

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 appropriation and  
 94 authorizing positions; providing an effective date.

95

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

97

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

105 appear in the Florida Statutes.

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

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

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

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

131 care home or large family child care home to obtain any special  
 132 exemption or use permit or waiver, or to pay any special fee in  
 133 excess of \$50, to operate in an area zoned for residential use.

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

136 402.302 Definitions.—As used in this chapter, the term:

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

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

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

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

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

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

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

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

176 (2) NONPUBLIC SCHOOLS.—

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

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

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

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

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

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

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



209 ~~of age, or repeated violations of this section or the standards~~  
210 ~~under ss. 402.305-402.3057, shall be grounds to seek an~~  
211 ~~injunction to close a program in a school.~~

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

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

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

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

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

235 information from such records to any other person for any  
236 purpose other than screening for employment as specified in  
237 those sections.

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

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

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

253 402.305 Licensing standards; child care facilities.—

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

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

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

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

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

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

280 b. Health, safety, and nutrition.

281 c. Identifying and reporting child abuse and neglect.

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

285 e. Observation of developmental behaviors, including using  
286 a checklist or other similar observation tools and techniques to

287 determine the child's developmental age level.

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

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

298

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

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

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

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

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

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

339 in subparagraph 4.

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

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

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

365 shall include a reliable and valid survey of child care  
366 personnel.

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

371 (9) ADMISSIONS AND RECORDKEEPING.—

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

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

387 (18) TRANSFER OF OWNERSHIP.—

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

391 or caretaker of each child of the impending transfer.

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

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

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

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

416 402.3085 Certificate of substantial compliance with



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

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

433 402.311 Inspection.—A licensed child care facility or  
434 program regulated by the department shall accord to the  
435 department or the local licensing agency, whichever is  
436 applicable, the privilege of inspection, including access to  
437 facilities and personnel and to those records required in s.  
438 402.305, at reasonable times during regular business hours, to  
439 ensure compliance with ~~the provisions of~~ ss. 402.301-402.319.  
440 The right of entry and inspection shall also extend to any  
441 premises which the department or local licensing agency has  
442 reason to believe are being operated or maintained as a child

443 care facility or program ~~without a license~~, but no such entry or  
 444 inspection of any premises shall be made without the permission  
 445 of the person in charge thereof unless a warrant is first  
 446 obtained from the circuit court authorizing same. Any  
 447 application for a license, application for authorization to  
 448 operate a child care program which must maintain substantial  
 449 compliance with child care standards adopted under this chapter,  
 450 or renewal of such license or authorization ~~made pursuant to~~  
 451 ~~this act~~ or the advertisement to the public for the provision of  
 452 child care as defined in s. 402.302 shall constitute permission  
 453 for any entry or inspection of the subject premises ~~for which~~  
 454 ~~the license is sought in order~~ to facilitate verification of the  
 455 information submitted on or in connection with the application.  
 456 In the event a ~~licensed~~ facility or program refuses permission  
 457 for entry or inspection to the department or local licensing  
 458 agency, a warrant shall be obtained from the circuit court  
 459 authorizing same before ~~prior to~~ such entry or inspection. The  
 460 department or local licensing agency may institute disciplinary  
 461 proceedings pursuant to s. 402.310~~7~~ for such refusal.

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

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

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

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

486 402.313 Family child ~~day~~ care homes.—

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

495 registration in an area viewable by all parents during hours of  
496 operation.

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

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

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

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

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

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

518 ~~e. Identifying and reporting child abuse and neglect.~~

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

521 ~~help skills development.~~

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

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

529 ~~5.7.~~ Proof that immunization records are kept current.

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

532

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

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

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

546 (2) This information shall be included in a directory to

547 be published annually by the department to inform the public of  
548 available child care facilities.

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

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

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

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

571 b. Health, safety, and nutrition.

572 c. Identifying and reporting child abuse and neglect.

573 d. Child development, including typical and atypical  
574 language development, and cognitive, motor, social, and  
575 executive functioning skills development.

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

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

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

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

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

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

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

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

624 (6)(8) Operators of family child ~~day~~ care homes ~~home~~



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

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

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

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

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

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

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

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

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

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

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

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

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

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

679

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

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

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

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

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

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

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

722 402.3131 Large family child care homes.—

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

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

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

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

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

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

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

754 402.316 Exemptions.—

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

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

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

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

780           2. Use information from the criminal records obtained

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

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

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

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

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

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

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

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

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



833 or grant is made for care.

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

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

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

848 (a) Specifically covered in a policy; or

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

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

859 following conditions occur:

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

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

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

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

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

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

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

885 executive director of the office.

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

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

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

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

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

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

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

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

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

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

925  
926 The early learning coalition may audit applications held by a  
927 private prekindergarten provider in the coalition's service area  
928 to determine whether children enrolled and reported for funding  
929 by the provider have met the eligibility criteria in subsection  
930 (2).

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

937 confirm that enrolled children have met eligibility  
938 requirements.

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

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

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

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

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

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

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

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

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

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

981 3. Be licensed under s. 402.305, s. 402.313, or s.  
982 402.3131; or

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

986 (b) The private prekindergarten provider must provide  
987 basic health and safety on its premises and in its facilities.

988 For a public school, compliance with ss. 1003.22 and 1013.12

989 satisfies this requirement. For a nonpublic school, compliance  
 990 with s. 402.3025(2)(d) satisfies this requirement. For a child  
 991 care facility, a licensed family child care home, or a large  
 992 family child care home, compliance with s. 402.305, s. 402.313,  
 993 or s. 402.3131, respectively, satisfies this requirement. For a  
 994 facility exempt from licensure, compliance with s. 402.316(4)  
 995 satisfies this requirement ~~and demonstrate, before delivering~~  
 996 ~~the Voluntary Prekindergarten Education Program, as verified by~~  
 997 ~~the early learning coalition, that the provider meets each of~~  
 998 ~~the requirements of the program under this part, including, but~~  
 999 ~~not limited to, the requirements for credentials and background~~  
 1000 ~~screenings of prekindergarten instructors under paragraphs (c)~~  
 1001 ~~and (d), minimum and maximum class sizes under paragraph (f),~~  
 1002 ~~prekindergarten director credentials under paragraph (g), and a~~  
 1003 ~~developmentally appropriate curriculum under s. 1002.67(2)(b).~~

1004 (c) The private prekindergarten provider must have, for  
 1005 each prekindergarten class of 11 children or fewer, at least one  
 1006 prekindergarten instructor who meets each of the following  
 1007 requirements:

1008 1. The prekindergarten instructor must hold, at a minimum,  
 1009 one of the following credentials:

1010 a. A child development associate credential issued by the  
 1011 National Credentialing Program of the Council for Professional  
 1012 Recognition; ~~or~~

1013 b. A credential approved by the Department of Children and  
 1014 Families, pursuant to s. 402.305(3)(c), as being equivalent to

1015 or greater than the credential described in sub-subparagraph a.;

1016 c. An associate or higher degree in child development;

1017 d. An associate or higher degree in an unrelated field, at

1018 least 6 credit hours in early childhood education or child

1019 development, and at least 480 hours of experience in teaching or

1020 providing child care services for children any age from birth

1021 through 8 years of age;

1022 e. A baccalaureate or higher degree in early childhood

1023 education, prekindergarten or primary education, preschool

1024 education, or family and consumer science;

1025 f. A baccalaureate or higher degree in family and child

1026 science and at least 480 hours of experience in teaching or

1027 providing child care services for children any age from birth

1028 through 8 years of age;

1029 g. A baccalaureate or higher degree in elementary

1030 education if the prekindergarten instructor has been certified

1031 to teach children any age from birth through grade 6, regardless

1032 of whether the instructor's educator certificate is current, and

1033 if the instructor is not ineligible to teach in a public school

1034 because his or her educator certificate is suspended or revoked;

1035 or

1036 h. A credential approved by the department as being

1037 equivalent to or greater than a credential described in sub-

1038 subparagraphs a.-f. The department may adopt criteria and

1039 procedures for approving such equivalent credentials.



