

1 A bill to be entitled
2 An act relating to child care and early learning
3 providers; amending s. 170.201, F.S.; providing an
4 exemption for public and private preschools from
5 specified special assessments levied by a
6 municipality; defining the term "preschool"; amending
7 s. 220.19, F.S.; defining terms; authorizing specified
8 tax credits for corporations establishing and
9 operating, or making payments to, child care
10 facilities for their employees under certain
11 conditions; specifying requirements for such credits;
12 providing the maximum amount for all credits;
13 requiring the Department of Revenue to approve
14 applications for such credits before they are claimed;
15 providing that certain corporations may be authorized
16 to claim such credits on consolidated return basis;
17 requiring child care facilities to meet certain
18 requirements to receive such credits; authorizing two
19 or more corporations to jointly establish and operate
20 child care facility; providing requirements for such
21 joint establishment and operation; requiring payments
22 to certain child care facilities to meet specified
23 conditions; providing application requirements;
24 authorizing the department to adopt rules; requiring
25 certain decisions to be in writing and include

26 | specified information; requiring prior written
27 | verification by specified entity relating to
28 | licensing; amending s. 402.305, F.S.; revising
29 | licensing standards for all licensed child care
30 | facilities and minimum standards and training
31 | requirements for child care personnel; requiring the
32 | Department of Children and Families to conduct
33 | specified screening of child care personnel within a
34 | specified timeframe and issue provisional approval of
35 | such personnel under certain conditions; deleting a
36 | requirement that the department evaluate certain
37 | training requirements and testing procedures;
38 | prohibiting minimum standards from requiring more than
39 | two staff members with specified training to be
40 | present at all times when children are present;
41 | deleting provisions relating to educating parents
42 | about the importance of specified immunizations, a
43 | program to assist children in preventing and avoiding
44 | physical and mental abuse, and specialized child care
45 | facilities for the care of mildly ill children;
46 | amending s. 402.3115, F.S.; requiring the department
47 | and certain local governmental agencies to develop and
48 | implement a plan to eliminate duplicative and
49 | unnecessary inspections of home providers; revising
50 | requirements for an abbreviated inspection plan for

51 certain child care facilities; requiring the
52 department to submit a report to the Governor and
53 Legislature by a specified date; requiring the report
54 to contain certain information and recommendations;
55 requiring the department to adopt rules and revise
56 policies based on such recommendations; requiring the
57 department to revise a specified plan; authorizing the
58 department to contract for the production of the
59 report; amending s. 402.316, F.S.; authorizing certain
60 child care facilities to operate without a license;
61 amending s. 627.70161, F.S.; providing that specified
62 insurance provisions apply to large family child care
63 homes; amending s. 1002.55, F.S.; revising
64 requirements for public school and private
65 prekindergarten providers; amending s. 1002.67, F.S.;
66 prohibiting a specified curriculum from including a
67 certain program and electronic devices; providing an
68 exception; amending s. 1002.68, F.S.; requiring the
69 specified methodology for calculating the performance
70 of each private prekindergarten provider and public
71 school provider to be conducted by an independent
72 expert with specified experience; amending s. 1002.82,
73 F.S.; revising the powers and duties of the Department
74 of Education for the administration of the Child Care
75 and Development Block Grant Trust Fund; amending s.

76 | 1002.83, F.S.; revising the appointment of members of
 77 | the early learning coalition; amending s. 1002.89,
 78 | F.S.; providing for specified financial support to
 79 | child care providers and staff to be included in the
 80 | school readiness program costs; amending s. 1002.945,
 81 | F.S.; revising requirements for a child care provider
 82 | to obtain and maintain a designation as a Gold Seal
 83 | Quality Care provider; amending s. 1002.95, F.S.;
 84 | requiring an early learning coalition to support a
 85 | specified scholarship program; amending s. 1008.25,
 86 | F.S.; requiring, rather than authorizing, certain
 87 | students to be eligible to receive certain reading
 88 | interventions before kindergarten without being
 89 | referred to the local school district first; amending
 90 | ss. 39.101, 1002.57, and 1002.59, F.S.; conforming
 91 | cross-references; providing an effective date.

92 |
 93 | Be It Enacted by the Legislature of the State of Florida:
 94 |

95 | Section 1. Subsection (2) of section 170.201, Florida
 96 | Statutes, is amended to read:

97 | 170.201 Special assessments.—

98 | (2) Property owned or occupied by a religious institution
 99 | and used as a place of worship or education; by a public or
 100 | private preschool, elementary school, middle school, or high

101 school; or by a governmentally financed, insured, or subsidized
 102 housing facility that is used primarily for persons who are
 103 elderly or disabled shall be exempt from any special assessment
 104 levied by a municipality to fund any service if the municipality
 105 so desires. As used in this subsection, the term "religious
 106 institution" means any church, synagogue, or other established
 107 physical place for worship at which nonprofit religious services
 108 and activities are regularly conducted and carried on and the
 109 term "governmentally financed, insured, or subsidized housing
 110 facility" means a facility that is financed by a mortgage loan
 111 made or insured by the United States Department of Housing and
 112 Urban Development under s. 8, s. 202, s. 221(d)(3) or (4), s.
 113 232, or s. 236 of the National Housing Act and is owned or
 114 operated by an entity that qualifies as an exempt charitable
 115 organization under s. 501(c)(3) of the Internal Revenue Code.
 116 For purposes of this subsection, the term "preschool" means any
 117 child care facility licensed under s. 402.305 that serves
 118 children under 5 years of age.

119 Section 2. Section 220.19, Florida Statutes, is amended to
 120 read:

121 220.19 Child care tax credits.—

122 (1) DEFINITIONS.—For purposes of this section, the term:

123 (a) "Eligible facility" means a facility that:

124 1. Is licensed under s. 402.305; or

125 2. Is exempt from licensure under s. 402.316.

126 (b) "Tax due" includes any tax required under this chapter
 127 or chapter 211, chapter 212, chapter 561, or chapter 624.

