

By the Committees on Appropriations; Community Affairs; and Education Pre-K - 12; and Senator Legg

576-04504-15

20157006c2

1                                   A bill to be entitled  
2       An act relating to early learning; providing a  
3       directive to the Division of Law Revision and  
4       Information to change the term "family day care home"  
5       to "family child care home," and the term "family day  
6       care" to "family child care"; amending ss. 125.0109  
7       and 166.0445, F.S.; including large family child care  
8       homes in local zoning regulation requirements;  
9       amending s. 402.302, F.S.; redefining the term  
10      "substantial compliance"; requiring the Department of  
11      Children and Families to adopt rules for compliance by  
12      certain programs regulated, but not licensed, by the  
13      department; amending s. 402.3025, F.S.; revising  
14      requirements for nonpublic schools delivering certain  
15      voluntary prekindergarten education programs and  
16      school readiness programs; amending s. 402.305, F.S.;  
17      revising certain minimum standards for child care  
18      facilities; prohibiting the transfer of ownership of  
19      such facilities to specified individuals; creating s.  
20      402.3085, F.S.; requiring nonpublic schools or  
21      providers seeking to operate certain programs to  
22      annually obtain a certificate from the department or a  
23      local licensing agency; providing for issuance of the  
24      certificate upon examination of the applicant's  
25      premises and records; prohibiting a provider from  
26      participating in the programs without a certificate;  
27      authorizing local licensing agencies to apply their  
28      own minimum child care standards under certain  
29      circumstances; amending s. 402.311, F.S.; providing

576-04504-15

20157006c2

30 for the inspection of programs regulated by the  
31 department; amending s. 402.3115, F.S.; providing for  
32 abbreviated inspections of specified child care homes;  
33 requiring rulemaking; amending s. 402.313, F.S.;

34 revising provisions for licensure, registration, and  
35 operation of family child care homes; amending s.  
36 402.3131, F.S.; revising requirements for large family  
37 child care homes; amending s. 402.316, F.S.; providing  
38 exemptions from child care facility licensing  
39 standards; requiring a child care facility operating  
40 as a provider of certain voluntary prekindergarten  
41 education programs or child care programs to comply  
42 with minimum standards; providing penalties for  
43 failure to disclose or for use of certain information;  
44 requiring the department to establish a fee for  
45 inspection and compliance activities; amending s.  
46 627.70161, F.S.; revising restrictions on residential  
47 property insurance coverage to include coverage for  
48 large family child care homes; amending s. 1001.213,  
49 F.S.; providing additional duties of the Office of  
50 Early Learning; amending s. 1002.53, F.S.; revising  
51 requirements for application and determination of  
52 eligibility to enroll in the Voluntary Prekindergarten  
53 (VPK) Education Program; amending s. 1002.55, F.S.;

54 revising requirements for a school-year  
55 prekindergarten program delivered by a private  
56 prekindergarten provider, including requirements for  
57 providers, instructors, and child care personnel;  
58 providing requirements in the case of provider

576-04504-15

20157006c2

59 violations; amending s. 1002.59, F.S.; conforming a  
60 cross-reference to changes made by the act; amending  
61 ss. 1002.61 and 1002.63, F.S.; revising employment  
62 requirements and educational credentials of certain  
63 instructional personnel; amending s. 1002.71, F.S.;  
64 revising information that must be provided to parents;  
65 amending s. 1002.75, F.S.; revising provisions  
66 included in the standard statewide VPK program  
67 provider contract; amending s. 1002.77, F.S.; revising  
68 the purpose and meetings of the Florida Early Learning  
69 Advisory Council; amending s. 1002.81, F.S.; revising  
70 certain program definitions; amending s. 1002.82,  
71 F.S.; revising the powers and duties of the Office of  
72 Early Learning; revising provisions included in the  
73 standard statewide school readiness provider contract;  
74 amending s. 1002.84, F.S.; revising the powers and  
75 duties of early learning coalitions; conforming  
76 provisions to changes made by the act; amending s.  
77 1002.87, F.S.; revising student eligibility and  
78 enrollment requirements for the school readiness  
79 program; amending s. 1002.88, F.S.; revising  
80 eligibility requirements for program providers that  
81 want to deliver the school readiness program;  
82 providing conditions for denial of initial  
83 eligibility; providing child care personnel  
84 requirements; amending s. 1002.89, F.S.; revising the  
85 use of funds for the school readiness program;  
86 amending s. 1002.91, F.S.; prohibiting an early  
87 learning coalition from contracting with specified

576-04504-15

20157006c2

88 persons; amending s. 1002.94, F.S.; revising  
89 establishment of a community child care task force by  
90 an early learning coalition; requiring the Office of  
91 Early Learning to conduct a pilot project to study the  
92 impact of assessing the early literacy skills of  
93 certain VPK program participants; requiring the office  
94 to report its findings to the Governor and the  
95 Legislature by specified dates; providing an effective  
96 date.

97

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

99

100 Section 1. The Division of Law Revision and Information is  
101 directed to prepare a reviser's bill for the 2016 Regular  
102 Session of the Legislature to change the term "family day care  
103 home" to "family child care home" and the term "family day care"  
104 to "family child care" wherever the terms appear in the Florida  
105 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 child  
109 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,  
113 constitutes, as defined by law, registered or licensed with the  
114 Department of Children and Families shall constitute a valid  
115 residential use for purposes of any local zoning regulations,  
116 and ~~no~~ such regulation may not shall require the owner or

576-04504-15

20157006c2

117 operator of such family child day care home or large family  
118 child care home to obtain any special exemption or use permit or  
119 waiver, or to pay any special fee in excess of \$50, to operate  
120 in an area zoned for residential use.

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

123 166.0445 Family child day care homes and large family child  
124 care homes; local zoning regulation.—The operation of a  
125 residence as a family child day care home or large family child  
126 care home, as defined in s. 402.302, licensed or registered  
127 pursuant to s. 402.313 or s. 402.3131, as applicable,  
128 constitutes, ~~as defined by law, registered or licensed with the~~  
129 ~~Department of Children and Families shall constitute~~ a valid  
130 residential use for purposes of any local zoning regulations,  
131 and ~~no~~ such regulations may not ~~regulation shall~~ require the  
132 owner or operator of such family child day care home or large  
133 family child care home to obtain any special exemption or use  
134 permit or waiver, or to pay any special fee in excess of \$50, to  
135 operate in an area zoned for residential use.

136 Section 4. Subsection (17) of section 402.302, Florida  
137 Statutes, is amended to read:

138 402.302 Definitions.—As used in this chapter, the term:

139 (17) "Substantial compliance" means, for purposes of  
140 programs operating under s. 1002.55, s. 1002.61, or s. 1002.88,  
141 ~~that level of adherence to adopted standards~~ which is sufficient  
142 to safeguard the health, safety, and well-being of all children  
143 under care. The standards must address the requirements of s.  
144 402.305 and must be limited to supervision, transportation,  
145 access, health-related requirements, food and nutrition,

576-04504-15

20157006c2

146 personnel screening, records, and enforcement of these  
147 standards. The standards must not limit or exclude the  
148 curriculum provided by a faith-based provider or nonpublic  
149 school. The department, in consultation with the Office of Early  
150 Learning, must adopt rules to define and enforce substantial  
151 compliance with minimum standards for child care facilities for  
152 programs operating under s. 1002.55, s. 1002.61, or s. 1002.88  
153 which are regulated, but not licensed, by the department  
154 ~~Substantial compliance is greater than minimal adherence but not~~  
155 ~~to the level of absolute adherence. Where a violation or~~  
156 ~~variation is identified as the type which impacts, or can be~~  
157 ~~reasonably expected within 90 days to impact, the health,~~  
158 ~~safety, or well-being of a child, there is no substantial~~  
159 ~~compliance.~~

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

162 402.3025 Public and nonpublic schools.—For the purposes of  
163 ss. 402.301-402.319, the following shall apply:

164 (2) NONPUBLIC SCHOOLS.—

165 (d)1. Nonpublic schools delivering programs under s.  
166 1002.55, s. 1002.61, or s. 1002.88 ~~Programs for children who are~~  
167 ~~at least 3 years of age, but under 5 years of age,~~ which are not  
168 licensed under ss. 402.301-402.319 shall substantially comply  
169 with the minimum child care standards adopted ~~promulgated~~  
170 pursuant to ss. 402.305-402.3057.

171 2. The department or local licensing agency shall enforce  
172 compliance with such standards, where possible, to eliminate or  
173 minimize duplicative inspections or visits by staff enforcing  
174 the minimum child care standards and staff enforcing other

576-04504-15

20157006c2

175 standards under the jurisdiction of the department.

176 3. The department or local licensing agency may inspect  
177 programs operating under this paragraph and pursue  
178 administrative or judicial action under ss. 402.310-402.312  
179 against nonpublic schools operating under this paragraph  
180 ~~commence and maintain all proper and necessary actions and~~  
181 ~~proceedings for any or all of the following purposes:~~

182 a. ~~to protect the health, sanitation, safety, and well-~~  
183 ~~being of all children under care.~~

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

185 c. ~~To use corrective action plans, whenever possible, to~~  
186 ~~attain compliance prior to the use of more restrictive~~  
187 ~~enforcement measures.~~

188 d. ~~To make application for injunction to the proper circuit~~  
189 ~~court, and the judge of that court shall have jurisdiction upon~~  
190 ~~hearing and for cause shown to grant a temporary or permanent~~  
191 ~~injunction, or both, restraining any person from violating or~~  
192 ~~continuing to violate any of the provisions of ss. 402.301-~~  
193 ~~402.319. Any violation of this section or of the standards~~  
194 ~~applied under ss. 402.305-402.3057 which threatens harm to any~~  
195 ~~child in the school's programs for children who are at least 3~~  
196 ~~years of age, but are under 5 years of age, or repeated~~  
197 ~~violations of this section or the standards under ss. 402.305-~~  
198 ~~402.3057, shall be grounds to seek an injunction to close a~~  
199 ~~program in a school.~~

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

203 4. It is a misdemeanor of the first degree, punishable as

576-04504-15

20157006c2

204 provided in s. 775.082 or s. 775.083, for any person willfully,  
205 knowingly, or intentionally to:

206 a. Fail, by false statement, misrepresentation,  
207 impersonation, or other fraudulent means, to disclose in any  
208 required written documentation for exclusion from licensure  
209 pursuant to this section a material fact used in making a  
210 determination as to such exclusion; or

211 b. Use information from the criminal records obtained under  
212 s. 402.305 or s. 402.3055 for any purpose other than screening  
213 that person for employment as specified in those sections or  
214 release such information to any other person for any purpose  
215 other than screening for employment as specified in those  
216 sections.

217 5. It is a felony of the third degree, punishable as  
218 provided in s. 775.082, s. 775.083, or s. 775.084, for any  
219 person willfully, knowingly, or intentionally to use information  
220 from the juvenile records of any person obtained under s.  
221 402.305 or s. 402.3055 for any purpose other than screening for  
222 employment as specified in those sections or to release  
223 information from such records to any other person for any  
224 purpose other than screening for employment as specified in  
225 those sections.

226 6. The inclusion of nonpublic schools within options  
227 available under ss. 1002.55, 1002.61, and 1002.88 does not  
228 expand the regulatory authority of the state, its officers, any  
229 local licensing agency, or any early learning coalition to  
230 impose any additional regulation of nonpublic schools beyond  
231 those reasonably necessary to enforce requirements expressly  
232 specified in this paragraph.