1041 ~~The Department of Children and Families may adopt rules under~~  
 1042 ~~ss. 120.536(1) and 120.54 which provide criteria and procedures~~  
 1043 ~~for approving equivalent credentials under sub-subparagraph b.~~

1044 2. The prekindergarten instructor must successfully  
 1045 complete an emergent literacy training course and a student  
 1046 performance standards training course approved by the office as  
 1047 meeting or exceeding the minimum standards adopted under s.  
 1048 1002.59. The requirement for completion of the standards  
 1049 training course shall take effect July 1, 2015 ~~2014~~, and the  
 1050 course shall be available online.

1051 3. Beginning January 1, 2015, each prekindergarten  
 1052 instructor must be trained in first aid and infant and child  
 1053 cardiopulmonary resuscitation, as evidenced by current  
 1054 documentation of course completion, unless the instructor is not  
 1055 responsible for supervising children in care. As a condition of  
 1056 employment, instructors hired on or after January 1, 2015, must  
 1057 complete this training within 30 days after employment.

1058 (d) Each prekindergarten instructor employed by the  
 1059 private prekindergarten provider must be of good moral  
 1060 character, must undergo background screening pursuant to s.  
 1061 402.305(2) (a) be screened using the level 2 screening standards  
 1062 in s. 435.04 before employment, must be and rescreened at least  
 1063 once every 5 years, must be denied employment or terminated if  
 1064 required under s. 435.06, and must not be ineligible to teach in  
 1065 a public school because his or her educator certificate is  
 1066 suspended or revoked.

1067 (e) A private prekindergarten provider may assign a  
1068 substitute instructor to temporarily replace a credentialed  
1069 instructor if the credentialed instructor assigned to a  
1070 prekindergarten class is absent, as long as the substitute  
1071 instructor meets the requirements of paragraph (d) ~~is of good~~  
1072 ~~moral character and has been screened before employment in~~  
1073 ~~accordance with level 2 background screening requirements in~~  
1074 ~~chapter 435.~~ The Office of Early Learning shall adopt rules to  
1075 implement this paragraph which shall include required  
1076 qualifications of substitute instructors and the circumstances  
1077 and time limits for which a private prekindergarten provider may  
1078 assign a substitute instructor.

1079 (f) Each of the private prekindergarten provider's  
1080 prekindergarten classes must be composed of at least 4 students  
1081 but may not exceed 20 students. In order to protect the health  
1082 and safety of students, each private prekindergarten provider  
1083 must also provide appropriate adult supervision for students at  
1084 all times and, for each prekindergarten class composed of 12 or  
1085 more students, must have, in addition to a prekindergarten  
1086 instructor who meets the requirements of paragraph (c), at least  
1087 one adult prekindergarten instructor who is not required to meet  
1088 those requirements but who must meet each requirement of s.  
1089 402.305(2) ~~paragraph (d)~~. This paragraph does not supersede any  
1090 requirement imposed on a provider under ss. 402.301-402.319.

1091 (g) Beginning January 1, 2016, the private prekindergarten  
1092 provider must employ child care personnel who hold a high school

1093 diploma or its equivalent and are at least 18 years of age,  
1094 unless the personnel are not responsible for supervising  
1095 children in care or are under direct supervision and are not  
1096 counted for the purposes of computing the personnel-to-child  
1097 ratio.

1098 (h)~~(g)~~ The private prekindergarten provider must have a  
1099 prekindergarten director who has a prekindergarten director  
1100 credential that is approved by the office as meeting or  
1101 exceeding the minimum standards adopted under s. 1002.57.  
1102 Successful completion of a child care facility director  
1103 credential under s. 402.305(2)(f) before the establishment of  
1104 the prekindergarten director credential under s. 1002.57 or July  
1105 1, 2006, whichever occurs later, satisfies the requirement for a  
1106 prekindergarten director credential under this paragraph.

1107 (i)~~(h)~~ The private prekindergarten provider must register  
1108 with the early learning coalition on forms prescribed by the  
1109 Office of Early Learning.

1110 (j)~~(i)~~ The private prekindergarten provider must execute  
1111 the statewide provider contract prescribed under s. 1002.75,  
1112 except that an individual who owns or operates multiple private  
1113 prekindergarten providers within a coalition's service area may  
1114 execute a single agreement with the coalition on behalf of each  
1115 provider.

1116 (k)~~(j)~~ The private prekindergarten provider must maintain  
1117 general liability insurance and provide the coalition with  
1118 written evidence of general liability insurance coverage,

1119 including coverage for transportation of children if  
 1120 prekindergarten students are transported by the provider. A  
 1121 provider must obtain and retain an insurance policy that  
 1122 provides a minimum of \$100,000 of coverage per occurrence and a  
 1123 minimum of \$300,000 general aggregate coverage. The office may  
 1124 authorize lower limits upon request, as appropriate. A provider  
 1125 must add the coalition as a named certificateholder ~~and as an~~  
 1126 ~~additional insured~~. A provider must provide the coalition with a  
 1127 minimum of 10 calendar days' advance written notice of  
 1128 cancellation of or changes to coverage. The general liability  
 1129 insurance required by this paragraph must remain in full force  
 1130 and effect for the entire period of the provider contract with  
 1131 the coalition.

1132 (l) ~~(k)~~ The private prekindergarten provider must obtain  
 1133 and maintain any required workers' compensation insurance under  
 1134 chapter 440 and any required reemployment assistance or  
 1135 unemployment compensation coverage under chapter 443, unless  
 1136 exempt under state or federal law.

1137 (m) ~~(l)~~ Notwithstanding paragraph (k) ~~(j)~~, for a private  
 1138 prekindergarten provider that is a state agency or a subdivision  
 1139 thereof, as defined in s. 768.28(2), the provider must agree to  
 1140 notify the coalition of any additional liability coverage  
 1141 maintained by the provider in addition to that otherwise  
 1142 established under s. 768.28. The provider shall indemnify the  
 1143 coalition to the extent permitted by s. 768.28.

1144 (n) The private prekindergarten provider shall be denied

1145 initial eligibility to offer the program if the provider has  
1146 been cited for a Class I violation in the 12 months before  
1147 seeking eligibility. An existing provider that is cited for a  
1148 Class I violation may not have its eligibility renewed for 12  
1149 months. This paragraph does not apply if the Office of Early  
1150 Learning determines that the violation was reported by the  
1151 provider and the employee responsible for the violation was  
1152 terminated or the violation was corrected by the provider.

1153 (o) ~~(m)~~ The private prekindergarten provider must deliver  
1154 the Voluntary Prekindergarten Education Program in accordance  
1155 with this part and have child disciplinary policies that  
1156 prohibit children from being subjected to discipline that is  
1157 severe, humiliating, frightening, or associated with food, rest,  
1158 toileting, spanking, or any other form of physical punishment as  
1159 provided in s. 402.305(12).