128 (2) AUTHORIZATION TO GRANT TAX CREDITS; LIMITATIONS.—

129 (a)1. A credit of 50 percent of the startup costs of a
 130 child care facility for children under the age of 5 operated by
 131 a corporation for its employees is allowed against any tax due
 132 for a taxable year. An additional credit against such tax is
 133 allowed for the operation of a child care facility by a
 134 corporation for its employees, which credit is in the amount of
 135 \$300 per month for each child or grandchild of such employee
 136 enrolled in the facility.

137 2. A credit is allowed against any tax due for a taxable
 138 year for a corporation making payments to a child care facility
 139 as defined in s. 402.302 that is an eligible facility if the
 140 payments are made in the name of and for the benefit of an
 141 employee employed by the corporation whose child or grandchild
 142 attends the child care. The credit shall be in an amount equal
 143 to 100 percent of the amount of such child care payments up to a
 144 maximum credit of \$3600 per child under the age of 5. The
 145 corporation may make payments directly to the facility or
 146 contract with an early learning coalition to process payments.

147 (b) The maximum credit amount for all approved child care
 148 costs incurred by the corporation in a taxable year is based on
 149 the average number of employees employed by the corporation
 150 during such year. For an employer that employed:

- 151 1. One to twenty-five employees, the maximum credit is
152 \$50,000.
- 153 2. Twenty-six to fifty employees, the maximum credit is
154 \$100,000.
- 155 3. Fifty-one to seventy-five employees, the maximum credit
156 is \$150,000.
- 157 4. Seventy-six to one hundred employees, the maximum
158 credit is \$200,000.
- 159 5. One hundred one to two hundred employees, the maximum
160 credit is \$300,000.
- 161 6. Two hundred one to five hundred employees, the maximum
162 credit is \$500,000.
- 163 7. More than five hundred employees, the maximum credit is
164 \$600,000.
- 165 (c) The total credit amount that may be granted for all
166 applications approved under this section shall be allocated
167 annually as provided in the General Appropriations Act.
- 168 (d) An application for a credit under this section must be
169 approved by the department before the corporation claims the
170 credit on a return.
- 171 (e)-(1) If a ~~the~~ credit granted under this section is not
172 fully used in any one taxable year because of insufficient tax
173 liability on the part of the corporation, the unused amount may
174 be carried forward for a period not to exceed 5 taxable years.
175 The carryover credit may be used in a subsequent year when the

176 tax imposed by this chapter for that year exceeds the credit for
 177 which the corporation is eligible in that year under this
 178 section after applying the other credits and unused carryovers
 179 in the order provided by s. 220.02(8).

180 (f)-(2) If a corporation receives a credit for child care
 181 facility startup costs, and the facility fails to operate for at
 182 least 5 years, a pro rata share of the credit must be repaid, in
 183 accordance with the formula: $A = C \times (1 - (N/60))$, where:

184 1.(a) "A" is the amount in dollars of the required
 185 repayment.

186 2.(b) "C" is the total credits taken by the corporation
 187 for child care facility startup costs.

188 3.(e) "N" is the number of months the facility was in
 189 operation.

190
 191 This repayment requirement is inapplicable if the corporation
 192 goes out of business or can demonstrate to the department that
 193 its employees no longer want to have a child care facility.

194 (g) A corporation that files a consolidated return as a
 195 member of an affiliated group under s. 220.131(1) may be
 196 authorized to claim the credit on a consolidated return basis.

197 (h) A dealer who claims a tax credit under chapter 212
 198 must file his or her tax returns and pay his or her taxes by
 199 electronic means under s. 213.755.

200 (3) ELIGIBILITY REQUIREMENTS.-

201 (a) A corporation may only claim a credit for a child care
202 facility as defined by s. 402.302 that is an eligible facility.

203 (b) The services of a child care facility for which a
204 corporation claims a credit under subparagraph (2) (a)1. must be
205 available to all employees employed by the corporation, or must
206 be allocated on a first-come, first-served basis, and must be
207 used by employees employed by the corporation.

208 (c) Two or more corporations may jointly establish and
209 operate a child care facility according to this section. If two
210 or more corporations choose to jointly establish and operate a
211 child care facility, or cause a not-for-profit corporation to
212 establish and operate a child care facility, the corporations
213 must file a joint application, or the not-for-profit corporation
214 may file an application pursuant to subsection (4) setting forth
215 the corporations' proposal. The participating corporations may
216 proportion the credits in any manner they choose; however,
217 participating corporations may not receive more than \$600,000 in
218 credits for all approved child care costs incurred by the
219 participating corporations in any one taxable year.

220 (d) Child care payments for which a corporation claims a
221 credit under subparagraph (2) (a)2. may not exceed the amount
222 charged by the child care facility for other children of like
223 age and ability of persons not employed by the corporation.

224 (4) APPLICATION REQUIREMENTS.—Beginning January 1, 2024, a
225 corporation may submit an application to the department for the

226 purposes of determining qualification for a credit under this
227 section to be applied to a taxable year beginning on or after
228 January 1, 2024. The department must approve the application for
229 the credit before the corporation is authorized to claim the
230 credit on a return.

231 (a) The application must include:

232 1.a. For a credit under subparagraph (2)(a)1., a proposal
233 for establishing a child care facility for use by its employees,
234 the total number of employees' children and grandchildren
235 expected to be enrolled, and the expected date operations will
236 begin. A credit may not be claimed on a return until operations
237 have begun.

238 b. For a credit under subparagraph (2)(a)2., the total
239 number of children and grandchildren for whom child care
240 payments will be paid and the estimated total annual amount of
241 such payments.

242 2. The taxable year in which the credit is expected to be
243 earned. A corporation may apply for a credit to be used for a
244 prior taxable year at any time before the date on which the
245 corporation is required to file a return for that year pursuant
246 to s. 220.222.

247 3. Written verification by the Department of Children and
248 Families or local licensing agency that the facility is a child
249 care facility under s. 402.302 and is an eligible facility. Such
250 verification must be attached to the application.

251 (b) The department shall approve tax credits on a first-
 252 come, first-served basis.

253 (5) ADMINISTRATION.—

254 (a) The department may adopt all rules pursuant to the
 255 Administrative Procedures Act to administer this section,
 256 including rules for the approval or disapproval of proposals
 257 submitted by corporations and rules to provide for cooperative
 258 arrangements between for-profit and not-for-profit corporations.