576-04504-15

20157006c2

233 ~~(c) The department and the nonpublic school accrediting~~  
234 ~~agencies are encouraged to develop agreements to facilitate the~~  
235 ~~enforcement of the minimum child care standards as they relate~~  
236 ~~to the schools which the agencies accredit.~~

237 Section 6. Paragraphs (a) and (d) of subsection (2),  
238 paragraph (b) of subsection (9), and subsections (10) and (18)  
239 of section 402.305, Florida Statutes, are amended to read:

240 402.305 Licensing standards; child care facilities.—

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

243 (a) Good moral character based upon screening, according to  
244 the level 2 screening requirements of. ~~This screening shall be~~  
245 ~~conducted as provided in chapter 435, using the level 2~~  
246 ~~standards for screening set forth in that chapter.~~ In addition  
247 to the offenses specified in s. 435.04, all child care personnel  
248 required to undergo background screening pursuant to this  
249 section may not have an arrest awaiting final disposition for,  
250 may not have been found guilty of, regardless of adjudication,  
251 or entered a plea of nolo contendere or guilty to, and may not  
252 have been adjudicated delinquent and have a record that has been  
253 sealed or expunged for an offense specified in s. 39.205. Before  
254 employing child care personnel subject to this section, the  
255 employer must conduct employment history checks of each of the  
256 personnel's previous employers and document the findings. If  
257 unable to contact a previous employer, the employer must  
258 document efforts to contact the previous employer.

259 (d) Minimum training requirements for child care personnel.

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

576-04504-15

20157006c2

262 introductory course in child care, which course covers at least  
263 the following topic areas:

264 a. State and local rules and regulations which govern child  
265 care.

266 b. Health, safety, and nutrition.

267 c. Identifying and reporting child abuse and neglect.

268 d. Child development, including typical and atypical  
269 language, cognitive, motor, social, and self-help skills  
270 development.

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

274 f. Specialized areas, including computer technology for  
275 professional and classroom use and numeracy, early literacy, and  
276 language development of children from birth to 5 years of age,  
277 as determined by the department, for owner-operators and child  
278 care personnel of a child care facility.

279 g. Developmental disabilities, including autism spectrum  
280 disorder and Down syndrome, and early identification, use of  
281 available state and local resources, classroom integration, and  
282 positive behavioral supports for children with developmental  
283 disabilities.

284

285 Within 90 days after employment, child care personnel shall  
286 begin training to meet the training requirements pursuant to  
287 this paragraph. Child care personnel shall successfully complete  
288 such training within 1 year after the date on which the training  
289 began, as evidenced by passage of a competency examination.

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

576-04504-15

20157006c2

291 shall articulate into community college credit in early  
292 childhood education, pursuant to ss. 1007.24 and 1007.25.  
293 Exemption from all or a portion of the required training shall  
294 be granted to child care personnel based upon educational  
295 credentials or passage of competency examinations. Child care  
296 personnel possessing a 2-year degree or higher that includes 6  
297 college credit hours in early childhood development or child  
298 growth and development, or a child development associate  
299 credential or an equivalent state-approved child development  
300 associate credential, or a child development associate waiver  
301 certificate shall be automatically exempted from the training  
302 requirements in sub-subparagraphs b., d., and e.

303       2. The introductory course in child care shall stress, to  
304 the extent possible, an interdisciplinary approach to the study  
305 of children.

306       3. The introductory course shall cover recognition and  
307 prevention of shaken baby syndrome; prevention of sudden infant  
308 death syndrome; recognition and care of infants and toddlers  
309 with developmental disabilities, including autism spectrum  
310 disorder and Down syndrome; and early childhood brain  
311 development within the topic areas identified in this paragraph.

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

318       5. Child care personnel shall be required to complete 0.5  
319 continuing education unit of approved training or 5 clock hours

576-04504-15

20157006c2

320 of equivalent training, as determined by the department, in  
321 numeracy, early literacy, and language development of children  
322 from birth to 5 years of age one time. The year that this  
323 training is completed, it shall fulfill the 0.5 continuing  
324 education unit or 5 clock hours of the annual training required  
325 in subparagraph 4.

326 6. Procedures for ensuring the training of qualified child  
327 care professionals to provide training of child care personnel,  
328 including onsite training, shall be included in the minimum  
329 standards. It is recommended that the state community child care  
330 coordination agencies (central agencies) be contracted by the  
331 department to coordinate such training when possible. Other  
332 district educational resources, such as community colleges and  
333 career programs, can be designated in such areas where central  
334 agencies may not exist or are determined not to have the  
335 capability to meet the coordination requirements set forth by  
336 the department.

337 7. Training requirements do ~~shall~~ not apply to certain  
338 occasional or part-time support staff, including, but not  
339 limited to, swimming instructors, piano teachers, dance  
340 instructors, and gymnastics instructors.

341 8. The department shall evaluate or contract for an  
342 evaluation for the general purpose of determining the status of  
343 and means to improve staff training requirements and testing  
344 procedures. The evaluation shall be conducted every 2 years. The  
345 evaluation must ~~shall~~ include, but not be limited to,  
346 determining the availability, quality, scope, and sources of  
347 current staff training; determining the need for specialty  
348 training; and determining ways to increase inservice training

576-04504-15

20157006c2

349 and ways to increase the accessibility, quality, and cost-  
350 effectiveness of current and proposed staff training. The  
351 evaluation methodology must ~~shall~~ include a reliable and valid  
352 survey of child care personnel.

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

357 (9) ADMISSIONS AND RECORDKEEPING.—

358 (b) ~~During the months of August and September of each year,~~  
359 Each child care facility shall provide parents of children  
360 enrolling ~~enrolled~~ in the facility detailed information  
361 regarding the causes, symptoms, and transmission of the  
362 influenza virus in an effort to educate those parents regarding  
363 the importance of immunizing their children against influenza as  
364 recommended by the Advisory Committee on Immunization Practices  
365 of the Centers for Disease Control and Prevention.

366 (10) TRANSPORTATION SAFETY.—Minimum standards must ~~shall~~  
367 include requirements for child restraints or seat belts in  
368 vehicles used by child care facilities, and large family child  
369 care homes, and licensed family child care homes to transport  
370 children, requirements for annual inspections of the vehicles,  
371 limitations on the number of children in the vehicles, and  
372 accountability for children being transported.

373 (18) TRANSFER OF OWNERSHIP.—

374 (a) One week before ~~prior to~~ the transfer of ownership of a  
375 child care facility, ~~or~~ family child ~~day~~ care home, or large  
376 family child care home, the transferor shall notify the parent  
377 or caretaker of each child of the impending transfer.

576-04504-15

20157006c2

378       (b) The owner of a child care facility, family child care  
379 home, or large family child care home may not transfer ownership  
380 to a relative of the operator if the operator has had his or her  
381 license suspended or revoked by the department pursuant to s.  
382 402.310, has received notice from the department that reasonable  
383 cause exists to suspend or revoke his or her license, or has  
384 been placed on the United States Department of Agriculture  
385 National Disqualified List. For purposes of this paragraph, the  
386 term "relative" means father, mother, son, daughter,  
387 grandfather, grandmother, brother, sister, uncle, aunt, cousin,  
388 nephew, niece, husband, wife, father-in-law, mother-in-law, son-  
389 in-law, daughter-in-law, brother-in-law, sister-in-law,  
390 stepfather, stepmother, stepson, stepdaughter, stepbrother,  
391 stepsister, half brother, or half sister.

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

395       Section 7. Section 402.3085, Florida Statutes, is created  
396 to read:

397       402.3085 Certificate of substantial compliance with minimum  
398 child care standards.—Each nonpublic school or provider seeking  
399 to operate a program pursuant to s. 402.3025(2) (d) or s.  
400 402.316(4), respectively, shall annually obtain a certificate  
401 from the department or local licensing agency in the manner and  
402 on the forms prescribed by the department or local licensing  
403 agency. An annual certificate or a renewal of an annual  
404 certificate shall be issued upon an examination of the  
405 applicant's premises and records to determine that the applicant  
406 is in substantial compliance with the minimum child care

576-04504-15

20157006c2

407 standards. A provider may not participate in these programs  
408 without this certification. Local licensing agencies may apply  
409 their own minimum child care standards if the department  
410 determines that such standards meet or exceed department  
411 standards as provided in s. 402.307.

412 Section 8. Section 402.311, Florida Statutes, is amended to  
413 read:

414 402.311 Inspection.—A licensed child care facility or  
415 program regulated by the department shall accord to the  
416 department or the local licensing agency, whichever is  
417 applicable, the privilege of inspection, including access to  
418 facilities and personnel and to those records required in s.  
419 402.305, at reasonable times during regular business hours, to  
420 ensure compliance with ~~the provisions of~~ ss. 402.301-402.319.  
421 The right of entry and inspection shall also extend to any  
422 premises which the department or local licensing agency has  
423 reason to believe are being operated or maintained as a child  
424 care facility or program ~~without a license~~, but no such entry or  
425 inspection of any premises shall be made without the permission  
426 of the person in charge thereof unless a warrant is first  
427 obtained from the circuit court authorizing same. Any  
428 application for a license, application for authorization to  
429 operate a child care program which must maintain substantial  
430 compliance with child care standards adopted under this chapter,  
431 ~~or renewal of such license or authorization, made pursuant to~~  
432 ~~this act~~ or the advertisement to the public for the provision of  
433 child care as defined in s. 402.302 constitutes ~~shall constitute~~  
434 permission for any entry to or inspection of the subject  
435 premises ~~for which the license is sought in order~~ to facilitate

576-04504-15

20157006c2

436 verification of the information submitted on or in connection  
437 with the application. In the event a ~~licensed~~ facility or  
438 program refuses permission for entry or inspection to the  
439 department or local licensing agency, a warrant shall be  
440 obtained from the circuit court authorizing same before ~~prior to~~  
441 such entry or inspection. The department or local licensing  
442 agency may institute disciplinary proceedings pursuant to s.  
443 402.310~~7~~ for such refusal.

444 Section 9. Section 402.3115, Florida Statutes, is amended  
445 to read:

446 402.3115 ~~Elimination of duplicative and unnecessary~~  
447 ~~inspections;~~ Abbreviated inspections. ~~The Department of Children~~  
448 ~~and Families and local governmental agencies that license child~~  
449 ~~care facilities shall develop and implement a plan to eliminate~~  
450 ~~duplicative and unnecessary inspections of child care~~  
451 ~~facilities. In addition,~~ The department and the local licensing  
452 ~~governmental~~ agencies shall conduct ~~develop and implement an~~  
453 abbreviated inspections of inspection plan for child care  
454 facilities licensed under s. 402.305, family child care homes  
455 licensed under s. 402.313, and large family child care homes  
456 licensed under s. 402.3131 that have had no Class I ~~±~~ or Class  
457 II violations ~~2 deficiencies~~, as defined by rule, for at least 2  
458 consecutive years. The abbreviated inspection must include those  
459 elements identified by the department and the local licensing  
460 ~~governmental~~ agencies as being key indicators of whether the  
461 child care facility continues to provide quality care and  
462 programming. The department shall adopt rules establishing  
463 criteria and procedures for abbreviated inspections and  
464 inspection schedules that provide for both announced and



576-04504-15

20157006c2

465 unannounced inspections.

466 Section 10. Section 402.313, Florida Statutes, is amended  
467 to read:

468 402.313 Family child day care homes.-

469 (1) A family child day care home must ~~homes shall~~ be  
470 licensed under this section ~~act~~ if it is ~~they are~~ presently  
471 being licensed under an existing county licensing ordinance, ~~or~~  
472 if the board of county commissioners passes a resolution that  
473 requires licensure of family child day care homes, or the family  
474 child care home is operating a program under s. 1002.55, s.  
475 1002.61, or s. 1002.88 ~~be licensed~~. Each licensed or registered  
476 family child care home must conspicuously display its license or  
477 registration in the common area of the home.

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

- 481 1. The name and address of the home.
- 482 2. The name of the operator.
- 483 3. The number of children served.
- 484 4. Proof of a written plan to identify a ~~provide at least~~  
485 ~~one other~~ competent adult who has met the screening and training  
486 requirements of the department to serve as a designated ~~to be~~  
487 ~~available to~~ substitute for the operator ~~in an emergency~~. This  
488 plan must ~~shall~~ include the name, address, and telephone number  
489 of the designated substitute who will serve in the absence of  
490 the operator.
- 491 5. ~~Proof of screening and background checks.~~
- 492 6. ~~Proof of successful completion of the 30-hour training~~  
493 ~~course, as evidenced by passage of a competency examination,~~

576-04504-15

20157006c2

494 ~~which shall include:~~

495 ~~a. State and local rules and regulations that govern child~~  
496 ~~care.~~

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

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

499 ~~d. Child development, including typical and atypical~~  
500 ~~language development; and cognitive, motor, social, and self-~~  
501 ~~help skills development.~~

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

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

509 ~~5.7.~~ Proof that immunization records are kept current.

