

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 s. 402.313, F.S.; changing the
7 term "family day care" to "family child care";
8 removing provisions requiring family day care homes to
9 provide specified information to parents; amending s.
10 402.3131, F.S.; removing provisions requiring large
11 family child care homes to provide specified
12 information to parents; amending s. 627.70161, F.S.;
13 changing the term "family day care" to "family child
14 care"; providing legislative intent relating to large
15 family child care homes; defining the term "large
16 family child care home"; prohibiting residential
17 property insurance policies from providing coverage
18 for liability for claims arising out of, or in
19 connection with, the operations of large family child
20 care homes; providing that insurers are under no
21 obligation to defend against lawsuits covering such
22 claims; providing exceptions; prohibiting insurers
23 from denying, cancelling, and refusing to renew a
24 policy for residential property insurance on the basis
25 that the policyholders or applicants operate large

26 family child care homes; providing exceptions;
 27 reenacting and amending s. 1001.24, F.S.; revising the
 28 definition of the term "Department of Education
 29 direct-support organization"; amending s. 1002.67,
 30 F.S.; revising the requirements for certain
 31 prekindergarten curricula; establishing a review and
 32 approval process for such curricula; creating s.
 33 1002.821, F.S.; creating the Florida Child Care Fund;
 34 requiring a Department of Education direct-support
 35 organization to administer the fund; requiring funds
 36 to be deposited into the Early Learning Fund;
 37 requiring that funds from state sources and interest
 38 earnings be accounted separately; providing for the
 39 use of funds; requiring an annual report; providing
 40 requirements for such report; amending s. 1002.95,
 41 F.S.; providing for the establishment and
 42 administration of the Center for Early Childhood
 43 Professional Recognition under a specified
 44 circumstance; amending s. 39.101, F.S.; conforming a
 45 cross-reference; amending ss. 39.202, 125.0109,
 46 166.0445, 212.08, 402.306, 402.309, 402.310, 402.3115,
 47 402.312, 402.315, 402.316, 402.318, 402.319, 409.988,
 48 411.203, 1002.55, 1002.82, 1002.83, 1002.84, 1002.88,
 49 1002.895, 1002.92, 1002.93, and 1002.945, F.S.;

50 conforming provisions to changes made by the act;

51 providing an effective date.

52

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

54

55 **Section 1. Subsections (15) through (18) of section**
 56 **402.302, Florida Statutes, are renumbered as subsections (16)**
 57 **through (19), respectively, subsections (2), (3), (8), (9), and**
 58 **(11) are amended, and a new subsection (15) is added to that**
 59 **section, to read:**

60 402.302 Definitions.—As used in this chapter, the term:

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

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

69 402.3025. ~~.~~

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

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

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

74 (e) Operators of transient establishments, as defined in
 75 chapter 509, which provide child care services solely for the

76 | guests of their establishment or resort, provided that all child
77 | care personnel of the establishment are screened according to
78 | the level 2 screening requirements of chapter 435.

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

83 | (3) "Child care personnel" means all owners, operators,
84 | employees, and volunteers working in a child care facility. The
85 | term does not include persons who work in a child care facility
86 | after hours when children are not present or parents of children
87 | in a child care facility. For purposes of screening, the term
88 | includes any member, over the age of 12 years, of a child care
89 | facility operator's family, or person, over the age of 12 years,
90 | residing with a child care facility operator if the child care
91 | facility is located in or adjacent to the home of the operator
92 | or if the family member of, or person residing with, the child
93 | care facility operator has any direct contact with the children
94 | in the facility during its hours of operation. Members of the
95 | operator's family or persons residing with the operator who are
96 | between the ages of 12 years and 18 years are not required to be
97 | fingerprinted but must be screened for delinquency records. For
98 | purposes of screening, the term also includes persons who work
99 | in child care programs that provide care for children 15 hours
100 | or more each week in public or nonpublic schools, family child

101 ~~day~~ care homes, membership organizations under s. 402.301, or
 102 programs otherwise exempted under s. 402.316. The term does not
 103 include public or nonpublic school personnel who are providing
 104 care during regular school hours, or after hours for activities
 105 related to a school's program for students attending public or
 106 nonpublic school programs ~~grades kindergarten through 12~~. A
 107 volunteer who assists on an intermittent basis for less than 10
 108 hours per month is not included in the term "personnel" for the
 109 purposes of screening and training if a person who meets the
 110 screening requirement of s. 402.305(2) is always present and has
 111 the volunteer in his or her line of sight. Students who observe
 112 and participate in a child care facility as a part of their
 113 required coursework are not considered child care personnel,
 114 provided such observation and participation are on an
 115 intermittent basis and a person who meets the screening
 116 requirement of s. 402.305(2) is always present and has the
 117 student in his or her line of sight.

118 (8) "Family child ~~day~~ care home" means an occupied
 119 residence in which child care is regularly provided for children
 120 from at least two unrelated families and which receives a
 121 payment, fee, or grant for any of the children receiving care,
 122 whether or not operated for profit. Household children under 13
 123 years of age, when on the premises of the family child ~~day~~ care
 124 home or on a field trip with children enrolled in child care,
 125 shall be included in the overall capacity of the licensed home.

126 A family child ~~day~~ care home shall be allowed to provide care
 127 for one of the following groups of children, which shall include
 128 household children under 13 years of age:

129 (a) A maximum of four children from birth to 12 months of
 130 age.

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

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

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

138 (9) "Household children" means children who are related by
 139 blood, marriage, or legal adoption to, or who are the legal
 140 wards of, the family child ~~day~~ care home operator, the large
 141 family child care home operator, or an adult household member
 142 who permanently or temporarily resides in the home. Supervision
 143 of the operator's household children shall be left to the
 144 discretion of the operator unless those children receive
 145 subsidized child care through the school readiness program
 146 pursuant to s. 1002.92 to be in the home.

147 (11) "Large family child care home" means an occupied
 148 residence in which child care is regularly provided for children
 149 from at least two unrelated families, which receives a payment,
 150 fee, or grant for any of the children receiving care, whether or

151 not operated for profit, and which has at least two full-time
152 child care personnel on the premises during the hours of
153 operation. One of the two full-time child care personnel must be
154 the owner or occupant of the residence. A large family child
155 care home must first have operated as a licensed family child
156 ~~day~~ care home for 2 years, with an operator who has had a child
157 development associate credential or its equivalent for 1 year,
158 before seeking licensure as a large family child care home.
159 Household children under 13 years of age, when on the premises
160 of the large family child care home or on a field trip with
161 children enrolled in child care, shall be included in the
162 overall capacity of the licensed home. A large family child care
163 home shall be allowed to provide care for one of the following
164 groups of children, which shall include household children under
165 13 years of age:

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

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

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

171 (a) In kindergarten through grade 12;

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

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

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

179 402.305 Licensing standards; child care facilities.—

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

182 (a) Good moral character based upon screening as defined
183 in s. 402.302 ~~s. 402.302(15)~~. This screening shall be conducted
184 as provided in chapter 435, using the level 2 standards for
185 screening provided in that chapter, and include employment
186 history checks, a search of criminal history records, sexual
187 predator and sexual offender registries, and child abuse and
188 neglect registry of any state in which the current or
189 prospective child care personnel resided during the preceding 5
190 years. The department shall complete the screening and provide
191 the results to the child care facility within 3 business days
192 from the receipt of the criminal history record check. If the
193 department is unable to complete the screening within 3 business
194 days, the department shall issue the current or prospective
195 child care personnel a 45-day provisional-hire status while all
196 required information is being requested and the department is
197 awaiting results unless the department has reason to believe a
198 disqualifying factor may exist. During the 45-day period, the
199 current or prospective child care personnel must be under the
200 direct supervision of a screened and trained staff member when

201 in contact with children.

