

1 A bill to be entitled
2 An act relating to child care and early learning
3 services; amending s. 402.302, F.S.; revising and
4 providing definitions; amending s. 402.305, F.S.;
5 revising the minimum standards for child care facility
6 licensing; amending ss. 402.313 and 402.3131, F.S.;
7 removing provisions requiring family day care homes
8 and large family child care homes, respectively, to
9 provide specified information to parents; amending s.
10 627.70161, F.S.; changing the term "family day care"
11 to "family child care"; providing legislative intent
12 relating to large family child care homes; defining
13 the term "large family child care home"; prohibiting
14 residential property insurance policies from providing
15 coverage for liability for claims arising out of, or
16 in connection with, the operations of large family
17 child care homes; providing that insurers are under no
18 obligation to defend against lawsuits covering such
19 claims; providing exceptions; prohibiting insurers
20 from denying, cancelling, and refusing to renew a
21 policy for residential property insurance on the basis
22 that the policyholders or applicants operate large
23 family child care homes; providing exceptions;
24 reenacting and amending s. 1001.24, F.S.; revising the
25 definition of the term "Department of Education

direct-support organization"; creating s. 1002.821, F.S.; creating the Brighter Futures Program within a Department of Education direct-support organization; providing that program funds shall be deposited in the Early Learning Fund; providing the funds from state sources are accounted separately; providing for the use of funds; requiring an annual report; providing requirements for such report; amending s. 1002.95, F.S.; providing for the administration of the Center for Early Childhood Professional Recognition; amending s. 39.101, F.S.; conforming a cross-reference; amending ss. 39.202, 125.0109, 166.0445, 212.08, 402.306, 402.309, 402.310, 402.3115, 402.312, 402.315, 402.316, 402.318, 402.319, 409.988, 411.203, 1002.55, 1002.82, 1002.83, 1002.84, 1002.88, 1002.895, 1002.92, 1002.93, and 1002.945, F.S.; conforming provisions to changes made by the act; providing an effective date.

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

Section 1. Subsections (15) through (18) of section 402.302, Florida Statutes, are renumbered as subsections (16) through (19), respectively, paragraph (a) of subsection (2) and subsections (3), (8), (9), and (11) are amended, and a new subsection (15) is added to that section, to read:

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

(2) "Child care facility" includes any child care center or child care arrangement which provides child care for more than five children unrelated to the operator and which receives a payment, fee, or grant for any of the children receiving care, wherever operated, and whether or not operated for profit. The following are not included:

(a) Public schools and nonpublic schools and their administered ~~integral~~ programs, except as provided in s.

402.3025.~~7~~

(b) Summer camps having children in full-time residence.~~7~~

(c) Summer day camps.~~7~~

(d) Bible schools normally conducted during vacation periods.~~7~~ ~~and~~

(e) Operators of transient establishments, as defined in chapter 509, which provide child care services solely for the guests of their establishment or resort, provided that all child care personnel of the establishment are screened according to the level 2 screening requirements of chapter 435.

(f) Before-school and after-school programs, and any programs during off-school hours, offered and operated by public and nonpublic elementary schools at school sites for the schools' student populations.

(3) "Child care personnel" means all owners, operators, employees, and volunteers working in a child care facility. The

76 term does not include persons who work in a child care facility
77 after hours when children are not present or parents of children
78 in a child care facility. For purposes of screening, the term
79 includes any member, over the age of 12 years, of a child care
80 facility operator's family, or person, over the age of 12 years,
81 residing with a child care facility operator if the child care
82 facility is located in or adjacent to the home of the operator
83 or if the family member of, or person residing with, the child
84 care facility operator has any direct contact with the children
85 in the facility during its hours of operation. Members of the
86 operator's family or persons residing with the operator who are
87 between the ages of 12 years and 18 years are not required to be
88 fingerprinted but must be screened for delinquency records. For
89 purposes of screening, the term also includes persons who work
90 in child care programs that provide care for children 15 hours
91 or more each week in public or nonpublic schools, family child
92 ~~day~~ care homes, membership organizations under s. 402.301, or
93 programs otherwise exempted under s. 402.316. The term does not
94 include public or nonpublic school personnel who are providing
95 care during regular school hours, or after hours for activities
96 related to a school's program for students attending public or
97 nonpublic school programs ~~grades kindergarten through 12~~. A
98 volunteer who assists on an intermittent basis for less than 10
99 hours per month is not included in the term "personnel" for the
100 purposes of screening and training if a person who meets the

101 screening requirement of s. 402.305(2) is always present and has
102 the volunteer in his or her line of sight. Students who observe
103 and participate in a child care facility as a part of their
104 required coursework are not considered child care personnel,
105 provided such observation and participation are on an
106 intermittent basis and a person who meets the screening
107 requirement of s. 402.305(2) is always present and has the
108 student in his or her line of sight.

109 (8) "Family child ~~day~~ care home" means an occupied
110 residence in which child care is regularly provided for children
111 from at least two unrelated families and which receives a
112 payment, fee, or grant for any of the children receiving care,
113 whether or not operated for profit. Household children under 13
114 years of age, when on the premises of the family child ~~day~~ care
115 home or on a field trip with children enrolled in child care,
116 shall be included in the overall capacity of the licensed home.
117 A family child ~~day~~ care home shall be allowed to provide care
118 for one of the following groups of children, which shall include
119 household children under 13 years of age:

120 (a) A maximum of four children from birth to 12 months of
121 age.

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

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

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

129 (9) "Household children" means children who are related by
130 blood, marriage, or legal adoption to, or who are the legal
131 wards of, the family child ~~day~~ care home operator, the large
132 family child care home operator, or an adult household member
133 who permanently or temporarily resides in the home. Supervision
134 of the operator's household children shall be left to the
135 discretion of the operator unless those children receive
136 subsidized child care through the school readiness program
137 pursuant to s. 1002.92 to be in the home.