510 ~~8.~~ Proof of completion of the required continuing education  
511 ~~units or clock hours.~~

512  
513 Upon receipt of registration information submitted by a family  
514 child care home pursuant to this paragraph, the department shall  
515 verify that the home is in compliance with the background  
516 screening requirements in subsection (3) and that the operator  
517 and the designated substitute are in compliance with the  
518 applicable training requirements of subsection (4).

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

521 (c) The department may provide technical assistance to  
522 counties and operators of family child ~~day~~ care homes ~~home~~

576-04504-15

20157006c2

523 ~~providers~~ to enable counties and operators ~~family day care~~  
524 ~~providers~~ to achieve compliance with family child day care home  
525 ~~homes~~ standards.

526 (2) This information shall be included in a directory to be  
527 published annually by the department to inform the public of  
528 available child care facilities.

529 (3) Child care personnel in family child day care homes are  
530 ~~shall be~~ subject to the applicable screening provisions  
531 contained in ss. 402.305(2) and 402.3055. For purposes of  
532 screening in family child day care homes, the term "child care  
533 personnel" includes the operator, the designated substitute, any  
534 member over the age of 12 years of a family child day care home  
535 operator's family, or persons over the age of 12 years residing  
536 with the operator in the family child day care home. Members of  
537 the operator's family, or persons residing with the operator,  
538 who are between the ages of 12 years and 18 years may ~~shall~~ not  
539 be required to be fingerprinted, but shall be screened for  
540 delinquency records.

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

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

549 a. State and local rules and regulations that govern child  
550 care.

551 b. Health, safety, and nutrition.

576-04504-15

20157006c2

552 c. Identifying and reporting child abuse and neglect.

553 d. Child development, including typical and atypical  
554 language development, and cognitive, motor, social, and  
555 executive functioning skills development.

556 e. Observation of developmental behaviors, including using  
557 checklists or other similar observation tools and techniques to  
558 determine a child's developmental level.

559 f. Specialized areas, including numeracy, early literacy,  
560 and language development of children from birth to 5 years of  
561 age, as determined by the department, for operators of family  
562 child care homes.

563 ~~(5) In order to further develop their child care skills~~  
564 ~~and, if appropriate, their administrative skills, operators of~~  
565 ~~family day care homes shall be required to complete an~~  
566 ~~additional 1 continuing education unit of approved training or~~  
567 ~~10 clock hours of equivalent training, as determined by the~~  
568 ~~department, annually.~~

569 ~~2.(6) Operators of family day care homes shall be required~~  
570 ~~to~~ Complete a 0.5 continuing education unit of approved training  
571 in numeracy, early literacy, and language development of  
572 children from birth to 5 years of age one time. For an operator,  
573 the year that this training is completed, it shall fulfill the  
574 0.5 continuing education unit or 5 clock hours of the annual  
575 training required in paragraph (c) subsection (5).

576 3. Complete training in first aid and infant and child  
577 cardiopulmonary resuscitation as evidenced by current  
578 documentation of course completion.

579 (b) Before licensure and before caring for children, family  
580 child care home designated substitutes who work less than 40

576-04504-15

20157006c2

581 hours per month on average must complete the department's 6-  
582 clock-hour Family Child Care Home Rules and Regulations  
583 training, as evidenced by successful completion of a competency  
584 examination and first aid and infant and child cardiopulmonary  
585 resuscitation training required under subparagraph (a)3. A  
586 designated substitute who has successfully completed the 3-  
587 clock-hour Fundamentals of Child Care training established by  
588 rules of the department or the 30-clock-hour training under  
589 subparagraph (a)1. is not required to complete the 6-clock-hour  
590 Family Child Care Home Rules and Regulations training.

591 (c) Operators of family child care homes must annually  
592 complete an additional 1 continuing education unit of approved  
593 training regarding child care and administrative skills or 10  
594 clock hours of equivalent training, as determined by the  
595 department.

596 (5)(7) Operators of family child ~~day~~ care homes must ~~shall~~  
597 ~~be required~~ annually to complete a health and safety home  
598 inspection self-evaluation checklist developed by the department  
599 in conjunction with the statewide resource and referral program.  
600 The completed checklist shall be signed by the operator of the  
601 family child ~~day~~ care home and provided to parents as  
602 certification that basic health and safety standards are being  
603 met.

604 (6)(8) Operators of family child ~~day~~ care homes ~~home~~  
605 operators may avail themselves of supportive services offered by  
606 the department.

607 (7)(9) The department shall prepare a brochure on family  
608 child ~~day~~ care for distribution by the department and by local  
609 licensing agencies, if appropriate, to family child ~~day~~ care

576-04504-15

20157006c2

610 homes for distribution to parents using ~~utilizing~~ such child  
611 care, and to all interested persons, including physicians and  
612 other health professionals; mental health professionals; school  
613 teachers or other school personnel; social workers or other  
614 professional child care, foster care, residential, or  
615 institutional workers; and law enforcement officers. The  
616 brochure shall, at a minimum, contain the following information:

617 (a) A brief description of the requirements for family  
618 child day care registration, training, and background  
619 ~~fingerprinting and screening~~.

620 (b) A listing of those counties that require licensure of  
621 family child day care homes. Such counties shall provide an  
622 addendum to the brochure that provides a brief description of  
623 the licensure requirements or may provide a brochure in lieu of  
624 the one described in this subsection, provided it contains all  
625 the required information on licensure and the required  
626 information in the subsequent paragraphs.

627 (c) A statement indicating that information about the  
628 family child day care home's compliance with applicable state or  
629 local requirements can be obtained from ~~by telephoning~~ the  
630 department ~~office~~ or ~~the office of~~ the local licensing agency,  
631 including the, if appropriate, at a telephone number or numbers  
632 and website address for the department or local licensing  
633 agency, as applicable ~~which shall be affixed to the brochure~~.

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

638 (e) Any other information relating to competent child care

576-04504-15

20157006c2

639 that the department or local licensing agency, if preparing a  
640 separate brochure, considers ~~deems would be~~ helpful to parents  
641 and other caretakers in their selection of a family child day  
642 care home.

643 (8) ~~(10)~~ On an annual basis, the department shall evaluate  
644 the registration and licensure system for family child day care  
645 homes. Such evaluation shall, at a minimum, address the  
646 following:

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

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

652 (c) The number of complaints received concerning family  
653 child day care, the nature of the complaints, and the resolution  
654 of such complaints.

655 (d) The training activities used ~~utilized~~ by child care  
656 personnel in family child day care homes for meeting the state  
657 or local training requirements.

658  
659 The evaluation, pursuant to this subsection, shall be used  
660 ~~utilized~~ by the department in any administrative modifications  
661 or adjustments to be made in the registration of family child  
662 day care homes or in any legislative requests for modifications  
663 to the system of registration or to other requirements for  
664 family child day care homes.

665 ~~(11) In order to inform the public of the state requirement~~  
666 ~~for registration of family day care homes as well as the other~~  
667 ~~requirements for such homes to legally operate in the state, the~~

576-04504-15

20157006c2

668 ~~department shall institute a media campaign to accomplish this~~  
669 ~~end. Such a campaign shall include, at a minimum, flyers,~~  
670 ~~newspaper advertisements, radio advertisements, and television~~  
671 ~~advertisements.~~

672 (9) ~~(12)~~ Notwithstanding any other state or local law or  
673 ordinance, any family child ~~day~~ care home licensed pursuant to  
674 this chapter or pursuant to a county ordinance shall be charged  
675 the utility rates accorded to a residential home. A licensed  
676 family child ~~day~~ care home may not be charged commercial utility  
677 rates.

678 (10) ~~(13)~~ The department shall, by rule, establish minimum  
679 standards for family child ~~day~~ care homes that are required to  
680 be licensed by county licensing ordinance or county licensing  
681 resolution or that voluntarily choose to be licensed. The  
682 standards should include requirements for staffing, training,  
683 maintenance of immunization records, minimum health and safety  
684 standards, reduced standards for the regulation of child care  
685 during evening hours by municipalities and counties, and  
686 enforcement of standards. Additionally, the department shall, by  
687 rule, adopt procedures for verifying a registered family child  
688 care home's compliance with background screening and training  
689 requirements.

690 (11) ~~(14)~~ ~~During the months of August and September of each~~  
691 ~~year,~~ Each family child ~~day~~ care home shall provide parents of  
692 children enrolling ~~enrolled~~ in the home detailed information  
693 regarding the causes, symptoms, and transmission of the  
694 influenza virus in an effort to educate those parents regarding  
695 the importance of immunizing their children against influenza as  
696 recommended by the Advisory Committee on Immunization Practices



576-04504-15

20157006c2

697 of the Centers for Disease Control and Prevention.

698 Section 11. Subsections (1), (3), (5), and (9) of section  
699 402.3131, Florida Statutes, are amended, and subsection (10) is  
700 added to that section, to read:

701 402.3131 Large family child care homes.—

702 (1) A large family child care home must ~~homes shall~~ be  
703 licensed under this section and conspicuously display its  
704 license in the common area of the home.

705 (3) Operators of large family child care homes must  
706 successfully complete an approved 40-clock-hour introductory  
707 course in group child care, including numeracy, early literacy,  
708 and language development of children from birth to 5 years of  
709 age, as evidenced by passage of a competency examination.  
710 Successful completion of the 40-clock-hour introductory course  
711 shall articulate into community college credit in early  
712 childhood education, pursuant to ss. 1007.24 and 1007.25.

713 (5) Operators of large family child care homes shall be  
714 required to complete 0.5 continuing education unit of approved  
715 training or 5 clock hours of equivalent training, as determined  
716 by the department, in numeracy, early literacy, and language  
717 development of children from birth to 5 years of age one time.  
718 The year that this training is completed, it shall fulfill the  
719 0.5 continuing education unit or 5 clock hours of the annual  
720 training required in subsection (4).

721 (9) ~~During the months of August and September of each year,~~  
722 Each large family child care home shall provide parents of  
723 children enrolling ~~enrolled~~ in the home detailed information  
724 regarding the causes, symptoms, and transmission of the  
725 influenza virus in an effort to educate those parents regarding

576-04504-15

20157006c2

726 the importance of immunizing their children against influenza as  
727 recommended by the Advisory Committee on Immunization Practices  
728 of the Centers for Disease Control and Prevention.

729 (10) Notwithstanding any other state or local law or  
730 ordinance, a large family child care home licensed pursuant to  
731 this chapter or pursuant to a county ordinance shall be charged  
732 the utility rates accorded to a residential home. Such a home  
733 may not be charged commercial utility rates.

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

736 402.316 Exemptions.—

737 (4) A child care facility operating under subsection (1)  
738 which is applying to operate or is operating as a provider of a  
739 program described in s. 1002.55, s. 1002.61, or s. 1002.88 must  
740 substantially comply with the minimum standards for child care  
741 facilities adopted pursuant to ss. 402.305-402.3057 and must  
742 allow the department or local licensing agency access to monitor  
743 and enforce compliance with such standards.

744 (a) The department or local licensing agency may pursue  
745 administrative or judicial action under ss. 402.310-402.312 and  
746 the rules adopted under those sections against any child care  
747 facility operating under this subsection to enforce substantial  
748 compliance with child care facility minimum standards or to  
749 protect the health, safety, and well-being of any child in the  
750 facility's care. A child care facility operating under this  
751 subsection is subject to ss. 402.310-402.312 and the rules  
752 adopted under those sections to the same extent as a child care  
753 facility licensed under ss. 402.301-402.319.