1160 ~~(4) A prekindergarten instructor, in lieu of the minimum~~  
1161 ~~credentials and courses required under paragraph (3)(c), may~~  
1162 ~~hold one of the following educational credentials:~~

1163 ~~(a) A bachelor's or higher degree in early childhood~~  
1164 ~~education, prekindergarten or primary education, preschool~~  
1165 ~~education, or family and consumer science;~~

1166 ~~(b) A bachelor's or higher degree in elementary education,~~  
1167 ~~if the prekindergarten instructor has been certified to teach~~  
1168 ~~children any age from birth through 6th grade, regardless of~~  
1169 ~~whether the instructor's educator certificate is current, and if~~  
1170 ~~the instructor is not ineligible to teach in a public school~~

1171 ~~because his or her educator certificate is suspended or revoked;~~  
1172 ~~(c) An associate's or higher degree in child development;~~  
1173 ~~(d) An associate's or higher degree in an unrelated field,~~  
1174 ~~at least 6 credit hours in early childhood education or child~~  
1175 ~~development, and at least 480 hours of experience in teaching or~~  
1176 ~~providing child care services for children any age from birth~~  
1177 ~~through 8 years of age; or~~

1178 ~~(e) An educational credential approved by the department~~  
1179 ~~as being equivalent to or greater than an educational credential~~  
1180 ~~described in this subsection. The department may adopt criteria~~  
1181 ~~and procedures for approving equivalent educational credentials~~  
1182 ~~under this paragraph.~~

1183 ~~(5) Notwithstanding paragraph (3) (b), a private~~  
1184 ~~prekindergarten provider may not participate in the Voluntary~~  
1185 ~~Prekindergarten Education Program if the provider has child~~  
1186 ~~disciplinary policies that do not prohibit children from being~~  
1187 ~~subjected to discipline that is severe, humiliating,~~  
1188 ~~frightening, or associated with food, rest, toileting, spanking,~~  
1189 ~~or any other form of physical punishment as provided in s.~~  
1190 ~~402.305(12).~~

1191 Section 17. Subsection (1) of section 1002.59, Florida  
1192 Statutes, is amended to read:

1193 1002.59 Emergent literacy and performance standards  
1194 training courses.—

1195 (1) The office shall adopt minimum standards for one or  
1196 more training courses in emergent literacy for prekindergarten

1197 | instructors. Each course must comprise 5 clock hours and provide  
 1198 | instruction in strategies and techniques to address the age-  
 1199 | appropriate progress of prekindergarten students in developing  
 1200 | emergent literacy skills, including oral communication,  
 1201 | knowledge of print and letters, phonemic and phonological  
 1202 | awareness, and vocabulary and comprehension development. Each  
 1203 | course must also provide resources containing strategies that  
 1204 | allow students with disabilities and other special needs to  
 1205 | derive maximum benefit from the Voluntary Prekindergarten  
 1206 | Education Program. Successful completion of an emergent literacy  
 1207 | training course approved under this section satisfies  
 1208 | requirements for approved training in early literacy and  
 1209 | language development under ss. 402.305(2)(d)5., 402.313(4)(c)  
 1210 | ~~402.313(6)~~, and 402.3131(5).

1211 |       Section 18. Paragraph (d) is added to subsection (3) of  
 1212 | section 1002.61, Florida Statutes, and subsections (4) through  
 1213 | (7) of that section are amended, to read:

1214 |       1002.61 Summer prekindergarten program delivered by public  
 1215 | schools and private prekindergarten providers.—

1216 |       (3)

1217 |       (d) Each charter school authorized to deliver the  
 1218 | prekindergarten program pursuant to its charter contract shall  
 1219 | be considered part of the sponsor's overall prekindergarten  
 1220 | program and must meet all requirements of this part applicable  
 1221 | to prekindergarten programs delivered by public schools. The  
 1222 | sponsor shall provide the same level of oversight of the charter

1223 school's prekindergarten program as it provides for other public  
1224 schools in the school district. A charter school not authorized  
1225 to deliver the summer prekindergarten program pursuant to its  
1226 charter contract may deliver the program as a private provider  
1227 in accordance with this section.

1228       (4) ~~Notwithstanding ss. 1002.55(3)(c)1. and 1002.63(4),~~  
1229 Each public school and private prekindergarten provider that  
1230 delivers the summer prekindergarten program must have, for each  
1231 prekindergarten class, at least one prekindergarten instructor  
1232 who is a certified teacher or holds one of the educational  
1233 credentials specified in s. 1002.55(3)(c)1.e.-h. ~~1002.55(4)(a)~~  
1234 ~~or (b).~~ As used in this subsection, the term "certified teacher"  
1235 means a teacher holding a valid Florida educator certificate  
1236 under s. 1012.56 who has the qualifications required by the  
1237 district school board to instruct students in the summer  
1238 prekindergarten program. In selecting instructional staff for  
1239 the summer prekindergarten program, each school district shall  
1240 give priority to teachers who have experience or coursework in  
1241 early childhood education.

1242       (5) Each prekindergarten instructor employed by a ~~public~~  
1243 ~~school or~~ private prekindergarten provider delivering the summer  
1244 prekindergarten program must be of good moral character, must  
1245 undergo background screening pursuant to s. 402.305(2)(a) ~~be~~  
1246 ~~screened using the level 2 screening standards in s. 435.04~~  
1247 before employment, must be ~~and~~ rescreened at least once every 5  
1248 years, and must be denied employment or terminated if required



1249 under s. 435.06. Each prekindergarten instructor employed by a  
1250 public school delivering the summer prekindergarten program, and  
1251 must satisfy the ~~not be ineligible to teach in a public school~~  
1252 ~~because his or her educator certificate is suspended or revoked.~~  
1253 ~~This subsection does not supersede~~ employment requirements for  
1254 instructional personnel in public schools as provided in s.  
1255 1012.32 ~~which are more stringent than the requirements of this~~  
1256 ~~subsection.~~

1257 (6) A public school or private prekindergarten provider  
1258 may assign a substitute instructor to temporarily replace a  
1259 credentialed instructor if the credentialed instructor assigned  
1260 to a prekindergarten class is absent, as long as the substitute  
1261 instructor meets the requirements of subsection (5) ~~is of good~~  
1262 ~~moral character and has been screened before employment in~~  
1263 ~~accordance with level 2 background screening requirements in~~  
1264 ~~chapter 435. This subsection does not supersede employment~~  
1265 ~~requirements for instructional personnel in public schools which~~  
1266 ~~are more stringent than the requirements of this subsection.~~ The  
1267 Office of Early Learning shall adopt rules to implement this  
1268 subsection which shall include required qualifications of  
1269 substitute instructors and the circumstances and time limits for  
1270 which a public school or private prekindergarten provider may  
1271 assign a substitute instructor.

1272 (7) Notwithstanding ss. 1002.55(3)(f) and 1002.63(7), each  
1273 prekindergarten class in the summer prekindergarten program,  
1274 regardless of whether the class is a public school's or private

1275 prekindergarten provider's class, must be composed of at least 4  
1276 students but may not exceed 12 students ~~beginning with the 2009~~  
1277 ~~summer session~~. In order to protect the health and safety of  
1278 students, each public school or private prekindergarten provider  
1279 must also provide appropriate adult supervision for students at  
1280 all times. This subsection does not supersede any requirement  
1281 imposed on a provider under ss. 402.301-402.319.

1282 Section 19. Paragraph (c) is added to subsection (3) of  
1283 section 1002.63, Florida Statutes, and subsections (5) and (6)  
1284 of that section are amended, to read:

1285 1002.63 School-year prekindergarten program delivered by  
1286 public schools.—

1287 (3)

1288 (c) Each charter school authorized to deliver the  
1289 prekindergarten program pursuant to its charter contract shall  
1290 be considered part of the sponsor's overall prekindergarten  
1291 program and must meet all requirements of this part applicable  
1292 to prekindergarten programs delivered by public schools. The  
1293 sponsor shall provide the same level of oversight of the charter  
1294 school's prekindergarten program as it provides for other public  
1295 schools in the school district. A charter school not authorized  
1296 to deliver the prekindergarten program pursuant to its charter  
1297 contract may deliver the program as a private provider in  
1298 accordance with s. 1002.55.

1299 (5) Each prekindergarten instructor employed by a public  
1300 school delivering the school-year prekindergarten program must

1301 satisfy the ~~be of good moral character, must be screened using~~  
1302 ~~the level 2 screening standards in s. 435.04 before employment~~  
1303 ~~and rescreened at least once every 5 years, must be denied~~  
1304 ~~employment or terminated if required under s. 435.06, and must~~  
1305 ~~not be ineligible to teach in a public school because his or her~~  
1306 ~~educator certificate is suspended or revoked. This subsection~~  
1307 ~~does not supersede~~ employment requirements for instructional  
1308 personnel in public schools as provided in s. 1012.32 ~~which are~~  
1309 ~~more stringent than the requirements of this subsection.~~

1310 (6) A public school prekindergarten provider may assign a  
1311 substitute instructor to temporarily replace a credentialed  
1312 instructor if the credentialed instructor assigned to a  
1313 prekindergarten class is absent, as long as the substitute  
1314 instructor meets the requirements of subsection (5) ~~is of good~~  
1315 ~~moral character and has been screened before employment in~~  
1316 ~~accordance with level 2 background screening requirements in~~  
1317 ~~chapter 435. This subsection does not supersede employment~~  
1318 ~~requirements for instructional personnel in public schools which~~  
1319 ~~are more stringent than the requirements of this subsection. The~~  
1320 Office of Early Learning shall adopt rules to implement this  
1321 subsection which shall include required qualifications of  
1322 substitute instructors and the circumstances and time limits for  
1323 which a public school prekindergarten provider may assign a  
1324 substitute instructor.

