

By the Committees on Appropriations; Education Pre-K - 12; and Children, Families, and Elder Affairs; and Senator Calatayud

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1 A bill to be entitled
2 An act relating to child care and early learning
3 services; amending s. 402.306, F.S.; revising the
4 information on child care required to be disseminated
5 electronically to the community; amending ss. 402.313
6 and 402.3131, F.S.; deleting the requirement that
7 family child care homes and large family child care
8 homes, respectively, provide specified information to
9 parents each year; conforming provisions to changes
10 made by the act; amending s. 402.316, F.S.; requiring
11 that certain child care facilities exempt from
12 licensure requirements meet certain minimum
13 requirements; providing that failure to meet such
14 minimum requirements results in the loss of the
15 exemption from licensure; requiring a child care
16 facility exempt from licensure requirements to include
17 a specified statement on its website and in its
18 promotional materials and facility-created documents
19 and forms provided to families served by the child
20 care facility; amending s. 627.70161, F.S.; changing
21 the term "family day care home" to "family child care
22 home"; providing legislative findings and intent
23 relating to large family child care homes; defining
24 the term "large family child care home"; prohibiting
25 residential property insurance policies from providing
26 coverage for liability for claims arising out of, or
27 in connection with, the operations of large family
28 child care homes; providing that insurers are under no
29 obligation to defend against lawsuits covering such

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30 claims; providing exceptions; prohibiting insurers
31 from denying, cancelling, or refusing to renew a
32 policy for residential property insurance on the basis
33 that the policyholders or applicants operate large
34 family child care homes; providing exceptions;
35 amending s. 1001.24, F.S.; revising the definition of
36 the term "Department of Education direct-support
37 organization"; amending s. 1002.95, F.S.; requiring
38 the administrator of the Teacher Education and
39 Compensation Helps Scholarship Program, subject to an
40 appropriation, to establish and administer the Center
41 for Early Childhood Professional Recognition for a
42 specified purpose; amending ss. 39.202, 125.0109,
43 166.0445, 212.08, 402.302, 402.305, 402.309, 402.310,
44 402.3115, 402.312, 402.315, 402.318, 402.319, 409.988,
45 411.203, 1002.55, 1002.82, 1002.83, 1002.84, 1002.88,
46 1002.895, 1002.92, 1002.93, and 1002.945, F.S.;

47 conforming provisions to changes made by the act;
48 providing an effective date.

49
50 Be It Enacted by the Legislature of the State of Florida:

51
52 Section 1. Subsection (3) of section 402.306, Florida
53 Statutes, is amended to read:

54 402.306 Designation of licensing agency; dissemination by
55 the department and local licensing agency of information on
56 child care.—

57 (3) The department and local licensing agencies, or the
58 designees thereof, shall be responsible for coordination and

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59 dissemination of information on child care to the community and
60 shall make available through electronic means all licensing
61 standards and procedures, health and safety standards for school
62 readiness providers, monitoring and inspection reports, and the
63 names and addresses of ~~licensed~~ child care facilities, school
64 readiness program providers, and, where applicable pursuant to
65 s. 402.313, licensed or registered family child day care homes.
66 This information shall also include the number of deaths,
67 serious injuries, and instances of substantiated child abuse
68 that have occurred in child care settings, including those which
69 are exempt pursuant to s. 402.316(1) or (2), each year; research
70 and best practices in child development; and resources regarding
71 social-emotional development, parent and family engagement,
72 healthy eating, and physical activity.

73 Section 2. Section 402.313, Florida Statutes, is amended to
74 read:

75 402.313 Family child day care homes.—

76 (1) Family child day care homes shall be licensed under
77 this act if they are presently being licensed under an existing
78 county licensing ordinance or if the board of county
79 commissioners passes a resolution that family child day care
80 homes be licensed.

81 (a) If not subject to license, family child day care homes
82 shall register annually with the department, providing the
83 following information:

- 84 1. The name and address of the home.
- 85 2. The name of the operator.
- 86 3. The number of children served.
- 87 4. Proof of a written plan to provide at least one other

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88 competent adult to be available to substitute for the operator
89 in an emergency. This plan shall include the name, address, and
90 telephone number of the designated substitute.

91 5. Proof of screening and background checks.

92 6. Proof of successful completion of the 30-hour training
93 course, as evidenced by passage of a competency examination,
94 which shall include:

95 a. State and local rules and regulations that govern child
96 care.

97 b. Health, safety, and nutrition.

98 c. Identifying and reporting child abuse and neglect.

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

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

105 f. Specialized areas, including early literacy and language
106 development of children from birth to 5 years of age, as
107 determined by the department, for owner-operators of family
108 child day care homes.

109 7. Proof that immunization records are kept current.

110 8. Proof of completion of the required continuing education
111 units or clock hours.

112 (b) A family child day care home may volunteer to be
113 licensed under this act.

114 (c) The department may provide technical assistance to
115 counties and family child day care home providers to enable
116 counties and family child day care providers to achieve

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117 compliance with family child ~~day~~ care homes standards.

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

121 (3) Child care personnel in family child ~~day~~ care homes
122 shall be subject to the applicable screening provisions
123 contained in ss. 402.305(2) and 402.3055. For purposes of
124 screening in family child ~~day~~ care homes, the term includes any
125 member over the age of 12 years of a family child ~~day~~ care home
126 operator's family, or persons over the age of 12 years residing
127 with the operator in the family child ~~day~~ care home. Members of
128 the operator's family, or persons residing with the operator,
129 who are between the ages of 12 years and 18 years shall not be
130 required to be fingerprinted, but shall be screened for
131 delinquency records.

132 (4) Operators of family child ~~day~~ care homes must
133 successfully complete an approved 30-clock-hour introductory
134 course in child care, as evidenced by passage of a competency
135 examination, before caring for children.

136 (5) In order to further develop their child care skills
137 and, if appropriate, their administrative skills, operators of
138 family child ~~day~~ care homes shall be required to complete an
139 additional 1 continuing education unit of approved training or
140 10 clock hours of equivalent training, as determined by the
141 department, annually.

142 (6) Operators of family child ~~day~~ care homes shall be
143 required to complete 0.5 continuing education unit of approved
144 training in early literacy and language development of children
145 from birth to 5 years of age one time. The year that this

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146 training is completed, it shall fulfill the 0.5 continuing
147 education unit or 5 clock hours of the annual training required
148 in subsection (5).

149 (7) Operators of family child ~~day~~ care homes shall be
150 required annually to complete a health and safety home
151 inspection self-evaluation checklist developed by the department
152 in conjunction with the statewide resource and referral program.
153 The completed checklist shall be signed by the operator of the
154 family child ~~day~~ care home and provided to parents as
155 certification that basic health and safety standards are being
156 met.

157 (8) Family child ~~day~~ care home operators may avail
158 themselves of supportive services offered by the department.

