy and language development.

As opposed to in-service training, CEUs tend to be awarded through more formalized educational arrangements outside the regular work environment. Those arrangements may cause the cost of the training to increase, both monetarily and through lost work time.

DCF reports that it is in the process of developing a new specialized training module in early childhood literacy and language development. This five-clock-hour training module will include competency testing and will be made available to child care personnel on-line via the Internet. The training is expected to be available on October 1, 2003.

DCF also raises the concern that the child care industry is in the process of implementing competency-based testing, pursuant to Chapter 2002-300, Laws of Florida. This testing will require additional time and cost to child care personnel. The industry is also working toward the implementation of a Director Credential by January 1, 2004, for all child care facilities. Both of these major initiatives have significant impacts on the industry in terms of time, cost, and quality. DCF notes that additional training requirements at this time may be more than the industry can sustain.

### **Family Day Care Home Requirements**

The bill requires that operators of family day care homes annually complete a health and safety home inspection self-evaluation checklist developed by the department. The checklist is to be signed by the operator certifying that basic health and safety standards are being met.

In addition, operators of registered family day care homes are required to provide proof of completion of the CEUs and a copy of the home inspection self-evaluation checklist to DCF annually.

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<sup>8</sup> Section 402.305(2)(d)3., F. S.

<sup>9</sup> See, e.g., The International Association of Continuing Education and Training at <http://www.iacet.org>

Unlike registered family day care homes,<sup>10</sup> licensed family day care homes<sup>11</sup> are subject to at least two on-site inspections annually. These inspections validate that basic health and safety standards are being met. Non-compliance results in enforcement action by DCF against the licensee. Thus, the requirement for the health and family safety home inspection self-evaluation checklist is unnecessary for licensed facilities. For registered facilities, a self-evaluation process may provide a false sense of security that health and safety standards are actually being met, and DCF is without authority to enforce the standards in the checklist.

C. SECTION DIRECTORY:

**Section 1: Amends s. 402.305, F.S.**, to require that child care personnel receive training in early literacy and language development of children from birth to 5 years of age.

**Section 2: Amends s. 402.313, F.S.**, to require that family day care home operators receive additional child care training, and requiring submission of additional information upon annual registration.

**Section 3: Amends s. 402.3131, F.S.**, to require that large family day care home operators receive additional child care training.

**Section 4:** Provides an effective date of July 1, 2003.

## II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT

A. FISCAL IMPACT ON STATE GOVERNMENT:

1. Revenues:

None.

2. Expenditures:

DCF reports that the bill will engender costs associated with revisions to the department's current child care training curriculum, but a fiscal impact cannot be determined at this time.

B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

1. Revenues:

None.

2. Expenditures:

DCF reports that the potential for additional compliance activities associated with this bill may affect the eight local agencies which license child care facilities, requiring expenditures of funds by local governments.

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

Child care providers will be impacted by increased costs for completion of training requirements if the in-service training is replaced by CEUs, as well as by the costs for the additional hours of training required.

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<sup>10</sup> See s. 402.305(1)(a), F.S.

<sup>11</sup> See s. 402.305(1), F.S.

D. FISCAL COMMENTS:

**III. COMMENTS**

A. CONSTITUTIONAL ISSUES:

1. Applicability of Municipality/County Mandates Provision:

None

2. Other:

B. RULE-MAKING AUTHORITY:

No rulemaking authority is granted or revised.

C. DRAFTING ISSUES OR OTHER COMMENTS:

The total number and frequency of training hours that must be accrued is unclear.

**IV. AMENDMENTS/COMMITTEE SUBSTITUTE CHANGES**

On April 1, 2003, the Subcommittee on the Children's Services adopted two amendments to HB 1141 --- one a strike everything, the second a technical correction to the strike everything. Together, the amendments have the following effects:

The amendment requires that staff of child care facilities, family day care homes and large family day care homes receive introductory training in early literacy and language development.

The amendment requires 1 CEU or 10 clock hours of annual training for staff of child care facilities, family day care homes and large family day care homes, and establishes a one-time 0.5 CEU or 5 clock hours early literacy and language development training requirement, which can be counted as part of that year's annual training hours.

The amendment requires that registered family day care homes submit a self-evaluation safety checklist.

The amendment amends s. 402.312, F.S., to provide grounds for injunctive relief against licensed and registered child care facilities, family day care homes and large family day care homes.