259 (b) The department's decision to approve or disapprove a
 260 proposal must be in writing, and, if the proposal is approved,
 261 the decision must state the maximum credit authorized for the
 262 corporation.

263 (c) All applications approved under this section require
 264 prior written verification by the Department of Children and
 265 Families or local licensing agency that the facility is a child
 266 care facility under s. 402.302 and is an eligible facility.

267 Section 3. Paragraph (g) of subsection (2) of section
 268 402.305, Florida Statutes, is redesignated as paragraph (f),
 269 subsection (18) is renumbered as subsection (17), and paragraph
 270 (a) of subsection (1), paragraphs (a) and (e) and present
 271 paragraph (f) of subsection (2), paragraph (a) of subsection
 272 (7), subsections (9) and (13), and present subsection (17) of
 273 that section are amended, to read:

274 402.305 Licensing standards; child care facilities.—

275 (1) LICENSING STANDARDS.—The department shall establish

276 | licensing standards that each licensed child care facility must
 277 | meet regardless of the origin or source of the fees used to
 278 | operate the facility or the type of children served by the
 279 | facility.

280 | (a) The standards shall be designed to address the
 281 | ~~following areas:~~

282 | 1. ~~the health, sanitation, safety, and~~ sanitary adequate
 283 | physical conditions ~~surroundings~~ for all children served by ~~in~~
 284 | child care facilities.

285 | 2. The health and nutrition of all children in child care.

286 | 3. The child development needs of all children in child
 287 | care.

288 | (2) PERSONNEL.—Minimum standards for child care personnel
 289 | shall include minimum requirements as to:

290 | (a) Good moral character based upon screening as defined
 291 | in s. 402.302 ~~s. 402.302(15)~~. This screening shall be conducted
 292 | as provided in chapter 435, using the level 2 standards for
 293 | screening provided ~~set forth~~ in that chapter, and include
 294 | employment history checks, a search of criminal history records,
 295 | sexual predator and sexual offender registries, and child abuse
 296 | and neglect registry of any state in which the current or
 297 | prospective child care personnel resided during the preceding 5
 298 | years. The department shall complete the screening and provide
 299 | the results to the child care facility within 3 business days.
 300 | If the department is unable to complete the screening within 3

301 business days, the department shall issue the current or
302 prospective child care personnel a 45-day-provisional-hire
303 status while all required information is being requested and the
304 department is awaiting results. During the 45-day period, the
305 current or prospective child care personnel must be under the
306 direct supervision of a screened and trained staff member when
307 in contact with children.

308 (e) Minimum training requirements for child care
309 personnel.

310 1. Such minimum standards for training shall ensure that
311 all child care personnel take an approved 40-clock-hour
312 introductory course in child care, which course covers ~~at least~~
313 the following topic areas:

314 a. State and local rules and regulations which govern
315 child care.

316 b. Health, safety, and nutrition.

317 c. Identifying and reporting child abuse and neglect.

318 d. Child development, including typical and atypical
319 language, cognitive, motor, social, and self-help skills
320 development.

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

324 f. Specialized areas, including computer technology for
325 professional and classroom use and early literacy and language

326 development of children from birth to 5 years of age, as
327 determined by the department, for owner-operators and child care
328 personnel of a child care facility.

329 g. Developmental disabilities, including autism spectrum
330 disorder and Down syndrome, and early identification, use of
331 available state and local resources, classroom integration, and
332 positive behavioral supports for children with developmental
333 disabilities.

334 h. Online training coursework, provided at no cost by the
335 department, to meet minimum training standards for child care
336 personnel.

337
338 Within 90 days after employment, child care personnel shall
339 begin training to meet the training requirements. Child care
340 personnel shall successfully complete such training within 1
341 year after the date on which the training began, as evidenced by
342 passage of an in-person or online ~~a~~ competency examination.

343 Successful completion of the 40-clock-hour introductory course
344 shall articulate into community college credit in early
345 childhood education, pursuant to ss. 1007.24 and 1007.25.

346 Exemption from all or a portion of the required training shall
347 be granted to child care personnel based upon educational
348 credentials or passage of competency examinations. Child care
349 personnel possessing a 2-year degree or higher that includes 6
350 college credit hours in early childhood development or child

351 growth and development, or a child development associate
352 credential or an equivalent state-approved child development
353 associate credential, or a child development associate waiver
354 certificate shall be automatically exempted from the training
355 requirements in sub-subparagraphs b., d., and e.

356 ~~2. The introductory course in child care shall stress, to~~
357 ~~the extent possible, an interdisciplinary approach to the study~~
358 ~~of children.~~

359 2.3. The introductory course shall cover recognition and
360 prevention of shaken baby syndrome; prevention of sudden infant
361 death syndrome; recognition and care of infants and toddlers
362 with developmental disabilities, including autism spectrum
363 disorder and Down syndrome; and early childhood brain
364 development within the topic areas identified in this paragraph.

365 3.4. On an annual basis in order to further their child
366 care skills and, if appropriate, administrative skills, child
367 care personnel who have fulfilled the requirements for the child
368 care training shall be required to take an additional 1
369 continuing education unit of approved inservice training, or 10
370 clock hours of equivalent training, as determined by the
371 department.

372 4.5. Child care personnel shall be required to complete
373 0.5 continuing education unit of approved training or 5 clock
374 hours of equivalent training, as determined by the department,
375 in early literacy and language development of children from

376 birth to 5 years of age one time. The year that this training is
377 completed, it shall fulfill the 0.5 continuing education unit or
378 5 clock hours of the annual training required in subparagraph 3.
379 ~~4.~~

380 5.6. Procedures for ensuring the training of qualified
381 child care professionals to provide training of child care
382 personnel, including onsite training, shall be included in the
383 minimum standards. It is recommended that the state community
384 child care coordination agencies (central agencies) be
385 contracted by the department to coordinate such training when
386 possible. Other district educational resources, such as
387 community colleges and career programs, can be designated in
388 such areas where central agencies may not exist or are
389 determined not to have the capability to meet the coordination
390 requirements set forth by the department.