159 (9) The department shall prepare a brochure on family child
160 ~~day~~ care for distribution by the department and by local
161 licensing agencies, if appropriate, to family child ~~day~~ care
162 homes for distribution to parents utilizing such child care, and
163 to all interested persons, including physicians and other health
164 professionals; mental health professionals; school teachers or
165 other school personnel; social workers or other professional
166 child care, foster care, residential, or institutional workers;
167 and law enforcement officers. The brochure shall, at a minimum,
168 contain the following information:

169 (a) A brief description of the requirements for family
170 child ~~day~~ care registration, training, and fingerprinting and
171 screening.

172 (b) A listing of those counties that require licensure of
173 family child ~~day~~ care homes. Such counties shall provide an
174 addendum to the brochure that provides a brief description of

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175 the licensure requirements or may provide a brochure in lieu of
176 the one described in this subsection, provided it contains all
177 the required information on licensure and the required
178 information in the subsequent paragraphs.

179 (c) A statement indicating that information about the
180 family child ~~day~~ care home's compliance with applicable state or
181 local requirements can be obtained by telephoning the department
182 office or the office of the local licensing agency, if
183 appropriate, at a telephone number or numbers which shall be
184 affixed to the brochure.

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

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

193 (10) On an annual basis, the department shall evaluate the
194 registration and licensure system for family child ~~day~~ care
195 homes. Such evaluation shall, at a minimum, address the
196 following:

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

199 (b) The number of children being served in both registered
200 and licensed family child ~~day~~ care homes and any available slots
201 in such homes.

202 (c) The number of complaints received concerning family
203 child ~~day~~ care, the nature of the complaints, and the resolution

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204 of such complaints.

205 (d) The training activities utilized by child care
206 personnel in family child ~~day~~ care homes for meeting the state
207 or local training requirements.

208

209 The evaluation shall be utilized by the department in any
210 administrative modifications or adjustments to be made in the
211 registration of family child ~~day~~ care homes or in any
212 legislative requests for modifications to the system of
213 registration or to other requirements for family child ~~day~~ care
214 homes.

215 (11) In order to inform the public of the state requirement
216 for registration of family child ~~day~~ care homes as well as the
217 other requirements for such homes to legally operate in the
218 state, the department shall institute a media campaign to
219 accomplish this end. Such a campaign shall include, at a
220 minimum, flyers, newspaper advertisements, radio advertisements,
221 and television advertisements.

222 (12) Notwithstanding any other state or local law or
223 ordinance, any family child ~~day~~ care home licensed pursuant to
224 this chapter or pursuant to a county ordinance shall be charged
225 the utility rates accorded to a residential home. A licensed
226 family child ~~day~~ care home may not be charged commercial utility
227 rates.

228 (13) The department shall, by rule, establish minimum
229 standards for family child ~~day~~ care homes that are required to
230 be licensed by county licensing ordinance or county licensing
231 resolution or that voluntarily choose to be licensed. The
232 standards should include requirements for staffing, training,

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233 maintenance of immunization records, minimum health and safety
234 standards, reduced standards for the regulation of child care
235 during evening hours by municipalities and counties, and
236 enforcement of standards.

237 ~~(14) During the months of August and September of each~~
238 ~~year, each family day care home shall provide parents of~~
239 ~~children enrolled in the home detailed information regarding the~~
240 ~~causes, symptoms, and transmission of the influenza virus in an~~
241 ~~effort to educate those parents regarding the importance of~~
242 ~~immunizing their children against influenza as recommended by~~
243 ~~the Advisory Committee on Immunization Practices of the Centers~~
244 ~~for Disease Control and Prevention.~~

245 ~~(15) During the months of April and September of each year,~~
246 ~~at a minimum, each family day care home shall provide parents of~~
247 ~~children attending the family day care home information~~
248 ~~regarding the potential for a distracted adult to fail to drop~~
249 ~~off a child at the family day care home and instead leave the~~
250 ~~child in the adult's vehicle upon arrival at the adult's~~
251 ~~destination. The family day care home shall also give parents~~
252 ~~information about resources with suggestions to avoid this~~
253 ~~occurrence. The department shall develop a flyer or brochure~~
254 ~~with this information that shall be posted to the department's~~
255 ~~website, which family day care homes may choose to reproduce and~~
256 ~~provide to parents to satisfy the requirements of this~~
257 ~~subsection.~~

258 Section 3. Subsections (9) and (10) of section 402.3131,
259 Florida Statutes, are amended to read:

260 402.3131 Large family child care homes.—

261 ~~(9) During the months of August and September of each year,~~

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262 ~~each large family child care home shall provide parents of~~
263 ~~children enrolled in the home detailed information regarding the~~
264 ~~causes, symptoms, and transmission of the influenza virus in an~~
265 ~~effort to educate those parents regarding the importance of~~
266 ~~immunizing their children against influenza as recommended by~~
267 ~~the Advisory Committee on Immunization Practices of the Centers~~
268 ~~for Disease Control and Prevention.~~

269 ~~(10) During the months of April and September of each year,~~
270 ~~at a minimum, each large family child care home shall provide~~
271 ~~parents of children attending the large family child care home~~
272 ~~information regarding the potential for a distracted adult to~~
273 ~~fail to drop off a child at the large family child care home and~~
274 ~~instead leave the child in the adult's vehicle upon arrival at~~
275 ~~the adult's destination. The large family child care home shall~~
276 ~~also give parents information about resources with suggestions~~
277 ~~to avoid this occurrence. The department shall develop a flyer~~
278 ~~or brochure with this information that shall be posted to the~~
279 ~~department's website, which large family child care homes may~~
280 ~~choose to reproduce and provide to parents to satisfy the~~
281 ~~requirements of this subsection.~~

282 Section 4. Section 402.316, Florida Statutes, is amended to
283 read:

284 402.316 Exemptions.—

285 (1) The provisions of ss. 402.301-402.319, except for the
286 requirements regarding screening of child care personnel
287 pursuant to ss. 402.305 and 402.3055, do not apply to a child
288 care facility which is an integral part of church or parochial
289 schools, ~~or a child care facility that solely provides child~~
290 ~~care to eligible children as defined in s. 402.261(1)(c),~~

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291 conducting regularly scheduled classes, courses of study, or
292 educational programs accredited by, or by a member of, an
293 organization that ~~which~~ publishes and requires compliance with
294 its standards for health, safety, and sanitation. ~~However,~~ Such
295 facilities must ~~shall~~ meet minimum requirements of the
296 applicable local governing body as to health, sanitation, and
297 safety ~~and shall meet the screening requirements pursuant to ss.~~
298 ~~402.305 and 402.3055.~~ Failure by a facility to comply with ~~such~~
299 screening requirements pursuant to ss. 402.305 and 402.3055
300 shall result in the loss of the facility's exemption from
301 licensure.

302 (2) The provisions of ss. 402.301-402.319, except for the
303 requirements regarding screening of child care personnel
304 pursuant to ss. 402.305 and 402.3055, do not apply to a child
305 care facility that solely provides child care to eligible
306 children as defined in s. 402.261(1)(c). Such facilities must
307 meet minimum requirements of the applicable local governing body
308 as to health, sanitation, and safety. Failure by a facility to
309 comply with screening requirements pursuant to ss. 402.305 and
310 402.3055 shall result in the loss of the facility's exemption
311 from licensure.