754 (b) It is a misdemeanor of the first degree, punishable as

576-04504-15

20157006c2

755 provided in s. 775.082 or s. 775.083, for a person willfully,  
756 knowingly, or intentionally to:

757 1. Fail, by false statement, misrepresentation,  
758 impersonation, or other fraudulent means, to disclose in any  
759 required written documentation for exclusion from licensure  
760 pursuant to this section a material fact used in making a  
761 determination as to such exclusion; or

762 2. Use information from the criminal records obtained under  
763 s. 402.305 or s. 402.3055 for a purpose other than screening the  
764 subject of those records for employment as specified in those  
765 sections or to release such information to any other person for  
766 a purpose other than screening for employment as specified in  
767 those sections.

768 (c) It is a felony of the third degree, punishable as  
769 provided in s. 775.082, s. 775.083, or s. 775.084, for a person  
770 willfully, knowingly, or intentionally to use information from  
771 the juvenile records of a person obtained under s. 402.305 or s.  
772 402.3055 for a purpose other than screening for employment as  
773 specified in those sections or to release information from such  
774 records to any other person for a purpose other than screening  
775 for employment as specified in those sections.

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

781 (6) The inclusion of a child care facility operating under  
782 subsection (1) as a provider of a program described in s.  
783 1002.55, s. 1002.61, or s. 1002.88 does not expand the

576-04504-15

20157006c2

784 regulatory authority of the state, its officers, any local  
785 licensing agency, or any early learning coalition to impose any  
786 additional regulation of child care facilities beyond those  
787 reasonably necessary to enforce requirements expressly included  
788 in this section.

789 Section 13. Section 627.70161, Florida Statutes, is amended  
790 to read:

791 627.70161 Residential property insurance coverage; family  
792 child day care homes and large family child care homes  
793 insurance.—

794 (1) PURPOSE AND INTENT.—The Legislature recognizes that  
795 family child day care homes and large family child care homes  
796 fulfill a vital role in providing child care in Florida. It is  
797 the intent of the Legislature that residential property  
798 insurance coverage should not be canceled, denied, or nonrenewed  
799 solely because child ~~on the basis of the family day care~~  
800 services are provided at the residence. The Legislature also  
801 recognizes that the potential liability of residential property  
802 insurers is substantially increased by the rendition of child  
803 care services on the premises. The Legislature therefore finds  
804 that there is a public need to specify that contractual  
805 liabilities associated ~~that arise in connection~~ with the  
806 operation of a the family child day care home or large family  
807 child care home are excluded from residential property insurance  
808 policies unless they are specifically included in such coverage.

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

810 (a) "Child care" means the care, protection, and  
811 supervision of a child, for a period of up to ~~less than~~ 24 hours  
812 a day on a regular basis, which supplements parental care,

576-04504-15

20157006c2

813 enrichment, and health supervision for the child, in accordance  
814 with his or her individual needs, and for which a payment, fee,  
815 or grant is made for care.

816 (b) "Family child day care home" has the same meaning as  
817 provided in s. 402.302 ~~means an occupied residence in which~~  
818 ~~child care is regularly provided for children from at least two~~  
819 ~~unrelated families and which receives a payment, fee, or grant~~  
820 ~~for any of the children receiving care, whether or not operated~~  
821 ~~for a profit.~~

822 (c) "Large family child care home" has the same meaning as  
823 provided in s. 402.302.

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

830 (a) Specifically covered in a policy; or

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

833 (4) DENIAL, CANCELLATION, REFUSAL TO RENEW PROHIBITED.—An  
834 insurer may not deny, cancel, or refuse to renew a policy for  
835 residential property insurance solely on the basis that the  
836 policyholder or applicant operates a family child day care home  
837 or a large family child care home. In addition to other lawful  
838 reasons for refusing to insure, an insurer may deny, cancel, or  
839 refuse to renew a policy of a family child day care home or  
840 large family child care home provider if one or more of the  
841 following conditions occur:

576-04504-15

20157006c2

842 (a) The policyholder or applicant provides care for more  
843 children than authorized for family child day care homes or  
844 large family child care homes by s. 402.302;

845 (b) The policyholder or applicant fails to maintain a  
846 separate commercial liability policy or an endorsement providing  
847 liability coverage for ~~the~~ family child day care home or large  
848 family child care home operations;

849 (c) The policyholder or applicant fails to comply with the  
850 family child day care home licensure and registration  
851 requirements specified in s. 402.313 or the large family child  
852 care home licensure requirements specified in s. 402.3131; or

853 (d) Discovery of willful or grossly negligent acts or  
854 omissions or any violations of state laws or regulations  
855 establishing safety standards for family child day care homes  
856 and large family child care homes by the named insured or his or  
857 her representative which materially increase any of the risks  
858 insured.

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

861 1001.213 Office of Early Learning.—There is created within  
862 the Office of Independent Education and Parental Choice the  
863 Office of Early Learning, as required under s. 20.15, which  
864 shall be administered by an executive director. The office shall  
865 be fully accountable to the Commissioner of Education but shall:

866 (7) Hire a general counsel who reports directly to the  
867 executive director of the office.

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

576-04504-15

20157006c2

871       (9) By July 1, 2017, develop and implement, in consultation  
872 with early learning coalitions and providers of the Voluntary  
873 Prekindergarten Education Program and the school readiness  
874 program, best practices for providing parental notifications in  
875 the parent's native language to a parent whose native language  
876 is a language other than English.

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

879       1002.53 Voluntary Prekindergarten Education Program;  
880 eligibility and enrollment.-

881       (4) (a) Each parent enrolling a child in the Voluntary  
882 Prekindergarten Education Program must complete and submit an  
883 application to the early learning coalition through the single  
884 point of entry established under s. 1002.82 or to a private  
885 prekindergarten provider if the provider is authorized by the  
886 early learning coalition to determine student eligibility for  
887 enrollment in the program.

888       (b) The application must be submitted on forms prescribed  
889 by the Office of Early Learning and must be accompanied by a  
890 certified copy of the child's birth certificate. The forms must  
891 include a certification, in substantially the form provided in  
892 s. 1002.71(6)(b)2., that the parent chooses the private  
893 prekindergarten provider or public school in accordance with  
894 this section and directs that payments for the program be made  
895 to the provider or school. The Office of Early Learning may  
896 authorize alternative methods for submitting proof of the  
897 child's age in lieu of a certified copy of the child's birth  
898 certificate.

899       (c) If a private prekindergarten provider has been

576-04504-15

20157006c2

900 authorized to determine child eligibility and enrollment, upon  
901 receipt of an application, the provider must:

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

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

907

908 Pursuant to this paragraph, the early learning coalition may  
909 audit applications held by a private prekindergarten provider in  
910 the coalition's service area to determine whether children  
911 enrolled and reported for funding by the provider have met the  
912 eligibility criteria in subsection (2).

913 (d)(e) Each early learning coalition shall coordinate with  
914 each of the school districts within the coalition's county or  
915 multicounty region in the development of procedures for  
916 enrolling children in prekindergarten programs delivered by  
917 public schools, including procedures for making child  
918 eligibility determinations and auditing enrollment records to  
919 confirm that enrolled children have met eligibility  
920 requirements.

921 Section 16. Section 1002.55, Florida Statutes, is amended  
922 to read:

923 1002.55 School-year prekindergarten program delivered by  
924 private prekindergarten providers.—

925 (1) Each early learning coalition shall administer the  
926 Voluntary Prekindergarten Education Program at the county or  
927 regional level for students enrolled under s. 1002.53(3)(a) in a  
928 school-year prekindergarten program delivered by a private



576-04504-15

20157006c2

929 prekindergarten provider. Each early learning coalition shall  
930 cooperate with the Office of Early Learning and the Child Care  
931 Services Program Office of the Department of Children and  
932 Families to reduce paperwork and to avoid duplicating  
933 interagency activities, health and safety monitoring, and  
934 acquiring and composing data pertaining to child care training  
935 and credentialing.

936 (2) Each school-year prekindergarten program delivered by a  
937 private prekindergarten provider must comprise at least 540  
938 instructional hours.

939 (3) To be eligible to deliver the prekindergarten program,  
940 a private prekindergarten provider must meet each of the  
941 following requirements:

942 ~~(a) The private prekindergarten provider must be a child~~  
943 ~~care facility licensed under s. 402.305, family day care home~~  
944 ~~licensed under s. 402.313, large family child care home licensed~~  
945 ~~under s. 402.3131, nonpublic school exempt from licensure under~~  
946 ~~s. 402.3025(2), or faith-based child care provider exempt from~~  
947 ~~licensure under s. 402.316.~~

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

949 1. Be accredited by an accrediting association that is a  
950 member of the National Council for Private School Accreditation,  
951 or the Florida Association of Academic Nonpublic Schools, or be  
952 accredited by the Southern Association of Colleges and Schools,  
953 or Western Association of Colleges and Schools, or North Central  
954 Association of Colleges and Schools, or Middle States  
955 Association of Colleges and Schools, or New England Association  
956 of Colleges and Schools; and have written accreditation  
957 standards that meet or exceed the state's licensing requirements

576-04504-15

20157006c2

958 under s. 402.305, s. 402.313, or s. 402.3131 and require at  
959 least one onsite visit to the provider or school before  
960 accreditation is granted;

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

963 3. Be licensed under s. 402.305, s. 402.313, or s.  
964 402.3131; or

965 4. Be a child development center located on a military  
966 installation that is certified by the United States Department  
967 of Defense.

968 (b) The private prekindergarten provider must provide basic  
969 health and safety on its premises and in its facilities. For a  
970 public school, compliance with ss. 1003.22 and 1013.12 satisfies  
971 this requirement. For a nonpublic school, compliance with s.  
972 402.3025(2)(d) satisfies this requirement. For a child care  
973 facility, a licensed family child care home, or a large family  
974 child care home, compliance with s. 402.305, s. 402.313, or s.  
975 402.3131, respectively, satisfies this requirement. For a  
976 facility exempt from licensure, compliance with s. 402.316(4)  
977 satisfies this requirement and demonstrate, before delivering  
978 the Voluntary Prekindergarten Education Program, as verified by  
979 the early learning coalition, that the provider meets each of  
980 the requirements of the program under this part, including, but  
981 not limited to, the requirements for credentials and background  
982 screenings of prekindergarten instructors under paragraphs (c)  
983 and (d), minimum and maximum class sizes under paragraph (f),  
984 prekindergarten director credentials under paragraph (g), and a  
985 developmentally appropriate curriculum under s. 1002.67(2)(b).

986 (c) The private prekindergarten provider must have, for

576-04504-15

20157006c2

987 each prekindergarten class of 11 children or fewer, at least one  
988 prekindergarten instructor who meets each of the following  
989 requirements:

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

992 a. A child development associate credential issued by the  
993 National Credentialing Program of the Council for Professional  
994 Recognition; ~~or~~

995 b. A credential approved by the Department of Children and  
996 Families, pursuant to s. 402.305(3)(c), as being equivalent to  
997 or greater than the credential described in sub-subparagraph a.;

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

999 d. An associate or higher degree in an unrelated field, at  
1000 least 6 credit hours in early childhood education or child  
1001 development, and at least 480 hours of experience in teaching or  
1002 providing child care services for children of any age from birth  
1003 through 8 years of age;

1004 e. A baccalaureate or higher degree in early childhood  
1005 education, prekindergarten or primary education, preschool  
1006 education, or family and consumer science;

1007 f. A baccalaureate or higher degree in family and child  
1008 science and at least 480 hours of experience in teaching or  
1009 providing child care services for children of any age from birth  
1010 through 8 years of age;

1011 g. A baccalaureate or higher degree in elementary education  
1012 if the prekindergarten instructor has been certified to teach  
1013 children of any age from birth through grade 6, regardless of  
1014 whether the instructor's educator certificate is current, and if  
1015 the instructor is not ineligible to teach in a public school

576-04504-15

20157006c2

1016 because his or her educator certificate is suspended or revoked;  
1017 or

1018 h. A credential approved by the department as being  
1019 equivalent to or greater than a credential described in sub-  
1020 subparagraphs a.-f. The department may adopt criteria and  
1021 procedures for approving such equivalent credentials.

