



465640

LEGISLATIVE ACTION

| | | |
|------------|---|-------|
| Senate | . | House |
| Comm: RCS | . | |
| 04/09/2019 | . | |
| | . | |
| | . | |
| | . | |

The Committee on Children, Families, and Elder Affairs (Book) recommended the following:

Senate Amendment (with title amendment)

Delete lines 37 - 51
and insert:

(9) "Government-sponsored recreation program" means an afterschool recreation program for school-age children which has organized, regularly scheduled activities, including educational or enrichment activities, and which meets all of the following requirements:

(a) Offers not more than 4 hours of programming per day.



465640

11 However, the program may extend its hours in order to provide
12 services before school and on teacher planning days, holidays,
13 and intercessions that occur during the school district's
14 official calendar year.

15 (b) Is operated by a county or a municipality that has
16 adopted for the program by ordinance standards of care, which
17 include, but are not limited to, meeting minimum staff-to-
18 children ratios in accordance with s. 402.305(4) and rules
19 adopted by the department thereunder; ensuring that all
20 personnel meet the requirements of ss. 402.302, 402.305, and
21 402.3055; meeting minimum facility, health, and safety
22 standards, including annual fire inspections conducted by the
23 city or county Fire Marshal; ensuring annual health inspections
24 are conducted by the Department of Health; conducting regular
25 inspection, cleaning, repair, and maintenance of buildings,
26 grounds, and equipment; ensuring at least one staff person
27 trained in cardiopulmonary resuscitation is present at all times
28 when children are present; setting standards related to the
29 provision of food; training program employees regarding working
30 with school-age children; engaging in activities designed to
31 address the ages, interests, and abilities of participants;
32 carrying out annual inspections of vehicles transporting
33 children; enforcing regulations related to the number of
34 children in vehicles in accordance with vehicle capacity and
35 searching vehicles after use to ensure no children are left in
36 the vehicle; ensuring custodial parents or guardians have
37 reasonable access to children while the children are in care;
38 developing age-appropriate policies relating to child discipline
39 practices and making such policies available to parents or



465640

40 guardians at the time of registration.

41 (c) Has been certified by the county or municipality as
42 compliant with such standards of care and provides annual
43 attestation to the department of compliance with such standards
44 of care.

45 (d) Provides notice to the parent or guardian of each child
46 participating in the program that the program is not state-
47 licensed or advertised as a child care facility and provides
48 them with the county's or municipality's standards of care.

49 (e) Does not receive funding through the Child Care
50 Development Block Grant of 2014, does not contract to provide a
51 school readiness program pursuant to s. 1002.88, and does not
52 have a Gold Seal Quality Care designation pursuant to s.
53 402.281.

54 Section 2. Subsections (1) and (3) of section 402.316,
55 Florida Statutes, are amended to read:

56 402.316 Exemptions.—

57 (1) The provisions of ss. 402.301-402.319, except for the
58 requirements regarding screening of child care personnel, do
59 ~~shall~~ not apply to a government-sponsored recreation program or
60 to a child care facility that ~~which~~ is an integral part of
61 church or parochial schools conducting regularly scheduled
62 classes, courses of study, or educational programs accredited
63 by, or by a member of, an organization that ~~which~~ publishes and
64 requires compliance with its standards for health, safety, and
65 sanitation. However, such facilities shall meet minimum
66 requirements of the applicable local governing body as to
67 health, sanitation, and safety and shall meet the screening
68 requirements pursuant to ss. 402.305 and 402.3055. Failure by a



465640

69 facility to comply with such screening requirements shall result
70 in the loss of the facility's exemption from licensure.

71 (3) Any government-sponsored recreation program or child
72 care facility covered by the exemption provisions of subsection
73 (1) may waive the exemption, but desiring to be included in this
74 act, is authorized to do so by submitting notification to the
75 department. Once licensed, such a program or facility may not
76 cannot withdraw from its waiver of the exemption, and except for
77 the requirements regarding screening of child care personnel,
78 must continue to comply with ss. 402.301-402.319, in order to
79 continue in operation ~~the act and continue to operate.~~

80
81 ===== T I T L E A M E N D M E N T =====

82 And the title is amended as follows:

83 Delete line 7

84 and insert:

85 program"; amending s. 402.316, F.S.; providing an
86 exemption for government-sponsored recreation programs
87 from specified child care facility requirements;
88 providing that an otherwise exempt government-
89 sponsored recreation program may waive the exemption
90 by notifying the department; providing that such a
91 program may not withdraw its waiver of the exemption
92 and continue to operate; amending ss. 39.201, 402.305,
93 and 1002.82,

94