138 (11) "Large family child care home" means an occupied
139 residence in which child care is regularly provided for children
140 from at least two unrelated families, which receives a payment,
141 fee, or grant for any of the children receiving care, whether or
142 not operated for profit, and which has at least two full-time
143 child care personnel on the premises during the hours of
144 operation. One of the two full-time child care personnel must be
145 the owner or occupant of the residence. A large family child
146 care home must first have operated as a licensed family child
147 ~~day~~ care home for 2 years, with an operator who has had a child
148 development associate credential or its equivalent for 1 year,
149 before seeking licensure as a large family child care home.
150 Household children under 13 years of age, when on the premises

of the large family child care home or on a field trip with children enrolled in child care, shall be included in the overall capacity of the licensed home. A large family child care home shall be allowed to provide care for one of the following groups of children, which shall include household children under 13 years of age:

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

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

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

(a) In kindergarten through grade 12;

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

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

Section 2. Paragraph (a) of subsection (2), paragraph (a) of subsection (7), and paragraph (a) of subsection (17) of section 402.305, Florida Statutes, are amended to read:

402.305 Licensing standards; child care facilities.—

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

(a) Good moral character based upon screening as defined in s. 402.302 ~~s. 402.302(15)~~. This screening shall be conducted as provided in chapter 435, using the level 2 standards for

176 screening provided in that chapter, and include employment
177 history checks, a search of criminal history records, sexual
178 predator and sexual offender registries, and child abuse and
179 neglect registry of any state in which the current or
180 prospective child care personnel resided during the preceding 5
181 years. The department shall complete the screening and provide
182 the results to the child care facility within 3 business days
183 from the receipt of the criminal history record check. If the
184 department is unable to complete the screening within 3 business
185 days, the department shall issue the current or prospective
186 child care personnel a 45-day provisional-hire status while all
187 required information is being requested and the department is
188 awaiting results unless the department has reason to believe a
189 disqualifying factor may exist. During the 45-day period, the
190 current or prospective child care personnel must be under the
191 direct supervision of a screened and trained staff member when
192 in contact with children.

193
194 The department may grant limited exemptions to the minimum
195 standards provided in this subsection which authorize a person
196 to work in a specified role or with a specified population.

197 (7) SANITATION AND SAFETY.—

198 (a) Minimum standards must include requirements for
199 sanitary and safety conditions, first aid treatment, emergency
200 procedures, and pediatric cardiopulmonary resuscitation. The

201 minimum standards must require that ~~at least~~ one staff person
202 trained in person in cardiopulmonary resuscitation, as evidenced
203 by current documentation of course completion, be present at all
204 times that children are present.

205 (17) TRANSFER OF OWNERSHIP.—

206 (a) One week prior to the transfer of ownership of a child
207 care facility or family child ~~day~~ care home, the transferor
208 shall notify the parent or caretaker of each child of the
209 impending transfer.

210 **Section 3. Section 402.313, Florida Statutes, is amended**
211 **to read:**

212 402.313 Family child ~~day~~ care homes.—

213 (1) Family child ~~day~~ care homes shall be licensed under
214 this act if they are presently being licensed under an existing
215 county licensing ordinance or if the board of county
216 commissioners passes a resolution that family child ~~day~~ care
217 homes be licensed.

218 (a) If not subject to license, family ~~day~~ care homes shall
219 register annually with the department, providing the following
220 information:

- 221 1. The name and address of the home.
- 222 2. The name of the operator.
- 223 3. The number of children served.
- 224 4. Proof of a written plan to provide at least one other
225 competent adult to be available to substitute for the operator

226 in an emergency. This plan shall include the name, address, and
227 telephone number of the designated substitute.

228 5. Proof of screening and background checks.

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

232 a. State and local rules and regulations that govern child
233 care.

234 b. Health, safety, and nutrition.

235 c. Identifying and reporting child abuse and neglect.

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

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

242 f. Specialized areas, including early literacy and
243 language development of children from birth to 5 years of age,
244 as determined by the department, for owner-operators of family
245 child ~~day~~ care homes.

246 7. Proof that immunization records are kept current.

247 8. Proof of completion of the required continuing
248 education units or clock hours.

249 (b) A family child ~~day~~ care home may volunteer to be
250 licensed under this act.

251 (c) The department may provide technical assistance to
252 counties and family child ~~day~~ care home providers to enable
253 counties and family child ~~day~~ care providers to achieve
254 compliance with family child ~~day~~ care homes standards.

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

258 (3) Child care personnel in family child ~~day~~ care homes
259 shall be subject to the applicable screening provisions
260 contained in ss. 402.305(2) and 402.3055. For purposes of
261 screening in family child ~~day~~ care homes, the term includes any
262 member over the age of 12 years of a family child ~~day~~ care home
263 operator's family, or persons over the age of 12 years residing
264 with the operator in the family child ~~day~~ care home. Members of
265 the operator's family, or persons residing with the operator,
266 who are between the ages of 12 years and 18 years shall not be
267 required to be fingerprinted, but shall be screened for
268 delinquency records.

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

273 (5) In order to further develop their child care skills
274 and, if appropriate, their administrative skills, operators of
275 family child ~~day~~ care homes shall be required to complete an

276 additional 1 continuing education unit of approved training or
277 10 clock hours of equivalent training, as determined by the
278 department, annually.

279 (6) Operators of family child ~~day~~ care homes shall be
280 required to complete 0.5 continuing education unit of approved
281 training in early literacy and language development of children
282 from birth to 5 years of age one time. The year that this
283 training is completed, it shall fulfill the 0.5 continuing
284 education unit or 5 clock hours of the annual training required
285 in subsection (5).