202

203 The department may grant limited exemptions to the minimum
 204 standards provided in this subsection which authorize a person
 205 to work in a specified role or with a specified population.

206 (7) SANITATION AND SAFETY.—

207 (a) Minimum standards must include requirements for
 208 sanitary and safety conditions, first aid treatment, emergency
 209 procedures, and pediatric cardiopulmonary resuscitation. The
 210 minimum standards must require that ~~at least~~ one staff person
 211 trained in person in cardiopulmonary resuscitation, as evidenced
 212 by current documentation of course completion, be present at all
 213 times that children are present.

214 (17) TRANSFER OF OWNERSHIP.—

215 (a) One week prior to the transfer of ownership of a child
 216 care facility or family child ~~day~~ care home, the transferor
 217 shall notify the parent or caretaker of each child of the
 218 impending transfer.

219 **Section 3. Section 402.313, Florida Statutes, is amended**
 220 **to read:**

221 402.313 Family child ~~day~~ care homes.—

222 (1) Family child ~~day~~ care homes shall be licensed under
 223 this act if they are presently being licensed under an existing
 224 county licensing ordinance or if the board of county
 225 commissioners passes a resolution that family child ~~day~~ care

226 homes be licensed.

227 (a) If not subject to license, family child ~~day~~ care homes
228 shall register annually with the department, providing the
229 following information:

230 1. The name and address of the home.

231 2. The name of the operator.

232 3. The number of children served.

233 4. Proof of a written plan to provide at least one other
234 competent adult to be available to substitute for the operator
235 in an emergency. This plan shall include the name, address, and
236 telephone number of the designated substitute.

237 5. Proof of screening and background checks.

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

241 a. State and local rules and regulations that govern child
242 care.

243 b. Health, safety, and nutrition.

244 c. Identifying and reporting child abuse and neglect.

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

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

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

255 7. Proof that immunization records are kept current.

256 8. Proof of completion of the required continuing
257 education units or clock hours.

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

260 (c) The department may provide technical assistance to
261 counties and family child ~~day~~ care home providers to enable
262 counties and family child ~~day~~ care providers to achieve
263 compliance with family child ~~day~~ care homes standards.

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

267 (3) Child care personnel in family child ~~day~~ care homes
268 shall be subject to the applicable screening provisions
269 contained in ss. 402.305(2) and 402.3055. For purposes of
270 screening in family child ~~day~~ care homes, the term includes any
271 member over the age of 12 years of a family child ~~day~~ care home
272 operator's family, or persons over the age of 12 years residing
273 with the operator in the family child ~~day~~ care home. Members of
274 the operator's family, or persons residing with the operator,
275 who are between the ages of 12 years and 18 years shall not be

276 required to be fingerprinted, but shall be screened for
277 delinquency records.

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

282 (5) In order to further develop their child care skills
283 and, if appropriate, their administrative skills, operators of
284 family child ~~day~~ care homes shall be required to complete an
285 additional 1 continuing education unit of approved training or
286 10 clock hours of equivalent training, as determined by the
287 department, annually.

288 (6) Operators of family child ~~day~~ care homes shall be
289 required to complete 0.5 continuing education unit of approved
290 training in early literacy and language development of children
291 from birth to 5 years of age one time. The year that this
292 training is completed, it shall fulfill the 0.5 continuing
293 education unit or 5 clock hours of the annual training required
294 in subsection (5).

295 (7) Operators of family child ~~day~~ care homes shall be
296 required annually to complete a health and safety home
297 inspection self-evaluation checklist developed by the department
298 in conjunction with the statewide resource and referral program.
299 The completed checklist shall be signed by the operator of the
300 family child ~~day~~ care home and provided to parents as

301 certification that basic health and safety standards are being
 302 met.

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

305 (9) The department shall prepare a brochure on family
 306 child day care for distribution by the department and by local
 307 licensing agencies, if appropriate, to family child day care
 308 homes for distribution to parents utilizing such child care, and
 309 to all interested persons, including physicians and other health
 310 professionals; mental health professionals; school teachers or
 311 other school personnel; social workers or other professional
 312 child care, foster care, residential, or institutional workers;
 313 and law enforcement officers. The brochure shall, at a minimum,
 314 contain the following information:

315 (a) A brief description of the requirements for family
 316 child day care registration, training, and fingerprinting and
 317 screening.

318 (b) A listing of those counties that require licensure of
 319 family child day care homes. Such counties shall provide an
 320 addendum to the brochure that provides a brief description of
 321 the licensure requirements or may provide a brochure in lieu of
 322 the one described in this subsection, provided it contains all
 323 the required information on licensure and the required
 324 information in the subsequent paragraphs.

325 (c) A statement indicating that information about the

326 family child ~~day~~ care home's compliance with applicable state or
327 local requirements can be obtained by telephoning the department
328 office or the office of the local licensing agency, if
329 appropriate, at a telephone number or numbers which shall be
330 affixed to the brochure.

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

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

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

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

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

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

351 of such complaints.

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

355

356 The evaluation shall be utilized by the department in any
357 administrative modifications or adjustments to be made in the
358 registration of family child ~~day~~ care homes or in any
359 legislative requests for modifications to the system of
360 registration or to other requirements for family child ~~day~~ care
361 homes.

362 (11) In order to inform the public of the state
363 requirement for registration of family child ~~day~~ care homes as
364 well as the other requirements for such homes to legally operate
365 in the state, the department shall institute a media campaign to
366 accomplish this end. Such a campaign shall include, at a
367 minimum, flyers, newspaper advertisements, radio advertisements,
368 and television advertisements.

369 (12) Notwithstanding any other state or local law or
370 ordinance, any family child ~~day~~ care home licensed pursuant to
371 this chapter or pursuant to a county ordinance shall be charged
372 the utility rates accorded to a residential home. A licensed
373 family child ~~day~~ care home may not be charged commercial utility
374 rates.

375 (13) The department shall, by rule, establish minimum

376 standards for family child ~~day~~ care homes that are required to
377 be licensed by county licensing ordinance or county licensing
378 resolution or that voluntarily choose to be licensed. The
379 standards should include requirements for staffing, training,
380 maintenance of immunization records, minimum health and safety
381 standards, reduced standards for the regulation of child care
382 during evening hours by municipalities and counties, and
383 enforcement of standards.