1022  
1023 ~~The Department of Children and Families may adopt rules under~~  
1024 ~~ss. 120.536(1) and 120.54 which provide criteria and procedures~~  
1025 ~~for approving equivalent credentials under sub-subparagraph b.~~

1026 2. The prekindergarten instructor must successfully  
1027 complete an emergent literacy training course and a student  
1028 performance standards training course approved by the office as  
1029 meeting or exceeding the minimum standards adopted under s.  
1030 1002.59. The requirement for completion of the standards  
1031 training course shall take effect July 1, 2016 ~~2014~~, and the  
1032 course shall be available online.

1033 (d) Each prekindergarten instructor employed by the private  
1034 prekindergarten provider must be of good moral character, must  
1035 undergo background screening pursuant to s. 402.305(2)(a) be  
1036 ~~screened using the level 2 screening standards in s. 435.04~~  
1037 before employment, must be ~~and~~ rescreened at least once every 5  
1038 years, must be denied employment or terminated if required under  
1039 s. 435.06, and must not be ineligible to teach in a public  
1040 school because his or her educator certificate is suspended or  
1041 revoked.

1042 (e) A private prekindergarten provider may assign a  
1043 substitute instructor to temporarily replace a credentialed  
1044 instructor if the credentialed instructor assigned to a

576-04504-15

20157006c2

1045 prekindergarten class is absent, as long as the substitute  
1046 instructor meets the requirements of paragraph (d) ~~is of good~~  
1047 ~~moral character and has been screened before employment in~~  
1048 ~~accordance with level 2 background screening requirements in~~  
1049 ~~chapter 435.~~ The Office of Early Learning shall adopt rules to  
1050 implement this paragraph which shall include required  
1051 qualifications of substitute instructors and the circumstances  
1052 and time limits for which a private prekindergarten provider may  
1053 assign a substitute instructor.

1054 (f) Each of the private prekindergarten provider's  
1055 prekindergarten classes must be composed of at least 4 students  
1056 but may not exceed 20 students. In order to protect the health  
1057 and safety of students, each private prekindergarten provider  
1058 must also provide appropriate adult supervision for students at  
1059 all times and, for each prekindergarten class composed of 12 or  
1060 more students, must have, in addition to a prekindergarten  
1061 instructor who meets the requirements of paragraph (c), at least  
1062 one adult prekindergarten instructor who is not required to meet  
1063 those requirements but who must meet each requirement of s.  
1064 402.305(2) ~~paragraph (d)~~. This paragraph does not supersede any  
1065 requirement imposed on a provider under ss. 402.301-402.319.

1066 (g) The private prekindergarten provider must have a  
1067 prekindergarten director who has a prekindergarten director  
1068 credential that is approved by the office as meeting or  
1069 exceeding the minimum standards adopted under s. 1002.57.  
1070 Successful completion of a child care facility director  
1071 credential under s. 402.305(2)(f) before the establishment of  
1072 the prekindergarten director credential under s. 1002.57 or July  
1073 1, 2006, whichever occurs later, satisfies the requirement for a

576-04504-15

20157006c2

1074 prekindergarten director credential under this paragraph.

1075 (h) The private prekindergarten provider must register with  
1076 the early learning coalition on forms prescribed by the Office  
1077 of Early Learning.

1078 (i) The private prekindergarten provider must execute the  
1079 statewide provider contract prescribed under s. 1002.75, except  
1080 that an individual who owns or operates multiple private  
1081 prekindergarten providers within a coalition's service area may  
1082 execute a single agreement with the coalition on behalf of each  
1083 provider.

1084 (j) The private prekindergarten provider must maintain  
1085 general liability insurance and provide the coalition with  
1086 written evidence of general liability insurance coverage,  
1087 including coverage for transportation of children if  
1088 prekindergarten students are transported by the provider. A  
1089 provider must obtain and retain an insurance policy that  
1090 provides a minimum of \$100,000 of coverage per occurrence and a  
1091 minimum of \$300,000 general aggregate coverage. The office may  
1092 authorize lower limits upon request, as appropriate. A provider  
1093 must add the coalition as a named certificateholder ~~and as an~~  
1094 ~~additional insured~~. A provider must provide the coalition with a  
1095 minimum of 10 calendar days' advance written notice of  
1096 cancellation of or changes to coverage. The general liability  
1097 insurance required by this paragraph must remain in full force  
1098 and effect for the entire period of the provider contract with  
1099 the coalition.

1100 (k) The private prekindergarten provider must obtain and  
1101 maintain any required workers' compensation insurance under  
1102 chapter 440 and any required reemployment assistance or

576-04504-15

20157006c2

1103 unemployment compensation coverage under chapter 443, unless  
1104 exempt under state or federal law.

1105 (l) Notwithstanding paragraph (j), for a private  
1106 prekindergarten provider that is a state agency or a subdivision  
1107 thereof, as defined in s. 768.28(2), the provider must agree to  
1108 notify the coalition of any additional liability coverage  
1109 maintained by the provider in addition to that otherwise  
1110 established under s. 768.28. The provider shall indemnify the  
1111 coalition to the extent permitted by s. 768.28.

1112 (m) The private prekindergarten provider shall be denied  
1113 initial eligibility to offer the program if the provider has  
1114 been cited for a Class I violation in the 12 months before  
1115 seeking eligibility. An existing provider that is cited for a  
1116 Class I violation may not have its eligibility renewed for 12  
1117 months. This paragraph does not apply if the Department of  
1118 Children and Families or local licensing agency upon final  
1119 disposition of a Class I violation has rescinded its initial  
1120 citation in accordance with the criteria for consideration  
1121 outlined in s. 1002.75(1)(b).

1122 (n)~~(m)~~ The private prekindergarten provider must deliver  
1123 the Voluntary Prekindergarten Education Program in accordance  
1124 with this part and have child disciplinary policies that  
1125 prohibit children from being subjected to discipline that is  
1126 severe, humiliating, frightening, or associated with food, rest,  
1127 toileting, spanking, or any other form of physical punishment as  
1128 provided in s. 402.305(12).

1129 (o) Beginning January 1, 2016, at least 50 percent of the  
1130 instructors employed by a prekindergarten provider at each  
1131 location, who are responsible for supervising children in care,

576-04504-15

20157006c2

1132 must be trained in first aid and infant and child  
1133 cardiopulmonary resuscitation, as evidenced by current  
1134 documentation of course completion. As a condition of  
1135 employment, instructors hired on or after January 1, 2016, must  
1136 complete this training within 60 days after employment.

1137 (p) Beginning January 1, 2017, the private prekindergarten  
1138 provider must employ child care personnel who hold a high school  
1139 diploma or its equivalent and are at least 18 years of age,  
1140 unless the personnel are not responsible for supervising  
1141 children in care or are under direct supervision.

1142 ~~(4) A prekindergarten instructor, in lieu of the minimum~~  
1143 ~~credentials and courses required under paragraph (3) (c), may~~  
1144 ~~hold one of the following educational credentials:~~

1145 ~~(a) A bachelor's or higher degree in early childhood~~  
1146 ~~education, prekindergarten or primary education, preschool~~  
1147 ~~education, or family and consumer science;~~

1148 ~~(b) A bachelor's or higher degree in elementary education,~~  
1149 ~~if the prekindergarten instructor has been certified to teach~~  
1150 ~~children any age from birth through 6th grade, regardless of~~  
1151 ~~whether the instructor's educator certificate is current, and if~~  
1152 ~~the instructor is not ineligible to teach in a public school~~  
1153 ~~because his or her educator certificate is suspended or revoked;~~

1154 ~~(c) An associate's or higher degree in child development;~~

1155 ~~(d) An associate's or higher degree in an unrelated field,~~  
1156 ~~at least 6 credit hours in early childhood education or child~~  
1157 ~~development, and at least 480 hours of experience in teaching or~~  
1158 ~~providing child care services for children any age from birth~~  
1159 ~~through 8 years of age; or~~

1160 ~~(e) An educational credential approved by the department as~~



576-04504-15

20157006c2

1161 ~~being equivalent to or greater than an educational credential~~  
1162 ~~described in this subsection. The department may adopt criteria~~  
1163 ~~and procedures for approving equivalent educational credentials~~  
1164 ~~under this paragraph.~~

1165 ~~(5) Notwithstanding paragraph (3) (b), a private~~  
1166 ~~prekindergarten provider may not participate in the Voluntary~~  
1167 ~~Prekindergarten Education Program if the provider has child~~  
1168 ~~disciplinary policies that do not prohibit children from being~~  
1169 ~~subjected to discipline that is severe, humiliating,~~  
1170 ~~frightening, or associated with food, rest, toileting, spanking,~~  
1171 ~~or any other form of physical punishment as provided in s.~~  
1172 ~~402.305(12).~~

1173 Section 17. Subsection (1) of section 1002.59, Florida  
1174 Statutes, is amended to read:

1175 1002.59 Emergent literacy and performance standards  
1176 training courses.—

1177 (1) The office shall adopt minimum standards for one or  
1178 more training courses in emergent literacy for prekindergarten  
1179 instructors. Each course must comprise 5 clock hours and provide  
1180 instruction in strategies and techniques to address the age-  
1181 appropriate progress of prekindergarten students in developing  
1182 emergent literacy skills, including oral communication,  
1183 knowledge of print and letters, phonemic and phonological  
1184 awareness, and vocabulary and comprehension development. Each  
1185 course must also provide resources containing strategies that  
1186 allow students with disabilities and other special needs to  
1187 derive maximum benefit from the Voluntary Prekindergarten  
1188 Education Program. Successful completion of an emergent literacy  
1189 training course approved under this section satisfies

576-04504-15

20157006c2

1190 requirements for approved training in early literacy and  
1191 language development under ss. 402.305(2)(d)5., 402.313(4)(a)2.  
1192 ~~402.313(6)~~, and 402.3131(5).

1193 Section 18. Subsections (4) through (7) of section 1002.61,  
1194 Florida Statutes, are amended to read:

1195 1002.61 Summer prekindergarten program delivered by public  
1196 schools and private prekindergarten providers.—

1197 (4) ~~Notwithstanding ss. 1002.55(3)(c)1. and 1002.63(4),~~  
1198 Each public school and private prekindergarten provider that  
1199 delivers the summer prekindergarten program must have, for each  
1200 prekindergarten class, at least one prekindergarten instructor  
1201 who is a certified teacher or holds one of the educational  
1202 credentials specified in s. 1002.55(3)(c)1.e.-h. ~~s.~~  
1203 ~~1002.55(4)(a) or (b).~~ As used in this subsection, the term  
1204 "certified teacher" means a teacher holding a valid Florida  
1205 educator certificate under s. 1012.56 who has the qualifications  
1206 required by the district school board to instruct students in  
1207 the summer prekindergarten program. In selecting instructional  
1208 staff for the summer prekindergarten program, each school  
1209 district shall give priority to teachers who have experience or  
1210 coursework in early childhood education.

1211 (5) Each prekindergarten instructor employed by a ~~public~~  
1212 ~~school or~~ private prekindergarten provider delivering the summer  
1213 prekindergarten program must be of good moral character, must  
1214 undergo background screening pursuant to s. 402.305(2)(a) be  
1215 ~~screened using the level 2 screening standards in s. 435.04~~  
1216 before employment, must be ~~and~~ rescreened at least once every 5  
1217 years, and must be denied employment or terminated if required  
1218 under s. 435.06. Each prekindergarten instructor employed by a

576-04504-15

20157006c2

1219 ~~public school delivering the summer prekindergarten program, and~~  
1220 ~~must satisfy the not be ineligible to teach in a public school~~  
1221 ~~because his or her educator certificate is suspended or revoked.~~  
1222 ~~This subsection does not supersede~~ employment requirements for  
1223 instructional personnel in public schools as provided in s.  
1224 1012.32 ~~which are more stringent than the requirements of this~~  
1225 ~~subsection.~~

1226 (6) A public school or private prekindergarten provider may  
1227 assign a substitute instructor to temporarily replace a  
1228 credentialed instructor if the credentialed instructor assigned  
1229 to a prekindergarten class is absent, as long as the substitute  
1230 instructor meets the requirements of subsection (5) ~~is of good~~  
1231 ~~moral character and has been screened before employment in~~  
1232 ~~accordance with level 2 background screening requirements in~~  
1233 ~~chapter 435. This subsection does not supersede employment~~  
1234 ~~requirements for instructional personnel in public schools which~~  
1235 ~~are more stringent than the requirements of this subsection.~~ The  
1236 Office of Early Learning shall adopt rules to implement this  
1237 subsection which must ~~shall~~ include required qualifications of  
1238 substitute instructors and the circumstances and time limits for  
1239 which a public school or private prekindergarten provider may  
1240 assign a substitute instructor.