1325 Section 20. Paragraph (a) of subsection (6) of section  
1326 1002.71, Florida Statutes, is amended to read:

1327 1002.71 Funding; financial and attendance reporting.—  
 1328 (6) (a) Each parent enrolling his or her child in the  
 1329 Voluntary Prekindergarten Education Program must agree to comply  
 1330 with the attendance policy of the private prekindergarten  
 1331 provider or district school board, as applicable. Upon  
 1332 enrollment of the child, the private prekindergarten provider or  
 1333 public school, as applicable, must provide the child's parent  
 1334 with program information, including, but not limited to, child  
 1335 development, expectations for parent engagement, the daily  
 1336 schedule, and the ~~a copy of the provider's or school district's~~  
 1337 attendance policy, which must include procedures for contacting  
 1338 a parent on the 2nd consecutive day a child is absent for which  
 1339 the reason is unknown ~~as applicable.~~

1340 Section 21. Subsection (1) of section 1002.75, Florida  
 1341 Statutes, is amended to read:

1342 1002.75 Office of Early Learning; powers and duties.—

1343 (1) The Office of Early Learning shall adopt by rule a  
 1344 standard statewide provider contract to be used with each  
 1345 Voluntary Prekindergarten Education Program provider, with  
 1346 standardized attachments by provider type. The office shall  
 1347 publish a copy of the standard statewide provider contract on  
 1348 its website. The standard statewide contract shall include, at a  
 1349 minimum, provisions that:

1350 (a) Govern ~~for~~ provider probation, termination for cause,  
 1351 and emergency termination for those actions or inactions of a  
 1352 provider that pose an immediate and serious danger to the

1353 health, safety, or welfare of children. The standard statewide  
1354 contract shall also include appropriate due process procedures.  
1355 During the pendency of an appeal of a termination, the provider  
1356 may not continue to offer its services.

1357 (b) Require each private prekindergarten provider to  
1358 notify the parent of each child in care if it is cited for a  
1359 Class I violation as defined by rule of the Department of  
1360 Children and Families. Such notice shall describe each violation  
1361 with specificity, in simple language, and include a copy of the  
1362 citation and the contact information of the Department of  
1363 Children and Families or local licensing agency where the parent  
1364 may obtain additional information regarding the citation. Notice  
1365 of a Class I violation by the provider must be provided  
1366 electronically or in writing to the parent within 24 hours after  
1367 receipt of the citation. A private prekindergarten provider must  
1368 conspicuously post each citation for a violation that results in  
1369 disciplinary action on the premises in an area visible to  
1370 parents pursuant to s. 402.3125(1)(b). Additionally, such a  
1371 provider must post each inspection report on the premises in an  
1372 area visible to parents, which report must remain posted until  
1373 the next inspection report is available.

1374 (c) Specify that child care personnel employed by the  
1375 provider who are responsible for supervising children in care  
1376 must be trained in developmentally appropriate practices aligned  
1377 to the age and needs of children over which the personnel are  
1378 assigned supervision duties. This requirement is met by

1379 completion of developmentally appropriate practice courses  
 1380 administered by the Department of Children and Families under s.  
 1381 402.305(2)(d)1. within 30 days after being assigned to children  
 1382 for which developmentally appropriate practice training has not  
 1383 been completed by the personnel.

1384  
 1385 Any provision imposed upon a provider that is inconsistent with,  
 1386 or prohibited by, law is void and unenforceable.

1387 Section 22. Section 1002.77, Florida Statutes, is amended  
 1388 to read:

1389 1002.77 Florida Early Learning Advisory Council.—

1390 (1) There is created the Florida Early Learning Advisory  
 1391 Council within the Office of Early Learning. The purpose of the  
 1392 advisory council is to provide written input ~~submit~~  
 1393 ~~recommendations~~ to the executive director ~~office~~ on early  
 1394 learning best practices, including ~~recommendations relating to~~  
 1395 ~~the most effective~~ program administration; ~~of the Voluntary~~  
 1396 ~~Prekindergarten Education Program under this part and the school~~  
 1397 ~~readiness program under part VI of this chapter. The advisory~~  
 1398 ~~council shall periodically analyze and provide recommendations~~  
 1399 ~~to the office on the effective and efficient use of local,~~  
 1400 state, and federal funds; ~~the content of~~ professional  
 1401 development training programs; and ~~best practices for the~~  
 1402 ~~development and implementation of~~ coalition plans pursuant to s.  
 1403 1002.85.

1404 (2) The advisory council shall be composed of the

1405 following members:

1406 (a) The chair of the advisory council who shall be  
1407 appointed by and serve at the pleasure of the Governor.

1408 (b) The chair of each early learning coalition.

1409 (c) One member who shall be appointed by and serve at the  
1410 pleasure of the President of the Senate.

1411 (d) One member who shall be appointed by and serve at the  
1412 pleasure of the Speaker of the House of Representatives.

1413

1414 The chair of the advisory council appointed by the Governor and  
1415 the members appointed by the presiding officers of the  
1416 Legislature must be from the business community and be in  
1417 compliance with s. 1002.83(5).

1418 (3) The advisory council shall meet at least quarterly  
1419 upon the call of the executive director ~~but may meet as often as~~  
1420 ~~necessary to carry out its duties and responsibilities.~~ The  
1421 executive director is encouraged to ~~advisory council may~~ use  
1422 communications media technology ~~any method of telecommunications~~  
1423 to conduct meetings in accordance with s. 120.54(5)(b) ~~r~~  
1424 ~~including establishing a quorum through telecommunications, only~~  
1425 ~~if the public is given proper notice of a telecommunications~~  
1426 ~~meeting and reasonable access to observe and, when appropriate,~~  
1427 ~~participate.~~

1428 (4) (a) Each member of the advisory council may ~~shall~~ serve  
1429 without compensation but is entitled to receive reimbursement  
1430 for per diem and travel expenses for attendance at council

1431 meetings as provided in s. 112.061.

1432 (b) Each member of the advisory council is subject to the  
1433 ethics provisions in part III of chapter 112.

1434 (c) For purposes of tort liability, each member of the  
1435 advisory council shall be governed by s. 768.28.

1436 (5) The Office of Early Learning shall provide staff and  
1437 administrative support for the advisory council as determined by  
1438 the executive director.

1439 Section 23. Paragraph (f) of subsection (1) and  
1440 subsections (8) and (16) of section 1002.81, Florida Statutes,  
1441 are amended to read:

1442 1002.81 Definitions.—Consistent with the requirements of  
1443 45 C.F.R. parts 98 and 99 and as used in this part, the term:

1444 (1) "At-risk child" means:

1445 (f) A child in the custody of a parent who is considered  
1446 homeless as verified by a designated lead agency on the homeless  
1447 assistance continuum of care established under ss. 420.622-  
1448 420.624 Department of Children and Families certified homeless  
1449 shelter.

1450 (8) "Family income" means the combined gross income,  
1451 whether earned or unearned, that is derived from any source by  
1452 all family or household members who are 18 years of age or older  
1453 who are currently residing together in the same dwelling unit.  
1454 The term does not include:

1455 (a) Income earned by a currently enrolled high school  
1456 student who, since attaining the age of 18 years, or a student



1457 with a disability who, since attaining the age of 22 years, has  
1458 not terminated school enrollment or received a high school  
1459 diploma, high school equivalency diploma, special diploma, or  
1460 certificate of high school completion.