286 (7) Operators of family child ~~day~~ care homes shall be
287 required annually to complete a health and safety home
288 inspection self-evaluation checklist developed by the department
289 in conjunction with the statewide resource and referral program.
290 The completed checklist shall be signed by the operator of the
291 family child ~~day~~ care home and provided to parents as
292 certification that basic health and safety standards are being
293 met.

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

296 (9) The department shall prepare a brochure on family
297 child ~~day~~ care for distribution by the department and by local
298 licensing agencies, if appropriate, to family child ~~day~~ care
299 homes for distribution to parents utilizing such child care, and
300 to all interested persons, including physicians and other health

301 professionals; mental health professionals; school teachers or
302 other school personnel; social workers or other professional
303 child care, foster care, residential, or institutional workers;
304 and law enforcement officers. The brochure shall, at a minimum,
305 contain the following information:

306 (a) A brief description of the requirements for family
307 child ~~day~~ care registration, training, and fingerprinting and
308 screening.

309 (b) A listing of those counties that require licensure of
310 family child ~~day~~ care homes. Such counties shall provide an
311 addendum to the brochure that provides a brief description of
312 the licensure requirements or may provide a brochure in lieu of
313 the one described in this subsection, provided it contains all
314 the required information on licensure and the required
315 information in the subsequent paragraphs.

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

322 (d) The statewide toll-free telephone number of the
323 central abuse hotline, together with a notice that reports of
324 suspected and actual child physical abuse, sexual abuse, and
325 neglect are received and referred for investigation by the

326 hotline.

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

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

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

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

340 (c) The number of complaints received concerning family
341 child ~~day~~ care, the nature of the complaints, and the resolution
342 of such complaints.

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

346
347 The evaluation shall be utilized by the department in any
348 administrative modifications or adjustments to be made in the
349 registration of family child ~~day~~ care homes or in any
350 legislative requests for modifications to the system of

351 registration or to other requirements for family child ~~day~~ care
352 homes.

353 (11) In order to inform the public of the state
354 requirement for registration of family child ~~day~~ care homes as
355 well as the other requirements for such homes to legally operate
356 in the state, the department shall institute a media campaign to
357 accomplish this end. Such a campaign shall include, at a
358 minimum, flyers, newspaper advertisements, radio advertisements,
359 and television advertisements.

360 (12) Notwithstanding any other state or local law or
361 ordinance, any family child ~~day~~ care home licensed pursuant to
362 this chapter or pursuant to a county ordinance shall be charged
363 the utility rates accorded to a residential home. A licensed
364 family child ~~day~~ care home may not be charged commercial utility
365 rates.

366 (13) The department shall, by rule, establish minimum
367 standards for family child ~~day~~ care homes that are required to
368 be licensed by county licensing ordinance or county licensing
369 resolution or that voluntarily choose to be licensed. The
370 standards should include requirements for staffing, training,
371 maintenance of immunization records, minimum health and safety
372 standards, reduced standards for the regulation of child care
373 during evening hours by municipalities and counties, and
374 enforcement of standards.

375 ~~(14) During the months of August and September of each~~

~~year, each family day care home shall provide parents of children enrolled in the home 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.~~

~~(15) During the months of April and September of each year, at a minimum, each family day care home shall provide parents of children attending the family day care home information regarding the potential for a distracted adult to fail to drop off a child at the family day care home and instead leave the child in the adult's vehicle upon arrival at the adult's destination. The family day care home 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 family day care homes may choose to reproduce and provide to parents to satisfy the requirements of this subsection.~~

Section 4. Subsections (9) and (10) of section 402.3131, Florida Statutes, are amended to read:

402.3131 Large family child care homes.—

~~(9) During the months of August and September of each year, each large family child care home shall provide parents of~~

~~children enrolled in the home 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.~~

~~(10) During the months of April and September of each year, at a minimum, each large family child care home shall provide parents of children attending the large family child care home information regarding the potential for a distracted adult to fail to drop off a child at the large family child care home and instead leave the child in the adult's vehicle upon arrival at the adult's destination. The large family child care home 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 large family child care homes may choose to reproduce and provide to parents to satisfy the requirements of this subsection.~~

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

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

(1) PURPOSE AND INTENT.—The Legislature recognizes that family child day care and large family child care homes fulfill

426 a vital role in providing child care in Florida. It is the
427 intent of the Legislature that residential property insurance
428 coverage should not be canceled, denied, or nonrenewed solely on
429 the basis of the child ~~family day~~ care services at the
430 residence. The Legislature also recognizes that the potential
431 liability of residential property insurers is substantially
432 increased by the rendition of child care services on the
433 premises. The Legislature therefore finds that there is a public
434 need to specify that contractual liabilities that arise in
435 connection with the operation of the family child ~~day~~ care home
436 or the large family child care home are excluded from
437 residential property insurance policies unless they are
438 specifically included in such coverage.

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

440 (a) "Child care" means the care, protection, and
441 supervision of a child, for a period of less than 24 hours a day
442 on a regular basis, which supplements parental care, enrichment,
443 and health supervision for the child, in accordance with his or
444 her individual needs, and for which a payment, fee, or grant is
445 made for care.