1241 (7) Notwithstanding ss. 1002.55(3)(e) ~~ss. 1002.55(3)(f)~~ and  
1242 1002.63(7), each prekindergarten class in the summer  
1243 prekindergarten program, regardless of whether the class is a  
1244 public school's or private prekindergarten provider's class,  
1245 must be composed of at least 4 students but may not exceed 12  
1246 students ~~beginning with the 2009 summer session.~~ In order to  
1247 protect the health and safety of students, each public school or

576-04504-15

20157006c2

1248 private prekindergarten provider must also provide appropriate  
1249 adult supervision for students at all times. This subsection  
1250 does not supersede any requirement imposed on a provider under  
1251 ss. 402.301-402.319.

1252 Section 19. Subsections (5) and (6) of section 1002.63,  
1253 Florida Statutes, are amended to read:

1254 1002.63 School-year prekindergarten program delivered by  
1255 public schools.—

1256 (5) Each prekindergarten instructor employed by a public  
1257 school delivering the school-year prekindergarten program must  
1258 satisfy the ~~be of good moral character, must be screened using~~  
1259 ~~the level 2 screening standards in s. 435.04 before employment~~  
1260 ~~and rescreened at least once every 5 years, must be denied~~  
1261 ~~employment or terminated if required under s. 435.06, and must~~  
1262 ~~not be ineligible to teach in a public school because his or her~~  
1263 ~~educator certificate is suspended or revoked. This subsection~~  
1264 ~~does not supersede~~ employment requirements for instructional  
1265 personnel in public schools as provided in s. 1012.32 ~~which are~~  
1266 ~~more stringent than the requirements of this subsection.~~

1267 (6) A public school prekindergarten provider may assign a  
1268 substitute instructor to temporarily replace a credentialed  
1269 instructor if the credentialed instructor assigned to a  
1270 prekindergarten class is absent, as long as the substitute  
1271 instructor meets the requirements of subsection (5) ~~is of good~~  
1272 ~~moral character and has been screened before employment in~~  
1273 ~~accordance with level 2 background screening requirements in~~  
1274 ~~chapter 435. This subsection does not supersede employment~~  
1275 ~~requirements for instructional personnel in public schools which~~  
1276 ~~are more stringent than the requirements of this subsection. The~~

576-04504-15

20157006c2

1277 Office of Early Learning shall adopt rules to implement this  
1278 subsection which must ~~shall~~ include required qualifications of  
1279 substitute instructors and the circumstances and time limits for  
1280 which a public school prekindergarten provider may assign a  
1281 substitute instructor.

1282 Section 20. Paragraph (a) of subsection (6) of section  
1283 1002.71, Florida Statutes, is amended to read:

1284 1002.71 Funding; financial and attendance reporting.—

1285 (6) (a) Each parent enrolling his or her child in the  
1286 Voluntary Prekindergarten Education Program must agree to comply  
1287 with the attendance policy of the private prekindergarten  
1288 provider or district school board, as applicable. Upon  
1289 enrollment of the child, the private prekindergarten provider or  
1290 public school, as applicable, must provide the child's parent  
1291 with program information, including, but not limited to, child  
1292 development, expectations for parent engagement, the daily  
1293 schedule, and the a copy of the provider's or school district's  
1294 attendance policy, which must include procedures for contacting  
1295 a parent on the second consecutive day a child is absent for  
1296 which the reason is unknown as applicable.

1297 Section 21. Subsection (1) of section 1002.75, Florida  
1298 Statutes, is amended to read:

1299 1002.75 Office of Early Learning; powers and duties.—

1300 (1) The Office of Early Learning shall adopt by rule a  
1301 standard statewide provider contract to be used with each  
1302 Voluntary Prekindergarten Education Program provider, with  
1303 standardized attachments by provider type. The office shall  
1304 publish a copy of the standard statewide provider contract on  
1305 its website. The standard statewide contract must ~~shall~~ include,

576-04504-15

20157006c2

1306 at a minimum, provisions that:

1307 (a) Govern for provider probation, termination for cause,  
1308 and emergency termination for those actions or inactions of a  
1309 provider that pose an immediate and serious danger to the  
1310 health, safety, or welfare of children. The standard statewide  
1311 contract must ~~shall~~ also include appropriate due process  
1312 procedures. During the pendency of an appeal of a termination,  
1313 the provider may not continue to offer its services.

1314 (b) Require each private prekindergarten provider to notify  
1315 the parent of each child in care if it is cited for a Class I  
1316 violation as defined by rule of the Department of Children and  
1317 Families. Notice shall be initiated only upon final disposition  
1318 of a Class I violation. The provider shall notify the department  
1319 within 24 hours of its intent to appeal the Class I violation  
1320 issued, and final disposition shall occur within 15 calendar  
1321 days. In determining the final disposition, the department shall  
1322 consider the entire licensing history of the provider, whether  
1323 the provider promptly reported the incident upon actual notice,  
1324 and whether the employee responsible for the violation was  
1325 terminated or the violation was corrected by the provider. If a  
1326 provider does not file its intent to appeal the Class I  
1327 violation, the provider must provide notice of a Class I  
1328 violation electronically or in writing to the parent within 48  
1329 hours after receipt of the Class I violation. Such notice shall  
1330 describe each violation with specificity in simple language and  
1331 include a copy of the citation and the contact information of  
1332 the Department of Children and Families or local licensing  
1333 agency where the parent may obtain additional information  
1334 regarding the citation. Notice of a Class I violation by the

576-04504-15

20157006c2

1335 provider must be provided electronically or in writing to the  
 1336 parent within 24 hours after receipt of the final disposition of  
 1337 the Class I violation. A private prekindergarten provider must  
 1338 conspicuously post each citation for a violation that results in  
 1339 disciplinary action on the premises in an area visible to  
 1340 parents pursuant to s. 402.3125(1) (b). Additionally, such a  
 1341 provider must post each inspection report on the premises in an  
 1342 area visible to parents, and such report must remain posted  
 1343 until the next inspection report is available.

1344 (c) Specify that child care personnel employed by the  
 1345 provider who are responsible for supervising children in care  
 1346 must be trained in developmentally appropriate practices aligned  
 1347 to the age and needs of children over which the personnel are  
 1348 assigned supervision duties. This requirement is met by the  
 1349 completion of developmentally appropriate practice courses  
 1350 administered by the Department of Children and Families under s.  
 1351 402.305(2) (d)1. within 30 days after being assigned such  
 1352 children if the child care personnel has not previously  
 1353 completed the training.

1354  
 1355 Any provision imposed upon a provider that is inconsistent with,  
 1356 or prohibited by, law is void and unenforceable.

1357 Section 22. Subsections (1), (3), and (5) of section  
 1358 1002.77, Florida Statutes, are amended to read:

1359 1002.77 Florida Early Learning Advisory Council.—

1360 (1) There is created the Florida Early Learning Advisory  
 1361 Council within the Office of Early Learning. The purpose of the  
 1362 advisory council is to provide written input ~~submit~~  
 1363 ~~recommendations~~ to the executive director ~~office~~ on early

576-04504-15

20157006c2

1364 learning best practices, including ~~recommendations relating to~~  
1365 ~~the most~~ effective program administration; ~~of the Voluntary~~  
1366 ~~Prekindergarten Education Program under this part and the school~~  
1367 ~~readiness program under part VI of this chapter. The advisory~~  
1368 ~~council shall periodically analyze and provide recommendations~~  
1369 ~~to the office on the~~ effective and efficient use of local,  
1370 state, and federal funds; ~~the content of professional~~  
1371 development training programs; and ~~best practices for the~~  
1372 ~~development and implementation of~~ coalition plans pursuant to s.  
1373 1002.85.

1374 (3) The advisory council shall meet at least quarterly upon  
1375 the call of the executive director ~~but may meet as often as~~  
1376 ~~necessary to carry out its duties and responsibilities. The~~  
1377 executive director is encouraged to ~~advisory council may use~~  
1378 communications media technology any method of telecommunications  
1379 to conduct meetings in accordance with s. 120.54(5)(b) ~~7~~  
1380 ~~including establishing a quorum through telecommunications, only~~  
1381 ~~if the public is given proper notice of a telecommunications~~  
1382 ~~meeting and reasonable access to observe and, when appropriate,~~  
1383 ~~participate.~~

1384 (5) The Office of Early Learning shall provide staff and  
1385 administrative support for the advisory council as determined by  
1386 the executive director.

1387 Section 23. Paragraph (f) of subsection (1) and subsections  
1388 (8) and (16) of section 1002.81, Florida Statutes, are amended  
1389 to read:

1390 1002.81 Definitions.—Consistent with the requirements of 45  
1391 C.F.R. parts 98 and 99 and as used in this part, the term:

1392 (1) "At-risk child" means:



576-04504-15

20157006c2

1393 (f) A child in the custody of a parent who is considered  
1394 homeless as verified by a designated lead agency on the homeless  
1395 assistance continuum of care established under ss. 420.622-  
1396 420.624 Department of Children and Families certified homeless  
1397 shelter.

1398 (8) "Family income" means the combined gross income,  
1399 whether earned or unearned, that is derived from any source by  
1400 all family or household members who are 18 years of age or older  
1401 who are currently residing together in the same dwelling unit.  
1402 The term does not include:

1403 (a) Income earned by a currently enrolled high school  
1404 student who, since attaining the age of 18 years, or a student  
1405 with a disability who, since attaining the age of 22 years, has  
1406 not terminated school enrollment or received a high school  
1407 diploma, high school equivalency diploma, special diploma, or  
1408 certificate of high school completion.

1409 (b) Income earned by a teen parent residing in the same  
1410 residence as a separate family unit.

1411 (c) Selected items from the state's Child Care and  
1412 Development Fund Plan, such as ~~The term also does not include~~  
1413 food stamp benefits, documented child support and alimony  
1414 payments paid out of the home, or federal housing assistance  
1415 payments issued directly to a landlord or the associated  
1416 utilities expenses.

1417 (16) "Working family" means:

1418 (a) A single-parent family in which the parent with whom  
1419 the child resides is employed or engaged in eligible work or  
1420 education activities for at least 20 hours per week or is exempt  
1421 from work requirements due to age or disability, as determined

576-04504-15

20157006c2

1422 and documented by a physician licensed under chapter 458 or  
 1423 chapter 459;

1424 (b) A two-parent family in which both parents with whom the  
 1425 child resides are employed or engaged in eligible work or  
 1426 education activities for a combined total of at least 40 hours  
 1427 per week; ~~or~~

1428 (c) A two-parent family in which one of the parents with  
 1429 whom the child resides is exempt from work requirements due to  
 1430 age or disability, as determined and documented by a physician  
 1431 licensed under chapter 458 or chapter 459, and one parent is  
 1432 employed or engaged in eligible work or education activities at  
 1433 least 20 hours per week; or

1434 (d) A two-parent family in which both of the parents with  
 1435 whom the child resides are exempt from work requirements due to  
 1436 age or disability, as determined and documented by a physician  
 1437 licensed under chapter 458 or chapter 459.

1438 Section 24. Paragraphs (b), (j), (m), and (p) of subsection  
 1439 (2) of section 1002.82, Florida Statutes, are amended to read:

1440 1002.82 Office of Early Learning; powers and duties.—

1441 (2) The office shall:

1442 (b) Preserve parental choice by permitting parents to  
 1443 choose from a variety of child care categories authorized in s.  
 1444 1002.88(1)(a), including center-based care, family child care,  
 1445 ~~and informal child care~~ to the extent authorized in the state's  
 1446 Child Care and Development Fund Plan as approved by the United  
 1447 States Department of Health and Human Services pursuant to 45  
 1448 C.F.R. s. 98.18. Care and curriculum by a faith-based provider  
 1449 may not be limited or excluded in any of these categories.

