

1 A bill to be entitled

2 An act relating to early learning and child care
3 regulation; changing the term "school readiness
4 program" to "child care and development program," the
5 term "school readiness" to "child care and
6 development," the term "family day care home" to
7 "family child care home," and the term "family day
8 care" to "family child care"; providing a directive to
9 the Division of Law Revision and Information; amending
10 ss. 125.0109 and 166.0445, F.S.; including large
11 family child care homes in local zoning regulation
12 requirements; amending s. 402.302, F.S.; revising the
13 definition of the term "substantial compliance";
14 amending s. 402.3025, F.S.; providing requirements for
15 nonpublic schools delivering certain Voluntary
16 Prekindergarten Education (VPK) and child care and
17 development programs; amending s. 402.305, F.S.;
18 revising certain minimum standards for child care
19 facilities; authorizing the Department of Children and
20 Families to adopt rules for compliance by certain
21 programs not licensed by the department; creating s.
22 402.3085, F.S.; authorizing the Department of Children
23 and Families or local licensing agencies to issue a
24 certificate of substantial compliance with minimum
25 child care licensing standards; requiring certain
26 providers to obtain the certificate in order to offer

27 VPK or child care and development programs; amending
28 s. 402.311, F.S.; providing for inspection of programs
29 regulated by the department; amending s. 402.3115,
30 F.S.; providing for abbreviated inspections of
31 specified child care homes; requiring rulemaking;
32 amending s. 402.313, F.S.; revising provisions for
33 licensure, registration, and operation of family day
34 care homes, including requirements for staffing,
35 training, and background screening; amending s.
36 402.3131, F.S.; revising requirements for large family
37 child care homes; amending s. 402.316, F.S., relating
38 to exemptions from child care facility licensing
39 standards; requiring a child care facility operating
40 as a provider of certain VPK or child care programs to
41 comply with minimum standards; providing penalties for
42 failure to disclose or for use of certain information;
43 requiring a fee for inspection and compliance
44 activities; amending s. 627.70161, F.S.; revising
45 restrictions on residential property insurance
46 coverage to include coverage for large family child
47 care homes; amending s. 1001.213, F.S.; providing
48 additional duties of the Office of Early Learning;
49 amending s. 1002.53, F.S.; revising requirements for
50 application and determination of eligibility to enroll
51 in the VPK program; amending s. 1002.55, F.S.;

52 revising requirements for a school-year

53 prekindergarten program delivered by a private
54 prekindergarten provider, including requirements for
55 providers, instructors, and child care personnel;
56 providing requirements in the case of provider
57 violations; amending s. 1002.59, F.S.; correcting a
58 cross-reference; amending ss. 1002.61 and 1002.63,
59 F.S.; providing requirements for a charter school
60 delivering a summer prekindergarten program or a
61 school-year prekindergarten program; revising
62 employment requirements and educational credentials of
63 certain instructional personnel; amending s. 1002.71,
64 F.S.; revising information that must be reported to
65 parents; amending s. 1002.75, F.S.; revising
66 provisions included in the standard statewide VPK
67 program provider contract; amending s. 1002.77, F.S.;
68 revising the purpose and meetings of the Florida Early
69 Learning Advisory Council; amending s. 1002.81, F.S.;
70 revising certain school readiness program definitions;
71 amending s. 1002.82, F.S.; revising powers and duties
72 of the Office of Early Learning; revising provisions
73 included in the standard statewide school readiness
74 program provider contract; amending s. 1002.84, F.S.;
75 revising powers and duties of early learning
76 coalitions; amending s. 1002.87, F.S.; revising
77 student eligibility and enrollment requirements for
78 the school readiness program; amending s. 1002.88,

79 F.S.; revising eligibility requirements for delivering
 80 the school readiness program; providing requirements
 81 in the case of provider violations; providing child
 82 care personnel requirements; amending s. 1002.89,
 83 F.S.; revising the use of funds for the school
 84 readiness program; amending s. 1002.91, F.S.;
 85 prohibiting an early learning coalition from
 86 contracting with specified persons; amending s.
 87 1002.94, F.S.; revising establishment of a community
 88 child care task force by an early learning coalition;
 89 requiring the Office of Early Learning to conduct a
 90 pilot project to study the impact of assessing the
 91 early literacy skills of certain VPK program
 92 participants; requiring reports to the Governor and
 93 Legislature; providing an effective date.

94

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

96

97 Section 1. The Division of Law Revision and Information is
 98 requested to prepare a reviser's bill for the 2015 Regular
 99 Session of the Legislature to change the term "school readiness
 100 program" to "child care and development program," the term
 101 "school readiness" to "child care and development," the term
 102 "family day care home" to "family child care home," and the term
 103 "family day care" to "family child care" wherever the terms
 104 appear in the Florida Statutes.

105 Section 2. Section 125.0109, Florida Statutes, is amended
 106 to read:

107 125.0109 Family child day care homes and large family
 108 child care homes; local zoning regulation.—The operation of a
 109 residence as a family child day care home or large family child
 110 care home, as defined in s. 402.302, licensed or registered
 111 pursuant to s. 402.313 or s. 402.3131, as applicable, as defined
 112 by law, registered or licensed with the Department of Children
 113 and Family Services shall constitute a valid residential use for
 114 purposes of any local zoning regulations, and no such regulation
 115 shall require the owner or operator of such family child day
 116 care home or large family child care home to obtain any special
 117 exemption or use permit or waiver, or to pay any special fee in
 118 excess of \$50, to operate in an area zoned for residential use.

119 Section 3. Section 166.0445, Florida Statutes, is amended
 120 to read:

121 166.0445 Family child day care homes and large family
 122 child care homes; local zoning regulation.—The operation of a
 123 residence as a family child day care home or large family child
 124 care home, as defined in s. 402.302, licensed or registered
 125 pursuant to s. 402.313 or s. 402.3131, as applicable, as defined
 126 by law, registered or licensed with the Department of Children
 127 and Family Services shall constitute a valid residential use for
 128 purposes of any local zoning regulations, and no such regulation
 129 shall require the owner or operator of such family child day
 130 care home or large family child care home to obtain any special

131 exemption or use permit or waiver, or to pay any special fee in
 132 excess of \$50, to operate in an area zoned for residential use.

133 Section 4. Subsections (8) and (17) of section 402.302,
 134 Florida Statutes, are amended to read:

135 402.302 Definitions.—As used in this chapter, the term:

136 (8) "Family child ~~day~~ care home" means an occupied
 137 residence in which child care is regularly provided for children
 138 from at least two unrelated families and which receives a
 139 payment, fee, or grant for any of the children receiving care,
 140 whether or not operated for profit. Household children under 13
 141 years of age, when on the premises of the family child ~~day~~ care
 142 home or on a field trip with children enrolled in child care,
 143 shall be included in the overall capacity of the licensed home.
 144 A family child ~~day~~ care home shall be allowed to provide care
 145 for one of the following groups of children, which shall include
 146 household children under 13 years of age:

147 (a) A maximum of four children from birth to 12 months of
 148 age.

149 (b) A maximum of three children from birth to 12 months of
 150 age, and other children, for a maximum total of six children.

151 (c) A maximum of six preschool children if all are older
 152 than 12 months of age.

153 (d) A maximum of 10 children if no more than 5 are
 154 preschool age and, of those 5, no more than 2 are under 12
 155 months of age.

156 (17) "Substantial compliance" means, for purposes of

157 programs operating under s. 1002.55, s. 1002.61, or s. 1002.88,
 158 ~~that level of adherence to adopted standards~~ which is sufficient
 159 to safeguard the health, safety, and well-being of all children
 160 under care. The standards must address requirements found in s.
 161 402.305 and are limited to supervision, transportation, access,
 162 health-related requirements, food and nutrition, personnel
 163 screening, records, and enforcement of these standards. The
 164 standards must not limit or exclude the curriculum provided by a
 165 faith-based provider or nonpublic school. Substantial compliance
 166 ~~is greater than minimal adherence but not to the level of~~
 167 ~~absolute adherence. Where a violation or variation is identified~~
 168 ~~as the type which impacts, or can be reasonably expected within~~
 169 ~~90 days to impact, the health, safety, or well-being of a child,~~
 170 ~~there is no substantial compliance.~~

171 Section 5. Paragraphs (d) and (e) of subsection (2) of
 172 section 402.3025, Florida Statutes, are amended to read:

173 402.3025 Public and nonpublic schools.—For the purposes of
 174 ss. 402.301-402.319, the following shall apply:

175 (2) NONPUBLIC SCHOOLS.—

176 (d)1. Nonpublic schools delivering programs under s.
 177 1002.55, s. 1002.61, or s. 1002.88 ~~Programs for children who are~~
 178 ~~at least 3 years of age, but under 5 years of age,~~ which are not
 179 licensed under ss. 402.301-402.319 shall substantially comply
 180 with the minimum child care standards adopted ~~promulgated~~
 181 pursuant to ss. 402.305-402.3057.

182 2. The department or local licensing agency shall enforce

183 compliance with such standards, where possible, to eliminate or
184 minimize duplicative inspections or visits by staff enforcing
185 the minimum child care standards and staff enforcing other
186 standards under the jurisdiction of the department.

187 3. The department or local licensing agency may inspect
188 programs operating under this paragraph and pursue
189 administrative or judicial action under ss. 402.310-402.312
190 against nonpublic schools operating under this paragraph
191 ~~commence and maintain all proper and necessary actions and~~
192 ~~proceedings for any or all of the following purposes:~~

193 a. to protect the health, sanitation, safety, and well-
194 being of all children under care.

195 b. ~~To enforce its rules and regulations.~~

196 c. ~~To use corrective action plans, whenever possible, to~~
197 ~~attain compliance prior to the use of more restrictive~~
198 ~~enforcement measures.~~

199 d. ~~To make application for injunction to the proper~~
200 ~~circuit court, and the judge of that court shall have~~
201 ~~jurisdiction upon hearing and for cause shown to grant a~~
202 ~~temporary or permanent injunction, or both, restraining any~~
203 ~~person from violating or continuing to violate any of the~~
204 ~~provisions of ss. 402.301-402.319. Any violation of this section~~
205 ~~or of the standards applied under ss. 402.305-402.3057 which~~
206 ~~threatens harm to any child in the school's programs for~~
207 ~~children who are at least 3 years of age, but are under 5 years~~
208 ~~of age, or repeated violations of this section or the standards~~

209 ~~under ss. 402.305-402.3057, shall be grounds to seek an~~
210 ~~injunction to close a program in a school.~~

211 ~~e. To impose an administrative fine, not to exceed \$100,~~
212 ~~for each violation of the minimum child care standards~~
213 ~~promulgated pursuant to ss. 402.305-402.3057.~~

214 4. It is a misdemeanor of the first degree, punishable as
215 provided in s. 775.082 or s. 775.083, for any person willfully,
216 knowingly, or intentionally to:

217 a. Fail, by false statement, misrepresentation,
218 impersonation, or other fraudulent means, to disclose in any
219 required written documentation for exclusion from licensure
220 pursuant to this section a material fact used in making a
221 determination as to such exclusion; or

222 b. Use information from the criminal records obtained
223 under s. 402.305 or s. 402.3055 for any purpose other than
224 screening that person for employment as specified in those
225 sections or release such information to any other person for any
226 purpose other than screening for employment as specified in
227 those sections.

228 5. It is a felony of the third degree, punishable as
229 provided in s. 775.082, s. 775.083, or s. 775.084, for any
230 person willfully, knowingly, or intentionally to use information
231 from the juvenile records of any person obtained under s.
232 402.305 or s. 402.3055 for any purpose other than screening for
233 employment as specified in those sections or to release
234 information from such records to any other person for any

235 purpose other than screening for employment as specified in
 236 those sections.

237 6. The inclusion of nonpublic schools within options
 238 available under ss. 1002.55, 1002.61, and 1002.88 does not
 239 expand the regulatory authority of the state, its officers, any
 240 local licensing agency, or any early learning coalition to
 241 impose any additional regulation of nonpublic schools beyond
 242 those reasonably necessary to enforce requirements expressly set
 243 forth in this paragraph.

244 ~~(e) The department and the nonpublic school accrediting~~
 245 ~~agencies are encouraged to develop agreements to facilitate the~~
 246 ~~enforcement of the minimum child care standards as they relate~~
 247 ~~to the schools which the agencies accredit.~~

248 Section 6. Paragraphs (a) and (d) of subsection (2),
 249 paragraph (b) of subsection (9), and subsections (10) and (18)
 250 of section 402.305, Florida Statutes, are amended, and
 251 subsection (19) is added to that section, to read:

252 402.305 Licensing standards; child care facilities.—

253 (2) PERSONNEL.—Minimum standards for child care personnel
 254 shall include minimum requirements as to:

255 (a) Good moral character based upon screening, according
 256 to the level 2 screening requirements of. ~~This screening shall~~
 257 ~~be conducted as provided in chapter 435, using the level 2~~
 258 ~~standards for screening set forth in that chapter.~~ In addition
 259 to the offenses listed in s. 435.04, all child care personnel
 260 required to undergo background screening pursuant to this

261 section must not have an arrest awaiting final disposition for,
262 must not have been found guilty of, regardless of adjudication,
263 or entered a plea of nolo contendere or guilty to, and must not
264 have been adjudicated delinquent and the record not have been
265 sealed or expunged for an offense specified in s. 39.205. Before
266 employing child care personnel subject to this section, the
267 employer must conduct employment history checks of each of the
268 personnel's previous employers and document the findings. If
269 unable to contact a previous employer, the employer must
270 document efforts to contact the employer.