312 (3) ~~(2)~~ The provisions of ss. 402.301-402.319 do not apply
313 to a child care facility or family child ~~day~~ care home if the
314 child care facility or family child ~~day~~ care home has a
315 certificate issued by the United States Department of Defense or
316 by the United States Coast Guard to provide child care and has
317 completed background screening by the United States Department
318 of Defense pursuant to 34 U.S.C. s. 20351 and 32 C.F.R. part 86
319 and received a favorable suitability and fitness determination.

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320 If the child care facility or family child ~~day~~ care home elects
321 to serve children ineligible for care under the United States
322 Department of Defense Instruction 6060.02, the child care
323 facility or family child ~~day~~ care home must be licensed under
324 this chapter.

325 ~~(4)-(3)~~ Any child care facility covered by the exemption
326 under subsection (1) or subsection (2) which desires to be
327 licensed may submit an application to the department or local
328 licensing agency pursuant to s. 402.308(4).

329 ~~(5)-(4)~~ The department and the local licensing agency
330 pursuant to s. 402.308(4) shall adopt rules to administer and
331 implement this section, including, but not limited to, any
332 assessments of previous licensure history.

333 (6) A child care facility exempt under subsection (1) or
334 subsection (2) must include, at a minimum, the following
335 statement on its website, in its promotional materials, and on
336 its facility-created documents and forms provided to families
337 served by the child care facility: "(Child care facility name)
338 is a child care facility operating under an exemption pursuant
339 to the laws of the State of Florida and is not subject to
340 licensure or regulation by the Department of Children and
341 Families."

342 Section 5. Section 627.70161, Florida Statutes, is amended
343 to read:

344 627.70161 Family child ~~day~~ care and large family child care
345 insurance.—

346 (1) PURPOSE AND INTENT.—The Legislature recognizes that
347 family child ~~day~~ care and large family child care homes fulfill
348 a vital role in providing child care in Florida. It is the

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349 intent of the Legislature that residential property insurance
350 coverage should not be canceled, denied, or nonrenewed solely on
351 the basis of the child ~~family day~~ care services at the
352 residence. The Legislature also recognizes that the potential
353 liability of residential property insurers is substantially
354 increased by the rendition of child care services on the
355 premises. The Legislature therefore finds that there is a public
356 need to specify that contractual liabilities that arise in
357 connection with the operation of the family child ~~day~~ care home
358 or the large family child care home are excluded from
359 residential property insurance policies unless they are
360 specifically included in such coverage.

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

362 (a) "Child care" means the care, protection, and
363 supervision of a child, for a period of less than 24 hours a day
364 on a regular basis, which supplements parental care, enrichment,
365 and health supervision for the child, in accordance with his or
366 her individual needs, and for which a payment, fee, or grant is
367 made for care.

368 (b) "Family child ~~day~~ care home" means an occupied
369 residence in which child care is regularly provided for children
370 from at least two unrelated families and which receives a
371 payment, fee, or grant for any of the children receiving care,
372 whether or not operated for a profit.

373 (c) "Large family child care home" means an occupied
374 residence in which child care is regularly provided for children
375 from at least two unrelated families; which receives a payment,
376 fee, or grant for any of the children receiving care, whether or
377 not operated for profit; and which has at least two full-time

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378 child care personnel on the premises during the hours of
379 operation. One of the two full-time child care personnel must be
380 the owner or occupant of the residence. A large family child
381 care home must first have operated as a licensed family child
382 care home for at least 2 years, with an operator who has held a
383 child development associate credential or its equivalent for at
384 least 1 year, before seeking licensure as a large family child
385 care home. Household children under 13 years of age, when on the
386 premises of the large family child care home or on a field trip
387 with children enrolled in child care, must be included in the
388 overall capacity of the licensed home. A large family child care
389 home may provide care for one of the following groups of
390 children, which must include household children under 13 years
391 of age:

- 392 1. A maximum of 8 children from birth to 24 months of age.
393 2. A maximum of 12 children, with no more than 4 children
394 under 24 months of age.

395 (3) FAMILY CHILD DAY CARE AND LARGE FAMILY CHILD CARE
396 HOMES; COVERAGE.—A residential property insurance policy may
397 ~~shall~~ not provide coverage for liability for claims arising out
398 of, or in connection with, the operation of a family child day
399 care home or a large family child care home, and the insurer
400 shall be under no obligation to defend against lawsuits covering
401 such claims, unless:

- 402 (a) Specifically covered in a policy; or
403 (b) Covered by a rider or endorsement for business coverage
404 attached to a policy.

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

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407 residential property insurance solely on the basis that the
408 policyholder or applicant operates a family child day care home
409 or a large family child care home. In addition to other lawful
410 reasons for refusing to insure, an insurer may deny, cancel, or
411 refuse to renew a policy of a family child day care home or
412 large family child care home provider if one or more of the
413 following conditions occur:

414 (a) The policyholder or applicant provides care for more
415 children than authorized ~~for family day care homes~~ by s.
416 402.302;

417 (b) The policyholder or applicant fails to maintain a
418 separate commercial liability policy or an endorsement providing
419 liability coverage for the family child day care home or large
420 family child care home operations;

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

424 (d) Discovery of willful or grossly negligent acts or
425 omissions or any violations of state laws or regulations
426 establishing safety standards for family child day care homes or
427 large family child care homes by the named insured or his or her
428 representative which materially increase any of the risks
429 insured.

430 Section 6. Section 1001.24, Florida Statutes, is amended to
431 read:

432 1001.24 Direct-support organization; use of property; board
433 of directors; audit.—

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

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436 (a) "Department of Education direct-support organization"
437 means an organization:

438 1. That is a corporation not for profit that is
439 incorporated under the provisions of chapter 617 and approved by
440 the Department of State.

441 2. That is organized and operated exclusively to receive,
442 hold, invest, and administer property and to make expenditures
443 to or for the benefit of early learning programs for children
444 from birth to 5 years of age and public prekindergarten through
445 12th grade education in this state.

446 3. That the State Board of Education, after review, has
447 certified to be operating in a manner consistent with the goals
448 and best interest of the Department of Education.

449 (b) "Personal services" includes full-time or part-time
450 personnel, as well as payroll processing.

451 (2) USE OF PROPERTY.—The State Board of Education:

452 (a) May permit the use of property, facilities, and
453 personal services of the department by the direct-support
454 organization, subject to the provisions of this section.

455 (b) Shall prescribe by rule conditions with which the
456 direct-support organization must comply in order to use
457 property, facilities, or personal services of the department.
458 Such rules shall provide for budget and audit review and for
459 oversight by the department.

460 (c) Shall not permit the use of property, facilities, or
461 personal services of the direct-support organization if such
462 organization does not provide equal employment opportunities to
463 all persons, regardless of race, color, national origin, gender,
464 age, or religion.