384 ~~(14) During the months of August and September of each~~
385 ~~year, each family day care home shall provide parents of~~
386 ~~children enrolled in the home detailed information regarding the~~
387 ~~causes, symptoms, and transmission of the influenza virus in an~~
388 ~~effort to educate those parents regarding the importance of~~
389 ~~immunizing their children against influenza as recommended by~~
390 ~~the Advisory Committee on Immunization Practices of the Centers~~
391 ~~for Disease Control and Prevention.~~

392 ~~(15) During the months of April and September of each~~
393 ~~year, at a minimum, each family day care home shall provide~~
394 ~~parents of children attending the family day care home~~
395 ~~information regarding the potential for a distracted adult to~~
396 ~~fail to drop off a child at the family day care home and instead~~
397 ~~leave the child in the adult's vehicle upon arrival at the~~
398 ~~adult's destination. The family day care home shall also give~~
399 ~~parents information about resources with suggestions to avoid~~
400 ~~this occurrence. The department shall develop a flyer or~~

401 ~~brochure with this information that shall be posted to the~~
402 ~~department's website, which family day care homes may choose to~~
403 ~~reproduce and provide to parents to satisfy the requirements of~~
404 ~~this subsection.~~

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

407 402.3131 Large family child care homes.—

408 ~~(9) During the months of August and September of each~~
409 ~~year, each large family child care home shall provide parents of~~
410 ~~children enrolled in the home detailed information regarding the~~
411 ~~causes, symptoms, and transmission of the influenza virus in an~~
412 ~~effort to educate those parents regarding the importance of~~
413 ~~immunizing their children against influenza as recommended by~~
414 ~~the Advisory Committee on Immunization Practices of the Centers~~
415 ~~for Disease Control and Prevention.~~

416 ~~(10) During the months of April and September of each~~
417 ~~year, at a minimum, each large family child care home shall~~
418 ~~provide parents of children attending the large family child~~
419 ~~care home information regarding the potential for a distracted~~
420 ~~adult to fail to drop off a child at the large family child care~~
421 ~~home and instead leave the child in the adult's vehicle upon~~
422 ~~arrival at the adult's destination. The large family child care~~
423 ~~home shall also give parents information about resources with~~
424 ~~suggestions to avoid this occurrence. The department shall~~
425 ~~develop a flyer or brochure with this information that shall be~~

426 ~~posted to the department's website, which large family child~~
427 ~~care homes may choose to reproduce and provide to parents to~~
428 ~~satisfy the requirements of this subsection.~~

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

431 627.70161 Family child day care and large family child
432 care insurance.—

433 (1) PURPOSE AND INTENT.—The Legislature recognizes that
434 family child day care and large family child care homes fulfill
435 a vital role in providing child care in Florida. It is the
436 intent of the Legislature that residential property insurance
437 coverage should not be canceled, denied, or nonrenewed solely on
438 the basis of the child family day care services at the
439 residence. The Legislature also recognizes that the potential
440 liability of residential property insurers is substantially
441 increased by the rendition of child care services on the
442 premises. The Legislature therefore finds that there is a public
443 need to specify that contractual liabilities that arise in
444 connection with the operation of the family child day care home
445 or the large family child care home are excluded from
446 residential property insurance policies unless they are
447 specifically included in such coverage.

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

449 (a) "Child care" means the care, protection, and
450 supervision of a child, for a period of less than 24 hours a day

451 on a regular basis, which supplements parental care, enrichment,
452 and health supervision for the child, in accordance with his or
453 her individual needs, and for which a payment, fee, or grant is
454 made for care.

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

460 (c) "Large family child care home" means an occupied
461 residence in which child care is regularly provided for children
462 from at least two unrelated families, which receives a payment,
463 fee, or grant for any of the children receiving care, whether or
464 not operated for profit, and which has at least two full-time
465 child care personnel on the premises during the hours of
466 operation. One of the two full-time child care personnel must be
467 the owner or occupant of the residence. A large family child
468 care home must first have operated as a licensed family child
469 care home for at least 2 years, with an operator who has held a
470 child development associate credential or its equivalent for at
471 least 1 year, before seeking licensure as a large family child
472 care home. Household children under 13 years of age, when on the
473 premises of the large family child care home or on a field trip
474 with children enrolled in child care, must be included in the
475 overall capacity of the licensed home. A large family child care

476 home may provide care for one of the following groups of
477 children, which must include household children under 13 years
478 of age:

479 1. A maximum of 8 children from birth to 24 months of age.

480 2. A maximum of 12 children, with no more than 4 children
481 under 24 months of age.

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

489 (a) Specifically covered in a policy; or

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

492 (4) DENIAL, CANCELLATION, REFUSAL TO RENEW PROHIBITED.—An
493 insurer may not deny, cancel, or refuse to renew a policy for
494 residential property insurance solely on the basis that the
495 policyholder or applicant operates a family child day care home
496 or a large family child care home. In addition to other lawful
497 reasons for refusing to insure, an insurer may deny, cancel, or
498 refuse to renew a policy of a family child day care home or a
499 large family child care home provider if one or more of the
500 following conditions occur:

501 (a) The policyholder or applicant provides care for more
 502 children than authorized ~~for family day care homes~~ by s.
 503 402.302;

504 (b) The policyholder or applicant fails to maintain a
 505 separate commercial liability policy or an endorsement providing
 506 liability coverage for the family child ~~day~~ care home or the
 507 large family child care home operations;

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

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

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

519 1001.24 Direct-support organization; use of property;
 520 board of directors; audit.—

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

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

525 1. That is a corporation not for profit that is

526 incorporated under the provisions of chapter 617 and approved by
 527 the Department of State.

528 2. That is organized and operated exclusively to receive,
 529 hold, invest, and administer property and to make expenditures
 530 to or for the benefit of the early learning programs under parts
 531 V and VI of chapter 1002, child care facilities licensed under
 532 s. 402.305, family child care homes licensed or registered under
 533 s. 402.313, large family child care homes licensed under s.
 534 402.3131, and public prekindergarten through 12th grade
 535 education in this state.

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

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

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

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

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

550 (c) Shall not permit the use of property, facilities, or

551 personal services of the direct-support organization if such
552 organization does not provide equal employment opportunities to
553 all persons, regardless of race, color, national origin, gender,
554 age, or religion.

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

559 (4) ANNUAL AUDIT.—Each direct-support organization shall
560 provide for an annual financial audit in accordance with s.
561 215.981. The identity of donors who desire to remain anonymous
562 shall be protected, and that anonymity shall be maintained in
563 the auditor's report. All records of the organization other than
564 the auditor's report, management letter, and any supplemental
565 data requested by the Auditor General and the Office of Program
566 Policy Analysis and Government Accountability shall be
567 confidential and exempt from the provisions of s. 119.07(1).