271 (d) Minimum training requirements for child care
272 personnel.

273 1. Such minimum standards for training shall ensure that
274 all child care personnel take an approved 40-clock-hour
275 introductory course in child care, which course covers at least
276 the following topic areas:

277 a. State and local rules and regulations which govern
278 child care.

279 b. Health, safety, and nutrition.

280 c. Identifying and reporting child abuse and neglect.

281 d. Child development, including typical and atypical
282 language, cognitive, motor, social, and self-help skills
283 development.

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

287 f. Specialized areas, including computer technology for
288 professional and classroom use and numeracy, early literacy, and
289 language development of children from birth to 5 years of age,
290 as determined by the department, for owner-operators and child
291 care personnel of a child care facility.

292 g. Developmental disabilities, including autism spectrum
293 disorder and Down syndrome, and early identification, use of
294 available state and local resources, classroom integration, and
295 positive behavioral supports for children with developmental
296 disabilities.

297
298 Within 90 days after employment, child care personnel shall
299 begin training to meet the training requirements. Child care
300 personnel shall successfully complete such training within 1
301 year after the date on which the training began, as evidenced by
302 passage of a competency examination. Successful completion of
303 the 40-clock-hour introductory course shall articulate into
304 community college credit in early childhood education, pursuant
305 to ss. 1007.24 and 1007.25. Exemption from all or a portion of
306 the required training shall be granted to child care personnel
307 based upon educational credentials or passage of competency
308 examinations. Child care personnel possessing a 2-year degree or
309 higher that includes 6 college credit hours in early childhood
310 development or child growth and development, or a child
311 development associate credential or an equivalent state-approved
312 child development associate credential, or a child development

313 associate waiver certificate shall be automatically exempted
314 from the training requirements in sub-subparagraphs b., d., and
315 e.

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

319 3. The introductory course shall cover recognition and
320 prevention of shaken baby syndrome; prevention of sudden infant
321 death syndrome; recognition and care of infants and toddlers
322 with developmental disabilities, including autism spectrum
323 disorder and Down syndrome; and early childhood brain
324 development within the topic areas identified in this paragraph.

325 4. On an annual basis in order to further their child care
326 skills and, if appropriate, administrative skills, child care
327 personnel who have fulfilled the requirements for the child care
328 training shall be required to take an additional 1 continuing
329 education unit of approved inservice training, or 10 clock hours
330 of equivalent training, as determined by the department.

331 5. Child care personnel shall be required to complete 0.5
332 continuing education unit of approved training or 5 clock hours
333 of equivalent training, as determined by the department, in
334 numeracy, early literacy, and language development of children
335 from birth to 5 years of age one time. The year that this
336 training is completed, it shall fulfill the 0.5 continuing
337 education unit or 5 clock hours of the annual training required
338 in subparagraph 4.

339 6. Procedures for ensuring the training of qualified child
340 care professionals to provide training of child care personnel,
341 including onsite training, shall be included in the minimum
342 standards. It is recommended that the state community child care
343 coordination agencies (central agencies) be contracted by the
344 department to coordinate such training when possible. Other
345 district educational resources, such as community colleges and
346 career programs, can be designated in such areas where central
347 agencies may not exist or are determined not to have the
348 capability to meet the coordination requirements set forth by
349 the department.

350 7. Training requirements shall not apply to certain
351 occasional or part-time support staff, including, but not
352 limited to, swimming instructors, piano teachers, dance
353 instructors, and gymnastics instructors.

354 8. The department shall evaluate or contract for an
355 evaluation for the general purpose of determining the status of
356 and means to improve staff training requirements and testing
357 procedures. The evaluation shall be conducted every 2 years. The
358 evaluation shall include, but not be limited to, determining the
359 availability, quality, scope, and sources of current staff
360 training; determining the need for specialty training; and
361 determining ways to increase inservice training and ways to
362 increase the accessibility, quality, and cost-effectiveness of
363 current and proposed staff training. The evaluation methodology
364 shall include a reliable and valid survey of child care

365 personnel.

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

370 (9) ADMISSIONS AND RECORDKEEPING.—

371 (b) ~~During the months of August and September of each~~
372 ~~year,~~ Each child care facility shall provide parents of children
373 enrolling ~~enrolled~~ in the facility detailed information
374 regarding the causes, symptoms, and transmission of the
375 influenza virus in an effort to educate those parents regarding
376 the importance of immunizing their children against influenza as
377 recommended by the Advisory Committee on Immunization Practices
378 of the Centers for Disease Control and Prevention.

379 (10) TRANSPORTATION SAFETY.—Minimum standards shall
380 include requirements for child restraints or seat belts in
381 vehicles used by child care facilities, ~~and~~ large family child
382 care homes, and family child care homes to transport children,
383 requirements for annual inspections of the vehicles, limitations
384 on the number of children in the vehicles, and accountability
385 for children being transported.

386 (18) TRANSFER OF OWNERSHIP.—

387 (a) One week before ~~prior to~~ the transfer of ownership of
388 a child care facility, ~~or~~ family child ~~day~~ care home, or large
389 family child care home, the transferor shall notify the parent
390 or caretaker of each child of the impending transfer.

391 (b) The owner of a child care facility, family child care
 392 home, or large family child care home may not transfer ownership
 393 to a relative of the operator if the operator has had his or her
 394 license suspended or revoked by the department pursuant to s.
 395 402.310, has received notice from the department that reasonable
 396 cause exists to suspend or revoke the license, or has been
 397 placed on the United States Department of Agriculture National
 398 Disqualified list. For purposes of this paragraph, "relative"
 399 means father, mother, son, daughter, grandfather, grandmother,
 400 brother, sister, uncle, aunt, cousin, nephew, niece, husband,
 401 wife, father-in-law, mother-in-law, son-in-law, daughter-in-law,
 402 brother-in-law, sister-in-law, stepfather, stepmother, stepson,
 403 stepdaughter, stepbrother, stepsister, half brother, or half
 404 sister.

405 (c) ~~(b)~~ The department shall, by rule, establish methods by
 406 which notice will be achieved and minimum standards by which to
 407 implement this subsection.

408 (19) RULES.—The department may adopt rules to define and
 409 enforce substantial compliance with minimum standards for child
 410 care facilities for programs operating under s. 1002.55, s.
 411 1002.61, or s. 1002.88 that are regulated but not licensed by
 412 the department.

413 Section 7. Section 402.3085, Florida Statutes, is created
 414 to read:

415 402.3085 Certificate of substantial compliance with
 416 minimum child care standards.—Each nonpublic school or provider

417 seeking to operate a program pursuant to s. 402.3025(2)(d) or s.
418 402.316(4), respectively, shall annually obtain a certificate
419 from the department or local licensing agency in the manner and
420 on the forms prescribed by the department or local licensing
421 agency. An annual certificate or a renewal of an annual
422 certificate shall be issued upon an examination of the
423 applicant's premises and records to determine that the applicant
424 is in substantial compliance with the minimum child care
425 standards. A provider may not participate in these programs
426 without this certification. Local licensing agencies may apply
427 their own minimum child care standards if the department
428 determines that such standards meet or exceed department
429 standards as provided in s. 402.307.

430 Section 8. Section 402.311, Florida Statutes, is amended
431 to read:

432 402.311 Inspection.—A licensed child care facility or
433 program regulated by the department shall accord to the
434 department or the local licensing agency, whichever is
435 applicable, the privilege of inspection, including access to
436 facilities and personnel and to those records required in s.
437 402.305, at reasonable times during regular business hours, to
438 ensure compliance with ~~the provisions of~~ ss. 402.301-402.319.
439 The right of entry and inspection shall also extend to any
440 premises which the department or local licensing agency has
441 reason to believe are being operated or maintained as a child
442 care facility or program ~~without a license~~, but no such entry or

443 inspection of any premises shall be made without the permission
 444 of the person in charge thereof unless a warrant is first
 445 obtained from the circuit court authorizing same. Any
 446 application for a license, application for authorization to
 447 operate a child care program which must maintain substantial
 448 compliance with child care standards adopted under this chapter,
 449 or renewal of such license or authorization ~~made pursuant to~~
 450 ~~this act~~ or the advertisement to the public for the provision of
 451 child care as defined in s. 402.302 shall constitute permission
 452 for any entry or inspection of the subject premises ~~for which~~
 453 ~~the license is sought in order~~ to facilitate verification of the
 454 information submitted on or in connection with the application.
 455 In the event a ~~licensed~~ facility or program refuses permission
 456 for entry or inspection to the department or local licensing
 457 agency, a warrant shall be obtained from the circuit court
 458 authorizing same before ~~prior to~~ such entry or inspection. The
 459 department or local licensing agency may institute disciplinary
 460 proceedings pursuant to s. 402.310~~7~~ for such refusal.

461 Section 9. Section 402.3115, Florida Statutes, is amended
 462 to read:

463 402.3115 ~~Elimination of duplicative and unnecessary~~
 464 ~~inspections;~~ Abbreviated inspections. ~~The Department of Children~~
 465 ~~and Family Services and local governmental agencies that license~~
 466 ~~child care facilities shall develop and implement a plan to~~
 467 ~~eliminate duplicative and unnecessary inspections of child care~~
 468 ~~facilities. In addition,~~ The department and the local licensing

469 ~~governmental~~ agencies shall conduct ~~develop and implement an~~
 470 abbreviated inspections of inspection plan for child care
 471 facilities licensed under s. 402.305, family child care homes
 472 licensed under s. 402.313, and large family child care homes
 473 licensed under s. 402.3131 that have had no Class I ~~±~~ or Class
 474 II violations ~~2 deficiencies~~, as defined by rule, for at least 2
 475 consecutive years. The abbreviated inspection must include those
 476 elements identified by the department and the local licensing
 477 ~~governmental~~ agencies as being key indicators of whether the
 478 child care facility continues to provide quality care and
 479 programming. The department shall adopt rules establishing
 480 criteria and procedures for abbreviated inspections and
 481 inspection schedules that provide for both announced and
 482 unannounced inspections.

483 Section 10. Section 402.313, Florida Statutes, is amended
 484 to read:

485 402.313 Family child ~~day~~ care homes.-

486 (1) A family child ~~day~~ care home must ~~homes shall~~ be
 487 licensed under this section ~~act~~ if it is ~~they are~~ presently
 488 being licensed under an existing county licensing ordinance, ~~or~~
 489 ~~if~~ the board of county commissioners passes a resolution that
 490 requires licensure of family child ~~day~~ care homes, or the family
 491 child care home is operating a program under s. 1002.55, s.
 492 1002.61, or s. 1002.88 ~~be licensed~~. Each licensed or registered
 493 family child care home must conspicuously display its license or
 494 registration in an area viewable by all parents during hours of

495 operation.

496 (a) If not subject to license, a family child day care
497 home must comply with this section and ~~homes shall~~ register
498 annually with the department, providing the following
499 information:

500 1. The name and address of the home.

501 2. The name of the operator.

502 3. The number of children served.

503 4. Proof of a written plan to identify a ~~provide at least~~
504 ~~one other~~ competent adult who has met the screening and training
505 requirements of the department to serve as a designated to be
506 ~~available to~~ substitute for the operator ~~in an emergency~~. This
507 plan must ~~shall~~ include the name, address, and telephone number
508 of the designated substitute who will serve in the absence of
509 the operator.

510 ~~5. Proof of screening and background checks.~~

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

514 ~~a. State and local rules and regulations that govern child~~
515 ~~care.~~

516 ~~b. Health, safety, and nutrition.~~

517 ~~c. Identifying and reporting child abuse and neglect.~~

518 ~~d. Child development, including typical and atypical~~
519 ~~language development; and cognitive, motor, social, and self-~~
520 ~~help skills development.~~

521 ~~e. Observation of developmental behaviors, including using~~
522 ~~a checklist or other similar observation tools and techniques to~~
523 ~~determine a child's developmental level.~~

524 ~~f. Specialized areas, including early literacy and~~
525 ~~language development of children from birth to 5 years of age,~~
526 ~~as determined by the department, for owner-operators of family~~
527 ~~day care homes.~~

528 ~~5.7. Proof that immunization records are kept current.~~

529 ~~8. Proof of completion of the required continuing~~
530 ~~education units or clock hours.~~

531
532 Upon receipt of registration information submitted by a family
533 child care home, the department shall verify that the home is in
534 compliance with the background screening requirements in
535 subsection (3) and that the operator and the designated
536 substitute are in compliance with applicable training
537 requirements in subsection (4).