1450 (j) Develop and adopt standards and benchmarks that address

576-04504-15

20157006c2

1451 the age-appropriate progress of children in the development of  
1452 school readiness skills. The standards for children from birth  
1453 to 5 years of age in the school readiness program must be  
1454 aligned with the performance standards adopted for children in  
1455 the Voluntary Prekindergarten Education Program and must address  
1456 the following domains:

- 1457 1. Approaches to learning.
- 1458 2. Cognitive development and general knowledge.
- 1459 3. Numeracy, language, and communication.
- 1460 4. Physical development.
- 1461 5. Self-regulation.

1462  
1463 By July 1, 2016, the office shall develop and implement an  
1464 online training course on the performance standards for school  
1465 readiness program provider personnel specified in this  
1466 paragraph.

1467 (m) Adopt by rule a standard statewide provider contract to  
1468 be used with each school readiness program provider, with  
1469 standardized attachments by provider type. The office shall  
1470 publish a copy of the standard statewide provider contract on  
1471 its website. The standard statewide contract must ~~shall~~ include,  
1472 at a minimum, provisions that:

1473 1. Govern ~~for~~ provider probation, termination for cause,  
1474 and emergency termination for those actions or inactions of a  
1475 provider that pose an immediate and serious danger to the  
1476 health, safety, or welfare of the children. The standard  
1477 statewide provider contract must ~~shall~~ also include appropriate  
1478 due process procedures. During the pendency of an appeal of a  
1479 termination, the provider may not continue to offer its

576-04504-15

20157006c2

1480 services.

1481 2. Require each provider that is eligible to provide the  
1482 program pursuant to s. 1002.88(1)(a) to notify the parent of  
1483 each child in care if it is cited for a Class I violation as  
1484 defined by rule of the Department of Children and Families.  
1485 Notice shall be initiated only upon final disposition of a Class  
1486 I violation. The provider shall notify the department within 24  
1487 hours of its intent to appeal the Class I violation issued, and  
1488 final disposition shall occur within 15 calendar days. In  
1489 determining the final disposition, the department shall consider  
1490 the entire licensing history of the provider, whether the  
1491 provider promptly reported the incident upon actual notice, and  
1492 whether the employee responsible for the violation was  
1493 terminated or the violation was corrected by the provider. If a  
1494 provider does not file its intent to appeal the Class I  
1495 violation, the provider must provide notice of a Class I  
1496 violation electronically or in writing to the parent within 48  
1497 hours after receipt of the Class I violation. Such notice shall  
1498 describe each violation with specificity in simple language and  
1499 include a copy of the citation and the contact information of  
1500 the Department of Children and Families or local licensing  
1501 agency where the parent may obtain additional information  
1502 regarding the citation. Notice of a Class I violation by the  
1503 provider must be provided electronically or in writing to the  
1504 parent within 24 hours after receipt of the final disposition of  
1505 the Class I violation. A provider must conspicuously post each  
1506 citation for a violation that results in disciplinary action on  
1507 the premises in an area visible to parents pursuant to s.  
1508 402.3125(1)(b). Additionally, such a provider must post each

576-04504-15

20157006c2

1509 inspection report on the premises in an area visible to parents,  
1510 and such report must remain posted until the next inspection  
1511 report is available.

1512 3. Specify that child care personnel employed by the  
1513 provider who are responsible for supervising children in care  
1514 must be trained in developmentally appropriate practices aligned  
1515 to the age and needs of children over which the personnel are  
1516 assigned supervision duties. This requirement is met by  
1517 completion of developmentally appropriate practice courses  
1518 administered by the Department of Children and Families under s.  
1519 402.305(2)(d)1. within 30 days after being assigned such  
1520 children if the child care personnel has not previously  
1521 completed the training.

1522 4. Require child care personnel who are employed by the  
1523 provider to complete an online training course on the  
1524 performance standards adopted pursuant to paragraph (j).

1525  
1526 Any provision imposed upon a provider that is inconsistent with,  
1527 or prohibited by, law is void and unenforceable.

1528 (p) Monitor and evaluate the performance of each early  
1529 learning coalition in administering the school readiness program  
1530 and the Voluntary Prekindergarten Education Program, ensuring  
1531 proper payments for school readiness program and Voluntary  
1532 Prekindergarten Education Program services, and implementing the  
1533 coalition's school readiness program plan, ~~and administering the~~  
1534 ~~Voluntary Prekindergarten Education Program~~. These monitoring  
1535 and performance evaluations must include, at a minimum, onsite  
1536 monitoring of each coalition's finances, management, operations,  
1537 and programs.

576-04504-15

20157006c2

1538 Section 25. Subsections (8) and (20) of section 1002.84,  
1539 Florida Statutes, are amended to read:

1540 1002.84 Early learning coalitions; school readiness powers  
1541 and duties.—Each early learning coalition shall:

1542 (8) Establish a parent sliding fee scale that requires a  
1543 parent copayment to participate in the school readiness program.  
1544 Providers are required to collect the parent's copayment. A  
1545 coalition may, on a case-by-case basis, waive the copayment for  
1546 an at-risk child or temporarily waive the copayment for a child  
1547 whose family's income is at or below the federal poverty level  
1548 and family experiences a natural disaster or an event that  
1549 limits the parent's ability to pay, such as incarceration,  
1550 placement in residential treatment, ~~or becoming homeless,~~ or an  
1551 emergency situation such as a household fire or burglary, or  
1552 while the parent is participating in parenting classes. A parent  
1553 may not transfer school readiness program services to another  
1554 school readiness program provider until the parent has submitted  
1555 documentation from the current school readiness program provider  
1556 to the early learning coalition stating that the parent has  
1557 satisfactorily fulfilled the copayment obligation.

1558 (20) To increase transparency and accountability, comply  
1559 with ~~the requirements of~~ this section before contracting with a  
1560 member of the coalition, an employee of the coalition, or a  
1561 relative, as defined in s. 112.3143(1) ~~(e)~~, of a coalition member  
1562 or of an employee of the coalition. Such contracts may not be  
1563 executed without the approval of the office. Such contracts, as  
1564 well as documentation demonstrating adherence to this section by  
1565 the coalition, must be approved by a two-thirds vote of the  
1566 coalition, a quorum having been established; all conflicts of

576-04504-15

20157006c2

1567 interest must be disclosed before the vote; and any member who  
1568 may benefit from the contract, or whose relative may benefit  
1569 from the contract, must abstain from the vote. A contract under  
1570 \$25,000 between an early learning coalition and a member of that  
1571 coalition or between a relative, as defined in s.  
1572 112.3143(1)~~(e)~~, of a coalition member or of an employee of the  
1573 coalition is not required to have the prior approval of the  
1574 office but must be approved by a two-thirds vote of the  
1575 coalition, a quorum having been established, and must be  
1576 reported to the office within 30 days after approval. If a  
1577 contract cannot be approved by the office, a review of the  
1578 decision to disapprove the contract may be requested by the  
1579 early learning coalition or other parties to the disapproved  
1580 contract.

1581 Section 26. Paragraphs (c) and (h) of subsection (1) and  
1582 subsections (6) through (8) of section 1002.87, Florida  
1583 Statutes, are amended to read:

1584 1002.87 School readiness program; eligibility and  
1585 enrollment.—

1586 (1) Effective August 1, 2013, or upon reevaluation of  
1587 eligibility for children currently served, whichever is later,  
1588 each early learning coalition shall give priority for  
1589 participation in the school readiness program as follows:

1590 (c) Priority shall be given next to a child from birth to  
1591 the beginning of the school year for which the child is eligible  
1592 for admission to kindergarten in a public school under s.  
1593 1003.21(1)(a)2. who is from a working family that is  
1594 economically disadvantaged, and may include such child's  
1595 eligible siblings, beginning with the school year in which the

576-04504-15

20157006c2

1596 sibling is eligible for admission to kindergarten in a public  
1597 school under s. 1003.21(1)(a)2. until the beginning of the  
1598 school year in which the sibling enters ~~is eligible to begin~~ 6th  
1599 grade, provided that the first priority for funding an eligible  
1600 sibling is local revenues available to the coalition for funding  
1601 direct services. However, a child eligible under this paragraph  
1602 ceases to be eligible if his or her family income exceeds 200  
1603 percent of the federal poverty level.

1604 (h) Priority shall be given next to a child who ~~has special~~  
1605 ~~needs,~~ has been determined eligible as an infant or toddler from  
1606 birth to 3 years of age with an individualized family support  
1607 plan receiving early intervention services or to as a student  
1608 with a disability with, ~~has~~ a current individual education plan  
1609 with a Florida school district, ~~and is not younger than 3 years~~  
1610 ~~of age.~~ A ~~special-needs~~ child eligible under this paragraph  
1611 remains eligible until the child is eligible for admission to  
1612 kindergarten in a public school under s. 1003.21(1)(a)2.

1613 (6) Eligibility for each child must be reevaluated  
1614 annually. Upon reevaluation, a child may not continue to receive  
1615 school readiness program services if he or she has ceased to be  
1616 eligible under this section. If a child no longer meets  
1617 eligibility or program requirements, the coalition must  
1618 immediately notify the child's parent and the provider that  
1619 funding will end 2 weeks after the date on which the child was  
1620 determined to be ineligible or when the current child care  
1621 authorization expires, whichever occurs first.

1622 (7) If a coalition disenrolls children from the school  
1623 readiness program due to lack of funding or a change in  
1624 eligibility priorities, the coalition must disenroll the



576-04504-15

20157006c2

1625 children in reverse order of the eligibility priorities listed  
1626 in subsection (1) beginning with children from families with the  
1627 highest family incomes. A notice of disenrollment must be sent  
1628 to the parent and school readiness program provider at least 2  
1629 weeks before disenrollment or the expiration of the current  
1630 child care authorization, whichever occurs first, to provide  
1631 adequate time for the parent to arrange alternative care for the  
1632 child. However, an at-risk child receiving services from the  
1633 Child Welfare Program Office of the Department of Children and  
1634 Families may not be disenrolled from the program without the  
1635 written approval of the Child Welfare Program Office ~~of the~~  
1636 ~~Department of Children and Families~~ or the community-based lead  
1637 agency.

1638 (8) If a child is absent from the program for 2 consecutive  
1639 days without parental notification to the program of such  
1640 absence, the school readiness program provider shall contact the  
1641 parent and determine the cause for the absence and the expected  
1642 date of return. If a child is absent from the program for 5  
1643 consecutive days without parental notification to the program of  
1644 such absence, the school readiness program provider shall report  
1645 the absence to the early learning coalition for a determination  
1646 of the need for continued care.

1647 Section 27. Paragraphs (a) through (c) and (l) through (q)  
1648 of subsection (1) of section 1002.88, Florida Statutes, are  
1649 amended, present subsections (2) and (3) are redesignated as  
1650 subsections (4) and (5), respectively, present subsection (2) is  
1651 amended, and new subsections (2) and (3) are added to that  
1652 section, to read:

1653 1002.88 School readiness program provider standards;

576-04504-15

20157006c2

1654 eligibility to deliver the school readiness program.—

1655 (1) To be eligible to deliver the school readiness program,  
1656 a school readiness program provider must:

1657 (a) 1. Be a nonpublic school in substantial compliance with  
1658 s. 402.3025(2)(d), a child care facility licensed under s.  
1659 402.305, a family child ~~day~~ care home licensed ~~or registered~~  
1660 under s. 402.313, a large family child care home licensed under  
1661 s. 402.3131, or a child care facility exempt from licensure  
1662 operating under s. 402.316(4);

1663 2. Be an entity that is part of Florida's education system  
1664 identified in s. 1000.04(1); ~~a public school or nonpublic school~~  
1665 ~~exempt from licensure under s. 402.3025, a faith-based child~~  
1666 ~~care provider exempt from licensure under s. 402.316, a before-~~  
1667 ~~school or after-school program described in s. 402.305(1)(c), or~~

1668 3. Be an informal child care provider to the extent  
1669 authorized in the state's Child Care and Development Fund Plan  
1670 as approved by the United States Department of Health and Human  
1671 Services pursuant to 45 C.F.R. s. 98.18.