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465 (3) BOARD OF DIRECTORS.—The board of directors of the
466 department direct-support organization shall be appointed by the
467 commissioner and shall include representation from business,
468 industry, and other components of Florida's economy.

469 (4) ANNUAL AUDIT.—Each direct-support organization shall
470 provide for an annual financial audit in accordance with s.
471 215.981. The identity of donors who desire to remain anonymous
472 shall be protected, and that anonymity shall be maintained in
473 the auditor's report. All records of the organization other than
474 the auditor's report, management letter, and any supplemental
475 data requested by the Auditor General and the Office of Program
476 Policy Analysis and Government Accountability shall be
477 confidential and exempt from the provisions of s. 119.07(1).

478 Section 7. Present subsection (2) of section 1002.95,
479 Florida Statutes, is redesignated as subsection (3), and a new
480 subsection (2) is added to that section, to read:

481 1002.95 Teacher Education and Compensation Helps (TEACH)
482 Scholarship Program.—

483 (2) Subject to an appropriation, the TEACH Scholarship
484 Program administrator shall also establish and administer the
485 Center for Early Childhood Professional Recognition to ensure
486 alignment of training statewide, including, but not limited to,
487 a system of training approval, a system of trainer approval, and
488 implementation of competency-based assessments aligned to the
489 early learning professional development standards and career
490 pathways under s. 1002.995.

491 Section 8. Paragraph (a) of subsection (2) of section
492 39.202, Florida Statutes, is amended to read:

493 39.202 Confidentiality of reports and records in cases of

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494 child abuse or neglect; exception.—

495 (2) Except as provided in subsection (4), access to such
496 records, excluding the name of, or other identifying information
497 with respect to, the reporter which may only be released as
498 provided in subsection (5), may only be granted to the following
499 persons, officials, and agencies:

500 (a) Employees, authorized agents, or contract providers of
501 the department, the Department of Health, the Agency for Persons
502 with Disabilities, the Agency for Health Care Administration,
503 the Department of Education, or county agencies responsible for
504 carrying out:

- 505 1. Child or adult protective investigations;
- 506 2. Ongoing child or adult protective services;
- 507 3. Early intervention and prevention services;
- 508 4. Healthy Start services;
- 509 5. Licensure or approval of adoptive homes, foster homes,
510 child care facilities, facilities licensed under chapters 393
511 and 394, family child ~~day~~ care homes, providers who receive
512 school readiness funding under part VI of chapter 1002, or other
513 homes used to provide for the care and welfare of children;
- 514 6. Employment screening for caregivers in residential group
515 homes and facilities licensed under chapters 393, 394, and 409;
516 or
- 517 7. Services for victims of domestic violence when provided
518 by certified domestic violence centers working at the
519 department's request as case consultants or with shared clients.

520

521 Also, employees or agents of the Department of Juvenile Justice
522 responsible for the provision of services to children, pursuant

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523 to chapters 984 and 985.

524 Section 9. Section 125.0109, Florida Statutes, is amended
525 to read:

526 125.0109 Family child day care homes; local zoning
527 regulation.—The operation of a residence as a family child day
528 care home, as defined by law, registered or licensed with the
529 Department of Children and Families shall constitute a valid
530 residential use for purposes of any local zoning regulations,
531 and no such regulation shall require the owner or operator of
532 such family child day care home to obtain any special exemption
533 or use permit or waiver, or to pay any special fee in excess of
534 \$50, to operate in an area zoned for residential use.

535 Section 10. Section 166.0445, Florida Statutes, is amended
536 to read:

537 166.0445 Family child day care homes; local zoning
538 regulation.—The operation of a residence as a family child day
539 care home, as defined by law, registered or licensed with the
540 Department of Children and Families shall constitute a valid
541 residential use for purposes of any local zoning regulations,
542 and no such regulation shall require the owner or operator of
543 such family child day care home to obtain any special exemption
544 or use permit or waiver, or to pay any special fee in excess of
545 \$50, to operate in an area zoned for residential use.

546 Section 11. Paragraph (j) of subsection (7) of section
547 212.08, Florida Statutes, is amended to read:

548 212.08 Sales, rental, use, consumption, distribution, and
549 storage tax; specified exemptions.—The sale at retail, the
550 rental, the use, the consumption, the distribution, and the
551 storage to be used or consumed in this state of the following

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552 are hereby specifically exempt from the tax imposed by this
553 chapter.

554 (7) MISCELLANEOUS EXEMPTIONS.—Exemptions provided to any
555 entity by this chapter do not inure to any transaction that is
556 otherwise taxable under this chapter when payment is made by a
557 representative or employee of the entity by any means,
558 including, but not limited to, cash, check, or credit card, even
559 when that representative or employee is subsequently reimbursed
560 by the entity. In addition, exemptions provided to any entity by
561 this subsection do not inure to any transaction that is
562 otherwise taxable under this chapter unless the entity has
563 obtained a sales tax exemption certificate from the department
564 or the entity obtains or provides other documentation as
565 required by the department. Eligible purchases or leases made
566 with such a certificate must be in strict compliance with this
567 subsection and departmental rules, and any person who makes an
568 exempt purchase with a certificate that is not in strict
569 compliance with this subsection and the rules is liable for and
570 shall pay the tax. The department may adopt rules to administer
571 this subsection.

572 (j) *Household fuels*.—Also exempt from payment of the tax
573 imposed by this chapter are sales of utilities to residential
574 households or owners of residential models in this state by
575 utility companies who pay the gross receipts tax imposed under
576 s. 203.01, and sales of fuel to residential households or owners
577 of residential models, including oil, kerosene, liquefied
578 petroleum gas, coal, wood, and other fuel products used in the
579 household or residential model for the purposes of heating,
580 cooking, lighting, and refrigeration, regardless of whether such

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581 sales of utilities and fuels are separately metered and billed
582 direct to the residents or are metered and billed to the
583 landlord. If any part of the utility or fuel is used for a
584 nonexempt purpose, the entire sale is taxable. The landlord
585 shall provide a separate meter for nonexempt utility or fuel
586 consumption. For the purposes of this paragraph, licensed family
587 child day care homes shall also be exempt.