1461 (b) Income earned by a teen parent residing in the same  
1462 residence as a separate family unit.

1463 (c) Selected items from the Child Care and Development  
1464 Fund state plan, such as ~~The term also does not include~~ food  
1465 stamp benefits, documented child support and alimony payments  
1466 paid out of the home, or federal housing assistance payments  
1467 issued directly to a landlord or the associated utilities  
1468 expenses.

1469 (16) "Working family" means:

1470 (a) A single-parent family in which the parent with whom  
1471 the child resides is employed or engaged in eligible work or  
1472 education activities for at least 20 hours per week or is exempt  
1473 from work requirements due to age or disability, as determined  
1474 and documented by a physician licensed under chapter 458 or  
1475 chapter 459;

1476 (b) A two-parent family in which both parents with whom  
1477 the child resides are employed or engaged in eligible work or  
1478 education activities for a combined total of at least 40 hours  
1479 per week; ~~or~~

1480 (c) A two-parent family in which one of the parents with  
1481 whom the child resides is exempt from work requirements due to  
1482 age or disability, as determined and documented by a physician

1483 licensed under chapter 458 or chapter 459, and one parent is  
 1484 employed or engaged in eligible work or education activities at  
 1485 least 20 hours per week; or

1486 (d) A two-parent family in which both of the parents with  
 1487 whom the child resides are exempt from work requirements due to  
 1488 age or disability, as determined and documented by a physician  
 1489 licensed under chapter 458 or chapter 459.

1490 Section 24. Paragraphs (b), (j), (m), and (p) of  
 1491 subsection (2) of section 1002.82, Florida Statutes, are amended  
 1492 to read:

1493 1002.82 Office of Early Learning; powers and duties.-

1494 (2) The office shall:

1495 (b) Preserve parental choice by permitting parents to  
 1496 choose from a variety of child care categories authorized in s.  
 1497 1002.88(1)(a), ~~including center-based care, family child care,~~  
 1498 ~~and informal child care~~ to the extent authorized in the state's  
 1499 Child Care and Development Fund Plan as approved by the United  
 1500 States Department of Health and Human Services pursuant to 45  
 1501 C.F.R. s. 98.18. Care and curriculum by a faith-based provider  
 1502 may not be limited or excluded in any of these categories.

1503 (j) Develop and adopt standards and benchmarks that  
 1504 address the age-appropriate progress of children in the  
 1505 development of child care and development ~~school readiness~~  
 1506 skills. The standards for children from birth to 5 years of age  
 1507 in the child care and development ~~school readiness~~ program must  
 1508 be aligned with the performance standards adopted for children

1509 in the Voluntary Prekindergarten Education Program and must  
 1510 address the following domains:

- 1511 1. Approaches to learning.
- 1512 2. Cognitive development and general knowledge.
- 1513 3. Numeracy, language, and communication.
- 1514 4. Physical development.
- 1515 5. Self-regulation.

1516  
 1517 By July 1, 2015, the Office of Early Learning shall develop and  
 1518 implement an online training course on the performance standards  
 1519 for child care and development program provider personnel.

1520 (m) Adopt by rule a standard statewide provider contract  
 1521 to be used with each child care and development ~~school readiness~~  
 1522 program provider, with standardized attachments by provider  
 1523 type. The office shall publish a copy of the standard statewide  
 1524 provider contract on its website. The standard statewide  
 1525 contract shall include, at a minimum, provisions that:

1526 1. Govern ~~for~~ provider probation, termination for cause,  
 1527 and emergency termination for those actions or inactions of a  
 1528 provider that pose an immediate and serious danger to the  
 1529 health, safety, or welfare of the children. The standard  
 1530 statewide provider contract shall also include appropriate due  
 1531 process procedures. During the pendency of an appeal of a  
 1532 termination, the provider may not continue to offer its  
 1533 services.

1534 2. Require each provider that is eligible to provide the

1535 program pursuant to s. 1002.88(1)(a) to notify the parent of  
1536 each child in care if it is cited for a Class I violation as  
1537 defined by rule of the Department of Children and Families. Such  
1538 notice shall describe each violation with specificity, in simple  
1539 language, and include a copy of the citation and the contact  
1540 information of the Department of Children and Families or local  
1541 licensing agency where the parent may obtain additional  
1542 information regarding the citation. Notice of a Class I  
1543 violation by the provider must be provided electronically or in  
1544 writing to the parent within 24 hours after receipt of the  
1545 citation. A provider must conspicuously post each citation for a  
1546 violation that results in disciplinary action on the premises in  
1547 an area visible to parents pursuant to s. 402.3125(1)(b).  
1548 Additionally, such a provider must post each inspection report  
1549 on the premises in an area visible to parents, which report must  
1550 remain posted until the next inspection report is available.

1551 3. Specify that child care personnel employed by the  
1552 provider who are responsible for supervising children in care  
1553 must be trained in developmentally appropriate practices aligned  
1554 to the age and needs of children over which the personnel are  
1555 assigned supervision duties. This requirement is met by  
1556 completion of developmentally appropriate practice courses  
1557 administered by the Department of Children and Families under s.  
1558 402.305(2)(d)1. within 30 days after being assigned to children  
1559 for which developmentally appropriate practice training has not  
1560 been completed by the personnel.

1561           4. Require child care personnel who are employed by the  
 1562 provider to complete an online training course on the  
 1563 performance standards adopted pursuant to paragraph (j).

1564  
 1565 Any provision imposed upon a provider that is inconsistent with,  
 1566 or prohibited by, law is void and unenforceable.

1567           (p) Monitor and evaluate the performance of each early  
 1568 learning coalition in administering the child care and  
 1569 development school-readiness program and the Voluntary  
 1570 Prekindergarten Education Program, ensuring proper payments for  
 1571 child care and development school-readiness program and  
 1572 Voluntary Prekindergarten Education Program services, and  
 1573 implementing the coalition's child care and development school-  
 1574 readiness program plan, and administering the Voluntary  
 1575 Prekindergarten Education Program. These monitoring and  
 1576 performance evaluations must include, at a minimum, onsite  
 1577 monitoring of each coalition's finances, management, operations,  
 1578 and programs.

1579           Section 25. Subsections (8) and (20) of section 1002.84,  
 1580 Florida Statutes, are amended to read:

1581           1002.84 Early learning coalitions; child care and  
 1582 development school-readiness powers and duties.—Each early  
 1583 learning coalition shall:

1584           (8) Establish a parent sliding fee scale that requires a  
 1585 parent copayment to participate in the child care and  
 1586 development school-readiness program. Providers are required to

1587 collect the parent's copayment. A coalition may, on a case-by-  
1588 case basis, waive the copayment for an at-risk child or  
1589 temporarily waive the copayment for a child whose family's  
1590 income is at or below the federal poverty level and family  
1591 experiences a natural disaster or an event that limits the  
1592 parent's ability to pay, such as incarceration, placement in  
1593 residential treatment, ~~or becoming homeless,~~ or an emergency  
1594 situation such as a household fire or burglary, or while the  
1595 parent is participating in parenting classes. A parent may not  
1596 transfer child care and development ~~school readiness~~ program  
1597 services to another child care and development ~~school readiness~~  
1598 program provider until the parent has submitted documentation  
1599 from the current child care and development ~~school readiness~~  
1600 program provider to the early learning coalition stating that  
1601 the parent has satisfactorily fulfilled the copayment  
1602 obligation.