538 (b) A family child ~~day~~ care home may volunteer to be
539 licensed ~~under this act.~~

540 (c) The department may provide technical assistance to
541 counties and operators of family child ~~day~~ care homes ~~home~~
542 ~~providers~~ to enable counties and operators ~~family day care~~
543 ~~providers~~ to achieve compliance with family child ~~day~~ care home
544 ~~homes~~ standards.

545 (2) This information shall be included in a directory to
546 be published annually by the department to inform the public of

547 available child care facilities.

548 (3) Child care personnel in family child day care homes
549 are ~~shall be~~ subject to the applicable screening provisions
550 contained in ss. 402.305(2) and 402.3055. For purposes of
551 screening in family child day care homes, the term "child care
552 personnel" includes the operator, the designated substitute, any
553 member over the age of 12 years of a family child day care home
554 operator's family, or persons over the age of 12 years residing
555 with the operator in the family child day care home. Members of
556 the operator's family, or persons residing with the operator,
557 who are between the ages of 12 years and 18 years shall not be
558 required to be fingerprinted, but shall be screened for
559 delinquency records.

560 (4) (a) Before licensure and before caring for children,
561 operators of family child day care homes and an individual
562 serving as a substitute for the operator who works 40 hours or
563 more per month on average must:

564 1. Successfully complete an approved 30-clock-hour
565 introductory course in child care, as evidenced by passage of a
566 competency examination, before caring for children. The course
567 must include:

568 a. State and local rules and regulations that govern child
569 care.

570 b. Health, safety, and nutrition.

571 c. Identifying and reporting child abuse and neglect.

572 d. Child development, including typical and atypical

573 language development, and cognitive, motor, social, and
574 executive functioning skills development.

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

578 f. Specialized areas, including numeracy, early literacy,
579 and language development of children from birth to 5 years of
580 age, as determined by the department, for operators of family
581 child care homes.

582 ~~(5) In order to further develop their child care skills~~
583 ~~and, if appropriate, their administrative skills, operators of~~
584 ~~family day care homes shall be required to complete an~~
585 ~~additional 1 continuing education unit of approved training or~~
586 ~~10 clock hours of equivalent training, as determined by the~~
587 ~~department, annually.~~

588 ~~2.(6) Operators of family day care homes shall be required~~
589 ~~to~~ Complete 0.5 continuing education unit of approved training
590 in numeracy, early literacy, and language development of
591 children from birth to 5 years of age one time. For an operator,
592 the year that this training is completed, it shall fulfill the
593 0.5 continuing education unit or 5 clock hours of the annual
594 training required in paragraph (c) subsection (5).

595 3. Complete training in first aid and infant and child
596 cardiopulmonary resuscitation as evidenced by current
597 documentation of course completion.

598 (b) Before licensure and before caring for children,
 599 family child care home substitutes who work fewer than 40 hours
 600 per month on average must complete the department's 6-clock-hour
 601 Family Child Care Home Rules and Regulations training, as
 602 evidenced by successful completion of a competency examination
 603 and first aid and infant and child cardiopulmonary resuscitation
 604 training under subparagraph (a)3. A substitute who has
 605 successfully completed the 3-clock-hour Fundamentals of Child
 606 Care training established by rules of the department or the 30-
 607 clock-hour training under subparagraph (a)1. is not required to
 608 complete the 6-clock-hour Family Child Care Home Rules and
 609 Regulations training.

610 (c) Operators of family day care homes must annually
 611 complete an additional 1 continuing education unit of approved
 612 training regarding child care and administrative skills or 10
 613 clock hours of equivalent training, as determined by the
 614 department.

615 (5)(7) Operators of family child ~~day~~ care homes must ~~shall~~
 616 ~~be required~~ annually ~~to~~ complete a health and safety home
 617 inspection self-evaluation checklist developed by the department
 618 in conjunction with the statewide resource and referral program.
 619 The completed checklist shall be signed by the operator of the
 620 family child ~~day~~ care home and provided to parents as
 621 certification that basic health and safety standards are being
 622 met.

623 (6)(8) Operators of family child ~~day~~ care homes ~~home~~

624 ~~operators~~ may avail themselves of supportive services offered by
 625 the department.

626 ~~(7)(9)~~ The department shall prepare a brochure on family
 627 child day care for distribution by the department and by local
 628 licensing agencies, if appropriate, to family child day care
 629 homes for distribution to parents using ~~utilizing~~ such child
 630 care, and to all interested persons, including physicians and
 631 other health professionals; mental health professionals; school
 632 teachers or other school personnel; social workers or other
 633 professional child care, foster care, residential, or
 634 institutional workers; and law enforcement officers. The
 635 brochure shall, at a minimum, contain the following information:

636 (a) A brief description of the requirements for family
 637 child day care registration, training, and background
 638 ~~fingerprinting and screening~~.

639 (b) A listing of those counties that require licensure of
 640 family child day care homes. Such counties shall provide an
 641 addendum to the brochure that provides a brief description of
 642 the licensure requirements or may provide a brochure in lieu of
 643 the one described in this subsection, provided it contains all
 644 the required information on licensure and the required
 645 information in the subsequent paragraphs.

646 (c) A statement indicating that information about the
 647 family child day care home's compliance with applicable state or
 648 local requirements can be obtained from ~~by telephoning~~ the
 649 department ~~office~~ or ~~the office of~~ the local licensing agency,

650 including the, if appropriate, at a telephone number or numbers
 651 and website address for the department or local licensing
 652 agency, as applicable ~~which shall be affixed to the brochure.~~

653 (d) The statewide toll-free telephone number of the
 654 central abuse hotline, together with a notice that reports of
 655 suspected and actual child physical abuse, sexual abuse, and
 656 neglect are received and referred for investigation by the
 657 hotline.

658 (e) Any other information relating to competent child care
 659 that the department or local licensing agency, if preparing a
 660 separate brochure, considers ~~deems would be~~ helpful to parents
 661 and other caretakers in their selection of a family child day
 662 care home.

663 ~~(8)(10)~~ On an annual basis, the department shall evaluate
 664 the registration and licensure system for family child day care
 665 homes. Such evaluation shall, at a minimum, address the
 666 following:

667 (a) The number of family child day care homes registered
 668 and licensed and the dates of such registration and licensure.

669 (b) The number of children being served in both registered
 670 and licensed family child day care homes and any available slots
 671 in such homes.

672 (c) The number of complaints received concerning family
 673 child day care, the nature of the complaints, and the resolution
 674 of such complaints.

675 (d) The training activities used ~~utilized~~ by child care

676 personnel in family child ~~day~~ care homes for meeting the state
677 or local training requirements.

678
679 The evaluation shall be used ~~utilized~~ by the department in any
680 administrative modifications or adjustments to be made in the
681 registration of family child ~~day~~ care homes or in any
682 legislative requests for modifications to the system of
683 registration or to other requirements for family child ~~day~~ care
684 homes.

685 ~~(11) In order to inform the public of the state~~
686 ~~requirement for registration of family day care homes as well as~~
687 ~~the other requirements for such homes to legally operate in the~~
688 ~~state, the department shall institute a media campaign to~~
689 ~~accomplish this end. Such a campaign shall include, at a~~
690 ~~minimum, flyers, newspaper advertisements, radio advertisements,~~
691 ~~and television advertisements.~~

692 (9) ~~(12)~~ Notwithstanding any other state or local law or
693 ordinance, any family child ~~day~~ care home licensed pursuant to
694 this chapter or pursuant to a county ordinance shall be charged
695 the utility rates accorded to a residential home. A licensed
696 family child ~~day~~ care home may not be charged commercial utility
697 rates.

698 (10) ~~(13)~~ The department shall, by rule, establish minimum
699 standards for family child ~~day~~ care homes that are required to
700 be licensed by county licensing ordinance or county licensing
701 resolution or that voluntarily choose to be licensed. The

702 standards should include requirements for staffing, training,
 703 maintenance of immunization records, minimum health and safety
 704 standards, reduced standards for the regulation of child care
 705 during evening hours by municipalities and counties, and
 706 enforcement of standards. Additionally, the department shall, by
 707 rule, adopt procedures for verifying a registered family child
 708 care home's compliance with background screening and training
 709 requirements.

710 ~~(11)-(14) During the months of August and September of each~~
 711 ~~year,~~ Each family child ~~day~~ care home shall provide parents of
 712 children enrolling ~~enrolled~~ in the home detailed information
 713 regarding the causes, symptoms, and transmission of the
 714 influenza virus in an effort to educate those parents regarding
 715 the importance of immunizing their children against influenza as
 716 recommended by the Advisory Committee on Immunization Practices
 717 of the Centers for Disease Control and Prevention.

718 Section 11. Subsections (3), (5), and (9) of section
 719 402.3131, Florida Statutes, are amended, and subsection (10) is
 720 added to that section, to read:

721 402.3131 Large family child care homes.—

722 (3) Operators of large family child care homes must
 723 successfully complete an approved 40-clock-hour introductory
 724 course in group child care, including numeracy, early literacy,
 725 and language development of children from birth to 5 years of
 726 age, as evidenced by passage of a competency examination.

727 Successful completion of the 40-clock-hour introductory course

728 shall articulate into community college credit in early
729 childhood education, pursuant to ss. 1007.24 and 1007.25.

730 (5) Operators of large family child care homes shall be
731 required to complete 0.5 continuing education unit of approved
732 training or 5 clock hours of equivalent training, as determined
733 by the department, in numeracy, early literacy, and language
734 development of children from birth to 5 years of age one time.
735 The year that this training is completed, it shall fulfill the
736 0.5 continuing education unit or 5 clock hours of the annual
737 training required in subsection (4).

738 (9) ~~During the months of August and September of each~~
739 ~~year~~, Each large family child care home shall provide parents of
740 children enrolling ~~enrolled~~ in the home detailed information
741 regarding the causes, symptoms, and transmission of the
742 influenza virus in an effort to educate those parents regarding
743 the importance of immunizing their children against influenza as
744 recommended by the Advisory Committee on Immunization Practices
745 of the Centers for Disease Control and Prevention.

746 (10) Notwithstanding any other state or local law or
747 ordinance, any large family child care home licensed pursuant to
748 this chapter or pursuant to a county ordinance shall be charged
749 the utility rates accorded to a residential home. Such a home
750 may not be charged commercial utility rates.

751 Section 12. Subsections (4), (5), and (6) are added to
752 section 402.316, Florida Statutes, to read:

753 402.316 Exemptions.—

754 (4) A child care facility operating under subsection (1)
755 that is applying to operate or is operating as a provider of a
756 program described in s. 1002.55, s. 1002.61, or s. 1002.88 must
757 substantially comply with the minimum standards for child care
758 facilities adopted pursuant to ss. 402.305-402.3057 and must
759 allow the department or local licensing agency access to monitor
760 and enforce compliance with such standards.

761 (a) The department or local licensing agency may pursue
762 administrative or judicial action under ss. 402.310-402.312 and
763 the rules adopted under those sections against any child care
764 facility operating under this subsection to enforce substantial
765 compliance with child care facility minimum standards or to
766 protect the health, safety, and well-being of any children in
767 the facility's care. A child care facility operating under this
768 subsection is subject to ss. 402.310-402.312 and the rules
769 adopted under those sections to the same extent as a child care
770 facility licensed under ss. 402.301-402.319.

771 (b) It is a misdemeanor of the first degree, punishable as
772 provided in s. 775.082 or s. 775.083, for a person willfully,
773 knowingly, or intentionally to:

774 1. Fail, by false statement, misrepresentation,
775 impersonation, or other fraudulent means, to disclose in any
776 required written documentation for exclusion from licensure
777 pursuant to this section a material fact used in making a
778 determination as to such exclusion; or

779 2. Use information from the criminal records obtained

780 under s. 402.305 or s. 402.3055 for a purpose other than
781 screening that person for employment as specified in those
782 sections or to release such information to any other person for
783 a purpose other than screening for employment as specified in
784 those sections.

785 (c) It is a felony of the third degree, punishable as
786 provided in s. 775.082, s. 775.083, or s. 775.084, for a person
787 willfully, knowingly, or intentionally to use information from
788 the juvenile records of a person obtained under s. 402.305 or s.
789 402.3055 for a purpose other than screening for employment as
790 specified in those sections or to release information from such
791 records to any other person for a purpose other than screening
792 for employment as specified in those sections.

793 (5) The department shall establish a fee for inspection
794 and compliance activities performed pursuant to this section in
795 an amount sufficient to cover costs. However, the amount of such
796 fee for the inspection of a program may not exceed the fee
797 imposed for child care licensure pursuant to s. 402.315.

798 (6) The inclusion of a child care facility operating under
799 subsection (1) as a provider of a program described in s.
800 1002.55, s. 1002.61, or s. 1002.88 does not expand the
801 regulatory authority of the state, its officers, any local
802 licensing agency, or any early learning coalition to impose any
803 additional regulation of child care facilities beyond those
804 reasonably necessary to enforce requirements expressly set forth
805 in this section.