588 Section 12. Subsections (3), (8), (9), and (11) of section
589 402.302, Florida Statutes, are amended to read:

590 402.302 Definitions.—As used in this chapter, the term:

591 (3) "Child care personnel" means all owners, operators,
592 employees, and volunteers working in a child care facility. The
593 term does not include persons who work in a child care facility
594 after hours when children are not present or parents of children
595 in a child care facility. For purposes of screening, the term
596 includes any member, over the age of 12 years, of a child care
597 facility operator's family, or person, over the age of 12 years,
598 residing with a child care facility operator if the child care
599 facility is located in or adjacent to the home of the operator
600 or if the family member of, or person residing with, the child
601 care facility operator has any direct contact with the children
602 in the facility during its hours of operation. Members of the
603 operator's family or persons residing with the operator who are
604 between the ages of 12 years and 18 years are not required to be
605 fingerprinted but must be screened for delinquency records. For
606 purposes of screening, the term also includes persons who work
607 in child care programs that provide care for children 15 hours
608 or more each week in public or nonpublic schools, family child
609 ~~day~~ care homes, membership organizations under s. 402.301, or

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610 programs otherwise exempted under s. 402.316. The term does not
611 include public or nonpublic school personnel who are providing
612 care during regular school hours, or after hours for activities
613 related to a school's program for grades kindergarten through
614 12. A volunteer who assists on an intermittent basis for less
615 than 10 hours per month is not included in the term "personnel"
616 for the purposes of screening and training if a person who meets
617 the screening requirement of s. 402.305(2) is always present and
618 has the volunteer in his or her line of sight. Students who
619 observe and participate in a child care facility as a part of
620 their required coursework are not considered child care
621 personnel, provided such observation and participation are on an
622 intermittent basis and a person who meets the screening
623 requirement of s. 402.305(2) is always present and has the
624 student in his or her line of sight.

625 (8) "Family child ~~day~~ care home" means an occupied
626 residence in which child care is regularly provided for children
627 from at least two unrelated families and which receives a
628 payment, fee, or grant for any of the children receiving care,
629 whether or not operated for profit. Household children under 13
630 years of age, when on the premises of the family child ~~day~~ care
631 home or on a field trip with children enrolled in child care,
632 shall be included in the overall capacity of the licensed home.
633 A family child ~~day~~ care home shall be allowed to provide care
634 for one of the following groups of children, which shall include
635 household children under 13 years of age:

636 (a) A maximum of four children from birth to 12 months of
637 age.

638 (b) A maximum of three children from birth to 12 months of

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639 age, and other children, for a maximum total of six children.

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

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

645 (9) "Household children" means children who are related by
646 blood, marriage, or legal adoption to, or who are the legal
647 wards of, the family child ~~day~~ care home operator, the large
648 family child care home operator, or an adult household member
649 who permanently or temporarily resides in the home. Supervision
650 of the operator's household children shall be left to the
651 discretion of the operator unless those children receive
652 subsidized child care through the school readiness program
653 pursuant to s. 1002.92 to be in the home.

654 (11) "Large family child care home" means an occupied
655 residence in which child care is regularly provided for children
656 from at least two unrelated families, which receives a payment,
657 fee, or grant for any of the children receiving care, whether or
658 not operated for profit, and which has at least two full-time
659 child care personnel on the premises during the hours of
660 operation. One of the two full-time child care personnel must be
661 the owner or occupant of the residence. A large family child
662 care home must first have operated as a licensed family child
663 ~~day~~ care home for 2 years, with an operator who has had a child
664 development associate credential or its equivalent for 1 year,
665 before seeking licensure as a large family child care home.
666 Household children under 13 years of age, when on the premises
667 of the large family child care home or on a field trip with

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668 children enrolled in child care, shall be included in the
669 overall capacity of the licensed home. A large family child care
670 home shall be allowed to provide care for one of the following
671 groups of children, which shall include household children under
672 13 years of age:

673 (a) A maximum of 8 children from birth to 24 months of age.

674 (b) A maximum of 12 children, with no more than 4 children
675 under 24 months of age.

676 Section 13. Paragraph (a) of subsection (17) of section
677 402.305, Florida Statutes, is amended to read:

678 402.305 Licensing standards; child care facilities.—

679 (17) TRANSFER OF OWNERSHIP.—

680 (a) One week prior to the transfer of ownership of a child
681 care facility or family child ~~day~~ care home, the transferor
682 shall notify the parent or caretaker of each child of the
683 impending transfer.

684 Section 14. Subsections (1), (2), and (3) of section
685 402.309, Florida Statutes, are amended to read:

686 402.309 Provisional license or registration.—

687 (1) The local licensing agency or the department, whichever
688 is authorized to license child care facilities in a county, may
689 issue a provisional license for child care facilities, family
690 child ~~day~~ care homes, or large family child care homes, or a
691 provisional registration for family child ~~day~~ care homes to
692 applicants for an initial license or registration or to
693 licensees or registrants seeking a renewal who are unable to
694 meet all the standards provided for in ss. 402.301-402.319.

695 (2) A provisional license or registration may not be issued
696 unless the operator or owner makes adequate provisions for the

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697 health and safety of the child. A provisional license may be
698 issued for a child care facility if all of the screening
699 materials have been timely submitted. A provisional license or
700 registration may not be issued unless the child care facility,
701 family child ~~day~~ care home, or large family child care home is
702 in compliance with the requirements for screening of child care
703 personnel in ss. 402.305, 402.3055, 402.313, and 402.3131,
704 respectively.

705 (3) Notwithstanding subsection (2), a local licensing
706 agency or the department, whichever is authorized to license
707 child care facilities in a county, must issue a provisional
708 license or registration if the operator or owner:

709 (a) Is applying for an initial license or registration for
710 a child care facility, a family child ~~day~~ care home, or a large
711 family child care home;

712 (b) Has made adequate provisions for the health and safety
713 of the child; and

714 (c) Provides evidence that he or she has completed, within
715 the previous 6 months, training pursuant to United States
716 Department of Defense Instruction 6060.02 and background
717 screening by the United States Department of Defense pursuant to
718 34 U.S.C. s. 20351 and 32 C.F.R. part 86 and received a
719 favorable suitability and fitness determination.

720 Section 15. Paragraph (d) of subsection (1) and subsection
721 (4) of section 402.310, Florida Statutes, are amended to read:

722 402.310 Disciplinary actions; hearings upon denial,
723 suspension, or revocation of license or registration;
724 administrative fines.—

725 (1)

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726 (d) The disciplinary sanctions ~~set forth~~ in this section
727 apply to licensed child care facilities, licensed large family
728 child care homes, and licensed or registered family child day
729 care homes.

730 (4) An applicant, registrant, or licensee shall have the
731 right to appeal a decision of the local licensing agency to a
732 representative of the department. Any required hearing shall be
733 held in the county in which the child care facility, family
734 child day care home, or large family child care home is being
735 operated or is to be established. The hearing shall be conducted
736 in accordance with the provisions of chapter 120.

737 Section 16. Subsection (1) and paragraph (a) of subsection
738 (2) of section 402.3115, Florida Statutes, are amended to read:

739 402.3115 Elimination of duplicative and unnecessary
740 inspections; abbreviated inspections.-

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

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

- 751 1. Have been licensed for at least 2 consecutive years.
- 752 2. Have not had a Class 1 deficiency, as defined by rule,
753 for at least 2 consecutive years.
- 754 3. Have not had more than three of the same Class 2

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755 deficiencies, as defined by rule, for at least 2 consecutive
756 years.

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

759 5. Do not have any current uncorrected violations.

760 6. Do not have any open regulatory complaints or active
761 child protective services investigations.