568 **Section 7. Subsection (2) of section 1002.67, Florida**
569 **Statutes, is amended to read:**

570 1002.67 Performance standards and curricula.—

571 (2) (a) Each private prekindergarten provider and public
572 school may select or design the curriculum that the provider or
573 school uses to implement the Voluntary Prekindergarten Education
574 Program, except as otherwise required for a provider or school
575 that fails to meet the minimum performance metric score or

576 designation ~~change in ability~~ established pursuant to s.
577 1002.68.

578 (b) Each private prekindergarten provider's and public
579 school's curriculum must be developmentally appropriate and
580 must:

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

583 2. Develop students' background knowledge through a
584 content-rich and sequential knowledge building early literacy
585 curriculum;

586 3. Enhance the age-appropriate progress of students in
587 attaining the performance standards adopted by the department
588 under subsection (1); and

589 4. Support student learning gains through differentiated
590 instruction that shall be measured by the coordinated screening
591 and progress monitoring program under s. 1008.25(9).

592 (c) The department shall adopt procedures for the review
593 and approval of curricula for use by private prekindergarten
594 providers and public schools that fail to meet the minimum
595 performance metric score or designation ~~change in ability scores~~
596 established pursuant to s. 1002.68. The department shall
597 administer the review and approval process and maintain a list
598 of the curricula approved under this paragraph. Each approved
599 curriculum must meet the requirements of paragraph (b). The
600 review and approval process must include curricula that are

601 available for purchase and proprietary curricula that are not
602 available for purchase.

603 (d) The department must review and may approve a
604 curriculum that is proprietary or available for purchase outside
605 of the established review and approval process in paragraph (c).
606 The curriculum must be used by a private provider or public
607 school district that operates a Voluntary Prekindergarten
608 Education Program in more than five distinct locations. Any
609 curriculum approved under this paragraph must meet the
610 requirements of paragraph (b). Any curriculum approved under
611 this paragraph that is available for purchase must be included
612 on the list of curricula approved under this paragraph. Within
613 60 days after receipt of a request for a curriculum review, the
614 department shall review and either approve or deny the submitted
615 curriculum and all associated materials. A request for a
616 curriculum review may not be submitted under this paragraph
617 within 120 days before the opening of the regular review process
618 described in paragraph (c).

619 **Section 8. Section 1002.821, Florida Statutes, is created**
620 **to read:**

621 1002.821 Florida Child Care Fund.—The Florida Child Care
622 Fund is established to support early learning and child care
623 needs of Florida families.

624 (1) A Department of Education direct-support organization
625 established pursuant to s. 1001.24 shall administer the fund.

626 (2) (a) Any bequests, gifts, grants, and donations made to
627 the fund as may be solicited for such purpose from public or
628 private sources shall be deposited into the Early Learning Fund.

629 (b) Any legislative appropriation from the Child Care and
630 Development Block Grant Trust Fund which may be provided to the
631 Florida Child Care Fund shall be deposited into the Early
632 Learning Fund and shall be used to fund children from the
633 waiting list pursuant to subparagraph (3) (a)1.

634 (c) Any funds received from state sources and interest
635 earnings shall be accounted for separately.

636 (3) Funds shall be used to provide:

637 (a) Care for children from birth until the child is
638 eligible to enroll in kindergarten in accordance with:

639 1. An allocation methodology to fund the waiting list of
640 early learning coalitions; or

641 2. The intentions of a donor.

642 (b) The early learning coalition shall fund school
643 readiness program providers and providers selected by the
644 donor's recipient at the reimbursement rate calculated pursuant
645 to s. 1002.84(17). If the provider selected by the donor's
646 recipient is not a school readiness program provider, the
647 department shall adopt a contract for use by an early learning
648 coalition with the provider to provide such funds.

649 (c) Any family served under subparagraph (a)1. shall have
650 an early learning coalition apply a parent copayment based on

651 family income pursuant to s. 1002.84(9) or s. 1002.935(2)(b).

652 (4) By January 1 of each year, beginning January 1, 2027,
653 the Division of Early Learning shall prepare, and the department
654 shall publish on its website, a report that summarizes the
655 performance of the Florida Child Care Fund and the fund's
656 fundraising activities for the previous fiscal year, and
657 identifies the child care needs supported by the fund principal
658 or earnings and those supported by private sources, bequests,
659 gifts, grants, and donations. The report must also include:

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

662 (b) The amount of funds spent on administrative expenses
663 and fundraising and the amount of funds raised from private
664 sources.

665 **Section 9. Section 1002.95, Florida Statutes, is amended**
666 **to read:**

667 1002.95 Teacher Education and Compensation Helps (TEACH)
668 Scholarship Program.—

669 (1)(a) The department may contract for the administration
670 of the Teacher Education and Compensation Helps (TEACH)
671 Scholarship Program, which provides educational scholarships to
672 caregivers and administrators of early childhood programs,
673 family child ~~day~~ care homes, and large family child care homes.
674 The goal of the program is to increase the education and
675 training for caregivers, increase the compensation for child

676 caregivers who complete the program requirements, and reduce the
677 rate of participant turnover in the field of early childhood
678 education.

679 (b) Subject to appropriation, the TEACH Scholarships
680 Program administrator contracted under paragraph (a) shall also
681 establish and administer the Center for Early Childhood
682 Professional Recognition to ensure alignment of training
683 statewide, including, but not limited to, methods of early
684 childhood professional training approval, and implementation of
685 competency-based assessments aligned to the early learning
686 professional development standards and career pathways under s.
687 1002.995.

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

690 **Section 10. Paragraph (a) of subsection (4) of section**
691 **39.101, Florida Statutes, is amended to read:**

692 39.101 Central abuse hotline.—The central abuse hotline is
693 the first step in the safety assessment and investigation
694 process.

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

697 (a) Information received by the central abuse hotline may
698 not be used for employment screening, except as provided in s.
699 39.202(2)(a) and (h) or s. 402.302(16) ~~s. 402.302(15)~~.

700 **Section 11. Paragraph (a) of subsection (2) of section**

701 **39.202, Florida Statutes, is amended to read:**

702 39.202 Confidentiality of reports and records in cases of
703 child abuse or neglect; exception.—

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

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

- 714 1. Child or adult protective investigations;
- 715 2. Ongoing child or adult protective services;
- 716 3. Early intervention and prevention services;
- 717 4. Healthy Start services;
- 718 5. Licensure or approval of adoptive homes, foster homes,
719 child care facilities, facilities licensed under chapters 393
720 and 394, family child ~~day~~ care homes, providers who receive
721 school readiness funding under part VI of chapter 1002, or other
722 homes used to provide for the care and welfare of children;
- 723 6. Employment screening for caregivers in residential
724 group homes and facilities licensed under chapters 393, 394, and
725 409; or

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

729
 730 Also, employees or agents of the Department of Juvenile Justice
 731 responsible for the provision of services to children, pursuant
 732 to chapters 984 and 985.