CS/HB 7069

2014

806 Section 13. Section 627.70161, Florida Statutes, is
807 amended to read:

808 627.70161 Residential property insurance coverage; family
809 child ~~day~~ care homes and large family child care homes
810 insurance.—

811 (1) PURPOSE AND INTENT.—The Legislature recognizes that
812 family child ~~day~~ care homes and large family child care homes
813 fulfill a vital role in providing child care in Florida. It is
814 the intent of the Legislature that residential property
815 insurance coverage should not be canceled, denied, or nonrenewed
816 solely because child ~~on the basis of the family day care~~
817 services are provided at the residence. The Legislature also
818 recognizes that the potential liability of residential property
819 insurers is substantially increased by the rendition of child
820 care services on the premises. The Legislature therefore finds
821 that there is a public need to specify that contractual
822 liabilities associated ~~that arise in connection~~ with the
823 operation of a ~~the~~ family child ~~day~~ care home or large family
824 child care home are excluded from residential property insurance
825 policies unless they are specifically included in such coverage.

826 (2) DEFINITIONS.—As used in this section, the term:

827 (a) "Child care" means the care, protection, and
828 supervision of a child, for a period up to ~~of less than~~ 24 hours
829 a day on a regular basis, which supplements parental care,
830 enrichment, and health supervision for the child, in accordance
831 with his or her individual needs, and for which a payment, fee,

832 or grant is made for care.

833 (b) "Family child ~~day~~ care home" has the same meaning as
834 provided in s. 402.302(8) ~~means an occupied residence in which~~
835 ~~child care is regularly provided for children from at least two~~
836 ~~unrelated families and which receives a payment, fee, or grant~~
837 ~~for any of the children receiving care, whether or not operated~~
838 ~~for a profit.~~

839 (c) "Large family child care home" has the same meaning as
840 provided in s. 402.302(11).

841 (3) CHILD FAMILY DAY CARE; COVERAGE.—A residential
842 property insurance policy shall not provide coverage for
843 liability for claims arising out of, or in connection with, the
844 operation of a family child ~~day~~ care home or large family child
845 care home, and the insurer shall be under no obligation to
846 defend against lawsuits covering such claims, unless:

847 (a) Specifically covered in a policy; or

848 (b) Covered by a rider or endorsement for business
849 coverage attached to a policy.

850 (4) DENIAL, CANCELLATION, REFUSAL TO RENEW PROHIBITED.—An
851 insurer may not deny, cancel, or refuse to renew a policy for
852 residential property insurance solely on the basis that the
853 policyholder or applicant operates a family child ~~day~~ care home
854 or large family child care home. In addition to other lawful
855 reasons for refusing to insure, an insurer may deny, cancel, or
856 refuse to renew a policy of a family child ~~day~~ care home or
857 large family child care home provider if one or more of the

858 following conditions occur:

859 (a) The policyholder or applicant provides care for more
 860 children than authorized for family child ~~day~~ care homes or
 861 large family child care homes by s. 402.302;

862 (b) The policyholder or applicant fails to maintain a
 863 separate commercial liability policy or an endorsement providing
 864 liability coverage for ~~the~~ family child ~~day~~ care home or large
 865 family child care home operations;

866 (c) The policyholder or applicant fails to comply with the
 867 family child ~~day~~ care home licensure and registration
 868 requirements specified in s. 402.313 or the large family child
 869 care home licensure requirements specified in s. 402.3131; or

870 (d) Discovery of willful or grossly negligent acts or
 871 omissions or any violations of state laws or regulations
 872 establishing safety standards for family child ~~day~~ care homes
 873 and large family child care homes by the named insured or his or
 874 her representative which materially increase any of the risks
 875 insured.

876 Section 14. Subsections (7), (8), and (9) are added to
 877 section 1001.213, Florida Statutes, to read:

878 1001.213 Office of Early Learning.—There is created within
 879 the Office of Independent Education and Parental Choice the
 880 Office of Early Learning, as required under s. 20.15, which
 881 shall be administered by an executive director. The office shall
 882 be fully accountable to the Commissioner of Education but shall:

883 (7) Hire a general counsel who reports directly to the

884 executive director of the office.

885 (8) Hire an inspector general who reports directly to the
886 executive director of the office and to the Chief Inspector
887 General pursuant to s. 14.32.

888 (9) By July 1, 2016, develop and implement, in
889 consultation with early learning coalitions and providers of the
890 Voluntary Prekindergarten Education Program and the child care
891 and development program, best practices for providing parental
892 notifications in the parent's native language to a parent whose
893 native language is a language other than English.

894 Section 15. Subsection (4) of section 1002.53, Florida
895 Statutes, is amended to read:

896 1002.53 Voluntary Prekindergarten Education Program;
897 eligibility and enrollment.—

898 (4) (a) Each parent enrolling a child in the Voluntary
899 Prekindergarten Education Program must complete and submit an
900 application to the early learning coalition through the single
901 point of entry established under s. 1002.82 or to a private
902 prekindergarten provider if the provider is authorized by the
903 early learning coalition to determine student eligibility for
904 enrollment in the program.

905 (b) The application must be submitted on forms prescribed
906 by the Office of Early Learning and must be accompanied by a
907 certified copy of the child's birth certificate. The forms must
908 include a certification, in substantially the form provided in
909 s. 1002.71(6)(b)2., that the parent chooses the private

910 prekindergarten provider or public school in accordance with
911 this section and directs that payments for the program be made
912 to the provider or school. The Office of Early Learning may
913 authorize alternative methods for submitting proof of the
914 child's age in lieu of a certified copy of the child's birth
915 certificate.

916 (c) If a private prekindergarten provider has been
917 authorized to determine child eligibility and enrollment, upon
918 receipt of an application, the provider must:

919 1. Determine the child's eligibility for the program and
920 be responsible for any errors in such determination.

921 2. Retain the original application and certified copy of
922 the child's birth certificate or authorized alternative proof of
923 age on file for at least 5 years.

924
925 The early learning coalition may audit applications held by a
926 private prekindergarten provider in the coalition's service area
927 to determine whether children enrolled and reported for funding
928 by the provider have met the eligibility criteria in subsection
929 (2).

930 (d)~~(e)~~ Each early learning coalition shall coordinate with
931 each of the school districts within the coalition's county or
932 multicounty region in the development of procedures for
933 enrolling children in prekindergarten programs delivered by
934 public schools, including procedures for making child
935 eligibility determinations and auditing enrollment records to

936 confirm that enrolled children have met eligibility
937 requirements.

938 Section 16. Section 1002.55, Florida Statutes, is amended
939 to read:

940 1002.55 School-year prekindergarten program delivered by
941 private prekindergarten providers.—

942 (1) Each early learning coalition shall administer the
943 Voluntary Prekindergarten Education Program at the county or
944 regional level for students enrolled under s. 1002.53(3)(a) in a
945 school-year prekindergarten program delivered by a private
946 prekindergarten provider. Each early learning coalition must
947 cooperate with the Office of Early Learning and the Child Care
948 Services Program Office of the Department of Children and
949 Families to reduce paperwork and to avoid duplicating
950 interagency activities, health and safety monitoring, and
951 acquiring and composing data pertaining to child care training
952 and credentialing.

953 (2) Each school-year prekindergarten program delivered by
954 a private prekindergarten provider must comprise at least 540
955 instructional hours.

956 (3) To be eligible to deliver the prekindergarten program,
957 a private prekindergarten provider must meet each of the
958 following requirements:

959 ~~(a) The private prekindergarten provider must be a child~~
960 ~~care facility licensed under s. 402.305, family day care home~~
961 ~~licensed under s. 402.313, large family child care home licensed~~

962 ~~under s. 402.3131, nonpublic school exempt from licensure under~~
 963 ~~s. 402.3025(2), or faith-based child care provider exempt from~~
 964 ~~licensure under s. 402.316.~~

965 (a) ~~(b)~~ The private prekindergarten provider must:

966 1. Be accredited by an accrediting association that is a
 967 member of the National Council for Private School Accreditation,
 968 or the Florida Association of Academic Nonpublic Schools, or be
 969 accredited by the Southern Association of Colleges and Schools,
 970 or Western Association of Colleges and Schools, or North Central
 971 Association of Colleges and Schools, or Middle States
 972 Association of Colleges and Schools, or New England Association
 973 of Colleges and Schools; and have written accreditation
 974 standards that meet or exceed the state's licensing requirements
 975 under s. 402.305, s. 402.313, or s. 402.3131 and require at
 976 least one onsite visit to the provider or school before
 977 accreditation is granted;

978 2. Hold a current Gold Seal Quality Care designation under
 979 s. 402.281; ~~or~~

980 3. Be licensed under s. 402.305, s. 402.313, or s.
 981 402.3131; or

982 4. Be a child development center located on a military
 983 installation that is certified by the United States Department
 984 of Defense.

985 (b) The private prekindergarten provider must provide
 986 basic health and safety on its premises and in its facilities.
 987 For a public school, compliance with ss. 1003.22 and 1013.12

988 satisfies this requirement. For a nonpublic school, compliance
 989 with s. 402.3025(2)(d) satisfies this requirement. For a child
 990 care facility, a licensed family child care home, or a large
 991 family child care home, compliance with s. 402.305, s. 402.313,
 992 or s. 402.3131, respectively, satisfies this requirement. For a
 993 facility exempt from licensure, compliance with s. 402.316(4)
 994 satisfies this requirement ~~and demonstrate, before delivering~~
 995 ~~the Voluntary Prekindergarten Education Program, as verified by~~
 996 ~~the early learning coalition, that the provider meets each of~~
 997 ~~the requirements of the program under this part, including, but~~
 998 ~~not limited to, the requirements for credentials and background~~
 999 ~~screenings of prekindergarten instructors under paragraphs (c)~~
 1000 ~~and (d), minimum and maximum class sizes under paragraph (f),~~
 1001 ~~prekindergarten director credentials under paragraph (g), and a~~
 1002 ~~developmentally appropriate curriculum under s. 1002.67(2)(b).~~

1003 (c) The private prekindergarten provider must have, for
 1004 each prekindergarten class of 11 children or fewer, at least one
 1005 prekindergarten instructor who meets each of the following
 1006 requirements:

1007 1. The prekindergarten instructor must hold, at a minimum,
 1008 one of the following credentials:

1009 a. A child development associate credential issued by the
 1010 National Credentialing Program of the Council for Professional
 1011 Recognition; ~~or~~

1012 b. A credential approved by the Department of Children and
 1013 Families, pursuant to s. 402.305(3)(c), as being equivalent to

1014 or greater than the credential described in sub-subparagraph a.;

1015 c. An associate or higher degree in child development;

1016 d. An associate or higher degree in an unrelated field, at
1017 least 6 credit hours in early childhood education or child
1018 development, and at least 480 hours of experience in teaching or
1019 providing child care services for children any age from birth
1020 through 8 years of age;

1021 e. A baccalaureate or higher degree in early childhood
1022 education, prekindergarten or primary education, preschool
1023 education, or family and consumer science;

1024 f. A baccalaureate or higher degree in family and child
1025 science and at least 480 hours of experience in teaching or
1026 providing child care services for children any age from birth
1027 through 8 years of age;

1028 g. A baccalaureate or higher degree in elementary
1029 education if the prekindergarten instructor has been certified
1030 to teach children any age from birth through grade 6, regardless
1031 of whether the instructor's educator certificate is current, and
1032 if the instructor is not ineligible to teach in a public school
1033 because his or her educator certificate is suspended or revoked;

1034 or

1035 h. A credential approved by the department as being
1036 equivalent to or greater than a credential described in sub-
1037 paragraphs a.-f. The department may adopt criteria and
1038 procedures for approving such equivalent credentials.

1039

1040 ~~The Department of Children and Families may adopt rules under~~
1041 ~~ss. 120.536(1) and 120.54 which provide criteria and procedures~~
1042 ~~for approving equivalent credentials under sub-subparagraph b.~~

1043 2. The prekindergarten instructor must successfully
1044 complete an emergent literacy training course and a student
1045 performance standards training course approved by the office as
1046 meeting or exceeding the minimum standards adopted under s.
1047 1002.59. The requirement for completion of the standards
1048 training course shall take effect July 1, 2015 ~~2014~~, and the
1049 course shall be available online.

1050 3. Beginning January 1, 2015, each prekindergarten
1051 instructor must be trained in first aid and infant and child
1052 cardiopulmonary resuscitation, as evidenced by current
1053 documentation of course completion, unless the instructor is not
1054 responsible for supervising children in care. As a condition of
1055 employment, instructors hired on or after January 1, 2015, must
1056 complete this training within 30 days after employment.

