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1 A bill to be entitled
 2 An act relating to child care facilities; amending s.
 3 402.281, F.S.; revising the development of Gold Seal
 4 Quality Care program standards; allowing the Department of
 5 Children and Family Services to adopt standards and
 6 procedures by rule; amending s. 402.305, F.S.; excluding
 7 certain child care personnel from certain training
 8 requirements; adding minimum education requirements for
 9 child care personnel; amending s. 402.313, F.S.; revising
 10 information provided by family day care homes for
 11 registration; requiring operator substitutes to complete a
 12 specified course in child care prior to caring for
 13 children; providing an effective date.

14

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

16

17 Section 1. Section 402.281, Florida Statutes, is amended
 18 to read:

19 402.281 Gold Seal Quality Care program.--

20 (1) Child care facilities, large family child care homes,
 21 or family day care homes that are accredited by a national
 22 ~~nationally recognized~~ accrediting association whose standards
 23 and renewal requirements substantially meet or exceed those of
 24 the National Association for the Education of Young Children
 25 (NAEYC), the National Association of Family Child Care, and the
 26 National Early Childhood Program Accreditation Commission shall
 27 receive a separate "Gold Seal Quality Care" designation to
 28 operate as a gold seal child care facility, large family child
 29 care home, or family day care home.

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30 (2) In developing the Gold Seal Quality Care program
 31 standards and approving the accrediting associations, the
 32 department shall:

33 (a) Provide for a selection of high-quality accrediting
 34 associations that adequately reflect the diversity of the full
 35 range of child care providers while maintaining the integrity
 36 and manageability of the program.

37 (b) Consult with the Florida Partnership for School
 38 Readiness, the Department of Education, the Florida Head Start
 39 Directors Association, the Florida Association of Child Care
 40 Management, the Florida Family Day Care Association, the Florida
 41 Children's Forum, the State Coordinating Council for School
 42 Readiness Programs, the Early Childhood Association of Florida,
 43 the National Association for Child Development Education,
 44 providers receiving exemptions under s. 402.316, and parents,
 45 for the purpose of approving the accrediting associations.

46 (3) The department may, by rule, adopt standards and
 47 procedures necessary for the implementation of the program.

48 Section 2. Paragraph (d) of subsection (2) and subsection
 49 (3) of section 402.305, Florida Statutes, are amended, and
 50 paragraph (g) is added to subsection (2) of said section, to
 51 read:

52 402.305 Licensing standards; child care facilities.--

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

55 (d) Minimum training requirements for child care
 56 personnel.

57 1. Such minimum standards for training shall ensure that
 58 all child care personnel take an approved 40-clock-hour

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59 introductory course in child care, which course covers at least
60 the following topic areas:

61 a. State and local rules and regulations which govern
62 child care.

63 b. Health, safety, and nutrition.

64 c. Identifying and reporting child abuse and neglect.

65 d. Child development, including typical and atypical
66 language, cognitive, motor, social, and self-help skills
67 development.

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

71 f. Specialized areas, including computer technology for
72 professional and classroom use and early literacy and language
73 development of children from birth to 5 years of age, as
74 determined by the department, for owner-operators and child care
75 personnel of a child care facility.

76

77 Within 90 days after employment, child care personnel shall
78 begin training to meet the training requirements. Child care
79 personnel shall successfully complete such training within 1
80 year after the date on which the training began, as evidenced by
81 passage of a competency examination. Successful completion of
82 the 40-clock-hour introductory course shall articulate into
83 community college credit in early childhood education, pursuant
84 to ss. 1007.24 and 1007.25. Exemption from all or a portion of
85 the required training shall be granted to child care personnel
86 based upon educational credentials or passage of competency
87 examinations. Child care personnel possessing a 2-year degree or

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88 higher that includes 6 college credit hours in early childhood
 89 development or child growth and development, or a child
 90 development associate credential or an equivalent state-approved
 91 child development associate credential, or a child development
 92 associate waiver certificate shall be automatically exempted
 93 from the training requirements in sub-subparagraphs b., d., and
 94 e.

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

98 3. On an annual basis in order to further their child care
 99 skills and, if appropriate, administrative skills, child care
 100 personnel who have fulfilled the requirements for the child care
 101 training shall be required to take an additional 1 continuing
 102 education unit of approved inservice training, or 10 clock hours
 103 of equivalent training, as determined by the department.

104 4. Child care personnel, except those employed in
 105 facilities that serve only children in kindergarten and above,
 106 shall be required to complete 0.5 continuing education unit of
 107 approved training or 5 clock hours of equivalent training, as
 108 determined by the department, in early literacy and language
 109 development of children from birth to 5 years of age one time.
 110 The year that this training is completed, it shall fulfill the
 111 0.5 continuing education unit or 5 clock hours of the annual
 112 training required in subparagraph 3.

