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LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
03/13/2025	.	
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The Committee on Children, Families, and Elder Affairs (Burton) recommended the following:

Senate Amendment (with title amendment)

Delete lines 127 - 450
and insert:
to the child care facility within 3 business days from the receipt of the criminal history record check. If the department is unable to complete the screening within 3 business days, the department shall issue the current or prospective child care personnel a 45-day provisional-hire status while all required information is being requested and the department is awaiting



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results unless the department has reason to believe a
disqualifying factor may exist. During the 45-day period, the
current or prospective child care personnel must be under the
direct supervision of a screened and trained staff member when
in contact with children.

(e) Minimum training requirements for child care personnel.

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

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

b. Health, safety, and nutrition.

c. Identifying and reporting child abuse and neglect.

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

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

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

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



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disabilities.

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

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

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

Exemption from all or a portion of the required training shall be granted to child care personnel based upon educational credentials or passage of competency examinations. Child care personnel possessing a 2-year degree or higher that includes 6 college credit hours in early childhood development or child growth and development, or a child development associate credential or an equivalent state-approved child development associate credential, or a child development associate waiver certificate shall be automatically exempted from the training requirements in sub-subparagraphs b., d., and e.

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

~~2.3.~~ The introductory course shall cover recognition and prevention of shaken baby syndrome; prevention of sudden infant death syndrome; recognition and care of infants and toddlers



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with developmental disabilities, including autism spectrum disorder and Down syndrome; and early childhood brain development within the topic areas identified in this paragraph.

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

~~4.5.~~ Child care personnel shall be required to complete 0.5 continuing education unit of approved training or 5 clock hours of equivalent training, as determined by the department, in early literacy and language development of children from birth to 5 years of age one time. The year that this training is completed, it shall fulfill the 0.5 continuing education unit or 5 clock hours of the annual training required in subparagraph 3.4.

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



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98 ~~6.7.~~ Training requirements do ~~shall~~ not apply to certain
99 occasional or part-time support staff, including, but not
100 limited to, swimming instructors, piano teachers, dance
101 instructors, and gymnastics instructors.

102 ~~7.8.~~ The child care operator shall be required to take
103 basic training in serving children with disabilities within 5
104 years after employment, either as a part of the introductory
105 training or the annual 8 hours of inservice training.

106 (f) Periodic health examinations for child care facility
107 drivers.

108 (7) SANITATION AND SAFETY.—

109 (a) Minimum standards must ~~shall~~ include requirements for
110 sanitary and safety conditions, first aid treatment, emergency
111 procedures, and pediatric cardiopulmonary resuscitation. The
112 minimum standards must ~~shall~~ require that at least one staff
113 person trained in person in cardiopulmonary resuscitation, as
114 evidenced by current documentation of course completion, ~~must~~ be
115 present at all times that children are present.

116 ~~(c) Some type of communications system, such as a pocket~~
117 ~~pager or beeper, shall be provided to a parent whose child is in~~
118 ~~drop-in child care to ensure the immediate return of the parent~~
119 ~~to the child, if necessary.~~

120 (9) ADMISSIONS AND RECORDKEEPING.—

121 (a) Minimum standards must ~~shall~~ include requirements for
122 preadmission and periodic health examinations, requirements for
123 immunizations, and requirements for maintaining emergency
124 information and health records on all children.

125 ~~(b) During the months of August and September of each year,~~
126 ~~each child care facility shall provide parents of children~~



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~~enrolled in the facility detailed information regarding the
causes, symptoms, and transmission of the influenza virus in an
effort to educate those parents regarding the importance of
immunizing their children against influenza as recommended by
the Advisory Committee on Immunization Practices of the Centers
for Disease Control and Prevention.~~

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

~~(b)-(d)~~ Because of the nature and duration of drop-in child
care, requirements for preadmission and periodic health
examinations and requirements for medically signed records of
immunization required for child care facilities do ~~shall~~ not
apply. A parent of a child in drop-in child care shall, however,
be required to attest to the child's health condition and the
type and current status of the child's immunizations.

~~(c)-(e)~~ Any child shall be exempt from medical or physical
examination or medical or surgical treatment upon written
request of the parent or guardian of such child who objects to
the examination and treatment. However, the laws, rules, and



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regulations relating to contagious or communicable diseases and sanitary matters shall not be violated because of any exemption from or variation of the health and immunization minimum standards.