733 **Section 12. Section 125.0109, Florida Statutes, is amended**
 734 **to read:**

735 125.0109 Family child ~~day~~ care homes; local zoning
 736 regulation.—The operation of a residence as a family child ~~day~~
 737 care home, as defined by law, registered or licensed with the
 738 Department of Children and Families shall constitute a valid
 739 residential use for purposes of any local zoning regulations,
 740 and no such regulation shall require the owner or operator of
 741 such family child ~~day~~ care home to obtain any special exemption
 742 or use permit or waiver, or to pay any special fee in excess of
 743 \$50, to operate in an area zoned for residential use.

744 **Section 13. Section 166.0445, Florida Statutes, is amended**
 745 **to read:**

746 166.0445 Family child ~~day~~ care homes; local zoning
 747 regulation.—The operation of a residence as a family child ~~day~~
 748 care home, as defined by law, registered or licensed with the
 749 Department of Children and Families shall constitute a valid
 750 residential use for purposes of any local zoning regulations,

751 and no such regulation shall require the owner or operator of
752 such family child ~~day~~ care home to obtain any special exemption
753 or use permit or waiver, or to pay any special fee in excess of
754 \$50, to operate in an area zoned for residential use.

755 **Section 14. Paragraph (j) of subsection (7) of section**
756 **212.08, Florida Statutes, is amended to read:**

757 212.08 Sales, rental, use, consumption, distribution, and
758 storage tax; specified exemptions.—The sale at retail, the
759 rental, the use, the consumption, the distribution, and the
760 storage to be used or consumed in this state of the following
761 are hereby specifically exempt from the tax imposed by this
762 chapter.

763 (7) MISCELLANEOUS EXEMPTIONS.—Exemptions provided to any
764 entity by this chapter do not inure to any transaction that is
765 otherwise taxable under this chapter when payment is made by a
766 representative or employee of the entity by any means,
767 including, but not limited to, cash, check, or credit card, even
768 when that representative or employee is subsequently reimbursed
769 by the entity. In addition, exemptions provided to any entity by
770 this subsection do not inure to any transaction that is
771 otherwise taxable under this chapter unless the entity has
772 obtained a sales tax exemption certificate from the department
773 or the entity obtains or provides other documentation as
774 required by the department. Eligible purchases or leases made
775 with such a certificate must be in strict compliance with this

776 subsection and departmental rules, and any person who makes an
777 exempt purchase with a certificate that is not in strict
778 compliance with this subsection and the rules is liable for and
779 shall pay the tax. The department may adopt rules to administer
780 this subsection.

781 (j) Household fuels.—Also exempt from payment of the tax
782 imposed by this chapter are sales of utilities to residential
783 households or owners of residential models in this state by
784 utility companies who pay the gross receipts tax imposed under
785 s. 203.01, and sales of fuel to residential households or owners
786 of residential models, including oil, kerosene, liquefied
787 petroleum gas, coal, wood, and other fuel products used in the
788 household or residential model for the purposes of heating,
789 cooking, lighting, and refrigeration, regardless of whether such
790 sales of utilities and fuels are separately metered and billed
791 direct to the residents or are metered and billed to the
792 landlord. If any part of the utility or fuel is used for a
793 nonexempt purpose, the entire sale is taxable. The landlord
794 shall provide a separate meter for nonexempt utility or fuel
795 consumption. For the purposes of this paragraph, licensed family
796 child day care homes shall also be exempt.

797 **Section 15. Subsection (3) of section 402.306, Florida**
798 **Statutes, is amended to read:**

799 402.306 Designation of licensing agency; dissemination by
800 the department and local licensing agency of information on

801 child care.—

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

817 **Section 16. Subsections (1) and (2) and paragraph (a) of**
818 **subsection (3) of section 402.309, Florida Statutes, are amended**
819 **to read:**

820 402.309 Provisional license or registration.—

821 (1) The local licensing agency or the department,
822 whichever is authorized to license child care facilities in a
823 county, may issue a provisional license for child care
824 facilities, family child ~~day~~ care homes, or large family child
825 care homes, or a provisional registration for family child ~~day~~

826 care homes to applicants for an initial license or registration
827 or to licensees or registrants seeking a renewal who are unable
828 to meet all the standards provided for in ss. 402.301-402.319.

829 (2) A provisional license or registration may not be
830 issued unless the operator or owner makes adequate provisions
831 for the health and safety of the child. A provisional license
832 may be issued for a child care facility if all of the screening
833 materials have been timely submitted. A provisional license or
834 registration may not be issued unless the child care facility,
835 family child ~~day~~ care home, or large family child care home is
836 in compliance with the requirements for screening of child care
837 personnel in ss. 402.305, 402.3055, 402.313, and 402.3131,
838 respectively.

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

843 (a) Is applying for an initial license or registration for
844 a child care facility, a family child ~~day~~ care home, or a large
845 family child care home;

846 **Section 17. Paragraph (d) of subsection (1) and subsection**
847 **(4) of section 402.310, Florida Statutes, are amended to read:**

848 402.310 Disciplinary actions; hearings upon denial,
849 suspension, or revocation of license or registration;
850 administrative fines.—

851 (1)

852 (d) The disciplinary sanctions ~~set forth~~ in this section
 853 apply to licensed child care facilities, licensed large family
 854 child care homes, and licensed or registered family child ~~day~~
 855 care homes.

856 (4) An applicant, registrant, or licensee shall have the
 857 right to appeal a decision of the local licensing agency to a
 858 representative of the department. Any required hearing shall be
 859 held in the county in which the child care facility, family
 860 child ~~day~~ care home, or large family child care home is being
 861 operated or is to be established. The hearing shall be conducted
 862 in accordance with the provisions of chapter 120.

863 **Section 18. Subsection (1) and paragraph (a) of subsection**
 864 **(2) of section 402.3115, Florida Statutes, are amended to read:**

865 402.3115 Elimination of duplicative and unnecessary
 866 inspections; abbreviated inspections.-

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

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

876 conditions:

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

878 2. Have not had a Class 1 deficiency, as defined by rule,
879 for at least 2 consecutive years.

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

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

885 5. Do not have any current uncorrected violations.

886 6. Do not have any open regulatory complaints or active
887 child protective services investigations.

888 **Section 19. Section 402.312, Florida Statutes, is amended**
889 **to read:**

890 402.312 License required; injunctive relief.—

891 (1) The operation of a child care facility without a
892 license, a family child ~~day~~ care home without a license or
893 registration, or a large family child care home without a
894 license is prohibited. If the department or the local licensing
895 agency discovers that a child care facility is being operated
896 without a license, a family child ~~day~~ care home is being
897 operated without a license or registration, or a large family
898 child care home is being operated without a license, the
899 department or local licensing agency is authorized to seek an
900 injunction in the circuit court where the facility is located to

901 enjoin continued operation of such facility, family child ~~day~~
 902 care home, or large family child care home. When the court is
 903 closed for the transaction of judicial business, the department
 904 or local licensing agency is authorized to seek an emergency
 905 injunction to enjoin continued operation of such unlicensed
 906 facility, unregistered or unlicensed family child ~~day~~ care home,
 907 or unlicensed large family child care home, which injunction
 908 shall be continued, modified, or revoked on the next day of
 909 judicial business.