1057 ~~(d) Each prekindergarten instructor employed by the~~
1058 ~~private prekindergarten provider must be of good moral~~
1059 ~~character, must be screened using the level 2 screening~~
1060 ~~standards in s. 435.04 before employment and rescreened at least~~
1061 ~~once every 5 years, must be denied employment or terminated if~~
1062 ~~required under s. 435.06, and must not be ineligible to teach in~~
1063 ~~a public school because his or her educator certificate is~~
1064 ~~suspended or revoked.~~

1065 ~~(e) A private prekindergarten provider may assign a~~

1066 ~~substitute instructor to temporarily replace a credentialed~~
1067 ~~instructor if the credentialed instructor assigned to a~~
1068 ~~prekindergarten class is absent, as long as the substitute~~
1069 ~~instructor is of good moral character and has been screened~~
1070 ~~before employment in accordance with level 2 background~~
1071 ~~screening requirements in chapter 435. The Office of Early~~
1072 ~~Learning shall adopt rules to implement this paragraph which~~
1073 ~~shall include required qualifications of substitute instructors~~
1074 ~~and the circumstances and time limits for which a private~~
1075 ~~prekindergarten provider may assign a substitute instructor.~~

1076 (d) ~~(f)~~ Each of the private prekindergarten provider's
1077 prekindergarten classes must be composed of at least 4 students
1078 but may not exceed 20 students. In order to protect the health
1079 and safety of students, each private prekindergarten provider
1080 must also provide appropriate adult supervision for students at
1081 all times and, for each prekindergarten class composed of 12 or
1082 more students, must have, in addition to a prekindergarten
1083 instructor who meets the requirements of paragraph (c), at least
1084 one adult prekindergarten instructor who is not required to meet
1085 those requirements but who must meet each requirement of s.
1086 402.305(2) ~~paragraph (d)~~. This paragraph does not supersede any
1087 requirement imposed on a provider under ss. 402.301-402.319.

1088 (e) Beginning January 1, 2016, the private prekindergarten
1089 provider must employ child care personnel who hold a high school
1090 diploma or its equivalent and are at least 18 years of age,
1091 unless the personnel are not responsible for supervising

1092 children in care or are under direct supervision and are not
1093 counted for the purposes of computing the personnel-to-child
1094 ratio.

1095 (f)~~(g)~~ The private prekindergarten provider must have a
1096 prekindergarten director who has a prekindergarten director
1097 credential that is approved by the office as meeting or
1098 exceeding the minimum standards adopted under s. 1002.57.
1099 Successful completion of a child care facility director
1100 credential under s. 402.305(2)(f) before the establishment of
1101 the prekindergarten director credential under s. 1002.57 or July
1102 1, 2006, whichever occurs later, satisfies the requirement for a
1103 prekindergarten director credential under this paragraph.

1104 (g)~~(h)~~ The private prekindergarten provider must register
1105 with the early learning coalition on forms prescribed by the
1106 Office of Early Learning.

1107 (h)~~(i)~~ The private prekindergarten provider must execute
1108 the statewide provider contract prescribed under s. 1002.75,
1109 except that an individual who owns or operates multiple private
1110 prekindergarten providers within a coalition's service area may
1111 execute a single agreement with the coalition on behalf of each
1112 provider.

1113 (i)~~(j)~~ The private prekindergarten provider must maintain
1114 general liability insurance and provide the coalition with
1115 written evidence of general liability insurance coverage,
1116 including coverage for transportation of children if
1117 prekindergarten students are transported by the provider. A

1118 provider must obtain and retain an insurance policy that
1119 provides a minimum of \$100,000 of coverage per occurrence and a
1120 minimum of \$300,000 general aggregate coverage. The office may
1121 authorize lower limits upon request, as appropriate. ~~A provider~~
1122 ~~must add the coalition as a named certificateholder and as an~~
1123 ~~additional insured.~~ A provider must provide the coalition with a
1124 minimum of 10 calendar days' advance written notice of
1125 cancellation of or changes to coverage. The general liability
1126 insurance required by this paragraph must remain in full force
1127 and effect for the entire period of the provider contract with
1128 the coalition.

1129 (j) ~~(k)~~ The private prekindergarten provider must obtain
1130 and maintain any required workers' compensation insurance under
1131 chapter 440 and any required reemployment assistance or
1132 unemployment compensation coverage under chapter 443, unless
1133 exempt under state or federal law.

1134 (k) ~~(l)~~ Notwithstanding paragraph (i) ~~(j)~~, for a private
1135 prekindergarten provider that is a state agency or a subdivision
1136 thereof, as defined in s. 768.28(2), the provider must agree to
1137 notify the coalition of any additional liability coverage
1138 maintained by the provider in addition to that otherwise
1139 established under s. 768.28. The provider shall indemnify the
1140 coalition to the extent permitted by s. 768.28.

1141 (l) The private prekindergarten provider shall be denied
1142 initial eligibility to offer the program if the provider has
1143 been cited for a Class I violation in the 12 months before

1144 seeking eligibility. An existing provider that is cited for a
 1145 Class I violation may not have its eligibility renewed for 12
 1146 months. This paragraph does not apply if the Office of Early
 1147 Learning determines that the violation was reported by the
 1148 provider and the employee responsible for the violation was
 1149 terminated or the violation was corrected by the provider.

1150 (m) The private prekindergarten provider must deliver the
 1151 Voluntary Prekindergarten Education Program in accordance with
 1152 this part and have child disciplinary policies that prohibit
 1153 children from being subjected to discipline that is severe,
 1154 humiliating, frightening, or associated with food, rest,
 1155 toileting, spanking, or any other form of physical punishment as
 1156 provided in s. 402.305(12).

1157 ~~(4) A prekindergarten instructor, in lieu of the minimum~~
 1158 ~~credentials and courses required under paragraph (3) (c), may~~
 1159 ~~hold one of the following educational credentials:~~

1160 ~~(a) A bachelor's or higher degree in early childhood~~
 1161 ~~education, prekindergarten or primary education, preschool~~
 1162 ~~education, or family and consumer science;~~

1163 ~~(b) A bachelor's or higher degree in elementary education,~~
 1164 ~~if the prekindergarten instructor has been certified to teach~~
 1165 ~~children any age from birth through 6th grade, regardless of~~
 1166 ~~whether the instructor's educator certificate is current, and if~~
 1167 ~~the instructor is not ineligible to teach in a public school~~
 1168 ~~because his or her educator certificate is suspended or revoked;~~

1169 ~~(c) An associate's or higher degree in child development;~~

1170 ~~(d) An associate's or higher degree in an unrelated field,~~
 1171 ~~at least 6 credit hours in early childhood education or child~~
 1172 ~~development, and at least 480 hours of experience in teaching or~~
 1173 ~~providing child care services for children any age from birth~~
 1174 ~~through 8 years of age; or~~

1175 ~~(e) An educational credential approved by the department~~
 1176 ~~as being equivalent to or greater than an educational credential~~
 1177 ~~described in this subsection. The department may adopt criteria~~
 1178 ~~and procedures for approving equivalent educational credentials~~
 1179 ~~under this paragraph.~~

1180 ~~(5) Notwithstanding paragraph (3) (b), a private~~
 1181 ~~prekindergarten provider may not participate in the Voluntary~~
 1182 ~~Prekindergarten Education Program if the provider has child~~
 1183 ~~disciplinary policies that do not prohibit children from being~~
 1184 ~~subjected to discipline that is severe, humiliating,~~
 1185 ~~frightening, or associated with food, rest, toileting, spanking,~~
 1186 ~~or any other form of physical punishment as provided in s.~~
 1187 ~~402.305(12).~~

1188 Section 17. Subsection (1) of section 1002.59, Florida
 1189 Statutes, is amended to read:

1190 1002.59 Emergent literacy and performance standards
 1191 training courses.—

1192 (1) The office shall adopt minimum standards for one or
 1193 more training courses in emergent literacy for prekindergarten
 1194 instructors. Each course must comprise 5 clock hours and provide
 1195 instruction in strategies and techniques to address the age-

1196 appropriate progress of prekindergarten students in developing
 1197 emergent literacy skills, including oral communication,
 1198 knowledge of print and letters, phonemic and phonological
 1199 awareness, and vocabulary and comprehension development. Each
 1200 course must also provide resources containing strategies that
 1201 allow students with disabilities and other special needs to
 1202 derive maximum benefit from the Voluntary Prekindergarten
 1203 Education Program. Successful completion of an emergent literacy
 1204 training course approved under this section satisfies
 1205 requirements for approved training in early literacy and
 1206 language development under ss. 402.305(2)(d)5., 402.313(4)(c)
 1207 ~~402.313(6)~~, and 402.3131(5).

1208 Section 18. Paragraph (d) is added to subsection (3) of
 1209 section 1002.61, Florida Statutes, and subsections (4) through
 1210 (7) of that section are amended, to read:

1211 1002.61 Summer prekindergarten program delivered by public
 1212 schools and private prekindergarten providers.—

1213 (3)

1214 (d) Each charter school authorized to deliver the
 1215 prekindergarten program pursuant to its charter contract shall
 1216 be considered part of the sponsor's overall prekindergarten
 1217 program and must meet all requirements of this part applicable
 1218 to prekindergarten programs delivered by public schools. The
 1219 sponsor shall provide the same level of oversight of the charter
 1220 school's prekindergarten program as it provides for other public
 1221 schools in the school district. A charter school not authorized

1222 to deliver the summer prekindergarten program pursuant to its
 1223 charter contract may deliver the program as a private provider
 1224 in accordance with s. 1002.55 and this section.

1225 (4) ~~Notwithstanding ss. 1002.55(3)(c)1. and 1002.63(4),~~
 1226 Each public school and private prekindergarten provider that
 1227 delivers the summer prekindergarten program must have, for each
 1228 prekindergarten class, at least one prekindergarten instructor
 1229 who is a certified teacher or holds one of the educational
 1230 credentials specified in s. 1002.55(3)(c)1.e.-h. ~~1002.55(4)(a)~~
 1231 ~~or (b).~~ As used in this subsection, the term "certified teacher"
 1232 means a teacher holding a valid Florida educator certificate
 1233 under s. 1012.56 who has the qualifications required by the
 1234 district school board to instruct students in the summer
 1235 prekindergarten program. In selecting instructional staff for
 1236 the summer prekindergarten program, each school district shall
 1237 give priority to teachers who have experience or coursework in
 1238 early childhood education.

1239 (5) Each prekindergarten instructor employed by a ~~public~~
 1240 ~~school or~~ private prekindergarten provider delivering the summer
 1241 prekindergarten program must be of good moral character, must
 1242 undergo background screening pursuant to s. 402.305(2)(a) be
 1243 ~~screened using the level 2 screening standards in s. 435.04~~
 1244 before employment, must be ~~and~~ rescreened at least once every 5
 1245 years, and must be denied employment or terminated if required
 1246 under s. 435.06. Each prekindergarten instructor employed by a
 1247 public school delivering the summer prekindergarten program, and

1248 must satisfy the ~~not be ineligible to teach in a public school~~
1249 ~~because his or her educator certificate is suspended or revoked.~~
1250 ~~This subsection does not supersede~~ employment requirements for
1251 instructional personnel in public schools as provided in s.
1252 1012.32 ~~which are more stringent than the requirements of this~~
1253 ~~subsection.~~

1254 (6) A public school or private prekindergarten provider
1255 may assign a substitute instructor to temporarily replace a
1256 credentialed instructor if the credentialed instructor assigned
1257 to a prekindergarten class is absent, as long as the substitute
1258 instructor meets the requirements of subsection (5) ~~is of good~~
1259 ~~moral character and has been screened before employment in~~
1260 ~~accordance with level 2 background screening requirements in~~
1261 ~~chapter 435. This subsection does not supersede employment~~
1262 ~~requirements for instructional personnel in public schools which~~
1263 ~~are more stringent than the requirements of this subsection.~~ The
1264 Office of Early Learning shall adopt rules to implement this
1265 subsection which shall include required qualifications of
1266 substitute instructors and the circumstances and time limits for
1267 which a public school or private prekindergarten provider may
1268 assign a substitute instructor.

1269 (7) Notwithstanding ss. 1002.55(3)(d) ~~1002.55(3)(f)~~ and
1270 1002.63(7), each prekindergarten class in the summer
1271 prekindergarten program, regardless of whether the class is a
1272 public school's or private prekindergarten provider's class,
1273 must be composed of at least 4 students but may not exceed 12

1274 students ~~beginning with the 2009 summer session~~. In order to
1275 protect the health and safety of students, each public school or
1276 private prekindergarten provider must also provide appropriate
1277 adult supervision for students at all times. This subsection
1278 does not supersede any requirement imposed on a provider under
1279 ss. 402.301-402.319.

1280 Section 19. Paragraph (c) is added to subsection (3) of
1281 section 1002.63, Florida Statutes, and subsections (5) and (6)
1282 of that section are amended, to read:

1283 1002.63 School-year prekindergarten program delivered by
1284 public schools.—

1285 (3)

1286 (c) Each charter school authorized to deliver the
1287 prekindergarten program pursuant to its charter contract shall
1288 be considered part of the sponsor's overall prekindergarten
1289 program and must meet all requirements of this part applicable
1290 to prekindergarten programs delivered by public schools. The
1291 sponsor shall provide the same level of oversight of the charter
1292 school's prekindergarten program as it provides for other public
1293 schools in the school district. A charter school not authorized
1294 to deliver the prekindergarten program pursuant to its charter
1295 contract may deliver the program as a private provider in
1296 accordance with s. 1002.55.