1603 (20) To increase transparency and accountability, comply  
1604 with ~~the requirements of~~ this section before contracting with a  
1605 member of the coalition, an employee of the coalition, or a  
1606 relative, as defined in s. 112.3143(1)(b), of a coalition member  
1607 or of an employee of the coalition. Such contracts may not be  
1608 executed without the approval of the office. Such contracts, as  
1609 well as documentation demonstrating adherence to this section by  
1610 the coalition, must be approved by a two-thirds vote of the  
1611 coalition, a quorum having been established; all conflicts of  
1612 interest must be disclosed before the vote; and any member who

1613 may benefit from the contract, or whose relative may benefit  
 1614 from the contract, must abstain from the vote. A contract under  
 1615 \$25,000 between an early learning coalition and a member of that  
 1616 coalition or between a relative, as defined in s.  
 1617 112.3143(1)(b), of a coalition member or of an employee of the  
 1618 coalition is not required to have the prior approval of the  
 1619 office but must be approved by a two-thirds vote of the  
 1620 coalition, a quorum having been established, and must be  
 1621 reported to the office within 30 days after approval. If a  
 1622 contract cannot be approved by the office, a review of the  
 1623 decision to disapprove the contract may be requested by the  
 1624 early learning coalition or other parties to the disapproved  
 1625 contract.

1626 Section 26. Subsections (1), (6), (7), and (8) of section  
 1627 1002.87, Florida Statutes, are amended to read:

1628 1002.87 Child care and development ~~School readiness~~  
 1629 program; eligibility and enrollment.-

1630 (1) Effective August 1, 2013, or upon reevaluation of  
 1631 eligibility for children currently served, whichever is later,  
 1632 each early learning coalition shall give priority for  
 1633 participation in the child care and development ~~school readiness~~  
 1634 program as follows:

1635 (a) Priority shall be given first to a child younger than  
 1636 13 years of age from a family that includes a parent who is  
 1637 receiving temporary cash assistance under chapter 414 and  
 1638 subject to the federal work requirements.

1639 (b) Priority shall be given next to an at-risk child  
 1640 younger than 9 years of age.

1641 (c) Priority shall be given next to a child from birth to  
 1642 the beginning of the school year for which the child is eligible  
 1643 for admission to kindergarten in a public school under s.  
 1644 1003.21(1)(a)2. who is from a working family that is  
 1645 economically disadvantaged, and may include such child's  
 1646 eligible siblings, beginning with the school year in which the  
 1647 sibling is eligible for admission to kindergarten in a public  
 1648 school under s. 1003.21(1)(a)2. until the beginning of the  
 1649 school year in which the sibling enters ~~is eligible to begin~~ 6th  
 1650 grade, provided that the first priority for funding an eligible  
 1651 sibling is local revenues available to the coalition for funding  
 1652 direct services. However, a child eligible under this paragraph  
 1653 ceases to be eligible if his or her family income exceeds 200  
 1654 percent of the federal poverty level.

1655 (d) Priority shall be given next to a child of a parent  
 1656 who transitions from the work program into employment as  
 1657 described in s. 445.032 from birth to the beginning of the  
 1658 school year for which the child is eligible for admission to  
 1659 kindergarten in a public school under s. 1003.21(1)(a)2.

1660 (e) Priority shall be given next to an at-risk child who  
 1661 is at least 9 years of age but younger than 13 years of age. An  
 1662 at-risk child whose sibling is enrolled in the school readiness  
 1663 program within an eligibility priority category listed in  
 1664 paragraphs (a)-(c) shall be given priority over other children



1665 who are eligible under this paragraph.

1666 (f) Priority shall be given next to a child who is younger  
1667 than 13 years of age from a working family that is economically  
1668 disadvantaged. A child who is eligible under this paragraph  
1669 whose sibling is enrolled in the school readiness program under  
1670 paragraph (c) shall be given priority over other children who  
1671 are eligible under this paragraph. However, a child eligible  
1672 under this paragraph ceases to be eligible if his or her family  
1673 income exceeds 200 percent of the federal poverty level.

1674 (g) Priority shall be given next to a child of a parent  
1675 who transitions from the work program into employment as  
1676 described in s. 445.032 who is younger than 13 years of age.

1677 (h) Priority shall be given next to a child who ~~has~~  
1678 ~~special needs,~~ has been determined eligible as an infant or  
1679 toddler from birth to 3 years of age with an individualized  
1680 family support plan receiving early intervention services or as  
1681 a student with a disability with, ~~has~~ a current individual  
1682 education plan with a Florida school district, ~~and is not~~  
1683 ~~younger than 3 years of age.~~ A ~~special needs~~ child eligible  
1684 under this paragraph remains eligible until the child is  
1685 eligible for admission to kindergarten in a public school under  
1686 s. 1003.21(1)(a)2.

1687 (i) Notwithstanding paragraphs (a)-(d), priority shall be  
1688 given last to a child who otherwise meets one of the eligibility  
1689 criteria in paragraphs (a)-(d) but who is also enrolled  
1690 concurrently in the federal Head Start Program and the Voluntary

1691 Prekindergarten Education Program.

1692 (6) Eligibility for each child must be reevaluated  
1693 annually. Upon reevaluation, a child may not continue to receive  
1694 child care and development ~~school-readiness~~ program services if  
1695 he or she has ceased to be eligible under this section. If a  
1696 child no longer meets eligibility or program requirements, the  
1697 coalition must immediately notify the child's parent and the  
1698 provider that funding will end 2 weeks after the date on which  
1699 the child was determined to be ineligible or when the current  
1700 child care authorization expires, whichever occurs first.

1701 (7) If a coalition disenrolls children from the child care  
1702 and development ~~school-readiness~~ program due to lack of funding  
1703 or a change in eligibility priorities, the coalition must  
1704 disenroll the children in reverse order of the eligibility  
1705 priorities listed in subsection (1) beginning with children from  
1706 families with the highest family incomes. A notice of  
1707 disenrollment must be sent to the parent and child care and  
1708 development ~~school-readiness~~ program provider at least 2 weeks  
1709 before disenrollment or the expiration of the current child care  
1710 authorization, whichever occurs first, to provide adequate time  
1711 for the parent to arrange alternative care for the child.  
1712 However, an at-risk child receiving services from the Child  
1713 Welfare Program Office of the Department of Children and  
1714 Families may not be disenrolled from the program without the  
1715 written approval of the Child Welfare Program Office ~~of the~~  
1716 ~~Department of Children and Families~~ or the community-based lead

1717 agency.  
 1718 (8) If a child is absent from the program for 2  
 1719 consecutive days without parental notification to the program of  
 1720 such absence, the child care and development program provider  
 1721 shall contact the parent and determine the cause for absence and  
 1722 expected date of return. If a child is absent from the program  
 1723 for 5 consecutive days without parental notification to the  
 1724 program of such absence, the child care and development ~~school~~  
 1725 ~~readiness~~ program provider shall report the absence to the early  
 1726 learning coalition for a determination of the need for continued  
 1727 care.

1728 Section 27. Section 1002.88, Florida Statutes, is amended  
 1729 to read:

1730 1002.88 Child care and development ~~School readiness~~  
 1731 program provider standards; eligibility to deliver the child  
 1732 care and development ~~school readiness~~ program.-

1733 (1) To be eligible to deliver the child care and  
 1734 development ~~school readiness~~ program, a child care and  
 1735 development ~~school readiness~~ program provider must:

1736 (a) 1. Be a nonpublic school in substantial compliance with  
 1737 s. 402.3025(2)(d), a child care facility licensed under s.  
 1738 402.305, a family child ~~day~~ care home licensed ~~or registered~~  
 1739 under s. 402.313, a large family child care home licensed under  
 1740 s. 402.3131, or a child care facility exempt from licensure  
 1741 operating under s. 402.316(4);

1742 2. Be an entity that is part of Florida's education system

1743 ~~under s. 1000.04(1); a public school or nonpublic school exempt~~  
1744 ~~from licensure under s. 402.3025, a faith-based child care~~  
1745 ~~provider exempt from licensure under s. 402.316, a before-school~~  
1746 ~~or after-school program described in s. 402.305(1)(c), or~~

1747 3. Be an informal child care provider to the extent  
1748 authorized in the state's Child Care and Development Fund Plan  
1749 as approved by the United States Department of Health and Human  
1750 Services pursuant to 45 C.F.R. s. 98.18.