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

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

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

919 (c) A child care facility, family child ~~day~~ care home, or
 920 large family child care home continues to have children in
 921 attendance after the closing date established by the department
 922 or the local licensing agency.

923 (3) The department or local licensing agency may impose an
 924 administrative fine on any child care facility, family child ~~day~~
 925 care home, or large family child care home operating without a

926 | license or registration, consistent with ~~the provisions of~~ s.
 927 | 402.310.

928 | **Section 20. Subsection (3) of section 402.315, Florida**
 929 | **Statutes, is amended to read:**

930 | 402.315 Funding; license fees.—

931 | (3) The department shall collect a fee for any license it
 932 | issues for a child care facility, family child ~~day~~ care home, or
 933 | large family child care home pursuant to ss. 402.305, 402.313,
 934 | and 402.3131.

935 | (a) For a child care facility licensed pursuant to s.
 936 | 402.305, such fee shall be \$1 per child, based on the licensed
 937 | capacity of the facility, except that the minimum fee shall be
 938 | \$25 per facility and the maximum fee shall be \$100 per facility.

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

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

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

945 | **Section 21. Subsection (2) of section 402.316, Florida**
 946 | **Statutes, is amended to read:**

947 | 402.316 Exemptions.—

948 | (2) The provisions of ss. 402.301-402.319 do not apply to
 949 | a child care facility or family child ~~day~~ care home if the child
 950 | care facility or family child ~~day~~ care home has a certificate

951 issued by the United States Department of Defense or by the
952 United States Coast Guard to provide child care and has
953 completed background screening by the United States Department
954 of Defense pursuant to 34 U.S.C. s. 20351 and 32 C.F.R. part 86
955 and received a favorable suitability and fitness determination.
956 If the child care facility or family child ~~day~~ care home elects
957 to serve children ineligible for care under the United States
958 Department of Defense Instruction 6060.02, the child care
959 facility or family child ~~day~~ care home must be licensed under
960 this chapter.

961 **Section 22. Section 402.318, Florida Statutes, is amended**
962 **to read:**

963 402.318 Advertisement.—A person, as defined in s. 1.01(3),
964 may not advertise a child care facility, family child ~~day~~ care
965 home, or large family child care home without including within
966 such advertisement the state or local agency license number or
967 registration number of such facility or home. Violation of this
968 section is a misdemeanor of the first degree, punishable as
969 provided in s. 775.082 or s. 775.083.

970 **Section 23. Section 402.319, Florida Statutes, is amended**
971 **to read:**

972 402.319 Penalties.—

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

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

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

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

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

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

996 (f) Make any other misrepresentation, by act or omission,
 997 regarding the licensure or operation of a child care facility or
 998 family child ~~day~~ care home to a parent or guardian who has a
 999 child placed in the facility or is inquiring as to placing a
 1000 child in the facility, or to a representative of the licensing

1001 authority, or to a representative of a law enforcement agency,
 1002 including, but not limited to, any misrepresentation as to:

- 1003 1. The number of children at the child care facility or
 1004 the family child ~~day~~ care home;
- 1005 2. The part of the child care facility or family child ~~day~~
 1006 care home designated for child care;
- 1007 3. The qualifications or credentials of child care
 1008 personnel;
- 1009 4. Whether a family child ~~day~~ care home or child care
 1010 facility complies with the screening requirements of s. 402.305;
 1011 or
- 1012 5. Whether child care personnel have the training as
 1013 required by s. 402.305.

1014 (2) If any child care personnel makes any
 1015 misrepresentation in violation of this section to a parent or
 1016 guardian who has placed a child in the child care facility or
 1017 family child ~~day~~ care home, and the parent or guardian relied
 1018 upon the misrepresentation, and the child suffers great bodily
 1019 harm, permanent disfigurement, permanent disability, or death as
 1020 a result of an intentional act or negligence by the child care
 1021 personnel, then the child care personnel commits a felony of the
 1022 second degree, punishable as provided in s. 775.082, s. 775.083,
 1023 or s. 775.084.

1024 (3) Each child care facility, family child ~~day~~ care home,
 1025 and large family child care home shall annually submit an

1026 affidavit of compliance with s. 39.201.

1027 **Section 24. Paragraph (c) of subsection (2) of section**
 1028 **409.988, Florida Statutes, is amended to read:**

1029 409.988 Community-based care lead agency duties; general
 1030 provisions.—

1031 (2) LICENSURE.—

1032 (c) Substitute care providers who are licensed under s.
 1033 409.175 and who have contracted with a lead agency are also
 1034 authorized to provide registered or licensed family child ~~day~~
 1035 care under s. 402.313 if such care is consistent with federal
 1036 law and if the home has met the requirements of s. 402.313.

1037 **Section 25. Paragraph (b) of subsection (8) of section**
 1038 **411.203, Florida Statutes, is amended to read:**

1039 411.203 Continuum of comprehensive services.—The
 1040 Department of Education and the Department of Health shall
 1041 utilize the continuum of prevention and early assistance
 1042 services for high-risk pregnant women and for high-risk and
 1043 handicapped children and their families, as outlined in this
 1044 section, as a basis for the intraagency and interagency program
 1045 coordination, monitoring, and analysis required in this chapter.
 1046 The continuum shall be the guide for the comprehensive statewide
 1047 approach for services for high-risk pregnant women and for high-
 1048 risk and handicapped children and their families, and may be
 1049 expanded or reduced as necessary for the enhancement of those
 1050 services. Expansion or reduction of the continuum shall be

1051 determined by intraagency or interagency findings and agreement,
 1052 whichever is applicable. Implementation of the continuum shall
 1053 be based upon applicable eligibility criteria, availability of
 1054 resources, and interagency prioritization when programs impact
 1055 both agencies, or upon single agency prioritization when
 1056 programs impact only one agency. The continuum shall include,
 1057 but not be limited to:

1058 (8) SUPPORT SERVICES FOR ALL EXPECTANT PARENTS AND PARENTS
 1059 OF HIGH-RISK CHILDREN.—

1060 (b) Child care and early childhood programs, including,
 1061 but not limited to, licensed child care facilities, family child
 1062 ~~day~~ care homes, therapeutic child care, Head Start, and
 1063 preschool programs in public and private schools.