391 6.7. Training requirements do ~~shall~~ not apply to certain
392 occasional or part-time support staff, including, but not
393 limited to, swimming instructors, piano teachers, dance
394 instructors, and gymnastics instructors.

395 ~~8. The department shall evaluate or contract for an~~
396 ~~evaluation for the general purpose of determining the status of~~
397 ~~and means to improve staff training requirements and testing~~
398 ~~procedures. The evaluation shall be conducted every 2 years. The~~
399 ~~evaluation shall include, but not be limited to, determining the~~
400 ~~availability, quality, scope, and sources of current staff~~

401 ~~training; determining the need for specialty training; and~~
402 ~~determining ways to increase inservice training and ways to~~
403 ~~increase the accessibility, quality, and cost-effectiveness of~~
404 ~~current and proposed staff training. The evaluation methodology~~
405 ~~shall include a reliable and valid survey of child care~~
406 ~~personnel.~~

407 7.9. The child care operator shall be required to take
408 basic training in serving children with disabilities within 5
409 years after employment, either as a part of the introductory
410 training or the annual 8 hours of inservice training.

411 ~~(f) Periodic health examinations.~~

412 (7) SANITATION AND SAFETY.—

413 (a) Minimum standards shall include requirements for
414 sanitary and safety conditions, first aid treatment, emergency
415 procedures, and pediatric cardiopulmonary resuscitation. The
416 minimum standards may not shall require more than two members of
417 ~~that at least one~~ staff ~~person~~ trained in cardiopulmonary
418 resuscitation, as evidenced by current documentation of course
419 completion, to must be present at all times when that children
420 are present.

421 (9) ADMISSIONS AND RECORDKEEPING.—

422 (a) Minimum standards shall include requirements for
423 preadmission and periodic health examinations, requirements for
424 immunizations, and requirements for maintaining emergency
425 information and health records on all children.

426 ~~(b) During the months of August and September of each~~
427 ~~year, each child care facility shall provide parents of children~~
428 ~~enrolled in the facility detailed information regarding the~~
429 ~~causes, symptoms, and transmission of the influenza virus in an~~
430 ~~effort to educate those parents regarding the importance of~~
431 ~~immunizing their children against influenza as recommended by~~
432 ~~the Advisory Committee on Immunization Practices of the Centers~~
433 ~~for Disease Control and Prevention.~~

434 ~~(c) During the months of April and September of each year,~~
435 ~~at a minimum, each facility shall provide parents of children~~
436 ~~enrolled in the facility information regarding the potential for~~
437 ~~a distracted adult to fail to drop off a child at the facility~~
438 ~~and instead leave the child in the adult's vehicle upon arrival~~
439 ~~at the adult's destination. The child care facility shall also~~
440 ~~give parents information about resources with suggestions to~~
441 ~~avoid this occurrence. The department shall develop a flyer or~~
442 ~~brochure with this information that shall be posted to the~~
443 ~~department's website, which child care facilities may choose to~~
444 ~~reproduce and provide to parents to satisfy the requirements of~~
445 ~~this paragraph.~~

446 (b)-(d) Because of the nature and duration of drop-in child
447 care, requirements for preadmission and periodic health
448 examinations and requirements for medically signed records of
449 immunization required for child care facilities shall not apply.
450 A parent of a child in drop-in child care shall, however, be

451 required to attest to the child's health condition and the type
 452 and current status of the child's immunizations.

453 (c)~~(e)~~ Any child shall be exempt from medical or physical
 454 examination or medical or surgical treatment upon written
 455 request of the parent or guardian of such child who objects to
 456 the examination and treatment. However, the laws, rules, and
 457 regulations relating to contagious or communicable diseases and
 458 sanitary matters shall not be violated because of any exemption
 459 from or variation of the health and immunization minimum
 460 standards.

461 (13) PLAN OF ACTIVITIES.—Minimum standards shall ensure
 462 that each child care facility has and implements a written plan
 463 for the daily provision of varied activities and active and
 464 quiet play opportunities appropriate to the age of the child.
 465 ~~The written plan must include a program, to be implemented~~
 466 ~~periodically for children of an appropriate age, which will~~
 467 ~~assist the children in preventing and avoiding physical and~~
 468 ~~mental abuse.~~

469 ~~(17) SPECIALIZED CHILD CARE FACILITIES FOR THE CARE OF~~
 470 ~~MILDLY ILL CHILDREN.—Minimum standards shall be developed by the~~
 471 ~~department, in conjunction with the Department of Health, for~~
 472 ~~specialized child care facilities for the care of mildly ill~~
 473 ~~children. The minimum standards shall address the following~~
 474 ~~areas: personnel requirements; staff-to-child ratios; staff~~
 475 ~~training and credentials; health and safety; physical facility~~

476 ~~requirements, including square footage; client eligibility,~~
 477 ~~including a definition of "mildly ill children"; sanitation and~~
 478 ~~safety; admission and recordkeeping; dispensing of medication;~~
 479 ~~and a schedule of activities.~~

480 Section 4. Section 402.3115, Florida Statutes, is amended
 481 to read:

482 402.3115 Elimination of duplicative and unnecessary
 483 inspections; abbreviated inspections; reports.-

484 (1) The Department of Children and Families and local
 485 governmental agencies that license child care facilities shall
 486 develop and implement a plan to eliminate duplicative and
 487 unnecessary inspections of child care facilities, family day
 488 care homes, and large family child care homes.

489 (2)(a) ~~In addition,~~ The department and the local
 490 governmental agencies shall develop and implement an abbreviated
 491 inspection plan for child care facilities that:

492 1. Have been licensed for at least 2 consecutive years;

493 2. Have had no Class 1 and no more than two of the same ~~or~~
 494 Class 2 deficiencies, as defined by rule, for at least 2
 495 consecutive years;

496 3. Have received at least two full onsite renewal
 497 inspections in the most recent 2 years;

498 4. Do not have any current uncorrected violations; and

499 5. Do not have any open regulatory complaints or active
 500 child protective services investigations.

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501 (b) The abbreviated inspection must include those elements
502 identified by the department and the local governmental agencies
503 as being key indicators of whether the child care facility
504 continues to provide quality care and programming and must be
505 updated every 5 years.

