

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. CS/HB 765 (2026)

Amendment No. 1

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	<u> </u> (Y/N)
ADOPTED AS AMENDED	<u> </u> (Y/N)
ADOPTED W/O OBJECTION	<u> </u> (Y/N)
FAILED TO ADOPT	<u> </u> (Y/N)
WITHDRAWN	<u> </u> (Y/N)
OTHER	<u> </u>

1 Committee/Subcommittee hearing bill: Student Academic Success
2 Subcommittee

3 Representative McFarland offered the following:

4

5 **Amendment**

6 Remove lines 76-169 and insert:

7 and nonpublic elementary schools at school sites for the
8 schools' student populations.

9 (3) "Child care personnel" means all owners, operators,
10 employees, and volunteers working in a child care facility. The
11 term does not include persons who work in a child care facility
12 after hours when children are not present or parents of children
13 in a child care facility. For purposes of screening, the term
14 includes any member, over the age of 12 years, of a child care
15 facility operator's family, or person, over the age of 12 years,
16 residing with a child care facility operator if the child care

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17 facility is located in or adjacent to the home of the operator
18 or if the family member of, or person residing with, the child
19 care facility operator has any direct contact with the children
20 in the facility during its hours of operation. Members of the
21 operator's family or persons residing with the operator who are
22 between the ages of 12 years and 18 years are not required to be
23 fingerprinted but must be screened for delinquency records. For
24 purposes of screening, the term also includes persons who work
25 in child care programs that provide care for children 15 hours
26 or more each week in public or nonpublic schools, family child
27 ~~day~~ care homes, membership organizations under s. 402.301, or
28 programs otherwise exempted under s. 402.316. The term does not
29 include public or nonpublic school personnel who are providing
30 care during regular school hours, or after hours for activities
31 related to a school's program for students attending public or
32 nonpublic school programs ~~grades kindergarten through 12~~. A
33 volunteer who assists on an intermittent basis for less than 10
34 hours per month is not included in the term "personnel" for the
35 purposes of screening and training if a person who meets the
36 screening requirement of s. 402.305(2) is always present and has
37 the volunteer in his or her line of sight. Students who observe
38 and participate in a child care facility as a part of their
39 required coursework are not considered child care personnel,
40 provided such observation and participation are on an
41 intermittent basis and a person who meets the screening

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42 requirement of s. 402.305(2) is always present and has the
43 student in his or her line of sight.

44 (8) "Family child day care home" means an occupied
45 residence in which child care is regularly provided for children
46 from at least two unrelated families and which receives a
47 payment, fee, or grant for any of the children receiving care,
48 whether or not operated for profit. Household children under 13
49 years of age, when on the premises of the family child day care
50 home or on a field trip with children enrolled in child care,
51 shall be included in the overall capacity of the licensed home.
52 A family child day care home shall be allowed to provide care
53 for one of the following groups of children, which shall include
54 household children under 13 years of age:

55 (a) A maximum of four children from birth to 12 months of
56 age.

57 (b) A maximum of three children from birth to 12 months of
58 age, and other children, for a maximum total of six children.

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

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

64 (9) "Household children" means children who are related by
65 blood, marriage, or legal adoption to, or who are the legal
66 wards of, the family child day care home operator, the large

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67 family child care home operator, or an adult household member
68 who permanently or temporarily resides in the home. Supervision
69 of the operator's household children shall be left to the
70 discretion of the operator unless those children receive
71 subsidized child care through the school readiness program
72 pursuant to s. 1002.92 to be in the home.

73 (11) "Large family child care home" means an occupied
74 residence in which child care is regularly provided for children
75 from at least two unrelated families, which receives a payment,
76 fee, or grant for any of the children receiving care, whether or
77 not operated for profit, and which has at least two full-time
78 child care personnel on the premises during the hours of
79 operation. One of the two full-time child care personnel must be
80 the owner or occupant of the residence. A large family child
81 care home must first have operated as a licensed family child
82 ~~day~~ care home for 2 years, with an operator who has had a child
83 development associate credential or its equivalent for 1 year,
84 before seeking licensure as a large family child care home.
85 Household children under 13 years of age, when on the premises
86 of the large family child care home or on a field trip with
87 children enrolled in child care, shall be included in the
88 overall capacity of the licensed home. A large family child care
89 home shall be allowed to provide care for one of the following
90 groups of children, which shall include household children under
91 13 years of age:

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

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

96 (15) "School-age children" means children who are:

97 (a) In kindergarten through grade 12;

98 (b) Three-year olds in a public or nonpublic school
99 exceptional student education program; or

100 (c) Four-year olds in a public or nonpublic school child
101 care program.