



973172

LEGISLATIVE ACTION

Senate

House

.  
. .  
. .  
. .  
. .  
. .

Floor: WD/2R

05/03/2011 03:40 PM

---

Senator Lynn moved the following:

**Senate Amendment (with title amendment)**

Between lines 202 and 203

insert:

Section 3. Section 402.316, Florida Statutes, is amended to read:

402.316 Exemptions.—

(1) The provisions of ss. 402.301-402.319, except for the requirements regarding screening of child care personnel, do ~~shall~~ not apply to a child care facility that ~~which~~ is an integral part of church or parochial schools conducting regularly scheduled classes, courses of study, or educational programs accredited by, or by a member of, an organization that



973172

14 ~~which~~ publishes and requires compliance with its standards for  
15 health, safety, and sanitation. Such standards must meet or  
16 exceed the minimum health, safety, and sanitation standards as  
17 prescribed under chapter 65C-22, Florida Administrative Code.  
18 ~~However,~~ Such facilities shall meet minimum requirements of the  
19 applicable local governing body as to health, sanitation, and  
20 safety and shall meet the screening requirements pursuant to ss.  
21 402.305 and 402.3055. Failure by a facility to comply with the  
22 ~~such~~ screening requirements shall result in the loss of the  
23 facility's exemption from licensure.

24 (2) A child care facility covered by the religious  
25 exemption set forth in subsection (1) must display in a  
26 conspicuous location at the facility its certificate of  
27 compliance issued by the agency accrediting the child care  
28 facility for a religious exemption. The certificate must state  
29 that it is issued specifically for the purpose of providing the  
30 child care facility with a religious exemption from licensure.

31 (3)~~(2)~~ Any county or city with state or local child care  
32 licensing programs in existence on July 1, 1974, will continue  
33 to license the child care facilities as covered by such  
34 programs, notwithstanding the provisions of subsection (1),  
35 until and unless the licensing agency makes a determination to  
36 exempt them.

37 (4)~~(3)~~ Any child care facility covered by the exemption  
38 provisions of subsection (1), but desiring to be included in  
39 this act, is authorized to do so by submitting notification to  
40 the department. Once licensed, such facility cannot withdraw  
41 from the act and continue to operate.

42 (5) A recognized accrediting agency for religious exemption



973172

43 may not own, operate, or administer a child care program that  
44 the agency accredits. This limitation applies to programs owned,  
45 operated, or administered by relatives of the accrediting agency  
46 who are within the fifth degree by blood or marriage.

47 (6) This section does not authorize the department to  
48 regulate or control the governance, curriculum, academic  
49 curriculum, testing or assessments, evaluation procedures,  
50 academic requirements of the staff, disciplinary practices, or  
51 hiring practices of any child care program under this section.

52  
53 ===== T I T L E A M E N D M E N T =====

54 And the title is amended as follows:

55  
56 Delete line 12

57 and insert:

58 day care homes and large family child care homes;  
59 amending s. 402.316, F.S.; requiring that the health,  
60 safety, and sanitation standards of an accrediting  
61 agency applicable to child care facilities that are  
62 exempt from licensure meet or exceed the minimum  
63 health, safety, and sanitation standards set forth by  
64 the Department of Children and Family Services;  
65 requiring a child care facility to prominently display  
66 a certificate indicating that the facility qualifies  
67 for a religious exemption from licensure; prohibiting  
68 an accrediting agency for religious exemption from  
69 owning, operating, or administering a child care  
70 program that it accredits, including a program owned  
71 by relatives; providing that application of the



973172

72       accrediting standards does not authorize the  
73       department to regulate or control the governance,  
74       curriculum, testing or assessments, evaluation  
75       procedures, academic requirements of the staff, or the  
76       disciplinary or hiring practices of any child care  
77       program; amending