506 (3) By December 31, 2024, and every 5 years thereafter,
507 the department shall submit a report to the Governor, the
508 President of the Senate, and the Speaker of the House of
509 Representatives. The report must include, at a minimum,
510 information concerning:

511 (a) Training requirements and coursework offered by the
512 department to child care personnel. The report must include the
513 results of a reliable and valid survey of child care personnel
514 regarding such training and coursework. Such results must be
515 used to make recommendations regarding:

- 516 1. The availability, quality, relevance, scope, cost
517 effectiveness, and sources of current and prospective training.
518 2. The need for specialty training.
519 3. Approaches to increase inservice training.

520 (b) Licensing and regulation of child care facilities. The
521 report shall identify and make recommendations regarding:

- 522 1. The elimination of unnecessary, vague, or redundant
523 rules.
524 2. Streamlined standards used to classify violations.
525 3. The application of rules in a manner to eliminate

526 subjectivity by licensing staff.

527 4. Methods to simplify inspections.

528 5. The elimination of duplicative and unnecessary
 529 inspections.

530 (c) The plan developed and implemented under subsection
 531 (1).

532 (4) The department shall adopt rules and revise policies
 533 based on the recommendations in the report.

534 (5) The department shall revise the plan under subsection
 535 (1) as necessary to maintain the validity and effectiveness of
 536 inspections.

537 (6) The department may contract for the production of the
 538 report required under subsection (3).

539 Section 5. Subsection (1) of section 402.316, Florida
 540 Statutes, is amended to read:

541 402.316 Exemptions.—

542 (1)(a) The provisions of ss. 402.301-402.319, except for
 543 the requirements regarding screening of child care personnel,
 544 shall not apply to a child care facility:

545 1. Which is an integral part of church or parochial
 546 schools conducting regularly scheduled classes, courses of
 547 study, or educational programs accredited by, or by a member of,
 548 an organization which publishes and requires compliance with its
 549 standards for health, safety, and sanitation; or

550 2. Which receives a child care tax credit under s. 220.19

551 and is only attended by children or grandchildren of employees
552 employed by the corporation.

553 (b) ~~However,~~ Such facilities shall still meet minimum
554 requirements of the applicable local governing body as to
555 health, sanitation, and safety and shall meet the screening
556 requirements pursuant to ss. 402.305 and 402.3055.

557 (c) Failure by a facility to comply with such screening
558 requirements shall result in the loss of the facility's
559 exemption from licensure.

560 Section 6. Section 627.70161, Florida Statutes, is amended
561 to read:

562 627.70161 Family day care and large family child care
563 insurance.—

564 (1) PURPOSE AND INTENT.—The Legislature recognizes that
565 family day care homes and large family child care homes fulfill
566 a vital role in providing child care in Florida. It is the
567 intent of the Legislature that residential property insurance
568 coverage should not be canceled, denied, or nonrenewed solely on
569 the basis of the ~~family~~ day care or child care services at the
570 residence. The Legislature also recognizes that the potential
571 liability of residential property insurers is substantially
572 increased by the rendition of child care services on the
573 premises. The Legislature therefore finds that there is a public
574 need to specify that contractual liabilities that arise in
575 connection with the operation of the family day care home or

576 large family child care home are excluded from residential
577 property insurance policies unless they are specifically
578 included in such coverage.

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

580 (a) "Child care" means the care, protection, and
581 supervision of a child, for a period of less than 24 hours a day
582 on a regular basis, which supplements parental care, enrichment,
583 and health supervision for the child, in accordance with his or
584 her individual needs, and for which a payment, fee, or grant is
585 made for care.

586 (b) "Family day care home" means an occupied residence in
587 which child care is regularly provided for children from at
588 least two unrelated families and which receives a payment, fee,
589 or grant for any of the children receiving care, whether or not
590 operated for a profit.

591 (c) "Large family child care home" means an occupied
592 residence in which child care is regularly provided for children
593 from at least two unrelated families, which receives a payment,
594 fee, or grant for any of the children receiving care, regardless
595 of whether operated for profit, and which has at least two full-
596 time child care personnel on the premises during the hours of
597 operation. One of the two full-time child care personnel must be
598 the owner or occupant of the residence. A large family child
599 care home must first have operated as a licensed family day care
600 home for at least 2 years, with an operator who has held a child

601 development associate credential or its equivalent for at least
602 1 year, before seeking licensure as a large family child care
603 home. Household children under 13 years of age, when on the
604 premises of the large family child care home or on a field trip
605 with children enrolled in child care, shall be included in the
606 overall capacity of the licensed home. A large family child care
607 home may provide care for one of the following groups of
608 children, which shall include household children under 13 years
609 of age:

610 (a) A maximum of eight children from birth to 24 months of
611 age.

612 (b) A maximum of 12 children, with no more than four
613 children under 24 months of age.

614 (3) FAMILY DAY CARE AND LARGE FAMILY CHILD CARE;
615 COVERAGE.—A residential property insurance policy shall not
616 provide coverage for liability for claims arising out of, or in
617 connection with, the operation of a family day care home or
618 large family child care home, and the insurer shall be under no
619 obligation to defend against lawsuits covering such claims,
620 unless:

621 (a) Specifically covered in a policy; or

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

624 (4) DENIAL, CANCELLATION, REFUSAL TO RENEW PROHIBITED.—An
625 insurer may not deny, cancel, or refuse to renew a policy for

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626 residential property insurance solely on the basis that the
627 policyholder or applicant operates a family day care home or
628 large family child care home. In addition to other lawful
629 reasons for refusing to insure, an insurer may deny, cancel, or
630 refuse to renew a policy of a family day care home or large
631 family child care home provider if one or more of the following
632 conditions occur:

633 (a) The policyholder or applicant provides care for more
634 children than authorized ~~for family day care homes~~ by s.
635 402.302;

636 (b) The policyholder or applicant fails to maintain a
637 separate commercial liability policy or an endorsement providing
638 liability coverage for the family day care home or large family
639 child care home operations;

640 (c) The policyholder or applicant fails to comply with the
641 applicable ~~family day care home~~ licensure and registration
642 requirements specified in chapter 402 ~~s. 402.313~~; or

643 (d) Discovery of willful or grossly negligent acts or
644 omissions or any violations of state laws or regulations
645 establishing safety standards for family day care homes or large
646 family child care home by the named insured or his or her
647 representative which materially increase any of the risks
648 insured.