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

(c) "Large family child care home" means an occupied residence in which child care is regularly provided for children from at least two unrelated families, which receives a payment, fee, or grant for any of the children receiving care, whether or not operated for profit, and which has at least two full-time child care personnel on the premises during the hours of operation. One of the two full-time child care personnel must be the owner or occupant of the residence. A large family child care home must first have operated as a licensed family child care home for at least 2 years, with an operator who has held a child development associate credential or its equivalent for at least 1 year, before seeking licensure as a large family child care home. Household children under 13 years of age, when on the premises of the large family child care home or on a field trip with children enrolled in child care, must be included in the overall capacity of the licensed home. A large family child care home may provide care for one of the following groups of children, which must include household children under 13 years of age:

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

(3) FAMILY CHILD DAY CARE AND LARGE FAMILY CHILD CARE HOMES; COVERAGE.—A residential property insurance policy may ~~shall~~ not provide coverage for liability for claims arising out

476 of, or in connection with, the operation of a family child ~~day~~
477 care home or a large family child care home, and the insurer
478 shall be under no obligation to defend against lawsuits covering
479 such claims, unless:

480 (a) Specifically covered in a policy; or

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

483 (4) DENIAL, CANCELLATION, REFUSAL TO RENEW PROHIBITED.—An
484 insurer may not deny, cancel, or refuse to renew a policy for
485 residential property insurance solely on the basis that the
486 policyholder or applicant operates a family child ~~day~~ care home
487 or a large family child care home. In addition to other lawful
488 reasons for refusing to insure, an insurer may deny, cancel, or
489 refuse to renew a policy of a family child ~~day~~ care home or a
490 large family child care home provider if one or more of the
491 following conditions occur:

492 (a) The policyholder or applicant provides care for more
493 children than authorized ~~for family day care homes~~ by s.
494 402.302;

495 (b) The policyholder or applicant fails to maintain a
496 separate commercial liability policy or an endorsement providing
497 liability coverage for the family child ~~day~~ care home or the
498 large family child care home operations;

499 (c) The policyholder or applicant fails to comply with the
500 applicable ~~family day care home~~ licensure and registration

requirements specified in chapter 402 ~~s. 402.313~~; or

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

Section 6. Section 1001.24, Florida Statutes, is reenacted and amended to read:

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

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

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

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

2. That is organized and operated exclusively to receive, hold, invest, and administer property and to make expenditures to or for the benefit of the early learning programs under parts V and VI of chapter 1002, child care facilities licensed under s. 402.305, family child care homes licensed or registered under s. 402.313, large family child care homes licensed under s. 402.3131, and public prekindergarten through 12th grade

education in this state.

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

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

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

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

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

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

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

(4) ANNUAL AUDIT.—Each direct-support organization shall

551 provide for an annual financial audit in accordance with s.
552 215.981. The identity of donors who desire to remain anonymous
553 shall be protected, and that anonymity shall be maintained in
554 the auditor's report. All records of the organization other than
555 the auditor's report, management letter, and any supplemental
556 data requested by the Auditor General and the Office of Program
557 Policy Analysis and Government Accountability shall be
558 confidential and exempt from the provisions of s. 119.07(1).

559 **Section 7. Section 1002.821, Florida Statutes, is created**
560 **to read:**

561 1002.821 Brighter Futures Program.—The Brighter Futures
562 Program is established to support early learning and child care
563 needs of Florida families.

564 (1) The direct-support organization established pursuant
565 to s. 1001.24 shall administer the program.

566 (2) Any bequests, gifts, grants, and donations made to the
567 program as may be solicited for such purpose from public or
568 private sources and any legislative appropriations that may be
569 made to the program shall be deposited in the Early Learning
570 Fund. Any funds received from state sources and interest
571 earnings shall be accounted for separately.

572 (3) Funds shall be used to provide:

573 (a) Care for children from birth until the student is
574 eligible to enroll in kindergarten in accordance with:

575 1. An allocation methodology to fund the waiting list of

576 early learning coalitions; or

577 2. The intentions of a donor.

578 (b) The early learning coalition shall fund school
579 readiness program providers and providers selected by the donor
580 at the reimbursement rate calculated pursuant to s. 1002.84(17).
581 If the provider selected by the donor is not a school readiness
582 program provider, the early learning coalition may establish a
583 contract with the provider to provide such funds.

584 (4) By January 1 of each year, beginning January 1, 2027,
585 the Division of Early Learning shall summarize the performance
586 of the program and the program's fundraising activities for the
587 previous fiscal year, identify the child care needs supported by
588 the fund principal or earnings and those supported by private
589 sources, bequests, gifts, grants, and donations. The report must
590 also include:

591 (a) Outcome data, including the number of children served
592 and any child outcomes, by each early learning coalition.

593 (b) The amount of funds spent on administrative expenses
594 and fundraising and the amount of funds raised from private
595 sources.

596 **Section 8. Section 1002.95, Florida Statutes, is amended**
597 **to read:**

598 1002.95 Teacher Education and Compensation Helps (TEACH)
599 Scholarship Program.—

600 (1) (a) The department may contract for the administration

of the Teacher Education and Compensation Helps (TEACH) Scholarship Program, which provides educational scholarships to caregivers and administrators of early childhood programs, family child ~~day~~ care homes, and large family child care homes. The goal of the program is to increase the education and training for caregivers, increase the compensation for child caregivers who complete the program requirements, and reduce the rate of participant turnover in the field of early childhood education.

(b) Subject to appropriation, the TEACH Scholarships Program administrator contracted under paragraph (a) shall also establish and administer the Center for Early Childhood Professional Recognition to ensure alignment of training statewide, including, but not limited to, methods of early childhood professional training approval, and implementation of competency-based assessments aligned to the early learning professional development standards and career pathways under s. 1002.995.