1751 (b) Provide instruction and activities to enhance the age-  
1752 appropriate progress of each child in attaining the child  
1753 development standards adopted by the office pursuant to s.  
1754 1002.82(2)(j). A provider should include activities to foster  
1755 brain development in infants and toddlers; provide an  
1756 environment that is rich in language and music and filled with  
1757 objects of various colors, shapes, textures, and sizes to  
1758 stimulate visual, tactile, auditory, and linguistic senses; and  
1759 include 30 minutes of reading to children each day. A provider  
1760 must provide parents information on child development,  
1761 expectations for parent engagement, the daily schedule, and the  
1762 attendance policy.

1763 (c) Provide basic health and safety of its premises and  
1764 facilities in accordance with applicable licensing and  
1765 inspection requirements ~~and compliance with requirements for~~  
1766 ~~age-appropriate immunizations of children enrolled in the school~~  
1767 ~~readiness program.~~ For a child care facility, a large family  
1768 child care home, or a licensed family child ~~day~~ care home,

1769 compliance with s. 402.305, s. 402.3131, or s. 402.313 satisfies  
 1770 this requirement. For a public ~~or nonpublic~~ school, compliance  
 1771 with ss. s. 402.3025 or s. 1003.22 and 1013.12 satisfies this  
 1772 requirement. For a nonpublic school, compliance with s.  
 1773 402.3025(2)(d) satisfies this requirement. For a facility exempt  
 1774 from licensure, compliance with s. 402.316(4) satisfies this  
 1775 requirement. For an informal provider, substantial compliance as  
 1776 defined in s. 402.302(17) satisfies this requirement. A provider  
 1777 shall be denied initial eligibility to offer the program if the  
 1778 provider has been cited for a Class I violation in the 12 months  
 1779 before seeking eligibility. An existing provider that is cited  
 1780 for a Class I violation may not have its eligibility renewed for  
 1781 12 months. A provider that is cited for a Class I violation may  
 1782 remain eligible to deliver the program if the Office of Early  
 1783 Learning determines that the violation was reported by the  
 1784 provider and the employee responsible for the violation was  
 1785 terminated or the violation was corrected by the provider. A  
 1786 ~~faith-based child care provider, an informal child care~~  
 1787 ~~provider, or a nonpublic school, exempt from licensure under s.~~  
 1788 ~~402.316 or s. 402.3025, shall annually complete the health and~~  
 1789 ~~safety checklist adopted by the office, post the checklist~~  
 1790 ~~prominently on its premises in plain sight for visitors and~~  
 1791 ~~parents, and submit it annually to its local early learning~~  
 1792 ~~coalition.~~  
 1793 (d) Provide an appropriate staff-to-children ratio,  
 1794 pursuant to s. 402.305(4) or s. 402.302(8) or (11), as

1795 applicable, and as verified pursuant to s. 402.311.

1796 (e) Provide a healthy and safe environment pursuant to s.  
1797 402.305(5), (6), and (7), as applicable, and as verified  
1798 pursuant to s. 402.311.

1799 (f) Implement one of the curricula approved by the office  
1800 that meets the child development standards.

1801 (g) Implement a character development program to develop  
1802 basic values.

1803 (h) Collaborate with the respective early learning  
1804 coalition to complete initial screening for each child, aged 6  
1805 weeks to kindergarten eligibility, within 45 days after the  
1806 child's first or subsequent enrollment, to identify a child who  
1807 may need individualized supports.

1808 (i) Implement minimum standards for child discipline  
1809 practices that are age-appropriate and consistent with the  
1810 requirements in s. 402.305(12). Such standards must provide that  
1811 children not be subjected to discipline that is severe,  
1812 humiliating, or frightening or discipline that is associated  
1813 with food, rest, or toileting. Spanking or any other form of  
1814 physical punishment is prohibited.

1815 (j) Obtain and keep on file record of the child's  
1816 immunizations, physical development, and other health  
1817 requirements as necessary, including appropriate vision and  
1818 hearing screening and examination, within 30 days after  
1819 enrollment.

1820 (k) Implement before-school or after-school programs that

1821 meet or exceed the requirements of s. 402.305(5), (6), and (7).

1822       (1) ~~For a provider that is not an informal provider,~~  
1823 Maintain general liability insurance and provide the coalition  
1824 with written evidence of general liability insurance coverage,  
1825 including coverage for transportation of children if child care  
1826 and development school readiness program children are  
1827 transported by the provider. A private provider must obtain and  
1828 retain an insurance policy that provides a minimum of \$100,000  
1829 of coverage per occurrence and a minimum of \$300,000 general  
1830 aggregate coverage. The office may authorize lower limits upon  
1831 request, as appropriate. A private provider must add the  
1832 coalition as a named certificateholder ~~and as an additional~~  
1833 ~~insured~~. A private provider must provide the coalition with a  
1834 minimum of 10 calendar days' advance written notice of  
1835 cancellation of or changes to coverage. The general liability  
1836 insurance required by this paragraph must remain in full force  
1837 and effect for the entire period of the provider contract with  
1838 the coalition.

1839       (m) For a provider that is an informal provider, comply  
1840 with the provisions of paragraph (1) or maintain homeowner's  
1841 liability insurance and, if applicable, a business rider. If an  
1842 informal provider chooses to maintain a homeowner's policy, the  
1843 provider must obtain and retain a homeowner's insurance policy  
1844 that provides a minimum of \$100,000 of coverage per occurrence  
1845 and a minimum of \$300,000 general aggregate coverage. The office  
1846 may authorize lower limits upon request, as appropriate. An

1847 informal provider must add the coalition as a named  
1848 certificateholder ~~and as an additional insured~~. An informal  
1849 provider must provide the coalition with a minimum of 10  
1850 calendar days' advance written notice of cancellation of or  
1851 changes to coverage. The general liability insurance required by  
1852 this paragraph must remain in full force and effect for the  
1853 entire period of the provider's contract with the coalition.

1854 (n) Obtain and maintain any required workers' compensation  
1855 insurance under chapter 440 and any required reemployment  
1856 assistance or unemployment compensation coverage under chapter  
1857 443, unless exempt under state or federal law.

1858 (o) Notwithstanding paragraph (l), for a provider that is  
1859 a state agency or a subdivision thereof, as defined in s.  
1860 768.28(2), agree to notify the coalition of any additional  
1861 liability coverage maintained by the provider in addition to  
1862 that otherwise established under s. 768.28. The provider shall  
1863 indemnify the coalition to the extent permitted by s. 768.28.

1864 (p) Execute the standard statewide provider contract  
1865 adopted by the office.

1866 (q) Operate on a full-time and part-time basis and provide  
1867 extended-day and extended-year services to the maximum extent  
1868 possible without compromising the quality of the program to meet  
1869 the needs of parents who work.

1870 (2) Beginning January 1, 2016, child care personnel  
1871 employed by a child care and development program provider must  
1872 hold a high school diploma or its equivalent and be at least 18



1873 years of age, unless the personnel are not responsible for  
1874 supervising children in care or are under direct supervision and  
1875 are not counted for the purposes of computing the personnel-to-  
1876 child ratio.

1877 (3) Beginning January 1, 2015, child care personnel  
1878 employed by a child care and development program provider must  
1879 be trained in first aid and infant and child cardiopulmonary  
1880 resuscitation, as evidenced by current documentation of course  
1881 completion, unless the personnel are not responsible for  
1882 supervising children in care. As a condition of employment,  
1883 personnel hired on or after January 1, 2015, must complete this  
1884 training within 30 days after employment.

1885 (4)~~(2)~~ If a child care and development ~~school readiness~~  
1886 program provider fails or refuses to comply with this part or  
1887 any contractual obligation of the statewide provider contract  
1888 under s. 1002.82(2)(m), the coalition may revoke the provider's  
1889 eligibility to deliver the child care and development ~~school~~  
1890 ~~readiness~~ program or receive state or federal funds under this  
1891 chapter for ~~a period of~~ 5 years.