649 Section 7. Paragraphs (a) and (c) of subsection (3) of
650 section 1002.55, Florida Statutes, are amended to read:

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651 1002.55 School-year prekindergarten program delivered by
652 private prekindergarten providers.—

653 (3) To be eligible to deliver the prekindergarten program,
654 a private prekindergarten provider must meet each of the
655 following requirements:

656 (a) The private prekindergarten provider must be a child
657 care facility licensed under s. 402.305, family day care home
658 licensed under s. 402.313, large family child care home licensed
659 under s. 402.3131, nonpublic school exempt from licensure under
660 s. 402.3025(2), faith-based or corporation-provided child care
661 provider exempt from licensure under s. 402.316, child
662 development program that is accredited by a national accrediting
663 body and operates on a military installation that is certified
664 by the United States Department of Defense, or private
665 prekindergarten provider that has been issued a provisional
666 license under s. 402.309. A private prekindergarten provider may
667 not deliver the program while holding a probation-status license
668 under s. 402.310.

669 (c) The private prekindergarten provider must have, for
670 each prekindergarten class of 11 children or fewer, at least one
671 prekindergarten instructor who meets each of the following
672 requirements:

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

675 a. A child development associate credential issued by the

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676 National Credentialing Program of the Council for Professional
677 Recognition; or

678 b. A credential approved by the Department of Children and
679 Families as being equivalent to or greater than the credential
680 described in sub-subparagraph a.

681
682 The Department of Children and Families may adopt rules under
683 ss. 120.536(1) and 120.54 which provide criteria and procedures
684 for approving equivalent credentials under sub-subparagraph b.

685 2. Within 45 days after commencing employment, the
686 prekindergarten instructor must successfully complete three
687 emergent literacy training courses that include developmentally
688 appropriate and experiential learning practices for children and
689 a student performance standards training course approved by the
690 department as meeting or exceeding the minimum standards adopted
691 under s. 1002.59. The prekindergarten instructor must complete
692 an emergent literacy training course at least once every 5 years
693 after initially completing the three emergent literacy training
694 courses. The courses in this subparagraph must be recognized as
695 part of the informal early learning and career pathway
696 identified by the department under s. 1002.995(1)(b). The
697 requirement for completion of the standards training course
698 shall take effect July 1, 2022. The courses must be made
699 available online or in person.

700 Section 8. Paragraph (b) of subsection (2) of section

701 1002.67, Florida Statutes, is amended to read:

702 1002.67 Performance standards and curricula.—

703 (2)

704 (b) Each private prekindergarten provider's and public
705 school's curriculum must be developmentally appropriate and
706 must:

707 1. Be designed to prepare a student for early literacy and
708 provide for instruction in early math skills;

709 2. Enhance the age-appropriate progress of students in
710 attaining the performance standards adopted by the department
711 under subsection (1); ~~and~~

712 3. Support student learning gains through differentiated
713 instruction that shall be measured by the coordinated screening
714 and progress monitoring program under s. 1008.25(8). However,
715 such program may not be used for direct student instruction; and

716 4. Prohibit student use of electronic devices for direct
717 student instruction. However, electronic devices may be used to
718 complete the coordinated screening and progress monitoring
719 program under s. 1008.25(8).

720 Section 9. Subsection (2) and paragraphs (a), (d), and (f)
721 of subsection (4) of section 1002.68, Florida Statutes, are
722 amended to read:

723 1002.68 Voluntary Prekindergarten Education Program
724 accountability.—

725 (2) Beginning with the 2023-2024 ~~2022-2023~~ program year,

726 each private prekindergarten provider and public school in the
727 Voluntary Prekindergarten Education Program must participate in
728 a program assessment of each voluntary prekindergarten education
729 classroom. The program assessment shall measure the quality of
730 teacher-child interactions, including emotional support,
731 classroom organization, and instructional support for children
732 ages 3 to 5 years. The program assessment may only be conducted
733 when at least 75 percent of enrolled students are in attendance.

734 Each private prekindergarten provider and public school in the
735 Voluntary Prekindergarten Education Program shall receive from
736 the department the results of the program assessment for each
737 classroom within 14 days after the observation. Each early
738 learning coalition shall be responsible for the administration
739 of the program assessments which must be conducted by
740 individuals qualified to conduct program assessments under s.
741 1002.82 (2) (n).

742 (4) (a) Beginning with the 2023-2024 ~~2022-2023~~ program
743 year, the department shall adopt a methodology for calculating
744 each private prekindergarten provider's and public school
745 provider's performance metric, which must be based on a
746 combination of the following:

747 1. Program assessment composite scores under subsection
748 (2), which must be weighted at no less than 50 percent.

749 2. Learning gains operationalized as change-in-ability
750 scores from the initial and final progress monitoring results

751 described in subsection (1).

752 3. Norm-referenced developmental learning outcomes
753 described in subsection (1).

754 (d) The methodology shall include a statistical latent
755 profile analysis that has been conducted by an independent
756 expert with experience in relevant quantitative analysis, early
757 childhood assessment, and designing state-level accountability
758 systems. The independent expert shall be identified through
759 competitive procurement before the 2023-2024 program year and
760 retained through the 2025-2026 program year and ~~developed by the~~
761 ~~department~~ that shall produce a limited number of performance
762 metric profiles which summarize the profiles of all sites that
763 must be used to inform the following designations:
764 "unsatisfactory," "emerging proficiency," "proficient," "highly
765 proficient," and "excellent" or comparable terminology
766 determined by the office which may not include letter grades.