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

Section 9. Paragraph (a) of subsection (4) of section 39.101, Florida Statutes, is amended to read:

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

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

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

**Section 10. Paragraph (a) of subsection (2) of section
39.202, Florida Statutes, is amended to read:**

39.202 Confidentiality of reports and records in cases of
child abuse or neglect; exception.—

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

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

1. Child or adult protective investigations;
2. Ongoing child or adult protective services;
3. Early intervention and prevention services;
4. Healthy Start services;
5. Licensure or approval of adoptive homes, foster homes,
child care facilities, facilities licensed under chapters 393

and 394, family child ~~day~~ care homes, providers who receive school readiness funding under part VI of chapter 1002, or other homes used to provide for the care and welfare of children;

6. Employment screening for caregivers in residential group homes and facilities licensed under chapters 393, 394, and 409; or

7. Services for victims of domestic violence when provided by certified domestic violence centers working at the department's request as case consultants or with shared clients.

Also, employees or agents of the Department of Juvenile Justice responsible for the provision of services to children, pursuant to chapters 984 and 985.

Section 11. Section 125.0109, Florida Statutes, is amended to read:

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

Section 12. Section 166.0445, Florida Statutes, is amended

676 **to read:**

677 166.0445 Family child ~~day~~ care homes; local zoning
678 regulation.—The operation of a residence as a family child ~~day~~
679 care home, as defined by law, registered or licensed with the
680 Department of Children and Families shall constitute a valid
681 residential use for purposes of any local zoning regulations,
682 and no such regulation shall require the owner or operator of
683 such family child ~~day~~ care home to obtain any special exemption
684 or use permit or waiver, or to pay any special fee in excess of
685 \$50, to operate in an area zoned for residential use.

686 **Section 13. Paragraph (j) of subsection (7) of section**
687 **212.08, Florida Statutes, is amended to read:**

688 212.08 Sales, rental, use, consumption, distribution, and
689 storage tax; specified exemptions.—The sale at retail, the
690 rental, the use, the consumption, the distribution, and the
691 storage to be used or consumed in this state of the following
692 are hereby specifically exempt from the tax imposed by this
693 chapter.

694 (7) MISCELLANEOUS EXEMPTIONS.—Exemptions provided to any
695 entity by this chapter do not inure to any transaction that is
696 otherwise taxable under this chapter when payment is made by a
697 representative or employee of the entity by any means,
698 including, but not limited to, cash, check, or credit card, even
699 when that representative or employee is subsequently reimbursed
700 by the entity. In addition, exemptions provided to any entity by

701 this subsection do not inure to any transaction that is
702 otherwise taxable under this chapter unless the entity has
703 obtained a sales tax exemption certificate from the department
704 or the entity obtains or provides other documentation as
705 required by the department. Eligible purchases or leases made
706 with such a certificate must be in strict compliance with this
707 subsection and departmental rules, and any person who makes an
708 exempt purchase with a certificate that is not in strict
709 compliance with this subsection and the rules is liable for and
710 shall pay the tax. The department may adopt rules to administer
711 this subsection.

712 (j) Household fuels.—Also exempt from payment of the tax
713 imposed by this chapter are sales of utilities to residential
714 households or owners of residential models in this state by
715 utility companies who pay the gross receipts tax imposed under
716 s. 203.01, and sales of fuel to residential households or owners
717 of residential models, including oil, kerosene, liquefied
718 petroleum gas, coal, wood, and other fuel products used in the
719 household or residential model for the purposes of heating,
720 cooking, lighting, and refrigeration, regardless of whether such
721 sales of utilities and fuels are separately metered and billed
722 direct to the residents or are metered and billed to the
723 landlord. If any part of the utility or fuel is used for a
724 nonexempt purpose, the entire sale is taxable. The landlord
725 shall provide a separate meter for nonexempt utility or fuel

consumption. For the purposes of this paragraph, licensed family
child ~~day~~ care homes shall also be exempt.

**Section 14. Subsection (3) 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.—

(3) The department and local licensing agencies, or the
designees thereof, shall be responsible for coordination and
dissemination of information on child care to the community and
shall make available through electronic means all licensing
standards and procedures, health and safety standards for school
readiness providers, monitoring and inspection reports, and the
names and addresses of licensed child care facilities, school
readiness program providers, and, where applicable pursuant to
s. 402.313, licensed or registered family child ~~day~~ care homes.
This information shall also include the number of deaths,
serious injuries, and instances of substantiated child abuse
that have occurred in child care settings each year; research
and best practices in child development; and resources regarding
social-emotional development, parent and family engagement,
healthy eating, and physical activity.

**Section 15. Subsections (1) and (2) and paragraph (a) of
subsection (3) of section 402.309, Florida Statutes, are amended
to read:**

751 402.309 Provisional license or registration.—

752 (1) The local licensing agency or the department,
753 whichever is authorized to license child care facilities in a
754 county, may issue a provisional license for child care
755 facilities, family child ~~day~~ care homes, or large family child
756 care homes, or a provisional registration for family child ~~day~~
757 care homes to applicants for an initial license or registration
758 or to licensees or registrants seeking a renewal who are unable
759 to meet all the standards provided for in ss. 402.301-402.319.

760 (2) A provisional license or registration may not be
761 issued unless the operator or owner makes adequate provisions
762 for the health and safety of the child. A provisional license
763 may be issued for a child care facility if all of the screening
764 materials have been timely submitted. A provisional license or
765 registration may not be issued unless the child care facility,
766 family child ~~day~~ care home, or large family child care home is
767 in compliance with the requirements for screening of child care
768 personnel in ss. 402.305, 402.3055, 402.313, and 402.3131,
769 respectively.

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

774 (a) Is applying for an initial license or registration for
775 a child care facility, a family child ~~day~~ care home, or a large

776 family child care home;

777 **Section 16. Paragraph (d) of subsection (1) and subsection**
778 **(4) of section 402.310, Florida Statutes, are amended to read:**

779 402.310 Disciplinary actions; hearings upon denial,
780 suspension, or revocation of license or registration;
781 administrative fines.—

782 (1)

783 (d) The disciplinary sanctions ~~set forth~~ in this section
784 apply to licensed child care facilities, licensed large family
785 child care homes, and licensed or registered family child ~~day~~
786 care homes.