1672 (b) Provide instruction and activities to enhance the age-  
1673 appropriate progress of each child in attaining the child  
1674 development standards adopted by the office pursuant to s.  
1675 1002.82(2)(j). A provider should include activities to foster  
1676 brain development in infants and toddlers; provide an  
1677 environment that is rich in language and music and filled with  
1678 objects of various colors, shapes, textures, and sizes to  
1679 stimulate visual, tactile, auditory, and linguistic senses; and  
1680 include 30 minutes of reading to children each day. A provider  
1681 must provide parents information on child development,  
1682 expectations for parent engagement, the daily schedule, and the

576-04504-15

20157006c2

1683 attendance policy.

1684 (c) Provide basic health and safety of its premises and

1685 facilities in accordance with applicable licensing and

1686 inspection requirements ~~and compliance with requirements for~~

1687 ~~age-appropriate immunizations of children enrolled in the school~~

1688 ~~readiness program.~~ For a child care facility, a large family

1689 child care home, or a licensed family child day care home,

1690 compliance with s. 402.305, s. 402.3131, or s. 402.313 satisfies

1691 this requirement. For a public ~~or nonpublic~~ school, compliance

1692 with ss. s. 402.3025 or s. 1003.22 and 1013.12 satisfies this

1693 requirement. For a nonpublic school, compliance with s.

1694 402.3025(2)(d) satisfies this requirement. For a facility exempt

1695 from licensure, compliance with s. 402.316(4) satisfies this

1696 requirement. For an informal provider, substantial compliance as

1697 defined in s. 402.302(17) satisfies this requirement. A provider

1698 shall be denied initial eligibility to offer the program if the

1699 provider has been cited for a Class I violation in the 12 months

1700 before seeking eligibility. An existing provider that is cited

1701 for a Class I violation may not have its eligibility renewed for

1702 12 months. A provider that is cited for a Class I violation may

1703 remain eligible to deliver the program if the Department of

1704 Children and Families or local licensing agency upon final

1705 disposition of a Class I violation has rescinded its initial

1706 citation in accordance with the criteria for consideration

1707 outlined in s. 1002.82(2)(m)2 ~~A faith-based child care provider,~~

1708 ~~an informal child care provider, or a nonpublic school, exempt~~

1709 ~~from licensure under s. 402.316 or s. 402.3025, shall annually~~

1710 ~~complete the health and safety checklist adopted by the office,~~

1711 ~~post the checklist prominently on its premises in plain sight~~

576-04504-15

20157006c2

1712 ~~for visitors and parents, and submit it annually to its local~~  
1713 ~~early learning coalition.~~

1714 ~~(l) For a provider that is not an informal provider,~~  
1715 Maintain general liability insurance and provide the coalition  
1716 with written evidence of general liability insurance coverage,  
1717 including coverage for transportation of children if school  
1718 readiness program children are transported by the provider. A  
1719 private provider must obtain and retain an insurance policy that  
1720 provides a minimum of \$100,000 of coverage per occurrence and a  
1721 minimum of \$300,000 general aggregate coverage. The office may  
1722 authorize lower limits upon request, as appropriate. A provider  
1723 must add the coalition as a named certificateholder ~~and as an~~  
1724 ~~additional insured.~~ A private provider must provide the  
1725 coalition with a minimum of 10 calendar days' advance written  
1726 notice of cancellation of or changes to coverage. The general  
1727 liability insurance required by this paragraph must remain in  
1728 full force and effect for the entire period of the provider  
1729 contract with the coalition.

1730 ~~(m) For a provider that is an informal provider, comply~~  
1731 ~~with the provisions of paragraph (l) or maintain homeowner's~~  
1732 ~~liability insurance and, if applicable, a business rider. If an~~  
1733 ~~informal provider chooses to maintain a homeowner's policy, the~~  
1734 ~~provider must obtain and retain a homeowner's insurance policy~~  
1735 ~~that provides a minimum of \$100,000 of coverage per occurrence~~  
1736 ~~and a minimum of \$300,000 general aggregate coverage. The office~~  
1737 ~~may authorize lower limits upon request, as appropriate. An~~  
1738 ~~informal provider must add the coalition as a named~~  
1739 ~~certificateholder and as an additional insured. An informal~~  
1740 ~~provider must provide the coalition with a minimum of 10~~

576-04504-15

20157006c2

1741 ~~calendar days' advance written notice of cancellation of or~~  
1742 ~~changes to coverage. The general liability insurance required by~~  
1743 ~~this paragraph must remain in full force and effect for the~~  
1744 ~~entire period of the provider's contract with the coalition.~~

1745 (m) ~~(n)~~ Obtain and maintain any required workers'  
1746 compensation insurance under chapter 440 and any required  
1747 reemployment assistance or unemployment compensation coverage  
1748 under chapter 443, unless exempt under state or federal law.

1749 (n) ~~(o)~~ Notwithstanding paragraph (l), for a provider that  
1750 is a state agency or a subdivision thereof, as defined in s.  
1751 768.28(2), agree to notify the coalition of any additional  
1752 liability coverage maintained by the provider in addition to  
1753 that otherwise established under s. 768.28. The provider shall  
1754 indemnify the coalition to the extent permitted by s. 768.28.

1755 (o) ~~(p)~~ Execute the standard statewide provider contract  
1756 adopted by the office.

1757 (p) ~~(q)~~ Operate on a full-time and part-time basis and  
1758 provide extended-day and extended-year services to the maximum  
1759 extent possible without compromising the quality of the program  
1760 to meet the needs of parents who work.

1761 (2) Beginning January 1, 2016, at least 50 percent of the  
1762 child care personnel employed by a school readiness provider at  
1763 each location, who are responsible for supervising children in  
1764 care, must be trained in first aid and infant and child  
1765 cardiopulmonary resuscitation, as evidenced by current  
1766 documentation of course completion. As a condition of  
1767 employment, personnel hired on or after January 1, 2016, must  
1768 complete this training within 60 days after employment.

1769 (3) Beginning January 1, 2017, child care personnel

576-04504-15

20157006c2

1770 employed by a school readiness program provider must hold a high  
1771 school diploma or its equivalent and be at least 18 years of  
1772 age, unless the personnel are not responsible for supervising  
1773 children in care or are under direct supervision.

1774 (4)~~(2)~~ If a school readiness program provider fails or  
1775 refuses to comply with this part or any contractual obligation  
1776 of the statewide provider contract under s. 1002.82(2)(m), the  
1777 coalition may revoke the provider's eligibility to deliver the  
1778 school readiness program or receive state or federal funds under  
1779 this chapter for ~~a period of~~ 5 years.

1780 Section 28. Paragraph (b) of subsection (6) and subsection  
1781 (7) of section 1002.89, Florida Statutes, are amended to read:

1782 1002.89 School readiness program; funding.—

1783 (6) Costs shall be kept to the minimum necessary for the  
1784 efficient and effective administration of the school readiness  
1785 program with the highest priority of expenditure being direct  
1786 services for eligible children. However, no more than 5 percent  
1787 of the funds described in subsection (5) may be used for  
1788 administrative costs and no more than 22 percent of the funds  
1789 described in subsection (5) may be used in any fiscal year for  
1790 any combination of administrative costs, quality activities, and  
1791 nondirect services as follows:

1792 (b) Activities to improve the quality of child care as  
1793 described in 45 C.F.R. s. 98.51, which must ~~shall~~ be limited to  
1794 the following:

1795 1. Developing, establishing, expanding, operating, and  
1796 coordinating resource and referral programs specifically related  
1797 to the provision of comprehensive consumer education to parents  
1798 and the public to promote informed child care choices specified

576-04504-15

20157006c2

1799 in 45 C.F.R. s. 98.33 ~~regarding participation in the school~~  
1800 ~~readiness program and parental choice.~~

1801 2. Awarding grants and providing financial support to  
1802 school readiness program providers and their staffs to assist  
1803 them in meeting applicable state requirements for child care  
1804 performance standards, implementing developmentally appropriate  
1805 curricula and related classroom resources that support  
1806 curricula, providing literacy supports, obtaining a license or  
1807 accreditation, and providing professional development, including  
1808 scholarships and other incentives. Any grants awarded pursuant  
1809 to this subparagraph shall comply with ~~the requirements of ss.~~  
1810 215.971 and 287.058.

1811 3. Providing training, ~~and~~ technical assistance, and  
1812 financial support for school readiness program providers, staff,  
1813 and parents on standards, child screenings, child assessments,  
1814 developmentally appropriate curricula, character development,  
1815 teacher-child interactions, age-appropriate discipline  
1816 practices, health and safety, nutrition, first aid,  
1817 cardiopulmonary resuscitation, the recognition of communicable  
1818 diseases, and child abuse detection and prevention.

1819 4. Providing from among the funds provided for the  
1820 activities described in subparagraphs 1.-3., adequate funding  
1821 for infants and toddlers as necessary to meet federal  
1822 requirements related to expenditures for quality activities for  
1823 infant and toddler care.

1824 5. Improving the monitoring of compliance with, and  
1825 enforcement of, applicable state and local requirements as  
1826 described in and limited by 45 C.F.R. s. 98.40.

1827 6. Responding to Warm-Line requests by providers and

576-04504-15

20157006c2

1828 parents ~~related to school readiness program children~~, including  
1829 providing developmental and health screenings to school  
1830 readiness program children.

1831 (7) Funds appropriated for the school readiness program may  
1832 not be expended for the purchase or improvement of land; for the  
1833 purchase, construction, or permanent improvement of any building  
1834 or facility; or for the purchase of buses. However, funds may be  
1835 expended for minor remodeling necessary for the administration  
1836 of the program and upgrading of child care facilities to ensure  
1837 that providers meet state and local child care standards,  
1838 including applicable health and safety requirements.

1839 Section 29. Subsection (7) of section 1002.91, Florida  
1840 Statutes, is amended to read:

1841 1002.91 Investigations of fraud or overpayment; penalties.—

1842 (7) The early learning coalition may not contract with a  
1843 school readiness program provider, ~~or~~ a Voluntary  
1844 Prekindergarten Education Program provider, or an individual who  
1845 is on the United States Department of Agriculture National  
1846 Disqualified List. In addition, the coalition may not contract  
1847 with any provider that shares an officer or director with a  
1848 provider that is on the United States Department of Agriculture  
1849 National Disqualified List.

1850 Section 30. Paragraph (d) of subsection (3) of section  
1851 1002.94, Florida Statutes, is amended to read:

1852 1002.94 Child Care Executive Partnership Program.—

1853 (3)

1854 (d) Each early learning coalition shall establish a  
1855 community child care task force ~~for each child care purchasing~~  
1856 ~~pool~~. The task force must be composed of employers, parents,



576-04504-15

20157006c2

1857 private child care providers, and one representative from the  
1858 local children's services council, if one exists in the area ~~of~~  
1859 ~~the purchasing pool~~. The early learning coalition is expected to  
1860 recruit the task force members from existing child care  
1861 councils, commissions, or task forces already operating in the  
1862 area ~~of a purchasing pool~~. A majority of the task force shall  
1863 consist of employers.

1864       Section 31. The Office of Early Learning shall conduct a 2-  
1865 year pilot project to study the impact of assessing the early  
1866 literacy skills of Voluntary Prekindergarten Education Program  
1867 participants who are English Language Learners, in both English  
1868 and Spanish. The assessments must include, at a minimum, the  
1869 first administration of the Florida Assessments for Instruction  
1870 in Reading in kindergarten and an appropriate alternative  
1871 assessment in Spanish. The study must include a review of the  
1872 kindergarten screening results for 2009-2010 and 2010-2011  
1873 program participants and their subsequent Florida Comprehensive  
1874 Assessment Test scores. The office shall report its findings to  
1875 the Governor, the President of the Senate, and the Speaker of  
1876 the House of Representatives by July 1, 2016, and July 1, 2017.

1877       Section 32. This act shall take effect July 1, 2015.