767 (f) The department shall adopt procedures to annually
768 calculate each private prekindergarten provider's and public
769 school's performance metric, based on the methodology adopted in
770 paragraphs (a) and (b), and assign a designation under paragraph
771 (d). Beginning with the 2024-2025 ~~2023-2024~~ program year, each
772 private prekindergarten provider or public school shall be
773 assigned a designation within 45 days after the conclusion of
774 the school-year Voluntary Prekindergarten Education Program
775 delivered by all participating private prekindergarten providers

776 or public schools and within 45 days after the conclusion of the
 777 summer Voluntary Prekindergarten Education Program delivered by
 778 all participating private prekindergarten providers or public
 779 schools.

780 Section 10. Paragraphs (j), (l), and (q) of subsection (2)
 781 of section 1002.82, Florida Statutes, are amended to read:

782 1002.82 Department of Education; powers and duties.—

783 (2) The department shall:

784 (j) Monitor the alignment and consistency of the standards
 785 and benchmarks developed and adopted by the department that
 786 address the age-appropriate progress of children in the
 787 development of school readiness skills. The standards for
 788 children from birth to kindergarten entry in the school
 789 readiness program must be aligned with the performance standards
 790 adopted for children in the Voluntary Prekindergarten Education
 791 Program and must address the following domains:

- 792 1. Approaches to learning.
- 793 2. Cognitive development and general knowledge.
- 794 3. Numeracy, language, and communication.
- 795 4. Physical development.
- 796 5. Executive-functioning ~~Self-regulation~~.

797 (l) Contract for a voluntary open-source school readiness
 798 curriculum that meets the performance standards pursuant to
 799 paragraph (j) that shall:

- 800 1. Be available on the Internet at no cost.

801 2. Contain resources that support the use of the
 802 curriculum.

803 3. Contain resources for parent engagement.

804 4. Consist of aligned and effective professional
 805 development resources necessary to implement the curriculum with
 806 fidelity ~~Adopt a list of approved curricula that meet the~~
 807 ~~performance standards for the school readiness program and~~
 808 ~~establish a process for the review and approval of a provider's~~
 809 ~~curriculum that meets the performance standards.~~

810 (q) Contract for ~~Establish~~ a single statewide information
 811 system that shall be used to manage all early learning programs,
 812 including the child care licensing and child care training
 813 within the Child Care Services Program Office of the Department
 814 of Children and Families and each coalition must use for the
 815 purposes of managing the single point of entry, tracking
 816 children's progress, coordinating services among stakeholders,
 817 determining eligibility of children, tracking child attendance,
 818 and streamlining administrative processes for providers and
 819 early learning coalitions. By October 1, 2024 ~~July 1, 2019~~, the
 820 system, subject to ss. 1002.72 and 1002.97, shall:

821 1. Allow a parent to find early learning programs online,
 822 including the performance profile under s. 1002.92 (3) (a).

823 ~~2.1.~~ Allow a parent to monitor the development of his or
 824 her child as the child moves among programs within the state.

825 ~~3.2.~~ Enable analysis at the state, regional, and local

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826 level to measure child growth over time, program impact, and
827 quality improvement and investment decisions.

828 Section 11. Subsection (6) of section 1002.83, Florida
829 Statutes, is amended to read:

830 1002.83 Early learning coalitions.—

831 (6) An ~~The~~ early learning coalition may appoint additional
832 at-large members ~~who must be private sector business members,~~
833 either for-profit or nonprofit, who do not have, and none of
834 whose relatives as defined in s. 112.3143 has, a substantial
835 financial interest in the design or delivery of the Voluntary
836 Prekindergarten Education Program created under part V of this
837 chapter or the school readiness program. The department shall
838 establish criteria for appointing private sector business
839 members. These criteria must include standards for determining
840 whether a member or relative has a substantial financial
841 interest in the design or delivery of the Voluntary
842 Prekindergarten Education Program or the school readiness
843 program.

844 Section 12. Paragraph (b) of subsection (4) of section
845 1002.89, Florida Statutes, is amended to read:

846 1002.89 School readiness program; funding.—

847 (4) COST REQUIREMENTS.—Costs shall be kept to the minimum
848 necessary for the efficient and effective administration of the
849 school readiness program with the highest priority of
850 expenditure being direct services for eligible children.

851 However, no more than 5 percent of the funds allocated in
852 paragraph (1)(a) may be used for administrative costs and no
853 more than 22 percent of the funds allocated in paragraph (1)(a)
854 may be used in any fiscal year for any combination of
855 administrative costs, quality activities, and nondirect services
856 as follows:

857 (b) Activities to improve the quality of child care as
858 described in 45 C.F.R. s. 98.53, which shall be limited to the
859 following:

860 1. Developing, establishing, expanding, operating, and
861 coordinating resource and referral programs specifically related
862 to the provision of comprehensive consumer education to parents
863 and the public to promote informed child care choices specified
864 in 45 C.F.R. s. 98.33.

865 2. Awarding grants and providing financial support to
866 school readiness program providers and their staff to assist
867 them in meeting applicable state requirements for the program
868 assessment required under s. 1002.82(2)(n), child care
869 performance standards, implementing the developmentally
870 appropriate curriculum commissioned under s. 1002.82(2)(l)
871 curricula and related classroom resources that support parent
872 engagement curricula, providing literacy supports, and providing
873 continued professional development through the Teacher Education
874 and Compensation Helps (TEACH) Scholarship Program under s.
875 1002.95 and training aligned to the early learning professional

876 development standards and career pathways under s. 1002.995 ~~and~~
 877 ~~training~~. Any grants awarded pursuant to this subparagraph shall
 878 comply with ss. 215.971 and 287.058.

879 3. Providing training aligned with the early learning
 880 professional development standards and career pathways under s.
 881 1002.995, technical assistance, and financial support to school
 882 readiness program providers, staff, and parents on standards,
 883 child screenings, child assessments, the ~~child development~~
 884 ~~research and best practices~~, developmentally appropriate
 885 curriculum commissioned under s. 1002.82 (2)(1), executive
 886 functioning curricula, ~~character development~~, teacher-child
 887 interactions, age-appropriate discipline practices, health and
 888 safety, including reimbursement for background screenings,
 889 nutrition, first aid, cardiopulmonary resuscitation, the
 890 recognition of communicable diseases, and child abuse detection,
 891 prevention, and reporting.