787 (4) An applicant, registrant, or licensee shall have the
788 right to appeal a decision of the local licensing agency to a
789 representative of the department. Any required hearing shall be
790 held in the county in which the child care facility, family
791 child ~~day~~ care home, or large family child care home is being
792 operated or is to be established. The hearing shall be conducted
793 in accordance with the provisions of chapter 120.

794 **Section 17. Subsection (1) and paragraph (a) of subsection**
795 **(2) of section 402.3115, Florida Statutes, are amended to read:**

796 402.3115 Elimination of duplicative and unnecessary
797 inspections; abbreviated inspections.—

798 (1) The Department of Children and Families and local
799 governmental agencies that license child care facilities shall
800 develop and implement a plan to eliminate duplicative and

unnecessary inspections of child care facilities, family child
~~day~~ care homes, and large family child care homes.

(2)(a) The department and the local governmental agencies shall develop and implement an abbreviated inspection plan for child care facilities, family child ~~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 Class 1 deficiency, as defined by rule, for at least 2 consecutive years.
3. Have not had more than three of the same Class 2 deficiencies, as defined by rule, for at least 2 consecutive years.
4. Have received at least two full onsite renewal inspections in the most recent 2 years.
5. Do not have any current uncorrected violations.
6. Do not have any open regulatory complaints or active child protective services investigations.

Section 18. Section 402.312, Florida Statutes, is amended to read:

402.312 License required; injunctive relief.—

(1) The operation of a child care facility without a license, a family child ~~day~~ care home without a license or registration, or a large family child care home without a license is prohibited. If the department or the local licensing

826 agency discovers that a child care facility is being operated
827 without a license, a family child ~~day~~ care home is being
828 operated without a license or registration, or a large family
829 child care home is being operated without a license, the
830 department or local licensing agency is authorized to seek an
831 injunction in the circuit court where the facility is located to
832 enjoin continued operation of such facility, family child ~~day~~
833 care home, or large family child care home. When the court is
834 closed for the transaction of judicial business, the department
835 or local licensing agency is authorized to seek an emergency
836 injunction to enjoin continued operation of such unlicensed
837 facility, unregistered or unlicensed family child ~~day~~ care home,
838 or unlicensed large family child care home, which injunction
839 shall be continued, modified, or revoked on the next day of
840 judicial business.

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

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

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

850 (c) A child care facility, family child ~~day~~ care home, or

851 large family child care home continues to have children in
852 attendance after the closing date established by the department
853 or the local licensing agency.

854 (3) The department or local licensing agency may impose an
855 administrative fine on any child care facility, family child ~~day~~
856 care home, or large family child care home operating without a
857 license or registration, consistent with ~~the provisions of s.~~
858 402.310.

859 **Section 19. Subsection (3) of section 402.315, Florida**
860 **Statutes, is amended to read:**

861 402.315 Funding; license fees.—

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

866 (a) For a child care facility licensed pursuant to s.
867 402.305, such fee shall be \$1 per child, based on the licensed
868 capacity of the facility, except that the minimum fee shall be
869 \$25 per facility and the maximum fee shall be \$100 per facility.

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

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

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

876 **Section 20. Subsection (2) of section 402.316, Florida**
877 **Statutes, is amended to read:**

878 402.316 Exemptions.—

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

892 **Section 21. Section 402.318, Florida Statutes, is amended**
893 **to read:**

894 402.318 Advertisement.—A person, as defined in s. 1.01(3),
895 may not advertise a child care facility, family child ~~day~~ care
896 home, or large family child care home without including within
897 such advertisement the state or local agency license number or
898 registration number of such facility or home. Violation of this
899 section is a misdemeanor of the first degree, punishable as
900 provided in s. 775.082 or s. 775.083.

Section 22. Section 402.319, Florida Statutes, is amended to read:

402.319 Penalties.—

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

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

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

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

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

(e) Misrepresent, by act or omission, a child care facility or family child ~~day~~ care home to be duly licensed

926 pursuant to this act without being so licensed.

927 (f) Make any other misrepresentation, by act or omission,
928 regarding the licensure or operation of a child care facility or
929 family child ~~day~~ care home to a parent or guardian who has a
930 child placed in the facility or is inquiring as to placing a
931 child in the facility, or to a representative of the licensing
932 authority, or to a representative of a law enforcement agency,
933 including, but not limited to, any misrepresentation as to:

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

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

938 3. The qualifications or credentials of child care
939 personnel;

940 4. Whether a family child ~~day~~ care home or child care
941 facility complies with the screening requirements of s. 402.305;
942 or

943 5. Whether child care personnel have the training as
944 required by s. 402.305.

945 (2) If any child care personnel makes any
946 misrepresentation in violation of this section to a parent or
947 guardian who has placed a child in the child care facility or
948 family child ~~day~~ care home, and the parent or guardian relied
949 upon the misrepresentation, and the child suffers great bodily
950 harm, permanent disfigurement, permanent disability, or death as

951 a result of an intentional act or negligence by the child care
952 personnel, then the child care personnel commits a felony of the
953 second degree, punishable as provided in s. 775.082, s. 775.083,
954 or s. 775.084.

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

958 **Section 23. Paragraph (c) of subsection (2) of section**
959 **409.988, Florida Statutes, is amended to read:**

960 409.988 Community-based care lead agency duties; general
961 provisions.—

962 (2) LICENSURE.—

963 (c) Substitute care providers who are licensed under s.
964 409.175 and who have contracted with a lead agency are also
965 authorized to provide registered or licensed family child ~~day~~
966 care under s. 402.313 if such care is consistent with federal
967 law and if the home has met the requirements of s. 402.313.