762 Section 17. Section 402.312, Florida Statutes, is amended
763 to read:

764 402.312 License required; injunctive relief.—

765 (1) The operation of a child care facility without a
766 license, a family child ~~day~~ care home without a license or
767 registration, or a large family child care home without a
768 license is prohibited. If the department or the local licensing
769 agency discovers that a child care facility is being operated
770 without a license, a family child ~~day~~ care home is being
771 operated without a license or registration, or a large family
772 child care home is being operated without a license, the
773 department or local licensing agency is authorized to seek an
774 injunction in the circuit court where the facility is located to
775 enjoin continued operation of such facility, family child ~~day~~
776 care home, or large family child care home. When the court is
777 closed for the transaction of judicial business, the department
778 or local licensing agency is authorized to seek an emergency
779 injunction to enjoin continued operation of such unlicensed
780 facility, unregistered or unlicensed family child ~~day~~ care home,
781 or unlicensed large family child care home, which injunction
782 shall be continued, modified, or revoked on the next day of
783 judicial business.

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784 (2) Other grounds for seeking an injunction to close a
785 child care facility, family child ~~day~~ care home, or a large
786 family child care home are that:

787 (a) There is any violation of the standards applied under
788 ss. 402.301-402.319 which threatens harm to any child in the
789 child care facility, a family child ~~day~~ care home, or large
790 family child care home.

791 (b) A licensee or registrant has repeatedly violated the
792 standards provided for under ss. 402.301-402.319.

793 (c) A child care facility, family child ~~day~~ care home, or
794 large family child care home continues to have children in
795 attendance after the closing date established by the department
796 or the local licensing agency.

797 (3) The department or local licensing agency may impose an
798 administrative fine on any child care facility, family child ~~day~~
799 care home, or large family child care home operating without a
800 license or registration, consistent with ~~the provisions of s.~~
801 402.310.

802 Section 18. Subsection (3) of section 402.315, Florida
803 Statutes, is amended to read:

804 402.315 Funding; license fees.—

805 (3) The department shall collect a fee for any license it
806 issues for a child care facility, family child ~~day~~ care home, or
807 large family child care home pursuant to ss. 402.305, 402.313,
808 and 402.3131.

809 (a) For a child care facility licensed pursuant to s.
810 402.305, such fee shall be \$1 per child, based on the licensed
811 capacity of the facility, except that the minimum fee shall be
812 \$25 per facility and the maximum fee shall be \$100 per facility.

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813 (b) For a family child ~~day~~ care home registered pursuant to
814 s. 402.313, such fee shall be \$25.

815 (c) For a family child ~~day~~ care home licensed pursuant to
816 s. 402.313, such fee shall be \$50.

817 (d) For a large family child care home licensed pursuant to
818 s. 402.3131, such fee shall be \$60.

819 Section 19. Section 402.318, Florida Statutes, is amended
820 to read:

821 402.318 Advertisement.—A person, as defined in s. 1.01(3),
822 may not advertise a child care facility, family child ~~day~~ care
823 home, or large family child care home without including within
824 such advertisement the state or local agency license number or
825 registration number of such facility or home. Violation of this
826 section is a misdemeanor of the first degree, punishable as
827 provided in s. 775.082 or s. 775.083.

828 Section 20. Section 402.319, Florida Statutes, is amended
829 to read:

830 402.319 Penalties.—

831 (1) It is a misdemeanor of the first degree, punishable as
832 provided in s. 775.082 or s. 775.083, for any person knowingly
833 to:

834 (a) Fail, by false statement, misrepresentation,
835 impersonation, or other fraudulent means, to disclose in any
836 application for voluntary or paid employment or licensure
837 regulated under ss. 402.301-402.318 all information required
838 under those sections or a material fact used in making a
839 determination as to such person's qualifications to be child
840 care personnel, as defined in s. 402.302, in a child care
841 facility, family child ~~day~~ care home, or other child care

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842 program.

843 (b) Operate or attempt to operate a child care facility
844 without having procured a license as required by this act.

845 (c) Operate or attempt to operate a family child ~~day~~ care
846 home without a license or without registering with the
847 department, whichever is applicable.

848 (d) Operate or attempt to operate a child care facility or
849 family child ~~day~~ care home under a license that is suspended,
850 revoked, or terminated.

851 (e) Misrepresent, by act or omission, a child care facility
852 or family child ~~day~~ care home to be duly licensed pursuant to
853 this act without being so licensed.

854 (f) Make any other misrepresentation, by act or omission,
855 regarding the licensure or operation of a child care facility or
856 family child ~~day~~ care home to a parent or guardian who has a
857 child placed in the facility or is inquiring as to placing a
858 child in the facility, or to a representative of the licensing
859 authority, or to a representative of a law enforcement agency,
860 including, but not limited to, any misrepresentation as to:

861 1. The number of children at the child care facility or the
862 family child ~~day~~ care home;

863 2. The part of the child care facility or family child ~~day~~
864 care home designated for child care;

865 3. The qualifications or credentials of child care
866 personnel;

867 4. Whether a family child ~~day~~ care home or child care
868 facility complies with the screening requirements of s. 402.305;
869 or

870 5. Whether child care personnel have the training as

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871 required by s. 402.305.

872 (2) If any child care personnel makes any misrepresentation
873 in violation of this section to a parent or guardian who has
874 placed a child in the child care facility or family child ~~day~~
875 care home, and the parent or guardian relied upon the
876 misrepresentation, and the child suffers great bodily harm,
877 permanent disfigurement, permanent disability, or death as a
878 result of an intentional act or negligence by the child care
879 personnel, then the child care personnel commits a felony of the
880 second degree, punishable as provided in s. 775.082, s. 775.083,
881 or s. 775.084.

882 (3) Each child care facility, family child ~~day~~ care home,
883 and large family child care home shall annually submit an
884 affidavit of compliance with s. 39.201.

885 Section 21. Paragraph (c) of subsection (2) of section
886 409.988, Florida Statutes, is amended to read:

887 409.988 Community-based care lead agency duties; general
888 provisions.—

889 (2) LICENSURE.—

890 (c) Substitute care providers who are licensed under s.
891 409.175 and who have contracted with a lead agency are also
892 authorized to provide registered or licensed family child ~~day~~
893 care under s. 402.313 if such care is consistent with federal
894 law and if the home has met the requirements of s. 402.313.

895 Section 22. Paragraph (b) of subsection (8) of section
896 411.203, Florida Statutes, is amended to read:

897 411.203 Continuum of comprehensive services.—The Department
898 of Education and the Department of Health shall utilize the
899 continuum of prevention and early assistance services for high-

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900 risk pregnant women and for high-risk and handicapped children
901 and their families, as outlined in this section, as a basis for
902 the intraagency and interagency program coordination,
903 monitoring, and analysis required in this chapter. The continuum
904 shall be the guide for the comprehensive statewide approach for
905 services for high-risk pregnant women and for high-risk and
906 handicapped children and their families, and may be expanded or
907 reduced as necessary for the enhancement of those services.