1064 **Section 26. Paragraph (a) of subsection (3) of section**
 1065 **1002.55, Florida Statutes, is amended to read:**

1066 1002.55 School-year prekindergarten program delivered by
 1067 private prekindergarten providers.—

1068 (3) To be eligible to deliver the prekindergarten program,
 1069 a private prekindergarten provider must meet each of the
 1070 following requirements:

1071 (a) The private prekindergarten provider must be a child
 1072 care facility licensed under s. 402.305, family child ~~day~~ care
 1073 home licensed under s. 402.313, large family child care home
 1074 licensed under s. 402.3131, nonpublic school exempt from
 1075 licensure under s. 402.3025(2), faith-based child care provider

1076 exempt from licensure under s. 402.316, child development
 1077 program that is accredited by a national accrediting body and
 1078 operates on a military installation that is certified by the
 1079 United States Department of Defense, or private prekindergarten
 1080 provider that has been issued a provisional license under s.
 1081 402.309. A private prekindergarten provider may not deliver the
 1082 program while holding a probation-status license under s.
 1083 402.310.

1084 **Section 27. Paragraph (u) of subsection (2) of section**
 1085 **1002.82, Florida Statutes, is amended to read:**

1086 1002.82 Department of Education; powers and duties.—

1087 (2) The department shall:

1088 (u) Administer a statewide toll-free Warm-Line to provide
 1089 assistance and consultation to child care facilities and family
 1090 child ~~day~~ care homes regarding health, developmental,
 1091 disability, and special needs issues of the children they are
 1092 serving, particularly children with disabilities and other
 1093 special needs. The department shall:

1094 1. Annually inform child care facilities and family child
 1095 ~~day~~ care homes of the availability of this service through the
 1096 child care resource and referral network under s. 1002.92.

1097 2. Expand or contract for the expansion of the Warm-Line
 1098 to maintain at least one Warm-Line in each early learning
 1099 coalition service area.

1100 **Section 28. Paragraph (j) of subsection (4) of section**

1101 **1002.83, Florida Statutes, is amended to read:**

1102 1002.83 Early learning coalitions.—

1103 (4) Each early learning coalition must include the
 1104 following member positions; however, in a multicounty coalition,
 1105 each ex officio member position may be filled by multiple
 1106 nonvoting members but no more than one voting member shall be
 1107 seated per member position. If an early learning coalition has
 1108 more than one member representing the same entity, only one of
 1109 such members may serve as a voting member:

1110 (j) A representative of private for-profit child care
 1111 providers, including private for-profit family child ~~day~~ care
 1112 homes.

1113 **Section 29. Subsection (4) of section 1002.84, Florida**
 1114 **Statutes, is amended to read:**

1115 1002.84 Early learning coalitions; school readiness powers
 1116 and duties.—Each early learning coalition shall:

1117 (4) Establish a regional Warm-Line as directed by the
 1118 department pursuant to s. 1002.82(2)(u). Regional Warm-Line
 1119 staff shall provide onsite technical assistance, when requested,
 1120 to assist child care facilities and family child ~~day~~ care homes
 1121 with inquiries relating to the strategies, curriculum, and
 1122 environmental adaptations the child care facilities and family
 1123 child ~~day~~ care homes may need as they serve children with
 1124 disabilities and other special needs.

1125 **Section 30. Paragraphs (a) and (c) of subsection (1) of**

1126 **section 1002.88, Florida Statutes, are amended to read:**

1127 1002.88 School readiness program provider standards;
 1128 eligibility to deliver the school readiness program.—

1129 (1) To be eligible to deliver the school readiness
 1130 program, a school readiness program provider must:

1131 (a) Be a child care facility licensed under s. 402.305, a
 1132 family child ~~day~~ care home licensed or registered under s.
 1133 402.313, a large family child care home licensed under s.
 1134 402.3131, a public school or nonpublic school exempt from
 1135 licensure under s. 402.3025, a faith-based child care provider
 1136 exempt from licensure under s. 402.316, a before-school or
 1137 after-school program described in s. 402.305(1)(c), a child
 1138 development program that is accredited by a national accrediting
 1139 body and operates on a military installation that is certified
 1140 by the United States Department of Defense, an informal child
 1141 care provider to the extent authorized in the state's Child Care
 1142 and Development Fund Plan as approved by the United States
 1143 Department of Health and Human Services pursuant to 45 C.F.R. s.
 1144 98.18, or a provider who has been issued a provisional license
 1145 pursuant to s. 402.309. A provider may not deliver the program
 1146 while holding a probation-status license under s. 402.310.

1147 (c) Provide basic health and safety of its premises and
 1148 facilities and compliance with requirements for age-appropriate
 1149 immunizations of children enrolled in the school readiness
 1150 program.

1151 1. For a provider that is licensed, compliance with s.
 1152 402.305, s. 402.3131, or s. 402.313 and this subsection, as
 1153 verified pursuant to s. 402.311, satisfies this requirement.

1154 2. For a provider that is a registered family child ~~day~~
 1155 care home or is not subject to licensure or registration by the
 1156 Department of Children and Families, compliance with this
 1157 subsection, as verified pursuant to s. 402.311, satisfies this
 1158 requirement. Upon verification pursuant to s. 402.311, the
 1159 provider shall annually post the health and safety checklist
 1160 adopted by the department prominently on its premises in plain
 1161 sight for visitors and parents and shall annually submit the
 1162 checklist to its local early learning coalition.

1163 3. For a child development program that is accredited by a
 1164 national accrediting body and operates on a military
 1165 installation that is certified by the United States Department
 1166 of Defense, the submission and verification of annual
 1167 inspections pursuant to United States Department of Defense
 1168 Instructions 6060.2 and 1402.05 satisfies this requirement.

1169 **Section 31. Paragraph (c) of subsection (2) of section**
 1170 **1002.895, Florida Statutes, is amended to read:**

1171 1002.895 Market rate schedule.—The school readiness
 1172 program market rate schedule shall be implemented as follows:

1173 (2) The market rate schedule must differentiate rates by
 1174 provider type, including, but not limited to:

1175 (c) Family child ~~day~~ care homes licensed or registered

1176 | under s. 402.313.

1177 | **Section 32. Paragraph (a) of subsection (3) and subsection**
 1178 | **(4) of section 1002.92, Florida Statutes, are amended to read:**

1179 | 1002.92 Child care and early childhood resource and
 1180 | referral.—

1181 | (3) Child care resource and referral agencies shall
 1182 | provide the following services:

1183 | (a) Identification of existing public and private child
 1184 | care and early childhood education services, including child
 1185 | care services by public and private employers, and the
 1186 | development of an early learning provider performance profile of
 1187 | those services through the single statewide information system
 1188 | developed by the department under s. 1002.82(2)(q). These
 1189 | services may include family child ~~day~~ care, public and private
 1190 | child care programs, the Voluntary Prekindergarten Education
 1191 | Program, Head Start, the school readiness program, special
 1192 | education programs for prekindergarten children with
 1193 | disabilities, services for children with developmental
 1194 | disabilities, full-time and part-time programs, before-school
 1195 | and after-school programs, and vacation care programs. The early
 1196 | learning provider performance profile shall include, but not be
 1197 | limited to:

- 1198 | 1. Type of program.
- 1199 | 2. Hours of service.
- 1200 | 3. Ages of children served.