1297 (5) Each prekindergarten instructor employed by a public
1298 school delivering the school-year prekindergarten program must
1299 satisfy the ~~be of good moral character, must be screened using~~

1300 ~~the level 2 screening standards in s. 435.04 before employment~~
1301 ~~and rescreened at least once every 5 years, must be denied~~
1302 ~~employment or terminated if required under s. 435.06, and must~~
1303 ~~not be ineligible to teach in a public school because his or her~~
1304 ~~educator certificate is suspended or revoked. This subsection~~
1305 ~~does not supersede employment requirements for instructional~~
1306 ~~personnel in public schools as provided in s. 1012.32 which are~~
1307 ~~more stringent than the requirements of this subsection.~~

1308 (6) A public school prekindergarten provider may assign a
1309 substitute instructor to temporarily replace a credentialed
1310 instructor if the credentialed instructor assigned to a
1311 prekindergarten class is absent, as long as the substitute
1312 instructor meets the requirements of subsection (5) ~~is of good~~
1313 ~~moral character and has been screened before employment in~~
1314 ~~accordance with level 2 background screening requirements in~~
1315 ~~chapter 435. This subsection does not supersede employment~~
1316 ~~requirements for instructional personnel in public schools which~~
1317 ~~are more stringent than the requirements of this subsection. The~~
1318 ~~Office of Early Learning shall adopt rules to implement this~~
1319 ~~subsection which shall include required qualifications of~~
1320 ~~substitute instructors and the circumstances and time limits for~~
1321 ~~which a public school prekindergarten provider may assign a~~
1322 ~~substitute instructor.~~

1323 Section 20. Paragraph (a) of subsection (6) of section
1324 1002.71, Florida Statutes, is amended to read:

1325 1002.71 Funding; financial and attendance reporting.—

1326 (6) (a) Each parent enrolling his or her child in the
 1327 Voluntary Prekindergarten Education Program must agree to comply
 1328 with the attendance policy of the private prekindergarten
 1329 provider or district school board, as applicable. Upon
 1330 enrollment of the child, the private prekindergarten provider or
 1331 public school, as applicable, must provide the child's parent
 1332 with program information, including, but not limited to, child
 1333 development, expectations for parent engagement, the daily
 1334 schedule, and the ~~a copy of the provider's or school district's~~
 1335 attendance policy, which must include procedures for contacting
 1336 a parent on the 2nd consecutive day a child is absent for which
 1337 the reason is unknown as applicable.

1338 Section 21. Subsection (1) of section 1002.75, Florida
 1339 Statutes, is amended to read:

1340 1002.75 Office of Early Learning; powers and duties.—

1341 (1) The Office of Early Learning shall adopt by rule a
 1342 standard statewide provider contract to be used with each
 1343 Voluntary Prekindergarten Education Program provider, with
 1344 standardized attachments by provider type. The office shall
 1345 publish a copy of the standard statewide provider contract on
 1346 its website. The standard statewide contract shall include, at a
 1347 minimum, provisions that:

1348 (a) Govern ~~for~~ provider probation, termination for cause,
 1349 and emergency termination for those actions or inactions of a
 1350 provider that pose an immediate and serious danger to the
 1351 health, safety, or welfare of children. The standard statewide

1352 contract shall also include appropriate due process procedures.
 1353 During the pendency of an appeal of a termination, the provider
 1354 may not continue to offer its services.

1355 (b) Require each private prekindergarten provider to
 1356 notify the parent of each child in care if it is cited for a
 1357 Class I violation as defined by rule of the Department of
 1358 Children and Families. Such notice shall describe each violation
 1359 with specificity, in simple language, and include a copy of the
 1360 citation and the contact information of the Department of
 1361 Children and Families or local licensing agency where the parent
 1362 may obtain additional information regarding the citation. Notice
 1363 of a Class I violation by the provider must be provided
 1364 electronically or in writing to the parent within 24 hours after
 1365 receipt of the citation. A private prekindergarten provider must
 1366 conspicuously post each citation for a violation that results in
 1367 disciplinary action on the premises in an area visible to
 1368 parents pursuant to s. 402.3125(1)(b). Additionally, such a
 1369 provider must post each inspection report on the premises in an
 1370 area visible to parents, which report must remain posted until
 1371 the next inspection report is available.

1372 (c) Specify that child care personnel employed by the
 1373 provider who are responsible for supervising children in care
 1374 must be trained in developmentally appropriate practices aligned
 1375 to the age and needs of children over which the personnel are
 1376 assigned supervision duties. This requirement is met by
 1377 completion of developmentally appropriate practice courses

1378 administered by the Department of Children and Families under s.
 1379 402.305(2)(d)1. within 30 days after being assigned to children
 1380 for which developmentally appropriate practice training has not
 1381 been completed by the personnel.

1382
 1383 Any provision imposed upon a provider that is inconsistent with,
 1384 or prohibited by, law is void and unenforceable.

1385 Section 22. Section 1002.77, Florida Statutes, is amended
 1386 to read:

1387 1002.77 Florida Early Learning Advisory Council.—

1388 (1) There is created the Florida Early Learning Advisory
 1389 Council within the Office of Early Learning. The purpose of the
 1390 advisory council is to provide written input ~~submit~~
 1391 ~~recommendations~~ to the executive director ~~office~~ on early
 1392 learning best practices, including ~~recommendations relating to~~
 1393 ~~the most effective~~ program administration; ~~of the Voluntary~~
 1394 ~~Prekindergarten Education Program under this part and the school~~
 1395 ~~readiness program under part VI of this chapter. The advisory~~
 1396 ~~council shall periodically analyze and provide recommendations~~
 1397 ~~to the office on the~~ effective and efficient use of local,
 1398 state, and federal funds; ~~the content of professional~~
 1399 development training programs; and ~~best practices for the~~
 1400 ~~development and implementation of~~ coalition plans pursuant to s.
 1401 1002.85.

1402 (2) The advisory council shall be composed of the
 1403 following members:

1404 (a) The chair of the advisory council who shall be
 1405 appointed by and serve at the pleasure of the Governor.

1406 (b) The chair of each early learning coalition.

1407 (c) One member who shall be appointed by and serve at the
 1408 pleasure of the President of the Senate.

1409 (d) One member who shall be appointed by and serve at the
 1410 pleasure of the Speaker of the House of Representatives.

1411
 1412 The chair of the advisory council appointed by the Governor and
 1413 the members appointed by the presiding officers of the
 1414 Legislature must be from the business community and be in
 1415 compliance with s. 1002.83(5).

1416 (3) The advisory council shall meet at least quarterly
 1417 upon the call of the executive director ~~but may meet as often as~~
 1418 ~~necessary to carry out its duties and responsibilities.~~ The
 1419 executive director is encouraged to ~~advisory council may use~~
 1420 communications media technology ~~any method of telecommunications~~
 1421 to conduct meetings in accordance with s. 120.54(5)(b) ~~7~~
 1422 ~~including establishing a quorum through telecommunications, only~~
 1423 ~~if the public is given proper notice of a telecommunications~~
 1424 ~~meeting and reasonable access to observe and, when appropriate,~~
 1425 ~~participate.~~

1426 (4) (a) Each member of the advisory council may ~~shall~~ serve
 1427 without compensation but is entitled to receive reimbursement
 1428 for per diem and travel expenses for attendance at council
 1429 meetings as provided in s. 112.061.

1430 (b) Each member of the advisory council is subject to the
 1431 ethics provisions in part III of chapter 112.

1432 (c) For purposes of tort liability, each member of the
 1433 advisory council shall be governed by s. 768.28.

1434 (5) The Office of Early Learning shall provide staff and
 1435 administrative support for the advisory council as determined by
 1436 the executive director.

1437 Section 23. Paragraph (f) of subsection (1) and
 1438 subsections (8) and (16) of section 1002.81, Florida Statutes,
 1439 are amended to read:

1440 1002.81 Definitions.—Consistent with the requirements of
 1441 45 C.F.R. parts 98 and 99 and as used in this part, the term:

1442 (1) "At-risk child" means:

1443 (f) A child in the custody of a parent who is considered
 1444 homeless as verified by a designated lead agency on the homeless
 1445 assistance continuum of care established under ss. 420.622-
 1446 420.624 Department of Children and Families certified homeless
 1447 shelter.

1448 (8) "Family income" means the combined gross income,
 1449 whether earned or unearned, that is derived from any source by
 1450 all family or household members who are 18 years of age or older
 1451 who are currently residing together in the same dwelling unit.
 1452 The term does not include:

1453 (a) Income earned by a currently enrolled high school
 1454 student who, since attaining the age of 18 years, or a student
 1455 with a disability who, since attaining the age of 22 years, has

1456 not terminated school enrollment or received a high school
1457 diploma, high school equivalency diploma, special diploma, or
1458 certificate of high school completion.

1459 (b) Income earned by a teen parent residing in the same
1460 residence as a separate family unit.

1461 (c) Selected items from the Child Care and Development
1462 Fund state plan, such as ~~The term also does not include~~ food
1463 stamp benefits, documented child support and alimony payments
1464 paid out of the home, or federal housing assistance payments
1465 issued directly to a landlord or the associated utilities
1466 expenses.

1467 (16) "Working family" means:

1468 (a) A single-parent family in which the parent with whom
1469 the child resides is employed or engaged in eligible work or
1470 education activities for at least 20 hours per week or is exempt
1471 from work requirements due to age or disability, as determined
1472 and documented by a physician licensed under chapter 458 or
1473 chapter 459;

1474 (b) A two-parent family in which both parents with whom
1475 the child resides are employed or engaged in eligible work or
1476 education activities for a combined total of at least 40 hours
1477 per week; ~~or~~

1478 (c) A two-parent family in which one of the parents with
1479 whom the child resides is exempt from work requirements due to
1480 age or disability, as determined and documented by a physician
1481 licensed under chapter 458 or chapter 459, and one parent is

1482 employed or engaged in eligible work or education activities at
1483 least 20 hours per week; or

1484 (d) A two-parent family in which both of the parents with
1485 whom the child resides are exempt from work requirements due to
1486 age or disability, as determined and documented by a physician
1487 licensed under chapter 458 or chapter 459.

1488 Section 24. Paragraphs (b), (j), (m), and (p) of
1489 subsection (2) of section 1002.82, Florida Statutes, are amended
1490 to read:

1491 1002.82 Office of Early Learning; powers and duties.—

1492 (2) The office shall:

1493 (b) Preserve parental choice by permitting parents to
1494 choose from a variety of child care categories authorized in s.
1495 1002.88(1)(a), ~~including center-based care, family child care,~~
1496 ~~and informal child care to the extent authorized in the state's~~
1497 ~~Child Care and Development Fund Plan as approved by the United~~
1498 ~~States Department of Health and Human Services pursuant to 45~~
1499 ~~C.F.R. s. 98.18.~~ Care and curriculum by a faith-based provider
1500 may not be limited or excluded in any of these categories.

1501 (j) Develop and adopt standards and benchmarks that
1502 address the age-appropriate progress of children in the
1503 development of child care and development ~~school-readiness~~
1504 skills. The standards for children from birth to 5 years of age
1505 in the child care and development ~~school-readiness~~ program must
1506 be aligned with the performance standards adopted for children
1507 in the Voluntary Prekindergarten Education Program and must

1508 address the following domains:

- 1509 1. Approaches to learning.
- 1510 2. Cognitive development and general knowledge.
- 1511 3. Numeracy, language, and communication.
- 1512 4. Physical development.
- 1513 5. Self-regulation.

1514
 1515 By July 1, 2015, the Office of Early Learning shall develop and
 1516 implement an online training course on the performance standards
 1517 for child care and development program provider personnel.

1518 (m) Adopt by rule a standard statewide provider contract
 1519 to be used with each child care and development ~~school readiness~~
 1520 program provider, with standardized attachments by provider
 1521 type. The office shall publish a copy of the standard statewide
 1522 provider contract on its website. The standard statewide
 1523 contract shall include, at a minimum, provisions that:

1524 1. Govern ~~for~~ provider probation, termination for cause,
 1525 and emergency termination for those actions or inactions of a
 1526 provider that pose an immediate and serious danger to the
 1527 health, safety, or welfare of the children. The standard
 1528 statewide provider contract shall also include appropriate due
 1529 process procedures. During the pendency of an appeal of a
 1530 termination, the provider may not continue to offer its
 1531 services.

1532 2. Require each provider that is eligible to provide the
 1533 program pursuant to s. 1002.88(1)(a) to notify the parent of

1534 each child in care if it is cited for a Class I violation as
1535 defined by rule of the Department of Children and Families. Such
1536 notice shall describe each violation with specificity, in simple
1537 language, and include a copy of the citation and the contact
1538 information of the Department of Children and Families or local
1539 licensing agency where the parent may obtain additional
1540 information regarding the citation. Notice of a Class I
1541 violation by the provider must be provided electronically or in
1542 writing to the parent within 24 hours after receipt of the
1543 citation. A provider must conspicuously post each citation for a
1544 violation that results in disciplinary action on the premises in
1545 an area visible to parents pursuant to s. 402.3125(1)(b).