908 Expansion or reduction of the continuum shall be determined by
909 intraagency or interagency findings and agreement, whichever is
910 applicable. Implementation of the continuum shall be based upon
911 applicable eligibility criteria, availability of resources, and
912 interagency prioritization when programs impact both agencies,
913 or upon single agency prioritization when programs impact only
914 one agency. The continuum shall include, but not be limited to:

915 (8) SUPPORT SERVICES FOR ALL EXPECTANT PARENTS AND PARENTS
916 OF HIGH-RISK CHILDREN.—

917 (b) Child care and early childhood programs, including, but
918 not limited to, licensed child care facilities, family child ~~day~~
919 care homes, therapeutic child care, Head Start, and preschool
920 programs in public and private schools.

921 Section 23. Paragraph (a) of subsection (3) of section
922 1002.55, Florida Statutes, is amended to read:

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

925 (3) To be eligible to deliver the prekindergarten program,
926 a private prekindergarten provider must meet each of the
927 following requirements:

928 (a) The private prekindergarten provider must be a child

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929 care facility licensed under s. 402.305, family child ~~day~~ care
930 home licensed under s. 402.313, large family child care home
931 licensed under s. 402.3131, nonpublic school exempt from
932 licensure under s. 402.3025(2), faith-based child care provider
933 exempt from licensure under s. 402.316, child development
934 program that is accredited by a national accrediting body and
935 operates on a military installation that is certified by the
936 United States Department of Defense, or private prekindergarten
937 provider that has been issued a provisional license under s.
938 402.309. A private prekindergarten provider may not deliver the
939 program while holding a probation-status license under s.
940 402.310.

941 Section 24. Paragraph (u) of subsection (2) of section
942 1002.82, Florida Statutes, is amended to read:

943 1002.82 Department of Education; powers and duties.—

944 (2) The department shall:

945 (u) Administer a statewide toll-free Warm-Line to provide
946 assistance and consultation to child care facilities and family
947 child ~~day~~ care homes regarding health, developmental,
948 disability, and special needs issues of the children they are
949 serving, particularly children with disabilities and other
950 special needs. The department shall:

951 1. Annually inform child care facilities and family child
952 ~~day~~ care homes of the availability of this service through the
953 child care resource and referral network under s. 1002.92.

954 2. Expand or contract for the expansion of the Warm-Line to
955 maintain at least one Warm-Line in each early learning coalition
956 service area.

957 Section 25. Paragraph (j) of subsection (4) of section

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958 1002.83, Florida Statutes, is amended to read:

959 1002.83 Early learning coalitions.—

960 (4) Each early learning coalition must include the
961 following member positions; however, in a multicounty coalition,
962 each ex officio member position may be filled by multiple
963 nonvoting members but no more than one voting member shall be
964 seated per member position. If an early learning coalition has
965 more than one member representing the same entity, only one of
966 such members may serve as a voting member:

967 (j) A representative of private for-profit child care
968 providers, including private for-profit family child ~~day~~ care
969 homes.

970 Section 26. Subsection (4) of section 1002.84, Florida
971 Statutes, is amended to read:

972 1002.84 Early learning coalitions; school readiness powers
973 and duties.—Each early learning coalition shall:

974 (4) Establish a regional Warm-Line as directed by the
975 department pursuant to s. 1002.82(2)(u). Regional Warm-Line
976 staff shall provide onsite technical assistance, when requested,
977 to assist child care facilities and family child ~~day~~ care homes
978 with inquiries relating to the strategies, curriculum, and
979 environmental adaptations the child care facilities and family
980 child ~~day~~ care homes may need as they serve children with
981 disabilities and other special needs.

982 Section 27. Paragraphs (a) and (c) of subsection (1) of
983 section 1002.88, Florida Statutes, are amended to read:

984 1002.88 School readiness program provider standards;
985 eligibility to deliver the school readiness program.—

986 (1) To be eligible to deliver the school readiness program,

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987 a school readiness program provider must:

988 (a) Be a child care facility licensed under s. 402.305, a
989 family child ~~day~~ care home licensed or registered under s.
990 402.313, a large family child care home licensed under s.
991 402.3131, a public school or nonpublic school exempt from
992 licensure under s. 402.3025, a faith-based child care provider
993 exempt from licensure under s. 402.316, a before-school or
994 after-school program described in s. 402.305(1)(c), a child
995 development program that is accredited by a national accrediting
996 body and operates on a military installation that is certified
997 by the United States Department of Defense, an informal child
998 care provider to the extent authorized in the state's Child Care
999 and Development Fund Plan as approved by the United States
1000 Department of Health and Human Services pursuant to 45 C.F.R. s.
1001 98.18, or a provider who has been issued a provisional license
1002 pursuant to s. 402.309. A provider may not deliver the program
1003 while holding a probation-status license under s. 402.310.

1004 (c) Provide basic health and safety of its premises and
1005 facilities and compliance with requirements for age-appropriate
1006 immunizations of children enrolled in the school readiness
1007 program.

1008 1. For a provider that is licensed, compliance with s.
1009 402.305, s. 402.3131, or s. 402.313 and this subsection, as
1010 verified pursuant to s. 402.311, satisfies this requirement.

1011 2. For a provider that is a registered family child ~~day~~
1012 care home or is not subject to licensure or registration by the
1013 Department of Children and Families, compliance with this
1014 subsection, as verified pursuant to s. 402.311, satisfies this
1015 requirement. Upon verification pursuant to s. 402.311, the

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1016 provider shall annually post the health and safety checklist
1017 adopted by the department prominently on its premises in plain
1018 sight for visitors and parents and shall annually submit the
1019 checklist to its local early learning coalition.

1020 3. For a child development program that is accredited by a
1021 national accrediting body and operates on a military
1022 installation that is certified by the United States Department
1023 of Defense, the submission and verification of annual
1024 inspections pursuant to United States Department of Defense
1025 Instructions 6060.2 and 1402.05 satisfies this requirement.

1026 Section 28. Paragraph (c) of subsection (2) of section
1027 1002.895, Florida Statutes, is amended to read:

1028 1002.895 Market rate schedule.—The school readiness program
1029 market rate schedule shall be implemented as follows:

1030 (2) The market rate schedule must differentiate rates by
1031 provider type, including, but not limited to:

1032 (c) Family child day care homes licensed or registered
1033 under s. 402.313.

1034 Section 29. Paragraph (a) of subsection (3) and subsection
1035 (4) of section 1002.92, Florida Statutes, are amended to read:

1036 1002.92 Child care and early childhood resource and
1037 referral.—

1038 (3) Child care resource and referral agencies shall provide
1039 the following services:

1040 (a) Identification of existing public and private child
1041 care and early childhood education services, including child
1042 care services by public and private employers, and the
1043 development of an early learning provider performance profile of
1044 those services through the single statewide information system

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1045 developed by the department under s. 1002.82(2)(q). These
1046 services may include family child ~~day~~ care, public and private
1047 child care programs, the Voluntary Prekindergarten Education
1048 Program, Head Start, the school readiness program, special
1049 education programs for prekindergarten children with
1050 disabilities, services for children with developmental
1051 disabilities, full-time and part-time programs, before-school
1052 and after-school programs, and vacation care programs. The early
1053 learning provider performance profile shall include, but not be
1054 limited to:

- 1055 1. Type of program.
- 1056 2. Hours of service.
- 1057 3. Ages of children served.
- 1058 4. Number of children served.
- 1059 5. Program information.
- 1060 6. Fees and eligibility for services.
- 1061 7. Availability of transportation.
- 1062 8. Participation in the Child Care Food Program, if
1063 applicable.
- 1064 9. A link to licensing inspection reports, if applicable.
- 1065 10. The components of the Voluntary Prekindergarten
1066 Education Program performance metric calculated under s. 1002.68
1067 which must consist of the program assessment composite score,
1068 learning gains score, achievement score, and its designations,
1069 if applicable.
- 1070 11. The school readiness program assessment composite score
1071 and program assessment care level composite score results
1072 delineated by infant classrooms, toddler classrooms, and
1073 preschool classrooms results under s. 1002.82, if applicable.