892 4. Providing, from among the funds provided for the
 893 activities described in subparagraphs 1.-3., adequate funding
 894 for infants and toddlers as necessary to meet federal
 895 requirements related to expenditures for quality activities for
 896 infant and toddler care.

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

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

901 | parents, including providing developmental and health screenings
 902 | to school readiness program children.

903 | Section 13. Paragraph (b) of subsection (4) of section
 904 | 1002.945, Florida Statutes, is amended to read:

905 | 1002.945 Gold Seal Quality Care Program.—

906 | (4) In order to obtain and maintain a designation as a
 907 | Gold Seal Quality Care provider, a child care facility, large
 908 | family child care home, or family day care home must meet the
 909 | following additional criteria:

910 | (b) The child care provider must not have had three or
 911 | more of the same class II violations, as defined by rule of the
 912 | Department of Children and Families, within the 2 years
 913 | preceding its application for designation as a Gold Seal Quality
 914 | Care provider. Commission of three or more of the same class II
 915 | violations within a 2-year period shall be grounds for
 916 | termination of the designation as a Gold Seal Quality Care
 917 | provider until the provider has no class II violations that are
 918 | the same for a period of 1 year.

919 | Section 14. Section 1002.95, Florida Statutes, is amended
 920 | to read:

921 | 1002.95 Teacher Education and Compensation Helps (TEACH)
 922 | Scholarship Program.—

923 | (1) The department may contract for the administration of
 924 | the Teacher Education and Compensation Helps (TEACH) Scholarship
 925 | Program, which provides educational scholarships to instructors

926 ~~caregivers~~ and administrators of early childhood programs,
 927 family day care homes, and large family child care homes. The
 928 goal of the program is to increase the education and training
 929 for instructors ~~caregivers~~, increase the compensation for child
 930 instructors ~~caregivers~~ who complete the program requirements,
 931 and reduce the rate of participant turnover in the field of
 932 early childhood education.

933 (2) An early learning coalition shall support the Teacher
 934 Education and Compensation Helps (TEACH) Scholarship Program for
 935 instructors by reimbursing child care providers for the child
 936 care provider copayment portion of the program for each
 937 instructor who completes a child development associate
 938 credential in his or her service area which shall be funded in
 939 accordance with s. 1002.89(4)(b).

940 (3)-(2) The State Board of Education shall adopt rules as
 941 necessary to administer this section.

942 Section 15. Paragraph (b) of subsection (5) of section
 943 1008.25, Florida Statutes, is amended to read:

944 1008.25 Public school student progression; student
 945 support; coordinated screening and progress monitoring;
 946 reporting requirements.—

947 (5) READING DEFICIENCY AND PARENTAL NOTIFICATION.—

948 (b) A Voluntary Prekindergarten Education Program student
 949 who exhibits a substantial deficiency in early literacy skills
 950 in accordance with the standards under s. 1002.67(1)(a) and

951 based upon the results of the administration of the final
 952 coordinated screening and progress monitoring under subsection
 953 (8) shall be ~~referred to the local school district and may be~~
 954 eligible to receive intensive reading interventions before
 955 participating in kindergarten. Such intensive reading
 956 interventions shall be paid for using funds from the district's
 957 evidence-based reading instruction allocation in accordance with
 958 s. 1011.62(8).

959 Section 16. Paragraph (a) of subsection (4) of section
 960 39.101, Florida Statutes, is amended to read:

961 39.101 Central abuse hotline.—The central abuse hotline is
 962 the first step in the safety assessment and investigation
 963 process.

964 (4) USE OF INFORMATION RECEIVED BY THE CENTRAL ABUSE
 965 HOTLINE.—

966 (a) Information received by the central abuse hotline may
 967 not be used for employment screening, except as provided in s.
 968 39.202(2) (a) and (h) or s. 402.302(16) ~~s. 402.302(15)~~.

969 Section 17. Subsections (3) and (4) of section 1002.57,
 970 Florida Statutes, are amended to read:

971 1002.57 Prekindergarten director credential.—

972 (3) The prekindergarten director credential must meet or
 973 exceed the requirements of the Department of Children and
 974 Families for the child care facility director credential under
 975 s. 402.305(2) (f) ~~s. 402.305(2) (g)~~, and successful completion of

976 | the prekindergarten director credential satisfies these
 977 | requirements for the child care facility director credential.

978 | (4) The department shall, to the maximum extent
 979 | practicable, award credit to a person who successfully completes
 980 | the child care facility director credential under s.

981 | 402.305(2)(f) ~~s. 402.305(2)(g)~~ for those requirements of the
 982 | prekindergarten director credential which are duplicative of
 983 | requirements for the child care facility director credential.

984 | Section 18. Subsection (1) of section 1002.59, Florida
 985 | Statutes, is amended to read:

986 | 1002.59 Emergent literacy and performance standards
 987 | training courses.—

988 | (1) The department, in collaboration with the Just Read,
 989 | Florida! Office, shall adopt minimum standards for courses in
 990 | emergent literacy for prekindergarten instructors. Each course
 991 | must comprise 5 clock hours and provide instruction in
 992 | strategies and techniques to address the age-appropriate
 993 | progress of prekindergarten students in developing emergent
 994 | literacy skills, including oral communication, knowledge of
 995 | print and letters, phonological and phonemic awareness, and
 996 | vocabulary and comprehension development, consistent with the
 997 | evidence-based content and strategies identified pursuant to s.
 998 | 1001.215(8). The course standards must be reviewed as part of
 999 | any review of subject coverage or endorsement requirements in
 1000 | the elementary, reading, and exceptional student educational

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1001 areas conducted pursuant to s. 1012.586. Each course must also
1002 provide resources containing strategies that allow students with
1003 disabilities and other special needs to derive maximum benefit
1004 from the Voluntary Prekindergarten Education Program. Successful
1005 completion of an emergent literacy training course approved
1006 under this section satisfies requirements for approved training
1007 in early literacy and language development under ss.
1008 402.305(2)(e)4., 402.313(6), and 402.3131(5) ss.
1009 ~~402.305(2)(e)5., 402.313(6), and 402.3131(5).~~

1010 Section 19. This act shall take effect July 1, 2023.