1546 Additionally, such a provider must post each inspection report
1547 on the premises in an area visible to parents, which report must
1548 remain posted until the next inspection report is available.

1549 3. Specify that child care personnel employed by the
1550 provider who are responsible for supervising children in care
1551 must be trained in developmentally appropriate practices aligned
1552 to the age and needs of children over which the personnel are
1553 assigned supervision duties. This requirement is met by
1554 completion of developmentally appropriate practice courses
1555 administered by the Department of Children and Families under s.
1556 402.305(2)(d)1. within 30 days after being assigned to children
1557 for which developmentally appropriate practice training has not
1558 been completed by the personnel.

1559 4. Require child care personnel who are employed by the

1560 provider to complete an online training course on the
1561 performance standards adopted pursuant to paragraph (j).

1562

1563 Any provision imposed upon a provider that is inconsistent with,
1564 or prohibited by, law is void and unenforceable.

1565 (p) Monitor and evaluate the performance of each early
1566 learning coalition in administering the child care and
1567 development ~~school readiness~~ program and the Voluntary
1568 Prekindergarten Education Program, ensuring proper payments for
1569 child care and development ~~school readiness~~ program and
1570 Voluntary Prekindergarten Education Program services, and
1571 implementing the coalition's child care and development ~~school~~
1572 ~~readiness~~ program plan, ~~and administering the Voluntary~~
1573 ~~Prekindergarten Education Program~~. These monitoring and
1574 performance evaluations must include, at a minimum, onsite
1575 monitoring of each coalition's finances, management, operations,
1576 and programs.

1577 Section 25. Subsections (8) and (20) of section 1002.84,
1578 Florida Statutes, are amended to read:

1579 1002.84 Early learning coalitions; child care and
1580 development ~~school readiness~~ powers and duties.—Each early
1581 learning coalition shall:

1582 (8) Establish a parent sliding fee scale that requires a
1583 parent copayment to participate in the child care and
1584 development ~~school readiness~~ program. Providers are required to
1585 collect the parent's copayment. A coalition may, on a case-by-

1586 case basis, waive the copayment for an at-risk child or
1587 temporarily waive the copayment for a child whose family's
1588 income is at or below the federal poverty level and family
1589 experiences a natural disaster or an event that limits the
1590 parent's ability to pay, such as incarceration, placement in
1591 residential treatment, ~~or becoming homeless,~~ or an emergency
1592 situation such as a household fire or burglary, or while the
1593 parent is participating in parenting classes. A parent may not
1594 transfer child care and development school-readiness program
1595 services to another child care and development school-readiness
1596 program provider until the parent has submitted documentation
1597 from the current child care and development school-readiness
1598 program provider to the early learning coalition stating that
1599 the parent has satisfactorily fulfilled the copayment
1600 obligation.

1601 (20) To increase transparency and accountability, comply
1602 with ~~the requirements of~~ this section before contracting with a
1603 member of the coalition, an employee of the coalition, or a
1604 relative, as defined in s. 112.3143(1)(b), of a coalition member
1605 or of an employee of the coalition. Such contracts may not be
1606 executed without the approval of the office. Such contracts, as
1607 well as documentation demonstrating adherence to this section by
1608 the coalition, must be approved by a two-thirds vote of the
1609 coalition, a quorum having been established; all conflicts of
1610 interest must be disclosed before the vote; and any member who
1611 may benefit from the contract, or whose relative may benefit

1612 from the contract, must abstain from the vote. A contract under
 1613 \$25,000 between an early learning coalition and a member of that
 1614 coalition or between a relative, as defined in s.
 1615 112.3143(1)(b), of a coalition member or of an employee of the
 1616 coalition is not required to have the prior approval of the
 1617 office but must be approved by a two-thirds vote of the
 1618 coalition, a quorum having been established, and must be
 1619 reported to the office within 30 days after approval. If a
 1620 contract cannot be approved by the office, a review of the
 1621 decision to disapprove the contract may be requested by the
 1622 early learning coalition or other parties to the disapproved
 1623 contract.

1624 Section 26. Subsections (1), (6), (7), and (8) of section
 1625 1002.87, Florida Statutes, are amended to read:

1626 1002.87 Child care and development ~~School readiness~~
 1627 program; eligibility and enrollment.—

1628 (1) Effective August 1, 2013, or upon reevaluation of
 1629 eligibility for children currently served, whichever is later,
 1630 each early learning coalition shall give priority for
 1631 participation in the child care and development ~~school readiness~~
 1632 program as follows:

1633 (a) Priority shall be given first to a child younger than
 1634 13 years of age from a family that includes a parent who is
 1635 receiving temporary cash assistance under chapter 414 and
 1636 subject to the federal work requirements.

1637 (b) Priority shall be given next to an at-risk child

1638 | younger than 9 years of age.

1639 | (c) Priority shall be given next to a child from birth to
 1640 | the beginning of the school year for which the child is eligible
 1641 | for admission to kindergarten in a public school under s.
 1642 | 1003.21(1)(a)2. who is from a working family that is
 1643 | economically disadvantaged, and may include such child's
 1644 | eligible siblings, beginning with the school year in which the
 1645 | sibling is eligible for admission to kindergarten in a public
 1646 | school under s. 1003.21(1)(a)2. until the beginning of the
 1647 | school year in which the sibling enters ~~is eligible to begin~~ 6th
 1648 | grade, provided that the first priority for funding an eligible
 1649 | sibling is local revenues available to the coalition for funding
 1650 | direct services. However, a child eligible under this paragraph
 1651 | ceases to be eligible if his or her family income exceeds 200
 1652 | percent of the federal poverty level.

1653 | (d) Priority shall be given next to a child of a parent
 1654 | who transitions from the work program into employment as
 1655 | described in s. 445.032 from birth to the beginning of the
 1656 | school year for which the child is eligible for admission to
 1657 | kindergarten in a public school under s. 1003.21(1)(a)2.

1658 | (e) Priority shall be given next to an at-risk child who
 1659 | is at least 9 years of age but younger than 13 years of age. An
 1660 | at-risk child whose sibling is enrolled in the school readiness
 1661 | program within an eligibility priority category listed in
 1662 | paragraphs (a)-(c) shall be given priority over other children
 1663 | who are eligible under this paragraph.

1664 (f) Priority shall be given next to a child who is younger
 1665 than 13 years of age from a working family that is economically
 1666 disadvantaged. A child who is eligible under this paragraph
 1667 whose sibling is enrolled in the school readiness program under
 1668 paragraph (c) shall be given priority over other children who
 1669 are eligible under this paragraph. However, a child eligible
 1670 under this paragraph ceases to be eligible if his or her family
 1671 income exceeds 200 percent of the federal poverty level.

1672 (g) Priority shall be given next to a child of a parent
 1673 who transitions from the work program into employment as
 1674 described in s. 445.032 who is younger than 13 years of age.

1675 (h) Priority shall be given next to a child who ~~has~~
 1676 ~~special needs,~~ has been determined eligible as an infant or
 1677 toddler from birth to 3 years of age with an individualized
 1678 family support plan receiving early intervention services or as
 1679 a student with a disability with, ~~has~~ a current individual
 1680 education plan with a Florida school district, ~~and is not~~
 1681 ~~younger than 3 years of age.~~ A ~~special needs~~ child eligible
 1682 under this paragraph remains eligible until the child is
 1683 eligible for admission to kindergarten in a public school under
 1684 s. 1003.21(1)(a)2.

1685 (i) Notwithstanding paragraphs (a)-(d), priority shall be
 1686 given last to a child who otherwise meets one of the eligibility
 1687 criteria in paragraphs (a)-(d) but who is also enrolled
 1688 concurrently in the federal Head Start Program and the Voluntary
 1689 Prekindergarten Education Program.

1690 (6) Eligibility for each child must be reevaluated
 1691 annually. Upon reevaluation, a child may not continue to receive
 1692 child care and development ~~school readiness~~ program services if
 1693 he or she has ceased to be eligible under this section. If a
 1694 child no longer meets eligibility or program requirements, the
 1695 coalition must immediately notify the child's parent and the
 1696 provider that funding will end 2 weeks after the date on which
 1697 the child was determined to be ineligible or when the current
 1698 child care authorization expires, whichever occurs first.

1699 (7) If a coalition disenrolls children from the child care
 1700 and development ~~school readiness~~ program due to lack of funding
 1701 or a change in eligibility priorities, the coalition must
 1702 disenroll the children in reverse order of the eligibility
 1703 priorities listed in subsection (1) beginning with children from
 1704 families with the highest family incomes. A notice of
 1705 disenrollment must be sent to the parent and child care and
 1706 development ~~school readiness~~ program provider at least 2 weeks
 1707 before disenrollment or the expiration of the current child care
 1708 authorization, whichever occurs first, to provide adequate time
 1709 for the parent to arrange alternative care for the child.
 1710 However, an at-risk child receiving services from the Child
 1711 Welfare Program Office of the Department of Children and
 1712 Families may not be disenrolled from the program without the
 1713 written approval of the Child Welfare Program Office ~~of the~~
 1714 ~~Department of Children and Families~~ or the community-based lead
 1715 agency.

CS/HB 7069

2014

1716 (8) If a child is absent from the program for 2
1717 consecutive days without parental notification to the program of
1718 such absence, the child care and development program provider
1719 shall contact the parent and determine the cause for absence and
1720 expected date of return. If a child is absent from the program
1721 for 5 consecutive days without parental notification to the
1722 program of such absence, the child care and development ~~school~~
1723 ~~readiness~~ program provider shall report the absence to the early
1724 learning coalition for a determination of the need for continued
1725 care.

1726 Section 27. Section 1002.88, Florida Statutes, is amended
1727 to read:

1728 1002.88 Child care and development ~~School readiness~~
1729 program provider standards; eligibility to deliver the child
1730 care and development ~~school readiness~~ program.-

1731 (1) To be eligible to deliver the child care and
1732 development ~~school readiness~~ program, a child care and
1733 development ~~school readiness~~ program provider must:

1734 (a) 1. Be a nonpublic school in substantial compliance with
1735 s. 402.3025(2)(d), a child care facility licensed under s.
1736 402.305, a family child ~~day~~ care home licensed ~~or registered~~
1737 under s. 402.313, a large family child care home licensed under
1738 s. 402.3131, or a child care facility exempt from licensure
1739 operating under s. 402.316(4); or

1740 2. Be an entity that is part of Florida's education system
1741 under s. 1000.04(1) ~~a public school or nonpublic school exempt~~

1742 ~~from licensure under s. 402.3025, a faith-based child care~~
1743 ~~provider exempt from licensure under s. 402.316, a before-school~~
1744 ~~or after-school program described in s. 402.305(1)(c), or an~~
1745 ~~informal child care provider to the extent authorized in the~~
1746 ~~state's Child Care and Development Fund Plan as approved by the~~
1747 ~~United States Department of Health and Human Services pursuant~~
1748 ~~to 45 C.F.R. s. 98.18.~~

1749 (b) Provide instruction and activities to enhance the age-
1750 appropriate progress of each child in attaining the child
1751 development standards adopted by the office pursuant to s.
1752 1002.82(2)(j). A provider should include activities to foster
1753 brain development in infants and toddlers; provide an
1754 environment that is rich in language and music and filled with
1755 objects of various colors, shapes, textures, and sizes to
1756 stimulate visual, tactile, auditory, and linguistic senses; and
1757 include 30 minutes of reading to children each day. A provider
1758 must provide parents information on child development,
1759 expectations for parent engagement, the daily schedule, and the
1760 attendance policy.

1761 (c) Provide basic health and safety of its premises and
1762 facilities in accordance with applicable licensing and
1763 inspection requirements ~~and compliance with requirements for~~
1764 ~~age-appropriate immunizations of children enrolled in the school~~
1765 ~~readiness program.~~ For a child care facility, a large family
1766 child care home, or a licensed family child day care home,
1767 compliance with s. 402.305, s. 402.3131, or s. 402.313 satisfies

1768 this requirement. For a public ~~or nonpublic~~ school, compliance
 1769 with ss. s. 402.3025 ~~or s. 1003.22~~ and 1013.12 satisfies this
 1770 requirement. For a nonpublic school, compliance with s.
 1771 402.3025(2)(d) satisfies this requirement. For a facility exempt
 1772 from licensure, compliance with s. 402.316(4) satisfies this
 1773 requirement. A provider shall be denied initial eligibility to
 1774 offer the program if the provider has been cited for a Class I
 1775 violation in the 12 months before seeking eligibility. An
 1776 existing provider that is cited for a Class I violation may not
 1777 have its eligibility renewed for 12 months. A provider that is
 1778 cited for a Class I violation may remain eligible to deliver the
 1779 program if the Office of Early Learning determines that the
 1780 violation was reported by the provider and the employee
 1781 responsible for the violation was terminated or the violation
 1782 was corrected by the provider. A faith-based child care
 1783 provider, an informal child care provider, or a nonpublic
 1784 school, exempt from licensure under s. 402.316 or s. 402.3025,
 1785 shall annually complete the health and safety checklist adopted
 1786 by the office, post the checklist prominently on its premises in
 1787 plain sight for visitors and parents, and submit it annually to
 1788 its local early learning coalition.