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

~~(17) SPECIALIZED CHILD CARE FACILITIES FOR THE CARE OF MILDLY ILL CHILDREN.—Minimum standards shall be developed by the department, in conjunction with the Department of Health, for specialized child care facilities for the care of mildly ill children. The minimum standards shall address the following areas: personnel requirements; staff-to-child ratios; staff training and credentials; health and safety; physical facility requirements, including square footage; client eligibility, including a definition of "mildly ill children"; sanitation and safety; admission and recordkeeping; dispensing of medication; and a schedule of activities.~~

Section 3. Subsection (1) of section 402.306, Florida Statutes, is amended to read:

402.306 Designation of licensing agency; dissemination by the department and local licensing agency of information on child care.—

(1)(a) Any county whose licensing standards meet or exceed



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state minimum standards may:

1.~~(a)~~ Designate a local licensing agency to license child care facilities in the county; or

2.~~(b)~~ Contract with the department to delegate the administration of state minimum standards in the county to the department.

(b) The decision to designate a local licensing agency under subparagraph (a)1. must be annually affirmed by a majority vote of the county commission.

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

402.3115 Elimination of duplicative and unnecessary inspections; abbreviated inspections.—

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

(2) (a) ~~In addition,~~ The department and the local governmental agencies shall develop and implement an abbreviated inspection plan for child care facilities, family day care homes, and large family child care homes that meet all of the following conditions:

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

2. Have not had a ~~no~~ Class 1 deficiency, as defined by rule, for at least 2 consecutive years.

3. Have not had more than three of the same ~~or~~ Class 2 deficiencies, as defined by rule, for at least 2 consecutive years.



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214 4. Have received at least two full onsite renewal
215 inspections in the most recent 2 years.

216 5. Do not have any current uncorrected violations.

217 6. Do not have any open regulatory complaints or active
218 child protective services investigations.

219 (b) The abbreviated inspection must include those elements
220 identified by the department and the local governmental agencies
221 as being key indicators of whether the child care facility
222 continues to provide quality care and programming. The
223 department shall review and update these elements every 5 years.

224 (3) The department shall revise the plan under subsection
225 (1) as necessary to maintain the validity and effectiveness of
226 inspections.

227 Section 5. Section 402.316, Florida Statutes, is amended to
228 read:

229 402.316 Exemptions.—

230 (1) The provisions of ss. 402.301-402.319, except for the
231 requirements regarding screening of child care personnel, do
232 ~~shall~~ not apply to a child care facility which is an integral
233 part of church or parochial schools, or a child care facility
234 that solely provides child care to eligible children as defined
235 in s. 402.261(1)(c), conducting regularly scheduled classes,
236 courses of study, or educational programs accredited by, or by a
237 member of, an organization which publishes and requires
238 compliance with its standards for health, safety, and
239 sanitation. However, such facilities shall meet minimum
240 requirements of the applicable local governing body as to
241 health, sanitation, and safety and shall meet the screening
242 requirements pursuant to ss. 402.305 and 402.3055. Failure by a



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

(2) The provisions of ss. 402.301-402.319 do not apply to a child care facility or family day care home if the child care facility or family day care home has a certificate issued by the United States Department of Defense or by the United States Coast Guard to provide child care and has completed background screening by the United States Department of Defense pursuant to 34 U.S.C. s. 20351 and 32 C.F.R. part 86 and received a favorable suitability and fitness determination. If the child care facility or family day care home elects to serve children ineligible for care under the United States Department of Defense Instruction 6060.02, the child care facility or family day care home must be licensed under chapter 402.

~~(3)(2) Any county or city with state or local child care licensing programs in existence on July 1, 1974, will continue to license the child care facility facilities as covered by such programs, notwithstanding the exemption under provisions of subsection (1) which desires to be licensed may submit an application to the department or local licensing agency pursuant to s. 402.308(4), until and unless the licensing agency makes a determination to exempt them.~~

(4)(3) The department and the local licensing agency pursuant to s. 402.308(4) shall adopt rules to administer and implement this section, including, but not limited to, any assessments of previous licensure history ~~Any child care facility covered by the exemption provisions of subsection (1), but desiring to be included in this act, is authorized to do so by submitting notification to the department. Once licensed,~~



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~~such facility cannot withdraw from the act and continue to
operate.~~

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

And the title is amended as follows:

 Delete lines 27 - 36

and insert:

 facilities, family day care homes, and large family
 child care homes; requiring the department to review
 and update certain elements included in such
 abbreviated inspections; requiring the department to
 revise the abbreviated inspection plan as necessary;
 amending s. 402.316, F.S.; providing that certain
 child care facilities and family day care homes are
 exempt from specified requirements; deleting a
 provision requiring a county or city with certain
 child care licensing programs in existence on a
 specified date to continue to license certain
 facilities under certain circumstances; authorizing
 certain exempt child care facilities to submit an
 application for licensure to the department or a local
 licensing agency; requiring the department and the
 local licensing agency to adopt rules; amending s.
 1002.59, F.S.; conforming a cross-