968 **Section 24. Paragraph (b) of subsection (8) of section**
969 **411.203, Florida Statutes, is amended to read:**

970 411.203 Continuum of comprehensive services.—The
971 Department of Education and the Department of Health shall
972 utilize the continuum of prevention and early assistance
973 services for high-risk pregnant women and for high-risk and
974 handicapped children and their families, as outlined in this
975 section, as a basis for the intraagency and interagency program

coordination, monitoring, and analysis required in this chapter. The continuum shall be the guide for the comprehensive statewide approach for services for high-risk pregnant women and for high-risk and handicapped children and their families, and may be expanded or reduced as necessary for the enhancement of those services. Expansion or reduction of the continuum shall be determined by intraagency or interagency findings and agreement, whichever is applicable. Implementation of the continuum shall be based upon applicable eligibility criteria, availability of resources, and interagency prioritization when programs impact both agencies, or upon single agency prioritization when programs impact only one agency. The continuum shall include, but not be limited to:

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

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

Section 25. Paragraph (a) of subsection (3) of section 1002.55, Florida Statutes, is amended to read:

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

(3) To be eligible to deliver the prekindergarten program, a private prekindergarten provider must meet each of the

following requirements:

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

Section 26. Paragraph (u) of subsection (2) of section 1002.82, Florida Statutes, is amended to read:

1002.82 Department of Education; powers and duties.—

(2) The department shall:

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

1. Annually inform child care facilities and family child

1026 ~~day~~ care homes of the availability of this service through the
1027 child care resource and referral network under s. 1002.92.

1028 2. Expand or contract for the expansion of the Warm-Line
1029 to maintain at least one Warm-Line in each early learning
1030 coalition service area.

1031 **Section 27. Paragraph (j) of subsection (4) of section**
1032 **1002.83, Florida Statutes, is amended to read:**

1033 1002.83 Early learning coalitions.—

1034 (4) Each early learning coalition must include the
1035 following member positions; however, in a multicounty coalition,
1036 each ex officio member position may be filled by multiple
1037 nonvoting members but no more than one voting member shall be
1038 seated per member position. If an early learning coalition has
1039 more than one member representing the same entity, only one of
1040 such members may serve as a voting member:

1041 (j) A representative of private for-profit child care
1042 providers, including private for-profit family child ~~day~~ care
1043 homes.

1044 **Section 28. Subsection (4) of section 1002.84, Florida**
1045 **Statutes, is amended to read:**

1046 1002.84 Early learning coalitions; school readiness powers
1047 and duties.—Each early learning coalition shall:

1048 (4) Establish a regional Warm-Line as directed by the
1049 department pursuant to s. 1002.82(2)(u). Regional Warm-Line
1050 staff shall provide onsite technical assistance, when requested,

1051 to assist child care facilities and family child ~~day~~ care homes
1052 with inquiries relating to the strategies, curriculum, and
1053 environmental adaptations the child care facilities and family
1054 child ~~day~~ care homes may need as they serve children with
1055 disabilities and other special needs.

1056 **Section 29. Paragraphs (a) and (c) of subsection (1) of**
1057 **section 1002.88, Florida Statutes, are amended to read:**

1058 1002.88 School readiness program provider standards;
1059 eligibility to deliver the school readiness program.—

1060 (1) To be eligible to deliver the school readiness
1061 program, a school readiness program provider must:

1062 (a) Be a child care facility licensed under s. 402.305, a
1063 family child ~~day~~ care home licensed or registered under s.
1064 402.313, a large family child care home licensed under s.
1065 402.3131, a public school or nonpublic school exempt from
1066 licensure under s. 402.3025, a faith-based child care provider
1067 exempt from licensure under s. 402.316, a before-school or
1068 after-school program described in s. 402.305(1)(c), a child
1069 development program that is accredited by a national accrediting
1070 body and operates on a military installation that is certified
1071 by the United States Department of Defense, an informal child
1072 care provider to the extent authorized in the state's Child Care
1073 and Development Fund Plan as approved by the United States
1074 Department of Health and Human Services pursuant to 45 C.F.R. s.
1075 98.18, or a provider who has been issued a provisional license

1076 pursuant to s. 402.309. A provider may not deliver the program
1077 while holding a probation-status license under s. 402.310.

1078 (c) Provide basic health and safety of its premises and
1079 facilities and compliance with requirements for age-appropriate
1080 immunizations of children enrolled in the school readiness
1081 program.

1082 1. For a provider that is licensed, compliance with s.
1083 402.305, s. 402.3131, or s. 402.313 and this subsection, as
1084 verified pursuant to s. 402.311, satisfies this requirement.

1085 2. For a provider that is a registered family child ~~day~~
1086 care home or is not subject to licensure or registration by the
1087 Department of Children and Families, compliance with this
1088 subsection, as verified pursuant to s. 402.311, satisfies this
1089 requirement. Upon verification pursuant to s. 402.311, the
1090 provider shall annually post the health and safety checklist
1091 adopted by the department prominently on its premises in plain
1092 sight for visitors and parents and shall annually submit the
1093 checklist to its local early learning coalition.

1094 3. For a child development program that is accredited by a
1095 national accrediting body and operates on a military
1096 installation that is certified by the United States Department
1097 of Defense, the submission and verification of annual
1098 inspections pursuant to United States Department of Defense
1099 Instructions 6060.2 and 1402.05 satisfies this requirement.