1789 (d) Provide an appropriate staff-to-children ratio,
 1790 pursuant to s. 402.305(4) or s. 402.302(8) or (11), as
 1791 applicable, and as verified pursuant to s. 402.311.

1792 (e) Provide a healthy and safe environment pursuant to s.
 1793 402.305(5), (6), and (7), as applicable, and as verified

1794 pursuant to s. 402.311.

1795 (f) Implement one of the curricula approved by the office
1796 that meets the child development standards.

1797 (g) Implement a character development program to develop
1798 basic values.

1799 (h) Collaborate with the respective early learning
1800 coalition to complete initial screening for each child, aged 6
1801 weeks to kindergarten eligibility, within 45 days after the
1802 child's first or subsequent enrollment, to identify a child who
1803 may need individualized supports.

1804 (i) Implement minimum standards for child discipline
1805 practices that are age-appropriate and consistent with the
1806 requirements in s. 402.305(12). Such standards must provide that
1807 children not be subjected to discipline that is severe,
1808 humiliating, or frightening or discipline that is associated
1809 with food, rest, or toileting. Spanking or any other form of
1810 physical punishment is prohibited.

1811 (j) Obtain and keep on file record of the child's
1812 immunizations, physical development, and other health
1813 requirements as necessary, including appropriate vision and
1814 hearing screening and examination, within 30 days after
1815 enrollment.

1816 (k) Implement before-school or after-school programs that
1817 meet or exceed the requirements of s. 402.305(5), (6), and (7).

1818 (l) ~~For a provider that is not an informal provider,~~
1819 Maintain general liability insurance and provide the coalition

1820 with written evidence of general liability insurance coverage,
1821 including coverage for transportation of children if child care
1822 and development ~~school readiness~~ program children are
1823 transported by the provider. A private provider must obtain and
1824 retain an insurance policy that provides a minimum of \$100,000
1825 of coverage per occurrence and a minimum of \$300,000 general
1826 aggregate coverage. The office may authorize lower limits upon
1827 request, as appropriate. ~~A provider must add the coalition as a~~
1828 ~~named certificateholder and as an additional insured. A private~~
1829 ~~provider must provide the coalition with a minimum of 10~~
1830 ~~calendar days' advance written notice of cancellation of or~~
1831 ~~changes to coverage. The general liability insurance required by~~
1832 ~~this paragraph must remain in full force and effect for the~~
1833 ~~entire period of the provider contract with the coalition.~~

1834 ~~(m) For a provider that is an informal provider, comply~~
1835 ~~with the provisions of paragraph (l) or maintain homeowner's~~
1836 ~~liability insurance and, if applicable, a business rider. If an~~
1837 ~~informal provider chooses to maintain a homeowner's policy, the~~
1838 ~~provider must obtain and retain a homeowner's insurance policy~~
1839 ~~that provides a minimum of \$100,000 of coverage per occurrence~~
1840 ~~and a minimum of \$300,000 general aggregate coverage. The office~~
1841 ~~may authorize lower limits upon request, as appropriate. An~~
1842 ~~informal provider must add the coalition as a named~~
1843 ~~certificateholder and as an additional insured. An informal~~
1844 ~~provider must provide the coalition with a minimum of 10~~
1845 ~~calendar days' advance written notice of cancellation of or~~

1846 ~~changes to coverage. The general liability insurance required by~~
1847 ~~this paragraph must remain in full force and effect for the~~
1848 ~~entire period of the provider's contract with the coalition.~~

1849 (m)~~(n)~~ Obtain and maintain any required workers'
1850 compensation insurance under chapter 440 and any required
1851 reemployment assistance or unemployment compensation coverage
1852 under chapter 443, unless exempt under state or federal law.

1853 (n)~~(o)~~ Notwithstanding paragraph (l), for a provider that
1854 is a state agency or a subdivision thereof, as defined in s.
1855 768.28(2), agree to notify the coalition of any additional
1856 liability coverage maintained by the provider in addition to
1857 that otherwise established under s. 768.28. The provider shall
1858 indemnify the coalition to the extent permitted by s. 768.28.

1859 (o)~~(p)~~ Execute the standard statewide provider contract
1860 adopted by the office.

1861 (p)~~(q)~~ Operate on a full-time and part-time basis and
1862 provide extended-day and extended-year services to the maximum
1863 extent possible without compromising the quality of the program
1864 to meet the needs of parents who work.

1865 (2) Beginning January 1, 2016, child care personnel
1866 employed by a child care and development program provider must
1867 hold a high school diploma or its equivalent and be at least 18
1868 years of age, unless the personnel are not responsible for
1869 supervising children in care or are under direct supervision and
1870 are not counted for the purposes of computing the personnel-to-
1871 child ratio.

1872 (3) Beginning January 1, 2015, child care personnel
1873 employed by a child care and development program provider must
1874 be trained in first aid and infant and child cardiopulmonary
1875 resuscitation, as evidenced by current documentation of course
1876 completion, unless the personnel are not responsible for
1877 supervising children in care. As a condition of employment,
1878 personnel hired on or after January 1, 2015, must complete this
1879 training within 30 days after employment.

1880 (4)(2) If a child care and development school-readiness
1881 program provider fails or refuses to comply with this part or
1882 any contractual obligation of the statewide provider contract
1883 under s. 1002.82(2)(m), the coalition may revoke the provider's
1884 eligibility to deliver the child care and development school-
1885 ~~readiness~~ program or receive state or federal funds under this
1886 chapter for ~~a period of~~ 5 years.

1887 (5)(3) The office and the coalitions may not:

1888 (a) Impose any requirement on a child care provider or
1889 early childhood education provider that does not deliver
1890 services under the child care and development school-readiness
1891 program or receive state or federal funds under this part;

1892 (b) Impose any requirement on a child care and development
1893 ~~school-readiness~~ program provider that exceeds the authority
1894 provided under this part or part V of this chapter or rules
1895 adopted pursuant to this part or part V of this chapter; or

1896 (c) Require a provider to administer a preassessment or
1897 postassessment.

1898 Section 28. Subsections (6) and (7) of section 1002.89,
 1899 Florida Statutes, are amended to read:

1900 1002.89 Child care and development ~~School readiness~~
 1901 program; funding.—

1902 (6) Costs shall be kept to the minimum necessary for the
 1903 efficient and effective administration of the child care and
 1904 development ~~school readiness~~ program with the highest priority
 1905 of expenditure being direct services for eligible children.
 1906 However, no more than 5 percent of the funds described in
 1907 subsection (5) may be used for administrative costs and no more
 1908 than 22 percent of the funds described in subsection (5) may be
 1909 used in any fiscal year for any combination of administrative
 1910 costs, quality activities, and nondirect services as follows:

1911 (a) Administrative costs as described in 45 C.F.R. s.
 1912 98.52, which shall include monitoring providers using the
 1913 standard methodology adopted under s. 1002.82 to improve
 1914 compliance with state and federal regulations and law pursuant
 1915 to the requirements of the statewide provider contract adopted
 1916 under s. 1002.82(2) (m).

1917 (b) Activities to improve the quality of child care as
 1918 described in 45 C.F.R. s. 98.51, which shall be limited to the
 1919 following:

1920 1. Developing, establishing, expanding, operating, and
 1921 coordinating resource and referral programs specifically related
 1922 to the provision of comprehensive consumer education to parents
 1923 and the public to promote informed child care choices specified

1924 in 45 C.F.R. s. 98.33 ~~regarding participation in the school~~
 1925 ~~readiness program and parental choice.~~

1926 2. Awarding grants and providing financial support to
 1927 child care and development ~~school-readiness~~ program providers
 1928 and their staff to assist them in meeting applicable state
 1929 requirements for child care performance standards, implementing
 1930 developmentally appropriate curricula and related classroom
 1931 resources that support curricula, providing literacy supports,
 1932 obtaining a license or accreditation, and providing professional
 1933 development, including scholarships and other incentives. Any
 1934 grants awarded pursuant to this subparagraph shall comply with
 1935 ~~the requirements of~~ ss. 215.971 and 287.058.

1936 3. Providing training, and technical assistance, and
 1937 financial support for child care and development ~~school-~~
 1938 ~~readiness~~ program providers, staff, and parents on standards,
 1939 child screenings, child assessments, developmentally appropriate
 1940 curricula, character development, teacher-child interactions,
 1941 age-appropriate discipline practices, health and safety,
 1942 nutrition, first aid, cardiopulmonary resuscitation, the
 1943 recognition of communicable diseases, and child abuse detection
 1944 and prevention.

1945 4. Providing from among the funds provided for the
 1946 activities described in subparagraphs 1.-3., adequate funding
 1947 for infants and toddlers as necessary to meet federal
 1948 requirements related to expenditures for quality activities for
 1949 infant and toddler care.

1950 5. Improving the monitoring of compliance with, and
 1951 enforcement of, applicable state and local requirements as
 1952 described in and limited by 45 C.F.R. s. 98.40.

1953 6. Responding to Warm-Line requests by providers and
 1954 parents ~~related to school readiness program children~~, including
 1955 providing developmental and health screenings to child care and
 1956 development ~~school readiness~~ program children.

1957 (c) Nondirect services as described in applicable Office
 1958 of Management and Budget instructions are those services not
 1959 defined as administrative, direct, or quality services that are
 1960 required to administer the child care and development ~~school~~
 1961 ~~readiness~~ program. Such services include, but are not limited
 1962 to:

- 1963 1. Assisting families to complete the required application
- 1964 and eligibility documentation.
- 1965 2. Determining child and family eligibility.
- 1966 3. Recruiting eligible child care providers.
- 1967 4. Processing and tracking attendance records.
- 1968 5. Developing and maintaining a statewide child care
- 1969 information system.

1970
 1971 As used in this paragraph, the term "nondirect services" does
 1972 not include payments to child care and development ~~school~~
 1973 ~~readiness~~ program providers for direct services provided to
 1974 children who are eligible under s. 1002.87, administrative costs
 1975 as described in paragraph (a), or quality activities as

1976 described in paragraph (b).

1977 (7) Funds appropriated for the child care and development
 1978 ~~school readiness~~ program may not be expended for the purchase or
 1979 improvement of land; for the purchase, construction, or
 1980 permanent improvement of any building or facility; or for the
 1981 purchase of buses. However, funds may be expended for minor
 1982 remodeling necessary for the administration of the program and
 1983 upgrading of child care facilities to ensure that providers meet
 1984 state and local child care standards, including applicable
 1985 health and safety requirements.

1986 Section 29. Subsection (7) of section 1002.91, Florida
 1987 Statutes, is amended to read:

1988 1002.91 Investigations of fraud or overpayment;
 1989 penalties.—

1990 (7) The early learning coalition may not contract with a
 1991 child care and development ~~school readiness~~ program provider, ~~or~~
 1992 a Voluntary Prekindergarten Education Program provider, or an
 1993 individual who is on the United States Department of Agriculture
 1994 National Disqualified List. In addition, the coalition may not
 1995 contract with any provider that shares an officer or director
 1996 with a provider that is on the United States Department of
 1997 Agriculture National Disqualified List.

1998 Section 30. Paragraph (d) of subsection (3) of section
 1999 1002.94, Florida Statutes, is amended to read:

2000 1002.94 Child Care Executive Partnership Program.—

2001 (3)

2002 (d) Each early learning coalition shall establish a
 2003 community child care task force ~~for each child care purchasing~~
 2004 ~~pool~~. The task force must be composed of employers, parents,
 2005 private child care providers, and one representative from the
 2006 local children's services council, if one exists in the area ~~of~~
 2007 ~~the purchasing pool~~. The early learning coalition is expected to
 2008 recruit the task force members from existing child care
 2009 councils, commissions, or task forces already operating in the
 2010 area ~~of a purchasing pool~~. A majority of the task force shall
 2011 consist of employers.

2012 Section 31. The Office of Early Learning shall conduct a
 2013 2-year pilot project to study the impact of assessing the early
 2014 literacy skills of Voluntary Prekindergarten Education Program
 2015 participants who are English Language Learners, in both English
 2016 and Spanish. The assessments must include, at a minimum, the
 2017 first administration of the Florida Assessments for Instruction
 2018 in Reading in kindergarten and an appropriate alternative
 2019 assessment in Spanish. The study must include a review of the
 2020 kindergarten screening results for 2009-2010 and 2010-2011
 2021 program participants and their subsequent Florida Comprehensive
 2022 Assessment Test scores. The office shall annually report its
 2023 findings to the Governor, the President of the Senate, and the
 2024 Speaker of the House of Representatives by July 1, 2015, and
 2025 July 1, 2016.

2026 Section 32. This act shall take effect July 1, 2014.