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1074 12. Gold Seal Quality Care designation under s. 1002.945,
1075 if applicable.

1076 13. Indication of whether the provider implements a
1077 curriculum approved by the department and the name of the
1078 curriculum, if applicable.

1079 14. Participation in school readiness child assessment
1080 under s. 1002.82.

1081 (4) A child care facility licensed under s. 402.305 and
1082 licensed and registered family child ~~day~~ care homes must provide
1083 the statewide child care and resource and referral network with
1084 the following information annually:

1085 (a) Type of program.

1086 (b) Hours of service.

1087 (c) Ages of children served.

1088 (d) Fees and eligibility for services.

1089 Section 30. Subsection (2) of section 1002.93, Florida
1090 Statutes, is amended to read:

1091 1002.93 School readiness program transportation services.—

1092 (2) The transportation servicers may only provide
1093 transportation to each child participating in the school
1094 readiness program to the extent that such transportation is
1095 necessary to provide child care opportunities that otherwise
1096 would not be available to a child whose home is more than a
1097 reasonable walking distance from the nearest child care facility
1098 or family child ~~day~~ care home.

1099 Section 31. Paragraph (b) of subsection (1), paragraphs (a)
1100 and (c) of subsection (3), and subsection (4) of section
1101 1002.945, Florida Statutes, are amended to read:

1102 1002.945 Gold Seal Quality Care Program.—

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- 1103 (1)
- 1104 (b) A child care facility, large family child care home, or
- 1105 family child ~~day~~ care home that is accredited by an accrediting
- 1106 association approved by the Department of Education under
- 1107 subsection (3) and meets all other requirements shall, upon
- 1108 application to the department, receive a separate "Gold Seal
- 1109 Quality Care" designation.
- 1110 (3) (a) In order to be approved by the Department of
- 1111 Education for participation in the Gold Seal Quality Care
- 1112 Program, an accrediting association must apply to the department
- 1113 and demonstrate that it:
- 1114 1. Is a recognized accrediting association.
- 1115 2. Has accrediting standards that substantially meet or
- 1116 exceed the Gold Seal Quality Care standards adopted by the state
- 1117 board under subsection (2).
- 1118 3. Is a registered corporation with the Department of
- 1119 State.
- 1120 4. Can provide evidence that the process for accreditation
- 1121 has, at a minimum, all of the following components:
- 1122 a. Clearly defined prerequisites that a child care provider
- 1123 must meet before beginning the accreditation process. However,
- 1124 accreditation may not be granted to a child care facility, large
- 1125 family child care home, or family child ~~day~~ care home before the
- 1126 site is operational and is attended by children.
- 1127 b. Procedures for completion of a self-study and
- 1128 comprehensive onsite verification process for each classroom
- 1129 that documents compliance with accrediting standards.
- 1130 c. A training process for accreditation verifiers to ensure
- 1131 inter-rater reliability.

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1132 d. Ongoing compliance procedures that include requiring
1133 each accredited child care facility, large family child care
1134 home, and family child ~~day~~ care home to file an annual report
1135 with the accrediting association and risk-based, onsite auditing
1136 protocols for accredited child care facilities, large family
1137 child care homes, and family child ~~day~~ care homes.

1138 e. Procedures for the revocation of accreditation due to
1139 failure to maintain accrediting standards as evidenced by sub-
1140 subparagraph d. or any other relevant information received by
1141 the accrediting association.

1142 f. Accreditation renewal procedures that include an onsite
1143 verification occurring at least every 5 years.

1144 g. A process for verifying continued accreditation
1145 compliance in the event of a transfer of ownership of
1146 facilities.

1147 h. A process to communicate issues that arise during the
1148 accreditation period with governmental entities that have a
1149 vested interest in the Gold Seal Quality Care Program, including
1150 the Department of Education, the Department of Children and
1151 Families, the Department of Health, local licensing entities if
1152 applicable, and the early learning coalition.

1153 (c) If an accrediting association has granted accreditation
1154 to a child care facility, large family child care home, or
1155 family child ~~day~~ care under fraudulent terms or failed to
1156 conduct onsite verifications, the accrediting association shall
1157 be liable for the repayment of any rate differentials paid under
1158 subsection (6).

1159 (4) In order to obtain and maintain a designation as a Gold
1160 Seal Quality Care provider, a child care facility, large family

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1161 child care home, or family child ~~day~~ care home must meet the
1162 following additional criteria:

1163 (a) The child care provider must not have had any class I
1164 violations, as defined by rule of the Department of Children and
1165 Families, within the 2 years preceding its application for
1166 designation as a Gold Seal Quality Care provider. Commission of
1167 a class I violation shall be grounds for termination of the
1168 designation as a Gold Seal Quality Care provider until the
1169 provider has no class I violations for a period of 2 years.

1170 (b) The child care provider must not have had three or more
1171 of the same class II violations, as defined by rule of the
1172 Department of Children and Families, within the 2 years
1173 preceding its application for designation as a Gold Seal Quality
1174 Care provider. Commission of three or more of the same class II
1175 violations within a 2-year period shall be grounds for
1176 termination of the designation as a Gold Seal Quality Care
1177 provider until the provider has no class II violations that are
1178 the same for a period of 1 year.

1179 (c) The child care provider must not have been cited for
1180 the same class III violation, as defined by rule of the
1181 Department of Children and Families, three or more times and
1182 failed to correct the violation within 1 year after the date of
1183 each citation, within the 2 years preceding its application for
1184 designation as a Gold Seal Quality Care provider. Commission of
1185 the same class III violation three or more times and failure to
1186 correct within the required time during a 2-year period may be
1187 grounds for termination of the designation as a Gold Seal
1188 Quality Care provider until the provider has no class III
1189 violations for a period of 1 year.

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1190 (d) Notwithstanding paragraph (a), if the Department of
1191 Education determines through a formal process that a provider
1192 has been in business for at least 5 years and has no other class
1193 I violations recorded, the department may recommend to the state
1194 board that the provider maintain its Gold Seal Quality Care
1195 status. The state board's determination regarding such
1196 provider's status is final.

1197 Section 32. This act shall take effect July 1, 2026.