1892 (5)~~(3)~~ The office and the coalitions may not:

1893 (a) Impose any requirement on a child care provider or  
1894 early childhood education provider that does not deliver  
1895 services under the child care and development ~~school readiness~~  
1896 program or receive state or federal funds under this part;

1897 (b) Impose any requirement on a child care and development  
1898 ~~school readiness~~ program provider that exceeds the authority

1899 provided under this part or part V of this chapter or rules  
 1900 adopted pursuant to this part or part V of this chapter; or

1901 (c) Require a provider to administer a preassessment or  
 1902 postassessment.

1903 Section 28. Subsections (6) and (7) of section 1002.89,  
 1904 Florida Statutes, are amended to read:

1905 1002.89 Child care and development ~~School-readiness~~  
 1906 program; funding.—

1907 (6) Costs shall be kept to the minimum necessary for the  
 1908 efficient and effective administration of the child care and  
 1909 development ~~school-readiness~~ program with the highest priority  
 1910 of expenditure being direct services for eligible children.

1911 However, no more than 5 percent of the funds described in  
 1912 subsection (5) may be used for administrative costs and no more  
 1913 than 22 percent of the funds described in subsection (5) may be  
 1914 used in any fiscal year for any combination of administrative  
 1915 costs, quality activities, and nondirect services as follows:

1916 (a) Administrative costs as described in 45 C.F.R. s.  
 1917 98.52, which shall include monitoring providers using the  
 1918 standard methodology adopted under s. 1002.82 to improve  
 1919 compliance with state and federal regulations and law pursuant  
 1920 to the requirements of the statewide provider contract adopted  
 1921 under s. 1002.82(2)(m).

1922 (b) Activities to improve the quality of child care as  
 1923 described in 45 C.F.R. s. 98.51, which shall be limited to the  
 1924 following:

1925           1. Developing, establishing, expanding, operating, and  
 1926 coordinating resource and referral programs specifically related  
 1927 to the provision of comprehensive consumer education to parents  
 1928 and the public to promote informed child care choices specified  
 1929 in 45 C.F.R. s. 98.33 ~~regarding participation in the school~~  
 1930 ~~readiness program and parental choice.~~

1931           2. Awarding grants and providing financial support to  
 1932 child care and development ~~school readiness~~ program providers  
 1933 and their staff to assist them in meeting applicable state  
 1934 requirements for child care performance standards, implementing  
 1935 developmentally appropriate curricula and related classroom  
 1936 resources that support curricula, providing literacy supports,  
 1937 obtaining a license or accreditation, and providing professional  
 1938 development, including scholarships and other incentives. Any  
 1939 grants awarded pursuant to this subparagraph shall comply with  
 1940 ~~the requirements of~~ ss. 215.971 and 287.058.

1941           3. Providing training, ~~and~~ technical assistance, and  
 1942 financial support for child care and development ~~school~~  
 1943 ~~readiness~~ program providers, staff, and parents on standards,  
 1944 child screenings, child assessments, developmentally appropriate  
 1945 curricula, character development, teacher-child interactions,  
 1946 age-appropriate discipline practices, health and safety,  
 1947 nutrition, first aid, cardiopulmonary resuscitation, the  
 1948 recognition of communicable diseases, and child abuse detection  
 1949 and prevention.

1950           4. Providing from among the funds provided for the

1951 activities described in subparagraphs 1.-3., adequate funding  
 1952 for infants and toddlers as necessary to meet federal  
 1953 requirements related to expenditures for quality activities for  
 1954 infant and toddler care.

1955 5. Improving the monitoring of compliance with, and  
 1956 enforcement of, applicable state and local requirements as  
 1957 described in and limited by 45 C.F.R. s. 98.40.

1958 6. Responding to Warm-Line requests by providers and  
 1959 parents ~~related to school readiness program children~~, including  
 1960 providing developmental and health screenings to child care and  
 1961 development ~~school readiness~~ program children.

1962 (c) Nondirect services as described in applicable Office  
 1963 of Management and Budget instructions are those services not  
 1964 defined as administrative, direct, or quality services that are  
 1965 required to administer the child care and development ~~school~~  
 1966 ~~readiness~~ program. Such services include, but are not limited  
 1967 to:

- 1968 1. Assisting families to complete the required application
- 1969 and eligibility documentation.
- 1970 2. Determining child and family eligibility.
- 1971 3. Recruiting eligible child care providers.
- 1972 4. Processing and tracking attendance records.
- 1973 5. Developing and maintaining a statewide child care
- 1974 information system.

1975  
 1976 As used in this paragraph, the term "nondirect services" does

1977 | not include payments to child care and development ~~school~~  
 1978 | ~~readiness~~ program providers for direct services provided to  
 1979 | children who are eligible under s. 1002.87, administrative costs  
 1980 | as described in paragraph (a), or quality activities as  
 1981 | described in paragraph (b).

1982 | (7) Funds appropriated for the child care and development  
 1983 | ~~school-readiness~~ program may not be expended for the purchase or  
 1984 | improvement of land; for the purchase, construction, or  
 1985 | permanent improvement of any building or facility; or for the  
 1986 | purchase of buses. However, funds may be expended for minor  
 1987 | remodeling necessary for the administration of the program and  
 1988 | upgrading of child care facilities to ensure that providers meet  
 1989 | state and local child care standards, including applicable  
 1990 | health and safety requirements.

1991 | Section 29. Subsection (7) of section 1002.91, Florida  
 1992 | Statutes, is amended to read:

1993 | 1002.91 Investigations of fraud or overpayment;  
 1994 | penalties.—

1995 | (7) The early learning coalition may not contract with a  
 1996 | child care and development ~~school-readiness~~ program provider, ~~or~~  
 1997 | a Voluntary Prekindergarten Education Program provider, or an  
 1998 | individual who is on the United States Department of Agriculture  
 1999 | National Disqualified List. In addition, the coalition may not  
 2000 | contract with any provider that shares an officer or director  
 2001 | with a provider that is on the United States Department of  
 2002 | Agriculture National Disqualified List.

2003 Section 30. Paragraph (d) of subsection (3) of section  
 2004 1002.94, Florida Statutes, is amended to read:  
 2005 1002.94 Child Care Executive Partnership Program.—  
 2006 (3)  
 2007 (d) Each early learning coalition shall establish a  
 2008 community child care task force ~~for each child care purchasing~~  
 2009 ~~pool~~. The task force must be composed of employers, parents,  
 2010 private child care providers, and one representative from the  
 2011 local children's services council, if one exists in the area ~~of~~  
 2012 ~~the purchasing pool~~. The early learning coalition is expected to  
 2013 recruit the task force members from existing child care  
 2014 councils, commissions, or task forces already operating in the  
 2015 area ~~of a purchasing pool~~. A majority of the task force shall  
 2016 consist of employers.

2017 Section 31. The Office of Early Learning shall conduct a  
 2018 2-year pilot project to study the impact of assessing the early  
 2019 literacy skills of Voluntary Prekindergarten Education Program  
 2020 participants who are English Language Learners, in both English  
 2021 and Spanish. The assessments must include, at a minimum, the  
 2022 first administration of the Florida Assessments for Instruction  
 2023 in Reading in kindergarten and an appropriate alternative  
 2024 assessment in Spanish. The study must include a review of the  
 2025 kindergarten screening results for 2009-2010 and 2010-2011  
 2026 program participants and their subsequent Florida Comprehensive  
 2027 Assessment Test scores. The office shall annually report its  
 2028 findings to the Governor, the President of the Senate, and the

CS/CS/HB 7069

2014

2029 Speaker of the House of Representatives by July 1, 2015, and  
2030 July 1, 2016.

2031 Section 32. For the 2014-2015 fiscal year, the sums of  
2032 \$1,034,965 in recurring funds and \$11,319 in nonrecurring funds  
2033 from the General Revenue Fund, and \$70,800 in recurring funds  
2034 from the Operations and Maintenance Trust Fund, are appropriated  
2035 to the Department of Children and Families, and 18 full-time  
2036 equivalent positions with associated salary rate of 608,446 are  
2037 authorized, for the purpose of implementing the regulatory  
2038 provisions of this act.

2039 Section 33. This act shall take effect July 1, 2014.