113 5. Procedures for ensuring the training of qualified child
 114 care professionals to provide training of child care personnel,
 115 including onsite training, shall be included in the minimum
 116 standards. It is recommended that the state community child care

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117 coordination agencies (central agencies) be contracted by the
 118 department to coordinate such training when possible. Other
 119 district educational resources, such as community colleges and
 120 vocational-technical programs, can be designated in such areas
 121 where central agencies may not exist or are determined not to
 122 have the capability to meet the coordination requirements set
 123 forth by the department.

124 6. Training requirements shall not apply to certain
 125 occasional or part-time support staff, including, but not
 126 limited to, swimming instructors, piano teachers, dance
 127 instructors, and gymnastics instructors.

128 7. The department shall evaluate or contract for an
 129 evaluation for the general purpose of determining the status of
 130 and means to improve staff training requirements and testing
 131 procedures. The evaluation shall be conducted every 2 years. The
 132 evaluation shall include, but not be limited to, determining the
 133 availability, quality, scope, and sources of current staff
 134 training; determining the need for specialty training; and
 135 determining ways to increase inservice training and ways to
 136 increase the accessibility, quality, and cost-effectiveness of
 137 current and proposed staff training. The evaluation methodology
 138 shall include a reliable and valid survey of child care
 139 personnel.

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

144 (g) Minimum education requirements for child care
 145 personnel. Such minimum education standards shall prohibit a

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146 person who has not obtained a high school diploma or high school
 147 equivalency diploma pursuant to s. 1003.435 from being employed
 148 as child care personnel as defined in s. 402.302 unless:

149 1. Such person is under direct supervision and is not
 150 counted for purposes of computing the child-to-staff ratio.

151 2. Such person is not serving in an instructional position
 152 and is not counted for purposes of computing the child-to-staff
 153 ratio.

154 3. Such person is employed in child care on July 1, 2004,
 155 and has 10 or more years of documented experience working with
 156 children in a child care setting or in a public school between
 157 July 1, 1989, and July 1, 2004.

158
 159 Those child care personnel employed in child care on July 1,
 160 2004, who do not possess the required education and who are not
 161 exempted from such pursuant to subparagraphs 1.-3. shall have
 162 until July 1, 2005, to obtain the required education or shall be
 163 prohibited from employment as child care personnel until such
 164 time as they are in compliance.

165 (3) MINIMUM STAFF CREDENTIALS.--~~By July 1, 1996,~~ For every
 166 20 children in a licensed child care facility, beginning with
 167 the first child, if the facility operates 8 hours or more per
 168 week, one of the child care personnel in the facility must have:

169 (a) A current child development associate credential;

170 (b) A current child care professional credential, unless
 171 the department determines that such child care professional
 172 credential is not equivalent to or greater than a child
 173 development associate credential; or

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174 (c) A current credential that is equivalent to or greater
 175 than the credential required in paragraph (a) or paragraph (b).
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177 The department shall establish by rule those hours of operation,
 178 such as during rest periods and transitional periods, when this
 179 subsection does not apply.

180 Section 3. Paragraph (a) of subsection (1) and subsection
 181 (4) of section 402.313, Florida Statutes, are amended to read:

182 402.313 Family day care homes.--

183 (1) Family day care homes shall be licensed under this act
 184 if they are presently being licensed under an existing county
 185 licensing ordinance, if they are participating in the subsidized
 186 child care program, or if the board of county commissioners
 187 passes a resolution that family day care homes be licensed. If
 188 no county authority exists for the licensing of a family day
 189 care home, the department shall have the authority to license
 190 family day care homes under contract for the purchase-of-service
 191 system in the subsidized child care program.

192 (a) If not subject to license, family day care homes shall
 193 register annually with the department, providing the following
 194 information:

- 195 1. The name and address of the home.
- 196 2. The name of the operator.
- 197 3. The number of children served.
- 198 4. Proof of a written plan to provide at least one other
 199 competent adult to act as the operator in his or her absence and
 200 to be available to substitute for the operator in an emergency.
 201 This plan shall include the name, address, and telephone number
 202 of the designated substitute.

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203 5. Proof of screening and background checks for all
 204 persons subject to screening requirements, including
 205 substitutes, prior to caring for children.

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

209 a. State and local rules and regulations that govern child
 210 care.

211 b. Health, safety, and nutrition.

212 c. Identifying and reporting child abuse and neglect.

213 d. Child development, including typical and atypical
 214 language development; and cognitive, motor, social, and self-
 215 help skills development.

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

219 f. Specialized areas, including early literacy and
 220 language development of children from birth to 5 years of age,
 221 as determined by the department, for owner-operators of family
 222 day care homes.

223 7. Proof that immunization records are kept current.

224 8. Proof of completion of the required continuing
 225 education units or clock hours.

226 (4) Operators of family day care homes, and their
 227 substitutes, must successfully complete an approved 30-clock-
 228 hour introductory course in child care, as evidenced by passage
 229 of a competency examination, before caring for children.

230 Section 4. This act shall take effect July 1, 2004.