1100 **Section 30. Paragraph (c) of subsection (2) of section**

1101 **1002.895, Florida Statutes, is amended to read:**

1102 1002.895 Market rate schedule.—The school readiness
1103 program market rate schedule shall be implemented as follows:

1104 (2) The market rate schedule must differentiate rates by
1105 provider type, including, but not limited to:

1106 (c) Family child ~~day~~ care homes licensed or registered
1107 under s. 402.313.

1108 **Section 31. Paragraph (a) of subsection (3) and subsection**
1109 **(4) of section 1002.92, Florida Statutes, are amended to read:**

1110 1002.92 Child care and early childhood resource and
1111 referral.—

1112 (3) Child care resource and referral agencies shall
1113 provide the following services:

1114 (a) Identification of existing public and private child
1115 care and early childhood education services, including child
1116 care services by public and private employers, and the
1117 development of an early learning provider performance profile of
1118 those services through the single statewide information system
1119 developed by the department under s. 1002.82(2)(q). These
1120 services may include family child ~~day~~ care, public and private
1121 child care programs, the Voluntary Prekindergarten Education
1122 Program, Head Start, the school readiness program, special
1123 education programs for prekindergarten children with
1124 disabilities, services for children with developmental
1125 disabilities, full-time and part-time programs, before-school

1126 and after-school programs, and vacation care programs. The early
1127 learning provider performance profile shall include, but not be
1128 limited to:

- 1129 1. Type of program.
- 1130 2. Hours of service.
- 1131 3. Ages of children served.
- 1132 4. Number of children served.
- 1133 5. Program information.
- 1134 6. Fees and eligibility for services.
- 1135 7. Availability of transportation.
- 1136 8. Participation in the Child Care Food Program, if
1137 applicable.
- 1138 9. A link to licensing inspection reports, if applicable.
- 1139 10. The components of the Voluntary Prekindergarten
1140 Education Program performance metric calculated under s. 1002.68
1141 which must consist of the program assessment composite score,
1142 learning gains score, achievement score, and its designations,
1143 if applicable.
- 1144 11. The school readiness program assessment composite
1145 score and program assessment care level composite score results
1146 delineated by infant classrooms, toddler classrooms, and
1147 preschool classrooms results under s. 1002.82, if applicable.
- 1148 12. Gold Seal Quality Care designation under s. 1002.945,
1149 if applicable.
- 1150 13. Indication of whether the provider implements a

curriculum approved by the department and the name of the curriculum, if applicable.

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

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

- (a) Type of program.
- (b) Hours of service.
- (c) Ages of children served.
- (d) Fees and eligibility for services.

Section 32. Subsection (2) of section 1002.93, Florida Statutes, is amended to read:

1002.93 School readiness program transportation services.—

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

Section 33. Paragraph (b) of subsection (1), paragraphs (a) and (c) of subsection (3), and subsection (4) of section 1002.945, Florida Statutes, are amended to read:

1176 1002.945 Gold Seal Quality Care Program.—

1177 (1)

1178 (b) A child care facility, large family child care home,
1179 or family child ~~day~~ care home that is accredited by an
1180 accrediting association approved by the Department of Education
1181 under subsection (3) and meets all other requirements shall,
1182 upon application to the department, receive a separate "Gold
1183 Seal Quality Care" designation.

1184 (3)(a) In order to be approved by the Department of
1185 Education for participation in the Gold Seal Quality Care
1186 Program, an accrediting association must apply to the department
1187 and demonstrate that it:

1188 1. Is a recognized accrediting association.

1189 2. Has accrediting standards that substantially meet or
1190 exceed the Gold Seal Quality Care standards adopted by the state
1191 board under subsection (2).

1192 3. Is a registered corporation with the Department of
1193 State.

1194 4. Can provide evidence that the process for accreditation
1195 has, at a minimum, all of the following components:

1196 a. Clearly defined prerequisites that a child care
1197 provider must meet before beginning the accreditation process.
1198 However, accreditation may not be granted to a child care
1199 facility, large family child care home, or family child ~~day~~ care
1200 home before the site is operational and is attended by children.

b. Procedures for completion of a self-study and comprehensive onsite verification process for each classroom that documents compliance with accrediting standards.

c. A training process for accreditation verifiers to ensure inter-rater reliability.

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

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

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

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

h. A process to communicate issues that arise during the accreditation period with governmental entities that have a vested interest in the Gold Seal Quality Care Program, including the Department of Education, the Department of Children and Families, the Department of Health, local licensing entities if

applicable, and the early learning coalition.

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

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

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

(b) The child care provider must not have had three or more of the same class II violations, as defined by rule of the Department of Children and Families, within the 2 years preceding its application for designation as a Gold Seal Quality Care provider. Commission of three or more of the same class II violations within a 2-year period shall be grounds for termination of the designation as a Gold Seal Quality Care

1251 provider until the provider has no class II violations that are
1252 the same for a period of 1 year.

1253 (c) The child care provider must not have been cited for
1254 the same class III violation, as defined by rule of the
1255 Department of Children and Families, three or more times and
1256 failed to correct the violation within 1 year after the date of
1257 each citation, within the 2 years preceding its application for
1258 designation as a Gold Seal Quality Care provider. Commission of
1259 the same class III violation three or more times and failure to
1260 correct within the required time during a 2-year period may be
1261 grounds for termination of the designation as a Gold Seal
1262 Quality Care provider until the provider has no class III
1263 violations for a period of 1 year.

1264 (d) Notwithstanding paragraph (a), if the Department of
1265 Education determines through a formal process that a provider
1266 has been in business for at least 5 years and has no other class
1267 I violations recorded, the department may recommend to the state
1268 board that the provider maintain its Gold Seal Quality Care
1269 status. The state board's determination regarding such
1270 provider's status is final.

1271 **Section 34.** This act shall take effect July 1, 2026.