- 1201 4. Number of children served.
- 1202 5. Program information.
- 1203 6. Fees and eligibility for services.
- 1204 7. Availability of transportation.
- 1205 8. Participation in the Child Care Food Program, if
- 1206 applicable.
- 1207 9. A link to licensing inspection reports, if applicable.
- 1208 10. The components of the Voluntary Prekindergarten
- 1209 Education Program performance metric calculated under s. 1002.68
- 1210 which must consist of the program assessment composite score,
- 1211 learning gains score, achievement score, and its designations,
- 1212 if applicable.
- 1213 11. The school readiness program assessment composite
- 1214 score and program assessment care level composite score results
- 1215 delineated by infant classrooms, toddler classrooms, and
- 1216 preschool classrooms results under s. 1002.82, if applicable.
- 1217 12. Gold Seal Quality Care designation under s. 1002.945,
- 1218 if applicable.
- 1219 13. Indication of whether the provider implements a
- 1220 curriculum approved by the department and the name of the
- 1221 curriculum, if applicable.
- 1222 14. Participation in school readiness child assessment
- 1223 under s. 1002.82.
- 1224 (4) A child care facility licensed under s. 402.305 and
- 1225 licensed and registered family child ~~day~~ care homes must provide

1226 | the statewide child care and resource and referral network with
 1227 | the following information annually:

- 1228 | (a) Type of program.
- 1229 | (b) Hours of service.
- 1230 | (c) Ages of children served.
- 1231 | (d) Fees and eligibility for services.

1232 | **Section 33. Subsection (2) of section 1002.93, Florida**
 1233 | **Statutes, is amended to read:**

1234 | 1002.93 School readiness program transportation services.—

1235 | (2) The transportation servicers may only provide
 1236 | transportation to each child participating in the school
 1237 | readiness program to the extent that such transportation is
 1238 | necessary to provide child care opportunities that otherwise
 1239 | would not be available to a child whose home is more than a
 1240 | reasonable walking distance from the nearest child care facility
 1241 | or family child ~~day~~ care home.

1242 | **Section 34. Paragraph (b) of subsection (1), paragraphs**
 1243 | **(a) and (c) of subsection (3), and subsection (4) of section**
 1244 | **1002.945, Florida Statutes, are amended to read:**

1245 | 1002.945 Gold Seal Quality Care Program.—

- 1246 | (1)
- 1247 | (b) A child care facility, large family child care home,
 1248 | or family child ~~day~~ care home that is accredited by an
 1249 | accrediting association approved by the Department of Education
 1250 | under subsection (3) and meets all other requirements shall,

1251 upon application to the department, receive a separate "Gold
 1252 Seal Quality Care" designation.

1253 (3) (a) In order to be approved by the Department of
 1254 Education for participation in the Gold Seal Quality Care
 1255 Program, an accrediting association must apply to the department
 1256 and demonstrate that it:

- 1257 1. Is a recognized accrediting association.
- 1258 2. Has accrediting standards that substantially meet or
 1259 exceed the Gold Seal Quality Care standards adopted by the state
 1260 board under subsection (2).
- 1261 3. Is a registered corporation with the Department of
 1262 State.
- 1263 4. Can provide evidence that the process for accreditation
 1264 has, at a minimum, all of the following components:
 - 1265 a. Clearly defined prerequisites that a child care
 1266 provider must meet before beginning the accreditation process.
 1267 However, accreditation may not be granted to a child care
 1268 facility, large family child care home, or family child ~~day~~ care
 1269 home before the site is operational and is attended by children.
 - 1270 b. Procedures for completion of a self-study and
 1271 comprehensive onsite verification process for each classroom
 1272 that documents compliance with accrediting standards.
 - 1273 c. A training process for accreditation verifiers to
 1274 ensure inter-rater reliability.
 - 1275 d. Ongoing compliance procedures that include requiring

1276 each accredited child care facility, large family child care
1277 home, and family child ~~day~~ care home to file an annual report
1278 with the accrediting association and risk-based, onsite auditing
1279 protocols for accredited child care facilities, large family
1280 child care homes, and family child ~~day~~ care homes.

1281 e. Procedures for the revocation of accreditation due to
1282 failure to maintain accrediting standards as evidenced by sub-
1283 subparagraph d. or any other relevant information received by
1284 the accrediting association.

1285 f. Accreditation renewal procedures that include an onsite
1286 verification occurring at least every 5 years.

1287 g. A process for verifying continued accreditation
1288 compliance in the event of a transfer of ownership of
1289 facilities.

1290 h. A process to communicate issues that arise during the
1291 accreditation period with governmental entities that have a
1292 vested interest in the Gold Seal Quality Care Program, including
1293 the Department of Education, the Department of Children and
1294 Families, the Department of Health, local licensing entities if
1295 applicable, and the early learning coalition.

1296 (c) If an accrediting association has granted
1297 accreditation to a child care facility, large family child care
1298 home, or family child ~~day~~ care under fraudulent terms or failed
1299 to conduct onsite verifications, the accrediting association
1300 shall be liable for the repayment of any rate differentials paid

1301 under subsection (6).

1302 (4) In order to obtain and maintain a designation as a
 1303 Gold Seal Quality Care provider, a child care facility, large
 1304 family child care home, or family child ~~day~~ care home must meet
 1305 the following additional criteria:

1306 (a) The child care provider must not have had any class I
 1307 violations, as defined by rule of the Department of Children and
 1308 Families, within the 2 years preceding its application for
 1309 designation as a Gold Seal Quality Care provider. Commission of
 1310 a class I violation shall be grounds for termination of the
 1311 designation as a Gold Seal Quality Care provider until the
 1312 provider has no class I violations for a period of 2 years.

1313 (b) The child care provider must not have had three or
 1314 more of the same class II violations, as defined by rule of the
 1315 Department of Children and Families, within the 2 years
 1316 preceding its application for designation as a Gold Seal Quality
 1317 Care provider. Commission of three or more of the same class II
 1318 violations within a 2-year period shall be grounds for
 1319 termination of the designation as a Gold Seal Quality Care
 1320 provider until the provider has no class II violations that are
 1321 the same for a period of 1 year.

1322 (c) The child care provider must not have been cited for
 1323 the same class III violation, as defined by rule of the
 1324 Department of Children and Families, three or more times and
 1325 failed to correct the violation within 1 year after the date of

1326 each citation, within the 2 years preceding its application for
1327 designation as a Gold Seal Quality Care provider. Commission of
1328 the same class III violation three or more times and failure to
1329 correct within the required time during a 2-year period may be
1330 grounds for termination of the designation as a Gold Seal
1331 Quality Care provider until the provider has no class III
1332 violations for a period of 1 year.

1333 (d) Notwithstanding paragraph (a), if the Department of
1334 Education determines through a formal process that a provider
1335 has been in business for at least 5 years and has no other class
1336 I violations recorded, the department may recommend to the state
1337 board that the provider maintain its Gold Seal Quality Care
1338 status. The state board's determination regarding such
1339 provider's status is final.

1340 **Section 35.** This act shall take effect July 1, 2026.